



## Legislation Text

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**File #:** 08-1519, **Version:** 1

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Development Services Department, Planning Services Division, recommending adoption of Resolution **274-2008** of Intention to initiate a General Plan amendment to revise Land Use Element policies relating to mandatory open space and planned developments; and recommending staff be directed to process said amendment through the Planning Commission.

Background: In June, 2006, Planning Services staff reviewed with the Planning Commission a number of policy questions that had arisen as the County began implementing the 2004 General Plan. Among these were concerns regarding the application of the mandatory 30% open space requirement on planned developments pursuant to Policy 2.2.3.1. Staff explained that greater flexibility was needed in order to accommodate small infill projects and condominium conversions. This was echoed by a number of speakers from the public, and the Commission also directed staff to look comprehensively at the planned development requirements.

Staff returned to the Commission in August, 2007 and asked for further direction. At that time the Commission asked that staff work with a committee of interested parties to develop recommendations. Staff worked with citizens representing development, real estate, recreation, and open space interests during the spring of 2008, and is prepared to return to the Commission for further guidance. While staff has been working under the direction of the Planning Commission, it was discovered that no formal resolution of intention to initiate the General Plan amendment has been adopted.

The purpose of this agenda item is to have such a resolution adopted by your Board in compliance with adopted policy of the County prior to doing any further work on this amendment.

Discussion: Upon adoption of the resolution of intention, staff would continue working with the Planning Commission to complete the draft amendment to Policies 2.2.3.1, 2.2.4.1, and 2.2.5.4, and prepare an appropriate CEQA document (either and addendum to the General Plan EIR or a negative declaration.) Staff would schedule a public hearing with the Commission, whose recommendation would be forwarded to your Board for final action in the next available General Plan Land Use Element amendment window, most likely early next year.

Several projects have been unable to proceed as desired due to the requirements of the 30% open space. The issue of density bonuses and open space in rural projects has become relevant and timely due to several projects currently under review by the County. Staff recognizes that the issue has been lingering for some time, but due to other General Plan implementation priorities, has not been able to complete the work necessary to get this back to the Commission. Staff would like to conclude this as quickly as possible to resolve these issues, and provide clear direction to applicants.

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