



Legislation Text

File #: 08-0642, **Version:** 8

Development Services Department recommending the Board take the following actions:

- (1) Approve a series of workshops to provide direction on General Plan implementation, policy interpretation, and identify potential policy amendments, as set forth in Attachment A;
- (2) Accept the prior General Plan policy interpretations made by the Planning Commission, itemized in Attachment B; and
- (3) Discuss and consider the Department's recommendation to not establish an ad hoc General Plan implementation committee but to use a workshop process instead. (Refer 12/9/08, Item 37)

FUNDING: No funding necessary.

Background: Nearly four years has passed since the voters ratified the 2004 General Plan. Since that time the County has adopted a number of the implementation measures, initiated changes to the policies, and has worked towards implementing the plan. However, much work still needs to be done. The purpose of this agenda is to begin a discussion between the Board and Planning staff which will lead to clear direction regarding the remaining implementation measures, problems that have been identified with various policies, and how the County can move forward under the plan given the current budget and staffing constraints.

Staff has brought to the Board periodic updates regarding implementation status. The most recent of these was in the fall of 2008. While the Board concurred with staff's recommendations regarding its priorities for the remainder of this fiscal year, it is apparent that there are concerns about some of the policies, that the Department's ability to complete some of the expected tasks may be compromised due to staffing reductions, and there may be some measures that no longer should be implemented as articulated in the adopted Implementation Program.

Additionally, on December 9, 2008 the Board directed staff to return on January 26, 2009 to discuss the procedure for General Plan policy interpretations; consider adoption of a General Plan implementation program; and to discuss the formation of an ad hoc General Plan implementation committee. The January 26 board meeting was cancelled and this item re-scheduled for the February 3, 2009 meeting.

Reason for Recommendation: Implementation of the General Plan has taken several *forms*. These include *processing development applications* consistent with the plan, the adoption of *interpretations* of policies, and formal adoption of *implementation* measures such as the Oak Woodlands Management Plan. The latter is done at staff level, by the Planning Commission, or by the Board of Supervisors. As time goes by, *amendments to a plan* are also necessary in order to keep up with changing needs, development patterns, or other circumstances.

Interpretations: Policy interpretations arise when the language of a policy is unclear, particularly as applied on a regular basis. Staff will make an initial interpretation, given the context of the policy and how it is applied. This typically resolves the issue, and most are satisfied with the results. Occasionally, however, an applicant or member of the public is dissatisfied with an interpretation, or

there is enough complexity to the issue that the policy questions are taken to the Planning Commission or Board of Supervisors. In that case, more formal interpretations are made, which are then documented and applied to day-to-day operations.

Attached is a list of policies for which formal interpretations were necessary, and a copy of these interpretations are included (Attachment B). As a part of the workshops proposed by staff, additional policies that need interpreting will be identified and draft interpretations prepared.

Additionally, the Planning Commission adopted a series of interim guidelines, utilized by staff and the Commission to implement certain policies pending the formal adoption of the implementation measure. These include provisions for development on 30% slopes (Policy 7.1.2.1), buffers from streams and wetlands (Policy 7.3.3.4), and agricultural setbacks (Policies 8.1.3.2 and 8.4.1.2). A fourth guideline was adopted to implement oak canopy protection requirements per Policy 7.4.4.4, which has since been superseded by the adoption of the OWMP. Each of these is available on the internet at Planning Services web site:

<http://www.co.el-dorado.ca.us/Planning/GeneralPlanImplementation.html>.

Implementation Measures: As previously reported to the Board, the General Plan identifies 217 implementation measures to be enacted by the County. Many of these are on-going tasks that the County is doing already, or have initiated since adoption of the plan. Others are new programs or tasks. Target timelines were provided in the plan. Those measures deemed to be more important were given a shorter time frame. Of the 217 measures, 83 were planned to be completed or initiated within three years of adoption. Some of the major measures already adopted are the Oak Woodland Management Plan, the TIM Fee update, Agricultural grading permit process, and Phase 1 of the mixed use development process. Presently planning staff is working on the following measures:

- Zoning Ordinance update (LU-A)
- INRMP (CO-M/CO-U)
- Housing Element update
- Density Bonus ordinance (HO-7)
- Mixed Use Development amendment and ordinance - Phase 2 (HO-27)
- Rare plant mitigation coordination with state and federal agencies (CO-K)
- Design and Improvement Standards Manual update (LU-E)

Four staff members are dedicated to these tasks (one principal planner and three senior planners.)

General Plan Policy Amendments: Since adoption of the General Plan in 2004 staff, the Board, and interested members of the public have identified problems or concerns with some of the policies. Several General Plan amendments have been initiated as a result. Those that have been adopted include:

- HO-3g - Change to time limits for conversion of affordable and multi-family housing;
- 2.2.1.5 - Amend density table to allow higher FAR and delete maximum impervious surface requirement;
- 2.2.5.13 - Change to process for development adjacent to airports;
- 2.2.5.20 - Amend General Plan consistency review process to limit it to larger residential projects and non-residential projects;
- Goal TC-X - Amend several policies relating to levels of service and the CIP process to more

- accurately reflect needed road capacity improvements; and
- Amend several policies in the Land Use Element to provide flexibility in lot sizes.

The following are pending and are either scheduled for hearing in the near future or are being worked on by staff:

- 8.1.3.1 - Amend Ag buffer requirements in Community Regions.
- 2.2.5.4 et al - Provide greater flexibility and options in-lieu of mandatory open space for planned developments;
- 2.2.1.2 et al - Provide standards for “by-right” mixed use development.

Workshop Process vs Committee Process: The Board’s action also included direction to further discuss the creation of an ad hoc General Plan implementation committee. While it is clearly the Board's prerogative to establish such a committee, the Board's adoption of the proposed series of workshops will provide ample opportunity for the public, special interest groups, and others to provide comments to the Board. The proposed workshop format will provide much greater public participation than if it is relegated to a select few appointed to a committee. Therefore the Department is not recommending convening an ad hoc committee at this time.

General Plan implementation needs to be expedited and, given staffing levels and workload demands, staffing a committee will take away needed resources to complete the work already assigned to the Department, and will likely delay critical implementation measures. By going directly to the Board in a workshop setting, staff can get clear direction from the Board in a timely manner, you can set the priorities, and all members of the public can participate in the discussion.

Staff recommends that a Workshop Process be utilized instead of a Committee Process in order to proceed most expeditiously with General Plan implementation at this time. However, if sufficient progress is not being made over time, the issue can be revisited, perhaps at the end of the calendar year.

Contact: Roger Trout (5369)