



Legislation Text

File #: 20-1156, **Version:** 1

Planning and Building Department recommending the Board review and revise Board Policy J-6 - General Plan Amendment Initiation Process.

FUNDING: N/A

DISCUSSION / BACKGROUND

On December 10, 2013 (Legistar Number 13-0793, Item 28), the Board approved Policy J-6 - General Plan Amendment Initiation Process. Pursuant to the Policy Review Section, the Policy was to "be reviewed no less than annually to assess whether this policy is working effectively and as intended". Further, Board Policy A-1 - Development and Distribution of Board of Supervisors Policies, Section III.A states that "The responsible department shall ensure that the draft policy conforms to the standardized policy format and contains a recommended review date of no more than four years". Policy J-6 has not been reviewed or updated since its adoption in 2013. Staff have reviewed the Policy and, in addition to general formatting and editorial changes, recommend the following notable changes:

Revisions to the Purpose of the Policy to:

1. Identify that the Policy applies to privately initiated General Plan Amendments, including Specific Plan Amendments and new Specific Plans that would result in increasing allowable density by 50 or more dwelling units - previously the less than 50 dwelling unit threshold was included as an Exemption at the end of the Policy, which lead to confusion of applicability;
2. Add that the purpose of the Policy is to assist the Board in determining whether a proposed change to the General Plan furthers the overall goals and objectives of the Board based on the Criteria listed in the Policy;
3. Add that the purpose of the Policy is to allow for early public knowledge and involvement in the General Plan Amendment Initiation process;
4. Specify that the Policy also provides the framework for Applicants to follow when voluntarily requesting a Conceptual Review before the Planning Commission or the Board of Supervisors for any development project pursuant to Section 130.51.090 of the County's Zoning Ordinance; and,
5. Include a provisional statement that this review process will result in neither approval nor denial of the proposed project and the more thorough review that occurs during the formal application process could reveal issues and circumstances that were not known or reviewed during the much shorter review of the Initiation Hearing/Conceptual Review process under J-6.

Revisions to the Policy itself to:

1. Identify that the Policy applies to privately initiated General Plan Amendments, including Specific Plan Amendments and new Specific Plans that would result in increasing allowable density by 50 or more dwelling units - previously the less than 50 dwelling unit threshold was included as an Exemption at the end of the Policy, which lead to confusion of applicability; and,
2. Modify the Policy language from focusing the hearing on "the fundamental question of

whether the proposed application complies with the Criteria described” to focusing the hearing on a high-level policy assessment of “how well the proposed application furthers the overall goals and objectives of the Board of Supervisors based on the Criteria described”. Acknowledging that in previous J-6 Hearings the requirement for determining whether a proposed application complied with the Criteria was difficult for the Board to determine and detracted from the process that is intended to provide early feedback to the Applicant regarding the proposed project.

Revisions to the Procedure to:

1. Refine and expand the criteria for evaluation to include:
 - a. Consistency with the County’s Strategic Plan;
 - b. How the proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan policy or site design;
 - c. Additional project considerations for discussion that may include, but are not limited to:
 - i. Level and diversity of community support and opposition;
 - ii. Appropriateness of the proposed size, density and boundary of the project site;
 - iii. Provision of additional benefit to the community;
 - iv. Provision of public facilities;
 - v. Potential environmental effects; and,
 - vi. Future potential zoning and allowed uses.

Lastly, staff is recommending revising the Policy title from “General Plan Amendment Initiation Process” to “General Plan Amendment Initiation Hearing & Voluntary Conceptual Review Process” to clearly identify this is the process to be utilized for the Voluntary Conceptual Review process pursuant to Section 130.51.090 of the Zoning Ordinance.

ALTERNATIVES

The Board may choose not to revise the Policy or provide direction to staff to take other action.

PRIOR BOARD ACTION

On June 27, 2013 (Legistar Number 13-0793, Item 3), the Board directed staff to return to Board in approximately 120 days with a developed process and policy for the early evaluation of General Plan amendment applications.

On September 30, 2013 (Legistar Number 13-0793, Item 6), the Board directed staff to return to the Board with a revised General Plan Amendment Initiation Policy to include the following: 1) The amendment request is consistent with the principal goals and objectives of the General Plan; 2) Public infrastructure, facilities and services are available to serve the proposed project; 3) The proposed amendment meets one or more of the following goals and objectives: a. Increases employment opportunities within El Dorado County; b. Promotes the development of housing affordable to moderate income households; c. Provides additional opportunities to retain retail sales and sales tax revenues within El Dorado County; d. Protects and enhances the agricultural and natural resource industries; and, e. Is necessary to comply with changes in state or federal law; and, 4) The proposed amendment is consistent with the community vision.

On December 10, 2013 (Legistar Number 13-0793, Item 28) the Board approved the proposed General Plan Amendment Initiation Policy as amended.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Department of Transportation

CAO RECOMMENDATION

Approve as recommended.

FINANCIAL IMPACT

There is no financial impact associated with this recommendation.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Update the Board Policy Manual to amend Board Policy J-6.

STRATEGIC PLAN COMPONENT

Good Governance: Implement systems that improve system-wide process, data sharing and departmental collaboration. Evaluate requests and recommendations based on complete assessment of the best available information, with the goal of reaching well informed decisions.

CONTACT

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