



County of El Dorado

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Legislation Text

File #: 11-0087, **Version:** 1

Development Services Department recommending the Board adopt a resolution regarding policies related to the California Environmental Quality Act and the Density Bonus Provision of El Dorado County General Plan Policy 2.2.4.1.

Resolution 021-2011

Fiscal Impact/Change to Net County Cost: None

Background: General Plan Policy 2.2.4.1 Density Bonus, provides additional residential units (density bonus) to planned developments which set aside otherwise developable lands for public benefit, including open space, wildlife habitat and parks.

On February 19, 2010, a Petition for Writ of Mandate was filed in El Dorado County Superior Court challenging a discretionary approval of the Board of Supervisors pursuant to the California Environmental Quality Act ("CEQA"). The Petition alleged that the County does not comply with CEQA when processing applications that implicate the General Plan Density Bonus Provision. County Counsel disputed the allegations while recognizing that resolution of the dispute may be accomplished through official action formalizing the manner in which the County reviews applications implicating the Density Bonus Provision pursuant to CEQA. To that end, County Counsel prepared the attached draft resolution and joins Development Services Department in recommending its adoption.

Action to be taken following Board approval: Clerk of the Board to obtain the Chair's signature on the Resolution and send a full-executed copy of the Resolution to the Development Services Department for implementation.

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Concurrences: County Counsel