



The *Business Alliance...Update* is a bi-monthly publication of the El Dorado Business Alliance (BA). The BA is made up of the following organizations: El Dorado Builders' Exchange, El Dorado County Association of Realtors (EDCAR), El Dorado County Chamber of Commerce, North State Building Industry Association (NSBIA) and Shingle Springs-Cameron Park Chamber of Commerce. Web Address for Subscription Info: KathyeRussell@gmail.com

“Developing Mutual Support on Community-Wide Issues”

On November 14, 2011 the El Dorado County (EDC) Board of Supervisors (BOS) adopted Resolutions of Intention (ROI) to amend the existing General Plan (GP) and to complete a comprehensive update to the County's Zoning Ordinance (ZO). The General Plan implementation process became the EDC *Land Use Policy Programmatic Update (LUPPU)* process to collectively address updating numerous documents (GP, ZO, Housing Element Update and Travel Demand Model [TDM] upon which local transportation projects are developed and ultimately traffic impact fees are set), as well as inclusion of changes found in State Law (such as inclusion of Green House Gas Emissions regulations).

The BOS action of late 2011 followed a year-long process of review and consideration (and active participation of volunteers involved at Economic Development Advisory Committee (EDAC) Regulatory Reform meetings) of proposed changes determined to be necessary, after reviewing historical growth rates, known development patterns, market demands, and the findings from the General Plan 5-year review.

In December 2011 the Business Alliance engaged Kathye Russell to revive their bi-monthly newsletter on local business-related topics. Since the ad hoc Regulatory Reform Subcommittee of EDAC had begun meeting weekly to address issues that surfaced as part of the 5-year General Plan review, this publication has never run out of subjects to discuss. Our goal has been to keep our membership base, and the public, engaged and informed as LUPPU evolved. Reg Reform was successful in recruiting many interested community representatives that were soon invested in the LUPPU process as the benefits of implementing this General Plan became known. The LUPPU effort also progressed to include ongoing local economic development with support in the form of grants and a countywide “web portal” that would bring all areas of the County under one on-line link to a variety of local organizations, events and services.

A change in BOS membership slowed the process a bit, but overall a “new” long-range planning department and staff kept LUPPU on track. This past year (2013) a variety of consultants have been analyzing LUPPU components as required and we are currently on the brink of having the EIR released (next week!) and public discussion with the BOS occur. To that end, this is a good time to review the fundamental foundation that was set by county Supervisors (prior and current BOS members) and that have been a part of the EIR now ripe for discussion and ultimately for BOS decisions and ultimate adoption.

FOUR KEY OBJECTIVES OF THE LUPPU PROCESS

Following numerous meetings between the public, staff and the Board of Supervisors that identified areas where General Plan goals had not been met, and to get the LUPPU process “officially” moving, the BOS adopted Resolutions of Intention (ROI) setting forth the following as Objectives of the LUPPU process:

- Increase jobs, sales tax revenues and moderate housing availability;
- Promote and protect the EDC's Agricultural and Natural Resource lands;
- Make NO changes to the current General Plan's Land Use Designations *except as follows*:
 - ⇒ Limited clean-up language as identified through the Zoning Ordinance update process;
 - ⇒ Consider changing Camino/Pollock Pines from a Community Region (CR) to a Rural Center (RC);
 - ⇒ Agriculture District boundary adjustments, including adding new areas as previously determined but not yet processed.

PROPOSED CHANGES TO KEY GENERAL PLAN POLICIES

Political hype pushing several land-use voter initiatives, now in the signature-gathering stage, has begun. As is common in elections, facts are secondary to claims that might frighten the public into signing the initiatives (step 1); the hype will continue/grow if the initiatives qualify for public vote (step 2). Currently signature gatherers (some paid – some anti-growth activists) are making statements taken out of context or factually incorrect, about the existing General Plan and/or the LUPPU process. Below is the list compiled in early 2012 that the BOS voted to be included in the review process. **This list indicates exactly what changes are being analyzed, as part of the LUPPU process, specific to the existing General Plan.** These changes are being analyzed now, with the results due soon upon release of the EIR. **After the BOS reviews the EIR analysis, and keeping in mind the above objectives, they will vote on exactly what changes, if any, will be made.**

FIFTH LAND USE INITIATIVE FILED

The proposed changes are intended to alleviate deficiencies found during the 5-year GP review process and to bring the General Plan into compliance with State Law as necessary.

- In support of the community's request, the BOS previously directed that the **Camino/Pollock Pines Community Region Boundary be changed** to create three separate, distinct Rural Centers.
- Consider amending GP to **allow commercial and industrial uses in Rural Regions**; currently disallowed. This is a major incentive that allows for job creation in all areas of the county, not just in Community Regions (CR).
- **Commercial vs. Residential Mixed-Use Formula:** Consider deleting sentence, "*The residential component of the project shall only be implemented following or concurrent with the commercial component.*" This policy is often unworkable as projects usually require the income and population base from residential units to justify and support attracting commercial and retail ventures. Also consider amending Multi-Family land uses to allow commercial as part of a mixed-use project, and residential densities from 16 to 20 units per acre. These changes are necessary to meet housing mandates as well as retain higher densities within appropriate areas with adequate infrastructure.
- **Industrial Use:** Consider deleting restriction to Industrial Lands only within, or in close proximity to, Community Regions and Rural Centers: Delete the requirement that Industrial Lands in Rural Regions are *only* allowed for on-site support of agriculture and natural resource uses. This supports industrial uses in various areas of the county and broadens types of industrial uses actually allowed throughout the county.
- **Multi-Family Use:** Consider amending densities, from 24 to 30 units per acre, to comply with state law which requires specific jurisdictions (including EDC) to allow up to 30 units per acre to meet low/very low housing needs.
- Amend Multi-Family land use to encourage a full range of housing types without a requirement for a Planned Development (PD) process. This change will allow small lot single family *detached* homes in multi-family areas (instead of only apartments/duplex units) as well as streamline the process to eliminate the automatic PD process. The result would be to allow home ownership of unit/land such as cottages, instead of allowing only rental/apartment style units.
- **High Density Residential Use:** Consider deleting the mandate that a Planned Development process be required on projects of 3 or more units per acre. This is a regulatory streamlining effort of an often unnecessary, costly requirement.
- **Open Space:** Consider amending the 30% open space requirement *inside* of Community Regions and Rural Centers to allow for lesser areas of "improved open space" on site, and set criteria for options in meeting a portion of the requirement offsite via in-lieu fees options. This GP policy has been a poison pill to projects. Definitional issues remain such as: What is open space within higher density areas? Are they active or passive? Who pays to maintain them? Who benefits? If within a homeowners' association area – can the public access them? Must they assist in maintenance costs? This modification will establish formulas to address such questions and give options on how the goals are met.
- **Density Bonus:** Consider amending the Density Bonus policy which allows incentives to create open space as part of residential projects, and implement the policy specifics through Zoning Ordinance. The proposed change would maintain the option to utilize the Density Bonus *where appropriate and beneficial* to good project planning, by moving the option from the GP into the Zoning Ordinance.
- **Historic Townships:** This change would amend GP policy to recognize the historical town sites of El Dorado/Diamond Springs and other historical town sites as appropriate.
- **Infill Areas:** Consider setting criteria and identifying infill sites and opportunity areas to provide incentives that encourage development of vacant/underutilized areas. This amendment is a streamlining effort, but it does *not* amend land uses or extend current EIR growth projections or densities. It supports Traditional Neighborhood Designs, Mixed-Use and Form Base Code uses. These elements are project design tools used to create superior projects in unique, people-pleasing arrangements, while still providing higher density with variety. Form-Based Codes engage the public up-front with established design standards so developers know what is expected by the public.

While many view all of these GP modifications to be improvements to local jobs and local economic development, the initiatives being circulated (now SIX!), if adopted, will jeopardize some if not all of these changes and will likely tie up this process in unlimited legal challenges. Since some changes are based on State laws now in effect, it's still unclear how each might play out. Suffice to say the initiatives are not based on community well-being and State laws; and they ignore the hundreds of hours of time donated by local volunteers who participated in good faith in the LUPPU process.