



**COUNTY OF EL DORADO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

<b>Subject:</b> GENERAL PLAN AMENDMENT INITIATION PROCESS	<b>Policy Number</b> TBD - DRAFT	<b>Page Number:</b> Page 1 of 5
	<b>Date Adopted:</b> TBD	<b>Revised Date:</b>

**BACKGROUND:**

The El Dorado County General Plan is the comprehensive, long-term plan for the physical development of the county. State planning law requires the County to develop, adopt and maintain a legally adequate general plan, and provides for periodic monitoring, update and amendment of the general plan. The El Dorado County General Plan implements State planning law by providing for periodic monitoring of development activity and adjustment of the development potential of properties or modification of Community Region and Rural Center boundaries as the County deems necessary.

On April 4, 2011, the County completed the first five-year review following adoption of the General Plan. The County assessed prior activity and determined that the basic General Plan Assumptions, Strategies, Concepts and Objectives were still generally valid, and that land-use amendments would not be needed at this time. The County identified a number of General Plan policy revisions that would reinforce certain priorities including creation of jobs, provision of housing affordable to moderate-income households, retention of sales tax revenue, promotion and protection of agriculture and compliance with revisions in state law. The County initiated a Targeted General Plan Amendment to address the identified policy revisions.

State planning law permits general plan amendments to be initiated by the County or by a private party. A property owner may request a General Plan Amendment by submitting an application. Although a property owner has the right to submit amendment requests to the County, not all are worthy of study and consideration by County staff and the decision makers. Considering the significant investment that is required to initiate and process a development application, the Board has determined a procedure is needed to ensure that applicants are fully informed of the potential issues and risks associated with a privately initiated General Plan Amendment, and to provide a means to bring to an early conclusion



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<b>Subject:</b> GENERAL PLAN AMENDMENT INITIATION PROCESS	<b>Policy Number</b> TBD - DRAFT <b>Date Adopted:</b> TBD	<b>Page Number:</b> Page 2 of 5 <b>Revised Date:</b>
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those amendment applications which are inconsistent with the major goals and policies of the General Plan or which are premature given the extent of current development activity.

This policy is issued to specify the manner in which amendments to the El Dorado County General Plan amendments sought by private parties shall be initiated pursuant to Government Code Section 65358, and General Plan Policies [2.9.1.1 through 2.9.1.6.]

**POLICY:**

It is the policy of the Board of Supervisors (Board) that any privately initiated General Plan amendment, [Specific Plan or Specific Plan amendment] proposing to change the land use designation to increase allowable residential densities shall require an "Initiation" hearing before the Board. The "Initiation" hearing is the first point of consideration by a decision maker and is intentionally limited in scope. The hearing shall focus on the fundamental question of whether the proposed change to the General Plan is worthy of further analysis based upon compliance with the Criteria described below in this section.

This is a limited decision and is neither an approval nor denial of the general plan amendment or development application. The Board will not discuss or consider the details of an accompanying development proposal, nor be swayed by the promise of a great development project.

The "Initiation" process allows the County to authorize an amendment application to proceed or to deny an application for amendment which is clearly inconsistent with major goals and policies of the General Plan, or premature in light of the overall implementation status of the General Plan. It also allows for early public awareness and involvement in the process as a whole. The process is similar to that followed for amendments initiated by the County, which require adoption of a "Resolution of Intention" to formally initiate the amendment.



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<b>Subject:</b> <b>GENERAL PLAN AMENDMENT INITIATION PROCESS</b>	<b>Policy Number</b> <b>TBD - DRAFT</b>	<b>Page Number:</b> <b>Page 3 of 5</b>
	<b>Date Adopted:</b> <b>TBD</b>	<b>Revised Date:</b>

This policy shall apply both to general plan amendment, [specific plans and specific plan amendment] applications submitted after the effective date of this policy, as well as applications submitted prior to, but not approved as of the effective date of the policy.

**"General Plan Amendment Initiation Process"**

An applicant shall submit a written request to initiate a General Plan amendment to the Community Development Agency. The request shall include the following items:

1. A description of the proposed General Plan Amendment [specific plans and specific plan amendment] including a discussion of the elements and policies to be amended, the reasons for the amendment, and compliance with the criteria below;
2. Vicinity and Location Maps, if land use changes are proposed;
3. Site plan(s) showing existing and proposed general plan land use designations for the subject property and surrounding properties;
4. Optional exhibits, such as photographs or aerial photographs.

A staff report shall be prepared by staff and the request shall be referred to the Board of Supervisors for a hearing [within 60 days] from date of complete application to evaluate whether the application complies with the criteria identified below.

**Criteria for Initiation of General Plan Amendments**

An application for General Plan amendment shall be referred to the Board for a hearing to

evaluate whether the application complies with the following criteria:

1. The amendment request is consistent with the principal goals and objectives of the



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general plan, and

2. 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;
  - E. Is necessary to comply with changes in state or federal law; and
3. Public infrastructure, facilities and services appear to be available to serve the proposed increase in density/intensity without adverse impact to other planned development consistent with the General Plan, or the additional public infrastructure, facilities and services can be feasibly be provided by the proposed development as part of the amendment process.

[A. No General Plan Amendment shall be given initial approval unless there are sufficient existing water and sewer connections available to serve the project as stated in EID's most recent annual report. Exceptions shall be considered only if developers make adequate arrangements to secure full funding of the cost of any](#)

system expansions necessary to serve the project without risk to current EID ratepayers.

B. Current EID available water and sewer connections not utilized for existing approved undeveloped residential parcels shall be reserved for new long-term, locally-based job growth and commercial sales-tax generating projects.

C. No General Plan Amendment should be given initial approval unless the Travel Demand Model and/or other reliable expert analysis demonstrates that no LOS F traffic conditions will be created on County roads or state highways as a result of the project.

4. General Plan Amendments for a residential, commercial or industrial urban or suburban type development project outside of Community Region Lines or Rural Centers as established in the General Plan or as they may be amended by Board initiative shall be presumptively denied. Modification of Community Region Lines or Rural Center Boundaries shall be reserved exclusively to Board of Supervisors initiative. Expansion of Community Region Line or Rural Center boundaries shall only be considered as part of regular five-year reviews of the General Plan, and only approved if there is compelling evidence that the General Plan policies cannot be achieved unless additional land must be included within CRLs or Rural Centers.

### **Exemptions**

General Plan amendments necessary to correct technical errors or mapping errors, to facilitate the development of qualified housing projects available to very low or low income households, to protect the public health and safety or to comply with the requirements of state or federal law are exempt from the provisions of this policy. ~~[other exemptions may include smaller projects such as project within areas less than 80 acres and/or increase fewer than 100 dwelling units].~~



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TBD - DRAFT

**Page Number:**  
Page 5 of 5

**Date Adopted:**  
TBD

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~~**SUNSET DATE:** This Board Policy shall expire on the earlier of the date the County provides notice to the public of commencement of the 2016 General Plan five-year review cycle, or January 1, 2016.~~

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