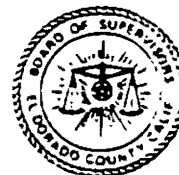


County of El Dorado

BOARD OF SUPERVISORS

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C O N F O R M E D

A G E N D A

**Continued Special Meeting of the Board of Supervisors
 on the County General Plan**

January 11, 1996 9:00 A.M.
 January 12, 1996 9:00 A.M.

**BOARD OF SUPERVISORS MEETING ROOM
 330 Fair Lane, Building A, Placerville**

Pursuant to Resolution No. 352-92 adopted by the Board on November 24, 1992, which established rules of procedure for public comment for hearings on the County General Plan, any member of the public desiring to speak to the Board on an Agenda item shall file with the Clerk of the Board on such form as the Clerk may provide, a request to speak prior to speaking. "Speaking Request Cards" will be available at the office of the Clerk of the Board of Supervisors at 8:00 a.m. on Wednesday, January 10, 1996, and may be obtained, completed, and submitted to the Clerk between the hours of 8:00 a.m. and 5:00 p.m. that day, and on the day of the Hearing, Thursday, January 11, 1996, from 8:00 a.m. until the conclusion of the hearing. The Chairman shall preside over the hearing and shall recognize speakers in such order as the Chairman deems appropriate for orderly conduct of the meeting. Testimony will be limited to 3 minutes per speaker or 10 minutes for a representative speaking on behalf of a group, and each speaker shall be permitted to address the Board only once on each agenda item. In order to fully conduct the business of the public as may become necessary due to unforeseen circumstances, these rules may be waived or modified in whole or in part during the conduct of any public hearing upon vote of the Board.

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE
INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

Thursday, January 11, 1996, 9:00 A.M.

CALL TO ORDER AND ADOPTION OF AGENDA

BOARD ACTION - Agenda adopted.

NuUNS B(a)

(Supervisor Bradley arrived approximately 20 minutes after the Board convened.)

Continued public hearing before the Board of Supervisors on certification of the final Environmental Impact Report (EIR) and Supplement to the final EIR prepared for the proposed El Dorado County General Plan; and the proposed General Plan intended to guide growth and development of the physical environment of the County to the year 2015. (The hearing will conclude at the conclusion of the testimony of the last speaker present during the sequence of the Board's hearing so that if there is no one present wishing to speak at a particular point in time, that will then conclude the hearing.)

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BOARD ACTION - Hearing concluded at 12 noon on January 11, 1996.

Friday, January 12, 1996, 9:00 A.M.

Closed Session, pursuant to Government Code Section 54956.9(b), regarding anticipated litigation (significant exposure to litigation).

BOARD ACTION - No action reported.

Board of Supervisors, meeting jointly with the County Planning Commission, deliberated on the Final EIR, Supplement to the final EIR, and the proposed General Plan.

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BOARD ACTION - Refer to following pages for actions taken by the Board this date prior to its certification of the Final EIR and conditional adoption of the General Plan.

Meeting jointly with the Planning Commission, the Board acted upon issues set forth in the Planning Director's memorandum to the Board dated January 12, 1996, as follows:

Consideration and corrections to the Findings: (Refer Planning Director's memorandum to the Board dated January 11, 1996, the subject of which is "Additional Mitigation Measures for Significant, Unavoidable Impacts Not Considered by the Planning Commission".)

Impact 3.4.1 Choice Farmlands are Converted to Non-Agricultural Uses or Agricultural Productivity of Agricultural Lands is Impaired:

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The Planning Commission accepted the following mitigation measure as Policy 8.1.3.4 in response to Comment AFO-87:

MNM CW V(a)

"A threshold of significance for loss of agricultural land shall be established by the Agriculture Department and the Planning Department, to be used in rezone applications requesting conversion of agricultural lands to non-agricultural lands, based on the land evaluation and land assessment system to be developed by the State. A monitoring program should be established to be overseen by the Agriculture Department."

For purposes of the Board of Supervisors deliberation on the substance of the General Plan, the Board tentatively endorsed the proposed General Plan as submitted by the Planning Commission, determining to use that document as the starting point for discussion regarding potential changes.

USNuN B(n)

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Changes/clarifications to the Plan:

The Board approved the document entitled: "Errata Sheet, General Plan Project Description, January 12, 1996", a two-page document with a 10-page LOS (Level of Service) Analysis chart attached, submitted by the Planning Department this date.

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NSBNuU

The document entitled: "Other Suggested Modifications to the Annotated General Plan Text", dated January 11, 1996, was unanimously approved by the Planning Commission (MNM CW) and the Board of Supervisors (USBNuN) with modification of Policy 11.2.1.5 to read as follows:

"A public facilities and services financing plan that assures that the cost burdens of any civic, public, and community facilities, infrastructure, ongoing services, including operations and maintenance necessitated by a development proposal as defined below are adequately financed to assure no net cost burden to existing residents shall be submitted with the following development applications:

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- A. Specific plans; and
- B. All residential, commercial, and industrial projects located within a Community Region or Rural Center which exceed the following thresholds:
 - (1) Residential: 50 units.
 - (2) Commercial: 20 acres or 100,000 square feet.
 - (3) Industrial: 20 acres or 250,000 square feet."

The Board adopted the 39-page document entitled: "Custom, Culture, and Economic Stability", with Policy 4.2.6.1, Employee Housing, held out for further discussion, and with the following modification (additional modifications were made by separate actions of the Board and are reported in this Conformed Agenda in accordance with the sequence in which they occurred):

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Chapter 5, Public Services and Utilities Element

Objective 5.1.2: Concurrency: Last sentence to read, "Absent substantial evidence beyond a reasonable doubt to the contrary, the County will rely on the information received from such purveyors and shall not substitute its judgment for that of the responsible purveyors on questions of capacity or levels of service."

UNNuS B(n)

Site Specific:

The Board approved the documents entitled: "General Plan Land Use Map 'Annotated Project Description' Dated December 21, 1995, ERRATA January 9, 1996" and "General Plan Land Use Map 'Annotated Project Description' Dated December 21, 1995, ADDENDUM TO ERRATA DATED JANUARY 9, 1996".

SUNuN B(n)

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Benjamin FOULK property, 1.17 acres (APN's 111-060-03, -05, -16 and -18), is to be designated HDR, High Density Residential.

BUNuNS

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The Board adopted the following mitigation measure as Policy 8.1.3.5 in response to Comment AFO-107:

NuBU N(n)S(n)

"On any parcels 10 acres or larger identified as having an existing or potential agricultural use, the Agricultural Commission must consider and provide a recommendation on the agricultural use or potential of that parcel and whether the request will diminish or impair the existing or potential use prior to any discretionary permit being approved."

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Properties located east and west along Missouri Flat Road between U.S. Highway 50 and Forni Road are to be designated C, Commercial.

NSBNUU

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Circulation Element is to be reviewed and updated within two years following adoption of the General Plan.

SNBNUN

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Parcels of land within the Washoan Street area of Supervisorial District V (Tahoe Paradise Washoan) are to be given land use designations consistent with the Tahoe Regional Planning Agency (TRPA) Area Plan.

UBNUNS

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To General Plan Policy 2.2.5.3 the Board added "number 19" to read "Consistency with existing Conditions, Covenants, and Restrictions (CC&R's)".

BUNuNS

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Site Specific (continued):

Adamo/Nanci property, 5.015 acres (APN 109-161-01), and Good Shepherd Fund Trust property, 18.73 acres (APN 109-250-12), all within the Cameron Estates Subdivision, are to be designated LDR, Low Density Residential, removed from the Community Region Planning Concept area, and placed in the Rural Region Planning Concept area.

NuBU N(n)S(n) 9399

Incorporation of that area generally lying east of Salmon Falls Road, north of Malcolm Dixon Road, into the Community Region Planning Concept Area, is to be reviewed further and considered by the Planning Commission within nine (9) months following adoption of the General Plan.

NSBNuU 9399

A motion by Supervisor Shultz, seconded by Supervisor Nielsen, to have the matter of the land use designation for Agricultural Districts in the Camino and Apple Hill Area reviewed further and considered by the Planning Commission within nine (9) months following adoption of the General Plan, with the idea of zoning said lands 10-acre minimum, failed by a three-two vote.

SN B(n)Nu(n)U(n) 9399

To further protect the proposed Texas Hill Reservoir and future park area from the encroachment of incompatible land uses and to maintain lower residential densities adjacent to the proposed facility, the Board modified the General Plan Land Use Map to designate all lands located within the Texas Hill Reservoir Take Line (shown on Map Panel 8) Open Space; and added Policy 2.2.6.5 to the General Plan Text under Objective 2.2.6, Site Specific Policy Section, to read as follows: "The creation of new parcels adjacent to the Texas Hill Reservoir Take Line as shown on the General Plan Land Use Map shall maintain a minimum parcel size of ten (10) acres. Lands designated Low Density Residential and Rural Residential Adjacent to the Texas Reservoir Take Line shall provide a minimum setback of 200 feet from the boundary of the Take Line."

UNBNuS 9399

Site Specific (continued):

Added to the list of significant issues for further review and consideration by the Planning Commission within nine (9) months is Policy 2.4.1.6 in the Land Use Element to read as follows: "To retain separation of communities between Diamond Springs/El Dorado and Placerville, zoning shall be maintained at the lowest density ranges of Medium Density Residential (MDR) at U.S. 50 and Weber Creek, Low Density Residential (LDR) at State Route 49 and Weber Creek, and Rural Residential (RR) at the future Texas Hill Reservoir site and Weber Creek."

BNNuSU

Supervisor Nutting offered a motion to remove from the Agricultural District, parcels in Mt. Aukum defined by red "hash" marks on copies of a map handed out by Supervisor Nutting at this time (later identified as Exhibit B to the Planning Department's "Draft Summary of General Plan Items for Consideration by Planning Commission"), and to include those parcels in the Mt. Aukum Rural Center boundary. The motion failed by a four-one vote; and the Board then agreed to add the matter to the list of significant issues for further review and consideration by the Planning Commission within nine (9) months.

NuNBSU

Larry and Beverly Williams property, 62.01 acres (APN 319-260-01), to be designated R&D, Research and Development.

SNBU Nu(n)

The following language was added to the portion of the Statement of Overriding Considerations dealing with impacts on schools: "The County shall enforce the General Plan policies to obtain as much mitigation for the impact on schools as is permissible under State Law. However, to the extent the impacts remain significant, the County finds that the economic benefits associated with new growth and economic revitalization in the County outweigh the costs associated with demands on school facilities."

UNBNuS

Site Specific (continued):

Supervisor Bradley's motion to change the designation for APN 111-110-01 (19.92 acres) owned by Gene and Joan Thorne back from C, Commercial, to MDR, Medium Density Residential, died for lack of a second.

Supervisor Bradley's motion to modify Section 6.4, Flood Hazards, to prohibit all construction on all lands within the 100-year flood plain, died for lack of a second.

Supervisor Bradley's motion to limit fills and allow no mass pad grading within the flood plain, died for lack of a second.

Supervisor Bradley's motion to reverse the action of the Planning Commission, putting back language in Section 2.6.1.4 stating "The Board of Supervisors shall determine which of the U.S. Highway 50 interchanges are appropriate for commercial development.", died for lack of a second. 9399

Supervisor Bradley's motion to amend Section 2.6.1.7, Community Regions, to remove the word "propose" and revert to the language originally in the Project Description so as to read, "Community Regions and Rural Centers within or adjacent to designated scenic corridors "shall" be permitted and encouraged to establish their own scenic corridor standards.", died for lack of a second.

Request for C, Commercial designation for 34.63 acres (APN 319-220-18), referred to as "Shingle 50 Hilltop" (Agent: Dave Crosariol), is to be reviewed further and considered by the Planning Commission within nine (9) months following adoption of the General Plan. NuNBSU 9399

Site Specific (continued):

At the request of the El Dorado County **Taxpayers Association**, the following were added to the list of significant issues to be reviewed further and considered by the Planning Commission within nine (9) months following adoption of the General Plan:

UNuBSU

Addition of the following to **Minerals Policy 7.2.1.3**: "The County shall recognize existing deposits which are producing non-metallic mineral resources as suitable for protection."

Addition of the following to **Minerals Policy 7.2.2.1** after the first sentence: "If a finding can be made that due to pre-existing incompatible adjacent land uses or other environmental reasons, mining operations are precluded in the area, an assessment of the mineral resources may be waived, due to the fact that no economic significance can be found on deposits that are not minable."

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Addition of the following to **Planned Communities Policy 2.1.4.8** after "or a master circulation and funding plan is adopted by the County": "at which time the Planned Community restriction shall cease to exist".

Taxpayers Association's comment regarding **Commercial at Interchanges, Policy 2.6.1.4**: "All commercial projects adjacent to State Highways are now subject to design review. You may want to consider either looking at these designations now, or within the two-year update as suggested by the Planning Commission, or perhaps lay a Planned Development over all of them now. The risk of looking at them in two years is that the worst parcels will have to develop immediately to avoid risking loss of the designation."

Ann Wilson property, 28.18 acres (APNs 067-270-22, -23 and -30), is to be designated HDR, High Density Residential.

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SNBNuU

Supervisor Bradley offered a motion, seconded by Supervisor Upton, to add the following language to Policy 7.4.5.2: "To the extent feasible, the County shall protect and preserve healthy landmark trees which may be affected by granting of a discretionary permit by Ordinance. In particular, within the community regions the County shall adopt Oak Woodlands Guidelines." the motion failed. B U(n)Nu(n)N(n)S(n)

Supervisor Bradley then offered a motion, seconded by Supervisor Nielsen, to rewrite the recommended language above as follows: "To the extent feasible, the County by Ordinance shall protect and preserve healthy landmark trees which may be affected by granting of a discretionary permit. In particular, within the community regions the County shall adopt Oak Woodlands Guidelines." The motion carried. BNU Nu(n)S(n)

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The Board then determined to strike Policy 7.4.5.2 in its entirety. NuSN B(n)U(n)

 Policy 9.1.1.7 was amended to add language to "encourage joint efforts of Districts to provide parks". BNNUSU

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 Land use designations for the following parcels on Pleasant Valley Road and adjacent to agricultural lands was added to the list of significant issues for further review and consideration by the Planning Commission within nine (9) months:

Consideration of designating APN 099-130-12 (36.41 acres) Rural Residential-Agricultural District; and

Consideration of designating APN 093-021-50 (79.49 acres) Natural Resource (NR). NuNBSU

9399

 Board revised Employee Housing Policies 4.2.6.1, 4.2.6.2, 4.2.6.3, 4.2.6.4, and 4.2.6.5 to read as set forth in the hand out submitted by Supervisor Nutting this date (later identified as Exhibit H to the Planning Department's "Draft Summary of General Plan Modifications"). NuBU N(n)S(n)

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"Custom, Culture, and Economic Stability" Policy 2.2.5.4 was amended to read as follows: "All development applications which have the potential to create 50 parcels or more shall require the application of the Planned Development combining zone district. However, in no event shall a project require the application of the Planned Development combining zone district if all of the following are true: (1) the project does not require a General Plan amendment; (2) the project has an overall density of two units per acre or less; and (3) the project site is designated High Density Residential." UNBNuS

9399

Referring to a letter from the Agricultural Commission dated January 10, 1996 (later identified as Exhibit I to the Planning Department's "Draft Summary of General Plan Items for Consideration by Planning Commission"), Supervisor Nutting offered a motion, seconded by Supervisor Bradley, to amend Agriculture and Forestry Element Policy 8.1.1.5.

Supervisor Upton offered an amendment to the motion to add all recommendations of the Agricultural Commission as set forth in its letter to the Board dated January 10, 1996, to the list of significant issues for further review and consideration by the Planning Commission within nine (9) months.

Supervisor Upton's motion to amend Supervisor Nutting's motion carried. UNNuS B(n)

Supervisor Nutting's original motion, as now amended, failed. NuB N(n)S(n)U(n)

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Acting upon a new motion by Supervisor Nutting, the Board added all recommendations of the Agricultural Commission as set forth in its letter to the Board dated January 10, 1996, i.e., Agriculture and Forestry Element Policies 8.1.1.5, 8.1.1.7, 8.1.1.8, 8.1.2.2, 8.1.3.3, and 8.1.4.1, to the list of significant issues for further review and consideration by the Planning Commission within nine (9) months. NuBU N(n)S(n)

Also added to the list of significant issues for further review and consideration within nine (9) months was direction to the Department of Transportation to recognize those segments of roads currently at level of service (LOS) A, B, C, D and E that realistically at buildout will have the accurate LOS. NuUB N(n)S(n)

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A motion by Supervisor Shultz to refer 6.44 acres (APNs 067-270-34 and -35) represented by Art Marinaccio to the list of significant issues for further review and consideration by the Planning Commission within nine (9) months, died for lack of a second.

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Request for a designation of MDR, Medium Density Residential, for the Gene Kenworthy property, 15 acres (APN 100-070-33) was added to the list of significant issues for further review and consideration by the Planning Commission within nine (9) months.

SNNuU B(n)

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Modification of the east boundary of the Garden Valley Agricultural District adjacent to the BLM property and the Baer Ranch property (depicted on Exhibit G to the Planning Department's "Draft Summary of General Plan Items for Consideration by the Planning Commission") was added to the list of significant issues for further review and consideration by the Planning Commission within nine (9) months.

SNNuU B(n)

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The Board of Supervisors adopted RESOLUTION NO. 6-96 certifying the Final Environmental Impact Report (EIR) for the El Dorado County General Plan.

SNUU B(n)

The Board of Supervisors gave direction to counsel to correct a mistake pointed out by counsel in the prepared Findings of Fact, specifically, Impact Conclusion for Impact 4.2.2 addressing additional residential development occurring in areas mapped as high or very high wildland fire hazard areas.

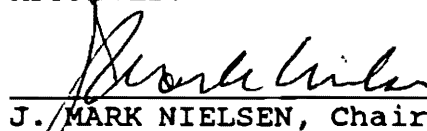
SUBNuN

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The Board of Supervisors adopted RESOLUTION NO. 7-96 conditionally adopting the El Dorado County General Plan and instructing County staff to prepare final Findings of Fact and a Statement of Overriding Considerations for subsequent approval at a meeting, continued from this date, on January 23, 1996, at 9:00 a.m.

USNuN B(n)

APPROVED:


J. MARK NIELSEN, Chairman pro tem

ATTEST:


Dixie L. Foote, Clerk of the Board