

EL DORADO COUNTY PLANNING SERVICES 2850 Fairlane Court, Placerville CA 95667

(530) 621-5355 | fax: (530) 642-0508 | http://www.edcgov.us/planning

PRE-APPLICATION AND CONCEPTUAL REVIEW PROCESS

(Revised February 2014)

PURPOSE OF PRE-APPLICATION

It is the purpose of the pre-application process to:

- Review preliminary project design to ensure conformance with County Policies and Ordinances;
- Provide early identification of issues giving the applicant the opportunity to seek solutions or consider alternative designs before the filing of an application;
- Suggest alternatives for the project which in the experience of the staff have improved chances of a recommendation for approval;
- Assist the applicant in determining the scope of material required for submittal of an application, especially those which are complex or involve multiple applications; and
- Improve the quality of the application when submitted, thereby simplifying the processing of the application.

PURPOSE OF CONCEPTUAL REVIEW

It is the purpose of the conceptual review process to:

- Allow staff to prepare a minor report to the decision-makers that outlines the basic issues for discussion:
- Provide an opportunity for projects to receive early feedback from either the Planning Commission or Board of Supervisors in an informal workshop setting without benefit of a vote; and
- Provide legal notice of the workshop, allowing public input, but allow the applicant to decide if input is requested at that time from the surrounding property owners.

WHEN A PRE-APPLICATION OR CONCEPTUAL REVIEW IS NEEDED

The Pre-Application is an optional process designed for those who may not be familiar with current County regulations and policies or for those who are attempting projects with new concepts, where some direction from county staff may be of value before committing substantial costs on a project.

The General Plan Initiation Process, Board Policy J-6, was adopted by the Board of Supervisors on December 10, 2013, requiring a Pre-Application and Conceptual Review for any privately-initiated application to amend the General Plan, adopt a new Specific Plan, and/or amend a Specific Plan that is proposing to increase allowable residential densities of 50 or more dwelling units. This policy specifies the manner in which amendments to the El Dorado County General Plan, Specific Plan Applications and Specific Plan Amendments sought by private parties shall be initiated.

For all other projects not subject to Board Policy J-6, applicants interested in receiving early feedback from either the Planning Commission or Board of Supervisors on a specific project or an interpretation of an existing code, may schedule a Conceptual Review workshop.

PROCESS

An application form and the payment of fees are required as part of the submittal process for the minor and major Pre-Application. The Conceptual Review application is processed as a major Pre-Application.

<u>Typical minor Pre-Application projects include</u>: minor research by staff on a particular property, code section, etc., parcel maps, small subdivisions and small commercial or industrial development.

<u>Typical major Pre-Application projects include</u>: major research by staff, general plan amendments, new Specific Plans and/or amendments to Specific Plans proposing to increase allowable residential densities of 50 or more dwelling units, rezones, planned developments, large tract maps and large commercial or industrial development.

If it is unclear which application fee to pay, please call Planning Services at (530) 621-5355 and speak with a planner. Once submitted, a planner will be assigned within the first few days at which time the applicant will be contacted to schedule a meeting. Major Pre-Applications can include review by a number of agencies, so a Technical Advisory Committee (TAC) may be held to evaluate the proposed project. If the applicant desires to have a Conceptual Review workshop before the decision-makers, more time is required in order to obtain information from the TAC group (if necessary) and to conduct any necessary research prior to preparing a memo and scheduling and noticing the hearing.

For more formal review specifically of subdivisions, including comments from affected agencies and other County departments, the "Preliminary Map" process may be used. Please contact the department for more information or go to the web page to download an application.

FEES

Current application fees may be obtained by contracting Planning Services at (530) 621-5355 or by accessing the on-line Fee Schedule at http://www.edcgov.us/Planning/fees.html.

LIMITS OF STAFF RESPONSE

While staff will take utmost care to accurately represent County Codes, Policies and applicable past positions of staff, the Planning Commission and the Board of Supervisors, it should be noted that matters discussed in the Pre-Application meeting should be not construed to bind, restrict or obligate the staff or review boards when processing a subsequent application. A 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 Pre-Application review process. Further, it is incumbent on the part of the applicant to obtain and understand all applicable Codes and policies.

SUBMITTAL PROCESS

To initiate this process, submit an application (attached or on the web) requesting a Pre-Application meeting or a Conceptual Review workshop, and enclose the application fees from the Current Fee schedule. Mail or hand deliver application and any supplemental information to Planning Services, Building C, 2850 Fairlane Court, Placerville, CA 95667.

NUMBER OF COPIES

Minor Pre-Application: 3 copies of all application and supplemental materials

Major Pre-Application: 5 copies of all application and supplemental materials

Conceptual Review Workshop: 10 copies of all application and supplemental materials



EL DORADO COUNTY PLANNING SERVICES

SUBMITTAL INFORMATION

for

PRE-APPLICATION/CONCEPTUAL REVIEW

There are no minimum submittal requirements for the Pre-Application meeting. However, the following is a list of desirable information that should be available, to the extent practical, for staff to maximize the productivity of the Pre-Application meeting. All plans and maps MUST be folded to 8 ½" x11". The items with an asterisk (*) below must be submitted for a Conceptual Review Workshop.

Choose a	at least	one:	
			t a Pre-Application Meeting
			t a Conceptual Review Workshop with the Planning Commission
	1	reques	t a Conceptual Review Workshop with the Board of Supervisors
Check			
(√)			
Applicant	County		
		1)	Assessors Parcel Map noting the subject parcel.*
		2)	A conceptual site plan or map plan, preferably showing the following:*
		a.	Number of units or lots, approximate size of lots, and overall density (buildings, square footage, parking and if multi-family housing or town homes/condos).
		b.	Access to the site from County or State road system.
		c.	Existing Zoning and Land Use designation, and any proposed zoning or Land Use designation changes.
		d.	Such items as existing/proposed open space, recreation areas, and trail systems.
		e.	Identification of wetlands, reservoirs, creeks, slopes which are 30% or greater, key types of vegetation (trees, shrubs, grass), and any other significant natural features. The presence of these features can be approximated.
		f.	Any information on previous applications and parcel creation, existing code violations, nonconforming uses, etc. that would be helpful to staff.
		3) 4)	Aerial photograph of the project area.* Any other information which helps to define the proposal, including preliminary grading, drainage, etc., which may help the review team understand and comment on the proposed project.

Like all other programs, this service is intended to meet your needs in a timely and inexpensive manner. If after the review, you have comments and suggestions on the value of the service or how it can be improved, please let us know.

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EL DORADO COUNTY PLANNING SERVICES

PRE-APPLICATION AND CONCEPTUAL REVIEW PROCESS

ASSESSOR'S PARCEL NUMBER(S)					
PROJECT NAME/REQUEST (Describe pro	posed use and use separate s	sheet if necessary):			
IF SUBDIVISION/PARCEL MAP: Create	lots, ranging in siz	ze from	to	_ acre(s)/squ	are feet
IF ZONE CHANGE: From	to _			_	
IF GENERAL PLAN AMENDMENT: From		to			
APPLICANT/AGENT					
Mailing AddressP.O. Box or S					
		Cit	•	State	ZIP
Phone		FAX			
PROPERTY OWNER			 -		
Mailing Address P.O. Box or S	No. of	Cit		- Chata	ZIP
			•	State	
Phone				_	
	PROPERTY OWNERS ON SE				
ENGINEER/ARCHITECT			· · · · · ·		
Mailing Address P.O. Box or S	treet	Cit	'v	State	ZIP
Phone			, 		
LOCATION: The property is located on the					
feet/miles	of the intersection with		Major Street or Ro		
				3 0	
in the	area.	PROPERTY S		s) / Square Feet	
x		Date			
Signature of property owner or a	uthorized agent				
	FOR OFFICE USE C	NLY			
Date Fee <u>\$</u>	_ Receipt #	Rec'd by	Co	ensus	
Zoning GPD	Supervisor District	Sec	_ Twn	Rng	
Pre-application completed by:	Date complete	ed:			



Subject:	Policy Number:	Page Number:
GENERAL PLAN AMENDMENT INITIATION	J-6	1 of 4
HEARING & VOLUNTARY CONCEPTUAL REVIEW PROCESS	Originally Adopted: 12/10/2013	Last Revised Date: 10/06/2020

I. PURPOSE

The purpose of this Policy is to:

- A. Ensure that applicants are informed of the potential concerns and risks associated with 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.
- B. Assist the County Board of Supervisors in determining whether a proposed change to the General Plan furthers the overall goals and objectives of the Board of Supervisors based on the Criteria listed below in Section III.
- C. Provide for early public knowledge and involvement in the General Plan Amendment initiation process.
- D. Specify the manner in which amendments to the El Dorado County General Plan, including Specific Plan Amendments and new Specific Plans sought by private parties shall be initiated pursuant to Government Code Section 65358 (general plan amendments), Government Code Section 65453 (specific plan amendments), and General Plan Policies (2.9.1.1 through 2.9.1.6).
- E. Provide 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.

This review process will result in neither approval nor denial of the proposed project. 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.

II. POLICY

- A. Any privately-initiated application to amend the General Plan, including Specific Plan Amendments and new Specific Plans (herein collectively referred to as "Applications") proposing to increase allowable residential densities by 50 or more dwelling units shall require an Initiation Hearing before the Board of Supervisors. The Initiation Hearing is the first point of consideration by a decision maker and is intentionally limited in scope. The hearing shall focus 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 listed below in Section III.
- B. This Policy shall apply only to applications submitted after the effective date of this Policy.



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PROCESS HEARING & VOLUNTARY CONCEPTUAL REVIEW PROCESS	Originally Adopted: 12/10/2013	Last Revised Date: 10/06/2020

III. PROCEDURE

- A. Applicants shall submit a complete application to the Planning and Building Department. The completed application shall include, but not be limited to, the following items:
 - A description of the proposed project and General Plan amendment, Specific Plan amendment, or new Specific Plan including a discussion of the elements and policies to be amended, the reasons for the amendment, and how the amendment meets the Criteria listed below;
 - Vicinity and Location Maps;
 - 3. Site plan(s) showing existing and proposed General Plan land use and Zoning designations for the subject property and surrounding properties; and
 - 4. Optional exhibits, such as photographs or aerial photographs.
- B. Once staff has determined the application is complete, a staff report shall be prepared and the application shall be referred to the Board of Supervisors for a hearing to evaluate whether the application meets the criteria identified below. The County will strive to schedule this hearing within 60 days from the date staff determines the application is complete.

Notice shall be provided in accordance with and as outlined in County of El Dorado Zoning Ordinance Section 130.51.050 Public Notice Requirements and Procedures. Public Notice range to be determined by Department Director with a minimum range of a half (1/2) mile. Notice of the hearing shall be provided in the manner required by Government Code section 65091 or as otherwise required by County Ordinance or Resolution.

- C. An application shall be evaluated to determine how well it meets the following Criteria:
 - 1. The proposed application is consistent with the goals and objectives of the General Plan, and/or County adopted Strategic Plan, and/or Board of Supervisors adopted community vision and implementation plan; and
 - Public infrastructure, facilities and services are available or can be feasibly provided to serve the proposed project without adverse impact to existing or approved development; and



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- 3. The proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan, or site design. This can be achieved by meeting 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 earning at or below 120% of the median monthly income for El Dorado County, as defined by the U.S. Department of Housing and Urban Development.
 - 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.
- D. Additional considerations for discussion may include, but not be limited to:
 - 1. Level and diversity of community support and opposition;
 - 2. Appropriateness of the proposed size, density and boundary of the project site;
 - Provision of additional benefit to the community;
 - 4. Provision of public facilities;
 - 5. Potential environmental effects; and
 - 6. Future potential zoning and allowed uses.
 - 7. Special consideration to be given to projects within high fire zone areas.

E. Exemptions

General Plan and Specific 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, to comply with changes in state or federal law, or that propose to increase allowable density/intensity by less than 50 dwelling units are exempt from the provisions of this Policy.



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PROCESS	Originally Adopted: 12/10/2013	Last Revised Date: 10/06/2020

IV. RESPONSIBLE DEPARTMENT

Planning and Building Department Department of Transportation

V. DATES (ADOPTED, REVISED, NEXT REVIEW)

Originally Adopted:	12/10/2013		
Last Revision:	10/06/2020	Next Review:	10/06/2023

COUNTY OF EL DORADO CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Application or Solicitation Number:			_
			_
Was a campaign contribution, regardless of the of Supervisors or to any County Agency Off of the applicant's proposed subcontractors or	icer on or afte	er January 1, 2023, by	y the applicant, or, if applicable, any
Yes No			
If no, please sign and date below.			
If yes, please provide the following information	ion:		
Applicant's Name:	_ <u></u>		
Contributor or Contributor Firm's Name:			
Contributor or Contributor Firm's Address:			
Is the Contributor:			
o The Applicant	Yes	No_	
o Subcontractor	Yes	No_	
o The Applicant's agent/ or lobbyist	Yes	No	
Identify the Board of Supervisors Member(s and/or agent/lobbyist made campaign contributes of contribution(s) and dollar amount of year of the contribution.	butions on or	after January 1, 2021	3, the name of the contributor, the
Name of Board of Supervisors Member or C	ounty Agenc	y Officer:	
Name of Contributor:		<u> </u>	
Date(s) of Contribution(s):			
Amount(s):			
(Please add an additional sheet(s) to identify your subconsultants, and/or agent/lobbyist n	additional Bo	oard Members or Cou n contributions)	unty Agency Officer to whom you,
By signing below, I certify that the statement County any future contributions made to Bo applicable, any of the applicant's proposed signing this disclosure form, and within 12 m license, permit, or entitlement to use.	ard Members subcontractor	or County Agency C s or the applicant's a	Officers by the applicant, or, if gent or lobbyist after the date of
Date		Signature of	Applicant
Print Firm Name if applicable		Print Name o	f Applicant

EL DORADO COUNTY BOARD OF SUPERVISORS AND COUNTY AGENCY OFFICERS

Board of Supervisors

John Hidahl, District One

George Turnboo, District Two

Wendy Thomas, District Three

Lori Parlin, District Four

Brook Laine, District Five

County Agency Officers

Jon DeVille, Assessor

Joe Harn, Auditor-Controller

Vern Pierson, District Attorney

Janelle K. Horne, Recorder-Clerk

Jeff Leikauf, Sheriff-Coroner-Public Administrator

K.E. Coleman, Treasurer-Tax Collector

Attachment A

GOVERNMENT CODE SECTION 84308

- (a) The definitions set forth in this subdivision shall govern the interpretation of this section.
- (1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.
- (2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.
- (3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.
- (4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.
- (5) "License, permit, or other entitlement for use" means all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.
- (6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.
- (b) While a proceeding involving a license, permit, or other entitlement for use is pending, and for 12 months following the date a final decision is rendered in the proceeding, an officer of an agency shall not accept, solicit, or direct a contribution of more than two hundred fifty dollars (\$250) from any party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition shall apply regardless of whether the officer accepts, solicits, or directs the contribution on the officer's own behalf, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.
- (c) Prior to rendering any decision in a proceeding involving a license, permit, or other entitlement for use pending before an agency, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than two hundred fifty dollars (\$250) from a party or from any participant shall disclose that fact on the record of the proceeding. An officer of an agency shall not make, participate in making, or in any way attempt to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution

in an amount of more than two hundred fifty dollars (\$250) within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7.

- (d)(1) If an officer receives a contribution which would otherwise require disqualification under this section, and returns the contribution within 30 days from the time the officer knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, the officer shall be permitted to participate in the proceeding.
- (2)(A) Subject to subparagraph (B), if an officer accepts, solicits, or directs a contribution of more than two hundred fifty dollars (\$250) during the 12 months after the date a final decision is rendered in the proceeding in violation of subdivision (b), the officer may cure the violation by returning the contribution, or the portion of the contribution in excess of two hundred fifty dollars (\$250), within 14 days of accepting, soliciting, or directing the contribution, whichever comes latest.
- (B) An officer may cure a violation as specified in subparagraph (A) only if the officer did not knowingly and willfully accept, solicit, or direct the prohibited contribution.
- (C) An officer's controlled committee, or the officer if no controlled committee exists, shall maintain records of curing any violation pursuant to this paragraph.
- (e)(1) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than two hundred fifty dollars (\$250) made within the preceding 12 months by the party or the party's agent.
- (2) A party, or agent to a party, to a proceeding involving a license, permit, or other entitlement for use pending before any agency or a participant, or agent to a participant, in the proceeding shall not make a contribution of more than two hundred fifty dollars (\$250) to any officer of that agency during the proceeding and for 12 months following the date a final decision is rendered by the agency in the proceeding.
- (3) When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in this section.
- (f) This section shall not be construed to imply that any contribution subject to being reported under this title shall not be so reported.

Attachment B

COUNTY OF EL DORADO CAMPAIGN CONTRIBUTION DISCLOSURE INFORMATION

The attached Campaign Contribution Disclosure Form must be completed by applicants for, or persons who are the subject of, any proceeding involving a license, permit, or other entitlement for use, including most contracts and franchises, pending before the Board of Supervisors ("Board") of the County of El Dorado or any of its affiliated agencies.

IMPORTANT NOTICE

Government Code section 84308 (also known as the "Levine Act") contains requirements that are summarized generally as follows:

- A. If you are an applicant for, or the subject of, any proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than \$250 to any member of the Board of Supervisors or other County official who may participate in your proceeding. This prohibition begins on the date your application is filed or the proceeding is otherwise initiated, and the prohibition ends 12 months after a final decision is rendered by the Board of Supervisors or other County officer. In addition, no Board member or other County official who may participate in your proceeding alternate may solicit or accept a campaign contribution of more than \$250 from you during this period.
- B. These prohibitions also apply to your agents, and, if you are a closely held corporation, to your majority shareholder as well. These prohibitions also apply to your subcontractor(s), joint venturer(s), and partner(s) in this proceeding. Also included are parent companies and subsidiary companies directed and controlled by you, and political action committees directed and controlled by you.
- C. You must file the attached disclosure form and disclose whether you or your agent(s) have in the aggregate contributed more than \$250 to any Board member or other County officer who may participate in your proceeding during the 12-month period preceding the filing of the application or the initiation of the proceeding.
- D. If you or your agent have in the aggregate contributed more than \$250 to any individual Board member or other County officer who may participate in your proceeding during the 12 months preceding the decision on the application or proceeding, that Board member or other County officer must disqualify himself or herself from the decision. However, disqualification is not required if the Board member or other County official returns the campaign contribution within 30 days from the time the member or official knows, or should have known, about both the contribution and the fact that you are a party in the proceeding. The Campaign Contribution Disclosure Form should be completed and filed with your application or proposal, or with the first written document you file or submit after the proceeding commences.

- 1. A proceeding involving "a license, permit, or other entitlement for use" includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor or personal employment contracts), and all franchises.
- 2. Your "agent" is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and the individual are "agents."
- 3. To determine whether a campaign contribution of more than \$250 has been made by you, campaign contributions made by you within the preceding 12 months must be aggregated with those made by your agent within the preceding 12 months or the period of the agency relationship, whichever is shorter. Contributions made by your majority shareholder (if a closely held corporation), your subcontractor(s), your joint venturer(s), and your partner(s) in this proceeding must also be included as part of the aggregation. Campaign contributions made to different Board of Supervisors members or other County officer who may participate in your proceeding are not aggregated.
- 4. A list of the Board of Supervisors members and other County officials is attached.

This notice summarizes the major requirements of Government Code section 84308 of the Political Reform Act and California Code of Regulations, Title 2 sections 18438.1-18438.8.