



EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT
PLANNING DIVISION
www.edcgov.us/Government/Planning

2850 Fairlane Court, Placerville, CA 95667
Phone: (530) 621-5355, Fax (530) 642-0508

SB 35 DESIGN REVIEW
PROCESS INSTRUCTIONS

PURPOSE

California Senate Bill 35 (SB 35), enacted in 2018, was signed into law to address California's overall housing shortage. The law requires cities and counties to streamline review and approval of eligible affordable housing projects through a ministerial approval process and also exempts eligible projects from environmental review under the California Environmental Quality Act ("CEQA"). This process does not allow public hearings to consider the merits of the project; rather, only design review or public oversight of the development is allowed, which must be objective and strictly focused on assessing compliance with criteria required for streamlined projects as well as objective design review of the project (Government Code Section 65913.4(c)(1)).

Depending on the number of housing units proposed in the project, the jurisdiction has only a short timeframe within which to review the application to determine if it is eligible for processing under SB 35 (within 60 days for projects with 150 or fewer units or within 90 days for larger projects). If it is determined that the project is eligible, the Planning Division will make a final decision on the project within 90 days for projects with 150 or fewer units or within 180 days for larger projects.

PROCESS

1. Applicant/agent prepares all state and County required submittal information and makes an appointment to submit the application to the Planning Division. Note: As of September 28, 2020, state SB 35 processing requirements include submittal of a preliminary Pre-Application/Notice of Intent and documentation of successful completion of Native American tribal consultation with any tribes requesting SB 35 consultation with the County.
2. A planner is assigned and makes a determination that the application is complete and for eligibility under the SB 35 streamlined approval process. An eligibility determination will be made within 60 days for projects with 150 or fewer units or within 90 days for larger projects. Staff will notify the applicant/agent during that timeframe if a project is ineligible for SB 35 streamlined processing and notification will include the reason(s) for ineligibility. A project deemed ineligible for SB 35 streamlining may continue to be processed under standard requirements and processing timelines. Alternatively, the applicant/agent may revise the project to meet SB 35 streamlining requirements and submit a new SB 35 streamlining request. If a new SB 35 streamlining request is submitted for a project, a new 60 or 90 day review timeline shall begin.
3. A Planning Commission public hearing may be held, as determined by the Director, to provide appropriate public oversight under the provisions of SB 35 and further evaluate the project's consistency with locally-adopted "objective design standards" as defined under SB 35. Such

review may include but not be limited to consistency with objective development standards found in the County Zoning Ordinance, the County General Plan (e.g. traffic Level Of Service), the Design Improvement Standards Manual (DISM), California Building Code and Fire Code and public health standards and requirements.

4. Unless the applicant and County mutually agree on a time extension, the Planning Director or Planning Commission will make a final decision on the project within 90 days for projects of 150 or fewer units, or within 180 days for larger projects.

APPEALS

As SB 35 streamlining projects are considered a ministerial process under Government Code Section 65913.4, all decisions by the Planning Commission are final and may not be appealed.

FEES

Current application and revision fees may be obtained by contacting Planning Services at (530) 621-5355 or by accessing Planning Services' online fee schedule at www.edcgov.us/Planning/.

NOTE: Application fees are nonrefundable. Should you request withdrawal of the application, you may receive only that portion of the fee which has not yet been expended. Once a public hearing notice has been advertised, fees are nonrefundable.

NOTE: Projects consistent with SB 35 are considered ministerial projects and are deemed Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15268 of the CEQA Guidelines (Ministerial Projects).

Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption. The filing of the Notice of Exemption is optional; however, not filing the Notice extends the statute of limitations for legal challenges to the project from 30 days to 180 days.

CONDITIONS OF APPROVAL

Applicants requesting SB 35 streamlined approvals should be aware that conformance with each affected agency's objective development standards may be included as project conditions of approval. Depending upon the scope of proposed improvements associated with the project, conditions of approval may include but not be limited to landscaping, outdoor lighting, protection of riparian areas, mitigation for oak tree removal, payment of traffic impact fees, on or off-site road or utility improvements, deed restrictions for compliance with SB 35 standards for affordable housing, noise restrictions, and Fire Safe development standards.

If your application also involves a pending building permit, you should be aware of other costs that may be part of the building permit process that typically follows approval of an application. In addition to typical building permit fees, you will likely be required to pay traffic impact fees, school fees based on square footage of the proposed building, plus fire and solid waste fees. The County Building Division has an informational document on commercial projects which identifies the extent of fees that may be required for multifamily residential projects. It is also beneficial to contact those departments or agencies requiring the fees to determine actual estimated costs.

DEED RESTRICTIONS

Please review and understand any private deed restrictions recorded against your property to insure your proposed application does not violate such deed restrictions. If a conflict exists between the

deed restrictions and your application, the County can still approve your application and issue necessary permits. However, County approval does not absolve your obligation to comply with deed restrictions.

APPLICATION

You may contact the Planning Division at **(530) 621-5355** for general assistance regarding this application and submittal requirements.

APPOINTMENT

Applications are accepted by appointment only. Please call ahead for an appointment with a Planner when you are ready to submit your application. Please have all required submittal information completed before your appointment. Appointments are generally made within 48 hours of your call to Planning Services at **(530) 621-5355**.

DESIGN REVIEW
For
SB 35 Streamlined Affordable Housing Projects
REQUIRED SUBMITTAL INFORMATION

If all the required and applicable information is not provided, the application will be deemed incomplete and will not be accepted. Please use the check (·) column on the left to be sure you have all the required and applicable information. All plans and maps MUST be folded to 8½" x 11".

Check (·)
Applicant County

LOCAL FIRE DISTRICT AND CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CALFIRE):

- _____ 1) Provide a copy of the California Department of Forestry and Fire Protection (CalFire) and local fire district Objective Design Standards for SB 35 Projects (Note: Please contact Planning Division staff to confirm the applicable local Fire District for your project.)

EL DORADO IRRIGATION DISTRICT:

- _____ 2) If public sewer or water service is proposed, obtain and provide a Facilities Improvement Letter if the project is located within the EID service area, or a similar letter if located in another sewer/water district.

COUNTY DEPARTMENT OF TRANSPORTATION:

- _____ 3) For projects proposing five or more units or parcels, provide a DOT- approved Traffic Impact Study (TIS).
- _____ 4) Provide a Drainage Report and Post-Construction Storm Water Plan consistent with the requirements of the West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan, and the Drainage Manual. For storm water, please refer to Project Type 3: Regulated Projects and Project Type 5: hydromodifications Projects.
- _____ 5) Provide Construction Plans, including Site Plan, Grading Plan and Landscaping Plan. Show all vehicular and pedestrian access and Circulation. Design the Grading in accordance with the County's Grading Design Manual (Volume III of the Design and Improvement Standards Manual [DISM]). The Plans shall be stamped and signed by an appropriately licensed professional.
- _____ 6) Where the Traffic Study identifies offsite mitigation measures to be constructed by the project, provide a separate set of plans for these off-site improvements.
- _____ 7) Design any required signing, markings or striping on County Maintained roadways in accordance with the California Manual on Uniform Traffic Control Devices (CA MUTCD).

FORMS AND MAPS REQUIRED

Check (✓)
Applicant County

- _____ 8) If access is to a County Maintained Roadway, comply with the provisions of the County Encroachment Ordinance.
- _____ 9) Access to a County Maintained Roadway must be located and designed in accordance with the DISM, including (but not limited to) Standard Plans 103C through 103F (as appropriate) and Standard Plan 109. Provide an Engineering Evaluation of Sight Distance at each access.
- _____ 10) Show location and size of all utility service lines proposed for the project.
- _____ 11) For projects that front on County Maintained Roads, show proposed frontage improvements, and comply with the County Frontage Improvement Ordinance (El Dorado County Ordinance #5044).
- _____ 12) Where a County Road is to be widened in a future Capital Improvement Program (CIP) project, show setbacks consistent with the future widening. Refer to General Plan Transportation Element and Figure TC-1.

STANDARD APPLICATION REQUIREMENTS:

- _____ 13) Copy of previously submitted, signed SB 35 Pre-Application/Notice of Intent (PA/NOI).
- _____ 14) Documentation of successful SB 35 Native American tribal consultation (e.g. tribal approved project-specific conditions of approval) from any tribes requesting consultation in response to the project's PA/NOI consistent with Government Code Section 65913.4(b)(1)(A)(iii)(I)(ia-ic).
- _____ 15) Application form (last page), completed and signed.
- _____ 16) Letter of authorization from all property owners authorizing agent to act as applicant, when applicable.
- _____ 17) Proof of ownership (Grant Deed), if the property has changed title since the last tax roll.
- _____ 18) A copy of official Assessor's map, showing the property outlined in red.
- _____ 19) An 8 ½ x 11" vicinity map showing the location of the project in relation to the distance to major roads, intersections, and town sites.
- _____ 20) Environmental Questionnaire form, completed and signed.

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

- _____ 21) Provide name, mailing address and phone number of all property owners and their agents.
- _____ 22) If off-site sewer or water facilities are proposed to serve the project, provide four (4) copies of a map showing location and size of proposed facilities. If ground water is to be used for domestic water, submit a report noting well production data for adjacent parcels, or submit a hydrological report prepared by a geologist noting the potential for water based on the nature of project site geology.
- _____ 23) In an accompanying report, provide the following data for area on each proposed parcel which is to be used for sewage disposal:
- a) The percolation rate and location of test on 4.5 acres or smaller
 - b) The depth of soil and location of test
 - c) The depth of groundwater and location of test
 - d) The direction and percent of slope of the ground
 - e) The location, if present, of rivers, streams, springs, areas subject to inundation, rock outcropping, lava caps, cuts, fills, and easements
 - f) Identify the area to be used for sewage disposal
 - g) Such additional data and information as may be required by the Director of Environmental Management to assess the source of potable water, the disposal of sewage and other liquid wastes, the disposal of solid wastes, drainage, and erosion control
- _____ 24) Preceding parcel map, final map, or record of survey, if any exists.
- _____ 25) Preliminary grading, drainage plan, and report. The plan should be of sufficient detail to identify the scope of grading, including quantities, depths of cut and fills (for roads and driveways where cuts/fills exceed 6 feet, and mass pad graded lots), location of existing drainage, proposed modifications, and impacts to downstream facilities. (See Section 110.14.200 of County Grading Ordinance for submittal detail)
- _____ 26) Name and address of Homeowner's Association, CSA 9 Zone of Benefit, or other road maintenance entity if it exists in the project area.
- _____ 27) An acoustical analysis shall be provided whenever a noise-sensitive land use (residences, hospitals, churches, libraries) are proposed adjacent to a major transportation source, or adjacent or near existing stationary noise sources. Such study shall define the existing and projected noise levels and define how the project will comply with standards set forth in the General Plan and Zoning Ordinance.

FORMS AND MAPS REQUIRED

Check (✓)
Applicant County

OAK TREE/OAK WOODLAND REMOVAL

The following supplemental information shall be required if any Oak Woodlands, Individual Native Oak Trees, or Heritage Trees, as defined in Section 130.39.030 (Definitions) will be impacted by the project (i.e. cut down) consistent with Section 130.39.070 (Oak Tree and Oak Woodland Removal Permits – Discretionary Development Projects).

- _____ 1) An Oak Resources Code Compliance Certificate.
- _____ 2) Oak Resources Technical Report prepared by a Qualified Professional consistent with Section 2.5 (Oak Resources Technical Reports) of the Oak Resources Management Plan.
- _____ 3) Completed Oak Resources Technical Report Checklist, including supplemental data for impacted Individual Native Oak Trees within Oak Woodlands, as applicable.
- _____ 4) Security deposit for on-site oak tree/oak woodland retention and/or replacement planting (if proposed as part of project mitigation) consistent with Section 130.39.070.F (Security Deposit for On-Site Oak Tree/Oak Woodland Retention) and Section 130.30.070.G (Security Deposit for On-Site Oak Tree/Oak Woodland Replacement Planting).
- _____ 5) Reason and objective for Impact to oak trees and/or oak woodlands.

SITE PLAN REQUIREMENTS

Five copies **folded to 8½" x 11", plus one 11" x 17" reduction** plus an electronic copy on USB Flash Drive. Plans shall be of sufficient size and resolution to clearly show all details and required data.

Please check the Applicant column on the left to be sure you have all the required submittal information for the site plan.

- _____ 1) Project name (if applicable).
- _____ 2) Name, address of applicant and designer (if applicable).
- _____ 3) Date, north arrow, and scale.
- _____ 4) Entire parcel of land showing perimeter with dimensions.
- _____ 5) All roads, alleys, streets, and their names.
- _____ 6) Location of easements, their purpose and width.

FORMS AND MAPS REQUIRED

Check (✓)
Applicant County

- 7) All existing and proposed uses (i.e. buildings, driveways, dwellings, utility transmission lines, etc.).
- 8) Parking and loading stalls with dimensions (refer to Zoning Ordinance Chapter 130.35 – Parking and Loading, and the Community Design Standards – Parking and Loading Standards).
- 9) Trash and litter storage or collection areas, and propane tank location(s).
- 10) Total gross square footage of proposed buildings.
- 11) Proposed/existing fences or walls.
- 12) Sign locations and sizes (if proposed). (Refer to Zoning Ordinance Chapter 130.16 - Signs – Ordinance No. 5025).
- 13) Pedestrian walkways, courtyards, etc.
- 14) Exterior lighting. (Refer to Zoning Ordinance Chapter 130.34 and the Community Design Standards – Outdoor Lighting Standards).
- 15) Existing/proposed water, sewer, septic systems, and wells (if applicable).
- 16) Existing/proposed fire hydrants.
- 18) Adjacent parcel owner(s); Assessor's Parcel Number (unless this is included on tentative map).
- 19) Public uses (schools, parks, etc.)
- 20) The location, if present, of rock outcropping, lava caps, drainage courses, lakes, canals, reservoirs, rivers, streams, spring areas subject to inundation and wetlands. (Show respective 100-foot and 50-foot septic system setbacks when a septic system is proposed.)
- 21) Identify areas subject to a 100-year flood on perennial streams or creeks, and show high water level (100-year) on map. Where this data is not readily available, January 1997 flood level can be shown if known. (Refer to the Federal Emergency Management Agency (FEMA) website).
- 22) Note any proposed trails within the project; and where applicable, connection to existing or proposed trail systems.

PRELIMINARY LANDSCAPE PLAN REQUIREMENTS

Required when parking facilities are proposed. (Refer to Zoning Ordinance Chapter 130.35). Five copies **folded to 8½" x 11", plus one 11" x 17" reduction** plus an electronic copy on USB Flash Drive.

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

- _____ 1) Location, quantity, and a gallon size of proposed plant material (See Zoning Ordinance Section 130.33 – Landscaping Standards, and the Community Design Standards – Landscaping and Irrigation Standards)

- _____ 2) Location, general type (pine, oak, etc.) and size of all existing trees, in those areas that are subject to grading or otherwise may be removed/affected by proposed improvements. Note quantity/type of trees to be removed.

- _____ 3) List of both common and botanical names of plant material (use of native and drought tolerant species is highly recommended). A recommended list of drought-tolerant species is available at Planning Services.

- _____ 4) Location of irrigation proposed. (NOTE: The final Landscape Plan will be required to conform to the California Model Water Efficient Landscape Ordinance [MWEL0].)

PRELIMINARY GRADING AND DRAINAGE PLAN

Required whenever any grading is proposed. Five copies **folded to 8½" x 11", one 11" x 17" reduction**, plus an electronic copy on USB Flash Drive.

FORMS AND MAPS REQUIRED

Check (√)
Applicant County

- _____ 1) Contours or slope data (pursuant to Chapter 110.14 of County Code Grading, Erosion, and Sediment Control Ordinance)..

- _____ 2) Drainage improvements, culverts, drains, etc.

- _____ 3) Limits of cut and fill.

PLAN OF BUILDING ELEVATIONS

Required whenever a new structure or addition is proposed. Five copies **folded to 8½" x 11", one 11" x 17" reduction**, plus an electronic copy on USB Flash Drive.

FORMS AND MAPS REQUIRED

Check (√)

Applicant County

- | | | |
|-------|---------|--|
| _____ | _____1) | Building design, elevations of all sides. |
| _____ | _____2) | Exterior materials, finishes, and colors. |
| _____ | _____3) | Existing/proposed signs showing location, height and dimensions.
Include sign plan for project with multiple businesses, if applicable. |

NOTE:

APPLICATION WILL BE ACCEPTED BY APPOINTMENT ONLY. MAKE YOUR APPOINTMENT IN ADVANCE BY CALLING (530) 621-5355.



PLANNING AND BUILDING DEPARTMENT

Planning Division

2850 Fairlane Court, Placerville, CA 95667
Phone: (530) 621-5355 www.edcgov.us/Planning/

APPLICATION FOR: **SB 35 DESIGN REVIEW** **FILE #** _____

ASSESSOR'S PARCEL NO.(s) _____

PROJECT NAME/REQUEST: (Describe proposed use) _____

APPLICANT/AGENT

Mailing Address _____
P.O. Box or Street _____ City _____ State & Zip _____

Phone () _____ EMAIL: _____

PROPERTY OWNER

Mailing Address _____
P.O. Box or Street _____ City _____ State & Zip _____

Phone () _____ EMAIL: _____

LIST ADDITIONAL PROPERTY OWNERS ON SEPARATE SHEET IF APPLICABLE

ENGINEER/ARCHITECT

Mailing Address _____
P.O. Box or Street _____ City _____ State & Zip _____

Phone () _____ EMAIL: _____

LOCATION: The property is located on the _____ side of _____

_____ N / E / W / S street or road

_____ feet/miles _____ of the intersection with _____

_____ N / E / W / S major street or road

in the _____ area. **PROPERTY SIZE** _____

_____ acreage / square footage

X _____ Date _____

signature of property owner or authorized agent

FOR OFFICE USE ONLY

Date _____ Fee \$ _____ Receipt # _____ Rec'd by _____ Census _____

Zoning _____ GPD _____ Supervisor Dist _____ Sec _____ Twn _____ Rng _____

ACTION BY
_____ **PLANNING COMMISSION**
_____ **ZONING ADMINISTRATOR**
_____ **PLANNING DIRECTOR**

Hearing Date _____

Approved _____ Denied _____
Findings and/or conditions attached _____

Executive Secretary

**COUNTY OF EL DORADO
CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Application or Solicitation Number: _____

Application or Solicitation Title: _____

Was a campaign contribution, regardless of the dollar amount, made to any member of the El Dorado County Board of Supervisors or to any County Agency Officer on or after January 1, 2023, by the applicant, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes _____ No _____

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

Is the Contributor:

- The Applicant Yes____ No _
- Subcontractor Yes____ No _
- The Applicant's agent/ or lobbyist Yes____ No ____

Note: Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

Identify the Board of Supervisors Member(s) and County Agency Officer(s) to whom you, your subcontractors, and/or agent/lobbyist made campaign contributions on or after January 1, 2023, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Board of Supervisors Member or County Agency Officer: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

(Please add an additional sheet(s) to identify additional Board Members or County Agency Officer to whom you, your subconsultants, and/or agent/lobbyist made campaign contributions)

By signing below, I certify that the statements made herein are true and correct. I also agree to disclose to the County any future contributions made to Board Members or County Agency Officers by the applicant, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested license, permit, or entitlement to use.

Date

Signature of Applicant

Print Firm Name if applicable

Print Name of 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.