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**MEMORANDUM**

**DATE:** March 9, 2006 Agenda of: March 23, 2006  
**TO:** Planning Commission Item #: 9.a.  
**FROM:** Steven D. Hust, Principal Planner  
**SUBJECT:** General Plan Amendment A06-0002/Floor Area Ratios and Mixed Use Development

**BACKGROUND**

On February 9, 2006, the Planning Commission considered staff recommendations and public comment concerning possible options/alternative approaches to modify FARs. The Planning Commission selected Option 3 – Increased FARs By-Right and New Land Use Designations as the base approach for potential General Plan amendment and environmental analysis. The Planning Commission also directed Planning Services staff to include applicable examples of Tuolumne County’s non-residential land use designations, including applicable FARs, and to eliminate agricultural lands from further consideration. (February 3, 2006 Staff Report, and February 9, 2006 Planning Commission Minutes are attached for more detail.)

**PROPOSAL**

A draft Resolution of Intention to Amend the General Plan is attached for Planning Commission consideration/deliberation. The Resolution proposes FAR ranges applicable to Commercial and Industrial land use designations of .25 to .85, Research & Development of .25 to .50, and eliminates FAR applicable to Agricultural Lands. Two potential land use designations, Mixed-Use Development and Transit Oriented Development, are combined into one (Mixed-Use Development), defined to embrace pedestrian oriented design concepts, and propose a FAR range of .50 to 1.00 with additional density bonus possible to provide for affordable housing. Related amendments to Policies 2.1.1.3, 2.2.1.1 Table 2-1, 2.2.1.2, 2.2.1.3 Table 2-2, 2.2.1.5 Table 2-3 and Table 2-4, and Implementation Measure LU-A; and, addition of a new Objective 2.5.3: Mixed Use Development, with implementing policies, are included to achieve comprehensive internal consistency.

## **DISCUSSION**

In selecting Option 3 – Increased FARs By-Right and New land Use Designations, the Planning Commission expressed their intent to enhance the development potential of commercial, industrial, and research & development land uses; protect agriculture from new development standards that limit productivity; and create “smart-growth/mixed use development” incentives. The approach would increase FARs by definition of applicable ranges on a County-wide basis, simplify the implementation of policy, streamline the development review process, enhance design flexibility, allow the development community to better address market/competitive conditions, stimulate “smart – growth” mixed land use concepts, and exempt Agricultural Lands.

The Resolution of Intention to amend the General Plan incorporates all provisions of the Planning Commission direction as described above (Proposal). Proposed FARs are based upon Tuolumne County’s but reduced to comply with Planning Commission direction and to reflect typical FARs used by other agencies as determined by prior survey. (The Zoning Ordinance will allow commercial, industrial, and research & development projects to be reviewed by right, except when criteria for a special use permit are satisfied, stimulating non-residential growth and enhancing employment development opportunities.) “Smart-Growth” concepts are addressed by a new Mixed-Use Development land use definition, objective statement, and implementing policies. Implementation will be deferred to subsequent site specific land use designations and the development of a new zone district to be included in the Zoning Ordinance which is reflected in an amendment to Implementation Measure LU-A. Mixed use development projects should be subject to discretionary review (Special Use Permit, Design Review, or Planned Development) and subject to site specific environmental review. Internal consistency review of the General Plan identified additional policy, objective, and implementation measure amendments necessary to ensure that the Planning Commissions intent is comprehensively addressed, thus reducing the potential for policy conflicts.

The Planning Commissions action to approve, or to modify, the proposed Resolution of Intention to Amend the General Plan will define the project that will be subject to environmental review. An EIR will be prepared that will evaluate project related impacts, identify the significance level of impacts, recommend mitigation in the form of further policy amendments, or conclude that mitigation is not feasible. The EIR will be subject to public review, including public agencies, whereby comments concerning the adequacy of the EIR will be requested by the County. Public comments received will be addressed in writing, included in the Final EIR, and submitted to the Planning Commission for certification. The information provided by the EIR will eventually assist the Planning Commission during deliberations concerning the amendment of the General Plan. The entire process is projected to conclude by year-end.

## **ATTACHMENTS:**

Planning Commission FAR Workshop Staff Report, dated February 3, 2006  
Planning Commission Minutes, dated February 9, 2006  
Resolution of Intention to Amend General Plan