

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: June 12, 2008
Item No.: Addendum
Staff: Roger Trout

FILE NUMBER: A08-0005
APPLICANT: El Dorado County
REQUEST: Amendment to General Plan Policy TC-Xa and related policies.
ENVIRONMENTAL DOCUMENT: Addendum to the General Plan EIR
SUMMARY RECOMMENDATION: Forward recommendation to Board of Supervisors to adopt the proposed amendment.

BACKGROUND

On April 22, 2008 the Board of Supervisors directed staff to prepare an amendment to Policy TC-Xa and related policies.

TC-Xa is a General Plan Policy that reflected the 1998 provisions of Measure Y into the 2004 General Plan. The Board requested that staff present options to clarify this Policy, as well as related policies.

Policy TC-Xa, its clarifications, or other options, may be considered by the Board to be placed on the November 2008 ballot, as contemplated by the original Measure Y provisions.

STAFF ANALYSIS

Staff has identified clarification language to TC-Xa and the following related Policies: TC-Xb, TC-Xc, TC-Xd, TC-Xe, TC-Xf, and TC-Xh; Tables: TC-2 and TC-3; and Implementation Measures TC-A, and TC-B. The Proposed Amendments are fully described in Exhibit A of the Addendum.

The Proposed Amendments modify the road improvement “concurrency” policies of the General Plan and can be summarized into the following basic changes:

1. Clarify the intent to exempt multi-family residential from the provisions of Policy TC-Xa;
2. Allow the Board of Supervisors to let additional roads operate at LOS F instead of requiring each to go to a vote as required in TC-Xa;
3. Allow the County to use other funding resources to pay for road improvements that are currently restricted to developer fees only by TC-Xa;
4. Delete the requirement that the County make separate findings that a project complies with TC-Xa before approval;
5. Clarification of the timing of the Capital Improvement Program (CIP); and
6. Modification to Policy TC-Xf so that single family subdivision must show that all necessary improvements are set for construction in the 10 year CIP or be conditioned to build the improvements and all other projects must show the necessary improvements are in the 20 year CIP

As described more thoroughly in the Addendum, staff has reviewed the Proposed Amendments and concluded that the amendments serve to clarify the General Plan Policies, with the only potential impact being a short-term increase in unacceptable level of service conditions related to generation of new traffic in advance of transportation improvements.

However, the timely implementation of the Capital Improvement Program (CIP) road improvements to reduce traffic congestion was analyzed in the General Plan EIR (Impact 5.4-3) and continues to be the primary source of traffic congestion relief for the County. The Proposed Amendments, although exempting multi-family development from the strict interpretation of Policy TC-Xa, also include provisions for increased funding for the CIP and increased update and review periods for the TIM fee program and the CIP. These additional funding options and program updates may off-set any additional short-term road congestion impacts from the Proposed Amendments.

ENVIRONMENTAL REVIEW

Staff has prepared an addendum to the 2004 General Plan Environmental Impact Report, pursuant to CEQA Guidelines Section 15164. The proposed amendment would not result in new or more significant environmental effects than discussed in the General Plan EIR, nor have new mitigation measures been identified that would further reduce the impacts previously identified.

RECOMMENDATION

Forward a recommendation to the Board of Supervisors to approve the addendum to the certified Environmental Impact Report for the 2004 General Plan (SCH#2001082030) and adopt A08-0005 Amending General Plan Policies: TC-Xa TC-Xb, TC-Xc, TC-Xd, TC-Xe, TC-Xf, and TC-Xh; Tables: TC-2 and TC-3; and Implementation Measures TC-A, and TC-B (Exhibit A and Exhibit B) as described in the Addendum based on the findings contained in Attachment 1:

SUPPORT INFORMATION

Attachments:

Attachment 1Findings
Attachment 2Addendum

ATTACHMENT 1 FINDINGS FOR APPROVAL

File Number A08-0005

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

1. The proposed change to TC-Xa TC-Xb, TC-Xc, TC-Xd, TC-Xe, TC-Xf, and TC-Xh; Tables: TC-2 and TC-3; and Implementation Measures TC-A, and TC-B is not a substantial change and does not require substantial changes to the previous EIR because there are no new significant environmental effects and no substantial increases in the severity of previously identified significant effects. Changes in the severity of the impacts will not increase for most impacts, as described in the addendum and in the staff report
2. Substantial changes to the previous EIR are not required due to the lack of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Development which has occurred under the 2004 General Plan since adoption has been consistent with the plan, and as described in the addendum, the impacts of build-out of the remainder of the plan will not significantly increase as a result of the amendment.
3. An addendum to the 2004 General Plan EIR is appropriate for compliance with CEQA, pursuant to CEQA Guidelines Section 15164, based on the following:

No new significant effects have been identified as a result of the Proposed Amendments to TC-Xa TC-Xb, TC-Xc, TC-Xd, TC-Xe, TC-Xf, and TC-Xh; Tables: TC-2 and TC-3; and Implementation Measures TC-A, and TC-B than those analyzed in the 2004 General Plan EIR, as discussed in the addendum and staff report.

 - a. As discussed in the addendum and staff report, each of the significant effects examined in the EIR and addressed by mitigation measure will not be substantially more severe than shown in the previous EIR;
 - b. No mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and
 - c. No mitigation measures or alternative that are considerably different from those analyzed in the previous EIR have been identified that would substantially reduce one or more significant effects on the environment.
4. Findings contained in the attached Addendum are incorporated by reference.
4. Findings for Certification of the General Plan EIR and the Traffic Impact Mitigation Fee Program are incorporated by reference.