



10 Specific Plan Administration

Administration of the Valley View Specific Plan

The Valley View Specific Plan is intended to be the basis for evaluating applications for development within the Plan area over time. These include both discretionary applications such as subdivisions maps and Special Use Permits as well as administrative permits such as building permits. The Plan serves as a policy document and as a regulatory document similar to a zoning ordinance. As with other regulations adopted by the County, the interpretation of the policies and intent of the Plan will be made by the Planning Director, subject to possible modification by the County Planning Commission as need may arise.

Specific Plan Amendments

Amendments to the Plan shall be permitted without limitation, however, the County shall ensure that the underlying goals of the Specific Plan are not violated by such amendments. Amendments may be initiated by the request of a property owner within the Plan area who may petition the County to consider a given amendment. In addition an amendment may be initiated by a Resolution of Intention to amend the Plan adopted by the El Dorado County Board of Supervisors or Planning Commission.

Interpretations and Minor Amendments

In order to avoid unnecessary complexity in the processing of Specific Plan amendments for minor matters, the Planning Director shall have the authority to make interpretations to this Plan and approve minor amendments. Amendments shall be considered minor if they do not involve fundamental considerations of planned land uses or densities and are consistent with the objectives and policies contained in Chapter 3. Such amendments shall be subject to appeal to the Planning Commission in accordance with the general provisions for appeals established in Chapter 17 of the El Dorado County Code.

Interpretation of Boundaries

This Specific Plan contains a number of figures which depict various land use classifications, road alignments, utility designs and other features. The boundaries and locations of such features shall be interpreted as generally occurring where they are depicted but not subject to precise measurement. Where boundaries appear to coincide with property lines, natural features such as the centerline of streams or the edge of delineated wetlands, they shall be interpreted as falling on such locations.

Zoning Ordinance

As with other Specific Plans within the County of El Dorado, the adoption of this Plan provides a level of control and flexibility which is comprehensive and which makes the use of traditional zoning tools unnecessary. However, because of the similar regulatory function of other adopted programs which implement the General Plan, the following discussion is intended to clarify the relationship of other tools and prevent the possibility of ambiguous standards.

The entire Plan area shall be zoned to reflect the existence of the Valley View Specific Plan by imposing a zoning designation unique to the Plan area. The land use designations established within this Plan shall function as distinct "zones" and all development requirements and standards shall reflect those described in Chapter 4 and elsewhere in this Plan.

The applicable standards and policies for the Plan area shall include this Specific Plan, the Design Guidelines and Financing Plan, any applicable Development Agreements which may be entered into, and the conditions which may be imposed upon subsequent entitlements such as tentative subdivision maps.

It is likely that at some point in the future, a new zoning ordinance will be adopted for El Dorado County. Since the provisions of this Specific Plan will continue to apply, any direct references within this Plan to current chapters or sections of the Zoning Code shall be considered as general references pertaining to the standards and regulations as they may be modified in the future. For example, where this Plan refers to meeting the requirements of the El Dorado County Code for enforcement and penalties for violations, those penalties which are in effect at the time of enforcement shall apply.

This provision shall not apply to the imposition of fees or other standards which may be discussed in a Development Agreement adopted subsequent to the adoption of this Plan nor to the effect of a Vested Map which may be approved in compliance with this Plan.

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Subdivision Process

As required by the State Subdivision Map Act, El Dorado County has adopted a Subdivision Ordinance (Chapter 16 of the El Dorado County Code) implementing the provisions of the State Subdivision Map Act (Government Code §66410 *et seq*). The provisions of the Map Act remain in full effect within the Specific Plan area as does the local implementing ordinance. However, the requirements of the County's *Subdivision Design and Improvement Standards Manual* as to standard plans and sections for typical streets are modified by this Specific Plan. To the extent that there may be inconsistencies between this Specific Plan and the Design Manual, the provisions of the Specific plan shall prevail.

Implementation Process

The process of design review for residential projects shall be the responsibility of the Architectural Review Committee under the general authority of CC&R's which shall be established in conformance with this Plan. Prior to issuance of building permits for any multi-family residential, attached single family residential, commercial or professional office development proposed within any land use classification in the Valley View Specific Plan, a "Specific Plan Design Clearance" shall first be obtained from the El Dorado County Planning Director or his designated representative. Said Design Clearance shall be ministerial in nature and shall consist of a finding that the proposed development is in conformance with the Valley View Specific Plan and applicable design standards established by the Specific Plan. Where no specific design standard exists, the proposal shall be subject to the provisions of Chapter 17 of the El Dorado County Code (Zoning Ordinance).

An application for a Specific Plan Design Clearance shall consist of the following:

1. A site plan depicting all proposed structures and improvements.
2. Proposed building elevations.
3. A Preliminary Landscape Plan showing the locations of all existing trees, existing trees proposed for removal, and all proposed new landscaping including replacement oak trees. The landscape plan shall include all measures which are proposed to be undertaken to protect native trees which are proposed to remain on site.
4. A Preliminary Grading Plan.
5. A proposed sign package showing the location and typical size, materials, colors and configuration of all proposed signs.
6. A fee established by the Board of Supervisors for the administration of design review by the Planning Director.

Ownership of Open Spaces

The Valley View Specific plan contains a substantial proportion of open space both as developed parks and undeveloped or passive open spaces and environmentally protected resources. It is intended that all developed park land be offered for dedication to the public agency providing recreation in El Dorado Hills, the El Dorado Hills Community Services District. While passive open spaces are permanently protected from development under the terms of this Plan, their ultimate ownership and the degree of public access permitted remains undetermined. Such lands may be acquired by a public agency or owned by a nonprofit corporation or foundation. In the alternative, such lands may be owned in common by the future residents of Valley View under a property owners association or other entity.

Environmental Determinations on Subsequent Projects

In accordance with §65457 of the Government Code, any project which is consistent with the provisions of this Specific Plan is exempt from the provisions of the California Environmental Quality Act (CEQA). This means that no further review of environmental requirements for such a project will occur unless an event such as described in §21166 of the Public Resources Code requires the preparation of a supplemental EIR.

Enforcement of Standards

No developments shall commence, or any building or public improvement constructed, unless it is in substantial conformance with this Specific Plan. The requirements embodied in this Plan as to land use, density, design and other development standards shall be enforced by the Director of Planning for El Dorado County and by any approving authority for any required entitlement. Compliance with the architectural programs and illustrative plans depicted in this Plan shall be subject to the interpretation of the Director of Planning who shall be guided by reasonable flexibility in finding compliance with the architectural concept and level of quality of development. Architectural illustrations shall not be construed as specifying final materials, architectural style nor other precise elements of design.

Condominium Conversions

Policies under General Plan Objective 4.1.4 establish limitations on conversion of existing rental housing to condominiums to prevent adverse impacts on the rental housing market. Any conversion proposed within the Valley View Specific Plan shall be subject to the limitations set forth under Objective 4.1.4 of the County General Plan.

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Development Agreements

A property owner intending to carry out the long term development of all or part of the Valley View Specific Plan will enter into a Development Agreement with the County pursuant to Government Code §65864 *et seq.* The Board of Supervisors may enter into such an agreement as a means of implementing this Plan and assuring that the performance of public improvements is carried out in a coordinated fashion with the development allowed.

Alternative Parks and Recreation and School Facilities Implementation

County and State requirements permit the mitigation of the impact of new development on parks and recreation by the contribution of land or fees in accordance with various statutes. In a similar fashion, mitigation for the impacts upon school facilities in overcrowded school districts is also established under state and local laws and programs. Generally, alternative mitigation may be considered and adopted by a local agency. Nothing in the Valley View Specific Plan shall be interpreted so as to prevent an agreement satisfactory to the developer(s) of Valley View and the affected public agencies to mitigate the effects of development within the Plan area in ways which are not set forth in this Plan.

Public Services Financing

Development of Valley View will require the provision of public infrastructure and services for residents, employees, and business owners which locate within the Plan area. Due to revenue limitations imposed by Proposition 13 and reduced State and Federal funding, the majority of revenues needed to pay for public facilities and services must be generated from local sources.

The County of El Dorado has adopted policies and standards to ensure that new development in the County will be fiscally viable, self-sustaining, and well-served by public infrastructure and services. The Valley View proponents are committed to these same goals. It is widely recognized that a successful development is one in which residents, employees and business owners enjoy a variety of amenities, a low crime rate, and a feeling of community. The plans, standards and fiscal and financial plans contained within this Specific Plan will assure that Valley View develops in a manner consistent with these goals.



SPECIFIC PLAN

Fiscal Policies and Standards

A variety of public services will be provided to Valley View, including but not limited to the following:

- Fire Protection
- Police Protection (Sheriff) Services
- Parks and Recreation Services
- Library Services
- General Government and Community Development
- Public Works Road and Drainage System Services
- Water and Sewer Services
- Education

A fiscally balanced community requires that development generate revenues sufficient to pay for the cost of providing public services to the increased population. Revenues will be generated from charges that County residents and property owners pay, such as property tax, sales tax, in-lieu fees, and fines and forfeitures. Public services will be provided to Valley View in the most efficient and cost-effective manner available.

A Fiscal Impact Report, (FIR) is required to be prepared concurrently with the processing of this Specific Plan under the policies present in the General Plan. The FIR is an independent analysis of the potential public revenues and costs for providing public services to the Plan area.

Financial Policies and Standards

Since the 1978 passage of Proposition 13, construction of public infrastructure in California has increasingly become the responsibility of new development. Even the cost of regional improvements that serve a larger area have become the burden of individual projects. As a result, only the most efficient and well-planned communities can provide a variety of land uses in a mixed price range that are well serviced by a network of public infrastructure.

Development of Valley View will involve a substantial investment in public infrastructure and community facilities. However, the Valley View site enjoys several advantages that will improve financial feasibility. First, the project has been proposed by a single master developer, which will result in a more efficient phasing of development and infrastructure. Proper phasing can substantially reduce the cost of facilities by avoiding extended infrastructure and multiple interim facilities. In addition, planning on a large scale will result in a more comprehensive, and ultimately more efficient infrastructure and financing plan.

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The General Plan includes several goals and policies related to the provision of public infrastructure. These same policies govern this Specific Plan as guidelines for financial analyses prepared in a Project Facilities and Services Plan (PFSP). Valley View will be developed in a manner consistent with the following financial policies:

1. *New development shall be required to pay for its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law;*
2. *In developing conditions of approval for projects with adverse impact upon school facilities, the County should consider the use of Mello-Roos Districts where appropriate, to lessen or avoid such impacts;*
3. *Specific Plans for Planned Communities shall identify and set aside land for new schools, approvable under Title 5 standards to serve new communities. A funding mechanism for site acquisition and construction shall be provided. School site dedication shall be considered as part of the funding mechanism;*
4. *Require that all costs of upgrading and/or constructing civic, public, and community facilities, and basic infrastructure exclusively needed to serve new development, be the responsibility of new development and not existing residents;*
5. *Require new discretionary development to pay its fair share of the costs of all civic, public, and community facilities it utilizes based upon the demand for these facilities which can be attributed to new development;*
6. *Stress financing strategies that maximize the use of pay-as-you-go methods to gain the most benefit from available revenue without placing unreasonable burdens on new development.*

Any infrastructure finance policies and guidelines adopted by the County that relate to the formation of specific financing districts, the rate and amount of levying special taxes and assessments, the structure of bond issues, the information required to request formation of a financing district, or other guidelines will be incorporated in the PFSP.

The developers within Valley View shall coordinate with the County to evaluate the most cost-efficient method of funding public infrastructure. All potential sources of revenue will be considered, including, but not limited to the following:

- Pay-as-you-go programs, such as developer impact fees, sewer/water hookup fees, and Landscaping and Lighting Districts

- Debt Financing Programs, such as Mello-Roos, 1913/1915 Assessment Acts, revenue bonds and certificates of participation
- Federal and/or State Grants or Loans
- Reimbursement Programs, such as Integrated Financing Districts
- Special Districts, such as Community Facilities Districts and California Water Districts

Future homeowners and business owners may be required to pay annual taxes or assessments for public facilities, but these revenues will be subject to marketing and political limitations. To avoid onerous annual burdens on the residents and businesses in Valley View, impact fees or private financing will be used to the maximum extent possible to fund public infrastructure.