



RESOLUTION No. 159-98

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION AMENDING THE GENERAL PLAN

WHEREAS, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

WHEREAS, because of that mandate, El Dorado County's General Plan and the various elements thereof, must be continually updated with current data, recommendations and policies; and

WHEREAS, the Planning Department and Planning Commission have made recommendations to the Board of Supervisors regarding potential amendments of the Land Use Element of the General Plan; and

WHEREAS, the Board of Supervisors has reviewed and held public hearings on the recommended amendment to the land use elements; and

WHEREAS, the Board of Supervisors finds that the proposed amendment to the General Plan is consistent with all elements of the General Plan not otherwise amended.

NOW, THEREFORE, BE IT RESOLVED that the El Dorado County Board of Supervisors hereby approves and accepts the environmental documents filed on the following amendment to the General Plan and approves and adopts the following amendment to the General Plan

based on the findings and reasons set forth in the staff report and Planning Commission's action, except as may be noted herein:

1. Amendment to the MEYERS COMMUNITY PLAN (see Attachment 1).

2. Change in land use designation as follows:

CAMINO - Commercial (C) Multi Family Residential (MFR), consisting of 1.68 total acres, bearing APN No. 043-290-54, being described as Section 4, Township 10 North, Range 12 East, M.D.M., application by Richard Clayton.

3. Change to land use designation as follows:

APN	Existing General Plan land use designation	Proposed General Plan land use designation **
331-060-02, 331-060-03, 331-060-04, and portion of 331-040-15	Medium Density Residential (MDR) Industrial (I)	Rural Residential (RR) Rural Residential (RR)
Portion of 331-040-15	Industrial (I)	Commercial (C)
319-260-43, 319-260-44, portion 319-260-34	High Density Residential (HDR)	Rural Residential (RR)
Portion 319-260-34	High Density Residential (HDR)	Medium Density Residential (MDR)
Portion 331-080-02	Rural Residential (RR)	Medium Density Residential (MDR)

DIAMOND SPRINGS/EL DORADO, application by THOMAS SHINN.

4. Amendment of Policy 2.2.5.16 as follows:

Policy 2.2.5.16

The appropriate level of planning for land divisions shall be based on the current land use designation that applies to the project area. The level of planning will at a minimum demonstrate that the project will not preclude the ultimate potential density. Level of planning may be reduced by an accompanying request for General Plan Amendment to reduce the density. An ultimate road circulation plan shall be included that accommodates the maximum density and provides secondary access.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the findings made at such time as this Board stated their intention to make the above listed amendment to the General Plan and incorporates said findings herein by reference.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 16TH day of JUNE, 1998 by the following vote of said Board:

Ayes: SUPERVISORS: RAYMOND J. NUTTING, J. MARK
 NIELSEN, WALTER L. SHULTZ, JOHN E. UPTON

ATTEST

DIXIE L. FOOTE
Clerk of the Board of Supervisors

By Margaret B. Moody
Deputy Clerk

Noes: NONE

Absent: SUPERVISOR: WILLIAM S. BRADLEY

John E. Upton
Chairman, Board of Supervisors

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____

ATTEST: DIXIE L. FOOTE, Clerk of the Board of Supervisors
of the County of El Dorado, State of California.

By _____
Deputy Clerk

Amendment to the Meyers Community Plan

June 16, 1998

CHAPTER 2 - LAND USE ELEMENT

C. MEYERS COMMUNITY PLAN AREA STATEMENT, Page 2-14

COMMERCIAL FLOOR AREA ALLOCATION: Pursuant to Chapter 33, the maximum amount of commercial floor area which may be allocated for additional development in the Community Plan Area is 25,400 square feet.

CHAPTER 7 - IMPLEMENTATION ELEMENT

A. COMMUNITY PLAN IMPLEMENTATION OBJECTIVES AND SPECIAL POLICIES, Page 7-2

4. Request, as part of plan adoption, that the Tahoe Regional Planning Agency allow use of additional commercial floor area allocation for projects within the community plan which had been reserved for projects outside the community plan.

Policy: In the event that additional commercial floor area is allocated to the plan area, it shall be distributed to each priority group identified in Appendix C in the same proportions as the existing allocation unless the Board of Supervisors finds modification is needed to meet current trends, and such modified allocation maintains the intent of the Meyers Community Plan.

C. METHODS OF IMPLEMENTATION, Page 7-5

1. Provide Additional Development Incentives: The plan contains at least three significant incentives to create additional growth and make badly needed improvements to the area. The incentives are: 25,400 square feet of additional commercial floor area; ten additional tourist accommodation bonus units; and additional land coverage.

APPENDIX C

COMMERCIAL FLOOR AREA ALLOCATION PROCEDURES, Page C-1

A. INTRODUCTION, amend paragraph four as follows:

The allocation procedures listed below identify how to acquire and use the 15,400 square feet of commercial floor area allocated to the community plan area. The allocation is derived from two sources: 10,000 square feet from the initial allocation; and 5,400 square feet of bonus commercial floor area. The allocations are intended to support additional development through 1996. At that time, the community plan will be reviewed and, based on amendments to the Regional Plan, may provide additional allocations of commercial floor area. In 1997 the Regional Plan was amended allocating an additional 10,000 square feet of commercial floor area to the community plan.

B. ALLOCATION PROCEDURES

The allocation procedures provide opportunities for all lands within the community plan area on which commercial uses are permitted to compete for an allocation of additional commercial floor area. To receive an allocation, project applicants must satisfy all of the following criteria.

1. Location Within Priority Land Use Districts. The community plan designates the Yank's Station and the West Meyers land use districts as the priority areas (nodes) for additional commercial development. This includes additions to existing commercial uses as well as new development. The districts have relative advantages for increased development over the remainder of the plan area. Advantages include, but are not limited to, containing the majority of existing commercial uses, preferred locations for new retail commercial uses, containing additional area to expand and the ability to cluster development thereby reducing vehicle trips. Refer to the Land Use District map in Chapter 2 for the exact boundaries of each district.

Establishing priorities clearly states the plan's intentions as to which geographic areas are most important for implementing the plan. Each priority contains a separate transfer ratio required to use the allocation. Any of the priorities may be used at any time. In other words, it is not necessary to first build out all the commercial square footage provided under Priority #1 before moving on to Priority #2. The following priorities are established to guide the distribution of the additional floor area:

Priority #1. Existing development or new development located within either Yank's Station or West Meyers land use districts. 15,000 square feet allocated. Match allocation using transfer ratio shown below.

Priority #2. Existing development located outside of the Yank's Station and West Meyers land use districts. 4,000 square feet allocated. Match allocation using transfer ratio shown below.

Priority #3. New development located outside of the Yank's Station and West Meyers land use districts. 6,400 square feet allocated. Match allocation using transfer ratio shown below.

Should the County become aware that the allocations to the priorities noted above are not adequately serving the need and the policies of the Meyers Community Plan, the Board of Supervisors, upon recommendation of the Planning Commission, may make such findings and modify the priorities and their related allocation without amendment to the Meyers Community Plan.

New development is development which occurs on a vacant parcel. A vacant parcel is defined by TRPA as undeveloped or unimproved and has no established use. Existing development is development which is legally present or approved on the effective date of the community plan. Chapter 33 of TRPA's Code of Ordinances permits, under certain conditions, the expansion of legally existing commercial floor area by 5% or 500 square feet, whichever is less, without first receiving an allocation of new commercial floor area. The 5%/500 expansion may not be applied for or built in conjunction with any other addition or

expansion. All commercial uses which qualify for this expansion are encouraged to use it. Refer to TRPA Code Section 33.3 for the exact specifications for use.

In the event the additional commercial floor area previously allocated to El Dorado County outside of community plan areas is reallocated to the Meyers community plan (approximately 4,500 square feet), the allocation to each of the three priorities would be increased by the Board of Supervisors based on recommendation of the Planning Commission and their findings on how such allocations supports the Meyers Community Plan.

2. Matching Commercial Floor Area. Allocation priorities identified above require each project applicant to transfer or otherwise bring to the project a certain amount of the project's total commercial square footage. It is possible to bring in more than the minimum required match, however, the maximum allocation of additional commercial floor area will not increase. The following matching ratios are established for each allocation priority:

- Priority #1. 75% allocation, 25% project match (3 to 1)
- Priority #2. 50% allocation, 50% project match (1 to 1)
- Priority #3. 25% allocation, 75% project match (1 to 3)

For the purposes of transferring matching floor area for a project, existing development (Priorities #1 and #2), may use legally created existing or banked commercial floor area which is on the parcel (or banked therefrom) as a source of match. New development on a vacant parcel(s) must transfer matching floor area including banked floor area, from outside either the Yank's Station or West Meyers districts.

As an option to providing the match required herein, the applicant receiving the allocation may pay a fee of \$20.00 per square foot of required match. The funds received from this fee shall be allocated to Meyers Capital Improvement Projects.

Using the allocation ratios and assuming all commercial floor area is built by providing a match or payment of fees, a maximum of approximately 53,600 square feet of new commercial floor area may be developed as follows:

Priority Area #1	20,000 square feet
Priority Area #2	8,000 square feet
Priority Area #3	25,600 square feet

The ultimate development may be somewhat less than this depending upon the source and location of the matching floor area.

3. Maximum Allocation Per Project. To make the allocation of additional commercial floor area available to as many projects as possible, a maximum of 2,000 square feet of additional commercial floor area will be allocated to any legally created parcel which is 6,000 square feet or larger as of July 1, 1987. Parcels which are smaller than 6,000 square feet as of July 1, 1987, may be eligible for an allocation which is proportional to the parcel size using the formula shown below.

$$\frac{\text{Parcel Size (s.f.)}}{6,000 \text{ s.f.}} = \frac{\text{Allocation of Floor Area (s.f.)}}{2,000 \text{ s.f.}}$$

4. Consistency with the Community Design Plan. Any project for which additional commercial floor area is sought must fully implement the minimum community design elements identified in the Community Plan Design Review Guidelines (Appendix A, Section A). The Planning Commission may, during their review of a proposed project, determine that additional design guidelines from either the Community Plan Design Guidelines or the TRPA Design Review Guidelines should be applied as conditions of project approval. El Dorado County will specify application, submittal and review procedures.
5. Timing and Distribution of Additional Commercial Floor Area Allocations. It is the intent of the plan that allocation of all the additional commercial floor area be made within ninety days of community plan adoption. This will be done using a one time, filing deadline procedure. El Dorado County shall specify the application procedures, including the carry over of unused allocation and adjustments to matching ratios consistent with provisions of the Community Plan.

Contingency: In the case where applications are received requesting more commercial floor area than is available to allocate, the Board of Supervisors or their designee with the assistance of TRPA staffs, shall conduct a design competition. The competition shall be used to determine which projects(s) best meet the needs of Meyers in terms of land use, physical design and other community improvements. El Dorado County shall establish the competition procedures.