

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



Agenda of: May 10, 2007
Item No.: 12.
Staff: Shawna Purvines

GENERAL PLAN AMENDMENT

FILE NUMBER: A06-0002

APPLICANT: County of El Dorado Board of Supervisors

REQUEST: Amend the Floor Area Ratio (FAR) from the 2004 General Plan of 0.25 for Commercial, Industrial and Research and Development to a FAR of 0.85 for Commercial and Industrial and 0.50 for Research and Development.

ENVIRONMENTAL DOCUMENT: Supplemental Environmental Impact Report (SEIR)

SUMMARY RECOMMENDATION: Recommend Approval

BACKGROUND:

On February 9, 2006, the Planning Commission considered staff recommendations and public comments concerning possible options and alternative approaches to modifying Floor Area Ratios (FAR) and passed on to the Board of Supervisors a recommendation to amend the General Plan FAR's for Commercial and Industrial land use designations of 0.85, Research and Development of 0.50, and proposed a new land use designation for Mix Use Development (MUD) with an FAR of 1.00, allowing residential uses with a density of 10 to 24 dwelling units per acre. At that time the Board of Supervisors also approved to permanently eliminating FARs applicable to Agricultural Lands and to eliminate the requirements for impervious service. The Board of Supervisors adopted a Resolution of Intention to amend the General Plan with regard to FAR's and Mixed Use Development on April 11, 2006. However, the Board of Supervisors directed staff to address MUD separately from the proposed FAR amendment process.

PROJECT LOCATION:

The General Plan FAR Amendment applies to all areas within unincorporated El Dorado County.

PROJECT DESCRIPTION:

As a result of an adopted Resolution passed by the Board of Supervisors on April, 18, 2006, the General Plan FAR amendment proposes a FAR of 0.85 for Commercial and Industrial and a FAR of 0.50 for Research and Development (R&D). FARs regulate the amount of square feet of commercial, industrial and R&D development allowed within the County. FAR expresses the maximum allowable square footage of development as a percentage of lot size. An amendment would allow for an increase in allowable development square footage for each of these land use designations, subject to compliance with other applicable County development standard (e.g. height, setbacks, parking, landscaping, etc). The resolution also proposed a new Mixed Used Development (MUD) land use designation and related policies; however the proposed revisions for the MUD land use designation are being addressed separately and have not been evaluated by the Supplemental Environmental Impact Report (SEIR).

The proposed amendment would also eliminate the specific restriction for the El Dorado Hills Business Park contained in Table 2-3, currently limiting the FAR to 0.30 but would retain the employment cap of 10,045, pursuant to General Plan Policy TC-1y.

The text of the proposed amendments to Policy 2.2.1.5 of the General Plan and associated Table 2-3 is shown below (deletions in ~~striketrough~~, new text in underline):

The General Plan shall provide for the following building intensities in each land use designation as shown in **Table 2-3** (as modified below), Building Intensities.

**GENERAL PLAN TABLE 2-3
 BUILDING INTENSITIES**

| Land Use Designation | Floor Area Ratio* |
|--|---|
| Commercial | .25 <u>0.85</u> |
| Research & Development | .25 <u>0.50</u> ** (delete **) |
| Industrial | .25 <u>0.85</u> |
| <p><i>Ratio of allowable floor area (square footage) to site area (square footage). The FAR can be calculated over an entire integrated development rather than on a project-by-project basis under the following circumstances: 1) the aggregate average FAR within applicable land use designations does not exceed the General Plan maximum; or 2) satisfactory evidence is provided that demonstrates on a site-specific basis that measures will be imposed to keep traffic at levels associated with the applicable FAR threshold.</i></p> <p><i>**Shall not exceed 0.30 for the El Dorado Hills Business Park based on limitations established on employees in Policy TC-1y. In order to document overall compliance with the purposes of both the FAR limitation herein and the employee cap in Policy TC-1y, all projects within the Business Park that would individually exceed 0.25 FAR must undergo review and approval by the County.</i></p> | |

DISCUSSION:

Intensity standards for non-residential development, such as floor area ratios, are commonly used to set limits on the amount of allowable development to address various issues, such as aesthetics, land use compatibility, and environmental impacts. Floor area ratios usually are expressed as a ratio of total floor area (including all floors and not just the footprint of a building) when compared to a lot or parcel area. Floor area ratios for non-residential land uses vary by jurisdiction but fall within a range of 10 percent to 300 percent within this region. A table representing different levels of FAR percentages within the region is provided below.

| Jurisdiction | Land Use | FAR |
|---------------------|---------------------------|------------|
| City of Folsom | Commercial | 200% |
| | Industrial/Office Park | 200% |
| Placer County | Commercial | 20% |
| | Tourist/Resort Commercial | 80% |
| | Industrial/Business Park | 180% |
| City of Roseville | Commercial/Business | 20%-40% |
| | Industrial | 20%-50% |
| | Central Business District | 300% |
| Sacramento County | Commercial | 25%-250% |
| | Industrial | 15%-80% |
| Tuolumne County | Commercial/Mix Use | 200% |
| | Special Commercial | 100% |
| | Industrial | 100% |

General Plan Policy 2.2.1.5 designates the current FAR's for Commercial, Industrial and Research and Development at 0.25 with an exception for the El Dorado Hills Business Park at 0.30 that includes an employment cap of 10,045. There are no specific developments or parcels in the County currently proposing a FAR increase. Since no site-specific details are known regarding the type or form of development that could use the proposed increase in FARs, this analysis is programmatic and evaluates possible changes in development intensities with the best available information.

Estimated levels of development for 2025 in the General Plan were forecasted using projections based on future population estimates and assumptions as to how that growth would be allocated throughout the County based on various factors and development constraints. These forecasts were broken down into 14 market areas. It was determined that increasing the FAR for a parcel would not change the type of land use but could increase the size of a building on a parcel. While this change could increase the number of employees on an individual parcel, it is not expected to change the market conditions affecting demand for different employment-related land uses on a County-wide basis. Therefore, under 2025 conditions, some parcels may have a higher building coverage and more employment than other parcels, but overall the SEIR concluded that demand for commercial and industrial lands would not change with an increase in FARs. Bay Area Economics evaluated this finding as found in Appendix B of the Draft Supplement to the El Dorado County Environmental Impact Report.

El Dorado County has programs in place that require infrastructure and services to be available concurrently with the construction of new development. As described in Section 5.0 of the SEIR, there are a number of General Plan policies that require new development proposals to demonstrate that adequate transportation improvements, infrastructure, and public services are in place to serve the development. In addition, the County reviews development projects for consistency with the General Plan checklist to ensure that these policies are implemented and enforced. The SEIR also discusses the County's Traffic Impact Mitigation (TIM) Fee Program, which has been designed to meet the concurrency requirements of the General Plan associated with roadway improvements.

To avoid impacts associated with an increase in FAR Countywide, every five years, as part of the General Plan review and update, actions can be taken to decrease forecasted impacts in areas where higher intensity development is found to have a market demand. Policy 2.9.1.2 of the General Plan states:

Two years following the adoption of the General Plan and thereafter every five years, the County shall examine the results of the monitoring process for the previous period. If the results of this monitoring process indicate that the distribution of growth varies significantly from the major assumptions of this Plan, the County shall make appropriate adjustments to the Plan's development potential by General Plan amendment. Five year adjustments in the development potential may include either additions to or subtractions from this land supply and may result in policy changes.

Project Benefits

As it is described in the Final EIR for the General Plan adopted in July 2004, the overarching objective of a General Plan is to guide a jurisdiction's growth over a long-term planning horizon, in a manner consistent with the community's vision of its long-term physical form and development. Specific objectives of the proposed General Plan FAR amendment include:

- Allow the Board of Supervisors additional flexibility in decision-making.
- Allow for increased potential for non-residential development.
- Provide for flexibility in non-residential development intensities to encourage logical and effective utilization of land areas designated for urban uses.

During the General Plan public participation process, residents generally agreed that higher density together with compatible infill development was a preferred mechanism for reducing sprawl and mitigating impacts of contemporary development styles throughout the County. It was also recognized that promoting the development of business and industry and having well-balanced communities would afford the County's residents the opportunity to work, shop, and recreate close to where they live and, in some instances, take advantage of non-automobile oriented transportation methods.

El Dorado County is served primarily by neighborhood and community retail centers along with industrial and R&D employment centers. In addition, there are several regional commercial, industrial and research and development employment centers that are located outside of the County in communities near enough to service the residents. These communities include Folsom, Rancho

Cordova, and Auburn California. An increase in FAR may provide the incentive needed for increased development of neighborhood, community, and regional retail centers that would allow for the local retention of sales tax revenues.

The 2000 Census illustrates that 39,709 of the County's residents live and work within the County including the two incorporated cities of South Lake Tahoe and Placerville. An additional 8,200 individuals commute into the County for employment. This means 32, 410 or approximately 44 percent of El Dorado County's resident labor market commute out of the County for employment. Increasing the number of jobs available within the County will provide more opportunity for residents to live and work closer to home. However, with an anticipated 1,435,875 jobs to be created throughout the region by 2025, identified in Sacramento Area Council of Government (SACOG) forecast, an increase in FAR to levels more in keeping with allowable FARs in surrounding jurisdictions would give El Dorado County an opportunity to compete for the development of regional employment centers.

The FAR is not anticipated to induce non-residential growth beyond what has been analyzed in the 2004 General Plan and its EIR through the planning horizon year of 2025, and predicts an increase in the number of jobs within the County by an additional 128,421 at potential buildout beyond 2025, as discussed in Section 4.0 of the SEIR. This would represent an additional eight percent region wide and provides the opportunity for the County to better compete for regional employment centers.

As identified in the SEIR, at buildout, the County has the potential to realize a significant contribution to the tax base through sales and use tax revenues generated on parcels with an increase in FAR. (See Section 4.0 for a discussion of land use forecasts and the increase in employment that would be accommodated by the General Plan FAR amendment). In addition, the sales and use tax revenue earned from developed parcels is anticipated to increase since the rate of return for owners/developers intensifies with an increase in FAR. By increasing the opportunity for higher FARs, the County could experience an increase in property values thereby providing additional revenues that will support overall services to residents and visitors in the County.

An increase in FAR provides the opportunity to incorporate *Smart Growth* principles into the County's development practices, creating beneficial impacts to the local environment. The smart growth vision promotes infill and compact development together with mixed-use development that includes more transit choices as an alternative to low density development. Examples of how FAR affects development configurations can be seen in the photographs and diagrams included in the PowerPoint presentation provided by Pacific Municipal Consultants at the Planning Commission, public review meeting held on February 8, 2007 (Attachment 5), and the illustrations prepared for the March 2006 FAR staff report (Attachment 6).

An increase in the County's FAR for Commercial, Industrial and Research and Development land uses provides an incentive for achieving the above goals and objectives and furthers policies in the Economic Development Element of the General Plan to support a jobs housing balance and diversify the County's economic base.

ENVIRONMENTAL REVIEW:

A Supplement to the 2004 El Dorado County General Plan EIR was prepared to determine if the project has a significant effect on the environment. In compliance with CEQA Guidelines, the SEIR includes a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. Based on this review, the project, as proposed, would have a significant impact on land use, visual resources, traffic and circulation, water resources, noise and air quality in the absence of identified programmatic mitigation measures. These are also impacts that were identified in the EIR for the 2004 General Plan

The EIR for the 2004 General Plan identified 40 potentially adverse impacts which could not be mitigated to a less-than-significant level. Although, the FAR Amendment to the General Plan would not result in any new impacts as defined in the General Plan EIR, it would result in an increase in the severity of 26 significant and unavoidable impacts identified in the General Plan EIR. However, 24 of the 26 impacts would only increase in severity at theoretical buildout and would not cause significant impacts through the 2025 planning horizon of the General Plan. The SEIR identifies a projected increase under buildout conditions in the severity of the following significant and unavoidable impacts shown below:

Traffic and Circulation

- Impact 5.3-1: Increase in daily and peak hour traffic
- Impact 5.3-2: Insufficient transit capacity

Water Resources

- Impact 5.4.1: Increase water demand and likelihood of surface water shortages
- Impact 5.4.2: Potential impacts associated with the development of new surface water supplies and related infrastructure
- Impact 5.4-3: Increase in groundwater demand and related impacts
- Impact 5.4-4: Increase in wastewater flows and related infrastructure impacts
- Impact 5.4-7: Increase in surface water pollutants from additional wastewater treatment plant discharges
- Impact 5.5-3: Potential noncompliance with state-mandated diversion rate
- Impact 5.9-7: Risk of exposure to flood hazards inside dam inundation area

Public Services

- Impact 5.5-5: Potential for land use incompatibility and other impacts of new and expanded solid waste and hazardous waste facilities
- Impact 5.5-6: Potential for land use incompatibility and other impacts of new and expanded energy supply infrastructure
- Impact 5.5-7: Potential for impacts associated with new and expanded communications infrastructure

Noise and Air Quality

- Impact 5.7-1: Exposure of sensitive receptors to construction noise
- Impact 5.7-2: Exposure of sensitive receptors to traffic noise
- Impact 5.7-3: Exposure of sensitive receptors to non-transportation noise
- Impact 5.7-4: Exposure of sensitive receptors to aircraft noise
- Impact 5.8-1: Short-term construction generated emissions of criteria air pollutants
- Impact 5.8-2: Long-term emissions of criteria air pollutants
- Impact 5.8-3: Long-term exposure of sensitive receptors to toxic air contaminants
- Impact 5.8-4: Contribution to near-term local mobile-source co concentrations
- Impact 5.8-5: Exposure of sensitive receptors to odorous emissions
- Impact 5.9-2: Increased risk of accidental release of hazardous materials
- Impact 5.9-5: Increased potential for fire incidents and fire hazards

General

- Increase in the cumulative impacts to visual resources, transportation and circulation, water resources, utilities, air quality, noise and human health and safety, as addressed previously in this section.

The SEIR identifies a projected increase in the severity of two significant and unavoidable impacts under 2025 conditions but that would not exceed those identified in the General Plan EIR are shown below. The remaining 24 impacts of the 26 identified above would be less than significant under 2025 conditions. Mitigation measures are recommended to amend the 2004 General Plan Implementation Program developed to help reduce the impacts at buildout associated with some of the 26 identified above. (Exhibit B, section K).

Land Use

- Impact 5.1-2: Substantial alteration or degradation of land use character in the county or subareas

Visual Resources

- Impact 5.2-2: Degradation of existing visual character or quality of the area or region

CEQA requires that when a public agency makes findings based on an EIR, that agency must adopt a reporting and monitoring plan for those measures which it has adopted. The reporting and monitoring plan must be designed to ensure compliance during project implementation and provide disclosure to the public to ensure that conditions are monitored and properly met (Public Resources Code Section 21081.6). Exhibit A of the attached Resolution includes the Monitoring and Mitigation Program for the General Plan amendment that, if adopted, the mitigation measures would become an addition to the 2004 General Plan Implementation Plan.

ALTERNATIVE PROJECTS ANALYSIS

Pursuant to Section 15126.6 of the CEQA Guidelines, the General Plan FAR Amendment SEIR considers six alternatives comparatively in Chapter 6. Three of these six, Alternatives 1 through 3, were rejected from further analysis after initial consideration. As described in Draft SEIR Section

6.0, Alternative 1 (Off-site) and Alternative 2 (Environmental Constraints) would not meet the basic project objectives and Alternative 3 (Elimination of Floor Area Ratios) has the potential to result in increased severity of environmental impacts in comparison to the General Plan FAR Amendment. The remaining three, Alternatives 4 (No Project), Alternative 5 (Elimination of specific Geographical Areas based on Traffic Increase), and Alternative 6 (Reduced Increase to FARs) were analyzed at a comparative level of detail, consistent with the requirements of CEQA.

In summary, the alternatives that were analyzed are as follows:

- Alternative #1 – Off-site
- Alternative #2 – Environmental Constraints
- Alternative #3 – Elimination of Floor Area Ratios
- Alternative #4 – No Project (retaining existing FAR standards)
- Alternative #5 – Elimination of Specific Geographical Area based on Traffic Increase
- Alternative #6 – Reduced Increase to FARs

Based on the environmental analysis, the project’s alternatives were developed to provide decision makers with a reasonable range of alternatives with which to compare to the proposed project.

The alternatives are described in Chapter 6 of the Draft SEIR, with the final three alternatives (Alternatives 4, 5, and 6) selected for further consideration analyzed at a comparative level of detail in Chapter 6 of the Draft SEIR (see pages 6.0-4 through 6.0-49 of the Draft SEIR).

A summary of the total employment and square footage of non-residential uses that would occur at buildout under the adopted General Plan, the General Plan FAR amendment and Alternatives 4 through 6 are provided in **Table 6.0-1** below. Under 2025 conditions, employment and non-residential development would be driven by market conditions as described in Section 4.0 and, thus, there would be no change between the adopted General Plan, the General Plan FAR amendment, or the alternatives.

Alternatives Employment Generation at Buildout

| Scenario | Total Employment | Commercial, Industrial, and Research and Development Square Footage |
|-----------------------------------|------------------|---|
| General Plan FAR Amendment | 245,543 | 83,961,500 |
| Alternative 4 | 117,122 | 24,354,800 |
| Alternative 5 | 148,785 | 38,627,030 |
| Alternative 6 | 185,700 | 56,065,900 |

Alternative #4 – No Project

Under this alternative, the proposed General Plan FAR amendment project would not be adopted, and the existing El Dorado County General Plan policy document would remain in effect. Under this alternative, total square footage and employment for Commercial, Research and Development, and Industrial uses would remain the same as the proposed General Plan FAR amendment under

2025 conditions although development would not be as intense. Under buildout conditions, this alternative would produce approximately 24,354,800 square feet of commercial, research and development, and industrial square footage and a total employment of 117,122 (128,421 less than the proposed project) at buildout. This alternative would fulfill none of the objectives associated with the project nor would it provide any benefits of the project as described in Section E.

Alternative #5 – Elimination of Specific Geographical Area Based On Traffic Increase

Alternative #5 eliminates areas of the County where the proposed General Plan FAR amendment project would substantially increase levels of traffic at buildout in areas projected to exceed levels of service. Under this alternative, 20 Traffic Analysis Zones (TAZ) areas that would be eliminated from the increase in FAR, but would retain existing General Plan levels of FAR, result in a total employment of 148,785 and a total square footage of 38,627,030. A baseline limit to the increase in employees over existing conditions was used to determine the areas that are excluded under this alternative. The limit was set at 2,000 new employees. Table 6.0-1 of the Draft SEIR illustrates the TAZ number and the change in employment for each affected TAZ at buildout. Alternative 5 would result in less employment and total square footage for these uses when compared to the proposed General Plan FAR amendment project but has more employment and square footage than the baseline, the adopted General Plan, as it would increase employment by 31,663 jobs and increase potential development square footage by 14,727,230 square feet at buildout. Therefore, most impacts that resulted in a significant and unavoidable impact in the General Plan EIR at buildout would also be significant and unavoidable under this alternative; however, the intensity of those impacts would be decreased.

Alternative #6 – Reduced FAR

Alternative #6 provides floor area ratios approximately halfway between the adopted General Plan and the proposed General Plan FAR amendment project. Alternative 6 FARs are: 0.55 for commercial and industrial land uses and 0.40 for research and development land uses. This results in a total employment of 185,700 and total of 56,065,900 square feet of commercial research and development and industrial uses at buildout. Alternative 6 would result in less employment and total square footage when compared to the proposed General Plan FAR amendment project but more employment and commercial, research and development, and industrial square footage than the baseline, that of the adopted General Plan. Therefore, most impacts that resulted in a significant and unavoidable impact in the General Plan EIR would also be significant and unavoidable under this alternative; however, the intensity of these impacts is decreased relative to those of the project description.

The Planning Commission may consider and ultimately recommend to the Board of Supervisors an increase in the current levels of FARs up to the maximum amount analyzed in the SEIR without requiring the recirculation of the SEIR. Attached Resolutions and exhibits have been prepared to support the project as proposed in the Resolution of Intention, adopted by the Board of Supervisors on April, 18, 2007. However, should the Board of Supervisors wish to approve levels less than those in the proposed project, modifications to the attached resolutions and exhibits would be required.

RECOMMENDATION

Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to:

1. Adopt the **Resolution** certifying the Supplemental Environmental Impact Report including a Statement of Overriding Consideration and the Findings of Fact; and
2. Adopt the **Resolution** amending the El Dorado County General Plan Land Use Element (A06-0002), Policy 2.2.1.5, Table 2-3 Building Intensities, and to include an amendment to the General Plan Mitigation Monitoring Plan.

SUPPORT INFORMATION

ATTACHMENTS

Attachment 1 Resolution certifying the EIR and Making Findings
 Exhibit A – Statement of Overriding Consideration
 Exhibit B – Supplemental CEQA Findings of Fact
Attachment 2 – Resolution Adopting the General Plan Amendment
 Exhibit 1 – CEQA Mitigation Monitoring Program
Attachment 3 - Supplement Environmental Impact Report
Attachment 4 – BOS Staff Report of April 18, 2006
Attachment 5 – Planning Commission Public Review Meeting Presentation February 8, 2007
Attachment 6 - Possible Building Configurations for .25 – 3.00 FAR