

DEVELOPMENT SERVICES DEPARTMENT

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TO: Planning Commission **Agenda of:** June 11, 2009

FROM: Shawna Purvines, Senior Planner **Item #:** 10

DATE: May 21, 2009

RE: A08-0001/OR08-0001/Mixed Use Development; Board of Supervisors Mixed Use Development Workshop Outcome

BACKGROUND

The Board of Supervisors held a workshop on May 11, 2009, to discuss the process by which the County will implement and encourage mixed-use development (MUD) within Community Regions and Rural Centers throughout the unincorporated area of the County.

Staff provided background information and points for discussion in a Board memo dated May 6, 2009, hereto attached. Staff also provided recommended amendments to related General Plan policies and ordinances. In addition, development standards under Title 17.14.220 were prepared for review and consideration. These items, as recommended by the Board of Supervisors, are provided in Attachments 2 thru 6 of this document.

The Board of Supervisors directed this item be brought back to the Planning Commission for review and assessment of the amendments. Should the Commission find the amendments appropriate, a recommendation to the Board for approval is required. A copy of the original item presented to the Planning Commission on November 13, 2008, and the final recommendation to the Board of Supervisors can be found at www.edcgov.us/Planning/PCmeetings2008.html.

DISCUSSION

As discussed at the workshop, recent legislation is requiring a change in how the County plans for transportation and housing projects by largely mandating higher density, transient oriented types of development within certain urbanized areas of the County. If the County does not comply, it opens the possibility to lawsuits and restricts the County's eligibility in many funding programs.

The primary changes found in the policy amendments and ordinance consist of requiring a Planned Development application for all MUD projects and striking the language requiring MUD to be on a single parcel. The Board did discuss the concern of MUD projects and their ability to comply with the 30% open space requirements under the General Plan Planned Development policies. Staff concurred that not all proposed MUD projects could meet the 30% open space requirement and that it would be detrimental to achieving the goals and objectives of MUD. Single parcel infill projects would most likely not achieve this requirement nor would it make sense in most cases. Larger multi parcel projects would be required to provide connectivity of the buildings, which through a Planned Development process would include the development of public open spaces.

The Planning Commission has adopted a Resolution of Intention to consider amending General Plan policies 2.2.3.1, 2.2.3.2, 2.2.5.4, and 2.2.5.13 to provide greater flexibility for mandatory open space requirements. Staff is currently working on the amendment. Until the policies are amended, staff received direction from the Board of Supervisors to allow for the flexibility in meeting the open space requirements through the PD process for Mixed Use Development projects only.

ENVIRONMENTAL REVIEW

A Negative Declaration was prepared and circulated prior to the Planning Commission meeting on October 9, 2009. The revisions recommended by the Board of Supervisors have been found to be within the findings of the staff report and the Negative Declaration, based on the initial study prepared by staff.

NEXT STEPS

Stakeholders, working with staff, will discuss the future of Mixed Use Development and determine what steps are necessary to meet the intent and requirements of SB 375, AB 32 and other programs that require or provide an incentive to communities that support higher density compact form, and transit oriented development.

Once goals are determined, staff recommends exploring options such as the creation of an overlay district for mixed-use, and/or establishing design guidelines, special use regulations and development standards for mixed-use within existing zone designations, including residential and research and development. An example may include revising standards for Multi Family Residential, where services such as small eateries, small retail stores, and health services or youth centers would enhance the overall neighborhood, while assisting in meeting federal and state funding requirements for development support. One option may be the creation of an "Atlas" of different types of mixed-use development forms that would be utilized within specific communities and neighborhoods.

Staff would work with communities, landowners and developers to create a program that is supported and that will work locally. Any final product must be an effective approach that landowners and developers can support and shall include the streamlining of the approval process to sustain and encourage this type of development, particularly where infill goals may be met. In coordination with the Zoning Ordinance update, a second workshop for the Planning

Commission and Board of Supervisors will be set to discuss modifications necessary to achieving goals for Mixed Use Development.

This process would be concluded within the next four years so that the program may be incorporated in the 2013-2018 Housing Element update and its required Vacant Land Inventory.

RECOMMEDATION

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

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;
2. Approve A08-0001 amending General Plan Policies 2.1.1.3; 2.1.2.5; 2.2.1.2; and 2.2.1.3 Table 2-2 Land Use Densities and Residential Population Ranges; as shown in Attachment 2, based on the findings contained in Attachment 1;
3. Approve OR08-0001 amending Zoning Ordinance Chapter 17.32 to included Mixed-Use Development as a permitted use in Commercial Districts (C), Professional Office Commercial Districts (CPO), and Planned Commercial Districts (CP) with a maximum residential density of 24 dwelling units per acre within Community Regions and a maximum residential density of 4 units per acre in Rural Centers as shown in Attachments 3 thru 5, based on the findings contained in Attachment 1; and
4. Approve regulations for Mixed-Use Development as set forth in Zoning Ordinance Chapter 17.14 with the addition of section .220 as shown in Attachment 6, based on the findings contained in Attachment 1.

SUPPORT INFORMATION

Attachment 1	Findings
Attachment 2	Recommended amendment to General Plan
Attachment 3	Recommended amendment to Chapter 17.32 Commercial (C)
Attachment 4	Recommended amendment to Chapter 17.32 Planned Commercial (CP)
Attachment 5	Recommended amendment to Chapter 17.32 Professional Office and Commercial (CPO)
Attachment 6	Recommended amendment to add section .220 to Chapter 17.14
Attachment 7	Environmental Checklist Form and Discussion of Impacts