Before the Board of Supervisors County of Placer, State of California

In the matter of A RESOLUTION AMENDING THE DRY CREEK/WEST PLACER COMMUNITY PLAN

Resolution No 2009- 119

The following resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held May 12, 2009, by the following vote

Ayes

WEYGANDT, UHLER, MONTGOMERY, ROCKHOLM

Noes

NONE

Absent

HOLMES

Signed by me after its passage

Rockholm, Chairman

Attest

Ann Holman

Clerk of said Board

WHEREAS, on December 18, 2008, the Placer County Planning Commission ('Planning Commission") held a public hearing to consider the Riolo Vineyard Specific Plan ("Specific Plan"), including certain proposed amendments to the Placer County General Plan ("General Plan") and the Dry Creek/West Placer Community Plan (the "Community Plan"), and the Planning Commission has made recommendations to the Board of Supervisors ("Board") related thereto, and

WHEREAS, on March 10, 2009, the Board held a public hearing to consider the recommendations of the Planning Commission and to receive public input regarding the proposed amendments to the Community Plan and, after closing the public hearing continued the matter to May 12, 2009, for final action, and

WHEREAS, the Board has reviewed the proposed amendments to the Community Plan, considered the recommendations of the Planning Commission, received and considered the written and oral comments submitted by the public thereon, and has adopted Resolution No 2009 117 certifying the Final Environmental Impact Report for the Regional University Specific Plan, and

WHEREAS, the Board finds the proposed amendments will serve to protect and enhance the health, safety and general welfare of the residents of the Community Plan area and the County as a whole and

WHEREAS, the Board further finds the proposed amendments are consistent with the provisions of the General Plan and other provisions of the Community Plan and are in compliance with applicable requirements of State law, and

WHEREAS, notice of all hearings required has been given and all hearings have been held as required by County ordinance and State law, and

WHEREAS, the Board finds that the foregoing recitals setting forth the actions of the County are true and correct,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER that Goals 2, 25, and the description of the Low Density Residential (LDR) land use of Section II(B)—Land Use Plan, Goals 4 and 5 of Section II(D)—Public Services, Goal 14 of Section III(A)—Natural Resources, and Goals 6 and 9 of Section IV(A)—Circulation of the Dry Creek/West Placer Community Plan are hereby amended to read as shown and described in Exhibit A, attached hereto and incorporated herein by reference, and

BE IT FURTHER RESOLVED, that this Resolution shall take force and become effective as to the amendment of Goals 6 and 9 of Section IV(A)—Circulation of the Dry Creek/West Placer Community Plan only in the event that Resolution 2007-231 adopted by the Board on July 16, 2007, is for any reason determined to be invalid by a final order issued in the case <u>Sutter County v Placer County et al.</u>, Sacramento County Superior Court Case No 2007-00883516 or in any related matter, and

BE IT FURTHER RESOLVED, that this Resolution shall take force and become effective immediately as to the amendment of Goals 2, 25, and the description of the Low Density Residential (LDR) land use of Section II(B)—Land Use Plan, Goals 4 and 5 of Section II(D)—Public Services, and Goal 14 of Section III(A)—Natural Resources, of the Dry Creek/West Placer Community Plan

Exhibit A Dry Creek/West Placer Community Plan Amendments

Policy Number	Proposed Amendment		
II Community Development Land Use			
2	The County shall require new non agricultural development immediately adjacent to agricultural lands to be designed to provide a buffer in the form of a setback of sufficient distance to avoid land use conflicts between the agricultural uses and the non agricultural uses except as it may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval. Such setback or buffer areas shall be established by recorded easement or other instrument subject to the approval of County Counsel. A method and mechanism (e.g. a homeowners association or easement dedication to a non profit organization or public entity) for guaranteeing the maintenance of this land in a safe and orderly manner shall be also established at the time of development approval.		
25	Continue to implement zoning policies which minimize potential loss of property and threat to human life caused by flooding and prohibit the creation of new building sites within the floodplain Through the adoption of a Specific Plan, the County may approve alteration of the existing 100 year floodplain in order to promote and support agricultural activities based upon a demonstration that such alteration will not result in an increase in flood risk under post development conditions		
Description of Low Density Residential (LDR) Land Use District Item (c) page 39	The LDR district allows for the greatest number of new dwelling units in the Plan area and consequently the greatest change to the existing rural environment. Approximately 1 128 acres or 12% of the Plan area is encompassed by this land use district. It allows for a range of densities from 1 2 dwelling units per acre or approximately 1/2 1 acre lot sizes and can accommodate in excess of 2 000 homes. It is less than 10% built out at present. The LDR district is found in two separate areas. Much of the land south of Dry Creek and north of		
	the Sacramento County line is included in this district as is an area between Roseville City limits and East Drive in the north eastern portion of the Plan area. In the area adjoining Roseville, this district will provide a lower density transition area between the higher densities in Roseville, lower densities to the west, and commercial uses along Baseline Road.		
The Contraction of the Contracti	To the south of Dry Creek and west of Walerga Road a large area (330± acres) included in the LDR district also has a Development Reserve (DR) designation attached to it. For several reasons it is believed that this DR area should be planned as a distinct unit and therefore subject to approval by the County of a Specific Plan which would address a wide range of issues relative to development Much of the property in this DR area is encumbered with California Land Conservation Act. (Williamson Act) contracts which guarantee that the land will stay in agricultural use for a period of years. The landowners have filed notices of non renewal meaning that the property will not be so encumbered after 1998. (In some cases land in this area will be out of the Williamson Act as early as 1992.) Also the floodplain of Dry Creek in this area is exceptionally broad thus rendering a significant amount of land unsuitable for homes but possibly useful for parks golf courses open space or other recreational uses. The only cemetery in the Plan area also lies within this. DR area A need exists to expand this use and such an expansion should be included in any design for the area. As a tool to ensure the preservation of the floodplain and associated woodlands density can be permitted to be transferred off of the floodplain and used on adjoining lands. In this area the result could be a significant increase in density on the lands which are found to be suitable for development. And finally, the land remains in relatively large parcels thus increasing the opportunity for cooperative planning for the ultimate and most appropriate use of the land. The Specific Plan process can address the issues of timing of development provision of infrastructure preservation and appropriate use of the floodplains and placement of permitted density within the area. With a specific plan this area should be considered as a whole and permit the relocation of commercial uses to the best possible location and still be considered compatible with the Community		
II Commun	II Community Development Public Services		
4	Maintain natural conditions within the 100 year floodplain of all streams except where work is required to maintain the stream's drainage characteristics and where such work is done in accordance with the Placer County Flood Damage Prevention Ordinance Department of Fish and		

Game regulations and Clean Water Act provisions administered by the U.S. Army Corps of
Engineers or when facilities for the treatment of urban run off can be located in the floodplain providing that there is no destruction of riparian vegetation. Through the adoption of a Specific Plan, the County may approve alteration of the existing 100 year floodplain in order to promote and support agricultural activities based upon a demonstration that such alteration will not result in an increase in flood risk under post development conditions.
Designate the 100 year floodplain of Dry Creek including the major tributaries as open space and provide for some compatible use of these areas in order to encourage their preservation Through the adoption of a Specific Plan, the County may approve alteration of the existing 100 year floodplain in order to promote and support agricultural activities based upon a demonstration that such alteration will not result in an increase in flood risk under post development conditions
mental Resources Management Natural Resources
No construction activities shall occur within the Dry Creek floodplain and only limited alteration of its tributaries shall be permitted except as part of the development of the floodplain as a recreational area or for stream enhancement or where work is done in accordance with the Placer County Flood Damage Prevention Ordinance Department of Fish and Game Regulations and Clean Water Act Provisions administered by the U.S. Army Corps of Engineers Through the adoption of a Specific Plan, the County may approve alteration of the existing 100 year floodplain in order to promote and support agricultural activities based upon a demonstration that such alteration will not result in an increase in flood risk under post development conditions
rtation / Circulation Circulation
The rights of way for roads shall be wide enough to accommodate roadways trails bikeways drainage public utilities landscaping/vegetation and suitable separation between facilities Minimum right of way width for Walerga Road shall be 144 feet Minimum right of way width shall be 120 feet for PFE Road Baseline Road Cook Riolo Road Don Julio Blvd and Watt Avenue Other roads shall have a 60 foot minimum right of way width Through the adoption of a Specific Plan, the County may modify these right of way standards, and may elect to exclude landscaped areas, sidewalks and utilities from the defined public right of way
The level of service (LOS) on roadways and intersections identified in the Capital Improvement Program (CIP) shall be a Level C or better. The first priority for available funding shall be the correction of potential hazards. Land development projects shall be approved only if LOS C can be sustained on the CIP roads and intersection after. a Traffic from approved projects has been added to the system. b Improvements funded by this program have been constructed. The County may allow exceptions to this level of service (LOS) standard where it finds that the improvements or other measures required to achieve the LOS standard are unacceptable based on established criteria. In allowing any exception to the standard, the County shall consider the following factors. • The number of hours per day that the intersection or roadway segment would operate at conditions worse than the standard. • The ability of the required improvement to significantly reduce peak hour delay and improve traffic operations. • The right of way needs and the physical impacts on surrounding properties. • The visual aesthetics of the required improvement and its impact on community identity and character. • Environmental impacts including air quality and noise impacts. Construction and right of way acquisition costs.

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Policy Number	Proposed Amendment
	findings to allow an exceedance of the standards
	Exceptions to the standard will only be allowed after all feasible measures and options are explored,
	including alternative forms of transportation