



Feb. 7, 2005 - The General Plan: Costly any way it's sliced

By NOEL STACK Staff writer

It's often difficult to put a value on a document because the words often mean different things to different people. The 2004 El Dorado County General Plan is no exception.

Depending on who is interpreting the document, the words in the General Plan will either limit and properly plan for growth in El Dorado County over the next 20 years or create gridlock traffic and allow massive development with inadequate infrastructure.

The value of the document's words is now left in the hands of voters, who will decide in March whether the General Plan adopted last year by four of the five El Dorado County supervisors is right for the county.

The board adopted the 2004 El Dorado County General Plan on July 19, 2004. Supervisors Helen Baumann, Rusty Dupray, Jack Sweeney and Dave Solaro voted for the plan. Supervisor Charlie Paine opposed it.

And while the value of the chosen plan's policies has yet to be determined, the value of a different kind - the cost of the General Plan - is easier to identify.

The documents

Countless county staff members, consultants, attorneys, and the supervisors themselves contributed time and resources help to write the 2004 General Plan.

The process began in 2001, two years after a writ stayed implementation of the 1996 General Plan. Since that time, four alternatives were drafted, an environmental impact report was completed, and an unfathomable amount of comments and responses to comments were penned.

El Dorado County Economic Development coordinator Shawna Purvines said the county has spent around \$5.6 million on the documents but the number could go up, pending the outcome of the election and a legal challenge.

"The clock is still ticking because we don't actually have one (General Plan) yet," Purvines said.

On top of that \$5.6 million, the county has also set aside \$4.8 million to implement the policies in the plan over a five-year period, according to Chief Administrative Officer Laura Gill. In fiscal year 2004-05, Gill said, the county has set aside \$785,000 for implementation.

The price tag for the previous General Plan effort, which led to the adoption of the 1996 General Plan, is fuzzy at best.

The expenditures are difficult to track, according to Purvines, because of the amount of time that has lapsed. So many people worked on the early versions of the plan, she said, and the staff time and board time just aren't clear.

Sweeney, who was on the board in the late 1980s when the General Plan process began, gave a round number of \$15 million spent the first time the county put together its General Plan.

Shortly after its adoption, the 1996 General Plan and its accompanying environmental impact report were challenged in court by the El Dorado County Taxpayers for Quality Growth, a residents' group. In 1999, Sacramento Superior Court Judge Cecily Bond sided with the group and ruled that the plan's environmental impact report did not adequately address all environmental concerns under the California Environmental Quality Act.

Bond issued a Writ of Mandate, which allowed development with development agreements in place to proceed, but limited the Board of Supervisors' land-use authority.

The loss

So, how much money has El Dorado County lost because it does not have a General Plan?

That number, according to many officials, is nearly impossible to pinpoint.

"I wouldn't begin to guess," said Sweeney.

The county has lost revenue because people couldn't split property or change zoning for development, said Purvines, but a number is difficult to determine.

"It easily has kept us from developing because we can't do zone changes," she said.

The business climate has slowed in some respects, Purvines added, and some businesses interested in building in the county have pulled out because the county doesn't have a general plan. That loss results in the loss of development fees and tax dollars.

The county has also lost funding and stands to lose more without a general plan, according to Baumann. Gov. Arnold Schwarzenegger's government restructuring ideas include a policy that would require the state to review all general plans every five years. If the county doesn't have a plan, Baumann said, it could lose state infrastructure funding.

El Dorado County is the only California county without a general plan.

In addition to funding for roads, Baumann said the county has already taken a financial hit from the California Department of Housing and Community Development.

Human Services Director John Litwinovich said without an approved Housing Element, a vital portion of a general plan, the county could "lose the ability to compete for funding." Between \$5 million and \$6 million is available from the state for projects related to low-income housing loans, first-time buyer programs, and other affordable housing programs, Litwinovich said.

The residents of El Dorado County have felt the biggest loss, according to Kim Beal with the El Dorado County Association of Realtors. Not only have residents been barred from splitting their property, Beal said, they have been subjected to an inflated real estate market.

Home prices have doubled since 1999 because the demand for housing in the county is so high, Beal said.

"We're not keeping up with demand," she explained. "Today you can't even find a fixer (upper) or two-bedroom condo for under \$250,000 and ... it's going to get worse."

The board has not approved any new housing developments, including low-income or apartment complexes, since the imposition of the writ in 1999. Only a new general plan and environmental impact report OK'd by the courts can allow new development to move forward.

The General Plan could also affect fire safety in the county, according to Vicki Yorty, Fire Safe Council executive coordinator. It took two years and countless hours to get the fire safe policies into the 2004 plan, Yorty said, and many of the policies are not in the other alternatives.

The measures

One way or another the future of the El Dorado County General Plan will be decided at the ballot box on March 8. Voters have two General Plan related measures to consider.

Measure B, the General Plan referendum, asks voters to affirm or reject the Board of Supervisors' adoption of the 2004 General Plan.

The two charter policies of Measure D, which is supported by the No Gridlock Committee, would preclude the current or any future Board of Supervisors from adopting any general plan that would worsen the traffic level of service on Highway 50 to gridlock during peak hours and would prevent the board from approving single-family residential subdivisions of three parcels or more until Highway 50 is widened to eight lanes between Cameron Park Drive and the Sacramento County line.

If voters approve, with a "yes" vote, both the referendum and the charter amendment, the first Measure D policy would be applied the next time the county adopts a General Plan. It would not be applied retroactively to the action the board already took on the 2004 General Plan.

The second Measure D policy could go into effect right away.

Members of the No Gridlock Committee, including Paine and former supervisors Bill Center and Sam Bradley, are advocating a "no" on B, "yes" on D vote.

If the voters agree, the Board of Supervisors would have to adopt a new general plan but how much that would cost remains a hot debate.

The previous General Plan hearings where the board mixed and matched policies and took recommendations from the public took about three months and, according to Center, could easily be redone.

"A new general plan can be adopted very quickly, very inexpensively," Center said. "All that it takes is the political will of the supervisors."

Center estimates that the board can have a new general plan in three to six months following the election. The cost, he said, would be minimal, around \$200,000, and that's money that is already earmarked for the General Plan.

"We're not asking for a whole new alternative," Center said. "What we need to do is implement ... the single policy that is contained in Measure D."

The biggest threat to the county, he continued, is to allow the current plan to move forward. When people have to drive on Highway 50 and sit for three hours in traffic, Center predicted, businesses and residents will reach a breaking point. The development already approved in the county will fill an eight-lane Highway 50, he added.

But the quick and inexpensive process described by Center is far from what Sweeney said will occur if Measure B fails.

"If Measure B fails, it's been alleged that we can go out and do something in three months - I disagree with that," Sweeney said. "I suspect it's going to take two to three years and \$3 million to \$5 million to get a new general plan adopted."

If the board took a speedy route, Sweeney said, a lawsuit would surely follow and the county would end up in court again. Once that is settled either way, he said, the plan could cost more than \$3 million to \$5 million because the environmental impact report would become stale.

The cost to the community would also be high if Measure D succeeds and Measure B fails, Beal said, because people still will have restrictions on what they can do with their property.

"It's hurting everybody, not just developers," Beal said.

Under Measure D, she added, affordable condos and townhomes needed for entry-level buyers or moderate income wage earners or retirees within a moderate income level can't be built; home prices will continue to rise.

Both those against and in support of the ballot measures have dug into their own pockets as well to fund campaigns.

The primary group in support of Measure B, the El Dorado County Taxpayers Coalition for Open Roads and Quality Neighborhoods, reported in its campaign disclosure statements that it has raised more than \$160,000 in contributions. Large donations of \$10,000 came from Standard Pacific of Northern California in El Dorado Hills, the El Dorado County Republican Central Committee, Doug Veerkamp General Engineering in Placerville, the Mother Lode

Holding Company in Auburn, and the Shingle Springs and Cameron Park Chamber of Commerce.

Another anti-Measure D group, the Taxpayers for Responsible Government, reported collecting more than \$18,600 in monetary contributions since early last year. The Taxpayers Association of El Dorado County gave \$1,000 to the group. Other larger donations came from group spokesman Bernard Carlson, \$2,000; Doug Veerkamp, \$2,500; and John Vidovich, \$2,500.

In addition to receiving money, the Taxpayers for Responsible Government also gave money, \$1,200, to the El Dorado County Taxpayers Coalition for Open Roads and Quality Neighborhoods.

The No Gridlock Committee has received more than \$20,600 in monetary contributions since the group formed last year. Cameron Park resident Richard Holmes, the top contributor, gave \$1,000. In addition to the contributions, the Committee to Elect Charles Paine, the current District 4 supervisor, loaned the No Gridlock Committee \$1,000.

The lawsuits

As Sweeney put it during one public meeting - the board could adopt a blank piece of paper as its general plan and somebody would sue.

Lawsuits have changed the course of the General Plan and the March election will not mark the end of the legal fight.

The county must, as it did in the past, resolve one more lawsuit with the El Dorado County Taxpayers for Quality Growth before the General Plan can move forward, assuming of course that the General Plan wins at the ballot box.

In its new motion, the El Dorado County Taxpayers for Quality Growth states that the county's new General Plan environmental impact report fails to analyze impacts on oak woodland canopy and rejects proposed mitigation measures without substantial support. The 17-page document also asserts that the 2004 General Plan violates California planning and zoning law.

The lawsuit could be dropped if Measure B fails.

El Dorado County spent around \$360,000 the first time it faced the El Dorado County Taxpayers for Quality Growth in court and has already spent \$23,000 this time around - but that number will go up, according to County Counsel Lou Green.

But if the ballot Measure B fails and Measure D passes, other lawsuits could come into play.