



County of Yolo

John Bencomo
DIRECTOR

PLANNING AND PUBLIC WORKS DEPARTMENT

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PLANNING COMMISSION STAFF REPORT

January 13, 2011

GENERAL PLAN AMENDMENT #2011-02: Conduct a public hearing and provide a recommendation to the Board of Supervisors regarding an Amendment to the 2030 Countywide General Plan to reflect the Climate Action Plan (CAP)

APPLICANT: Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695
(530) 666-8775

LOCATION: Unincorporated area
GENERAL PLAN: N/A
ZONING: N/A

SUPERVISORIAL DISTRICT: All
SOILS: N/A
FLOOD ZONE: N/A
FIRE SEVERITY ZONE: N/A

ENVIRONMENTAL DETERMINATION: Pursuant to Section 21083.3 of the Public Resources Code and Section 15183 of the CEQA Guidelines, the County will rely upon the certified General Plan Environmental Impact Report (EIR) (SCH #2008102034) for the purposes of adoption of the CAP.

REPORT PREPARED BY:

David Morrison, Assistant Director

RECOMMENDED ACTIONS

It is recommended that the Planning Commission take the following actions:

1. Hold a public hearing to receive public testimony.
2. Recommend adoption of a resolution amending the 2030 Countywide General Plan to reflect the CAP, incorporating the proposed changes as described (see Attachment 2).
3. Recommend reliance upon the General Plan EIR (SCH#2008102034) certified November 10, 2009, Resolution No. 09-189 for compliance with the CEQA for these actions.

REASONS FOR RECOMMENDED ACTIONS

In 2009, Yolo County adopted its 2030 General Plan, which contains more than 350 policies that deal with climate change, including the requirement to develop a Climate Action Plan. Action CO-A117 of the General Plan requires that once the CAP is adopted, it is to be amended into the 2030 General Plan. The proposed Amendment revises portions of the Introduction (Chapter 1) and Conservation and Open Space Element to reflect the Climate Action Plan.

BACKGROUND

Yolo County General Plan

Policies and actions incorporating the concepts of “smart growth” and climate change are prominent in every element of the 2030 General Plan. There are over 350 policies and actions that serve to reduce GHG emissions and address climate change issues in the General Plan. Two actions of particular relevance to the CAP are (emphasis added):

Action CO-A117

Develop a Greenhouse Gas (GHG) Emissions Reduction Plan and/or Climate Action Plan (CAP) for the County, to control and reduce net GHG emissions, and to address economic and social adaptation to the effects of climate change. Development of this plan(s) shall include the following steps:

- 1) Conduct a baseline analysis (GHG emissions inventory) for 1990 or most appropriate baseline year;
- 2) Adopt an emissions reduction target;
- 3) Develop strategies and actions for reducing emissions including direct offsets and fees to purchase offsets;
- 4) Develop strategies and actions for adaptation to climate change;
- 5) Implement strategies and actions; and
- 6) Monitor emissions and verify results a minimum of every five years starting in 2010.

Utilize the 1982 Energy Plan as a starting point for this effort. Encourage collaboration with the cities to include the incorporated areas in the plan(s). **Amend the General Plan to include the plan(s) after adoption.** Require County operations and actions, as well as land use approvals to be consistent with this plan(s). This plan must be in place prior to adoption of any specific plan.

Action CO-A118

In the interim **until the GHG Emissions Reduction Plan/Climate Action Plan is in effect**, the following significance thresholds shall be used for project analysis:

- Projects consistent with the General Plan and otherwise exempt under CEQA – Assumed to be de minimus.
- Projects consistent with the General Plan and subject to CEQA – Net zero threshold to be achieved by the applicant as follows:
 - Apply practical and reasonable design components and operational protocols to reduce project GHGs emissions to the lowest feasible levels;

- Use verifiable offsets to achieve remaining GHG reductions to the greatest feasible extent, offsets shall be: locally based, project relevant, and consistent with other long term goals of the County.

STAFF ANALYSIS

General Plan Amendment

The adoption of the CAP requires several revisions to the Introduction (Chapter 1) and the Climate Change section of the Open Space and Conservation Element of the 2030 General Plan.

The change to Chapter 1 would add the Climate Action Plan to the list of documents that are not a part of the General Plan, but are referenced and need to be reviewed to determine a project's consistency.

The proposed amendments would substitute new language for Policy 8.3, to reflect the adaptation strategies included in the CAP. Policies 8.4 and 8.5 would be deleted (and subsequent policies renumbered), as their broad approaches have been refined by more specific implementation measures in the CAP.

Action CO-A117 is proposed to be replaced with a new action that would reference the CAP and establish specific GHG emission targets and dates. Action CO-A118 would be replaced with new CEQA thresholds consistent with the CAP. Minor editing has been made to Actions CO-A119, CO-A120, CO-A121, CO-A125, and CO-A126 to update policy wording to reflect the CAP. Actions CO-A122 and CO-A123 have been deleted (and subsequent actions renumbered), as they are duplicative of language in the CAP. A new action has been added which sets forth a schedule for monitoring and reporting to the Board of Supervisors, as well as a schedule for updating the greenhouse gas emission inventory.

Compliance With CEQA

Pursuant to Section 15162 of the CEQA Guidelines, when an EIR has been certified for a project, no subsequent EIR is required unless: 1) revisions to the EIR are necessary to address new or substantially more severe significant impacts that result from changes in the project or changes in the circumstances under which the project is undertaken; or 2) new information of substantial importance identifies new or substantially more severe significant effects, or identifies new or better mitigation measures or project alternatives that the County would otherwise decline to adopt.

In this case, adoption of the policy changes in the 2030 General Plan needed to incorporate the CAP was contemplated in the General Plan and included as a part of the project description for the General Plan EIR. Adoption of the General Plan Amendment does not result in any new or substantially more severe significant impacts. Further, the policies referencing the CAP reflect industry best practices for mitigation strategies and calculations of greenhouse gas reductions. The County is adopting these strategies as part of the CAP approval. Therefore, none of the situations requiring a subsequent EIR are triggered.

In addition, implementation of the proposed amended policies in the General Plan, as compared to the 1983 General Plan, are beneficial related to climate change because

they would result in more stringent environmental protection and greater accountability in the regulation of activities that cause GHG emissions. As demonstrated throughout the CAP, successful implementation of the CAP as required in the proposed General Plan Amendment, will actually achieve emissions well below existing levels, thus exceeding the County's interim CEQA significance threshold of no net increase, pursuant to Action CO-A118.

The potential for a net increase in GHG emissions associated with build-out under the General Plan was identified as significant and unavoidable in the General Plan EIR; however, successful implementation of the CAP through the proposed policies in the General Plan Amendment will result in lower emissions in 2020 and 2030 than current levels. The potential for significant impact under CEQA is measured against existing conditions (CEQA Guidelines Sections 15126.2(a) and 15382). Therefore, adoption of the General Plan Amendment (including the GHG reduction measures included within the plan) does not trigger any of the requirements of CEQA Section 15162 to prepare additional environmental analysis beyond the certified General Plan EIR. The certified General Plan EIR provides CEQA compliance for adoption and implementation of the necessary General Plan policies needed to make the CAP part of the land use decision making process.

As anticipated and disclosed on page 2 of the Draft volume of the General Plan EIR, pursuant to Section 21083.3 of the Public Resources Code and Section 15183 of the CEQA Guidelines, the staff proposes that the County rely upon the certified General Plan EIR (SCH #2008102034) for the purposes of adoption of the CAP.

OTHER AGENCY INVOLVEMENT

In accordance with State law, the draft General Plan Amendment was circulated to appropriate agencies for a 45-day review. No comments were received. During this time, County Counsel talked with the California Attorney General's (AG) Office regarding the Climate Action Plan and associated actions. The AG's office did not offer any formal comments. Also in compliance with State requirements, the draft General Plan Amendment was forwarded to the Yocha Dehe Wintun Nation and the Cortina Band of Wintun Indians for a formal consultation under Senate Bill 18. Neither group requested consultation.

ATTACHMENTS

Attachment 1 – Draft Resolution

ATTACHMENT "A"

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO ADOPTING AMENDMENT NO. 2011-02 TO THE 2030 COUNTYWIDE GENERAL PLAN REGARDING THE CLIMATE ACTION PLAN

WHEREAS, the General Plan establishes County policy, and identifies planned land uses and infrastructure, for physical development in the unincorporated areas of Yolo County;

WHEREAS, Action CO-A117 of the Yolo County General Plan requires that the General Plan be amended to reflect the Climate Action Plan after adoption;

WHEREAS, Action CO-A118 of the Yolo County General Plan requires that new CEQA thresholds be amended into the General Plan upon adoption of the Climate Action Plan;

WHEREAS, great care has been taken by the Board of Supervisors to ensure that allowed growth is consistent with emerging trends in community design and "green" building, and to be responsive to concerns about climate change and emissions of greenhouse gases (GHGs), as reflected in the General Plan;

WHEREAS, the Climate Action Plan was adopted by the Board of Supervisors on March 1, 2011;

WHEREAS, during the process of considering General Plan Amendment No. 2011-02, oral and documentary evidence was received by the Board of Supervisors for use in their deliberations;

WHEREAS, a Final Environmental Impact Report on the 2030 Countywide General Plan (State Clearinghouse No. 2008102034) (the "EIR") was certified by the Board of Supervisors on November 9, 2009, pursuant to the California Environmental Quality Act (CEQA, Public Resources Code, Section 21000 et seq.) to analyze the environmental impacts of the new General Plan;

WHEREAS, General Plan Amendment No. 2011-02 does not trigger any of the requirements of CEQA Section 15162 to prepare additional environmental analysis beyond the certified General Plan EIR;

WHEREAS, the Board of Supervisors independently reviewed staff reports, the record of the Planning Commission, and all evidence including testimony and correspondence received at the Planning Commission and Board hearings, all of which documents and evidence are hereby incorporated by reference into this Resolution;

WHEREAS, this General Plan Amendment will allow incorporation of the Climate Action Plan into county land use policy, which represents one of the most innovative and cutting-edge climate change policy documents in the state at this time;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Yolo as follows:

1. After considering the staff report and in conjunction with making these findings, the Board of Supervisors hereby finds that pursuant to Section 21083.3 of the Public Resources Code and Section 15183 of the CEQA Guidelines, the County will rely upon the certified General Plan Environmental Impact Report (EIR) (SCH #2008102034) for the purposes of adoption of the CAP.
2. These findings made by the Board of Supervisors are supported by substantial evidence in the record.
3. The Board of Supervisors finds that adoption of General Plan Amendment No. 2011-02 is in the public interest and is necessary for the public health, safety, and welfare of Yolo County, and hereby amends the 2030 Countywide General Plan accordingly.
4. The Board of Supervisors finds that the General Plan Amendment is consistent with the Land Use and Resource Management Plan of the Delta Protection Commission and the Delta Protection Act (Public Resources Code Section 29700 *et seq.*) with respect to lands located in the primary zone.
5. The Board of Supervisors hereby directs staff to immediately (within five working days) file of a Notice of Exemption documenting these decisions (Guidelines Section 15062).

PASSED AND ADOPTED by the Board of Supervisors of the County of Yolo at a regular meeting of said Board, held the 15th day of March 2011, by the following vote of said Board:

AYES:

NOES:

ABSTAIN:

ABSENT:

CLERK OF THE BOARD:

Julie Dachtler,
Clerk of the Board

BOARD OF SUPERVISORS:

Supervisor Matt Rexroad,
Chair

COUNTY COUNSEL:

Phillip Pogledich,
Senior Deputy County Counsel

Exhibits:

Exhibit A – General Plan Amendment Text

EXHIBIT "1"

GENERAL PLAN AMENDMENT TEXT

The following text that appears on page IN-10 of the Introduction and Administration Chapter in the Yolo 2030 Countywide General Plan. New language is shown in underline. Deleted language is shown in ~~strike-through~~.

There are other plan documents that are not considered part of the General Plan but rather separate planning documents that address a variety of topics. These documents must be reviewed to ensure consistency with the updated General Plan but will remain in place unless and until otherwise updated or rescinded. These include but are not limited to:

- 1989 County Waste Management Plan
- 1992 Watts-Woodland Airport General Plan
- 1993 Household Hazardous Waste Element
- 1998 Yolo County Airport Master Plan
- 2006 Parks and Open Space Master Plan
- 2006 Bicycle Transportation Plan
- 2007 Oak Woodland Conservation and Enhancement Plan
- 2007 Integrated Regional Water Management Plan
- 2011 Climate Action Plan

The following text that appears on pages CO-91 through 94 of the Conservation and Open Space Element in the Yolo 2030 Countywide General Plan. New language is shown in underline. Deleted language is shown in ~~strike-through~~.

GOAL CO-8

Climate Change. Reduce greenhouse gas emissions and plan for adaptation to the future consequences of global climate change.

Policy CO-8.1

Assess current greenhouse gas emission levels and adopt strategies based on scientific analysis to reduce global climate change impacts. 🌍

Policy CO-8.2

Use the development review process to achieve measurable reductions in greenhouse gas emissions. 🌍

Policy CO-8.3

~~Prepare appropriate strategies to adapt to climate change based on sound scientific understanding of the potential impacts.~~ Implement those strategies as described in the adopted Climate Action Plan to adapt to climate change based on sound scientific understanding of the potential impacts. 🌍

Policy CO-8.4

~~Encourage all businesses to take the following actions, where feasible: replace high mileage fleet vehicles with hybrid and/or alternative fuel vehicles; increase the energy efficiency of facilities; transition toward the use of renewable energy instead of non-renewable energy sources; adopt purchasing practices that promote emissions reductions and reusable materials; and increase recycling.~~ (f)

~~Policy CO-8.5~~

~~Promote GHG emission reductions by supporting carbon efficient farming methods (e.g. methane capture systems, no-till farming, crop rotation, cover cropping); installation of renewable energy technologies; protection of grasslands, open space, oak woodlands, riparian forest and farmlands from conversion to other uses; and development of energy efficient structures.~~ (f)

~~Policy CO-8.6~~ 8.4

Undertake an integrated and comprehensive approach to planning for climate change by collaborating with international, national, State, regional, and local organizations and entities. (f)

~~Policy CO-8.7~~ 8.5

Integrate climate change planning and program implementation into County decision making. (f)

~~Policy CO-8.8~~ 8.6

Increase public awareness about climate change and encourage county residents and businesses to become involved in activities and lifestyle changes that will aid in reduction of greenhouse gas emissions. (f)

~~Policy CO-8.9~~ 8.7

Work with local, regional, State, and Federal jurisdictions, as well as private and non-profit organizations, to develop a regional greenhouse gas emissions inventory and emissions reduction plan. (f)

3. Implementation Program

Action CO-A117

~~Develop a Greenhouse Gas (GHG) Emissions Reduction Plan and/or Climate Action Plan (CAP) for the County, to control and reduce net GHG emissions, and to address economic and social adaptation to the effects of climate change. Development of this plan(s) shall include the following steps:~~

- ~~1) Conduct a baseline analysis (GHG emissions inventory) for 1990 or most appropriate baseline year;~~
- ~~2) Adopt an emissions reduction target;~~
- ~~3) Develop strategies and actions for reducing emissions including direct offsets and fees to purchase offsets;~~
- ~~4) Develop strategies and actions for adaptation to climate change;~~
- ~~5) Implement strategies and actions; and~~
- ~~6) Monitor emissions and verify results a minimum of every five years starting in 2010.~~

~~Utilize the 1982 Energy Plan as a starting point for this effort. Encourage collaboration with the cities to include the incorporated areas in the plan(s). Amend the General Plan to include the plan(s) after adoption. Require County operations and actions, as well as land use approvals to be consistent with this plan(s). This plan must be in place prior to adoption of any specific plan.~~

Pursuant to the adopted Climate Action Plan (CAP), the County shall take all feasible measures to reduce its total carbon dioxide equivalent (CO₂e) emissions within the unincorporated area (excluding those of other jurisdictions, e.g., UC-Davis, Yocha Dehe Wintun Nation, DQ University, school districts, special districts, reclamation districts, etc.), from 648,252 metric tons (MT) of CO₂e in 2008 to 613,651 MT of CO₂e by 2020. In addition, the County shall strive to further reduce total CO₂e emissions within the unincorporated area to 447,965 MT by 2030. These reductions shall be achieved through the measures and actions provided for in the adopted CAP, including those measures that address the need to adapt to climate change. (Policy CO-8.1) ♻️

Responsibility: Planning and Public Works

Timeframe: Ongoing

Action CO-A118

~~In the interim until the GHG Emissions Reduction Plan/Climate Action Plan is in effect, the following significance thresholds shall be used for project analysis:~~

- ~~☐ Projects consistent with the General Plan and otherwise exempt under CEQA— Assumed to be de minimus.~~
- ~~☐ Projects consistent with the General Plan and subject to CEQA— Net zero threshold to be achieved by the applicant as follows:
 - ~~— Apply practical and reasonable design components and operational protocols to reduce project GHGs emissions to the lowest feasible levels;~~
 - ~~— Use verifiable offsets to achieve remaining GHG reductions to the greatest feasible extent, offsets shall be: locally based, project relevant, and consistent with other long term goals of the County. (Policy CO-8.9).~~~~

Pursuant to and based on the CAP, the following thresholds shall be used for determining the significance of GHG emissions and climate change impacts associated with future projects:

- 1) Impacts associated with GHG emissions from projects that are consistent with the General Plan and otherwise exempt from CEQA are determined to be less than significant and further CEQA analysis for this area of impact is not required.
- 2) Impacts associated with GHG emissions from projects that are consistent with the General Plan, fall within the assumptions of the General Plan EIR, consistent with the CAP, and not exempt from CEQA are determined to be less than significant or mitigated to a less-than-significant level, and further CEQA analysis for this area of impact is generally not required.

To be determined consistent with the CAP, a project must demonstrate that it is included in the growth projections upon which the CAP modeling is based, and that it incorporates applicable strategies and measures from the CAP as binding and enforceable components of the project.

3) Impacts associated with GHG emissions from projects that are not consistent with the General Plan, do not fall within the assumptions of the General Plan EIR, and/or are not consistent with the CAP, and are subject to CEQA review are rebuttably presumed to be significant and further CEQA analysis is required. The applicant must demonstrate to the County's satisfaction how the project will achieve its fair share of the established targets including:

- Use of alternative design components and/or operational protocols to achieve the required GHG reductions;
- Use of real, additional, permanent, verifiable and enforceable offsets to achieve required GHG reductions. To the greatest feasible extent, offsets shall be: locally based, project relevant, and consistent with other long term goals of the County;

The project must also be able to demonstrate that it would not substantially interfere with implementation of CAP strategies, measures, or actions. (Policy CO-8.5) ♻️

Responsibility: Planning and Public Works Department, ~~Parks and Resources Department~~

Timeframe: Ongoing

Action CO-A119

~~Monitor State progress in the development of GHG quantification protocol and guidance for local governments that allows for statewide uniform measurement and estimation of expected jurisdiction-wide GHG emissions to refine the Climate Action Plan and ensure compliance with appropriate state and federal requirements. (Policy CO-8.1) ♻️~~

Responsibility: Planning and Public Works Department

Timeframe: Ongoing

Action CO-A120

Require the implementation of cost-effective and innovative GHG emission reduction technologies in County building components and design. (Policy CO-8.2, Policy CO-8.4 8.5) ♻️

Responsibility: Planning and Public Works Department, General Services Department

Timeframe: Ongoing

Action CO-A121

~~Adopt urban forestry practices that encourage forestation as a means of storing carbon dioxide, with the goal of doubling the tree canopy in unincorporated communities by 2030. Use appropriate protocols to assess owner eligibility to sell carbon credits including increasing the urban tree canopy, expanding riparian corridors, establishing hedge rows, and enlarging the acreage of permanent crops such as vineyards and orchards. (Policy CO-8.1) ♻️~~

Responsibility: Planning and Public Works Department, General Services Department (Parks Division)

Timeframe: 2012/2013

Action CO-A122

~~Require new development to incorporate designs and/or programs to reduce travel demand and vehicle emissions. (Policy Co 8.2, Policy CO-8.4)~~

~~Responsibility: Planning and Public Works Department~~

~~Timeframe: Ongoing~~

Action CO-A123

~~Require that new development incorporate alternative modes of transportation, including transit, bicycling and walking, in order to reduce vehicle emissions. (Policy Co 8.2, Policy CO-8.4)~~

~~Responsibility: Planning and Public Works Department~~

~~Timeframe: Ongoing~~

Action CO-A124 A122

Consider the provision of local housing for County employees to reduce commute travel time. (Policy CO-8.2) 🌐

Responsibility: Planning and Public Works Department

Timeframe: Ongoing

Action CO-A125 A123

~~In conjunction with, or immediately following, preparation of the Greenhouse Gas Emissions Reduction/Climate Action Plan(s) for the County, require countywide departmental analysis of Require each county department to analyze how the predicted effects of climate change will affect its responsibilities and resources of each department. Develop strategies and actions to addresses outcomes. (Policy CO-8.3, Policy CO-8.7 8.5)~~ 🌐

~~Responsibility: County Administrator's Office~~

~~Timeframe: 2011/2012~~

Action CO-A126 A124

Encourage Incorporation of the County's Greenhouse Gas Emissions Reduction Plan/Climate Action Plan into a regional climate action plan. The regional plan should strive to achieve its fair-share contribution towards a minimum 80 percent reduction below 1990 levels in regional greenhouse gas emissions by 2050. (Policy CO-8.9 8.7)



Responsibility: Planning and Public Works Department

Timeframe: 2011/2012

Action CO-A125

GHG emission reductions shall be monitored and reported to the Board of Supervisors biennially. The GHG emissions inventories shall be updated at least every five years beginning in 2010. (Policy 8.5) 🌐

Responsibility: Planning and Public Works Department

Timeframe: Ongoing