Planning For Prosperity:
Building Successful Communities in the Sierra Nevada

A Publication of the Sierra Business Council
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<td>Tahoe City, CA</td>
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<td>Ward-Young Architecture</td>
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<tr>
<td>Mariposa, CA</td>
<td>Grass Valley, CA</td>
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<td>South Lake Tahoe, CA</td>
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<tr>
<td>Auburn, CA</td>
<td>Placerville, CA</td>
<td></td>
<td>Sonora, CA</td>
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<td>Rancher</td>
<td>Owner</td>
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<td></td>
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<td>Garamendi Ranch</td>
<td>ABCOM</td>
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</tr>
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<td>Mokelumne Hill, CA</td>
<td>Bishop, CA</td>
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</tr>
</tbody>
</table>

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Chapter 1  Introduction ............................................................... 7

Chapter 2  Principles for Sound Development ......................... 13

1. Safeguard the rural character of the Sierra Nevada by
   maintaining a clear edge between town and country ...................... 13
   Case studies:
   The cost of sprawl
   Urban growth boundaries in Portland, OR

2. Preserve historic assets ............................................................. 16
   Case study:
   Historic preservation ordinance in Nevada City, CA

3. Build to create enduring value and beauty ............................ 17
   Case studies:
   New neighborhood design in Fairview, OR
   Design guidelines at work
   Award winning design at affordable prices

4. Enhance the economic vitality of our small towns
   through ongoing reinvestment in the downtown core ................... 21
   Case studies:
   The California Main Street Program
   Mixed use development

5. Anticipate and address the housing needs
   of all community residents ....................................................... 24
   Case study:
   Affordable miners’ cottages

6. Conserve and showcase each
   community’s natural assets .................................................... 25
   Case studies:
   Redevelopment showcases natural features in South Lake Tahoe
   The economic value of open space
   The shift from golf courses to open space
Chapter 2  Continued…

7. Maintain the economic productivity of our region’s agricultural lands and forests ................................................................. 28  
   Case studies:  
   Lancaster County, PA, rejects cluster development  
   The Montana Land Reliance

8. Do not place people and structures in harm’s way .............................................................. 31  
   Case study:  
   Transfer of development credits in San Luis Obispo County, CA

9. Maintain the health of the natural systems which support life in the Sierra Nevada ...................................................................... 33  
   Case studies:  
   Habitat conservation planning in Bakersfield, CA  
   Conservation mapping in the Sierra Nevada  
   Conservation banking in San Diego County, CA

10. Expand local and regional transportation options to reduce traffic congestion and the intensity of public dependence on the automobile .......... 37  
   Case study:  
   Coordinated transit in Summit County, CO

Chapter 3  Principles for Involving and Serving Business and the Public ............................................................. 39

1. Invest public resources and direct private investment to maintain and expand each community’s social, natural and financial capital .......... 39  
   Case studies:  
   Fiscal impact analysis in Placer County, CA  
   The capital investment diagram

2. Integrate land use planning with other planning for community development ........................................................................... 41  
   Case studies:  
   Water resources inventory in El Dorado County, CA  
   Sales tax and the “fiscalization” of land use
3. Create efficient and meaningful ways to engage the public in shaping local land use plans ............................................................... 43

Case studies:
A new approach to public participation
The visual preference survey in Truckee, CA

4. Ensure that general plans and plan implementation documents are thorough, current and consistent ............................................. 46

Case study:
Specific plans increase certainty

5. Build customer satisfaction through efficient and predictable plan implementation ............................................................... 47

Case study:
Improving customer satisfaction in Lancaster, CA

6. Reach across jurisdictions and plan cooperatively for the future .................... 49

Case study:
Regional transportation solutions at Lake Tahoe

Chapter 4 Applying the Principles:
A Landscape Perspective .......................................... 51

Chapter 5 Applying the Principles:
Placer County, A Case Study .................................... 59

Chapter 6 Findings and Recommendations .................................... 67

Chapter 7 Conclusion ................................................................ 71

Appendices .................................................................................. 73

A. Sierra Nevada Voter Survey ................................................................. 75
B. Sierra Nevada Counties Today: A Twelve County Assessment ................. 85
C. A Guide to Planning in California ........................................................ 103
D. Sources & Suggested Reading .............................................................. 113
E. Directory of County Planning Departments and Boards of Supervisors ... 115
The Sierra Nevada, the longest unbroken mountain range in the United States, runs for 400 miles along the eastern flank of California and the western tip of Nevada. Neighbor to the Great Basin to the East, the Klamath Province to the North, the Central Valley to the West and the Mojave Desert to the South, the Sierra Nevada is a distinct geologic province that spans two states and 21 counties.

More than any fact or figure however, the dramatic beauty and majesty of the Sierra landscape define our region in the public’s imagination and in the minds of business owners throughout the Sierra. In a recent survey of Sierra Nevada business owners, 82 percent identified “the high quality of life” as one of the most significant advantages of doing business in this region. Considerations like “fewer regulations than urban areas” and “lower cost of doing business” were ranked by only 8 percent and 11 percent as a significant advantage of doing business in the region. When asked to define “quality of life,” business owners identified “the rural character of the overall region,” “access to high quality wildlands,” and “the landscape surrounding my immediate community.” Respondents came from a variety of businesses, both large and small. They included businesses serving the local community and those shipping products to other regions; technology businesses as well as agricultural enterprises. Notwithstanding this diversity, the weight given to these quality of life concerns was uniformly high across all business sizes and sectors. And quality of life was of equally high importance to long-standing Sierra business owners as it was to relative newcomers.

These findings reflect larger trends in the shifting economic landscape of the rural West. As economist Thomas Power explains, “People are moving to places that they see as desirable locations to live, and industry is following them. The shift from manufacturing to services, combined with improvements in transportation and telecommunications, has allowed economic activity to decentralize and diversify.”

The Sierra Nevada is no exception to these trends. Each year more and more people decide to move their businesses and their families to the Sierra Nevada. Drawn by the Sierra’s small towns and wildlands, rural landscape and open spaces, they are coming by the thousands. The Sierra Nevada region is growing at a faster rate than California: our population doubled between 1970 and 1990, and is expected to almost double again by 2020.

These demographic changes have altered and, in many ways, strengthened our region’s economy. Superb growth in small business has given the Sierra Nevada a more diverse and stable economic base that includes more high wage service jobs and an expanding manufacturing sector. Today 90 percent of the firms operating in the Sierra Nevada are small businesses which employ fewer than 20 employees. This diversified small business base has added resilience to the regional economy; when the rest of California was experiencing a downturn in the late eighties and early nineties, the Sierra Nevada economy continued to grow.

The historic towns of the Sierra Nevada provide a model for future growth that is both unique to our region and of proven and enduring value.
While population growth has clearly brought some important benefits to our region, it has also strained our resources. Today many Sierra Nevada counties are struggling with the consequences of rapid growth. Like other regions which have experienced population booms, the Sierra is finding that, without proper planning, new growth can deplete city and county coffers and rapidly diminish the natural landscape and small town appeal that have been the source of our wealth. Today, the challenge before us is to find ways to accommodate new growth while preserving the very assets attracting capital and business to our region.

As is so often the case, history offers guidance. The Sierra Nevada is dotted with vibrant small towns that have been the social, economic and cultural centers of our region for over a hundred years. The beauty and charm of these historic towns has been recorded by artists, writers and tourists since the early days of the Gold Rush. With their Western facades, wooden sidewalks, historic street lamps, pocket parks, charming Victorian houses and gardens, winding streets, and surrounding farms and ranches, the historic towns of the Sierra Nevada provide a model for future growth that is both unique to our region and of proven and enduring value.

Yet many counties in the Sierra Nevada appear not to understand the value of respecting the past as they build the new. Throughout our region, towns have allowed themselves to be degraded by new construction which bears little resemblance to the character or scale of existing communities. In community after community, dozens of individual and seemingly innocuous decisions have together begun to undermine the unique character of our towns and their economic value as prized places to live and do business.

Poor planning has also expressed itself in the pattern of structures on the Sierra Nevada landscape. More and more homes and businesses are being scattered across the countryside in a pattern of rural sprawl that could quadruple the portion of the landscape devoted to human settlement by the year 2040.
The consequences of sprawl are numerous and costly. Dispersed patterns of human settlement make it more expensive to provide essential public services like road maintenance, fire and police protection, and education. Although the capital costs of these services are sometimes partially offset by fees on new development, high long term maintenance costs usually become the burden of counties and local municipalities.

Sprawling development patterns also compromise the economic viability of the working landscape. As more and more agricultural land is converted to development, agricultural suppliers, processors and other support services often move out of the area, increasing the costs of owning and operating large ranches, farms and forests. Sprawling development also expands the frequency of conflicts between these traditional industries and new residents. As costs and conflicts grow, longtime landowners often become discouraged and subdivide their ranches, farms and forests for suburban development. This, in turn, can diminish the quality of the rural landscape, reducing property values throughout the community, and degrading the Sierra’s most important and irreplaceable competitive asset, the unique beauty and appeal of our natural landscape. Rural sprawl also hurts wildlife by breaking habitat into smaller and smaller pieces and otherwise disrupting healthy natural systems.

The alternative to rural sprawl is more compact, town-based development. Instead of building isolated homes and subdivisions that drain county resources and degrade our region’s prized rural character, we can fill in and grow out from our existing towns, villages and hamlets, adding homes, businesses and neighborhoods to our communities.

Fortunately, it is not too late to adjust our course. Most Sierra Nevada counties are only beginning to plan for the dramatic population growth we are likely to experience over the next few decades. We are in a unique position to learn from the experience of others. With careful planning, we can maintain the social and natural capital that is the foundation of our wealth, while expanding our towns to accommodate new businesses and residents.

Sierra Nevada communities need to embrace excellence in every aspect of land use planning, from the quality of the process itself to the quality of the results. In many communities, planning has become negatively associated with bureaucratic and political maneuvering, business uncertainty, and expensive delay. This perception has eroded public confidence in planning. As we look to the future, we must ensure that the planning process is conducted in an efficient, fair and predictable manner for businesses and for all members of the community. In many counties, planners and county decision makers need to revise the planning process to provide more meaningful and efficient opportunities for public participation.

![Population growth in the Sierra Nevada by county](image)
involvement at the front end, and to ensure a higher degree of certainty in the implementation of plans once they have been adopted. These reforms are critical to restoring business and public confidence in planning, confidence that is essential as our communities begin to plan more actively and creatively for their own future.

The Sierra Business Council

The Sierra Business Council (SBC) is an association of over 450 member businesses working to secure the economic and environmental health of the Sierra Nevada for this and future generations. Founded in 1994, the Council is led by a Board of Directors of business leaders representing a spectrum of large and small enterprises from throughout the region. Directors oversee the Council’s work which includes research, policy analysis, public education, and leadership development.

What this reference guide contains

SBC developed Planning for Prosperity: Building Successful Communities in the Sierra Nevada to help our communities plan wisely and effectively for their own future. The report includes six primary chapters and an extensive appendix:

Chapter 2

Principles for Sound Development outlines a set of planning principles which, together, provide a new, more effective framework for land planning in the Sierra. Planning decisions that are consistent with these principles provide the best hope for enhancing the wealth of the Sierra Nevada.

Chapter 3

Principles for Involving and Serving Business and the Public sets forth a series of principles to ensure the quality of the planning process itself. Increasing business and public confidence in planning is critical to the success of future planning in the Sierra.

Chapter 4

Applying the Principles: A Landscape Perspective compares conventional design approaches with Planning for Prosperity design approaches.

Chapter 5

Applying the Principles: Placer County, A Case Study demonstrates how the Principles for Sound Development and the Principles for Involving and Serving Business and the Public discussed in Chapters 2 and 3 can be applied to individual counties in the Sierra Nevada. For each of the sixteen principles, this chapter highlights how the principle was applied successfully or was not applied in Placer County.
Chapter 6

Findings and Recommendations summarizes the major findings of this two year research initiative and outlines concrete steps local and state decision makers can take to strengthen land use planning in our region, now and in the future.

Chapter 7

The Conclusion makes clear that only local leadership, vision and persistence will actually build successful communities in the Sierra Nevada. There is a role for everyone: builder, developer, banker, merchant, homemaker and executive.

Appendix

The Appendix includes several important resources for business owners and other community leaders interested in expanding their understanding of land use planning:

A. The Sierra Nevada Voter Survey is a professionally conducted survey of 1000 registered voters in the Sierra Nevada. Results are grouped by county, enabling readers to identify and understand important differences in public attitudes from county to county within the Sierra Nevada region.

B. The Sierra Nevada Today reports the status and quality of the planning process in twelve Sierra Nevada counties and evaluates the degree to which current approaches to planning are consistent with the principles outlined in Chapters 2 and 3. A revealing snapshot, this overview highlights trends and concerns common to counties throughout the Sierra.

C. A Guide to Planning in California provides a succinct overview of the planning process in California to help relative newcomers to these issues understand the basic ins and outs of local planning and the steps required to comply with state and federal law.

D. Sources and Suggested Reading includes a bibliography of the research sources consulted and cited, as well as a list of books, periodicals, studies and other reference materials available to readers who want to delve further into the topic of land planning.

E. Directory of County Planning Departments and Boards of Supervisors.

Research methodology

The Sierra Business Council developed Planning for Prosperity over a two year period, beginning with our first Advisory Committee meeting in the summer of 1995. The research process included: surveying the concerns and priorities of SBC member businesses; conducting a poll of 1,000 registered Sierra Nevada voters; reading and analyzing the general plans for twelve counties in the Sierra Nevada; interviewing Planning Directors or other top planning staff in each of the twelve counties; reviewing relevant planning case studies from other parts of California and around the country; consulting business people, experienced planners and other local decision makers in the Sierra and throughout the nation; and spending countless hours in Advisory Committee meetings, shaping the principles and research process and discussing the content, tone and format of the final document.

Although the Sierra Nevada extends into twenty-one counties and two states, this analysis focuses on planning in the twelve California counties which are located almost entirely in the Sierra: Plumas, Sierra, Nevada, Placer, El Dorado, Alpine, Mono, Inyo, Amador, Calaveras, Tuolumne and Mariposa. We hope, nonetheless, that the Principles for Sound Development and the Principles for Involving and Serving the Public will provide a useful framework for decision makers in adjacent Sierra Nevada counties, as well as for planners in other parts of the rural West.
Planning for Prosperity was written for SBC member businesses, elected and appointed officials, and other community leaders who will be involved in making planning decisions affecting private lands in the Sierra Nevada. This reference guide does not attempt to address public lands issues although we recognize their intrinsic importance to our regional economy and acknowledge that the success of our businesses and communities is tied directly to their effective and sustainable management.

Acknowledgments

In addition to the Planning for Prosperity Advisory Committee, SBC would like to thank many individuals, businesses and foundations for their valuable contributions to this reference guide.

The planning and architectural firm of Mogavero and Notestine Associates served as our consultant during the research phase of the project and continued to provide valuable input throughout the drafting of the guide. Their contribution to this project’s success went well beyond the hours for which they were compensated.

The following architectural firms contributed valuable design and production time to the reference guide: Ward Young Architects and Planners, Architects Faulkner and Ryan, and Dennis E. Zirbel, Architect.

We would also like to thank photographer Tal Lewis for his wonderful photographs.

In addition to expressing our profound gratitude to the 450 businesses whose financial support helped make this reference guide possible, we would like to thank the following businesses and foundations for their generous support:

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- Mountain People’s Warehouse
- Pacific Gas & Electric Company
- Placer Savings Bank
- Royal Robbins Inc.
- Sierra Heritage Magazine
- Southern California Edison
- Sugar Bowl Corporation
- U.S. Bank
- Wells Fargo Bank
- Yosemite Bank
- Dana S. Ware, M.D.
- BankAmerica Foundation
- The Beldon Fund
- The Compton Foundation
- The True North Foundation
- The Ford Foundation
- The Wallace Alexander Gerbode Foundation
- The William and Flora Hewlett Foundation
- The Homeland Foundation
- The James Irvine Foundation
- The W. Alton Jones Foundation
- The David and Lucile Packard Foundation
- The Surdna Foundation
- The Summit Foundation
- The Summit Foundation
- The True North Foundation

Finally, we would like to thank the many individuals who were kind enough to review early drafts of this reference guide. Your thoughtful comments were invaluable.
This chapter and the chapter that follows outline a set of planning principles which together provide a new template for land planning in the Sierra Nevada. Planning decisions that are consistent with these principles will help to ensure our region’s prosperity.

Principle 1

**Safeguard the rural character of the Sierra Nevada by maintaining a clear edge between town and country.**

The Sierra Nevada is a region of small towns and villages, surrounded by agricultural lands, forests and wilderness areas. This attractive juxtaposition of town, rural and wilderness landscapes is prized by Sierra residents and visitors and is our region’s primary attraction as a place to visit, live and do business. As the Sierra Nevada’s population grows, maintaining a clear edge between town and country is the most simple and critical step counties and cities can take to retain the rural character which has been the source of our wealth.

Among its many benefits, maintaining a clear edge between town and country encourages more compact and efficient patterns of human settlement which, in turn, maximize the value of existing and new infrastructure investments, reduce the costs of public services like fire protection, road maintenance and school transport, and minimize the risk of life and property loss due to catastrophic wildfire. Maintaining a clear edge also helps to safeguard the economic viability of traditional natural resource industries like ranching, agriculture, commercial forestry and mining by reducing urban encroachment into these working landscapes. Finally, maintaining a clear edge between town and country is one of the most important and direct ways local government can protect natural systems and support the growth of the Sierra’s vital tourist industry. Visitors are drawn to the Sierra by the beauty of our historic towns, our rural landscape of ranches and farms, and our magnificent wild lands. Maintaining these scenic and natural assets is critical to tourism and recreation businesses throughout the range, the Sierra’s single largest industry in terms of employment and payroll.

The opposite of maintaining a clear edge between town and country is sprawl, development spread scattershot over the rural landscape. Today other regions of California and the West are reeling from the fiscal impacts of sprawl development.

A study by James Frank for the Urban Land Institute in Washington, D.C. reviewed four decades of national research on the cost of different development patterns (Frank 1989). Frank concluded that capital costs are highest in situations of low density, “leapfrog” or sprawl development, and for development located a considerable distance from central facilities. By contrast, costs were dramatically reduced in situations of higher density development that is centrally and contiguously located.
The cost of sprawl

Public concern about the cost of sprawl has stimulated research and discussion since the 1950s. Although available for decades, information about the cost of sprawl has only recently begun to influence planning decisions, particularly in fast-growing regions of the country.

At the request of the New Jersey legislature, a team of 20 researchers and economists conducted a study in the early 1990s to evaluate the economic impacts of the state's newly adopted Growth Management Plan which advocates more compact patterns of development. The 1992 study by the Center for Urban Studies at Rutgers University calculated the additional capital costs attributable to sprawl development patterns at $1.3 billion over 20 years for roads, water, sewer and school facilities throughout the state. The study also identified $400 million in additional annual operating and maintenance costs linked to sprawl development. Capitalized at current borrowing rates, these annual operating and maintenance costs translate into a $7-8 billion price tag for sprawl over 20 years.

The Rutgers study found that the costs of sprawl affect the pocketbooks of residents throughout the state, taxpayers and homebuyers alike. The study calculated that if 500,000 new residents arrive in New Jersey in the next two decades, sprawl will increase the cost of each house by $12,000 to $15,000 over what would be the case if development patterns were more compact.

A 1995 report by the American Farmland Trust found that, if continued, the costs associated with low-density urban sprawl in California's Central Valley would exceed the projected revenues of Central Valley cities by approximately $1 billion annually. Numerous other studies (e.g., Real Estate Research Corporation, 1974; Bahl and McGuire 1977; Downing and Gusteley 1977; American Farmland Trust 1985; Burchell and Listokin, 1995; Kasowski 1992; Bank of America et al., 1995) have documented the high costs of sprawl development compared to more contiguous and compact development patterns.

Maintaining the rural character of our region is a top priority for Sierra Nevada residents. In a recent poll of Sierra Nevada voters, 80 percent of those surveyed identified as the three primary reasons they've chosen to live in their communities: the “beauty and charm” of their communities; to “get away from the urban, city life”; and to “live in a rural area.” Sixty-five percent felt their own counties should be putting more effort into “conserving the natural environment” in their county and 60 percent felt their counties should be doing more to “permanently preserve open space and agricultural lands” in their county (Sierra Nevada Voter Survey, 1995).

Many voters worry about the quality of land use planning in the Sierra; 68 percent agree that “we need to do a better job with land use planning in the Sierra to make sure that rapid growth doesn’t destroy the quality of life and the economic health of our region.” An even greater number of voters, 72 percent, feel that “Sierra Nevada counties should do more to steer new development into existing towns instead of allowing it to spread all over the landscape and destroy our rural quality of life.”

### FIGURE 3

**A Cost Comparison of Urban Sprawl versus Compact Growth in the Central Valley**

<table>
<thead>
<tr>
<th>Projected City Revenues and Costs of Servicing New Development</th>
<th>1992-2040</th>
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<td><strong>Urban Sprawl</strong></td>
<td><strong>Compact Growth</strong></td>
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<tr>
<td>Annual Revenues</td>
<td>$5,115</td>
</tr>
<tr>
<td>Annual Cost of Services</td>
<td>$6,100</td>
</tr>
<tr>
<td>Net Surplus/(Deficit)</td>
<td>($985)</td>
</tr>
<tr>
<td>As Percent of Revenue</td>
<td>-19.3%</td>
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*Note: All figures are in millions of 1993 Dollars. Figures reflect projections for 39 cities in the Central Valley of California.*

Planning for Prosperity –15

The cost of sprawl...continued

One of the most recent analyses to document the costs of sprawl was released in 1995 by the American Farmland Trust. Researchers analyzed the costs associated with new development in an 11 county region of California’s Central Valley under two different scenarios—low density urban sprawl (three dwelling units per acre) and a more compact, efficient growth pattern (six dwelling units per acre).

As Figure 3 illustrates, the costs associated with the low density urban sprawl scenario would exceed the projected revenues of Central Valley cities by approximately $1 billion annually. If not addressed, this chronic budget deficit, amounting to one-fifth of projected revenues, is likely to lead to a decline in services or the quality of life for Central Valley residents. Addressing the deficit would require raising taxes and fees, including some passed through to homebuyers in the form of higher housing costs and special assessments.

The more compact, efficient growth scenario would accommodate the same number of residents, allow them to be serviced more cost efficiently, and produce an annual budget surplus for Central Valley cities of more than $200 million, or 4 percent of revenues. Under this scenario, the current level of public services could be maintained, or perhaps even improved, without tax increases. Between now and 2040, taxpayers would save almost $29 billion.

For more information contact the New Jersey Office of State Planning (609) 292-7156 and the American Farmland Trust (916) 753-1120.

Urban growth boundaries bring certainty to the issue of which lands will be developed and which lands will be kept open.

Case Study

Urban growth boundaries in Portland, Oregon

One of the most effective ways to maintain an edge between town and country is to establish a fixed, long term, urban growth boundary. Urban growth boundaries (UGBs) are being used by communities around the country to encourage development and redevelopment inside existing towns, reduce service costs, and maintain the rural character and economic productivity of the surrounding countryside. Urban growth boundaries bring certainty to the issue of which lands will be developed and which lands will be kept open.

In the early 1980s, UGBs were put in place around every incorporated community in Oregon, including the greater metropolitan Portland area, as part of the state’s pioneering land use planning laws initiated by Republican Governor Tom McCall. The idea of the urban growth boundary is simple: beyond the boundary, development is discouraged; inside the boundary, development is generally encouraged. On one side are forests, farms and open space; on the other side is the town. Under Oregon law, the UGB must be big enough to accommodate growth for the next 20 years. One aim of the Oregon law is to keep jobs, homes and stores in a relatively compact area, easily served by light rail, buses and cars.

At the time the law was passed, skeptics said a fast growing metropolitan area could not be contained without causing job losses and reduced property values. In fact, the opposite has occurred. Instead of falling, property values have soared. Instead of losing population, the region has gained an additional 500,000 people in the last 15 years.

Despite increased property values, the availability of affordable housing inside the UGB has actually remained steady because projects inside the boundary are put on a faster track and take less time to develop, and lot sizes are smaller. Before the UGB was put in place, applicants had to wait about 180 days for their projects to be approved. With the UGB in place, the application process has been cut in half and now typically takes 80 days to complete.

The UGB has increased the Portland metropolitan area’s appeal to major companies like Hewlett Packard, Intel and Hyundai. Today forests, fruit orchards and meandering creeks abut contained urban areas. As Bill Calder, a spokesman for Intel, the computer chip manufacturer that has nearly 9,000 employees in Oregon, told the New York Times, “This is where we are headed worldwide. Companies that can locate anywhere will go where they can attract good people in good places.”

John Russell is head of Russell Development Corporation, which has built projects valued at over $250 million in the region. He explains his experience with the urban growth boundary this way, “We’re all taught in basic economics classes that stability equals prosperity. Portland’s UGB promotes property value stability, and all of us who own property, be it residential or commercial, have prospered by stable land use patterns.”

more...
Principle 2

Preserve historic assets.

Historic buildings and sites are irreplaceable assets that distinguish our region from all others. One of the most critical steps communities can take to maintain the Sierra region’s distinct identity and economic vitality is to preserve our historic assets.

As Sierra Nevada residents, we take pride in our colorful history and the evidence of that history that endures today in our small towns and historic sites. Historic buildings and places enrich our daily lives and help to define the distinct character of our communities for residents and visitors alike. Tourists visit New York City to gawk at skyscrapers and sample that city’s extraordinary cultural wealth. But people come to the Sierra Nevada for entirely different reasons: to explore the wild lands and open spaces surrounding our communities and to enjoy the historic charm of our small towns.

Despite the critical role historic resources play in our region’s tourist economy, we have not always been appropriately diligent about preserving our irreplaceable historic assets. Many of our historic towns have been degraded by the demolition of historic buildings and by the construction of new buildings that undermine the scenic and historic values of the old. Numerous studies have documented the economic benefits of historic preservation (Douthat, 1994; National Trust for Historic Preservation, 1991).

The uniqueness of historic buildings, particularly commercial buildings, gives them a marketing advantage. Shopping center and housing developers often spend thousands of dollars to create a market distinction; that distinction is inherent in historic districts, although often underutilized.

Urban growth boundaries in Portland, Oregon…continued

UGBs work best when incorporated into a local, county or multi-county growth management strategy. Although Portland’s UGB was driven by state legislation, a number of California communities including San Jose, Healdsburg, Santa Rosa and Sebastopol have established locally initiated UGBs. In both San Jose and Santa Rosa, the local business community played an important role in helping to establish the UGB.

For more information about the Portland UGB, contact Metro at (503) 797-1700. For more information about UGBs in California or to obtain a copy of Bound for Success: A Citizen’s Guide to Using Urban Growth Boundaries, contact Greenbelt Alliance at (415) 543-4291.
Local governments can encourage property owners to rehabilitate historic buildings by offering incentives (technical assistance, regulatory relief, financial incentives, etc.). These incentives are particularly important early in the process of revitalizing a historic commercial district. Once a critical mass of commercial properties have been rehabilitated, the property owners themselves often seek to implement a design review process and other protections to safeguard the investment they have made in their own buildings.

Sixty-two percent of Sierra Nevada voters agree that their counties should be doing more to “preserve historic buildings and other historic resources.”

**Principle 3**

**Build to create enduring value and beauty.**

The quality and visual appeal of individual projects—whether residences, businesses or public buildings like schools—affect current and future private property values throughout the community. Well designed and sited structures enhance a town’s beauty, increasing the value of neighboring properties and the community as a whole. As Sierra communities expand to accommodate new residents and businesses, public and private investors should be encouraged to build structures that will add enduring value and beauty to the community.

Buildings, roads, bridges and other structures reflect the essential character of a community and the people who live, or have lived, in it. Throughout the world, in tiny villages and great cities, millions of private and public construction decisions, past and present, express each culture’s priorities and determine the quality, visual appeal, and value of today’s built landscape.

Here in the Sierra, early emigrants built homes and businesses in our towns with differing degrees of care. Some of the first miners, who arrived in haste with no plans to stay, lived in crude shacks, many of which have now turned to dust. Families who crossed the plains, deserts and mountains to create a new future in the West, built homes with loving attention to detail, reflecting the permanence of their intentions. Many of those homes still grace our towns.

Today, as our region experiences yet another human rush, our construction decisions are being shaped, once again, by our relationship to place: why we came here, what we were seeking and how long we plan to stay. Experience shows that without careful planning, our towns and surrounding...
countryside are likely to lose the historic and scenic qualities that define us and have brought us wealth.

Today’s Sierra residents are concerned about the impacts of rapid population growth on the quality of their towns; 66 percent want counties to put more effort into “ensuring that new construction fits in with the historic character and scale” of their communities.

Although some people try to dismiss visual considerations as frivolous, any real estate agent can confirm the fact that well designed and sited structures add value to neighboring properties and to the community as a whole. Unfortunately, the opposite is also true. As we expand our communities to accommodate additional residents and businesses, planners need to help public officials and private investors understand the vital importance of building structures that will add enduring value and beauty to our communities. The quality of new construction will affect property values community-wide and either strengthen or undermine our region’s prospects for a prosperous future.

In addition to providing an inventory of the historic structures in town and outlining the boundaries of a historic preservation district, the Nevada City ordinance contains strong language to prevent the destruction of historic buildings and to ensure architectural review of new construction and alterations in the historic district. A key component of the historic preservation ordinance is its focus on the design and display of signs in the historic district, particularly important given the district’s proximity to the highway. The town recently adopted a set of design guidelines to further refine its historic standards. The city also requires architectural review of new structures and major additions in areas outside of its historic downtown district.

Today Nevada City’s historic preservation district is thriving, with hundreds of people flocking downtown to walk the streets and shop in the town’s pleasant two and three story historic structures. After almost thirty years after its adoption, the historic preservation ordinance still stands as one of the community’s most effective planning tools.

For more information contact the Nevada City Planning Department (916) 265-2496 and the National Trust for Historic Preservation (202) 588-6000.
New neighborhood design in Fairview, Oregon

The City of Fairview, near Portland, Oregon, has a population of 5,000 and is expected to double in size by the year 2000. City leaders wanted to maintain the village appeal of their town, instead of growing the usual way by adding large shopping centers and monotonous subdivisions. The village idea was exactly what developer Rick Holt, of Holt and Haugh Inc., had in mind when he purchased the property immediately adjacent to Fairview. Holt and Haugh wanted to take the 137 undeveloped acres containing open land, woods, creeks and wetlands, preserve 40 acres as wetlands and a nature preserve, build a school on nine acres, and turn the rest into a new, picturesque walkable village. Fairview’s dream is now being realized, illustrating the economic viability of adding new neighborhoods to small towns.

Described as an “old neighborhood without the old plumbing,” the village plan provides for 502 households, including single and multi-family homes and residential units above stores. Housing will be compact, with densities for the residential areas at over 12 units per acre. Landscaped sidewalks and narrow streets will surround pocket parks. A market square, the hub of the village, will include retail shops, offices and apartments which will draw people to the town center throughout the day. A major grocery store is integrated into the plan with the parking tucked behind the building. The main street ties into existing, old Fairview neighborhoods.

In May of 1995, Holt and Haugh broke ground on the first phase of development, 86 homes. The developers created a “Builders Guild,” made up of six custom home builders who, working together, save money with group purchasing of supplies, coordinated construction schedules and joint marketing. The guild also helps to ensure attractive variety in the housing and a custom look. Builders are committed to building in the regional Craftsman style as expressed through design guidelines. To date, 30 homes are complete and 74 have been sold. The developers have also completed site work on a 20 acre phase of the development and construction of the first 17 row houses. Meanwhile, the town center continues to take shape. Holt and Haugh secured a lease with the US Postal Service and have built a new 7,500 square foot postal facility, now in operation. The new 600 student elementary school is being built, and a stonemason is completing an arched stone bridge, expected to be a community landmark. City leaders have decided to make the neighborhood the site of their new City Hall, and the facility has been designed and approved. Negotiations are also underway for a new church and a day care facility.

Fairview Village is being funded through private investors. However, in recognition of the Village’s excellent planning for pedestrians and public transportation, the developer received some federal Congestion Management/ Air Quality (CMAQ) funds to create pedestrian bridges, a bus stop, pathways and lighting.

A key reason for Fairview Village’s success has been the city’s willingness to remain flexible and move quickly, allowing investors to receive more timely returns on their large investment. The city realizes it is fortunate to have developers willing to work closely with them to realize their vision for the community’s future.

For more information, contact Fairview Village developers Holt & Haugh, Inc. at (503) 222-5522.
The character of a community is influenced by a range of factors from the scale of buildings and the choice of building materials to the nature of the sidewalks and public spaces. Many towns have adopted design guidelines for structures and public spaces within the community to maintain their own unique character.

Design guidelines are rooted in the notion that we can maintain and improve the quality of our communities if we pay close attention to the quality of development—the scale, position and appearance of buildings; the quality of sidewalks, street lighting, benches and landscaping; the width and patterns of our roads; street signage and other aspects of the public realm.

In towns across the country, but particularly in New England, major national retailers such as McDonald’s, Walgreens, K-Mart and 7-Eleven have met the design specifications of small communities by locating in structures within historic districts, abandoning drive-up windows, redesigning their exteriors, and scaling back their size. In Freeport, Maine, for example, McDonald’s hired a local architect familiar with “Maine forms of architecture” to design its new restaurant on Main Street. The project, which was the first to be reviewed under Freeport’s new design guidelines for commercial construction, reflects the local architectural style of other buildings in Freeport.

Freeport has inspired other communities to adopt design standards that require franchises and other developers to reflect regional architectural traditions when proposing new construction in highly visible locations in their towns.

A number of Sierra Nevada communities are using design guidelines to help ensure new development fits in with the existing community. Jamestown, in Tuolumne County, has developed a Design Guide complete with pictures of buildings and architectural features which are acceptable to the community. The Design Guide is not intended to be a strict limitation on the type of development permissible, but to provide a standard for determining whether a proposed development generally conforms to the community’s historic architectural standard.

In a similar vein, the town of Truckee recently adopted a 40,000 square foot maximum for single use commercial development in town. The square foot maximum was adopted as a policy in the town’s general plan to ensure that new commercial construction fits in with the scale of existing commercial development.

For more information contact the Freeport, Maine Planning Department (207) 865-4743, the Tuolumne County Planning Department (209) 533-5611, the Truckee Planning Department (916) 582-7700 or Communities By Design (916) 792-1751.
Award winning design at affordable prices

Communities and property owners often forego good design under the assumption they can't afford it. This does not have to be the case. In the city of Sacramento, the firm of Mogavero Notestine Associates designed the Southside Co-Housing Community with an eye toward good design and the bottom line. The Southside project has won nine national and local design awards.

Southside has all of the attractive trappings of classic Craftsman style homes: covered porches, horizontal lap siding (on all four sides), hardwood floors, second story bedrooms, gabled dormers, eave brackets and other “gingerbread” features.

Southside also has expansive common facilities with rooms for teenagers and child care and a large kitchen and dining area where families can share meals a few times each week. Residents were involved in the development and design and were able to customize their units. Despite their unique features, Southside homes sold at prices equal to or lower than comparable homes in the Sacramento area.

What accounts for the success of this project? Clever architectural design is only part of the answer. Home builders realized substantial savings by attaching units to each other and increasing density (20 units per acre). The most critical savings came from building on a vacant piece of land near downtown. The project’s proximity to downtown eliminated new infrastructure costs like roads and utilities and allowed families to live with fewer cars, hence fewer carports. Fewer carports enabled the community to retain more open space.

A visitor to Southside on a typical weekday evening will find children playing while parents chat with neighbors on their porches or in the expansive common green surrounded by individual town homes.

The success of Southside is now being reinforced by another housing community, also in downtown Sacramento. The Metro Square project, developed by Regis Homes with Mogavero Notestine Associates, is currently under construction. While the Sacramento home building market remains in the doldrums, this 45 unit development has a waiting list of over 150 interested buyers nearly two months prior to ground breaking.

As these examples illustrate, good design is affordable and extremely marketable and can create strong profits for the builder.

For more information contact Mogavero Notestine Associates at (916) 443-1033.

Case Study

Southside Co-Housing Community in Sacramento, California.

Principle 4

Enhance the economic vitality of our small towns through ongoing reinvestment in the downtown core.

Ongoing public and private investment in the downtown core is critical to maintaining and enhancing the economic vitality of Sierra Nevada towns over time. The nature of that investment can be small, like planting street trees, or large, like constructing a new office building. Small or large, these public and private investments together build the quality and economic strength of the community for current and future residents.

History has taught us that the most successful towns and cities are those that maintain and enhance their centers through thoughtful, ongoing public and private reinvestment. In addition to reducing public and private costs through more efficient use of existing infrastructure, reinvestment in town cores raises property values throughout the community by increasing the economic and social vitality of the town. Sierra residents appreciate the quality of their towns and support the idea of further reinvestment; 56 percent feel counties should be putting more effort into “developing and promoting the quality and vitality of historic downtown areas.”

The relative enjoyment of shopping in a town is affected by a host of factors, among them the location of shops, the presence and condition of sidewalks, the width of streets, the attractiveness and position of buildings along the street, the location and availability of parking, and the presence of benches, lighting, parks, street trees, fountains and other interesting features. Visitors and shoppers tend to spend more money in commercial districts where they enjoy browsing and lingering (National Main Street Center, 1995). Careful public and private investments in downtown cores expand returns to local business.
Communities can encourage private investment downtown by making it easier to build on vacant land downtown than on vacant land outside of downtown. Regulatory relief in the form of reduced parking requirements, zoning code and building code flexibility, and faster permitting and review periods can help draw private development downtown. Communities can also encourage private investment by placing public facilities like post offices and other government buildings downtown.

Many Sierra Nevada towns have older and newer commercial districts. One of the most interesting challenges we face is finding ways to successfully link the two. In most Sierra towns, the centerpiece of town is a historic core which dates back to the days of horses and buggies. Adjacent to the core, or often on the outskirts of town, are additions made to the community from the 1950s onward, with automobile access in mind. These newer sections often consist of monotonous, unattractive commercial strips which detract from the overall economic and visual appeal of the town.

As they plan for new residents and businesses, Sierra Nevada towns have an opportunity to use carefully targeted and imaginative reinvestment to upgrade newer sections so they fit more harmoniously into the fabric of the town and can begin to contribute to, rather than detract from, the overall quality and appeal of our historic communities.

**Case Study**

**The California Main Street Program**

Main Street is a revitalization strategy used in over 1,300 communities and 43 states. Developed by the National Trust for Historic Preservation’s National Main Street Center, the program encourages imaginative use of business and government resources to support local downtown revitalization. The Center provides consulting and training services to cities and states undertaking Main Street programs.

California began its Main Street program in 1985. Housed within the California Trade and Commerce Agency, California Main Street delivers services and training to cities chosen through a competitive application process. These communities form the California Main Street network.

The Main Street approach to downtown revitalization is a comprehensive strategy which builds on the idea that the total image of an area must be addressed for revitalization efforts to be successful. The approach identifies the downtown retail and professional area’s market niche, creates a high-quality visual identity unique to that community and nurtures a cultural ambiance associated with the community’s location, appearance and way of life.

The chief emphasis of California Main Street is providing technical assistance to its network cities. California Main Street also strives to promote the stabilization and growth of existing commercial centers in communities across the state, using network cities as models for effective revitalization and management strategies. Cities participating in the network receive different kinds of assistance including an initial on-site evaluation to examine existing conditions and help local leaders identify primary issues confronting the downtown district. California Main Street also provides access to an interdisciplinary team of...
Mixed Use Development

Much of what we consider to be unique about small towns is actually embodied in the concept of mixed use zoning. Mixed use zoning simply means allowing and encouraging a variety of activities to coexist within one district, usually a downtown district. A key component of mixed use zoning is mixing residential with commercial uses, as commonly occurs in traditional towns where one building accommodates a combination of ground floor retail and second and third story residential. Mixed use zoning often provides housing at close to zero land cost, helping communities meet the demand for more affordable housing. Mixed use zoning also enhances the economic and social vitality of downtown areas by drawing people into the area throughout the day, increasing public safety. Finally, mixed use zoning reduces auto dependency by making it easier for residents to shop near their homes.

Despite its many benefits, mixed use zoning is only now coming back into favor with planners who, for three decades, have promoted the idea that each community function, whether housing, shopping or recreation, should occur in its own distinct location. This single use approach has been responsible for the expanding scale of American towns: acres of houses out there, miles of shopping centers over there, blocks of offices over here. In such towns, daily life tends to decay into a series of car trips between home, school, work, shopping and recreation.

As Randall Arendt points out in his book Rural By Design, “The practicability of combining residential, retail and office uses is being rediscovered by a growing number of developers, although such projects are unfortunately uncommon in small towns because of habit, inertia, ignorance, building codes and single use zoning.”

The photo below shows a recent mixed use project on Bainbridge Island, Washington. Known locally as the Hobbie and Hayes Building, this 1987 development incorporates three dwelling units over several shops and offices, in a corner building with rear parking. Each of the three dwellings adjoins an elevated terrace providing accessory outdoor patio space. Four small additional dwellings occupy another corner of this 3/4 acre site and are designed in a manner that allows them to be perceived as detached units.

Since the completion of this project, Bainbridge has developed a set of mixed use design and zoning guidelines. Although the mixed use approach is not appropriate for every site, it is ideal in town centers and other “nodal” areas where a variety of goods and services and jobs need to be available within convenient walking distance.

For more information contact the Bainbridge Island Planning Department at (206) 842-2552. For more information on mixed use zoning, contact the Local Government Commission at (916) 448-1198.
Anticipate and address the housing needs of all community residents.

The Sierra Nevada’s growing appeal as a place to live and do business has drawn new residents and wealth to the region, raising property values, average personal incomes and the cost of living in most Sierra Nevada communities. At the same time, the diversification of local economies throughout the region has created demand for workers at all wage levels. As the Sierra economy continues to grow, communities need to anticipate and address the housing needs of all residents to ensure that employees of local businesses have convenient access to housing they can afford and long standing local residents, particularly senior citizens, can remain in their communities.

Rapid population growth is changing the character, culture and economies of local communities throughout the West, from Missoula to Mariposa. In many communities, rising property values, an indicator of a region’s appeal, are making housing unaffordable to local workers and young families, forcing them to live a long distance from their jobs. Rising property values are also raising rents for many senior citizens, putting economic strain on those living on fixed incomes.

In the new, more mobile economy of the twenty-first century, the outward migration of residents from cities and suburbs to more rural areas is likely to continue. Rural property values, particularly in the communities that have planned most effectively for their own futures, will continue to rise, benefiting most Sierra residents. Those higher property values do not have to result in the displacement of local workers, young families and long-standing community residents of more modest means. Cities and counties can use a broad range of planning, regulatory and investment tools to ensure the long term availability of housing for all community residents. Those tools include:

- encouraging the construction and rental of second units on single family homes; these units create additional income for homeowners and provide affordable rental housing for lower income residents;
- encouraging the construction of a mixture of housing types including homes that are affordable to first-time home buyers and young families;
- establishing or supporting non-profit housing authorities or other organizations that facilitate the construction, sale and rental of affordable housing;
- supporting the construction of “mixed use” projects which combine residential and commercial uses and reduce the costs associated with creating new residential units;
- encouraging private builders to make full use of the federal and state tax credits available to investors who build units that are maintained as affordable;
- using Community Development Block Grants and other public sources to support the rehabilitation of older housing stock for use by lower income community residents;
- encouraging banks and other local lending institutions to invest Community Reinvestment Act funds in well planned and executed affordable housing projects.

The cost of housing is already a concern to Sierra voters; 50 percent believe that their counties should be putting more effort into improving the availability of affordable housing; only 32 percent believe their counties are already doing enough to deal with this issue.
**Affordable miners’ cottages**

The Rural California Housing Corporation developed the Community Spirit Self-Help Housing Project on a 1.6 acre infill site in the town of Nevada City. The original application to the city consisted of a series of architecturally nondescript duplexes with attached garages, a concept inconsistent with Nevada City’s design guidelines that require new construction to fit into the existing neighborhood and to exhibit elements of Mother Lode-style architecture. The city asked proponents to redesign the project; the city’s goals were to allow the density requested, to maintain the look of a single family neighborhood, and to utilize a miner’s cottage theme in keeping with many of the city’s smaller homes.

The proponents redesigned the project to include seven one-story, single family “miners’ cottages” and six two-story duplex units, all with simple but traditional Victorian era elements including front porches, horizontal siding, detailed trim, and traditionally scaled windows. All garages were recessed on the lots and detached from the homes. Maple trees, common to Nevada City, were planted in a parkway arrangement in each front yard. Roof and paint colors were chosen to reflect the traditional theme. The city permitted a narrower than standard street through the site, improving the aesthetics and land efficiency and creating a traditional bungalow court look to the project.

The site was already zoned for medium density residential housing (six units/gross acre) which allowed for a total of eleven units. With the state-mandated 25 percent density bonus for affordable housing projects, the final project was able to include thirteen units (ten units/gross acre). The average lot size is 4,500 square feet. Homes have two and three bedrooms and range in size from 800 square feet to 1,100 square feet.

The project was financed by local banks using a Farmer’s Home Administration program. Each home is financed with a 30-year loan and payments are based on income. With interest rates as low as 1 percent, the homes are affordable to persons in low and very low income groups. Homeowners contributed at least 30 hours per week to help construct their own homes, a contribution of labor that satisfied the need for down payments and helped reduce the overall cost of the project.

To ensure the long term affordability of the houses, Nevada City required that affordability guarantees be built into the loan agreements upon sale of the homes. The project, now fully occupied, adds diversity and affordability to Nevada City’s housing stock while, at the same time, maintaining and enhancing the character of the existing neighborhood.

For more information contact the Nevada City Planning Department at (916) 265-2496 or the Rural California Housing Corporation at (916) 442-4731.

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**Case Study**

**Principle 6**

**Conserve and showcase each community’s natural assets.**

Most Sierra Nevada communities are blessed with lovely natural features which define and enrich daily existence: creeks, rivers, old trees, lakes, wetlands, meadows, forests, hills, peaks and vistas. Conserving and showcasing the unique natural assets in each of our communities is one of the best investments we can make in our own financial security.

Living in the Sierra Nevada where we are blessed with such an extraordinary abundance of natural beauty, we risk taking for granted, and hence degrading, the generous natural legacy that surrounds us. As towns across America become more and more homogeneous in their overall appearance, we in the Sierra need to recognize the increasing economic importance and value of our splendid natural assets and find new ways to conserve and showcase them for the benefit of current and future generations.

Studies from around the country document the economic benefits associated with preserving local resources including

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*Sutter Creek flows through the town of Sutter Creek, CA.*

*Sutter Creek flows through the town of Sutter Creek, CA.*
Conserving and showcasing the unique natural assets in each of our communities is one of the best investments we can make in our own financial security.

Redevelopment showcases natural features in South Lake Tahoe

The city of South Lake Tahoe has used redevelopment to accomplish two strategic goals: 1) to improve degraded areas of the town; and 2) to restore and showcase the community’s most prized natural asset, Lake Tahoe.

Over the past seven years, the city has removed dilapidated commercial motels built in the 1950s and 1960s, and directed new resort development into two nodes at each end of the downtown area. The Tahoe Regional Planning Agency (TRPA), which controls and sets standards for development in the Tahoe Basin, facilitated and encouraged this transfer of development with its ongoing requirement that an equivalent amount of existing uses be removed before approvals are given to expand other similar uses in the Basin.

Today the South Lake Tahoe Redevelopment Agency has largely completed two major “anchor” redevelopment projects: the four hundred room Embassy Suites Resort Hotel at Stateline, which opened in 1991, and the Embassy Suites Ski Run Vacation Resort, a timeshare resort property. Phase I of the Ski Run project opened in the spring of 1997. The Redevelopment Agency helped to ensure the success of both projects by acquiring the development rights the projects needed to proceed. To advance the Stateline project, for instance, the Agency oversaw the acquisition and removal of 526 older lodging units.

Redevelopment has enhanced South Lake Tahoe’s beauty and appeal. New green open spaces have replaced old motels, gas stations and aging restaurants. Grassy new catch basins hold and filter run-off before it reaches the Lake, protecting Tahoe’s magnificent water quality and clarity. Residents and visitors enjoy restored views of the lake and stroll new paths and walkways. With outstanding results, South Lake Tahoe has begun to marry economic and environmental renewal, providing a useful and compelling model for community development throughout the Sierra region.

For more information, contact the South Lake Tahoe Redevelopment Agency (916) 541-1292.
The economic value of open space

Over the years researchers have measured the effect of open space or “greenbelts” on property values. In 1978, a study by researchers in Boulder, Colorado, found that a property’s proximity to community greenbelts had a significant impact on the price of the property (Correll et. al, 1978). The study of neighborhoods in and around the city of Boulder, Colorado concluded that, all things being equal, property values decrease by $4,200 for every 1,000 feet one moves away from the greenbelt.

In 1990, the Center for Rural Massachusetts compared the appreciation of homes built on half acre lots with no access to community open space with homes built on quarter acre lots with access to community open space (Lacey, 1990). Both sets of homes contained a comparable amount of living area and were located the same distance from schools and the town center of Amherst. As illustrated in Figure 4, during the 21 year span of the study, homes within the open space development appreciated at an average annual rate of 22 percent. Homes within the development without open space appreciated more slowly, at an average annual rate of 19.5 percent. Over the years the two developments diverged dramatically from a difference in average selling price of only $600 (2.28%) in 1968 to a difference of $17,100 (12.7%) in 1989. Although other studies have also shown that proximity to protected open space enhances residential property values, this study suggests the economic benefits of open space can transcend even a significant reduction in house lot size.

The shift from golf courses to open space

In the 1980s, California saw a proliferation of golf-oriented communities where the golf course provided the central focal point for design and community image. Golf courses do indeed provide an important visual amenity and in most cases create very profitable lot premiums. However, according to a market research study by American LIVES Inc., golf-oriented communities appeal to a narrower segment of the homebuying population than most builders and developers realize.

While a substantial 39.5 percent of the homebuyers surveyed by American Lives indicated that a golf course within the community was “very or extremely important,” 60.5 percent did not. Amenities and features like open space, wilderness areas and gardens rated much higher than golf courses:
- Lots of natural open space ........................................ 78%
- Gardens with native plants and walking paths........... 56%
- Wilderness areas ....................................................... 53%

As the American LIVES report explains, “These findings suggest that home shoppers and buyers in the 1990s are looking for communities that use open space as an important feature in their master planned community. What is more, they are willing to pay for it. The good news for the developer is that the cost of preserving open space is orders of magnitude less than the cost of fixing up a golf course, yet the market who want open space is double the size of those who want golf.”

For more information contact American LIVES, Inc. at (415) 921-1946.

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Source: Lacey, Jeff 1990. An Examination of Market Appreciation for Clustered Housing with Permanent Open Space, Center for Rural Massachusetts. Amherst, MA.
**Principle 7**

*Maintain the economic productivity of our region’s agricultural lands and forests.*

California agriculture and forestry face many challenges today, not the least of which is encroaching urbanization. If agriculture and forestry are to remain vital elements of the Sierra Nevada economy, counties, cities and community leaders must act decisively to ensure the long term economic viability and productivity of our region’s working landscape.

Agricultural and forest lands are critical to the economic health of the Sierra Nevada, not solely or even primarily for the value of the products and jobs they generate directly, but also for the essential contribution they make to the region’s economy as scenic assets. The Sierra Nevada’s agricultural lands and forests contribute significantly to the economic well-being of our region by drawing new businesses and wealth to our towns and communities, increasing private property values throughout the region, and supporting our tourist economy. Agriculture and forest lands also play a critical role in sustaining healthy natural systems by providing plant and wildlife habitat, migration corridors, watershed protection, and other benefits.

Despite the vital contributions these lands make to our local economies, private farmers, ranchers and forest landowners currently receive precious little financial return from communities for their contribution to local quality of life. While

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**Case Study**

*Lancaster County, PA, rejects cluster development*

“Cluster” development refers to the practice of clustering homes near one another on a property, allowing the surrounding land to remain in permanent open space. As an incentive, some counties provide density bonuses to landowners who agree to cluster homes and place a conservation easement on remaining open space. Clustering can be a useful tool for protecting important habitat and natural resource areas (see case study on page 26).

Although clustering has gained favor among planners as a tool for preserving a region’s overall rural character, agricultural interests tend to reject clustering as a tool for protecting the working landscape. Opponents to rural clustering argue that it encourages growth in agricultural zones and creates demand for new urban services, from sewer and water to fire stations and convenience stores. Opponents also believe that clustering invites conflicts between residential and agricultural uses, bringing the same problems for farmers and ranchers as any other kind of urban development.

In Lancaster County, Pennsylvania, one of the most important agricultural regions in the nation, the County Planning Commission considered and then decided to drop rural clustering as an approach to protecting farmland. According to Tom Daniels, Executive Director of the Lancaster County Agricultural Preserve Board, who worked with the county to remove rural cluster from consideration, a rural cluster provision would increase sprawl and create conflicts between farm and non-farm neighbors.

Instead of adopting rural clustering to protect farmland, the commission rewrote its growth management plan to place a greater emphasis on accommodating growth adjacent to existing villages and restricting development in rural and resource areas. Today the county has established urban growth boundaries to protect farmland. The county has used agricultural zoning on 320,000 acres of land (roughly 54% of the county). And more than 24,000 acres of farmland have been preserved through permanent conservation easements.

For more information contact the Lancaster County Agricultural Preserve Board at (717) 299-8333.
the economic value of these enterprises varies greatly throughout the Sierra, even the most profitable agricultural businesses like orchards and vineyards are usually less profitable for landowners than selling their land for subdivisions. Looking to the future, if we want to maintain and expand the quality and value of our communities and our private property investments, we need to identify and aggressively pursue new ways to compensate private landowners for keeping their land in permanent open space.

Maintaining and funding the Williamson Act, California’s agricultural lands preservation law, while critical, is not enough. The Act creates an arrangement whereby private landowners voluntarily restrict their land to agricultural and compatible open space uses under 10-year rolling term contracts with counties and cities. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual agricultural use, as opposed to their potential market value for other purposes. Although the Act is widely used by landowners throughout the Sierra region, the ongoing conversion of Sierra Nevada farms and ranches from agricultural to urban uses proves that the Williamson Act, alone, cannot stop the rapid loss of our region’s agricultural assets. This same limitation applies to the state’s Timber Land Production Act which provides tax incentives for property owners to keep their land in timber production. Many timber land owners and other interests believe that timber production zone programs alone will not stop the conversion of private forest lands to urban uses.

The public supports the goal of maintaining and even expanding agriculture in our region: 60 percent of Sierra Nevada residents feel their counties should be doing more to “permanently preserve open space and agricultural lands” in their county, and 65 percent feel their counties should be doing more to “promote farmers markets.”

The most important step local governments can take to support the continued economic viability of our region’s agricultural lands and forests is to adopt and uphold zoning policies that prevent residential and commercial encroachment into agricultural and forest lands. To function effectively, minimum parcel sizes should be tied to the agricultural productivity of the land; more valuable and agriculturally productive land might need minimum parcel sizes of 40 to 80 acres while less productive grazing land might require minimum parcel sizes of 160 to 640 acres. A related step cities and counties can take to support agriculture is to encourage more efficient patterns of human settlement. A recent report by the American Farmland Trust found that “a significant amount of Central Valley farmland can be conserved for agriculture if growth assumes a more compact, efficient pattern instead of low density urban sprawl.” Specifically the Trust found that 470,000 acres of farmland, with annual agricultural revenues of $2.8 billion, could be preserved if counties and towns maintained densities of six homes per acre instead of three homes per acre (See case study on page 14).

Right-to-farm ordinances, which anticipate and seek to minimize land use conflicts between agricultural operators and their non-agricultural neighbors, are another tool counties can use to support the continued viability of agriculture in counties experiencing rapid population growth. These ordinances reinforce the importance of agriculture to the county and make clear that the county will stand behind the practical needs of agriculture (and in some cases, timber and mining) even when those needs come into conflict with newer, non-agricultural neighbors.

Finally, to ensure the continued economic viability of resource industries, counties must identify important natural resource lands before the zoning process begins. Natural resource inventories like federal soil surveys are an important...
Despite the vital contributions these lands make to our local economies, private farmers, ranchers and forest landowners currently receive precious little financial return from communities for their contribution to local quality of life.

The Montana Land Reliance

One of the most effective ways communities can maintain the economic productivity of local agricultural lands and forests is by working cooperatively with private land trusts to identify and protect important ranches, farms and forests.

Land trusts are charitable non-profit organizations which protect land resources for future generations. While some land trusts own land outright, most simply obtain, through purchase or donation, easements on land which limit the ways in which the land can be developed.

The exact nature of the easement is negotiated by the trust and the land owner, depending on the goals the easement is meant to achieve.

The Montana Land Reliance (MLR) has been working since 1978 to preserve Montana’s undeveloped private land and water resources. MLR’s goal has been to affirm the positive relationship between well managed agricultural lands and the integrity of wildlife habitat, watersheds and open spaces. MLR’s annual report explains, “Ranching is at the heart of what’s best about the West. It is an important part of Montana’s heritage and, increasingly, it is a threatened way of life . . . As farmers and ranchers leave the land in record numbers, more than a lifestyle is disappearing. Vast expanses of productive land almost always encompass ecologically important watersheds, wetlands and critical habitat for fish and wildlife. The loss of these resources represents nothing less than the irretrievable loss of our natural heritage.” MLR specializes in working with ranchers and farmers to maintain their agricultural operations. Since 1987, MLR’s conservation work has resulted in the preservation of nearly 27,000 acres of cropland and 197,000 acres of rangeland. MLR currently holds 217 conservation easements on 225,000 acres of land, all of which were donated by individual property owners.

The following hypothetical example describes a typical land transaction between MLR and a ranching family.

Case Study

A quiet moment on a ranch in the eastern Sierra.

The most important step local governments can take to support the continued economic viability of our region’s agricultural lands and forests is to adopt and uphold zoning policies that prevent residential and commercial encroachment into agricultural and forest lands.
In the face of escalating land values and development pressure, the Jones family, who had operated their ranch in the Madison Valley for three generations, was faced with the prospect of selling their land for development. Although one of their sons still worked on the ranch, the rest of their children had moved to other parts of the country and were not involved in ranching. The Jones were concerned that the value of the ranch had appreciated significantly over time and that they would not be able to keep the ranch because of a potentially large estate tax liability.

The ranch had appreciated to a current fair market value of $2 million, as determined by appraisal. The owners donated a conservation easement to MLR which limited development on the property but enabled the continuation of agriculture. A qualified appraiser determined the value of the conservation easement to be 36 percent of $2 million, or $720,000.

Each parent had an estate tax exemption of $600,000, for a total of $1.2 million. This allowed the parents to pass $1.2 million of the property to heirs tax free, either by gift or through their estate. Without the conservation easement in place, this would have left $800,000 ($2 million minus $1.2 million) subject to estate tax at graduated rates of 37 to 55 percent. With the conservation easement in place, the value of the ranch for estate tax purposes was $1,280,000 ($2 million minus the $720,000 value of the conservation easement). Utilizing the $1,200,000 exemption, this left only $80,000 subject to estate tax.

By placing a conservation easement on the property, the family kept the ranch intact and in the family, and saved between $266,400 and $396,000 in estate taxes.

Elise Donohue, owner of the Double D Ranch in Wilsa, MT, explains her experience with the MLR this way, “Montana Land Reliance is in the business of protecting Montana’s agricultural lands. They have developed a host of creative private sector approaches that work not only for the land but for the landowner as well.”

A number of land trusts operate in the Sierra Nevada region. For more information about rural land trusts contact the Sonoran Institute (520) 290-0969 or the Sierra Business Council (916) 582-4800.

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**Principle 8**

**Do not place people and structures in harm’s way.**

As American taxpayers, we have learned the hard way that trying to contain Mother Nature can be more costly than effective. Our proximity to nature in the Sierra Nevada brings with it both blessings and challenges, challenges which require us to exercise prudence in choosing where we build. Wildfire, floods, landslides, avalanches and earthquakes are all part of life in the Sierra. We can avoid heavy community costs, including injury and loss of life, if we are vigilant not to place structures in harm’s way.

Common sense, right? Perhaps, but many Sierra Nevada residents have had to learn these lessons in the hardest imaginable way, through significant personal losses. With the migration to the Sierra of more urban and suburban Californians, more people are exposing themselves and their families to unnecessary personal risk, particularly to the danger of wildfire. Many newer residents are unfamiliar with the safety problems associated with building in certain locations. For instance, building a home at the end of a narrow dirt road, surrounded by manzanita and other highly flammable brush, is an extremely risky investment and one that may result in significant loss. And as many discovered in the New Year’s Flood of 1997, building a house in a flood plain can be equally shortsighted. Sadly, many people who build in these locations don’t realize their mistake until it is too late.

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A home is destroyed by wildfire.
Development on scattered rural parcels in the Sierra has increased the complexity and cost of fire fighting (California Department of Forestry and Fire Protection 1996). In parts of the region, financially strapped fire districts are refusing to annex new areas, leaving some residents without adequate fire protection. Given the growing human and financial costs of poor planning, counties and other agencies with jurisdiction over the location of human settlement need to become more proactive about mapping and discouraging new construction in high risk areas.

Sierra Nevada voters support the idea of greater government leadership to ensure public safety: 75 percent feel that “counties should take stronger actions to discourage people from building homes where they are vulnerable to fires, floods and other natural disasters.” Only 21 percent disagree with that statement.

**Transfer of development credits in San Luis Obispo County**

Transfer of development rights (TDR) programs use market forces to accomplish community planning goals. Still in its infancy, the technique has been used to compensate land owners while preserving historic buildings and protecting lands for agriculture, recreation and habitat. TDR programs can also be used to transfer development from high hazard areas prone to fire and flood to safer locations.

A TDR program enables communities to treat development rights as a commodity which can be transferred from a parcel not appropriate for development to a parcel that is appropriate for development. As Rick Pruetz explains in his book *Putting Transfer of Development Rights to Work in California*, “Since both the public and the private sector benefit from these transfers, TDR has often been described as a ‘win-win’ solution for difficult land use problems.”

San Luis Obispo County, California, has used a transfer of development rights program to decrease development on coastal lots which, if built on, would eventually destroy the region’s Cambria Pine Forest habitat. The program has the added benefit of moving development away from an area which has an extremely limited water supply. Many years ago, portions of the coastal community of Cambria were subdivided into very small lots, often on steep, highly erodible slopes. To reduce development impacts in this particular subdivision, a transfer of development credits (TDC) program was established. The program, which is essentially a voluntary TDR program, includes a revolving fund which buys undeveloped lots from “sending sites” and sells development credits to property owners in “receiving sites” who want larger homes than allowed under the existing zoning. Because the county’s land use controls make it difficult to obtain a variance from existing zoning, most property owners who want to expand the size of their homes end up purchasing TDC’s. San Luis Obispo’s program is one of the most active and successful in California, with more than 200 transfers since its inception.

The county recently adopted a county-wide TDC program to preserve agricultural lands and to transfer development away from thousands of undeveloped rural parcels in high fire hazard areas with limited water supplies.

For more information contact the San Luis Obispo Department of Building and Planning (805) 781-5708. For a copy of Rick Pruetz’s book contact Solano Press Books (707) 884-4109.
Principle 9

Maintain the health of the natural systems which support life in the Sierra Nevada.

Our region’s natural resources are more than just a beautiful backdrop for our communities. Our air, forests, lakes, rivers, streams, meadows, agricultural lands and marshes are the life support system for human settlement and for the plants and wildlife that inhabit the Sierra Nevada with us. Maintaining the health of our natural systems is essential to human health, to the sustainability of our natural resources, and to the economic stability of our region.

The staggering beauty and vastness of the Sierra Nevada landscape make it easy to become complacent about basic ecosystem health. In most places the air looks clean, the water looks pure and deer jump in front of our cars as we move through the countryside. But appearance can be deceiving. Closer scientific scrutiny over the past few years makes clear that our region needs to be concerned about diminishing environmental quality.

Air pollution, for instance, is a problem, particularly in the foothills and the Southern Sierra, due to increased industrial pollution and automobile use in the Central Valley. Pollution from the Central Valley migrates up the slopes of the Sierra Nevada, creating hazy, unhealthful conditions in many foothill communities and stunting tree growth in forests from Lake Tahoe to Sequoia National Park (Sierra Nevada Ecosystem Project, 1996). In many high Sierra communities, air pollution is of our own doing; each winter, wood fires in towns like Truckee and Mammoth Lakes push particulate levels into the unhealthful range. Air pollution from increasing automobile use in the Sierra is also a problem.

Water pollution, too, is a growing concern. Urban run-off from our streets and highways and run-off from construction sites, logged areas and agriculture are reducing water quality throughout the Sierra. In addition, inadequate sewer and septic systems are polluting both surface water and groundwater in many Sierra counties.

Our region’s declining biological diversity is another problem. Maintaining biological diversity is essential to maintaining healthy natural systems which, in turn, control pests and disease, regulate supplies of fresh water and control flooding, provide for the pollination and dispersal of crops and useful wild plants, provide fish, timber and other products that are important for commercial and recreational harvesting, and provide scenery, wildlife and other benefits. Today the survival of at least 51 species of mammals, birds and

Clean water from the Sierra is essential to life in the region and throughout California.

Mountain lion.
amphibians in the Sierra is in question (Sierra Nevada Ecosystem Project, 1996).

As Sierra communities grow, we need to find ways to integrate human systems (housing, transportation, employment, utilities) and natural systems (watersheds, air basins, plant and animal habitat, fire and floods) to ensure that both can function sustainably. By adopting a comprehensive and appropriately far-sighted approach to local land planning, counties can anticipate and prevent many conflicts between human and natural systems, reducing unnecessary delays, costs and frustration for all involved. Valuable habitat, for instance, can be safeguarded if county planners recognize its location and work across county lines, using mitigation banks and other tools, to ensure its preservation. Water pollution can be reduced with prudent construction practices and appropriate investment in sewage treatment. Air pollution can be reduced by encouraging people to live and work in town, or closer to town, reducing their daily drive time.

Sierra Nevada residents strongly support the objective of maintaining healthy natural systems: 82 percent of Sierra Nevada voters feel that “we need to protect wildlife habitat and ecosystems in the Sierra Nevada to maintain the health of our natural environment for people and for wildlife.”

Kern County, California and the City of Bakersfield have developed a habitat conservation plan (HCP) to protect habitat for all of the endangered and threatened species listed in the Bakersfield area including five animal species and eight plant species. Property owners have two options: they can participate in the HCP by paying a one time habitat mitigation fee when they develop or they can prepare a separate (and more costly) on-site mitigation program in conjunction with state and federal agencies.

The first option has many advantages: property owners develop their property on a predictable and efficient schedule and contribute to a trust which purchases valuable habitat areas in the western part of the county. By contrast, the second option, on-site mitigation, usually requires a greater investment of time and money from property owners and rarely protects enough habitat to ensure the long term survival of endangered and threatened species. The HCP fee is $1,240 per gross acre for all new construction on previously undeveloped land or approximately $300 per single family house. The HCP fee is less than a property owner would typically pay to comply with state and federal endangered species laws but provides sufficient revenue to protect one acre of habitat for each acre of land developed in an urban area and three acres of habitat for each acre of land developed in a non-urban area. Since its adoption in 1994, the Bakersfield habitat conservation program has generated more than $3 million, enabling the county to purchase and manage more than 3,100 acres of critical habitat for endangered and threatened species. These protected lands help to ensure the survival of native species and are leaving a permanent and growing natural asset for future generations of Kern County residents.

For more information contact the Kern County Planning Department at (805) 862-8600.
Conservation mapping in the Sierra Nevada

Figure 5 illustrates the basic principles of conservation mapping and the importance of mapping natural systems such as animal movement corridors, streams, wetlands and other critical habitats before making land use and zoning decisions.

In many regions of the state, planning decisions made decades ago, before recent breakthroughs in conservation biology and mapping technology, have fragmented habitat and destroyed the viability of local species. Efforts to protect species in these areas are remedial, with all of the high costs and reduced effectiveness implied therein. In the Sierra Nevada, however, decision makers have an opportunity to expand human communities while maintaining functioning natural communities in surrounding areas. By planning proactively for the viability and vitality of native ecosystems, Sierra counties can ensure the health of natural systems and avoid more costly and less effective mitigation initiatives down the road.

In this example, planners have identified an important swath of habitat. Rather than fragmenting this critical habitat, they are taking steps to ensure that it continues to function as a resource that contributes to the long term survival of native species.

As Figure 5 illustrates, parcels are often affected in different ways by a conservation mapping program. In this example, Parcels B, C, D and E contain portions of the important habitat area. The county general plan has ensured that these parcels contribute to county-wide conservation goals by establishing minimum parcel sizes and appropriate land uses and densities, and by requiring that development be excluded from sensitive areas needed to retain habitat values. Where appropriate, the county also offers density bonuses and other incentives to property owners who agree to permanently protect critical portions of their land with a conservation easement (for more information on easements see case study page 30).

Parcel A lies almost entirely within the swath of critical habitat and its protection as open space is essential to ensuring the viability of native species. A transfer of development rights (TDR) program would enable the property owner to sell his or her “development rights” to other property owners in areas designated as appropriate for development. (For more information on TDR programs see case study on page 32).

The ecological importance of Parcel A could also make it ideal for a conservation bank. Under this approach, the property owner would obtain a return on his investment by selling habitat protection “credits” to property owners in other parts of the county who have been required to mitigate for habitat impacts on their land. (For more information on conservation banking see case study on page 36.)

The key to effective conservation planning is having access to reliable, appropriately-scaled information about important natural systems early in the planning process. Thorough and timely conservation mapping enables communities to minimize conflicts between natural systems and new development and provides a degree of predictability and certainty that is often absent from the traditional development and planning process. By coupling reliable resource information with innovative planning tools like transfer of development rights or conservation banking, Sierra counties can ensure that the natural capital of the Sierra Nevada is not diminished by the expansion of our financial capital.
Conservation banks offer a useful and effective alternative to the current practice of protecting habitat on a project-by-project or site-specific basis. Habitat that is preserved on a project-by-project basis is often too small and too isolated to contribute to the survival of species that depend on it.

A conservation bank is a parcel of habitat or a series of contiguous habitat parcels that are owned and managed in perpetuity for their natural resource values. Property owners who are required to mitigate for destruction of habitat can purchase mitigation credits from the conservation bank as an alternative to site-specific mitigation.

Bank of America became interested in conservation banking after recognizing that some of its repossessed properties had significant ecological value. Although conserving the land for habitat was the best use for the property, no easy mechanism existed to compensate the bank for achieving that use. Fortunately, the land was located within the scope of a state-sponsored regional habitat management plan known as the Natural Community Conservation Planning process (NCCP). Working with the California Department of Fish and Game and the U.S. Fish and Wildlife Service, Bank of America created the first conservation bank to be initiated under the NCCP program.

Conservation banks work best when they operate within the context of a county or regional habitat plan. The NCCP process in San Diego County requires developers, conservationists and state, federal and local government agencies to voluntarily agree on which areas will be preserved and which will be developed. Such certainty is valuable to both development and conservation interests.

Conservation banks, which are created by land owners under state and federal supervision, provide a return to property owners (like Bank of America) who might otherwise have difficulty developing ecologically sensitive land. Conservation banks also provide a quicker, easier and more effective method of habitat mitigation for developers. Finally, conservation banking provides financing for the protection of sensitive wildlife habitat areas in cases where the only alternative often is acquisition by a public agency.

In the San Diego case, developers needing to satisfy habitat mitigation requirements would approach Bank of America to negotiate a price for the purchase of habitat “credits” owned by the bank. Unlike the costly and time consuming process of site-specific mitigation, negotiations with the conservation bank typically took less than a week to complete. Over time, Bank of America was able to sell all of the habitat credits contained in the initial phase of the conservation bank. A percentage of the bank’s return on the sale of credits goes directly to management of the protected habitat.

Carlitas Development Company in San Diego County was able to purchase credits from Bank of America’s conservation bank to satisfy habitat mitigation requirements on a proposed project. “Without the conservation bank option, we would have been facing thousands of additional dollars in on-site mitigation costs whose ultimate effectiveness was dubious at best. The bank saved us time and money and ultimately preserved a much more viable and integral portion of the regional ecosystem,” commented Carlitas Development Company President Bret Berry.

Because Carlitas was not able to purchase enough credits from Bank of America to satisfy all of its mitigation requirements, the company has recently helped to establish a new conservation bank in the county.

In the Sierra Nevada, Wildlands, Inc. is currently operating and developing a wetlands mitigation bank and habitat conservation bank in Placer County.

For more information about the San Diego conservation banking program contact the California Department of Fish and Game at (619) 467-4211. For more information about conservation banking in the Sierra Nevada, contact Wildlands, Inc. at (916) 331-8810.
Principle 10

Expand local and regional transportation options to reduce traffic congestion and the intensity of public dependence on the automobile.

Creative transportation planning has been undermined by the widespread assumption that all trips should or will inevitably involve automobiles. Communities need to adopt a new and more long term approach to transportation planning that recognizes the economic, social and environmental benefits of expanding local and regional transportation options to reduce the intensity of public dependence on the automobile.

The Sierra Nevada faces three different transportation challenges: moving commuters to and from employment centers within and outside our region; transporting visitors to and from tourist destinations within the region; and moving residents and visitors within our own communities.

The movement of commuters and destination tourists are both extremely predictable. Along major transportation routes like Interstate 80, US 395 and State Highway 50, as well as many smaller state highways in the Sierra Nevada, growing rural counties need to join forces with their more urbanized neighbors to plan and seek funding for transportation options that will allow more commuters and destination tourists to move to and from the Sierra without automobiles. Expanded rail, light rail, and bus or jitney services, coupled with more meaningful incentives to carpool, could reduce commute times, increase public safety, reduce travel time during peak tourist transportation windows, reduce local congestion, and reduce air and water pollution in and beyond the Sierra.

Congestion is costly. As commute times increase, workers are less productive, businesses are less profitable, and families have less time together. Freeway congestion is also a

Case Study

Coordinated transit in Summit County, CO

Summit County, Colorado, is home to three major ski resorts (Breckenridge, Copper Mountain and Keystone) and a number of small towns. In 1977, Summit Stage, a coalition representing the ski resorts and town and county governments, began providing coordinated bus service during the ski season when thousands of visitors flock to the county. As demand for local, inter-city and year-round transit service increased, however, the county determined that it needed to expand transportation services.

In 1990, Summit County voters approved a one-half of one percent sales tax increase to finance the operation and expansion of transit service in the county. Although most transit systems in the United States depend on federal funding and, to a lesser extent, fare box receipts to balance their budgets, 95 percent of the transit agency’s budget in Summit County comes from sales tax, despite having fewer than 15,000 permanent residents. The other 5 percent comes from the Federal Intermodal Surface Transportation and Efficiency Act and state grants.

The first major hurdle for Summit Stage, accomplished in 1991, was getting the system running year round. In 1992 the county added late night service. Ridership grew from 238,000 riders in 1988 to 433,530 riders in 1992, an 82 percent increase. Based on transit guidelines, these ridership figures suggest that 358,000 car trips were removed from Summit County roads and ski area parking more...
major disincentive to tourists visiting the Sierra; studies have shown that visitors’ willingness to pay for recreation services declines when the quality of those services has been diminished by increased congestion (Cicchetti and Smith, 1976). As a region whose economic future is linked to tourism, we need to recognize the importance of addressing these transportation challenges today, before they are exacerbated by further population growth in California, Nevada, and the Sierra region. In addition to planning new systems and pursuing funding to implement those systems, local and regional government agencies need to examine county and city general plans and transportation plans to ensure that they encourage and support the development of a more comprehensive and effective regional transportation system.

Expanding transportation options for local residents is also a priority. While owning an automobile is a necessity for most people who live in the Sierra Nevada, local government can help to minimize dependency on the auto by encouraging more efficient and compact residential and commercial development, building sidewalks, paths and bike lanes, and using many other common sense planning tools. Together these initiatives can enhance the quality of our lives by reducing congestion, increasing public safety, improving air quality and reducing the financial burden of automobile ownership. The average family in the United States spends about 25 percent of its income owning and operating automobiles (Local Government Commission, 1995). Transit services can efficiently replace a family’s need for a second car, thereby freeing substantial funds for other essentials like housing.

Sierra voters want their counties to expand transportation options for local users and visitors. Sierra-wide, 56 percent want their counties to do more to provide walking and bike paths adjacent to major roads. And in the fast growing western foothills, where traffic congestion is an increasing problem, voters want their counties to invest more effort into expanding or adding commuter and/or tourist rail service: Placer (63%), El Dorado (58%) and Nevada (51%).

Traffic on Highway 50 heading into the Sierra.

Coordinated transit in Summit County, CO…continued

Lots in 1992 alone. The most recent figures for 1996 put ridership at 934,177, a 115 percent increase from 1992!

The phenomenal growth of Summit Stage is due primarily to an excellent marketing program focused on three groups: commuters, evening and late riders, and youth. Today ridership favors local riders boarding at county or city stops. Visitors traveling to specific ski area destinations account for less than 40% of all riders.

Distances between population centers and ski resorts in Summit County can be considerable; the average ride is 18 miles. At half past each hour, most routes converge at the Frisco Transit Center where passengers can easily transfer between routes. This schedule enables visitors to ski at all three resorts without getting in their cars and provides a reliable and cost-effective commuter link for people who live and work in different parts of the county.

As Director of Summit Stage Amy Ostrander noted in a recent newsletter, “Summit Stage has gotten off skis and taken its place as a vital community service providing a convenient and dependable alternative to the auto, offering reliable trips to and from work for employees, and meeting the transportation and environmental needs of Summit County.”

For more information contact Summit Stage at (970) 668-4162.
This chapter and the preceding chapter outline a set of planning principles which together provide a new template for land planning in the Sierra Nevada. Planning decisions that are consistent with these principles will help to ensure our region’s prosperity.

**Principle 1**

*Invest public resources and direct private investment to maintain and expand each community’s social, natural and financial capital.*

Public and private investment decisions can either build or diminish a community’s wealth. No one is more directly responsible for the quality of these investments, or their effect on communities, than local elected officials. Local decision makers can best fulfill their responsibilities as public servants by evaluating the full, long term costs and benefits of proposed projects, and giving priority to those that will expand, or at least not diminish, each form of capital: social, natural and financial.

Few local government decisions have a more immediate and lasting effect on private sector spending and property values than investments in infrastructure and public facilities. Too often, however, public officials make these infrastructure decisions on a project-by-project basis, without adequately weighing their full long term costs and benefits.

As the Sierra’s population grows, and local government funding options contract, local decision makers must approach public investment decisions with fiscal prudence, remaining mindful of broader community needs and the effect each investment will have on the community’s long term social, natural and financial capital.

Most infrastructure and public facility investments are expensive. Before asking the public to make new investments, local officials must ensure that existing infrastructure and public facilities are being used efficiently and wisely.

In many parts of the Sierra, even a casual scan of the landscape will reveal examples of infrastructure inefficiency, most stemming from the region’s increasingly dispersed pattern of human settlement. Low-density development is expensive to service; extending and maintaining road systems, water supplies, sewers, school transportation, fire and police protection, and other services all have high costs. These costs are lower when new development, whether residential, commercial or industrial, is located near existing community services (Downing 1969; Real Estate Research Corporation 1974; Friedman 1975; Downing and Gusteley 1977; American Farmland Trust 1985; Frank 1989). As we plan for the long term prosperity of our communities, the efficient and effective use of public dollars can no longer simply be a goal; it is an economic necessity.
The Capital Investment Diagram pictured in Figure 6 demonstrates the relationship between social, natural, and financial capital. While some public and private investment decisions increase only one form of capital and actually diminish the other forms of capital, decision makers can gain the most benefit by making investments that increase or conserve at least two forms of capital while not diminishing the third.

Case Study

Fiscal impact analysis in Placer County, CA

Although Placer County experienced rapid commercial and residential growth in the 1980s, the 1990s have been a fiscal challenge for the county. In an effort to better understand its own fiscal condition and plan effectively for the long term, Placer County commissioned a study in 1992 to examine the fiscal impacts of growth.

The study found that by not requiring new growth to fund the corresponding expansion of county facilities, the county’s existing residents were, in effect, subsidizing new development. The study also found that the county needed new net revenue of more than $100 million to correct existing deficiencies in county facilities.

Since the passage of Proposition 13, Placer County, like other counties in California, relies more on sales tax revenue to fund basic county services. While approximately half of Placer County residents lived in unincorporated areas in 1990, only about one-third of taxable sales occurred in those areas. Although in many counties this situation would have set off a futile county-city competition for sales tax revenues, Placer County decided to adopt a more productive approach. The Placer County General Plan includes a policy that requires new projects to pay for their share of capital costs to expand schools, roads, parks and other county services. To implement this policy the county now levies a capital facilities fee on new development in unincorporated areas to cover the cost of providing new county facilities like jails and libraries. Following the example of other counties in California including Solano, Stanislaus and Yolo, Placer County is also seeking to levy the fee on new development inside its incorporated communities, where most growth will occur over the next 15 years, to capture the full cost of expanding county facilities.

In addition to implementing the capital facilities fee, the county is using a computer software program called FiscPac and other tools to analyze the fiscal costs and benefits of new development. A fiscal analysis is conducted on residential projects with more than 100 units and new commercial projects larger than 10 acres. These fiscal analyses enable the county to test the economic data submitted by developers and other project proponents to verify their assumptions and determine whether proponents have accurately measured their project’s secondary and long term impacts. This analytical capacity enables the county to gain a more accurate understanding of the consequences of its own decisions and be more pro-active in helping developers adjust projects to better address the county’s fiscal realities.

For more information contact the Placer County Executive Office at (916) 889-4032.

The capital investment diagram

The capital investment diagram is useful for decision makers of all types, whether businesses, individuals or public agencies. The more quickly, widely and frequently people in the Sierra Nevada begin to evaluate and make decisions on an integrated basis, the more rapidly we will see our wealth grow and our communities prosper.
**Principle 2**

**Integrate land use planning with other planning for community development.**

While land use planning is clearly one of the most critical elements of community development, it is not the only element. Community development needs to marry land use planning, economic development, education, resource conservation, public safety, affordable housing and other objectives. These objectives, in turn, need to inform local land use plans and public infrastructure investment decisions.

Successful communities, like successful businesses, define the future they want to realize, then organize themselves to get there. Every entity within the community needs to work with the same overall goals and share a common understanding of how success will be measured and rewarded. Each entity must then marshal its resources to fulfill its element of the plan.

Unfortunately, in many Sierra Nevada communities today, the opposite is occurring. Local agencies and districts operate independently, developing plans without coordinating with each other, in a manner that fuels public distrust in government. Poor coordination between local agencies also diminishes the effectiveness of other community planning, wastes money and time, and cripples economic development by sending mixed signals to businesses seeking to invest in the community.

The land use planning process cannot occur in isolation. Other public and private agencies responsible for meeting long term community needs must be engaged early in the process: school boards, economic development councils, utility districts, historic preservation districts, affordable housing groups, resource conservation districts and water agencies, to mention only the most obvious. Their involvement is essential to the consistency and effectiveness of the land use planning process and helps establish a precedent for more effective interagency cooperation community-wide.

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**Case Study**

**Water resources inventory in El Dorado County, CA**

The El Dorado County Water Planning Initiative was a response to the drought California experienced in the late 1980s and early 1990s. A group of El Dorado County residents became concerned about potential conflicts between available water supplies and the amount of new development being approved in the county. To address this concern, they wrote and circulated an initiative to require the county to conduct and distribute an annual inventory of water supply and demand. To ensure an ongoing balance between water supply and demand, the initiative also required the purchase of water meters as a condition of final approval of new parcels or development projects requiring public water.

After 8,000 residents signed the initiative petition, the Board of Supervisors decided to adopt the initiative as written on March 4, 1994, eliminating the need to hold a public vote. The first annual Water Supply and Demand Report, completed five months later, showed that the available water supply within the county’s largest water district, the El Dorado Irrigation District (EID), was enough for approximately 8,000 housing units while over 20,000 housing units had already been approved for development. To cope with this significant imbalance, the county is currently seeking to obtain new water supplies, primarily from the American River. Although the county’s prospects are unclear, even optimistic projections suggest that new supplies are unlikely to provide enough water for previously approved, unbuilt parcels and all of the parcels planned for in the county’s new general plan. At present, county policies do not require recognizing the water needs of existing unimproved parcels before approving additional parcels and projects.

For more information contact Richard Bush, Owner of Madrona Vineyards and a proponent of the initiative, at (916) 644-5948 or the El Dorado County Planning Department at (916) 621-5355.
Sales tax and the “fiscalization” of land use

Until 1978 property taxes were the dominant local revenue source for California local governments, both in yield and in control by elected boards. But with property tax revenue diminishing in response to Proposition 13 and more recent state actions reallocating a portion of local tax revenues to the state for K-12 education, sales taxes have become an increasingly important component of city and county budgets.

Sales taxes play a larger role in local finances than may first appear. Although they provide a relatively small percentage of total local government revenue, sales taxes are one of the few local government revenue streams that can be spent at the discretion of local officials. Most forms of state and federal assistance, and some local sources such as service charges, are committed to a specific purpose.

Given these fiscal realities, it should come as no surprise to find California cities and counties competing to expand their commercial bases, pursuing “big box” stores, factory outlets, auto malls and large shopping centers, whether or not local residents need those retail services. Residential and even industrial development, once promoted by local governments for their contribution to the local property tax base, count for little in the current fiscal environment. Instead new houses are often viewed as drains on local budgets, costing more in public services than the revenues they produce.

The competition between communities for sales tax dollars has led to the “fiscalization” of land use or “zoning for dollars,” local governments making land use decisions driven primarily by the need for sales tax revenue. In such a climate, other critical land planning considerations are frequently shunned as secondary, often with regrettable consequences for short and long term community success.

In the Sierra, the quality of many historic communities has been degraded by strip development on the outskirts of town, undermining the region’s unique visual appeal to tourists and residents alike.

The structure of the sales tax ignores inter-community and regional considerations. Sales taxes accrue to the point-of-sale jurisdiction regardless of the public sector costs that new commercial development may create for adjoining or nearby jurisdictions. A major retail center usually draws shoppers from surrounding communities, often creating congestion, law enforcement and other costs in external jurisdictions. Notwithstanding these costs, the local sales tax generated by its commercial activity benefits only the immediate local government.

Today some counties and cities in California are experimenting with revenue sharing to reduce the distortions and inequities created by local government dependence on sales tax revenues. Sharing taxes and other revenues among local governments in a region is an old idea that has been applied only sparingly, despite the fact that there are few, if any, limits on the ability of local governments in California to voluntarily share revenue. Revenue sharing has many benefits, including reducing counterproductive fiscal competition between local governments, providing a more rational, productive and equitable approach to distributing local government revenues and helping to expand inter-community cooperation.

Nonetheless, since revenue sharing does not increase total local government revenue in a region, but merely reallocates existing revenue among jurisdictions, some critics argue that revenue sharing is only part of the solution to the fiscal challenges faced by local government in California. The emphasis of any reform effort, according to many students of local government finance, should be on seeking a wholesale reorganization of the state-local government relationship in fiscal and program terms, and on increasing the control counties and cities have over local revenue sources.

For more information on local government finance contact Alvin Sokolow, University of California Cooperative Extension (916) 752-0979 or Dean Misczynski, Director, California Research Bureau, California State Library (916) 653-8303.
Principle 3
Create efficient and meaningful ways to engage the public in shaping local land use plans.

Planning documents express our communities’ priorities for the future and steer public and private investment to facilitate the realization of those priorities. To be useful and effective, planning documents must be developed in a way that engages the interest and involvement of all segments of the public—a challenge, given most people’s understandably limited appetite for planning.

Enter any coffee shop frequented by locals in the Sierra Nevada and you will hear jokes about the general plan process. Most jokes are about the length of the process and, despite that length, the perceived difficulty of having any meaningful input. Other jokes are about the apparent futility and financial waste of the planning exercise when the final product is so frequently disregarded by policy makers. The two are obviously linked.

Any effort to restore public confidence in the planning process must address both of these concerns directly: its inefficiency which discourages all but the most ardent proponents and opponents from participating, and its perceived futility due to the tendency of elected officials to disregard its outcome. The second of these concerns is addressed in Principle 5 on page 47.

Effective planning requires the participation of the entire community, yet many community residents neither have the time nor the interest to invest hundreds of hours in the process. Instead of unfairly lamenting public apathy, planners need to identify and experiment with ways to improve the planning process to make public participation easier and more meaningful. New approaches should accept the fact that most people don’t have the interest or the time to participate in days of workshops and hearings. A good process should offer the public a range of participation options with each level of participation including opportunities to have meaningful input into the final product (see case studies on page 44 and 45).

The benefits of a well designed and implemented community planning process are numerous. Effective public input can increase community support for projects; save property owners time and money; generate new, more innovative solutions to community challenges; increase community cohesion by expanding the public’s understanding of broader community priorities and needs; and bring more local business owners and other long term community stakeholders to the table. These community stakeholders, in turn, strengthen and add civility to a process too often compromised by name calling and polarizing rhetoric.

Although creating and implementing an effective public engagement process takes time and money, the investment often pays lasting dividends in the form of more broad-based and enduring community support. When such support is lacking, plan implementation can disintegrate into hostile public hearings, prolonged permit processing times and expensive litigation.
**A new approach to public participation**

Figure 7 outlines a sample public participation process with two parallel tracks for public involvement in land use planning decisions. The first track includes many of the traditional methods for public participation, most of which require business owners and other citizens to invest an enormous amount of time to influence decisions. The second track includes some of the more innovative public participation techniques which enable citizens to enter the land use planning process at critical times, provide meaningful input, then step away.

Although no process is perfect, providing a more efficient and meaningful track for public participation enables more community members to shape and influence planning decisions. This, in turn, makes it more likely that projects that are consistent with the community’s vision will be supported by a broad segment of the public. And as any developer will attest, public support for a project saves time and money and can mean the difference between a project’s financial success or failure.

Figure 7 identifies four critical times for public input and sketches alternative approaches to gaining that input:

1. **Visioning exercises**
   - Where do we want to grow? What visual features define our community? What should new development look like? What forms of construction are appropriate?

2. **Innovative Approach**
   - How big do we want to be? What visual features define our community? Where should we be making infrastructure investments?

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**Case Study**

Although creating and implementing an effective public engagement process takes time and money, the investment often pays lasting dividends in the form of more broad-based and enduring community support.
Planners employ a variety of public participation tools, including surveys and public forums, to gauge community priorities for the future. Although many traditional public participation techniques provide valuable information, almost none provide actual images of what the town is seeking from new development. To address this challenge, Anton Nelessen of Rutgers University has developed the Visual Preference Survey.

The town of Truckee, California hired Nelessen as part of the planning process for its historic downtown. During the Visual Preference Survey, citizens were asked to respond to a series of color slides showing a variety of development options for commercial buildings, sidewalks, streetscapes, residential buildings, public parks and industrial development. Respondents were asked to record their reaction to each of the images on a form, rating each image and its appropriateness for downtown Truckee on a scale of +10 to -10.

The town then tabulated and analyzed responses from the 600 adults who participated in the survey and developed a grid of public preferences. The grid displayed the highest rated images of industrial development, commercial development, streets, parks, and residential development along the top of the matrix and the lowest rated images of these development types along the bottom. The grid provided specific images of development and land use patterns the community considered positive and acceptable as well as images of development and land use patterns the public considered negative and unacceptable. Planners then used the images to illustrate the specific policies and zoning regulations for downtown Truckee. As Nelessen explains in his book Visions for a New American Dream, “The more clear and understandable the vision of the master plan, the greater the probability that your municipality will get the quality of growth and redevelopment that it desires.”

For more information contact the Truckee Community Development Department (916) 582-7700, Anton Nelessen and Associates (609) 497-0104, or the Local Government Commission (916) 448-1198.

Portland, Oregon has received national recognition for its use of pioneering public participation techniques. San Luis Obispo County, California is also breaking new ground with public participation.

For more information about innovative approaches to public participation contact Metro in Portland (503) 797-1562 or the Foundation for Community Design in San Luis Obispo (805) 546-5290 or (805) 546-5243.
**Principle 4**

*Ensure that general plans and plan implementation documents are thorough, current and consistent.*

Counties and communities should ensure that planning documents are thorough, current and consistent. This increases the certainty, predictability and fairness of the planning process for businesses, private property owners and the general public.

Planning documents, once finalized, should provide businesses and individual citizens with clear guidance about what they can and cannot do with their property and enable staff to process permits swiftly and efficiently. Unfortunately, many general plans are full of vague and ambiguous language, language that tends to obfuscate rather than clarify intended meaning, resulting in costly delays for project proponents.

General plans and zoning ordinances have different purposes but need to reinforce one another. General plans outline community goals, set forth planning objectives, and establish implementation measures to reach those objectives. Zoning ordinances implement planning goals by applying specific land uses and densities to individual parcels of land. Poorly drafted general plans fail to describe the community's goals in sufficient detail to inform the preparation of the zoning ordinance. Problems can arise when the various elements of a general plan and the zoning ordinance are updated at different times. When documents lose their internal consistency and overall effectiveness, the certainty and predictability of plan implementation is undermined.

**Case Study**

*Specific plans increase certainty*

Counties and cities are increasingly using specific plans to implement the development goals contained in their general plans. Specific plans are not part of the general plan itself, but are separate documents which translate general plan goals into a detailed plan for a specific part of the community. They often contain precise development standards as well as broader policy statements about the location and pattern of new development in the planning area.

In the Sierra Nevada, cities and counties have used specific plans to establish guidelines for new development and redevelopment in historic downtown areas and on large tracts of land developed in phases by a single developer or group of developers. Typically, a specific plan will lay out the overall development scheme, establish the specific development standards the project must follow, and identify the public facilities and capital infrastructure required to support the project.

A specific plan can provide predictability and certainty for both the developer and the community. The plan is, in effect, an agreement between the developer and the locality, laying the groundwork to build a project in phases and committing the developer to building infrastructure, dedicating land for schools or parks, and/or paying for those facilities. If necessary, the specific plan can establish assessment districts to permit the locality to issue bonds for public improvements. Thus a city or county might draw up a specific plan laying out the development of a particular area, then process the specific plan, zoning, development agreement, environmental impact report and financing plan in one integrated step.

The efficiency and flexibility of specific plans have made them increasingly popular with developers and communities.

For more information contact the California Governor’s Office of Planning and Research (916) 445-0613.
Plans that are thorough and clearly articulate a community’s desired results benefit everyone: project proponents, county or city staff, and the community at large. Clearly defined plans improve the applicant’s ability to develop a project in the proper location and consistent with the community’s goals, thereby reducing processing time and saving money. Detailed plans help staff by providing clear direction, enabling them to review and process permits with greater speed and certainty. Finally, clear plans benefit the community by providing assurances about what will be built and by enabling projects to be evaluated ahead of time in a less divisive political environment.

Keeping general plans current is important. To avoid challenge and ensure consistency, piecemeal amendments of the general plan should be avoided whenever possible. When questions are not addressed at the general plan level because the plan is out of date or its elements are not coordinated, communities are reduced to dealing with issues on a project-by-project basis. Research has shown that communities with older general plans rely more on the California Environmental Quality Act (CEQA) to fulfill planning requirements and are sued more frequently (Olshansky, 1994).

**Principle 5**

**Build customer satisfaction through efficient and predictable plan implementation.**

Once planning documents have been adopted that represent the community’s priorities, staff should function as facilitators, implementing the plan efficiently and predictably so property owners save time and money. Staff can help to make the process more efficient by reducing unnecessary complexity and costly delays in the permit application process. County supervisors and other local officials, for their part, can support efficient plan implementation by minimizing their involvement in routine planning decisions.

Creating and maintaining a high degree of predictability and certainty in planning and permitting is essential to building customer satisfaction. County and city staff should study and find appropriate ways to duplicate effective models for local planning and permitting that have worked elsewhere including “one stop shops” for local permits, fully integrated planning, building and public works departments, and unified building codes.

Delays in project permitting are often due to last minute inquiries from one or more elected officials seeking to influence a permit decision. Interventions of this sort have become so routine in Sierra Nevada counties, and indeed throughout the state, that they have undermined the efficiency and fundamental credibility of the planning process itself. County supervisors and other local officials need to support efficient plan implementation by minimizing their involvement in routine planning decisions.

Some elected officials share a common misperception that general plan documents are obsolete and hence meaningless the day they are adopted. This perception runs counter to state law which speaks directly to the ongoing purpose of...
county planning documents: they must serve as “comprehensive long term” guides to local development. The state’s Supreme Court has gone further, declaring the General Plan the “constitution for future development.”

The perception of plan obsolescence can become an excuse for elected officials to engage in piecemeal planning, driven by special requests from project proponents. Although state law allows general plans to be amended, the frequency of general plan amendments has created the impression in many counties that new entitlements can simply be obtained through political maneuvering. As our communities grapple with the challenges of accommodating new residents and businesses, elected officials in the Sierra Nevada must act decisively to restore public confidence in the integrity of the planning process by resisting the temptation to revisit planning decisions through General Plan amendments and other special exemptions.

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**Case Study**

**Improving customer satisfaction in Lancaster, CA**

To improve customer satisfaction with its planning and permitting process, the city of Lancaster formed a committee to make recommendations on ways to improve the permitting process for business owners and other members of the public. The committee was composed of citizen volunteers and city staff from the community development department, building and safety division, city engineer’s office, traffic division and finance department. The committee met twice monthly for five months. Its final report was accepted by the city council as presented.

As a result of the report, the city has implemented a new “hand-off” policy. Each customer is assigned an employee who guides their project through the process, staying with the customer until the next department is available to review the application. Customers are no longer told to contact another city department. Instead they are escorted to the correct department, introduced and assisted with background information about the process.

The city also developed two publications to standardize and succinctly explain permit requirements. The *Customer’s Guide to Building and Safety* details how permits are issued, lists projects requiring permits and fees and explains the plan check process, inspection requirements, and requirements of related agencies and departments. *Engineering Design Guidelines, Policies and Procedures* spells out standard requirements for design. This guide is invaluable to customers seeking approval as well as to staff needing a comprehensive reference guide to all potential requirements.

Lancaster decided that ongoing information sharing was essential to establishing a true one-stop shop. An interdepartmental communications committee, consisting of mid-level managers, now meets weekly to share information about proposed projects. With the participation of community development, building and safety, engineering, traffic, parks and redevelopment, the committee ensures that projects entering the system are known to every department. Concerns are identified immediately and issues are dealt with early in the process. This helps the customer avoid dreaded bureaucratic run-arounds and saves hours of staff time. Lancaster has found these improvements to be well worth the initial investment of public resources.

For more information contact the City of Lancaster, CA, (805) 723-6000.
Principle 6

Reach across jurisdictions and plan cooperatively for the future.

The planning challenges facing Sierra Nevada communities are likely to increase without more effective coordination across county lines and between counties and state and federal agencies. Agencies should seek new ways to share resources and information to improve the effectiveness of local planning and reduce wasted time and money.

Rivers and ridgelines define the boundary between many Sierra Nevada counties, reinforcing the need for cooperation between counties. Unfortunately, county lines, whether rivers or ridgelines, typically impede rather than stimulate joint planning for transportation, resource preservation and many other critical community needs. Improved communication and coordination between counties is likely to produce not only better and more consistent planning outcomes, but new opportunities for pragmatic, cost-saving collaboration.

Improved cooperation between counties in the Sierra Nevada and federal and state agencies is equally critical. Federal and state agencies collect information that is urgently needed by local decision makers to plan effectively for their own growth. These data are not now provided to counties in a format they can use cost effectively to inform local planning. The state should support better local planning in the Sierra Nevada by providing financial and technical support to counties to help them prepare general plans and digitize planning maps so they are fully compatible with data collected by the California Resources Agency and other government agencies. These data range from current research on fire risks to information on water resources, agricultural lands and critical habitat.

State and federal agencies need to recognize that most counties, particularly small rural counties, simply do not have the financial or human resources to do this work on their own. Until state or federal policy makers take steps to boost local planning resources, local plans are unlikely to reflect the best and most current data.

Among many other benefits, greater synthesis of state and federal data into local planning documents and databases will reduce project planning and permitting costs by helping planners and developers to anticipate, and find creative ways to minimize, conflicts between human and natural systems.

Case Study

Regional transportation solutions at Lake Tahoe

The North Lake Tahoe/Truckee “resort triangle” covers parts of two states, three counties, one incorporated town, several major resort areas and a series of smaller communities. A 1989 study of land use, transportation, parking and community design challenges developed by local leaders in cooperation with the American Institute of Architects concluded that the resort area would not succeed without a more coordinated approach to transportation planning.

In response, local leaders established the Truckee-North Tahoe Transportation Management Association (TNT/TMA) in 1990. Local government and public agency representatives sit at the Transportation Management Association table, working side-by-side with representatives of major resorts, small businesses, resort and tourism organizations and interested citizens to develop and implement projects that will improve the quality of transportation in the region.
Despite its part-time staff and modest budget, the TNT/TMA has been an effective engine for pursuing regional transportation programs in the Tahoe area. The TNT/TMA has expanded and improved local and regional transit systems, including the popular rubber tire trolley systems in Truckee and Tahoe City, and implemented traffic management programs throughout the region to alleviate traffic congestion during peak tourist periods. The TNT/TMA has also lobbied Congress and both state legislatures to gain support and funding for transportation and air quality projects. Today the TNT/TMA continues to be a strong voice for long term, integrated solutions to the region’s transportation challenges.

For more information contact the Truckee North Tahoe/Transportation Management Association at (916) 581-3922.
Residential Expansion in a Sierra Town

Figures 8a and 8b illustrate two different residential growth scenarios for a typical Sierra Nevada town. The town is surrounded by agricultural lands and forests and is constrained by a steep hill on the west and a stream on the east.

Figure 8 illustrates the existing town. Figure 8a shows a conventional residential expansion. Open space on the outskirts of town has been subdivided into 1-3 acre parcels. Although designed to appeal to the “rural residential home buyer”, this low density residential development has broken up the expansive vistas which once attracted new residents and businesses to the area. Most new lots are too small for agriculture or long walks, and too big for traditional yard maintenance. Low density development has increased the cost and difficulty of structure protection for the local fire department and increased the per capita costs of providing other essential services like road maintenance, water, ambulance and police protection. Although many new residents moved to the area to enjoy its historic villages, natural beauty and wildlife, the fragmentation of the landscape into large lots has made it difficult for residents to reach the amenities they value and for wildlife to coexist with human settlement. Whether seeking a quart of milk or a walk in the woods, most residents must drive to their destinations. Wildlife have been disrupted and pushed further from view by the construction of new homes across the landscape.

Figure 8b applies Planning for Prosperity principles to residential expansion. The town has increased its residential capacity by expanding existing neighborhoods north of town and establishing a new neighborhood east of town. In keeping with the scale of the town’s older residential neighborhoods, and the town’s village appeal, lots are relatively small, roads relatively narrow, and houses closely spaced. This more compact design has lowered the cost of building and servicing the new neighborhoods, reducing the fiscal demands on the entire community. Linked to downtown by a foot bridge across the stream, the new neighborhood allows residents to walk or bicycle to town for a quart of milk. At the same time, a system of pedestrian paths gives residents access to open space beyond the town’s edge where residents have protected large parcels of open space and agricultural land, helping to ensure the viability of the working landscape and the coexistence of wildlife with human residents.

While these two approaches add an equivalent amount of new residential capacity to the community, the conventional design has degraded the community’s agricultural capacity, scenic vistas and wildlife resources while raising the per capita cost of serving local residents. The Planning for Prosperity design, on the other hand, has maintained agricultural lands, open space and vistas prized by local residents and essential to the continued viability of native wildlife, while efficiently and attractively expanding the community to accommodate hundreds of new residents.
Conventional Design

- Expands town by creating new subdivisions with 1 to 3 acre lots
- Degrades agricultural capacity, open space, views, wildlife viability and rural quality
- Increases per capita cost of providing services like fire, water, police and roads
- Residents must drive to most local destinations
Planning for Prosperity Design

- Expands town by adding new homes to existing neighborhoods and by building new neighborhoods adjacent to current town
- Maintains agricultural capacity, open space, views, wildlife viability and rural quality
- Lowers per capita cost of providing services like fire, water, police and roads
- Reduces need of local residents to drive

Ward Young Architects and Planners
Commercial Expansion in a Sierra town

Figures 9a and 9b illustrate two different commercial growth scenarios for a typical Sierra Nevada town. The existing town (Figure 9) is compact and sits at the intersection of a two lane state highway and a small rural road. It is surrounded by agricultural lands and open space highly valued by local residents.

Figure 9a shows conventional commercial expansion. The town has expanded its commercial retail space by developing two new shopping centers on agricultural land more than a mile from the existing town. Both new shopping centers are set back from the street by large parking lots and rely on tall pole signs to attract customers driving down the highway. The buildings themselves are large unattractive boxes which degrade the small town scale and architectural charm of the overall community.

Figure 9b applies Planning for Prosperity principles to commercial expansion. The town has expanded its existing commercial district by steering new commercial development onto land immediately adjacent to the town. The new commercial area includes a series of two and three story buildings with retail on the ground floor and office or residential on the floors above. Design guidelines ensure that the new development fits in with the scale and architecture of the existing community. Most of the parking is tucked behind the buildings, leaving more prominent spaces at the front of the buildings for attractive sidewalks and a village green.

While these two approaches add an equivalent amount of new commercial space to the town, their effect on the quality and value of the community could not be more different. The conventional design encroaches onto working agricultural lands, degrades the town’s scenic appeal and forces residents to use their cars to go shopping. The Planning for Prosperity design increases the value and beauty of the existing town by adding attractive new features to the town core, drawing more shoppers to other downtown stores, reducing local car trips and saving open space valued by residents.

FIGURE 9
Existing Commercial

Ward Young Architects and Planners
FIGURE 9a
Conventional Design
- Commercial expansion achieved through construction of new shopping malls on the outskirts of town
- Scale and architecture degrade community's small town appeal and rural quality
- Location encroaches onto valuable open space and forces shoppers to drive

FIGURE 9b
Planning for Prosperity Design
- Commercial expansion achieved by expanding current commercial district into adjoining property
- Location draws shoppers to town and revitalizes other businesses
- Location largely maintains working agricultural land and prized open space
- Scale and architecture complement existing community and encourage pedestrian use
Figures 10a and 10b demonstrate the value and feasibility of upgrading the commercial strips which now degrade the quality of many Sierra Nevada towns. Although a theoretical construct, this design illustrates some of the practical approaches communities have used to enhance their economic appeal and vitality.

The shopping center pictured, one of the largest buildings in Truckee, CA., includes a Safeway grocery store and a Payless drugstore fronted by approximately five acres of paved parking. A narrow strip of landscaping runs the length of the site, collecting snow in winter and standing unused in summer. All mature trees have been removed from the front of the site leaving pedestrians exposed to the noise, moisture and dangers of the roadway. The design of the road itself encourages speed. Slow traveling cars leaving the narrow streets of old town Truckee speed up as the road widens and buildings are pushed further from the sidewalk.

In this example, the shopping center has been redesigned to include a new row of two story mixed-use commercial buildings immediately facing the street. Pedestrians reach the new storefronts from a new, more attractive sidewalk set back slightly from the street and through a second set of entrances facing the existing parking lot. New parallel parking and street trees narrow the street, “calming” traffic and buffering pedestrians from moving vehicles. The new buildings, adjacent sidewalks and improved landscaping work together to invite pedestrian use and link the new section of town more effectively to older parts of Truckee.

On the interior of the site, new trees and improved signage create more of a “street” experience for shoppers walking between stores. To reduce the visual sterility of the parking lot and to make the entire commercial complex more attractive to shoppers, the design adds two small public buildings including a transit stop for the Truckee trolley. Parking is reconfigured and tightened and some spaces are shifted behind buildings. Responding to needs of young people traveling to and from nearby schools, the design includes an outdoor area for roller blades and skateboards and makes room for a youth center, arcade or other facility for kids.

In keeping with the development pattern of historic Truckee, the new buildings contain a mixture of office, professional and residential uses above ground floor retail. This expansion of uses brings people into this section of town at different hours of the day and increases its appeal as a place to live, work and shop.
**FIGURE 10a**

**Existing Design**
- Large, uninviting parking lot faces the street
- Buildings are set too far back to lure customers from the street
- Road and sidewalk design discourage pedestrian use

**FIGURE 10b**

**Planning for Prosperity Redesign**
- New buildings near the street and within the current parking lot increase the area’s immediate visual appeal
- New sidewalks, street trees, signage and parking pattern make area safer and more pleasant for pedestrians
- Mixture of uses in the new buildings brings people to area throughout the day, improving economic vitality and public safety
FIGURE 10
Sketch for Shopping Center Redesign

Dennis E. Zirbel, Architect
This chapter demonstrates how the Principles for Sound Development and the Principles for Involving and Serving Business and the Public discussed in Chapters 2 and 3 can be applied to individual counties in the Sierra Nevada. Placer County is the most populated county in the region and one of the fastest growing counties in the state of California. The experience of Placer County is illustrative of the issues other Sierra Nevada counties are likely to confront as they grapple with population growth. Nonetheless since each county in the Sierra Nevada is unique, the specific policies and programs in Placer County may not be immediately transferable to every county.

Using several examples for each principle, this chapter highlights where Placer County’s actual planning practices have been consistent with (indicated with a “+” sign) or have deviated from (indicated with a “−” sign) the Planning for Prosperity principles.

**Principles for Sound Development**

**Principle 1**

*Safeguard the rural character of the Sierra Nevada by maintaining a clear edge between town and country.*

+ The county’s general plan contains the following policies:
  
  “The county shall distinguish among urban, suburban and rural areas to identify where development will be accommodated and where public infrastructure and services will be provided. This pattern shall promote the maintenance of separate and distinct communities.”
  
  “The county shall seek to ensure that new development and public works projects do not encourage expansion of urban uses into designated agricultural areas.”

+ The general plan establishes 19 community planning areas and requires individual community plans for each of those areas. In most cases, community planning areas are in already developed regions of the county. The community planning process enables local communities to establish edges by designating land uses and development densities that reinforce the identity of each community.

− During the general plan approval process, the county strayed from the general plan policies described above and approved rural residential land uses outside of the
Auburn and Sheridan community areas. The encroachment of residential development onto agricultural land outside of designated community planning areas undermines the goals of the community planning process and blurs the edge between town and country.

- During the general plan approval process the county also established a new area for development on agricultural lands in the southwest corner of Placer County. In doing so, the county lost important open space which once established a clear edge between Roseville and rapidly growing Sacramento County.

**Principle 2**

Preserve historic assets.

+ The general plan contains the following policies:

  “The county will use existing legislation and propose local legislation for the identification and protection of cultural resources and their contributing environment.”

  “The county shall require that discretionary development projects identify and protect from damage, destruction and abuse, important historical, archeological, paleontological, and cultural sites and their contributing environment. Such assessments shall be incorporated into a county-wide cultural resources data base, to be maintained by the Department of Museums.”

+ To implement the general plan policies listed above, the county is working on a cultural resources ordinance to ensure the protection of historic resources. As part of that process the county will be updating its Design Guide which gives detailed guidance for new construction and remodeling of structures inside historic districts.

+ The county invested time and money to restore the historic courthouse in Auburn which was slated for possible abandonment as a county facility. Today, the beautifully restored structure reinforces the history of the community and continues to serve as a working courthouse.

+ Placer County recently denied approval of a shopping center project in Sheridan because the proposal called for the demolition of the original historic shopping center.

- Prior to establishing historic preservation policies, Placer County lost a number of historic structures. These include the Old Freeman Hotel in downtown Auburn.

**Principle 3**

Build to create enduring value and beauty.

+ In Auburn, a local architect worked with CalTrans to upgrade the design of the freeway overpass and underpass leading into Auburn. Instead of the generic CalTrans design, the bridge and overpass design include walkways, iron railings and lights which reflect the local architectural flavor of Auburn.

+ The recently constructed Shaw building in old town Auburn contributes significantly to the value of the surrounding neighborhood by honoring the architectural traditions of the past.

+ The county is currently constructing a new office building in the Dewitt Center complex which houses county facilities and offices. The new building has been crafted to add value and beauty to the surrounding area including design features which tie back to Auburn’s historic courthouse.

- Highway 49 north of Auburn and the frontage roads along I-80 contain monotonous commercial strip centers which could be found anywhere in the United States and which degrade the beauty of the local community.
- The incorporated cities of Rocklin and Loomis have permitted a generic 80 foot high McDonald’s sign and an 80 foot high Raley’s sign to stand as the architectural gateways to their respective communities.

**Principle 4**
**Enhance the economic vitality of our small towns through ongoing reinvestment in the downtown core.**

+ The Foresthill Chamber of Commerce has spearheaded an effort to revitalize Foresthill’s historic downtown area. The community has already developed a streetscape improvement plan and is currently working to ensure that the Foresthill Community Plan places an emphasis on maintaining the vitality of the historic downtown district.

- Over the years, the city of Rocklin has witnessed the effects of sprawling commercial and residential development outside the city limits. Although never very large, the fledgling downtown district has been all but eliminated by commercial development along Granite Drive and in large residential developments on the outskirts of town, including Stanford Ranch.

**Principle 5**
**Anticipate and address the housing needs of all community residents.**

+ The county general plan contains policies to encourage affordable housing to be spread throughout individual communities. Placer County has also adjusted its zoning ordinance to make it easier for homeowners to add granny flat apartments. Granny flats or in-law apartments help to increase the supply of rental units.

+ The county employs incentives like density bonuses and fee waivers to facilitate the construction of affordable housing. It also looks for opportunities to spread affordable housing throughout individual communities and to site new projects in close proximity to schools, shopping and other needs. A good example is the Terecino Oaks project, a 40 unit multi-family structure that was recently constructed on an infill site adjacent to existing commercial development in the Auburn area.

- Although another affordable housing project, Colonial Village, is also situated in close proximity to schools and shopping, it lacks the strong local design elements of the Terecino Oaks project and does not contribute as much to the value of the community.

+ The county has initiated a redevelopment program in the North Lake Tahoe area for the express purpose of increasing the local supply of affordable housing. State law mandates that 20 percent of revenue from redevelopment projects be allocated to the construction of affordable housing.

**Principle 6**
**Conserve and showcase each community’s natural assets.**

+ The county has a general plan policy requiring new development to preserve and enhance existing native riparian habitat in each of its community plans. The county’s commitment to riparian habitat protection helps communities to establish open space areas linked by stream corridors. A good example is the Horseshoe Bar/Penryn Community Plan which links parks and open spaces with protection of Secret Ravine flowing through the community.
- The county has strayed from this policy on particular projects. For example, the Board recently approved a new commercial development in North Auburn which will result in the destruction of a tributary of Rock Creek.

**Principle 7**

*Maintain the economic productivity of our region's agricultural lands and forests.*

+ The general plan contains the following policy: “The county shall allow the conversion of existing agricultural land to urban uses only within community plan areas and within city spheres of influence where designated for urban development on the General Plan Land Use Diagram.” The general plan also contains policies to permit accessory uses on farm acreage, including the sale of agricultural products, to enhance the viability of agricultural operations.

+ During the drafting of the general plan, the county decided to protect the large agricultural area in the western part of the county by maintaining the agricultural land use designations from the Roseville city limits to the Sutter County line and in the area north and east of the towns of Sheridan and Lincoln.

+ The county uses 160 to 640 acre minimum parcel sizes for timber production zones which help maintain the viability of timber harvesting and reduce the likelihood that these lands will be subdivided.

- The county uses a “farm zone” designation on agricultural lands. Unfortunately the farm zone allows a variety of parcel sizes anywhere from 10 acres to 160 acres and makes no link between minimum parcel sizes and the type of farm operation that exists on those lands. Ranching operations, which require more land to be viable, are not well protected by this policy and, in some cases, may be subdivided into 10 acre lots.

- Between 1984 and 1992, the county lost more than 19,000 acres of important farmland to development. Of the 76,654 acres currently enrolled in the Williamson Act (the state’s farmland protection program) 28,246 acres have been initiated for non-renewal. Non-renewal usually signals the property owner’s intention to shift away from agriculture.

- The new general plan converts approximately 5,000 acres of agricultural land in the southwest corner of the county near the Sacramento County line to development. This area is known as the Dry Creek/West Placer Community Plan.

**Principle 8**

*Do not place people and structures in harm's way.*

+ The Placer County Board of Supervisors has stuck with its commitment to prohibit development in the 100 year flood plain of Dry Creek. The county recently denied a proposal to build in the southwest corner of the county in an area which is no longer safe according to new floodplain information.

- In the past, the county has allowed development to occur in floodplains. One example is the community of Granite Bay, which routinely floods when the water rises in Miner's Ravine.

- The county still relies on the fire safe design standards established by the California Department of Forestry and Fire Protection to protect people in wildfire areas. Design standards are effective in some cases, but for the most part do not address the fundamental problem of expanded human settlement in high risk fire areas. In the absence of clear prohibitions on building in high risk areas, rural residential development will continue to increase the cost and complexity of fire fighting in the county.
**Principle 9**  
*Maintain the health of the natural systems which support life in the Sierra Nevada.*

+ The county has worked with a private land owner to establish a wetlands bank outside of the community of Sheridan. Property owners who want to develop parcels in the western portion of the county, which has a number of isolated wetlands, are able to replace the wetlands they alter or destroy by purchasing mitigation “credits” from the bank. Money from the sale of credits goes toward the purchase, protection and maintenance of the wetlands bank.

+ The county is working to increase the effectiveness of its habitat mapping and mitigation programs at the community plan level. A good example is the recently adopted Sunset Community Plan which contains extensive mapping of important habitat areas including vernal pools. By providing this information up front, the county is helping to minimize future conflicts between habitat and development. The plan also establishes a comprehensive habitat mitigation program for the community which enables property owners to offset their impacts to important natural resources by participating in a wetlands bank to be located nearby.

- The county has mapped important habitat areas on a county-wide basis but, in most places, relies on site-specific mitigation measures to address the impact of development. Site-specific mitigation measures are often insufficient to protect natural systems over the long term. Even well-sited new development can fragment habitat into parcels too small to support functioning natural systems. Placer County has lost a significant portion of its endangered oak woodland habitat to development. A county ordinance requires a permit before property owners can remove native oak trees of a certain size but does nothing to ensure the long term survival of the overall oak woodland ecosystem. The county lacks a habitat management plan to protect the most important native oak woodlands in the county and enable property owners to purchase credits, sell easements and contribute to the long term health of important habitat areas.

**Principle 10**  
*Expand local and regional transportation options to reduce traffic congestion and the intensity of public dependence on the automobile.*

+ The general plan contains the following policy: “The county shall require that new commercial development be designed to encourage and facilitate pedestrian circulation within and between commercial sites and nearby residential areas rather than being designed primarily to serve vehicular circulation.”

+ As part of the general plan process the county conducted a transportation analysis to measure the impact of growth on major road segments throughout the county. As a result of that study, the county adopted a county-wide transportation mitigation fee to help offset the cost of new development. Although the fee is not sufficient to pay for all of the road improvements necessary to accommodate new development, it is a step in the right direction.

- The traffic analysis for the Auburn/Bowman Community Plan shows the county will not be able to maintain current (and acceptable) traffic flows on major road segments in the Auburn/Bowman area unless steps are taken to reduce the intensity of development or offer alternative transportation solutions. Instead of addressing this problem, the community plan allows traffic congestion to increase. The county also continues to approve designs for commercial development which cater primarily to the automobile.
Principles for Involving and Serving Business and the Public

Principle 1
Invest public resources and direct private investment to maintain and expand each community’s social, natural and financial capital.

+ Placer County conducts a fiscal impact analysis to analyze the public costs and benefits of new development. Residential projects with more than 100 units and new commercial development larger than 10 acres are subject to analysis. For the most part, the county uses its analysis software to test the assumptions and conclusions of economic data submitted by developers and other project proponents. A fiscal analysis enables the county to be more proactive in evaluating the true public costs of development and helping developers adjust their projects so they are more fiscally sound.

+ Placer County is implementing a capital facilities fee program to ensure that new projects pay for the capital costs of expanding jails, libraries and other county services. The county now levies the fee on new development in unincorporated areas to cover the cost of services provided exclusively by the county. In order to capture its full capital facility costs, the county is working to extend the fee to new development inside its incorporated communities.

- Despite its efforts to capture the costs of new development, a 1992 fiscal study for the county revealed that the county still faces a shortfall in funds to cover the cost of servicing existing residents. According to the study, the county faces more than a $100 million shortfall to correct existing deficiencies in county facilities. The county has also not identified a way to pay for the long term maintenance costs of county facilities.

- Although Placer County has gone farther than any other county in the Sierra Nevada in assessing the financial implications of its planning decisions, it has not yet developed an integrated approach to assessing the impact of its decisions on the county’s total wealth. Total wealth includes social capital and natural capital as well as financial capital.

Principle 2
Integrate land use planning with other planning for community development.

+ The Placer County General Plan calls for a comprehensive water management plan and water resources inventory. To date, the county has partially fulfilled this goal by working on a regional water management plan with Sacramento County to examine water demand and supply in the western part of Placer County and surrounding areas.

+ Land use planning and economic development in Placer County are linked by a common commitment to making the 19 community regions the focus of new economic activity. Rather than working at cross purposes with local land use planning goals, the economic development department has established incentives to encourage and expedite projects that are consistent with individual community plans. The economic development plan also integrates economic goals with other community development goals by providing an inventory of community assets, like open space areas, which contribute to each community’s quality of life and need to be protected as part of the county’s overall economic development strategy.
Principle 3
Develop and implement more efficient, meaningful and effective ways to engage the public.

+ Placer County has invested considerable time and money in its community planning process to increase public access to the planning process and to improve the quality of local community planning. The county has established “municipal advisory councils” in each of its communities to help guide general plan implementation.

- The county still needs to increase the public’s understanding and commitment to the community planning process. In the absence of early and active community participation in the community planning process, conflicts continue to arise at the time of individual project review. For example, a recent residential development which was consistent with the land uses outlined in the Auburn/Bowman community plan was blocked by local residents who opposed the project late in the process. This sent the wrong signal to the developer who had participated in the community planning process only to have last minute opposition alter the course of his project. On the other hand, residents who participate in the community planning process often do not have enough time to follow the process from beginning to end and have complained on several occasions when plan implementation details in the zoning ordinance have not matched broader community plan goals.

Principle 4
Ensure that general plans and plan implementation documents are thorough, current and consistent.

+ The Placer County General Plan clearly delineates goals, policies and implementation measures, making it easy for the public to understand exactly what the county is proposing to do and when. Below is an excerpt from the Housing Element of the general plan:

Goal 2.A.: To provide a continuing supply of affordable housing to meet the needs of existing and future Placer County residents.

Policy 2.A.5: The County shall encourage “mixed use” projects where housing is provided in conjunction with compatible non-residential uses.

Implementation Program 2.5: The County will amend the zoning ordinance to allow a reduction in required parking for mixed-use projects.

Responsible Agency/Dept.: Planning Department
Timeframe: 1993
Funding: General Fund (already allocated)
Expected Outcome: Zoning ordinance amendment

Principle 5
Build customer satisfaction through efficient and predictable plan implementation.

+ As part of its community planning process, Placer County conducts a thorough environmental impact analysis. Smaller projects which are consistent with local community plans save time and money because they typically only need to prepare a site-specific environmental impact statement.

+ In order to make the planning process more efficient for customers at the counter, the county cross-trains staff from the planning, building and public works, and environmental departments. Although these departments are located in different buildings, all are within walking distance of one another, making it easier for applicants moving through the process. A special permit streamlining committee comprised of staff from various departments meets once a month to go through permits and identify potential and existing problems that need to be ironed out between individual departments.
Placer County’s community planning process is still evolving and in some cases has not been as predictable as participants would like. As stated previously, last minute opposition to projects undermines the predictability of the planning process for developers whose projects are consistent with local community plans. On the other hand, last minute changes to community plans by the Board of Supervisors also anger county residents who have taken the time to participate in the community planning process. In the case of the Auburn/Bowman community plan, local residents have sued the county for making last minute changes to the plan which will allow a Walmart to locate on a site which was originally designated in the draft community plan as appropriate only for lower intensity commercial development.

**Principle 6**

*Reach across jurisdictions and plan cooperatively for the future.*

+ Placer County is working on a plan to better coordinate the provision of county services by levying an appropriately scaled capital facilities fee on new development in the incorporated and unincorporated areas of the county to pay for the cost of providing additional county facilities. The success of this effort will depend on the cooperation of Placer’s incorporated cities.

+ The county’s transit system in the Lake Tahoe region reaches across jurisdictional lines to service riders traveling to and from Incline Village, Nevada, and the town of Truckee in Nevada County, California.

- The county continues to wrangle with some of its incorporated cities over the issue of traffic congestion. Traffic jams on Highway 49 north of Auburn and on Douglas Boulevard in Roseville are related to new growth in the cities and the county. The cities complain that the county is not planning properly to minimize future traffic problems, and the county complains that the cities are not charging enough in traffic mitigation fees to pay for improvements necessary to offset the impact of new development. In the meantime traffic congestion continues to increase.

- The county is in disagreement with other jurisdictions over the impact of new development. For example, the Martis Valley community plan accommodates new residential and office development in the Martis Valley just south of the town of Truckee. Truckee, located in Nevada County, will receive most of the traffic impacts associated with new development in this area. Nonetheless, Placer County has chosen not to observe Truckee’s policy linking the timing of new development to the timing of transportation improvements.
This chapter summarizes the major findings of SBC’s research over the last two years. The research process included surveying the concerns and priorities of SBC member businesses; conducting a poll of 1,000 registered Sierra Nevada voters; reading and analyzing the general plans for twelve Sierra Nevada counties; interviewing Planning Directors or other top planning staff in each of the twelve counties; reviewing relevant planning case studies from other parts of California and around the country; and consulting experienced business people, planners and other policy makers in the Sierra and throughout the nation. In addition to summarizing our research findings, this chapter identifies critical steps public and private sector decision makers can take to strengthen land use planning in the Sierra Nevada, now and in the future.

**Finding 1**

As they plan for future growth, most counties in the Sierra Nevada are taking insufficient steps to safeguard their most critical economic asset, the beauty and rural character of the Sierra’s natural environment. Continued inattention to this problem is likely to do permanent harm to local economies by reducing our region’s appeal as a place to live and do business.

**Action Step:** Community leaders and elected officials should take inventory of and adopt policies to protect important vistas, scenic resources and other natural assets that are critical to our region’s appeal as a place to visit, live and do business.

**Finding 2**

Rural sprawl is beginning to compromise the economic productivity of agriculture, mining, forestry and natural systems in the Sierra Nevada. If not addressed, this problem will undermine the viability of natural resource industries, the future of Sierra tourism, the value of private property in adjacent communities, and the health of the natural systems which sustain life in the Sierra.

**Action Step:** County elected officials should adopt zoning policies to discourage urban encroachment into the working landscape. In addition, counties should encourage private land owners to take full advantage of the financial incentives available in the California Williamson Act and Timber Production Zone programs.

**Action Step:** County and city planning staff and local community leaders should identify and aggressively pursue mechanisms like land trusts, conservation banks and conservation easements to compensate private landowners for keeping their land in permanent open space, recognizing the critical importance of these lands to the Sierra Nevada’s economic future.
**Finding 3**

Sierra Nevada towns have been degraded by the demolition of historic buildings and the construction of new buildings that diminish the region’s scenic and historic character.

**Action Step:** Local elected officials should increase incentives for the preservation and restoration of historic buildings.

**Action Step:** Local elected officials and community leaders need to use tools like visual preference surveys, design guidelines and zoning ordinances to identify important local architectural features and ensure that new structures complement and add enduring value to Sierra Nevada communities.

**Finding 4**

The historic towns of the Sierra Nevada continue to serve as the social and economic hubs for surrounding communities. Ongoing public and private reinvestment in these towns and incorporated cities will be critical to maintaining and expanding the economic prosperity of our region over time and to reducing the cost of new public facilities and infrastructure.

**Action Step:** County and local elected officials should adopt market incentives coupled with planning policies and zoning ordinances to encourage the addition of homes, businesses and infrastructure to existing communities and discourage the construction of isolated homes and subdivisions that drain county resources and degrade the Sierra’s unique rural character.

**Action Step:** Federal, state and local governments should locate important public facilities like post offices, courts and schools inside or in close proximity to existing communities rather than in isolated government centers.

**Finding 5**

Wildfire, floods, landslides, avalanches and earthquakes are all part of life in the Sierra Nevada, yet few counties are acting proactively to discourage residents from building in harm’s way.

**Action Step:** The California Department of Forestry and Fire Protection should work more closely with Sierra Nevada counties to map and discourage new construction in high hazard areas to reduce unnecessary injury, loss of life, property destruction and costs to taxpayers.

**Finding 6**

Most general plans in the Sierra Nevada fail to integrate human and natural systems in a way that ensures their compatibility. Most counties rely on site-specific mitigation to reduce the impact of new construction on natural systems, an approach which will not protect the connectivity and integrity of habitat over the long term. Continued inattention to this challenge will increase frustrations for businesses and other property owners and undermine the health of natural systems which support life in the Sierra.

**Action Step:** County planning departments should make better use of geographic information systems, conservation banks, transfer development rights programs and other tools to anticipate and address predictable conflicts between human and natural systems. These tools will improve the effectiveness of habitat mitigation and reduce delay, cost and frustration for project proponents.

**Action Step:** State and federal agencies which collect information about the location of important natural resources and habitat should make sure that this information is accessible to counties in a readily usable form.

**Finding 7**

Rapid population growth has increased traffic congestion in the Sierra Nevada, diminishing the quality of life for Sierra residents and reducing our region’s accessibility and appeal to tourists.

**Action Step:** California and Nevada should use transportation funding mechanisms to reward communities that prepare regional plans for transportation.
**Finding 8**
Although new public investments, particularly in public facilities and infrastructure, have an immediate and lasting effect on private sector spending and property values, local officials often make these decisions on a project-by-project basis, without adequately weighing their full, long term costs and benefits.

**Action Step:** County and local elected officials should establish new criteria for public investment decisions. These criteria should ensure that new infrastructure investments expand, or at least maintain, each form of capital that contributes to wealth: social, natural and financial.

**Finding 9**
Ineffective coordination between local agencies and jurisdictions wastes time and money, fuels public resentment and cripples economic development by sending mixed signals to businesses and others seeking to invest in our communities. For instance, competition between incorporated cities and counties for sales tax dollars is encouraging commercial sprawl outside existing towns. Commercial sprawl, in turn, increases demand for government dollars by increasing the total cost of public services.

**Action Step:** Counties should make better use of fiscal impact analysis and other integrated, long term approaches to evaluating the costs and benefits of new development projects and public investments. The efficient and effective use of public dollars can no longer simply be a goal; it is an economic necessity.

**Finding 10**
The complexity and lengthiness of the current planning process in many Sierra Nevada communities deters all but the most ardent proponents and opponents from participating, reducing the quality, usefulness and legitimacy of the final product and increasing the divisiveness of the process itself.

**Action Step:** County and local planning departments should identify and experiment with visual preference surveys, community polls and ballots, design workshops and other more efficient and meaningful ways to engage business owners and other community stakeholders in shaping local land use plans. Once these other modes of public participation are established, the public must take full advantage of them.
**Action Step:** County and local elected officials should improve the efficiency and predictability of plan implementation by supporting efforts to reduce unnecessary complexity and costly delays in the permit application process, by minimizing their involvement in routine planning decisions, and by reducing the frequency of general plan amendments and major zoning changes.

**Finding 12**

Many general plans in the Sierra Nevada contain vague and ambiguous language that creates confusion and interferes with plan implementation. Other general plans are so outdated that their usefulness is open to question.

**Action Step:** County and local planning departments should increase the efficiency and predictability of planning and permitting by maintaining the thoroughness, currency and consistency of all planning documents.

**Finding 13**

The challenges facing Sierra Nevada communities are likely to increase without more effective coordination across county lines. County boundaries interfere with effective planning for transportation, resource preservation and other critical community needs.

**Action Step:** County staff and elected officials should improve communication and coordination across county lines to produce better and more consistent planning and to identify new opportunities for cost-saving collaboration.

**Action Step:** State and federal agencies should establish funding mechanisms to reward counties that collaborate in planning for transportation, resource conservation and other important community needs.

**Finding 14**

Without new technical and financial support from state government, local plans and planning decisions are unlikely to reflect the best and most current data. Greater synthesis of state and federal data into local planning systems will benefit businesses and other property owners by helping planners and developers anticipate, and find ways to minimize, conflicts between human and natural systems.

**Action Step:** The state should support better local planning in the Sierra Nevada by providing financial and technical support to counties to prepare general plans and digitize county planning maps so they are fully compatible with data collected by key state and federal agencies.

**Action Step:** The state should examine statewide policies which contribute to poor land planning. Although beyond the scope of this study, they include the state’s approach to tax revenue sharing, transportation planning and habitat protection.

**Finding 15**

Most counties in the Sierra Nevada are in the process of updating their general plans. The status of the update process varies widely from county to county. In some counties the process is complete, in other counties it is underway, and in still others, the process has not started.

**Action Step:** Elected officials and community leaders in each town and county in the Sierra Nevada should examine the effectiveness of current plans and practices in light of the principles outlined in this reference guide. In counties and towns where a general plan has already been adopted, the development of implementation documents like specific plans, community plans and zoning ordinances may provide an appropriate forum for addressing some of the specific issues raised herein if they were not addressed during the general plan update process.
Planning for Prosperity: Building Successful Communities in the Sierra Nevada makes clear that our region will prosper in the twenty-first century only if we have the wisdom, confidence and leadership to insist on a new standard of excellence for our communities, a standard rooted in the conservative value of building wealth for this and future generations.

The question, once again, is not growth or no growth. Our region’s population, which doubled between 1970 and 1990, is expected to almost double again by 2020. Whatever the scope of our new growth, its effect will be determined less by the exact size of our population increase than by the pattern of human settlement on the Sierra Nevada landscape. That is why the quality of local land use planning has become such a critical concern to businesses in the Sierra. Nothing will more directly and permanently affect the balance sheet of local businesses, and every other shareholder in our communities, than the quality of these planning decisions.

The Sierra Nevada is in a position to pioneer new, more effective approaches to local land planning, approaches that will enrich our communities over time rather than degrade them. If properly planned, new population growth can diversify local economies, expand our tax base, strengthen our schools and community institutions, provide new funds for local conservation and cultural initiatives, and otherwise enhance regional wealth. If not properly planned, however, new growth can just as easily deplete county coffers, undermine the quality of existing public services, and permanently degrade the environmental and social qualities that attract capital and business to our region.

The challenge before us today is to accommodate new growth while preserving the natural landscape and small town appeal that give our region such a distinct advantage in today’s economy. Luckily, we don’t have to look far for a solution. Our beautiful historic towns provide a model for future growth that is both unique to our region and of proven and enduring value.

Today the Sierra Nevada is still a region of small towns and villages, surrounded by agricultural lands, forests and wild lands. As we expand our communities to make room for more businesses and neighbors, we must be careful to safeguard the attractive pattern of town and country that is essential to our identity and success as a region. We must fill in and grow out from our towns, villages and hamlets, adding homes, businesses and neighborhoods to existing communities rather than building isolated homes and subdivisions that drain county resources and degrade the Sierra Nevada’s distinctive landscape.

Nothing will more directly and permanently affect the balance sheet of local businesses, and every other shareholder in our communities, than the quality of these planning decisions.
The alternative is rural sprawl. We all know what it looks like; it looks the same in the Sierra as it does in Sacramento County. Rural sprawl happens when local decision makers misunderstand the changing nature of the world economy and fail to recognize their region’s unique strengths in that economy.

Here in the Sierra, we can’t afford to make that mistake and we don’t have to. By borrowing from our past as we build our future, and by following the other principles set forth in this reference guide, our counties can maintain the natural and scenic assets that are the foundation of our wealth while expanding towns to accommodate new businesses and residents.

The Sierra Nevada needs to embrace excellence in every aspect of land use planning from the quality of the results to the quality of the process itself. In many Sierra Nevada counties, planners and county decision makers need to revamp the planning and permitting processes to provide more meaningful and efficient opportunities for public involvement at the front end, and to ensure a higher degree of certainty in the implementation of plans once they have been adopted. These reforms are critical to restoring business and public confidence in planning, confidence that is essential as communities begin to plan more actively and creatively for their own futures.

Policy makers who lead the charge for more effective planning in the Sierra Nevada will not be alone. The Sierra Nevada Voter Survey makes clear that voters understand the importance of sound land use planning and will support local government initiatives to protect their quality of life. For instance, 72 percent of the voters in our region believe that “Sierra Nevada counties must do more to steer new development into existing towns instead of allowing it to spread all over the landscape and destroy our rural quality of life.” Another 66 percent want counties to put more effort into “ensuring that new construction fits in with the historic character and scale” of their communities.

Effective land use planning is the best investment we can make in our own financial security. Planning for Prosperity points the way, but only local leadership, vision and persistence will actually build successful communities in the Sierra Nevada. There is a role for everyone: bankers and builders, downtown merchants and developers, homemakers and hospital executives. Today the Sierra Nevada is one of the most desirable places in the world to live and do business. Working together, we can keep it that way.
Appendices
**Sierra Nevada Voter Survey**

Sample size = 1,000. Universe = registered voters in the Sierra Nevada. Margin of error +/- 3.2% on the whole, and greater for individual counties. Cross-tabulated results by county.

Hello, I’m ____ with JMM Research in Sacramento. May I please speak with ____? (NOTE: ONLY THE PERSON LISTED ON THE SAMPLE SHEET QUALIFIES FOR THE INTERVIEW.) We’re conducting a public opinion poll among registered voters chosen at random throughout the Sierra Nevada region this evening. The survey involves answering questions and giving me your opinions on a variety of local and regional Sierra Nevada issues. Would you like to participate in the survey?

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First I’ll ask your opinion of some reasons people have given for why they decided to live in their community.

1. Was ___(a)___ a major, moderate or minor reason why you’ve chosen to live in your community?

   a1. the quality of life.
   
   **MAJOR**
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   a2. the quality of the schools.

   **MAJOR**
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   a3. the availability of affordable housing.

   **MAJOR**
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Next let’s discuss the economic future of your area.

2. In your opinion, should your county be putting more, less, or about the same amount of effort into (a) ___ ?

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### a4. promoting or expanding the agriculture industry in your region.

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Next I’ll ask your opinion of some statements that people have made regarding the Sierra Nevada region.

3. Which of the following statements more closely reflects your view ...

3a....We need to do a better job with land use planning in the Sierra to make sure that rapid growth doesn’t destroy the quality of life and the economic health of our region.  
or ...We are already putting too much emphasis on land use planning. We need to encourage development to protect our local economy.

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3b....All the attention that is being given to environmental issues is hurting our local economy. Having a healthy economy should come first.  
or ...It is possible to have both a healthy economy and a healthy environment in the Sierra Nevada region. We don’t have to give up our environmental quality in order to have a healthy economy. We can have both.

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3c....I support zoning because it can be an important way to protect the quality of life and property values in my community.  
or ...People should have a right to do whatever they want with their own property, without interference from government.

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3d. ...I believe that new growth is paying its own way in my county right now and I am comfortable with the direction we are heading in.
or...I am concerned that new growth in my county is reducing the quality and quantity of services the county can provide to residents. New growth is not paying its own way and we taxpayers are going to end up with the bill—either in our taxes or in low quality services.

GROWTH IS PAYING 43.4 63 61 35 38 36 50 39 60 30 54 58 43 44 43 26 53
GROWTH IS NOT PAYING 49.1 29 37 56 57 58 42 57 36 63 39 31 41 44 43 65 45
NEITHER 3.3 6 0 3 21 22 4 4 72 45 70
NO OPINION 4.3 2 2 6 2 5 6 2 0 2 0 6 11 4 12 2 2

4. Some people say ___(a)____. Do you agree or disagree ?

a1. counties should make sure there is enough water for new development before they rezone land and approve new developments. The water needs of today's residents should come first.
AGREE 93.9 92 90 93 97 93 96 93 96 95 89 92 93 96 95 98 91 96
DISAGREE 4.8 6 10 5 2 7 4 5 4 5 11 4 4 4 2 2 7 4
NO OPINION 1.3 2 0 2 2 0 0 2 0 2 0 4 2 2 0 2 0

a2. voters should have the right to determine how much growth they would like to have in their own county. This would be a good way for us as citizens to influence the future of our counties.
AGREE 85.4 85 88 88 89 83 85 79 77 95 93 83 93 84 76 81 86
DISAGREE 11.2 8 10 9 9 14 13 18 21 0 7 10 7 11 16 12 14
NO OPINION 3.4 6 2 4 2 2 2 3 2 5 0 6 0 4 8 7 0

a3. we need to protect wildlife habitat and ecosystems in the Sierra Nevada to maintain the health of our natural environment for people and for wildlife.
AGREE 82.3 79 71 81 87 83 81 75 89 91 93 71 85 87 86 86 78
DISAGREE 14.2 21 17 15 11 11 17 20 6 7 4 23 13 11 8 14 22
NO OPINION 3.6 0 12 4 2 6 2 5 4 2 4 6 2 2 6 0 0

a4. maintaining the quality of life and the environmental health of the Sierra Nevada is one of the most important things we can do to attract new businesses to this region.
AGREE 75.9 69 73 69 78 77 85 74 85 79 82 75 87 87 71 76 70 82
DISAGREE 19.2 27 15 25 18 16 13 20 13 14 18 19 13 24 18 26 16
NO OPINION 4.9 4 12 6 4 7 2 7 2 7 0 6 0 4 6 5 2

a5. we should do more to permanently protect open space around towns in the Sierra Nevada to help agriculture survive and keep our region beautiful.
AGREE 82.6 77 78 79 88 82 79 80 89 86 82 77 83 78 78 90 86 90
DISAGREE 11.7 23 10 15 10 10 13 15 6 5 7 19 9 16 4 12 8
NO OPINION 5.7 0 12 6 2 8 8 5 4 9 11 4 9 7 6 2 2

Planning for Prosperity – 81
a6. Counties should take stronger actions to discourage people from building homes where they are vulnerable to fires, floods and other natural disasters.

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AGREE 75.1 67 71 78 74 77 77 67 74 83 86 82 75 78 73 73 65 80
DISAGREE 21.4 31 22 21 22 19 25 21 11 14 18 21 22 22 22 33 16
NO OPINION 3.6 2 7 2 4 4 4 8 5 6 0 0 4 0 4 6 2 4

a7. Sierra Nevada counties should do more to steer new development into existing towns instead of allowing it to spread all over the landscape and destroy our rural quality of life.

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AGREE 71.8 65 76 69 74 69 77 66 77 79 82 54 78 71 76 79 73
DISAGREE 22.9 29 17 28 22 23 17 25 19 19 14 35 17 20 20 19 24
NO OPINION 5.3 6 7 4 4 8 6 10 4 2 4 10 4 9 4 2 2

And now, a few questions for classification purposes.......

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d2. Do you own or rent your place of residence?

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d3. For statistical purposes only: What was the approximate total income of your household last year. Was it ...?

<table>
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<th>Plumas</th>
<th>El Dorado</th>
<th>Nevada</th>
<th>Placer</th>
<th>Mariposa</th>
<th>Tuolumne</th>
<th>Calaveras</th>
<th>Amador</th>
<th>Alpine</th>
<th>Inyo</th>
<th>Mono</th>
<th>Madera</th>
<th>Kern</th>
<th>Fresno</th>
<th>Tulare</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 20,000 or less</td>
<td>15.4</td>
<td>15</td>
<td>12</td>
<td>11</td>
<td>15</td>
<td>8</td>
<td>8</td>
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<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>$ 20,000 - 40,000</td>
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<td>37</td>
<td>31</td>
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<td>24</td>
<td>22</td>
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<tr>
<td>$ 40,000 - 75,000</td>
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<td>28</td>
<td>24</td>
</tr>
<tr>
<td>$ 75,000 or more</td>
<td>11.7</td>
<td>8</td>
<td>7</td>
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<td>7</td>
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d4. Do you have any children under the age of 18 living at home?

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<th>Plumas</th>
<th>El Dorado</th>
<th>Nevada</th>
<th>Placer</th>
<th>Mariposa</th>
<th>Tuolumne</th>
<th>Calaveras</th>
<th>Amador</th>
<th>Alpine</th>
<th>Inyo</th>
<th>Mono</th>
<th>Madera</th>
<th>Kern</th>
<th>Fresno</th>
<th>Tulare</th>
</tr>
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<td>YES</td>
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<td>17</td>
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<td>23</td>
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<td>35</td>
<td>40</td>
<td>32</td>
<td>31</td>
<td>37</td>
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<td>67</td>
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<td>57</td>
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<td>68</td>
<td>69</td>
<td>63</td>
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d5. What was the last year of formal education which you completed?

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<th>El Dorado</th>
<th>Nevada</th>
<th>Placer</th>
<th>Mariposa</th>
<th>Tuolumne</th>
<th>Calaveras</th>
<th>Amador</th>
<th>Alpine</th>
<th>Inyo</th>
<th>Mono</th>
<th>Madera</th>
<th>Kern</th>
<th>Fresno</th>
<th>Tulare</th>
</tr>
</thead>
<tbody>
<tr>
<td>HIGH SCHOOL</td>
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<td>40</td>
<td>23</td>
<td>18</td>
<td>19</td>
<td>32</td>
<td>35</td>
<td>28</td>
<td>23</td>
<td>28</td>
<td>23</td>
<td>36</td>
<td>29</td>
<td>22</td>
<td>29</td>
<td>25</td>
</tr>
<tr>
<td>SOME COLLEGE</td>
<td>42</td>
<td>40</td>
<td>42</td>
<td>44</td>
<td>42</td>
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<td>35</td>
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<td>35</td>
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<td>COLLEGE GRADUATE</td>
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<td>37</td>
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<td>17</td>
<td>41</td>
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<td>37</td>
<td>28</td>
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</table>

d6. What kind of work do you do?

<table>
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<tr>
<th>Occupation</th>
<th>Sierra</th>
<th>Plumas</th>
<th>El Dorado</th>
<th>Nevada</th>
<th>Placer</th>
<th>Mariposa</th>
<th>Tuolumne</th>
<th>Calaveras</th>
<th>Amador</th>
<th>Alpine</th>
<th>Inyo</th>
<th>Mono</th>
<th>Madera</th>
<th>Kern</th>
<th>Fresno</th>
<th>Tulare</th>
</tr>
</thead>
<tbody>
<tr>
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<td>10</td>
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<td>2</td>
<td>1</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>NON-PROFESSIONAL</td>
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<td>39</td>
<td>44</td>
<td>39</td>
<td>47</td>
<td>46</td>
<td>43</td>
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<td>40</td>
<td>46</td>
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<td>2</td>
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<td>2</td>
<td>4</td>
<td>11</td>
<td>10</td>
<td>5</td>
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</table>

d7. How long have you lived in your County?

<table>
<thead>
<tr>
<th>Duration</th>
<th>Sierra</th>
<th>Plumas</th>
<th>El Dorado</th>
<th>Nevada</th>
<th>Placer</th>
<th>Mariposa</th>
<th>Tuolumne</th>
<th>Calaveras</th>
<th>Amador</th>
<th>Alpine</th>
<th>Inyo</th>
<th>Mono</th>
<th>Madera</th>
<th>Kern</th>
<th>Fresno</th>
<th>Tulare</th>
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<tbody>
<tr>
<td>less than 5 yrs</td>
<td>11</td>
<td>8</td>
<td>5</td>
<td>16</td>
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<td>23</td>
<td>14</td>
<td>2</td>
<td>7</td>
<td>16</td>
<td>8</td>
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<tr>
<td>5 - 10 yrs</td>
<td>27</td>
<td>19</td>
<td>35</td>
<td>28</td>
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<td>33</td>
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<td>29</td>
<td>21</td>
<td>24</td>
<td>24</td>
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<td>39</td>
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<tr>
<td>10 - 20 yrs</td>
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<td>33</td>
<td>33</td>
<td>35</td>
<td>32</td>
<td>30</td>
<td>27</td>
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<td>21</td>
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<td>more than 20 yrs</td>
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<td>18</td>
<td>27</td>
<td>19</td>
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<td>31</td>
<td>22</td>
<td>18</td>
<td>14</td>
<td>37</td>
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<td>lifetime</td>
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<td>4</td>
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<td>11</td>
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<td>2</td>
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<td>4</td>
<td>12</td>
<td>19</td>
<td>8</td>
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d8. In terms of your political outlook, do you consider yourself to be a Conservative, Moderate or a Liberal?

<table>
<thead>
<tr>
<th>Political Outlook</th>
<th>Sierra</th>
<th>Plumas</th>
<th>El Dorado</th>
<th>Nevada</th>
<th>Placer</th>
<th>Mariposa</th>
<th>Tuolumne</th>
<th>Calaveras</th>
<th>Amador</th>
<th>Alpine</th>
<th>Inyo</th>
<th>Mono</th>
<th>Madera</th>
<th>Kern</th>
<th>Fresno</th>
<th>Tulare</th>
</tr>
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<td>52</td>
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<td>47</td>
<td>51</td>
<td>47</td>
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<td>34</td>
<td>39</td>
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<td>44</td>
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<td>36</td>
<td>31</td>
<td>37</td>
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<td>LIBERAL</td>
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<td>6</td>
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<td>16</td>
<td>14</td>
<td>9</td>
</tr>
<tr>
<td>DON'T KNOW</td>
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<td>8</td>
<td>5</td>
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<td>2</td>
<td>11</td>
<td>2</td>
<td>4</td>
<td>7</td>
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d9. In terms of your philosophy, do you consider yourself to be an environmentalist?

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<th>Mariposa</th>
<th>Tuolumne</th>
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<th>Mono</th>
<th>Madera</th>
<th>Kern</th>
<th>Fresno</th>
<th>Tulare</th>
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</thead>
<tbody>
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<td>46</td>
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<td>57</td>
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<table>
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<th>El Dorado</th>
<th>Nevada</th>
<th>Placer</th>
<th>Mariposa</th>
<th>Tuolumne</th>
<th>Calaveras</th>
<th>Amador</th>
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<th>Inyo</th>
<th>Mono</th>
<th>Madera</th>
<th>Kern</th>
<th>Fresno</th>
<th>Tulare</th>
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<tr>
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<tr>
<td>OTHER PARTY</td>
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<table>
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<th>Plumas</th>
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<th>Nevada</th>
<th>Placer</th>
<th>Mariposa</th>
<th>Tuolumne</th>
<th>Calaveras</th>
<th>Amador</th>
<th>Alpine</th>
<th>Inyo</th>
<th>Mono</th>
<th>Madera</th>
<th>Kern</th>
<th>Fresno</th>
<th>Tulare</th>
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<td>56</td>
<td>60</td>
<td>100</td>
<td>53</td>
<td>50</td>
<td>58</td>
</tr>
</tbody>
</table>
Sierra Nevada Counties Today

This appendix summarizes the qualities and characteristics of twelve counties in the Sierra Nevada, outlines the land use planning challenges within each county, and highlights some of the strengths and weaknesses of each county's general plan. While not exhaustive, this summary provides a rare and useful overview of the major land use challenges facing Sierra Nevada counties today.

Sources: Population figures and projections for each county came from the State of California, Department of Finance, City/County Population Estimates. General plan build-out figures were supplied by the planning department in each county. In many cases there is a large discrepancy between the state’s projected population figures and the population counties expect to accommodate by the time their general plans are fully built-out. Many county general plans accommodate two to five times the amount of population growth projected by the state. Although county officials debate the accuracy of state figures, the question of how far county general plans should stray from state population projections deserves further attention.

Land acreage figures and Timber Production Zone figures were provided by individual County Assessor’s Offices. Williamson Act statistics came from the California Department of Conservation, Office of Land Conservation, The California Land Conservation Act, 1995-96 Status Report. Lands enrolled in the state Williamson Act and Timber Harvest Production Act programs are a good indicator of the amount of private “open space” in each county. Both of these programs provide property tax relief to land owners who want to continue farming, ranching or harvesting timber on their land. Acres initiated for non-renewal in the Williamson Act usually signal the property owner’s intention to move away from agriculture. It should also be noted that the Williamson Act program is more consistent in its control of land uses than the Timber Harvest Production Act whose application varies widely from county to county.
Alpine County

People
1980: 1,100
1996: 1,180
2020: 1,900
Annual growth rate (1980-1996): .5%
Projected annual growth rate: 2.5%

Land
Total: 465,030 acres
Public: 96%
Private: 4%
(0 acres enrolled in the Williamson Act, 0 acres initiated for non-renewal)
(1,436 acres in Timber Production Zones, 0 acres initiated for non-renewal)

Alpine County sits on the crest of the Sierra Nevada and stretches down the eastern slope to the Nevada state line. The Clark Fork of the Stanislaus River is the southern border of the county. The East Fork of the Carson River runs through the county and is a popular attraction for fishermen and boaters. Located fifteen miles south of the Lake Tahoe Basin, the county's magnificent high alpine peaks and lush meadows attract tourists and recreational enthusiasts who support the county's small but strong tourist economy.

Ninety-six percent of Alpine County is publicly owned and managed by the US Forest Service and the Bureau of Land Management. The Stanislaus, El Dorado and Toiyabe National Forests run throughout the county. Alpine County is also home to the Carson Iceberg Wilderness and the Mokelumne Wilderness. State Highways 89, 4 and 88 wind across the county. In winter, Alpine County is often isolated from the rest of the Sierra when snow closes three of its four mountain passes.

The historic town of Markleeville, the county seat, is the site of Grover Hot Springs State Park, and the nearby town of Woodfords was once a remount station for the Pony Express. Other population centers are located in or around the ski resorts of Kirkwood and Bear Valley. Members of the Washoe Tribe of California and Nevada reside in Alpine County, giving the county one of the highest per capita Native American populations in the state.

Most of the elements of the current Alpine County General Plan were adopted in 1982. The plan is currently undergoing a minor update process. With 1,180 residents, Alpine County is the least populated in California. According to the California Department of Finance, the county gained only 80 new residents between 1980 and 1996. Ninety-six percent of residents live in the county year-round. Alpine is expected to add an additional 720 residents in the next 24 years bringing its population to 1,900 by 2020. The county general plan will accommodate a population of 2000 by 2020 and 28,600 when the plan is fully built-out. As indicated by the relatively low growth rate, Alpine County is not experiencing much development pressure due to the county’s relative isolation and its high percentage of publicly owned land.

The general plan divides the county into seven distinct planning areas: Kirkwood, Bear Valley, Hope, Faith and Charity Valleys, Pleasant, Leviathan, Silver King and the Corridor. The county uses a specific plan to coordinate commercial, residential and mixed use development in the Bear Valley and Kirkwood planning areas. Although Kirkwood and Bear Valley have a large number of second homeowners and seasonal workers, most year round residents live in the Corridor Planning Area which includes the communities of Woodfords and Markleeville.

The Kirkwood Area Specific Plan, adopted in 1988, is currently being revised. The revision will not increase the overall intensity of proposed development but will shift development from the area along Highways 88 and 89 to a higher density village near the ski slope. Kirkwood is expected to be the primary focal point for new county growth in the coming years. The Kirkwood Ski Resort covers parts of three counties (Alpine, El Dorado and Amador). Roughly 75 percent of new development at Kirkwood will take place in Alpine County. In a rare case of inter-jurisdictional cooperation, the county has developed a memorandum of understanding and a tri-county working committee to iron out development issues at the ski resort that cross county lines.

The current general plan lacks specificity when addressing the protection of scenic resources and the preservation of each small town's unique character. Even where excellent policies exist, such as the policies for scenic highways and the historic preservation of Markleeville, the plan lacks critical implementation details. For instance, although an informal historic review committee makes recommendations on development in Markleeville, the current Historic Preservation Ordinance does not provide guidelines or preservation policies to ensure that historic assets are protected as new development occurs.

The county has adopted policies to preserve its natural assets. The plan minimizes future development conflicts by encouraging the dedication of easements along streams where threatened species live. It also protects deer migration corridors and the small amount of privately owned agricultural land by designating these areas as open space. The county is considering participating in the Williamson Act to protect its private agricultural lands.
Amador County

Amador County is located along the western slope of the Sierra Nevada between the South Fork of the Consumnes River and the North Fork of the Mokelumne River. The county was the site of many mining camps during the Gold Rush. It was named for Jose Maria Amador (1794-1883), who established a mining camp near the site of the present town of Amador City in 1848. Although ranching, timber harvesting and mining are still part of the local economy, government jobs, tourism and a growing wine industry in the Shenandoah Valley are increasingly important. The county has an extraordinary architectural heritage, well preserved in many of the small historic towns along Highway 49. Despite its relatively low population, Amador County has five incorporated cities: Amador City, Ione, Jackson, Plymouth and Sutter Creek. Access to the county is limited by winding two-lane highways. Twenty-four percent of Amador County is in public ownership, most of which is managed by the El Dorado National Forest.

The Amador County General Plan was drafted in 1967 and updated in stages starting in 1973. The county is still using the Land Use, Conservation and Open Space, and Scenic Highway Elements adopted in 1973. Between 1980 and 1990, the county updated its land use maps and made some minor text changes to these elements. The other elements of the plan were updated and adopted as follows: Noise (1988), Housing (1992), Circulation (1994). The county’s current population is about 34,000. 84 percent of the population are year-round residents, the other 16 percent are seasonal residents. Amador County gained 14,500 people between 1980 and 1996, including 4,000 inmates at Mule Creek State Prison. According to the California Department of Finance, the county’s population is expected to increase 92 percent between now and the year 2020, reaching 65,300. The General Plan will accommodate 55,000 people by 2020 and 68,000 people at build-out.

Amador County has chosen not to conduct a comprehensive update of its general plan. For the most part, the plan contains very few specific land use goals and very few implementation measures to separate town from country. Although not included as actual policies in the general plan, the county currently discourages higher densities in areas not serviced by a water district and

Alpine (continued)

The general plan contains policies that require new development to pay for itself. The effectiveness of these policies will be tested during the development of the Kirkwood specific plan. The county charges for a variety of services on a project-by-project basis but, with the exception of a fire protection mitigation fee, has not yet adopted any county-wide development impact fees to help cover the cost of expanding services and facilities.

People
1980: 19,500
1996: 34,000
2020: 65,300
Annual growth rate (1980-1996): 4.6%
Projected annual growth rate: 3.8%

Land
Total: 375,729 acres
Public: 24%
Private: 76%
(97,386 acres enrolled in the Williamson Act,
4,748 acres initiated for non-renewal)
(28,500 acres in Timber Production Zones,
0 acres initiated for non-renewal)
Amador (continued)
encourages annexations before approving development on the edge of an existing incorporated community.

Amador County has conducted a fiscal impact analysis on some development projects but does not do so on a regular basis. The county currently charges new development for its impact on water, sewer and recreation facilities. The Circulation Element of the general plan projects a $141 million shortfall in transportation funds over the next twenty years.

The Kirkwood Ski Resort covers parts of three counties (Alpine, El Dorado and Amador). Although most of the new development planned for Kirkwood will take place in Alpine County, the conversion of this area to a year-round resort could affect traffic in Amador County.

The Open Space and Conservation Elements of the general plan contain strong, detailed policies to protect and promote mining in the county. The plan also contains policies to protect visual features along state scenic highways. Beyond scenic highways and mining, however, the plan is not very detailed about the protection of natural features and habitat in the county. Impacts to these natural features and habitat are addressed on a case-by-case basis, a method which does little to ensure their long term protection.

The county relies heavily on land currently enrolled in the Williamson Act program (roughly 48% of the important farmland in the county) to maintain its rural quality of life and to protect the economic viability of agriculture. The county has also adopted a right-to-farm ordinance. Unlike other Sierra Nevada counties with a large amount of agricultural land, Amador County has not developed an agricultural element in its general plan to encourage the protection of those lands as development pressure in the county increases. The county employs a 40 acre minimum parcel size for all types of agriculture, whether ranch land or higher return orchards and vineyards.

Amador County competes with its incorporated towns for tax dollars. This competition is exemplified by the growth of Martell, a major commercial center on the outskirts of the incorporated city of Jackson. Although Jackson would like to annex it, the county is not willing to lose the Martell tax revenue to the city.

Calaveras County

Calaveras, a Spanish word for skulls, was used by the Moraga Expedition in 1806 to describe the Calaveras River where they found skulls of Native Americans. Famous for its frog jumping contest and the Mark Twain novel that bears its name, Calaveras County is located on the western slope of the central Sierra Nevada, bound by the Mokelumne River on the north and the Stanislaus River on the south. Mining, timber harvesting, ranching and farming still play a role in the local economy, as do tourism and recreation. The county is home to Calaveras Big Trees State Park, where visitors can tour the North Calaveras Grove of Giant Sequoias, as well as to a number of historic small towns including Angels Camp, San Andreas, Copperopolis, Murphys and Mokelumne Hill. The town of San Andreas is the county seat.

The Calaveras County General Plan was adopted in December of 1996. Although the county gained 16,050 residents between 1980 and 1996, the state Department of Finance currently predicts that the county will close to triple in size by 2020, growing from 36,950 to 91,900 residents. The county general plan will accommodate a population of 57,500 by 2010. County planners are using the Department of Finance figures from 1991 which are much lower than the current projections and more closely reflect the county's current rate of growth.

The general plan identifies two broad land use categories: natural resource lands and community development lands. Natural resource lands include approximately 56 percent of the county's private land area, while community development lands represent 44 percent of the private land area. The county has made an effort to distinguish between town and country by establishing community plans for six of its unincorporated communities: Arnold, Avery, Mokelumne Hill, Murphy's-Dougals Flat, San Andreas and Valley Springs. The community planning process encourages the development of high density town centers, which accommodate a mixture of uses (commercial, residential and professional) and enhance the community's social and economic vitality. The county currently depends on individual communities to initiate the community planning process. The process could probably be improved by more proactive county involvement and guidance with tools to protect and enhance the unique character of each small town.

Amador (continued)

Calaveras County

People
1980: 20,900
1996: 36,950
2020: 91,900
Annual growth rate (1980-1996): 4.8%
Projected annual growth rate: 6.2%

Land
Total: 657,920 acres
Public: 25%
Private: 75%
(135,903 acres enrolled in the Williamson Act, 9,539 acres initiated for non-renewal)
(n/a acres in Timber Production Zones, n/a acres initiated for non-renewal)
Calaveras (continued)

In the current general plan, approximately half of the rural parcels outside of existing towns are unimproved, with the majority of these designated as single family five-acre parcels or larger. As the county’s population increases and more of these rural parcels are developed, the costs of providing public services and maintaining roads are likely to increase dramatically and may become a fiscal burden for the county.

The county does not attempt to assess the comprehensive impacts of new development proposals and does not charge county-wide development fees for services such as roads, parks, police protection and recreation facilities. Instead, the county levies fees on a project-by-project basis. However, with the adoption of the general plan, the county has initiated a process to develop a county-wide road impact fee. The county is also likely to examine its ability to keep up with the cost of other services.

The county has identified a number of important habitat and natural features but, for the most part, the general plan does not change the land uses in those areas or offer off-site mitigation programs to protect or enhance these resources. Where important natural resources and habitat are identified, the county applies an overlay to the existing land use map, which requires a special use permit before development can occur. Although the overlay helps to identify important natural resource lands before development begins, the special use permit protects these features only on a project-by-project basis, an approach which does little to ensure the long term viability of native species and their habitat.

Calaveras County is at risk of losing much of its important farmland. Although the county now contains more agricultural land than any other county in the Sierra Nevada, 414,670 acres according to the County Agricultural Commissioner, less than one-third is enrolled in the Williamson Act program. The remaining 292,220 acres, while perhaps in agricultural production or ranching today, are designated in the current general plan for some sort of residential development. The county currently uses a 50 acre minimum parcel size for all agricultural preserve lands, making no distinction between lands used for ranching and lands used for crop production. The county has also adopted a right-to-farm ordinance.

El Dorado County

People

- 1980: 86,500
- 1996: 144,900
- 2020: 247,400

Annual growth rate (1980-1996): 4.2%
Projected annual growth rate: 2.9%

Land

- Total: 1,096,960 acres
- Public: 51%
- Private: 49%

Enrollment: 83,990 acres enrolled in Williamson Act,
8,670 acres initiated for non-renewal
(145,127 acres in Timber Production Zones, n/a acres initiated for non-renewal)

El Dorado is Spanish for “the gilded one,” an apt name for a county that stretches from the foothills just east of Sacramento up into the high country of the Sierra to the Lake Tahoe Basin. The county sits between the Consumnes River to the south and the Middle Fork of the American River to the north. The South Fork of the American River also runs through the county. Fifty-one percent of the county is publicly owned, most of which is managed by the El Dorado National Forest.

The county has a wealth of outstanding tourist attractions. On the east side, Lake Tahoe, with its magnificent views, extraordinary network of hiking and biking trails, and many ski resorts and casinos, attracts visitors from around the world. On the west side, the South, Middle and North Forks of the American River contain several of the most popular stretches of white water in the nation. Apple Hill is an increasingly important and successful agricultural region just east of Placerville where growers have used innovative direct marketing approaches to expand agricultural receipts. El Dorado County also has enormous historic interest as the place where gold was first discovered in 1848, setting off the rush of humanity that was to change California, and the Sierra, forever. Coloma, the actual site where gold was first discovered, is preserved as a state historic park along Highway 49, and Placerville, referred to as “Hangtown” after three gold thieves were hanged there in 1849, is still a thriving town at the intersection of Highway 49 and Highway 50. Placerville and South Lake Tahoe are the only incorporated cities in the county.

The history of recent human settlement in El Dorado County has been shaped by many factors, not the least of which was the construction of State Highway 50 which runs through the middle of the county, linking Lake Tahoe to Placerville and Sacramento. In addition to speeding travel times for tourists heading to the mountains for the weekend, Highway 50 has become a major commute route for county residents who live in the western county and work in Sacramento.

El Dorado General Plan was adopted in 1996. The county is currently working on an implementation plan and a new zoning ordinance. According to the California Department of Finance, El Dorado County gained an additional 58,400 residents between 1980 and 1996, making it the second most populated county in the.
El Dorado (continued)

Sierra Nevada behind Placer County. The county’s current population of 144,900 is expected to increase by 70 percent reaching 247,400 by the year 2020. The county general plan will accommodate an estimated population of 347,177 residents by the time the plan is fully built-out.

The planning process in El Dorado County has been, and continues to be, extremely contentious. Political battle lines are drawn over the amount and the location of new development in the county. An initiative which would have linked the possibility of new development to the achievement of traffic standards and the availability of water supplies failed by a 2 percent margin in November 1996. Another initiative, to reduce the amount of growth in the county, is currently slated for the June 1998 ballot, and lawsuits regarding the legality of the county’s general plan, several specific development projects and recently approved water rights are still working their way through the courts.

The general plan identifies “community regions” as the most appropriate locations for high intensity, self sustaining, compact development. The plan also divides the county into eight different “market areas” and assigns an abundance of commercial, residential and other land uses to those market areas. Unfortunately, the “market area” boundaries do not line up with the “community region” boundaries. Therefore the county is, in effect, directing growth outside of its community regions. The line between town and country in El Dorado County is becoming increasingly hard to distinguish. In some places, community regions are so close together that they are hard to separate from one another. This is the case along Highway 50, just outside of Placerville, where the only feature separating the Placerville Community Region from the Diamond Springs Community Region is a small, steep creek drainage.

Another factor blurring the line between town and country is the abundance of planned communities or “new towns.” Many, but not all, are slated for the western portion of the county along Highway 50. When these new planned communities are combined with existing communities along the Highway 50 corridor, they will meld into three major population centers, each with close to 60,000 people at build-out.

In other parts of the county, planned communities have been designated in areas which are extremely rural and isolated from major services and employment centers. Such is the case with Pilot Hill Ranch, a 1,000 unit development located along Highway 49.

Like other Sierra Nevada counties, El Dorado County is struggling to provide services to existing residents while covering the cost of servicing new development. The county recently increased its traffic mitigation fees and now expects new development to pay for about 50 percent of the projected deficit in the county’s road budget. Who will pay the remainder of the bill is a topic of hot debate. The same is true for sewage treatment, schools and other services which are critical to attracting and maintaining business in the region. During recent years, the county has had to make cuts or reduce services to maintain and balance its budget. Rather than reduce development to fit road capacity or invest in other ways to reduce traffic congestion, the county has chosen to drop the level of service (i.e. increase traffic congestion) on many major road segments to accommodate new growth. The general plan states that “such congestion is a reasonable price to pay for the economic benefits of development and maintenance of the County’s rural atmosphere.”

El Dorado County was the first county in the Sierra Nevada to require an annual water resources inventory to anticipate future supply and demand problems (see case study page 43). The county is still searching and negotiating for a reliable source of water for the amount of new development projected in the general plan.

El Dorado County uses environmental protection overlays and relies on site-specific mitigation to protect sensitive habitat, a method which will not protect the connectivity and integrity of habitat over the long term. The general plan allows for off-site mitigation banking for sensitive habitat and wetlands but the county has not yet developed or implemented a plan for off-site mitigation. The county has adopted a policy to protect its native oak woodlands and has established four preserve sites to protect, in perpetuity, eight sensitive plant species known as the Pine Hill endemics. Unfortunately, running counter to these policies is a general plan policy which states: “Community preservation and conservation strategy plans do not have to be prepared for lands that contain special status plant and animal species if those resources exist or can be protected on public lands.”
Inyo County

Inyo is a Native American term meaning “dwelling place of the great spirit.” Inyo County, the second largest county in California, lies between the crest of the Sierra Nevada and the Nevada state line. On its western boundary are many peaks over 14,000 feet in elevation including Mount Whitney, the tallest peak in the lower 48 states. Ninety-eight percent of the land area in the county is owned by public agencies including the Los Angeles Department of Water and Power (LADWP) which owns most of the land and water in the Owens River Valley. LADWP also owns a number of parcels inside existing communities, which in some cases limits the county’s ability to promote “infill” development. Because so much of the county’s water is exported south to Los Angeles, Inyo County has very limited water resources available for development and other in-county uses.

A large percentage of the land in the county is managed by the Inyo National Forest, the Bureau of Land Management and the National Park Service, which manages Death Valley National Park and the Manzanar historic site. Approximately 75 percent of county residents live in and around the incorporated city of Bishop, the main business center for the region. The rest of Inyo County’s population resides in small historic communities along the U.S. Highway 395 corridor, including the county seat, Independence. Inyo County has the second highest per capita Native American population of any county in California. The Lone Pine Reservation, the Ft. Independence Reservation, the Bishop Paiute Reservation, the Big Pine Reservation and the Death Valley Reservation are home to people from the Paiute and Shoshone tribes.

The largest sectors of the county’s economy are tourism and government jobs. US Highway 395 is the major north-south transportation route through eastern California and through the county, drawing tourists from Los Angeles and providing a link to high mountain passes over the Sierra Nevada crest.

The elements of the Inyo County General Plan were adopted at various times between 1972 and 1992, with the exception of the Circulation Element which was completed in 1996. For the most part, the plan is out of date and lacks internal consistency. Most of the elements in the plan are based on a 1990 planning horizon; the zoning ordinance, however, was adopted in 1994. To date the county has chosen not to update the remaining elements of the plan, leaving the general plan document subject to legal challenge. Although the town of Bishop has updated its general plan over the years, the county still relies on its original plan for areas just outside of Bishop. The county is aware that its general plan needs to be updated and efforts are currently underway to scope an update. So far, however, the county has not allocated funds to update the plan.

Inyo County has managed to maintain a clear edge between town and country due to the nature of land ownership in the county. With so much land in public ownership, and most of the Owens Valley and the county’s water controlled by LADWP, existing communities do not have many choices about where to grow. In fact, Inyo County is unique among rural counties for its population density. As a result, almost all of its communities have public sewer and water.

Although the county is eager to expand tourism, the county does not use design guidelines or other policies to maintain and enhance the historic character or small town scale of its unincorporated towns. Outside of existing communities, the county uses the state Scenic Highway designation to protect scenic resources along some of its major road corridors.

The general plan recognizes the need to provide more light industrial space for existing businesses. However, in the absence of a detailed plan for the location of light industrial, the county may be limiting its options by approving other uses on those sites.

With the exception of school fees, there are no county-wide impact fees on new development. The county expects to be able to maintain the same level of service for residents because the region is not growing rapidly.

The general plan identifies high hazard areas in the county but does not do much to keep people and structures out of harm’s way. The plan establishes Open Space

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**People**

1980: 17,900  
1996: 18,550  
2020: 27,100  

Annual growth rate (1980-1996): .2%  
Projected annual growth rate: 1.9%  

**Land**

Total: 6,490,000 acres  
Public: 98.3%  
Private: 1.7%  
0 acres in the Williamson Act  
0 acres in Timber Production Zones
Mariposa County lies in the foothill and mountainous portion of the central Sierra Nevada. The western portion of the county contains many small towns which bustled during the Gold Rush; the eastern county contains world famous Yosemite National Park. As the main gateway to the park, Mariposa County’s economy is strongly linked to tourism. The town of Mariposa, located at the intersection of State Highways 49 and 140, is the county’s population center and the county seat. The rest of the population is spread throughout the county on rural parcels and in a number of small, but historic town sites including Bootjack, Bear Valley, Cathey’s Valley, Coulterville, El Portal, Fish Camp, Greely Hill, Hornitos, Mt. Bullion and Wawona. Full-time residents make up 73 percent of Mariposa’s population.

The Mariposa County General Plan was adopted in 1980. The county has amended and revised portions of the plan since then but has not done a major general plan update. The plan was designed around the constraints of Yosemite National Park, the county’s historic town sites, and its agricultural lands. Mariposa County currently has a population of 16,050 residents. The county is expected to grow to a population of 27,100 by 2020, according to the California Department of Finance. The county’s general plan will accommodate a population of 30,000 by 2020.

The 1980 plan called for the establishment of separate Town Planning Areas (TPAs) with specific policies to guide development in each of Mariposa’s historic population centers. The Town Planning Areas were to be places where the county could direct more concentrated population growth in order to protect surrounding agricultural lands and natural resources. Unfortunately, of the eleven communities slated for town plans, only four have been completed since 1980. Although there is strong local support for the existing TPA plans, the county is working to resolve local concerns about the planning process in two important communities: El Portal and Cathey’s Valley. The town of El Portal, although small right now, is the preferred alternative for a major relocation of Yosemite National Park housing and administrative offices and could see significant growth in the years to come. In addition five other small towns (Mariposa, Cathey’s Valley, Hornitos, Don Pedro and Coulterville) are all within commuting distance of a newly
Mariposa (continued)

proposed University of California campus at Merced and are likely to experience a significant increase in population and housing demand.

In response to the debate surrounding the development of Town Planning Areas, the county is now working to reduce the specificity of the town plans it is currently drafting. Ironically, the Mariposa Town Plan, completed in 1990, won a national award from the American Planning Association for, among other things, the strength and clarity of its policies.

Mariposa County’s ability to accommodate future population growth and preserve the integrity of its rural landscape could be compromised by the fact that the general plan and zoning ordinance do not distinguish significantly between land uses inside TPAs and outside TPAs. With commercial and light industrial uses spreading to rural parcels outside of town, the line between town and country is becoming hard to distinguish. The county is currently re-examining its objectives for industrial and commercial development and for rural home businesses. If Mariposa continues to approve commercial and industrial operations on rural parcels, the sales tax generated from these operations may not cover the expenses of maintaining the rural road network needed to support them. With the exception of school fees, the county does not charge any county-wide impact mitigation fees on new development.

The county has taken steps to unify the various departments associated with the planning process, making it easier for the public to move through the process. It has also just completed a comprehensive effort to streamline zoning and permit regulations.

Mariposa is not taking a county-wide approach to protecting its unique natural and historic resources. The general plan does not contain a comprehensive habitat mitigation plan. Instead, the county relies on site-specific mitigation to protect habitat areas, a method which will not protect the connectivity and integrity of habitat over the long term.

Although historic structures have been identified in the plan, there is no county-wide ordinance to protect them. Instead the county reviews and mitigates the impact to historic resources on a project-by-project basis.

Most of the agricultural land in the county is grazing land, and the general plan contains policies to protect the economic viability of ranching, including a right-to-farm ordinance. The county has established an agricultural exclusive zone with a minimum parcel size of 160 acres. Approximately 46 percent of Mariposa’s agricultural land is enrolled in the Williamson Act.

Although the county has not done a comprehensive water inventory to measure agricultural and urban demand for water, the general plan does contain water conservation policies. Groundwater is the main source of domestic water for the county, but access is often constrained by local geology. As a result, water supply is one of the most significant constraints to major new development in the county. The Saxon Creek Water project, currently under construction, will supply Merced River water to the town of Mariposa and enable the community to grow from its current population of about 2,000 to its maximum build-out population of 10,000. Similarly, although they are small now, the communities of Don Pedro and Coulterville, which sit just above the Central Valley floor with its burgeoning population centers, could be prime candidates for more growth as both communities contain existing public sewer and water systems.
The current population of the county is 11,300. According to the California Department of Finance, the county is expected to grow to a population of 18,400 by 2020. The county general plan allows for a population of 26,800 by 2020 and 80,600 people when the plan is fully built-out.

In developing the general plan and preparing for associated re-zonings, the county has used regional planning advisory councils, newspaper surveys and technical advisory committees. To further expand and improve public participation, the county also employed facilitators to help gather public input from different parts of the county.

The general plan divides the county into eleven community planning areas. The objectives, policies and implementation actions within the community planning areas vary from area to area and were developed based on input from local residents. The planning process could be improved by integrating the county’s broad land use goals into the community planning process. For example, although the county encourages larger parcel sizes outside of existing communities to more clearly distinguish the line between town and country and to prevent rural residential sprawl, this policy has not always been adopted by the local communities.

Like Inyo County and Alpine County, real estate development in Mono County is restricted by the large amount of publicly owned land. In fact, so much land is owned and managed by public agencies that Mono County has established a Memorandum of Understanding with state and federal regulatory agencies to ensure that public land management and planning are coordinated with the county. By signing the MOU, the county hopes to be more proactive in the protection of important natural resources and to streamline the planning process.

The general plan calls for a fiscal analysis of new development. Currently, the county does not level any county-wide impact fees on development.

Mono County

Named for the Native Americans who first inhabited this part of the eastern slope of the Sierra Nevada and the shore of Mono Lake, Mono County is a broad, high tableland bound on the west by the Sierra crest and on the east by the Nevada state line. The word Mono comes from the Native American word “monache,” meaning fly people, the native people who subsisted partly on the pupae of flies from saline lakes like Mono Lake. Ninety-four percent of the county is publicly owned. Land management in the county is dominated by the Toiyabe and Inyo National Forests and the Bureau of Land Management. The Los Angeles Department of Water and Power also owns a substantial amount of land and associated water rights, in the Mono Basin as well as in Long Valley. Although the discovery of gold and silver in the 1850s spawned a number of early mining settlements such as Bodie, tourism is the mainstay of the county’s economy today. The town of Bodie, preserved in a state of “suspended decay,” is a major tourist attraction as are Mono Lake, Mammoth Lakes, Devils Postpile, Yosemite National Park and many other scenic destinations along the dramatic eastern slope of the Sierra.

Half of the county’s population resides in the town of Mammoth Lakes, the only incorporated community in the county and a destination for downhill skiers and back country enthusiasts. New development associated with the expansion of the Mammoth Mountain Ski Area is expected to boost the population of Mammoth Lakes to about 11,000 people. Other Mono County residents live in small communities scattered along the US Highway 395 corridor including Bridgeport, the county seat, and at the base of the White Mountains in the southeast portion of the county. Mono County is also home to several Paiute Indian reservations. Like other eastern Sierra counties, Mono County is often isolated from the rest of the Sierra in winter when all three of the east-west mountain passes leading into the county are closed. US Highway 395, which runs the length of the county, is the major year-round tourist link for the county, providing access for visitors from southern California and northern California and Nevada.

The current Mono County General Plan was updated in 1993. The county is considering integrating its zoning code with the general plan. By combining planning policies and zoning regulations into one document, the county hopes to streamline the permit process, making it more user friendly.

People
1980: 8,700
1996: 11,300
2020: 18,400

Annual growth rate (1980-1996): 1.9%
Projected annual growth rate: 2.6%

Land
Total: 1,985,950 acres
Public: 94%
Private: 6%
(0 acres enrolled in the Williamson Act)
(0 acres in Timber Production Zones)
Mono County is currently working with state and federal agencies to develop a regional wetlands policy to address part of this problem.

People
1980: 52,500
1996: 87,000
2020: 156,000
Annual growth rate (1980-1996): 4.1%
Projected annual growth rate: 3.3%

Land
Total: 625,920 acres
Public: 30%
Private: 70%
(5,296 acres enrolled in the Williamson Act,
1,946 acres initiated for non-renewal)
(n/a acres in Timber Production Zones,
n/a acres initiated for non-renewal)
**Nevada (continued)**

to zone the county out to the maximum densities allowed in the general plan. The alternative was to phase in new zoning over time as public facilities funding and other issues were resolved. The county chose the maximum density option with some exceptions.

The strengths of the Nevada County General Plan lie in the initial concepts outlined in the plan’s Land Use Element. The plan organizes the county into two kinds of regions: community regions and rural regions. The plan contains policies designed to encourage compact growth in community regions while limiting growth in rural regions. Nonetheless, Nevada County’s ability to maintain a clear edge between town and country may be affected by the new zoning maps which increase the amount and intensity of new development in a number of previously undeveloped areas. The county also allows parcels as small as 5 acres in “rural regions” and has inherited a number of even smaller residential parcels in rural regions which, if they are built on, are likely to jeopardize the community region concept.

As the zoning map debate suggests, one of the biggest weaknesses with the general plan is its lack of specificity with regard to the sequence of development and the protection of important natural resources. The general plan contains policies to protect the scenic beauty of the Yuba River corridor and native oak trees. Like other Sierra Nevada counties, however, Nevada County does not have a comprehensive habitat management plan to minimize future habitat and development conflicts by informing and guiding the location of new development. For the most part, the county relies on site-specific development standards to protect habitat and natural features as new development applications are approved. This method of habitat protection does not work over the long term and tends to increase the divisiveness of the planning and development application process.

According to the California Department of Forestry and Fire Protection, almost all of Nevada County is located in a “very high” category of fire risk. The county tends to approach the issue of fire safety in the same way it deals with habitat protection: using site-specific development standards to address the risks associated with building in hazardous areas. The county now requires improved circulation systems in fire-prone areas and recently completed a major new road connection to address an access-deficient 1970s subdivision known as Alta Sierra. Notwithstanding these steps, development on scattered rural parcels continues to increase the complexity and the cost of fire fighting.

The county has established a lower level of police and fire protection for rural regions than for community regions to acknowledge the costs and risks associated with rural residential development. Neighborhood groups have challenged the new zoning density in many of the rural regions as unsafe in light of high fire danger and lower levels of service.

Nevada County has embarked on an effort to improve the ease and efficiency of its development application process by establishing a one-stop center for planning and building inquiries. Staff are being cross-trained, enabling them to answer a variety of questions and to move applicants through the process as efficiently as possible.

To maintain the small town character of community regions, the general plan encourages mixed use development and pedestrian-oriented design guidelines in community areas. The county has also undertaken the development of a cultural resource ordinance to protect unique cultural and historic assets.

Like other Sierra Nevada counties, Nevada County competes with its incorporated cities for tax dollars and is seeking new ways to pay for the cost of servicing current residents. The county now charges new development for the full cost of providing road and recreation services. Agriculture, particularly small farm agriculture, is seen as a significant growth area in the county’s economy and the county has adopted a right-to-farm ordinance. Of the 152,128 acres of important farmland in the county in 1994, only 5,296 acres were enrolled in the Williamson Act. During the general plan update process, new development was designated on several large ranches including a potential “new town” on the largest privately held ranch in the county, near the rural community of Penn Valley. According to the general plan, the new town will not be developed until the county’s population reaches a certain number and a master plan is submitted for the project.

Agriculture, particularly small farm agriculture, is seen as a significant growth area in the county’s economy and the county has adopted a right-to-farm ordinance. Of the 152,128 acres of important farmland in the county in 1994, only 5,296 acres were enrolled in the Williamson Act. During the general plan update process, new development was designated on several large ranches including a potential “new town” on the largest privately held ranch in the county, near the rural community of Penn Valley. According to the general plan, the new town will not be developed until the county’s population reaches a certain number and a master plan is submitted for the project.
Placer County is located between the Bear River and the Middle Fork of the American River in the Mother Lode of the Sierra. The county extends from the Central Valley over the Sierra crest to Lake Tahoe. The northwestern shore of Lake Tahoe is located within the county's borders. The name “placer” is a link to the county’s past; “placer” mining is the surface mining of small particles of gold by gold pan or other techniques. The county is home to the historic gold mining towns of Auburn and Dutch Flat. Thirty percent of Placer County is publicly owned land, most of which is located in the eastern portion of the county and managed by the Tahoe National Forest and the Tahoe Basin Management Unit.

Bisected by Interstate 80 and adjacent to Sacramento County, Placer County is the most populated county in the Sierra and one of the fastest growing counties in the state. The county’s economy is fully diversified; local businesses run the gamut from high tech manufacturing to tourism and high wage services. Most of Placer County's population resides in the western portion of the county, in and around six incorporated communities (Auburn, Colfax, Lincoln, Loomis, Rocklin and Roseville). Of these, Roseville and Rocklin are the largest with populations of 59,432 and 27,199 respectively. As more and more people choose to live in Placer County and work in the county or commute to Sacramento, the population of communities along the I-80 corridor is expected to increase.

The Placer County General Plan was updated in August 1994. The Zoning Ordinance was adopted in 1995. According to the California Department of Finance, the county gained an additional 87,600 residents between 1980 and 1996. Of 59,432 and 27,199 respectively. As more and more people choose to live in Placer County and work in the county or commute to Sacramento, the population of communities along the I-80 corridor is expected to increase.

The Placer County General Plan was updated in August 1994. The Zoning Ordinance was adopted in 1995. According to the California Department of Finance, the county gained an additional 87,600 residents between 1980 and 1996. The county’s current population of 206,000 is projected to grow by 74 percent, reaching 358,500 by the year 2020. The county general plan and the plans for its incorporated cities will accommodate a population of 460,000 to 700,000 people at build-out. The imprecision of this figure reflects the range of densities permitted in the general plan.

The general plan includes a policy that requires new projects to pay for their share of capital costs to expand schools, roads, parks and other county services. To implement this policy, the county now levies a capital facilities fee on new development in unincorporated areas. The county is seeking to levy the fee on new development inside its incorporated communities, where...
Placer (continued)

most growth will occur over the next 15 years. The county also conducts a fiscal impact analysis for residential projects with more than 100 units and commercial projects in excess of ten acres (see case study page 40).

The Placer County General Plan lacks a comprehensive habitat management plan for wildlife. For the most part, the plan relies on site-specific mitigation to address the concerns of diminishing habitat, a method which will not protect the integrity of natural systems over the long term. The county hopes to include more specific information about important wildlife corridors and habitat in each of its community plans; however it is unclear at this time how successful these plans will be at ensuring the long term health of the county's native species. The county is starting to take a more comprehensive approach to habitat protection and recently established a small wetlands bank and a habitat conservation bank to help property owners mitigate their impacts on important habitat.

Plumas County

Plumas County is the northernmost county in the Sierra Nevada. Its name comes from the Spanish phrase El Río de Las Plumas, meaning “river of the feathers.” Plumas County lies within the Feather River watershed and contains the South, Middle and North Forks of the Feather River. By discovering the lowest pass over the Sierra (5,212 feet), James Beckwourth, an African American fur trader and Crow Chief, made Plumas County an important stop along the route to the Pacific in 1851. Plumas County is heavily forested, and timber production has been a major source of employment in the region. Seventy percent of the county is publicly owned; most is managed by the Plumas National Forest. The Union Pacific Railroad winds up the Feather River Canyon, across the north end of the Sierra Valley, and over the crest of the Sierra Nevada at Beckwourth Pass. Highway 70 is the major east-west route running through the county. Highway 89 runs north to south through the county.

Plumas County’s population is concentrated in several small towns. Quincy, the county seat and largest town, is located in the center of the county along Highway 70. Portola, with a population of 2,300, is the only incorporated city in the county. Lake Almanor, a large reservoir formed by a dam on the North Fork of the Feather River, is located in the northwestern corner of Plumas County; a number of residential developments are located near its shores, as is the town of Chester. The county’s major sources of employment are forest products, agriculture, tourism and services for the county’s growing population of retirees. According to the California Department of Finance, Plumas County gained 3,050 people between 1980 and 1996 bringing its current population to 20,450. The county is expected to grow to 25,100 people by 2020. The general plan accommodates enough development for a population of 146,967 when the plan is fully built-out; approximately 37 percent of those 146,967 people are expected to be part-time residents.

The Plumas County General Plan update process started in 1979 and was completed in 1985 with the adoption of the general plan. The county undertook an extensive public participation program: notifying every property owner in the county, conducting all day workshops and organizing public committees to work on specific issue areas. After completing the 1985 update of the plan, the

People

1980: 17,400
1996: 20,450
2020: 25,100
Annual growth rate (1980-1996): 1.1%
Projected annual growth rate: 0.9%

Land

Total: 1,675,780 acres
Public: 70.6%
Private: 29.4%
(82,970 acres enrolled in the Williamson Act,
5,746 acres initiated for non-renewal)
(361,067 acres in Timber Production Zones,
470 acres initiated for non-renewal)
Plumas (continued)

county eliminated the planning commission, becoming the only county in California without a planning commission.

The general plan identifies lands appropriate for agriculture, timber, mining and water resources and allows development, to varying degrees, everywhere else. The plan divides the county into eight planning areas (Almanor, Canyon, Indian Valley, American Valley, Middle Fork, Mohawk, Sierra Valley and Last Chance). Each of these areas contains “prime,” “moderate” and “limited” opportunity areas which are ranked based on the availability of roads and services. Opportunity areas are those areas where the county has decided to grow.

According to the land allocations outlined in the general plan, 26 percent of the county’s population at build-out, or 38,530 people, will reside in either “suburban” or “secondary suburban” areas which range in size from one acre per dwelling unit to ten acres per dwelling unit. The former require paved roads which meet county standards. This proliferation of low density development is likely to cost the county more to service than a more compact development pattern.

Low density development also tends to fragment habitat, limiting the county’s ability to effectively protect wildlife resources. Like other Sierra Nevada counties, Plumas County mitigates wildlife habitat impacts on a site-specific basis, a method which will not protect the connectivity and integrity of habitat over the long term.

Plumas County is working to ensure that development pays its own way by requiring new development to pay for the infrastructure and new services required in each opportunity area. Special districts charge specific fees for water, schools and fire protection. The county does not charge any county-wide impact fees for services like roads, libraries, or police protection. Plumas County balances its budget with, among other things, a combination of timber receipts, gas taxes and transient occupancy taxes. However, the level of service has been dropping for some county services. In some cases, fire districts are refusing to annex new areas. As a result, it is possible to live in Plumas County and not receive adequate fire protection.

A large portion of the county’s private land (73 percent) is enrolled in the state’s timber production zone program, and the county is working to ensure the continued productivity of timber and agricultural operations by treating areas mapped for these uses as non-mitigatable constraints, places where development is not allowed. Unlike Sierra County to the south, however, Plumas County is not using large minimum parcel sizes to ensure the continued economic viability of ranching in the county. A case in point is the Sierra Valley, where Sierra County has established a 640 acre minimum for ranch land and Plumas County allows 40 to 80 acre minimums.
Sierra County

Sierra County is the second least populated county in the Sierra. Ranching, tourism, timber and mining provide most of the employment in the county. Sierra County contains the headwaters of three major rivers: the North Fork of the Yuba River which flows west through the center of the county to the Sacramento River; the Little Truckee River, the largest tributary of the east-flowing Truckee River; and the Middle Fork of the Feather River, which ultimately flows into the San Francisco Bay Delta. A large portion of the county lies within the Plumas, Tahoe and Toiyabe National Forests. Sierra County is also home to 45 high Sierra lakes, the Sierra Buttes and many popular recreation areas. Approximately 60 percent of the population resides in the eastern portion of the county in the small towns of Loyalton, Sierraville, Sattley and Calpine and on ranches in the Sierra Valley and Long Valley. The remaining population lives in the western part of the county in the historic mining towns along the Yuba River and its tributaries: Downieville, the county seat, Sierra City, Allegheny, Pike, Forest and Goodyear’s Bar. The town of Verdi, located on Interstate 80 on the Nevada state line, is literally split between California and Nevada. About 80 percent of Sierra County residents are year-round, the other 20 percent are seasonal residents.

The Sierra County General Plan was adopted in 1996 and an update is planned for 2012. Loyalton is the only incorporated community in the county. According to the Department of Finance, Sierra County gained only 290 residents between 1980 and 1996. The county is expected to add 610 more people to its population by 2020, bringing its total to 4,000. The general plan will accommodate a population of 4,170 by 2012 and a population of 9,966 at build-out.

Sierra County has clearly recognized the importance of protecting its agriculture, timber, mining and recreational resources by concentrating development in existing communities. The county has taken a proactive approach to planning by mapping constraints for each of its communities including steep slopes, important agricultural land, deer migration corridors, important habitat, floodplains and scenic corridors. The constraints are clearly delineated in the general plan and serve as the basis for the land use map in each community. Specific treatment areas to protect natural features are also identified in the general plan as well as detailed policies to mitigate impacts in those areas.

The Sierra County General Plan contains detailed policies to direct development into existing towns. The plan distinguishes between town and country by establishing community core and community influence areas. Community cores are located at the center of town, while community influence areas are used as transition zones between developed communities and natural areas, timber lands and/or agricultural land. With the exception of a limited amount of visitor-serving uses and a proposed specific plan development in the Long Valley area, commercial land uses are permitted only inside the community core. This policy encourages continuous reinvestment in the county’s small towns and helps to maintain the viability of ranching, timber and mineral production operations outside of town by reducing potential conflicts. Rural residential development (10 to 40 acre parcels) is allowed only in community influence areas. To underlie its commitment to compact, contiguous development in its existing communities, the county has also adopted a policy preventing new lot splits in the Sierra Valley.

The general plan calls for the county to charge fees for the true cost of development. However, Sierra County has not established a county-wide fee structure, choosing instead to levy development fees on a case-by-case basis. The county relies heavily on federal timber receipts to pay for roads and schools. Unlike other Sierra Nevada counties, Sierra County has gone out of its way to prevent competition with incorporated communities for sales tax and commercial land uses. The general plan directs all commercial development near the incorporated town of Loyalton into the town boundary rather than allowing it to sprawl onto adjacent county land.

The Sierra County General Plan contains strong policies to protect the viability of agriculture in the county. Most of the county’s important agricultural land is contained in the expansive meadows of the Sierra Valley. The minimum parcel size for agricultural land in the valley is 640 acres. The county applies a 160 acre minimum to agricultural lands located in Long Valley in the far eastern portion of the county. The county also uses a right-to-farm ordinance.

People
1980: 3,100
1996: 3,390
2020: 4,000
Actual annual growth rate: .6%
Projected annual growth rate: .7%

Land
Total: 586,598 acres
Public: 69% (30,761 acres enrolled in the Williamson Act, 187 acres initiated for non-renewal)
Private: 31% (84,825 acres in Timber Production Zones, 4,400 initiated for non-renewal)
Tuolumne County

Sierra (continued)

Having adopted a strong and detailed general plan, Sierra County faces two immediate planning challenges. First, it must draft and adopt a new zoning ordinance and development code that adheres to the clear policies outlined in the general plan. Second, it must complete the specific plan for a proposed destination resort community in the eastern part of the county. This new resort will test the county’s ability to maintain its rural character and ranch lands while accommodating a relatively large and unprecedented development.

Tuolumne County sits between the Stanislaus River and the ridge line between the Tuolumne River basin and the Merced River basin. Named for the Native American tribe that lived along its shores, the Tuolumne River flows through the center of the county. The James Wood party discovered gold near what is now called Wood’s Creek in 1848, touching off the Gold Rush in Tuolumne County. The county yielded approximately $190 million in gold during the Gold Rush years.

Tuolumne County rises from the western foothills to the Sierra crest. Sonora, the largest town in the county and the county seat, is also the only incorporated city. Other historic towns include Chinese Camp, Columbia and Jamestown. Highway 120, the county’s main route into Yosemite National Park, skirts the southern boundary of the county. Tuolumne County is also bisected by Highways 108 and 49. Seventy-seven percent of the county’s land is publicly owned. Yosemite National Park and the Stanislaus National Forest, both partially in Tuolumne County, attract visitors from around the world.

The Tuolumne County General Plan was adopted in 1996. According to the California Department of Finance, Tuolumne County grew by 18,000 people between 1980 and 1996. The county’s current population of 52,700 is expected to grow to 87,500 by 2020. The new general plan is designed to accommodate a population of 97,100 by 2020 and at least 153,000 people at build-out. A lawsuit challenging the legality of the general plan was filed in early 1997.

Tuolumne County, like other southern Sierra counties, is just beginning to experience the growing pains of an expanding population. The county started its general plan update process with a very proactive approach to planning. The original draft of the plan used GIS technology to map constraints for all privately owned land in the unincorporated area of the county. These maps identified areas in which development should be limited or promoted based on specific land characteristics.

To eliminate uncertainty and arbitrariness, the draft general plan also included a number of detailed policies to protect scenic corridors, habitat areas, agricultural lands and other natural resources. Many of these draft policies were removed or altered during the general plan adoption process. As a result the county relies primarily

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<td>1980:</td>
<td>34,200</td>
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<td>1996:</td>
<td>52,700</td>
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<td>2020:</td>
<td>87,500</td>
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<td>Annual growth rate (1980-1996): 3.4%</td>
<td>Projected annual growth rate: 2.8%</td>
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<td>Total: 1,450,613 acres</td>
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<td>Public: 77%</td>
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<td>Private: 23%</td>
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<td>(123,601 acres in the Williamson Act, 7,783 acres initiated for non-renewal)</td>
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<td>(84,449 acres in Timber Production Zones, 394 acres initiated for non-renewal)</td>
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on a project-by-project approach to habitat mitigation. This method of habitat protection is not effective in protecting the integrity of natural resources over the long term and tends to increase the political volatility of planning and development application review.

Tuolumne County offers property owners the option of using its Biological Resource Conservation Handbook instead of employing a costly project-specific evaluation to address a project’s impact on wildlife habitat. The handbook currently contains strong policies designed to ensure individual projects make the best of the project-specific mitigation process. The handbook will be reviewed in 1997 and may be revised.

The Tuolumne County General Plan defines the line between town and country by concentrating growth in 19 established communities and one proposed community, Lime Kiln. The plan currently contains community plans for only three of those areas: Jamestown, Columbia and East Sonora. These communities benefit from locally-driven planning for community-oriented services and amenities like schools, parks, libraries and town centers. The county general plan directs county staff to work with interested communities to develop additional community plans.

To make the planning process as responsive as possible, Tuolumne County relies on the input and recommendations of three area planning commissions in addition to its county-wide commission. Although these local commissions create extra work for staff, the Jamestown, Columbia and Southern Tuolumne County area commissions enhance the responsiveness of the planning process and make it easier for residents from various parts of the county to participate.

Over the years, the county has chosen to waive fees for a variety of new development projects. This may pose a fiscal challenge for the county in the years to come.

The county’s general plan recognizes the importance of working agricultural land to its communities and contains policies, including a right-to-farm ordinance, to encourage the maintenance of most of the remaining agricultural land. During the general plan update process, however, approximately 6,200 acres of agricultural land received new development-related land use designations. Approximately 78 percent of the county’s remaining agricultural lands, or 123,601 acres, are now enrolled in the Williamson Act, though non-renewal has been initiated on over 7,000 acres of those currently enrolled lands, a harbinger of their conversion to non-agricultural uses over the next 10 to 15 years.
The following guide to planning in California was excerpted, with permission, from information published by the California Office of Planning and Research. Its purpose is to explain, in general terms, how local communities regulate land use and to define some commonly used planning terms. This excerpt covers the following topics:

- State Law and Local Planning
- The General Plan
- Zoning Subdivisions
- Other Ordinances and Regulations
- Annexation and Incorporation
- The California Environmental Quality Act
- A Glossary of Planning Terms

This appendix also includes a brief overview of “takings” law prepared by the Law Firm of Shute, Mihaly and Weinberger.

A Guide to Planning in California

To identify important community issues, project future demand for services, anticipate potential problems and establish goals and policies for directing and managing growth, cities and counties use a variety of planning tools including the general plan, specific plans, zoning and the subdivision ordinance.

The examples discussed here represent common procedures or methods, but are by no means the only way of doing things. State law establishes a framework for local planning procedures, but cities and counties adopt their own unique responses to the issues they face.

State law is the foundation for local planning in California. The California Government Code (Sections 65000 et seq.) contains many of the laws pertaining to the regulation of land uses by local governments including: the general plan requirement, specific plans, subdivisions and zoning.

However, the State is seldom involved in local land use and development decisions; these have been delegated to the city councils and boards of supervisors of the individual cities and counties. Local decision makers adopt their own sets of land use policies and regulations based upon the state laws.

Plan and Ordinances

There are currently 456 incorporated cities and 58 counties in California. State law requires that each of these jurisdictions adopt a comprehensive, long term general plan for its physical development.

This general plan is the official city or county policy guiding the location of housing, business, industry, roads, parks and other land uses, protecting the public from noise and other environmental hazards, and conserving natural resources. The legislative body of each city (the city council) and each county (the board of supervisors) adopts zoning, subdivision and other ordinances to regulate land uses and to carry out the policies of its general plan.

There is no requirement that adjoining cities or cities and counties have identical, or even similar, plans and ordinances. Cities and counties are distinct and independent political units. Each city, through its council, and each county, through its board of supervisors, adopts its own general plan and development regulations. Each of these governments is responsible, in turn, for the planning decisions made within its jurisdiction.

Hearing Bodies

In most communities, the city council or board of supervisors has appointed one or more hearing bodies to assist them with planning matters. The titles and responsibilities of these groups vary from place to place, so check with your local planning department regarding regulations in your area. Here are some of the more common types of hearing bodies and their usual responsibilities:

The Planning Commission: Considers general plan and specific plan amendments, zone changes and major subdivisions.
Zoning Adjustment Board: Considers conditional use permits, variances and other minor permits.

Architectural Review or Design Review Board: Reviews projects to ensure that they meet community aesthetic standards.

In some cities and counties, these bodies simply advise the legislative body on the proposals that come before them, leaving actual approval to the council or board of supervisors. More commonly, these bodies have the power to approve proposals, subject to appeal to the council or board of supervisors. These hearing bodies, however, do not have final say on matters of policy such as zone changes and general or specific plan amendments.

Hearings
State law requires that local governments hold public hearings prior to most planning actions. At the hearing, the council or supervisors or advisory commission will explain the proposal, consider it in light of local regulations and environmental effects and listen to testimony from interested parties. The council, board or commission will vote on the proposal at the conclusion of the hearing. Depending upon each jurisdiction’s local ordinance, public hearings are not always required for minor land subdivisions, architectural or design review or ordinance interpretations. The method of advertising hearings may vary. Counties and general law cities publish notice of general plan adoption and amendment in the newspaper. Notice of zone change, conditional use permit, variance and subdivision tracts is published in the newspaper and mailed to nearby property owners. Charter cities may have other notification procedures.

The General Plan

The Blueprint
The local general plan can be described as the city’s or county’s blueprint for future development. It represents the community’s view of its future: a constitution made up of the goals and policies upon which the city council, board of supervisors, or planning commission will base their land use decisions. To illustrate its importance, all subdivisions, public works projects and zoning decisions (except in charter cities other than Los Angeles) must be consistent with the general plan. If inconsistent, they must not be approved.

Long-Range Emphasis
The general plan is not the same as zoning. Although both designate how land may be developed, they do so in different ways. The general plan and its diagrams have a long term outlook, identifying the types of development that will be allowed, the spatial relationships among land uses and the general pattern of future development. Zoning regulates present development through specific standards such as lot size, building setback and a list of allowable uses. In counties and general law cities, the land uses shown on the general plan diagrams will usually be reflected in the local zoning maps as well. Development must not only meet the specific requirements of the zoning ordinance, but also the broader policies set forth in the local general plan.

Contents
State law requires that each city and each county adopt a general plan containing the following seven components or elements: land use, circulation, housing, conservation, open-space, noise and safety (Government Code Sections 65300 et seq.). At the same time, each jurisdiction is free to adopt a wide variety of additional elements covering subjects of particular interest to that jurisdiction such as recreation, agriculture, urban design or public facilities.

Most general plans consist of

1) a written text discussing the community’s goals, objectives, policies and programs for the distribution of land use,
2) one or more diagrams or maps illustrating the general location of existing and future land uses.

Each local government chooses its own general plan format. The plan may be relatively short or long, one volume or ten volumes, depending upon local needs. Some communities, such as the City of San Jose, have combined the required elements into one document, and most communities have adopted plans which consolidate the elements to some extent. State law requires that local governments make copies of their plans available to the public for the cost of reproduction.

Planning Issues
Although state law establishes a set of basic issues for consideration in local general plans, each city and county determines the relative importance of each issue to local planning and decides how they are to be addressed in the general plan. As a result, no two cities or counties have plans which are exactly alike in form or content. Here is a summary of the basic issues, by element:

The land use element designates the general location and intensity of housing, business, industry, open space, education, public buildings and grounds, waste disposal facilities, and other land uses.
The **circulation** element identifies the general location and extent of existing and proposed major roads, transportation routes, terminals and public utilities and facilities. It must be correlated with the land use element.

The **housing** element is a comprehensive assessment of current and projected housing needs for all economic segments of the community and region. It sets forth local housing policies and programs to implement those policies.

The **conservation** element addresses the conservation, development, and use of natural resources including water, forests, soils, rivers and mineral deposits.

The **open-space** element details plans and measures for preserving open-space for natural resources, the managed production of resources, outdoor recreation, public health and safety, and the identification of agricultural land.

The **noise** element identifies and appraises noise problems within the community and forms the basis for distributing new noise-sensitive land uses.

The **safety** element establishes policies and programs to protect the community from risks associated with seismic, geologic, flood and wildfire hazards.

**Approving the Plan**

The process of adopting or amending a general plan encourages public participation. Cities and counties must hold public hearings for such proposals. Advance notice of the place and time of the hearing must be published in the newspaper or posted in the vicinity of the site proposed for change. Prior to approval, hearings will be held by the planning commission and the city council or board of supervisors.

**Community and Specific Plans**

Community plans and specific plans are often used by cities and counties to plan the future of a particular area at a finer level of detail than that provided by the general plan. A community plan is a portion of the local general plan focusing on the issues pertinent to a particular area or community within the city or county. It supplements the policies of the general plan.

Specific plans describe allowable land uses, identify open space, and detail infrastructure availability and financing for a portion of the community. Specific plans implement, but are not technically a part of the local general plan. In some jurisdictions, specific plans take the place of zoning. Zoning, subdivision and public works decisions must be in accordance with the specific plan.

The general plan is a long-range look at the future of the community. A zoning ordinance is the local law that spells out the immediate, allowable uses for each piece of property within the community. In all counties, general law cities and the city of Los Angeles, zoning must comply with the general plan. The purpose of zoning is to implement the policies of the general plan.

**Zones**

Under the concept of zoning, various kinds of land uses are grouped into general categories or zones such as single-family residential, multi-family residential, neighborhood commercial, light industrial, agricultural, etc. A typical zoning ordinance describes 20 or more different zones which may be applied to land within the community. Each piece of property in the community is assigned a zone listing the kinds of uses that will be allowed on that land and setting standards such as minimum lot size, maximum building height and minimum front yard depth. The distribution of residential, commercial, industrial and other zones will be based on the pattern of land uses established in the community’s general plan. Maps are used to keep track of the zoning for each piece of land. Zoning is adopted by ordinance and carries the weight of local law. Land may be put only to those uses listed in the zone assigned to it. For example, if a commercial zone does not allow five-story office buildings, then no such building could be built on the lands which have been assigned that zone. A zoning ordinance has two parts: (1) a precise map or maps illustrating the distribution of zones within the community; and, (2) a text which both identifies the specific land uses allowed within each of those zones and sets forth development standards.

**Rezoning**

The particular zone determines the uses to which land may be put. If a landowner proposes a use that is not allowed in the zone, the city or county must approve a rezoning (change in zone) before development of that use can begin. The local planning commission and the city council or county board of supervisors must hold public hearings before property may be rezoned. The hearings must be advertised in advance. The council or board is not obligated to approve requests for rezoning and, except in charter cities, must deny such requests when the proposed zone conflicts with the general plan.

**Overlay Zone**

In addition to the zoning applied to each parcel of land, many cities and counties use overlay zones to further regulate development in areas of special concern. Lands in historic districts, downtowns, floodplains, near earthquake faults or on steep
slopes are often subject to having additional regulations overlain upon the basic zoning requirements. For example, a lot that is within a single-family residential zone and also subject to a steep-slope overlay zone must meet the requirements of both zones when it is developed.

**Prezoning**

Cities may prezone lands located within the surrounding county in the same way that they approve zoning. Prezoning is usually done before annexation of the land to the city in order to facilitate its transition into the city boundaries. Prezoning does not change the allowable uses of the land nor the development standards until such time as the site is officially annexed to the city. Likewise, land that has been prezoned continues to be subject to county zoning regulations until annexation is completed.

**Variances**

A variance is a limited waiver of development standards. The city or county may grant a variance in special cases where

1. application of the zoning regulations would deprive property owners of the uses enjoyed by nearby, similarly zoned lands; and

2. restrictions have been imposed to ensure that the variance will not be a grant of special privilege.

A city or county may not grant a variance that would permit a use that is not otherwise allowed in that zone (for example, a commercial use could not be approved in a residential zone by variance). Typically, variances are considered when the physical characteristics of the property make it difficult to develop. For instance, in a situation where the rear half of a lot is a steep slope, a variance might be approved to allow the house being built to be closer to the street than usually allowed. Variance requests require a public hearing and neighbors are given the opportunity to testify. The local hearing body then decides whether to approve or deny the variance.

**Conditional Use Permits**

Most zoning ordinances identify certain land uses which do not precisely fit into existing zones, but which may be allowed upon approval of a conditional use permit (sometimes called a special use permit or a CUP) at a public hearing. These uses might include community facilities (such as hospitals or schools), public buildings or grounds (such as fire stations or parks), temporary or hard-to-classify uses (such as Christmas tree sales or small engine repair), or land uses with potentially significant environmental impacts (hazardous chemical storage or building a house in a floodplain). The local zoning ordinance specifies those uses for which a conditional use permit may be requested, which zones they may be requested in and the public hearing procedure. If the local planning commission or zoning board approves the use, it will usually do so subject to certain conditions being met by the permit applicant. Alternatively, it may deny uses which do not meet local standards.

**Subdivisions**

In general, land cannot be divided in California without local government approval. Dividing land for sale, lease or financing is regulated by local ordinances based on the State Subdivision Map Act (commencing with Government Code Section 66410). The local general plan, zoning, subdivision and other ordinances govern the design of the subdivision, the size of its lots and the types of improvements (street construction, sewer lines, drainage facilities, etc.). In addition, the city or county may impose a variety of fees upon the subdivision, depending upon local and regional needs, such as school impact fees, park dedications, etc. Contact your local planning department for information on local requirements and procedures.

**Subdivision Types**

There are basically two types of subdivisions: parcel maps, which are limited to divisions resulting in fewer than five lots (with certain exceptions), and final map subdivisions (also called tract maps), which apply to divisions resulting in five or more lots. Applications for both types of subdivisions must be submitted to the local government for consideration in accordance with the local subdivision ordinance and the Subdivision Map Act.

**Processing**

Upon receiving an application for a subdivision map, the city or county staff will examine the design of the subdivision to ensure that it meets the requirements of the general plan, the zoning ordinance and the subdivision ordinance. An environmental impact analysis must be prepared and a public hearing held prior to approval of a tentative tract map. Parcel maps may also be subject to a public hearing, depending upon the requirements of the local subdivision ordinance.

**Final Approval**

Approval of a subdivision map generally means that the subdivider will be responsible for installing improvements such as streets, drainage facilities or sewer lines to serve the subdivision. These improvements must be installed or secured by bond before the city or county will grant final approval.
of the map and allow the subdivision to be recorded in the county recorder’s office. Lots within the subdivision cannot be sold until the map has been recorded. The subdivider has at least two years (and depending upon local ordinance, usually more) in which to comply with the improvement requirements, gain final administrative approval and record the final map. Parcel map requirements may vary dependent upon local ordinance requirements.

**Annexation and Incorporation**

**The LAFCO**

Annexation (the addition of territory to an existing city) and incorporation (creation of a new city) are controlled by the Local Agency Formation Commission (LAFCO) established in each county by the state’s Cortese-Knox Act (commencing with Government Code Section 56000). The commission is made up of elected officials from the county, cities, and, in some cases, special districts. LAFCO duties include establishing the spheres of influence that designate the ultimate service areas of cities and special districts; studying and approving requests for city annexations; and studying and approving proposals for city incorporations.

Below is a very general discussion of annexation and incorporation procedures. For detailed information on this complex subject, contact your county LAFCO.

**Annexation**

When the LAFCO receives an annexation request, it will convene a hearing to determine the worthiness of the proposal and may deny or conditionally approve the request based on the policies of the LAFCO and state law. Annexation requests which receive tentative approval are delegated to the affected city for hearings and, if necessary, an election. Annexations which have been passed by vote of the inhabitants or which have not been defeated by protest (in cases where no election was required) must be certified by the LAFCO as meeting all its conditions before they become final. It is the LAFCO, not the city, that is ultimately responsible for the annexation process.

**Incorporation**

When the formation of a new city is proposed, the LAFCO studies the economic feasibility of the proposed city, its impact on county and special districts, and the provision of public services. If the feasibility of the proposed city cannot be shown, the LAFCO can terminate the proceedings. If the proposed city appears to be feasible, LAFCO will refer the proposal to the county board of supervisors for hearing along with a set of conditions to be met upon incorporation. If the supervisors do not receive protests from a majority of the involved voters, an election will be held to create the city and elect city officials.

**The California Environmental Quality Act (CEQA)**

The California Environmental Quality Act (commencing with Public Resources Code Section 21000) requires local and state governments to consider the potential environmental effects of a project before deciding whether to approve it or not. CEQA’s purpose is to disclose the potential impacts of a project, suggest methods to minimize those impacts and discuss alternatives to the project so that decision makers will have full information upon which to base their decision. CEQA is a complex law with a great deal of subtlety and local variation.

The following discussion is extremely general. The basic requirements and administrative framework for local governments’ CEQA responsibilities are described in the California Environmental Quality Act: Statutes and Guidelines. For more information, readers should contact their local planning department.
Lead Agency
The lead agency is responsible for seeing that environmental review is done in accordance with CEQA and that environmental analyses are prepared when necessary. The agency with the principal responsibility for issuing permits to a project (or for carrying out the project) is deemed to be the lead agency. As lead agency, it may prepare the environmental analysis itself or it may contract for the work to be done under its direction. In practically all local planning matters (such as rezoning, conditional use permit and specific plans) the planning department is the lead agency.

Analysis
Analyzing a project’s potential environmental effect is a multi-step process. Many minor projects are exempt from the CEQA requirements. These include single-family homes, remodeling, accessory structures and some lot divisions (for a complete list refer to California Environmental Quality Act: Law and Guidelines). No environmental review is required when a project is exempt from CEQA.

When a project is subject to review under CEQA, the lead agency prepares an initial study to assess the potential adverse physical impacts of the proposal. When the project will not cause a significant impact on the environment or when it has been revised to eliminate all such impacts, a negative declaration is prepared. The negative declaration describes why the project will not have a significant impact and may require that the project incorporate a number of measures ensuring that there will be no such impact. If significant environmental effects are identified, then an Environmental Impact Report (EIR) must be written before the project can be considered by decision makers.

The Environmental Impact Report (EIR)
An EIR discusses the proposed project, its environmental setting, its probable impacts, realistic means of reducing or eliminating those impacts, its cumulative effects and alternatives to the project. CEQA requires that negative declarations and EIRs be made available for review by the public and other agencies prior to consideration of the project. The review period allows concerned citizens and agencies to comment on the completeness and adequacy of the environmental review prior to its completion. When the decision making body (the city council, board of supervisors or other board or commission) approves a project, it must certify the adequacy of the environmental review. If its decision to approve a project will result in unavoidable significant impacts, the decision making body must state, in writing, its overriding reasons for granting the approval and how the impacts are to be addressed.

An EIR is an informational document. It does not, in itself, approve or deny a project. Environmental analysis must be done as early as possible in the process of considering a project and must address the entire project. There are several different types of EIRs that may be prepared, depending upon the project. They are described in the California Environmental Quality Act: Statutes and Guidelines written by the Governor’s Office of Planning and Research and the Resources Agency.

Glossary
These are some commonly used planning terms. This list includes several terms that are not discussed in this information.

Board of Supervisors
A county’s legislative body. Board members are elected by popular vote and are responsible for enacting ordinances, imposing taxes, making appropriations and establishing county policy. The board adopts the general plan, zoning and subdivision regulations.

CEQA
The California Environmental Quality Act (commencing with Public Resources Code Section 21000). In general, CEQA requires that all private and public projects be reviewed prior to approval for their potential adverse effects upon the environment.

Charter City
A city which has been incorporated under its own charter rather than under the general laws of the state. Charter cities have broader powers to enact land use regulations than do general law cities.

City Council
A city’s legislative body. A popularly elected city council is responsible for enacting ordinances, imposing taxes, making appropriations, establishing policy and hiring some city officials. The council adopts the local general plan, zoning and subdivision ordinance.
**COG**
Council of Governments. There are 25 COGs in California made up of elected officials from member cities and counties. COGs are regional agencies concerned primarily with transportation planning and housing; they do not directly regulate land use.

**Community Plan**
A portion of the local general plan that focuses on a particular area or community within the city or county. Community plans supplement the policies of the general plan.

**Conditional Use Permit**
Pursuant to the zoning ordinance, a conditional use permit (CUP) may authorize uses not routinely allowed on a particular site. CUPs require a public hearing and, if approval is granted, are usually subject to the fulfillment of certain conditions by the developer. Approval of a CUP is not a change in zoning.

**Density Bonus**
An increase in the allowable number of residences granted by the city or county in return for the project’s providing low- or moderate-income housing (see Government Code Section 65915). Although not required by state law, density bonuses may also be granted where local governments have established a system to link development with other important public benefits like the permanent protection of open space.

**Design Review Committee**
A group appointed by the city council or county board of supervisors to consider the design and aesthetics of development within design review zoning districts.

**Development Fees**
Fees charged to developers or builders as a prerequisite to construction or development approval. The most common are (1) impact fees (such as park land acquisition fees, school facilities fees or street construction fees) related to funding public improvements which are necessitated in part or in whole by the development; (2) connection fees (such as water line fees) to cover the cost of installing public services to the development; (3) permit fees (such as building permits, grading permits, sign permits) for the administrative costs of processing development plans; and (4) application fees (re-zoning, CUP, variance, etc.) for the administrative costs of reviewing and hearing development proposals.

**Downzone**
This term refers to the rezoning of land to a more restrictive zone (for example, from multi-family residential to single-family residential or from residential to agricultural).

**EIR**
Environmental Impact Report. A detailed review of a proposed project, its potential adverse impacts upon the environment, measures that may avoid or reduce those impacts and alternatives to the project.

**Final Map Subdivision**
Final map subdivisions (also called tract maps or major subdivisions) are land divisions which create five or more lots. They must be consistent with the general plan and are generally subject to stricter requirements than parcel maps. Such requirements may include installing road improvements, the construction of drainage and sewer facilities, park land dedications and more.

**Floor Area Ratio**
Abbreviated as FAR, this is a measure of development intensity. FAR is the ratio of the amount of floor area of a building to the amount of area of its site. For instance, a one-story building that covers an entire lot has an FAR of 1. Similarly, a one-story building that covers 1/2 of a lot has an FAR of 1/2.

**General Law City**
A city incorporated under and run in accordance with the general laws of the state.

**General Plan**
A statement of policies, including text and diagrams setting forth objectives, principles, standards and plan proposals, for the future physical development of the city or county (see Government Code Sections 65300 et seq.).

**Granny Housing**
Typically, this refers to a second dwelling attached to or separate from the main residence. California Government Code 65852.1 enables cities and counties to approve such units in single-family neighborhoods.

**Impact Fees**
See Development Fees.

**Infrastructure**
A general term describing public and quasi-public utilities and facilities such as roads, bridges, sewers and sewer plants, water lines, power lines, fire stations, etc.

**Initial Study**
Pursuant to CEQA, an analysis of a project’s potential environmental effects and their relative significance. An initial study is preliminary to deciding whether to prepare a negative declaration or an EIR.
**Initiative**
A ballot measure which has been placed on the election ballot as a result of voter signatures and which addresses a legislative action. At the local level, initiatives usually focus on changes or additions to the general plan and zoning ordinance. The right to initiative is guaranteed by the California Constitution.

**LAFCO**
Local Agency Formation Commission. The Cortese-Knox Act (commencing with Government Code Section 56000) establishes a LAFCO made up of elected officials of the county, cities and, in some cases, special districts in each county. LAFCOs establish spheres of influence for all the cities and special districts within the county. They also administer incorporation and annexation proposals.

**Mitigation Measure**
The California Environmental Quality Act requires that when an environmental impact or potential impact is identified, measures must be proposed that will eliminate, avoid, rectify, compensate for or reduce those environmental effects.

**Negative Declaration**
When a project is not exempt from CEQA and will not have a significant effect upon the environment, a negative declaration must be written. The negative declaration is an informational document that describes the reasons why the project will not have a significant effect and proposes measures to mitigate or avoid any possible effects.

**Overlay Zone**
A set of zoning requirements that is superimposed upon a base zone. Overlay zones are generally used when a particular area requires special protection (as in a historic preservation district) or has a special problem (such as steep slopes, flooding or earthquake faults). Development of land subject to overlay zoning requires compliance with the regulations of both the base and overlay zones.

**Parcel Map**
A minor subdivision resulting in fewer than five lots. The city or county may approve a parcel map when it meets the requirements of the general plan and all applicable ordinances. The regulations governing the filing and processing of parcel maps are found in the state Subdivision Map Act and the local subdivision ordinance.

**Planned Unit Development (PUD)**
Land use zoning which allows the adoption of a set of development standards that are specific to the particular project being proposed. PUD zones usually do not contain detailed development standards; these are established during the process of considering the proposals and are adopted by ordinance if the project is approved.

**Planning Commission**
A group of residents appointed by the city council or board of supervisors to consider land use planning matters. The commission’s duties and powers are established by the local legislative body and might include hearing proposals to amend the general plan or rezone land, initiating planning studies (road alignments, identification of seismic hazards, etc.), and taking action on proposed subdivisions.

**Referendum**
A ballot measure challenging a legislative action by the city council or county board of supervisors. Referenda petitions must be filed before the action becomes final and may lead to an election on the matter. The California Constitution guarantees the right to referendum.

**School Impact Fees**
Proposition 13 put a limit on property taxes and thereby limited the main source of funding for the construction of new school facilities. California law allows school districts to impose fees on new developments to offset their impacts on area schools.

**Setback**
A minimum distance required by zoning to be maintained between two structures or between a structure and property lines.

**Specific Plan**
A plan addressing land use distribution, open space availability, infrastructure, and infrastructure financing for a portion of the community. Specific plans put the provisions of the local general plan into action (see Government Code Sections 65450 et seq.).

**Tentative Map**
The map or drawing illustrating a subdivision proposal. The city or county will approve or deny the proposed subdivision based upon the design depicted by the tentative map. A subdivision is not complete until the conditions of approval imposed upon the tentative map have been satisfied and a final map has been certified by the city or county and recorded with the county recorder.

**Tract Map**
See final map subdivision.

**Transportation Systems Management (TSM)**
A transportation plan that coordinates many forms of transportation (car, bus, carpool, rapid transit, bicycle, walking, etc.) in order to distribute the traffic impacts of new development. Rather than emphasizing road expansion or con-
Variance
A limited waiver from the requirements of the zoning ordinance. Variance requests are subject to public hearing, usually before a zoning administrator or board of zoning adjustment. Variances may only be granted under special circumstances.

Zoning
Local codes regulating the use and development of property. The zoning ordinance divides the city or county into land use districts or zones represented on zoning maps, and specifies the allowable uses within each of those zones. It establishes development standards such as minimum lot size, maximum height of structures, building setbacks and yard size.

Zoning Adjustment Board
A group appointed by the local legislative body to consider minor zoning adjustments such as conditional use permits and variances. It is empowered to conduct public hearings and to impose conditions of approval. Its decisions may be appealed to the local legislative body.

Zoning Administrator
A planning department staff member responsible for hearing minor zoning permits. Typically, the zoning administrator considers variances and conditional use permits and may interpret the provisions of the zoning ordinance when questions arise. His/her decision may be appealed to the local legislative body.

Overview of Takings Law
In recent years, the question of whether proposed zoning and other land use restrictions constitute a “taking” of private property has influenced many local planning debates. The following overview of takings law is designed to shed more light on the subject.

As a general rule, takings are found only when the government action fails to substantially advance legitimate state interests or denies an owner economically viable use of his land (Agins v. City of Tiburon). In determining the economic impact of government action, courts apply one of two tests: (1) whether the property owner has been deprived of all reasonable economic use of its property; or (2) whether the regulation has interfered with the owner's reasonable investment-backed expectations. Whatever test is applied, however, courts rarely find that government action has resulted in a taking of property.

Remaining Economic Use
Generally, courts look to the remaining beneficial uses of property to determine whether a development restriction denies a property holder the economically viable use of its property (Lake Nacimiento Co. v. San Luis Obispo County). As long as regulations allow some remaining use, courts are unlikely to find that a taking has occurred. In fact, the courts have stated, “The denial of the highest and best use does not constitute an unconstitutional taking of property” (Long Beach Equities v. County of Ventura).

Furthermore, regulation may diminish the market value of property without resulting in a denial of all economically viable use. “Mere diminution” in the value of privately held property resulting from regulation in the interest of public welfare, even if significant, does not constitute a taking (MacLeod v. Santa Clara County, citing Penn Central Transp. Co. v. New York).

Thus, in Long Beach Equities v. County of Ventura, the court found that even where “zoning restrictions preclude recovery of the initial investment made,” they do not result in a taking as long as some use of the property remains. In other cases, the court has ruled that there is no taking despite diminution in value from $800,000 to a maximum of $60,000, and property could not be used for any purpose permitted under the city’s ordinance (Hadacheck v. Sebastian). In addition, no taking was found where the value of property was diminished from about $2,000,000 to about $100,000 (Haas v. City & County of San Francisco), and even where there was a very substantial diminution in the value of land (Del Oro Hills v. City of Oceanside).

These cases make apparent that courts rarely find that land use regulations have deprived property owners of all reasonable economic use of their property. Instead, takings are generally found only in exceptional cases, for example, where a land use regulation prevents all development of the land at issue (Lucas v. South Carolina Coastal Council).

Interference With Reasonable Investment-Backed Expectations
“Government regulation may amount to a taking when it interferes with a property owner's distinct and reasonable investment-backed expectations, such as continuing the existing uses of the property in question and obtaining some return on the owner's investment.” (California Environmental Law, 6.06 (3), citing Penn Central Transp. Co v. New York).
The courts, however, set a high standard for a finding that expectations of a landowner in a particular form of development qualify as “reasonable investment-backed expectations.” For example, in Long Beach Equities, the court equated reasonable investment-backed expectations with the vested rights and found that, based on California vested rights law, it is difficult to develop a reasonable development expectation (Long Beach Equities, citing Avco Community Developers, Inc. v. South Coast Regional Com.). Generally, a vested right is the right to continue with use or development of property notwithstanding a change in government regulation that would otherwise affect the property. It is well established in California, however, that “landowners have no vested right in existing or anticipated zoning regulations” (Tahoe Keys v. Water Resources Control Board, HFH Ltd. v. Superior Court).

Furthermore, where property is purchased as a speculative investment, it is not the government’s responsibility to ensure that this investment is protected. The court stated in MacLeod v. Santa Clara County that “the Fifth Amendment is not a panacea for less-than-perfect investment or business opportunities” and in Long Beach Equities v. County of Ventura the “interest in anticipated gains has traditionally been viewed as less compelling than other property-related interests. Prediction of profitability is essentially a matter of reasoned speculation that courts are not especially competent to perform.” As a result, in Del Oro Hills v. City of Oceanside, the court reiterated the holdings of Long Beach Equities and MacLeod and found that where the property owner is engaged in land use speculation, it is not necessarily entitled to a profit on its investment.

Based on the foregoing cases, communities are not required to protect the speculative investments of property owners and are not required to maintain land use densities or designations at the previously designated level. Communities are also not responsible for fluctuations in property values as a result of changes in the market.

For more information on takings law consult *Takings Law in Plain English* by Christopher J. Duerkson, referenced in Appendix D.
Appendix D

Sources & Suggested Reading


Lacey, J. 1990. An Examination of Market Appreciation for Clustered Housing with Permanently Protected Open Space. Unpublished Manuscript, Center for Rural Massachusetts, University of Massachusetts, Amherst.


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“Planning for Prosperity is the kind of reference guide that is needed today by all of us involved in planning issues in the Sierra Nevada. SBC has compiled an excellent tool for planning commissioners, supervisors, business leaders and other citizens who care about the quality of the planning in the region and the long term economic health of our communities.”

Carol Patton
Proprietor, Placerville Clothing Company, Planning Commissioner, City of Placerville

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