

Title 130 Zoning Ordinance Minor Amendments

Project File No. OR 17-0001



BOARD OF SUPERVISORS

8/14/2018

**Community Development Services
Planning and Building Department,
Long Range Planning**

Presentation Overview

2

- **Purpose of today's hearing**
- **Background**
- **Additional Items**
- **Items Moved to Major Amendments**
- **Removed Items**
- **Recommendation**

Purpose of Today's Hearing

3

Staff forwarding recommendation of approval from Planning Commission to the Board to take the following actions:

1. Approve CEQA Addendum to TGPA-ZOU EIR consistent with Section 15164 of CEQA Guidelines
2. Approve minor amendments to Zoning Ordinance and adopt ordinance to amend Title 130
3. Approve minor revisions to Zoning Map to correct documented mapping errors
4. Adopt ordinance to rezone 11 parcels and to revise Zoning Map

Background

4

December 15, 2015

- Board adopted Zoning Ordinance Update (ZOU) and directed staff to return to Planning Commission and Board with status on implementation

January 2016 - June 2017

- Staff identified major and minor amendments to Zoning Ordinance

September 2017 – Board adopted Resolutions of Intention (ROIs)

- ROI 139-2017 - Minor changes to Zoning Ordinance / Zoning Map
- ROI 140-2017 - Major changes to Zoning Ordinance / Zoning Map

June 28, 2018 – Planning Commission Public Hearing

Parcel Rezones

5

11 parcel-specific rezones to correct documented mapping errors

- Direct mailing to 11 affected property owners notifying of the proposed rezone and this public hearing
- Additional mailing to all property owners within 500 feet of affected parcels
- Comments received and concerns addressed

Additional Items

6

1. **Article 1: Section 130.12.010.A.4** (Official Zones, Industrial)

- Change name of industrial zones from:
“Industrial, Low” and “Industrial, High” to:
“Industrial - Light” and “Industrial - Heavy”

Proposed change for internal consistency with Industrial Zone names in Article 2: Chapter 130.23 (Industrial and Research and Development Zones)

Additional Items

7

2. Article 2 - Table 130.22.020 (Allowed Uses and Permit Requirements for Commercial Zones)

- **Outdoor Entertainment** – Allow by CUP in Commercial Main Street (CM) Zone
- **Personal Services** – Allow by right (“P”) or CUP in Commercial, Professional Office (CPO) Zone
- **Winery Production** – Allow by CUP in Commercial Main Street (CM) Zone

Additional Items

8

3. **Article 3: Section 130.32.020** (Flood Damage Prevention – Definitions)

- Definitions of “Substantial Damage” and “Substantial Improvement” moved from Article 8 (Glossary)

Specialized terms related to flood damage prevention relocated to the Flood Damage Prevention Definitions section for ease of use

Additional Items

9

4. **Article 7: Section 130.71.050** (Off-Site Mitigation or Fee Payment in Lieu of Ecological Preserve Mitigation in Mitigation Areas 1 and 2)

- Add section: On-Site Mitigation In Mitigation Area 0

This section was included in preliminary drafts of 2015 ZOU but was unintentionally omitted during the adoption process.

Additional Items

10

5. **Article 8: Section 130.80.020** (Definitions of Specialized Terms and Phrases)

- Modify definition of “Agriculture, Value-Added Product” to add: “Any conversion of grapes or other agricultural products into alcoholic beverages shall be subject to all applicable state and federal permits and regulations.”

Per Ag Commission’s recommendation (4/11/18)

Additional Items

11

6. **Article 4: Section 130.40.080.C.1** (Animal Keeping in Residential Zones – Apiaries, Commercial or Private)

- Modify definition of “Apiaries, Commercial or Private” to remove “Private”

This change would clarify that private beekeeping is allowed on all single-unit residential zones, while commercial apiaries would be allowed only on lots zoned R2A and larger

Per Ag Commission’s recommendation (4/11/18)

Items Moved to Major Amendments

12

1. Article 5, Section 130.52.050 (Public Notice)

- Incorporate/consolidate expanded public notice requirements of Ordinance 5026 (adopted 9/15/15)

2. APN 060-401-32 (Garden Valley area)

- Rezone from Commercial, Limited (CL) to Commercial, General (CG)

3. APN's 074-100-29, 074-100-41, 074-100-46, 074-100-50 (Greenwood area):

- Rezone from Commercial, Limited (CL) to Commercial, Community (CC) to eliminate a “spot zoning” issue.

Items Moved to Major Amendments

13

4. **APN's 016-410-10, 016-410-07, 016-410-06, 016-261-14, 016-261-12, 016-261-02 (Meeks Bay, South Lake Tahoe area):**
 - Rezone from Commercial, Community (CC) to Residential, Single Unit (R1) to conform to the Tahoe Regional Planning Agency (TRPA) Area Plan and ZO Update.

5. **APN 104-250-10 (Pilot Hill area):**
 - Proposed rezone from Residential, Multi Unit (RM) to Commercial, Community (CC) to conform to the General Plan Land Use Designation.

Removed Items

14

1. Article 4, Section 130.40.190.C (Temporary Mobile Home Removal)

- **No changes will be made to this section.** Underlined text will not be added: “...the mobile home or recreational vehicle shall be removed from the property, or be converted to dead storage consistent with Section 110.64.060 (Storage of Unoccupied Manufactured Homes) of Title 110 (Buildings and Construction) of the County Code of Ordinances ...”

Proposed language to allow conversion of temporary mobile homes to dead storage is inconsistent with the intent of this regulation. The County should continue to require removal of temporary mobile homes when unoccupied.

Removed Items

15

2. Rezone of APN 040-080-06 from Timber Preserve Zone (TPZ) to Forest Resource Zone (FR-160)

- Determined to not be a mapping correction error
- Will be processed independently as separate rezone amendment

Removed Items

16

3. Article 4, Sections 130.40.140 and 130.40.250 (Medical Cannabis Distribution and Outdoor Medical Cannabis Cultivation for Personal Use)

- Move text of Ordinance 5067 (Medical Cannabis Distribution and Outdoor Medical Cannabis Cultivation for Personal Use) from Article 9 (Miscellaneous) to Article 4

This item will be addressed after the results of cannabis-related ballot measures in the November 2018 election.

Recommendation

17

Staff recommends the Board take the following actions as recommended by Planning Commission June 28, 2018:

1. Approve CEQA Addendum to TGPA-ZOU EIR consistent with Section 15164 of CEQA Guidelines
2. Approve minor amendments to Zoning Ordinance and adopt ordinance to amend Title 130
3. Approve minor revisions to Zoning Map to correct documented mapping errors
4. Adopt ordinance to rezone 11 parcels and to revise Zoning Map

Attachments

(Legistar File No. 18-0942)

18

- **Attachment 2A: Board Staff Memo**
- **Attachment 2B: CEQA Addendum**
- **Attachment 2C: Title 130 Zoning Ordinance**
- **Attachment 2D: Rezone Ordinance**

Next Steps

19

- **Ordinance and Zoning Map amendments effective 30 days after adoption**
- **Zoning Ordinance major amendments project currently in process**