



PLANNING AND BUILDING DEPARTMENT

LONG RANGE PLANNING DIVISION

2850 Fairlane Court, Placerville, CA 95667

924 B Emerald Bay Road, South Lake Tahoe, CA 96150

Phone: (530) 621-5355 Email: planning@edcgov.us

<https://www.eldoradocounty.ca.gov/Land-Use/Planning-and-Building/Long-Range-Planning-Division>

TO: Planning Commission

Agenda of: March 12, 2026

FROM: Tim Pitt, Senior Planner

DATE: February 27, 2026

RE: Repeal of Ordinance 5210 (Tobacco Retailer Land Use Regulations)

Project Background/Discussion:

On January 30, 2024, (File No. 24-0002) the Board of Supervisors (Board) adopted Urgency Ordinance 5192, which provides an interim moratorium on new tobacco retailer applications for all purposes within the unincorporated areas of the County pending the study and development of reasonable regulations for a tobacco retailer licensing and land use program. Subsequently, on March 12, 2024, (File No. 24-0083) the Board adopted Urgency Ordinance 5197, which extended the existing moratorium on new tobacco retailer applications and directed staff to develop a tobacco retailer license process and a land use regulation ordinance. These ordinances (ORD 5210 and ORD 5211) were approved and adopted by the Board on October 22 and November 5, 2024 (File No. 24-1371). Ordinance 5210 added Chapter 130.40.340 of the County Zoning Ordinance, which established tobacco retailer land use regulations, and amended Section 130.22.020 "Matrix of Allowed Uses.". Ordinance 5211 adopted a new Chapter 8.68 of the County Code, which established a process for a Tobacco Retail License.

On July 29, 2025, (File No. 25-0901) the Board directed staff to repeal both the Tobacco Zoning Ordinance 5210 and Tobacco Retail License Ordinance 5211 and adopted a Resolution of Intention (ROI 147-2025) which allows staff to make the necessary changes to Title 130 (Zoning Ordinance). On October 28, 2025, (File No. 25-1670) the Board approved Ordinance 5248, which Repealed Ordinance 5211 in its entirety including Chapter 8.68 of the County Code related to the regulation of tobacco retailers and the establishment of a tobacco retail license.

Staff Recommendations:

Staff recommends the Planning Commission forward a recommendation to the Board to take the following actions:

1. Find repealing Ordinance 5210 exempt from the California Environmental Quality Act (CEQA) under Section(s) 15060(c)(2) and 15378 of the CEQA Guidelines; and
2. Approve repealing Ordinance 5210 to amend Title 130 of the County Zoning Ordinance, repealing Chapter 130.40.340 in its entirety, and amending Chapter 130.22.020 “Matrix of Allowed Uses.”

California Environmental Quality Act (CEQA):

Staff reviewed the proposal for consistency with CEQA and found the proposed amendments to be exempt from environmental review under Section(s) 15060(c)(2) and 15378 of the CEQA Guidelines because the repeal of regulation of tobacco retailer does not have the potential of resulting in a direct or reasonably foreseeable indirect physical change in the environment.

Exhibits (Attachment B):

- A. Board ROI No. 147-2025
- B. Section 130.22.020 “Matrix of Allowed Uses” Strikeout
- C. Proposed Ordinance