



**Table Of Contents:**

**Specific Zoning Issues .....2**  
**“Consistency” Zoning Paper .....6**  
**“Consistency” Zoning Criteria Tables .....11**  
**Illustrative Slides .....21**

**Additional Reference Material**

- **Agricultural Draft Zoning Ordinance Notes .....41**
- **Draft Ranch Marketing Zoning Ordinance .....44**
- **RL Zone ~ Optional Analysis Refinement .....56**
- **Timber Production Zone (Chapter 17.44 TPZ ) .....58**

**Attachments 1 - 10**

## SPECIFIC ZONING ISSUES

*March 1, 2012*

The El Dorado County Zoning Ordinance (ZO) has not been comprehensively updated for over 30 years, resulting in a patchwork of regulations passed pursuant to dated policies which may have been long since revised or eliminated.

The current General Plan (GP) was adopted in July 2004.

The County is required by law to have zoning that matches the General Plan, pursuant to the California Government Code §65860(d). The California Supreme Court has stated that the Planning and Zoning Law does not contemplate that general plans will be amended to conform to zoning ordinances. The tail does not wag the dog. The general plan is the charter to which the ordinance must conform." Longtin's California Land Use, Section 2.42 (2009 Supp.); Leshner Communications, Inc. v. City of Walnut Creek, 52 Cal 3d 531 (1990).

In accordance with state law, Measure LU-A of the (GP) requires a Zoning Ordinance (ZO) Update within one year to "Provide consistency between the General Plan land use designations and the Zoning Ordinance (Policy 2.2.1.2)".

GP Policy land use designations are defined by GP Policy 2.2.1.2 (**Attachment 1**) and illustrated in GP Table 2-3 :Land Use Densities and Residential Population Ranges". The defined Land Use Designations include: Multi Family Residential (MFR) 5-25 units per acre; High Density Residential (HDR) 1-5 dwelling units per acre; Low Density Residential (LDR) 1 dwelling unit per 5 acre or 10 acre parcel, "Parcel size shall range from 5.0 to 10.0 acres" (GP page 16).

GP Policy 2.2.5.6 provides "Where approval of the General Plan has created inconsistencies with existing zoning, lower intensity zoning, in accordance with Table 2-4 may remain in effect until such time as adequate infrastructure is available to accommodate a higher density/intensity land use." A fair reading of 2.2.5.6 is that GP Table 2-4 allows identified existing zoning to remain in effect although these existing zonings as shown in 2.2.5.6 are at densities less than the GP Policy 2.2.1.2 and GP Table 2-3 land use designated densities.

GP Policy 2.2.5.7 provides that even where a parcel of land is zoned consistent with the land use designation, "the county reserves the right to deny development plans providing for permitted uses where adequate findings for approval (including adequate public facilities and services) cannot be made." In other words, the fact a parcel is zoned consistent with the general plan land use designation is not a guarantee of a building permit if the infrastructure is not supportive of the project.

In conformance with GP LU-1, the county commenced the ZO update. By April of 2011, a draft ZO Update map and ZO Update text was prepared and submitted to the Board of Supervisors by the Department of Development Services (DSD) with a recommendation to employ a consultant to prepare an EIR (legistar 11-0209). Testimony and documentation was presented to the Board that there were specific ZO text and map issues that should be addressed before CEQA review. There was also concern that the ZO Update did not address proposed revisions in the Targeted General Plan Amendment (TGPA) then being processed.

Rather than accepting the recommendation to prepare and EIR for the ZO, the Board, adopted Resolutions of Intention related to the Targeted General Plan Amendment (TGPA) and ZO update and set a work shop for July 25, 2011 consider issues related to the TGPA and specific zoning issues.

On July 25, 2011 the Board met from 9 a.m. to 7:00 p.m. and considered material found in legistar 11-0356 and 11-0019. A copy of the reported motions from that meeting is attached as **Attachment 2**. The TGPA and ZO update were referred to the Planning Commission for review and then back to the Board on September 26, 2011 for a CEQA related Board workshop.

On August 5, 2011 EDAC submitted a 15 page document entitled “Targeted General Plan Amendment) and DSD Programmatic Work Plan” (**Attachment 3**) . This document summarized the TGPA and ZO issues as of that date and presented a programmatic approach to address these issues along with separate county activities that relate in some way to the TGPA and ZO.

On August 9, 2011 a 5 page document (**Attachment 4**) was submitted to the Board entitled “EDAC Zoning Recommendations”(attachment 5 for BOS) and listing 13 Zoning Ordinance Project Component Issues as of that date. These zoning issues included: Zoning Map Update; Multiple Commercial Zones; Table 2-4; TPZ; Wetland/Riparian setbacks; MUD II; Home Occupations; Ranch Marketing; Ag Zoning Opt-in; Ag Homestays; PD; Ag Support Uses.

On September 8, 2011 and September 22, 2011 the Planning Commission considered the TGPA and ZO update issues, including the issues discussed in the attached matrix entitled, “Zoning Options based on EDAC Concerns” which summarized specific zoning issues along with staff commentary on the issues (**Attachment 5**) . As reflected in the minutes, the Planning Commission commented and made recommendations on each of the 13 zoning issues (**Attachment 6**).

On September 26, 2011 the Board held a workshop that addressed CEQA and Traffic issues they related to the TGPA and ZO update along with review of specific zoning issues. A Board motion directed continued work on the alternate zoning treatments of the following 14 items: Multiple commercial zones; Commercial/Industrial and Ag Support Uses or Zones; PD; Table 2-4 amendments; Home Occupations (HOO); Residences in TPZ; MUD II; Animal Keeping; Wetland Riparian Setbacks; Zoning Map Update; Ranch Marketing and Grazing Lands; Ag Zoning Opt In within Ag Districts and Rural Region land uses; Ag Homestays; Rural land uses allowed. (**Attachment 7**)

On October 24, 2011 the Board reviewed draft Resolutions of Intention for the TGPA and ZO and to be considered on November 14, 2011.

On November 14, 2011 e Board adopted ROI 183- 2011 and ROI 184-2011, copies of which are attached as (**Attachment 8**). These resolutions directed the Comprehensive Update of the Zoning Ordinance address specific issues. Attached as (**Attachment 9**) are power point slides considered by the Board on November 14, 2011 that addressed specific zoning issues.

Prior to adoption of these Resolutions of Intention, the Board had considered extensive oral and documentary evidence related to these issues. On November 14, 2011, EDAC presented the Board a CD containing 410 pages of documents related to the Comprehensive Zoning Update) and Targeted General Plan Amendment (TGPA) that had been considered by the Board . The five page introduction to that CD is attached (**Attachment 10**) along with a copy of the CD. Each of the 410 pages is numbered consecutive and retains the listar identification of verification and ease of reference.

For ease of reference specific zoning issues addressed in the ROIs adopted by the Board on November 14, 2011 are summarized.

#	ZONING ISSUE	SUMMARY OF ISSUE	ROI
1	Multiple Commercial	Create specific zones for specific areas per GP pg ID MUD II	x
2	C/Ind/Ag Support	Expands commercial/industrial uses in Rural Regions	x
3	Planned Development	Review PD requirements especially 30% OS in CR	x
4	Table 2-4	Revise Table 2-4 to reflect new zones	x
5	Home Occupations	Consider expanded home occupations, including employees	x
6	Residence in TPZ	Analyze effect of residency by right and expanded uses	x
7	MUD II	Include MUD II in specific zones along with standard plans	x
8	Animal Keeping	Deferred to separate ordinance	
9	Wetland/Riparian	Setbacks be from edge of bank/high water mark or riparian. Veg.	x
10	Zoning Map Update	Draft Map v. Proposed Map SEE SEPARATE CRITERIA	x
11	Ranch Marketing	Revised Ranch Marketing re grazing and other issues	x

12	Ag Zoning Opt In	Give landowners option in RR and Ag Districts to opt in ag zoning	x
13	Ag Homestays	Clarify ag homestays allowed	x
14	Rural Lands	Expand uses of Rural Lands for working landscape	x



## EDAC Regulatory Reform “Consistency” Zoning

### Background and Legal Framework:

California Planning and Zoning Law (Govt. Code §65000, et seq.) requires a County’s Zoning Ordinance to be *consistent* with the adopted General Plan. If the zoning becomes inconsistent by reason of adoption of a new or amended general plan, the zoning ordinance must be amended within “a reasonable time” so that it is consistent with the general plan.<sup>1</sup> El Dorado County’s 2004 General Plan provided, as one of the first implementation measures that the County’s Zoning Ordinance would be updated “to provide consistency between the General Plan land use designations and the Zoning Ordinance”.

The California courts have confirmed the requirement that zoning must be consistent with the General Plan. A zoning ordinance inconsistent with the general plan at the time of its enactment is “invalid when passed” [citations] and one that was originally consistent but has become inconsistent must be brought into conformity with the general plan...<sup>2</sup> “[P]ersons who seek to develop their land are entitled to know what the applicable law is at the time they apply for a building permit. ...[O]fficials must be able to act pursuant to the law, and courts must be able to ascertain a law’s validity and to enforce it. The validity of the ordinance under which permits are granted, or pursuant to which development is regulated, may not turn on possible future action by the legislative body or electorate.”<sup>3</sup>

The requirement for consistency between the general plan and zoning ordinance is not conditional or qualified by exceptions. There is no exemption which permits a city or county to maintain inconsistent zoning because it has determined that development of the area is premature or that infrastructure is not yet available.

### El Dorado County 2004 General Plan

The General Plan (“GP”) recognizes the requirement for consistency between the GP and the County’s Zoning Ordinance (“ZO”). All discretionary applications, including zoning boundary adjustments must be consistent with the GP (Policy 2.2.5.2). Future rezoning is to be evaluated based on the GP’s “general direction as to minimum parcel size or maximum allowable density” among other factors (Policy 2.2.5.3). The GP identifies a range of minimum

---

<sup>1</sup> California Government Code §65860. (a) County or city **zoning ordinances shall be consistent with the general plan** of the county or city by January 1, 1974. A zoning ordinance shall be consistent with a city or county general plan only if both of the following conditions are met:

(1) The city or county has officially adopted such a plan.

(2) **The various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in the plan.**

(b) Any resident or property owner within a city or a county, as the case may be, may bring an action or proceeding in the superior court to enforce compliance with subdivision (a)... No action or proceeding shall be maintained pursuant to this section by any person unless the action or proceeding is commenced and service is made on the legislative body within 90 days of the enactment of any new zoning ordinance or the amendment of any existing zoning ordinance.

(c) In the event that a zoning **ordinance becomes inconsistent with a general plan by reason of amendment to the plan, or to any element of the plan, the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended.** [emphasis added]

<sup>2</sup> *Leshar Communications, Inc. v. City of Walnut Creek* (1990).

<sup>3</sup> *Leshar Communications, Inc. v. City of Walnut Creek* (1990).

## EDAC Regulatory Reform

### “Consistency” Zoning

parcel sizes, residential densities and allowable uses for each of the land use designations which are used to measure “consistency”.

GP Policy 2.2.5.6 provides “[w]here approval of this General Plan has created inconsistencies with existing zoning, lower intensity zoning, in accordance with Table 2-4, may remain in effect until such time as adequate infrastructure is available to accommodate a higher density/intensity land use.” Table 2-4 identifies these “lower intensity” zones as “below the acceptable range of [the] land use designation”. The zoning cannot be both *consistent* with the GP and “below the acceptable range” of the land use designation.

To retain inconsistent zoning because infrastructure may not be in place to serve new development is misguided. A significant portion of that infrastructure is usually provided by new development through fees, conditions and other exactions imposed at the time of project approval. If the infrastructure is not or cannot be provided, a project cannot be approved or where conditionally approved, cannot be implemented.

GP Policy 2.2.5.7 provides ample protection. “Where a zoning district applied to given land is consistent with the General Plan land use designation, the County reserves the right to deny development plans providing for permitted uses where adequate findings for approval (including adequate public facilities and services) cannot be made.” A number of other GP policies address required infrastructure such as roads, water supply, sewer/wastewater disposal, and fire protection to serve new development. There should be no question that the County has the necessary authority to protect the public health and safety by not approving a development application where the infrastructure is inadequate. It is unnecessary to use inconsistent zoning as an additional control.

### “Consistent” Zoning

Zoning is *consistent* if “the various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs” specified in the general plan.<sup>4</sup> Examples of *inconsistent* zoning would include the following:

- ✓ If the GP Commercial land use designation does not allow uses that are solely residential, then a zone designation that allows only residential uses is *not consistent*.
- ✓ If the GP High-Density Residential (“HDR”) land use designation requires development at densities ranging from 1 to 5 dwelling units per acre, then zoning that would not allow creation of a parcel smaller than 5 acres is *not consistent*.”

“*Consistent*” does not require zoning at the maximum density. It is often appropriate and even desirable to zone undeveloped parcels at the low end of the “consistent” density range, unless it can be demonstrated that higher density uses can be supported based on various site, environmental and infrastructure constraints. For example, if HDR allows a range of 1 to 5 dwelling units per acre, then R1A zoning (1-acre lot) would be “consistent”.

---

<sup>4</sup> Government Code §65860. (a)

## EDAC Regulatory Reform “Consistency” Zoning

The EDAC Regulatory Reform working group has developed a Zoning Map Criteria Worksheet (“Worksheet”) and set of Sample Criteria for each GP land use designation that can be used to develop a Zoning Map that is consistent with the GP. Those documents are attached as Exhibits “A” and “B”.

Briefly, the process to develop County-wide “Consistency” Rezoning Maps includes the following steps:

1. Identify and agree upon zones that are “consistent” for each GP Land Use (See Worksheet)
2. Generally review where land uses are located.
3. Identify any issues unique to the land use type
4. Develop “Criteria” or “Mapping Rule Sets” that can be used to prepare initial mapping. (See draft “Criteria” attached)
5. Prepare initial draft maps
6. Review and “truth” the maps
7. Revise if necessary

### Holding Zones

Occasionally, a city or county’s general plan will identify intended long-range uses for a particular area, but will also recognize that significant infrastructure constraints of a regional nature would hinder development early in the General Plan cycle. Examples might include where a new or expanded sewage treatment facility is planned, or a new highway or toll road is needed to provide transportation capacity.

Where such conditions exist, a few jurisdictions have identified “holding zones” which allow interim uses of property ultimately planned for more intensive development. The holding zones uses still must be consistent with the general plan, in which case the general plan describes the allowed “interim uses” applicable under the holding zones. The “interim uses” may be inconsistent with the planned long-term use, so the general plans would allow continuation of those uses for only as long as the holding zones are in effect.

The conditions which warrant application of these holding zones should be justified to ensure that “holding zones” are not simply an inappropriate use of zoning controls.

### The County’s October, 2010 Draft Zoning Ordinance Update and Maps

EDAC has identified several concerns with the draft Zoning Ordinance Update (“ZOU”) and the related Zoning Maps (“Maps”).

1. As proposed, the ZOU and Maps are not consistent with the County’s GP.
2. Amendments to GP Table 2-4 are proposed to expand the range of zones currently identified as falling below the range of the acceptable density for the land use designation. Further these expanded zones, which are inconsistent with the



## EDAC Regulatory Reform

## “Consistency” Zoning

policies of the GP as to parcel size, density, etc., are re-characterized as “compatible as a holding zone until infrastructure is available in compliance with Policy 2.2.5.6”.

3. There is no explanation as to what it means to have a “holding zone” applied to a parcel. Can a landowner implement a project consistent with the “holding zone”, even if inconsistent with the GP? For example, is the subdivision of an HDR property zoned RE-5 (5-acre lots) *consistent* with the GP where policies require that HDR maintain a minimum density of 1 to 5 units per acre?
4. These “holding zones” are proposed to apply to a significant portion (more than a majority) of the undeveloped land in the County, without identification of the “infrastructure” deficiencies which are purported to exist. In fact, the lower densities applicable in many parts of the County require very little in the way of major infrastructure, relying instead on septic systems and groundwater supplies instead of public sewer and water.

Under the circumstances, it seems that the proposed modifications to Table 2-4 are designed to allow the County to maintain the status quo in which the zoning is not consistent with the GP, and to avoid compliance with Planning and Zoning Law.

Conclusion

EDAC supports the evaluation of an alternative to the proposed ZOU and Maps that is *consistent with the adopted GP*. *Consistency* is necessary to comply with state law; it simplifies and clarifies the often cumbersome regulatory process, and will give fair notice to adjacent landowners as to the planned uses for neighboring parcels.



General Plan Land Use Designation	Multifamily Residential	High Density Residential	Medium Density Residential	Low Density Residential	Rural Residential	Agricultural Lands	Natural Resource	Open Space
	MFR	HDR	MDR	LDR	RR	AL	NR	OS
<b>Primary Use (GP)</b>	Residential	Residential	Residential	Residential	Residential or Agricultural	Agricultural	Natural Resource	Publicly Owned (or designated private) Open Space
<b>Location</b>	CR/RC Only	CR/RC Only	CR/RC Only	Primarily Rural Regions	Rural Regions Only	Rural Regions Only	Rural Regions Only	CR/RC and Rural Regions
<b>Residential Parcel Size or Density Range</b>	5 to 24 DU/Ac	1 to 5 DU/Ac	1 to 5 acres	5 to 10 acres	10 to 160 acres	20+ acres	40+ acres and 160+ acres	
<b>Compatible Zones</b>	RM, NS, RFL, RFH, TC, OS	R, NS, RFL, RFH, TC, OS	R1A, R2A, R3A, NS, RFL, TC, OS	RE-5, RE-10, LA-10, PA-10, RFL, TC, OS	RE-10, LA, PA, AG, FR, TPZ, RFL, TC, OS	LA, PA, AG, FR, TPZ, RFL, TC, OS	LA, PA, AG, RL, FR, TPZ, RFL, TC, OS	LA, PA, AG, RFL, OS
<b>Residential Uses</b>	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed	Not Allowed
<b>Agricultural Uses</b>		Limited to RF zones in Rural Regions, (existing uses on R3A, RE-5 or RE-10 zoned parcels in Rural Centers.) Crops, grazing, & packing and processing with site plan	R3A Zone allows grazing and crop land. Other zones limited to non-commercial uses.	Uses allowed by right crops, grazing, packing, processing and sale of products produced onsite. SUP required where nature of product is changed	Allowed	Allowed	Allowed	Not Intended Purpose
<b>Optional Considerations</b>	Single family detached MUD, Wetland/riparian setbacks				RL, tourist serving, home occupation, RFL	Ag Support Services		PDs in CR/RC alternative OS requirements

General Plan Land Use Designation	Tourist Recreation	Commercial	Research & Development	Industrial	Public Facilities	Zoning Key			
	TR	C	R&D	I	PF				
<b>Primary Use (GP)</b>	Tourist & Resident Serving Recreational Uses & Supporting Commercial Uses	Various Commercial Uses; can include Mixed Use in certain Zones	Business Park, Office	Light or Heavy Industrial	Publicly owned lands for public facilities	<b>Residential:</b> Residential, Multi-unit (RM) Residential, Single-unit (R) Residential, One-acre (R1A) Residential, Two-acre (R2A) Residential, Three-acre (R3A) Residential Estate, Five-acre (RE-5) Residential Estate, Ten-acre (RE-10) <b>Agricultural and Resource:</b> Limited Agriculture (LA) Planned Agriculture (PA) Agricultural Grazing (AG) Forest Resource (FR) Timber Production Zone (TPZ) Rural Lands (RL) <b>Commercial:</b> Commercial, Main Street (CM) Commercial, Professional Office (CPO) Commercial, Limited (CL) Commercial, Community (CC) Commercial, Regional (CR) Commercial, Heavy (CH) <b>Industrial:</b> Industrial (I) Research & Development (R&D) <b>Special Purpose:</b> Recreational Facilities, Low-intensive (RFL) Recreational Facilities, High-intensive (RFH) Open Space (OS) Transportation Corridor (TC)			
<b>Location</b>	CR/RC and Rural Regions	CR/RC Only	CR/RC Only	CR/RC, limited in RR	CR/RC and Rural Regions				
<b>Residential Parcel Size or Density Range</b>									
<b>Compatible Zones</b>	RFL, RFH, TC, OS	RM, NS, CM, CPO, CL, CC, CR, CH, RFH, TC	R&D, TC	I, TC	NS, C, I, RFL, RFH, OS				
<b>Residential Uses</b>		Allowed in MUD or Care Facilities	Not Allowed	Not Allowed	Not Allowed				
<b>Agricultural Uses</b>	Not Intended Purpose	Commercial component of Agricultural uses allowed (packing, processing, storage, distribution, sale) in appropriate zone designations. Grazing and croplands not an appropriate use.			Not Intended Purpose				
<b>Optional Considerations</b>		Rural Regions, TND, ED/DS historical overlay		Rural Regions					

EDAC – “Consistency Zoning” Criteria  
 (“90% Draft” – Some Revisions May be Required)  
 February 29, 2012

*Natural Resources – Sample “Criteria”*

Primary Land Use: Natural resource production, agriculture, forestry, recreation, limited residential.

Lot size 40 acre minimum (Density 1 DU/40 or 160 acres) (GP Policy 2.2.1.2)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
Within Rural Regions (applies to parcels greater than 40 acres in size)	Predominately larger parcels, sometimes adjacent to or surrounded by public natural resource lands. Primarily consisting of forested lands, may include other uses such as agriculture, grazing, recreation and limited residential.	If TPZ; retain existing zoning. [Note: Zoning criteria for other zones, based generally on elevation (above or below 3,000’), and whether inside or outside of Ag Districts, is under discussion, and will be provided.]

*Agricultural Lands (AL) – Sample “Criteria”*

Primary Land Use: Agricultural; Lot size: 20 acre minimum parcel size. (GP Policy 2.2.1.2 and 8.1.1.8)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
Within Agricultural Districts	Predominately agricultural; may include nearby or adjacent residential uses at very low densities. Retention of larger existing parcel sizes often important for certain agricultural uses.	WAC parcels will be zoned PA-20 if high intensive WAC or AG-40 if low intensive WAC. WAC parcels currently zoned AP will be rezoned to LA. If not in WAC, will be zoned PA-20
Outside of Ag Districts	May be located within a mix of AL and Rural Residential land uses. Usually found outside Ag districts where use was related to low intensity WAC (Grazing).	WAC parcels will be zoned PA-20 if high intensive WAC or AG-40 if low intensive WAC. WAC parcels currently zoned AP will be rezoned to LA. If not in WAC, will be zoned PA-20

EDAC – “Consistency Zoning” Criteria  
 (“90% Draft” – Some Revisions May be Required)  
 February 29, 2012

*Rural Residential – Sample “Criteria”*

Primary Land Use: Residential or Agricultural; Parcel size 10 to 160 acres (GP Policy 2.2.1.2)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
<p>Within Community Regions or Rural Centers, or within the Highway 50 corridor. (Not common)</p>	<p>Predominately residential uses on parcels generally smaller than 10 acres in size. May include some existing larger parcels generally surrounded by smaller lots. May include existing agricultural uses or WAC.</p>	<p>If RE-10; retain existing zoning                      For all other zones, Zone to RE-10  <u>Exceptions:</u>                      If in WAC (high intensive); zone PA-20                      If in WAC (low intensive); zone AG-40                      If AP; zone LA-20.                      If current Ag zoning, this land use will be subject to ag “opt-in” process.</p>
<p>In Rural Regions; outside Highway 50 corridor.</p>	<p><i>Existing rural residential subdivisions.</i> Use is mainly residential in nature, generally consisting of parcels between 10 and 20 acres, but may include some larger parcels.</p>	<p>If existing zoning RE-10; retain existing zoning.                      For all other zones; zone to RE-10.                      Alternatively, RL-10 may be acceptable on larger parcels.  <u>Exceptions:</u>                      If in WAC (high intensive); zone PA-20                      If in WAC (low intensive); zone AG-40                      If AP; zone LA-20                      Current Ag zoning in this land use will be subject to ag “opt-in” process.</p>
<p>In Rural Regions; outside Highway 50 corridor. Excludes existing rural residential subdivisions.</p>	<p>Contains a mix of residential, agricultural, and resource-based uses. Majority of parcels are larger than 20 acres, but may include smaller parcels in agricultural production. The area may lack necessary road and utility infrastructure to accommodate more intensive development.</p>	<p>If existing zoning is RE-10; retain existing zoning                      If existing zoning is RA-20, RA-40, RA-60, RA-80, or RA-160; zone to RL-20, RL-40, RL-60, RL-80- or RL-160, respectively (subject to ag “opt-in” process).  <u>Exceptions:</u>                      If in WAC (high intensive); zone PA-20                      If in WAC (low intensive); zone AG-40                      If AP, zone LA-20                      If within an Ag District; Zone to PA-10/PA-20, depending on existing parcel size.                      Current Ag zoning in this land use will be subject to ag “opt-in” process.</p>

EDAC – “Consistency Zoning” Criteria  
 (“90% Draft” – Some Revisions May be Required)  
 February 29, 2012

*Low Density Residential – Sample “Criteria”*

Primary Land Use: Residential; Lot size 5 to 10 acres (GP Policy 2.2.1.2)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
Within or adjacent to Community Regions, Rural Centers or Highway 50 corridor. Also includes existing rural residential subdivisions of 5 to 10 acre lots wherever located.	Predominately residential uses on parcels 5 to 10 acres in size. May include some existing larger parcels generally surrounded by smaller lots.	If RE-5 or RE-10; retain existing zoning For all other zones, If parcel size <10 acres; Zone to RE-5 If parcel size ≥ 10 acres; Zone to RE-10 <u>Comments:</u> Ag Subgroup has recommended RE-10 for current Ag zoned parcels with LDR, whether or not they have active ag use. Ag zoning is not consistent with LDR land use designation.
In Rural Regions; outside Highway 50 corridor. Does not include existing rural residential subdivisions.	Contains a mix of residential, agricultural, and resource-based uses. Majority of parcels are 20 to 40 acres or larger. Although planned for future residential use, the area may be currently underserved by necessary road and utility infrastructure.	If RE-5 or RE-10; retain existing zoning For all other zones, If parcel size <10 acres; Zone to RE-5 If parcel size ≥10 acres; Zone to RL-10 <u>Comments:</u> Ag Subgroup has recommended RE-10 for current Ag zoned parcels with LDR, whether or not they have active ag use. Ag zoning is not consistent with LDR land use designation.

Note: All zones applicable within LDR allow agricultural uses by right. This land use designation not subject to Ag “opt-in” process. RL-10 is proposed to be analyzed as a “working landscape alternative” to RE-10 “estate residential”.

*Medium Density Residential – Sample “Criteria”*

Primary Land Use: Residential; Lot size 1 to 5 acres (GP Policy 2.2.1.2)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
Within Community Regions or Rural Centers with access to public sewer and/or public water.	Predominately residential uses on parcels 1 to 3 acres in size. May include some existing larger parcels generally surrounded by smaller lots.	If existing zoning is R1A, R2A or R3A; retain existing zoning. For all other zones, Zone to R3A.
Within Community Regions or Rural Centers without access to public sewer and/or public water.	Predominately residential uses; may include parcels ranging from 1 to 5 acres in size. May also include larger parcels adjacent to or surrounded by smaller lots.	If existing zoning is R1A, R2A or R3A; retain existing zoning. For all other zones, Zone to RE-5.

EDAC – “Consistency Zoning” Criteria  
 (“90% Draft” – Some Revisions May be Required)  
 February 29, 2012

*High Density Residential – Sample “Criteria”*

Primary Land Use: Residential; Lot size .20 to 1 acre (Density 1-5 DU/AC) (GP Policy 2.2.1.2)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
Within Community Regions or Rural Centers	Predominately residential but may include adjacent or nearby commercial. Land use is planned for higher density; size of parcel or surrounding parcels is not a significant factor.	If existing zoning is R1, retain existing zoning. If existing zoning is R-20,000, Zone to R-20K. For all other zones, Zone to R-20K. <u>Comments:</u> 1. GP currently requires a PD for densities between 3-5 DU/AC. TGPA considers eliminating this requirement. 2. GP provides densities between 1 and 5 dwelling units per acre. An option for R1A (one acre lots) zoning may need to be considered as consistent.

Note: This land use designation usually requires access to public water and sewer/wastewater treatment. The County may deny any application that does not demonstrate that necessary infrastructure will be provided to serve the project.

*Multi-Family Residential – Sample “Criteria”*

Primary Land Use: Residential

Lot size (Not applicable) (Density 5-24 DU/AC) (GP Policy 2.2.1.2)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
Within Community Regions or Rural Centers	Predominately higher-density residential but may include adjacent or nearby commercial. MFR is the highest density residential land use in the GP; size of parcel or surrounding parcels is not a significant factor.	Zone all to RM. <u>Comments:</u> 1. RM allows detached SF; proposed ZO includes minimum lot sizes (6,000/7,500 sq. ft.) which may preclude compliance with minimum densities. This has been identified to be changed, but has not been reflected in recent drafts. Should be analyzed with minimum lot sizes deleted. 2. Draft ZOU appears to have removed MP zone previously consistent with both MFR and HDR, and has moved Mobile Home Parks into the RM zone (and consequently into MFR only). The effect of this shift should be analyzed, including any impact on adequate sites for low/moderate income housing, as part the “base” ZOU proposal.



EDAC – “Consistency Zoning” Criteria  
 (“90% Draft” – Some Revisions May be Required)  
 February 29, 2012

Note: This land use designation usually requires access to public water and sewer/wastewater treatment. The County may deny any application that does not demonstrate that necessary infrastructure will be provided to serve the project.

*Industrial – Sample “Criteria”*

Primary Land Use: Full Range of Heavy and Light Industrial Uses  
 (GP Policy 2.2.1.2)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
Within, or in close proximity to Community Regions or Rural Centers [Note: TGPA includes optional consideration of allowing I land use in Rural Regions]	Industrial Some limited Industrial lands are found in the Rural Regions in Platted Lands.	Zone all parcels I. <u>Comments:</u> Industrial Uses located in Rural Regions are limited to uses supporting agriculture, timber production, mineral extraction and other resource-based uses.

Note: The County may deny any application that does not demonstrate that necessary infrastructure will be provided to serve the project. [GP Policy 2.2.5.7]

*Research & Development (R&D) – Sample “Criteria”*

Primary Land Use: Various/Business/Office Park, Light Manufacturing, Research and Development  
 [Minimum Parcel Size/FAR/Density??] GP Policy 2.2.1.2)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
Within Community Regions or Rural Centers		Zone all parcels R&D

Note: The County may deny any application that does not demonstrate that necessary infrastructure will be provided to serve the project. [GP Policy 2.2.5.7]

EDAC – “Consistency Zoning” Criteria  
 (“90% Draft” – Some Revisions May be Required)  
 February 29, 2012

*Commercial – Sample “Criteria”*

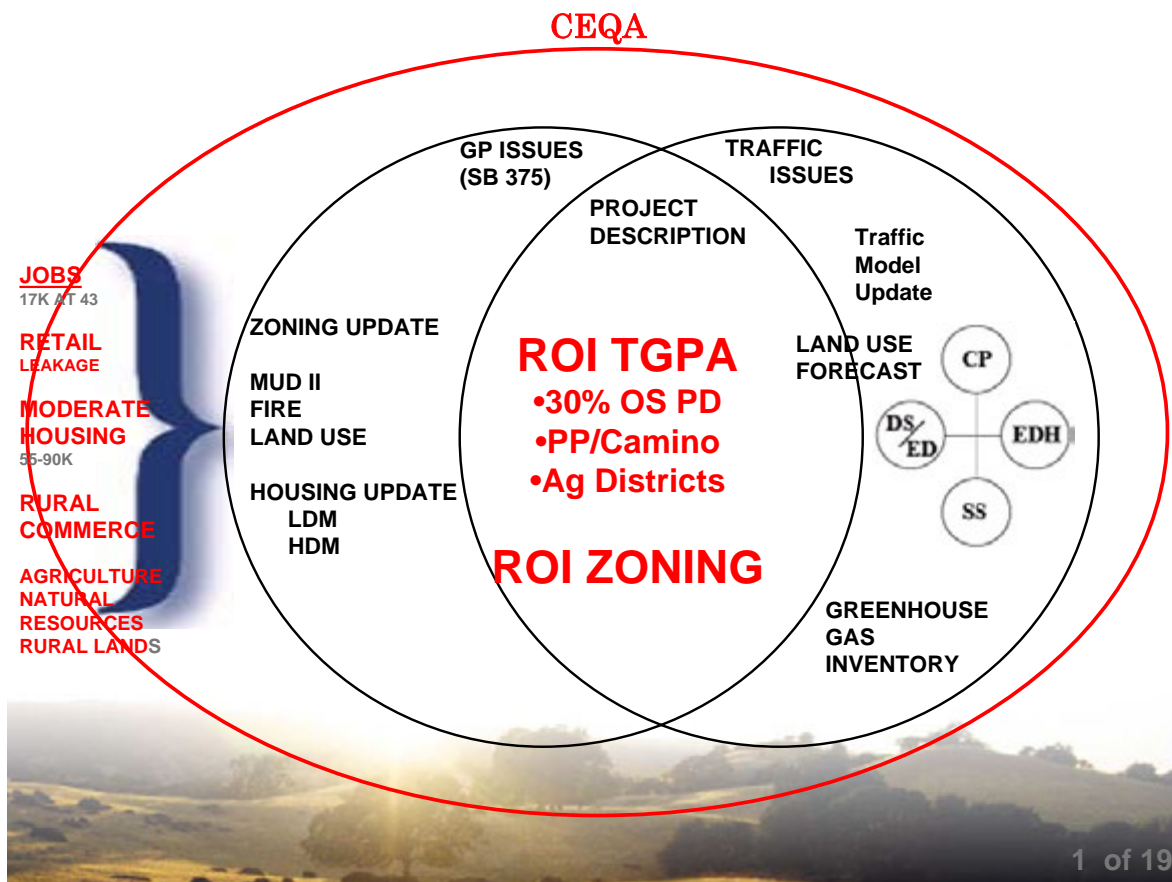
Primary Land Use: Full Range of Commercial Including Retail, Office and Service Uses  
 (GP Policy 2.2.1.2)

Location	Character of Area and Surrounding Land Use	Conceptual Zoning Approach based on Land Use and Criteria
Primarily within Community Regions or Rural Centers; May be combined with Platted Lands overlay	<u>Limited Commercial:</u> Small lots located in Rural Centers, Rural Regions or adjoining residential neighborhoods <u>Community Commercial:</u> Mid-size lots unless there is an ability to assemble multiple parcels into a larger project. Located near residential but are auto dependent and oriented along major collector roads. <u>Regional Commercial:</u> Large lots or areas of smaller lots that can be assembled into larger project areas located near major highway intersections. <u>Mainstreet:</u> Historical downtown areas within Community Regions and Rural Centers <u>Office:</u>  <u>General Commercial:</u> Lands with Commercial land use designation, but located within Industrial areas	Parcels less than 3 acres in size; zone LC  Parcels 3-10 acres in size; zone CC  Parcels or assemblages of parcels greater than 10 acres in size; zone RC  Downtown areas of Georgetown, Diamond Springs, El Dorado and Camino; zone MS  Parcels currently zoned O; retain existing zoning  Parcels with C land use designation inside I areas; zone GC

Note: The County may deny any application that does not demonstrate that necessary infrastructure will be provided to serve the project. [GP Policy 2.2.5.7]



# **Additional Reference Material**



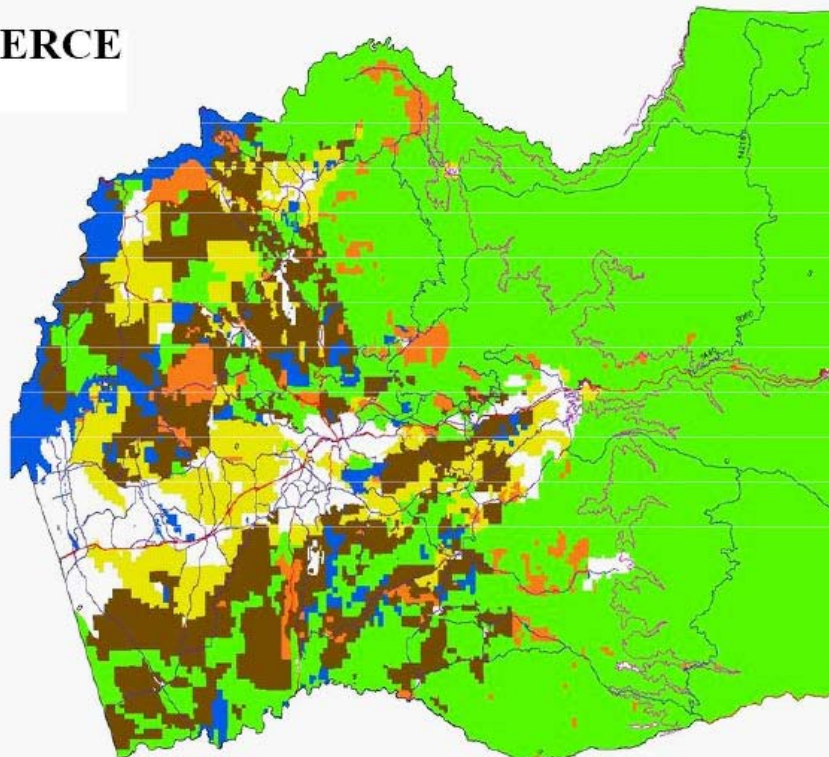
## CEQA Scope of Review

- **EIR ANALYSIS SETS SCOPE OF ACTIONS** binder with CD and text contain *“Range of Options”* for CEQA Analysis between GP and TGPA and draft ZO and ZO Map and Proposed Analysis
- **ALL SIDES OF ISSUE NEED ANALYSIS**
- **Don’t Waste a Good EIR**
  - **STANDARDS UP FRONT** INSTEAD OF PD/CUP/DR
    - Analyze Range of Options
  - **PLAN TO TIER**
    - Housing Element Update / TIM / CAP / MUDII



# RURAL COMMERCE

- Legend**
- STREET CLASSIFICATION
    - HWY
    - MAJOR
  - PLATTED LANDS
    -
  - LAND USE DESIGNATION
    - OS
    - AL
    - TR
    - RR
    - LDR



0 2.5 5 10 Miles

INFORMATION SHOWN ON THIS MAP HAS BEEN COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILLUSTRATIVE ONLY. NO REPRESENTATION IS MADE AS TO THE ACCURACY OF THIS INFORMATION.

MAP PREPARED BY  
**GENE E. THORNE**  
 & Associates, Inc.  
Planning • Consulting • Mapping • Survey

3  
 Exhibit B (Mod)  
 3 of 19

## TPZ Issues for Analysis **ZO ROI**

### Draft Ordinance

### Range for Analysis

- Residences Allowed with **CUP** if **necessary for timber harvest** (poison pill)
- Limited Compatible Uses

- Residences allowed **by right** (like 23 N. California TPZ counties) or discretionary permit that residence allowed with GP **Findings residence will not hinder or interfere with timber production. Report in CD**
- **Expanded Compatible uses with standards that maintain Integrity of Timber Production**
- **STANDARDS**



# Rural Lands Issues for Analysis

## Draft Zoning Ordinance

## Range of Analysis

<ul style="list-style-type: none"> <li>▪ No new Commercial/ Industrial Uses</li> <li>▪ Treats Rural Lands as Resource Lands not Residential as adopted in GP</li> <li>▪ <b>Limited Rural Land Uses</b></li> <li>▪ No employees allowed under Home Occupation</li> <li>▪ Zoning Map Update                         <ul style="list-style-type: none"> <li>▪ WAC roll outs</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Allows new Commercial/ Industrial in Rural Regions</li> <li>▪ Positions Rural Lands as buffer between LDR and AG vs. Ag and NR</li> <li>▪ <b>Expands Rural Land Uses</b></li> <li>▪ Allows for employees as part of Home Occupation</li> <li>▪ Options for WAC Role outs</li> </ul>
---	--

**RURAL RESIDENTIAL (WOBBLER)**

RESIDENTIAL \_\_\_\_\_ RR \_\_\_\_\_ AGRICULTURAL

LDR					AL
RE 5 - 10	RE - 10	RL	AG ZONES	AG	
ANIMALS	P	NO NUISANCE LAWS FAVORED		NUISANCE LAWS FAVOR	
STABLES	P				
CROPS	P				
GRAZING	P				
ORCHARDS	P				
VINEYARDS	P	?		?	
PACKING	P				
SALES	A	?		?	
WINERIES	CUP	?		?	
RANCH MKT	CUP	?		?	
		?		?	
		?		?	

EDAC Range

---

Draft Ordinance/Map

**OPTION**

LDR	RE-10 (exist)	<div style="display: flex; align-items: center; justify-content: center;"> <span style="font-size: 2em; margin-right: 5px;">→</span> <span style="margin-right: 5px;">Ag</span> </div>	RL	AL
-----	---------------	--	----	----

6 of 19

12-0267.3F.23 of 116

# Home Occupation Ordinance –HOO ROI ZO ok – Range of Analysis

## Draft ZO

- **No employees**
-  **Banned Occupations (all food, no truck over 1 ton)**
- **Limited to primary residence**
- **No customers**
- **CUP**

## Expanded Scope

- **Employees** based on Graduated Standards (parcel size, use, traffic )
- **Structures / standards**
- **Customers** by graduated standard RL 10 and up
- **Retail Sales - standards**
- **Standards vs. CUP**

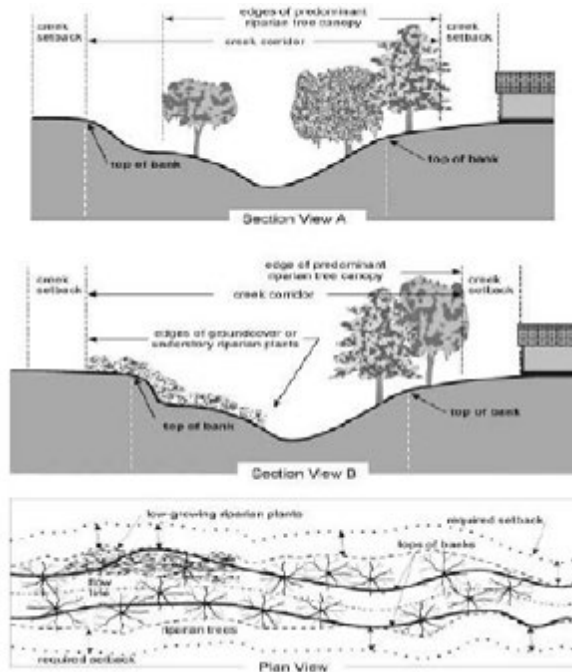
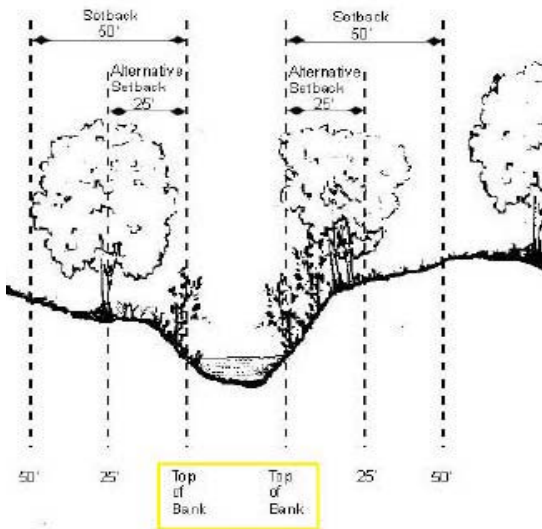


## Intermittent Stream and River Setbacks

### Zoning ROI OK Range of Analysis

2006 Interim Interpretive Guidelines

Current Draft Zoning Ordinance





# PD / Open Space (ROI OK)

## Draft Ordinance

- Retain requirement for 30% but allow requirement to be met offsite

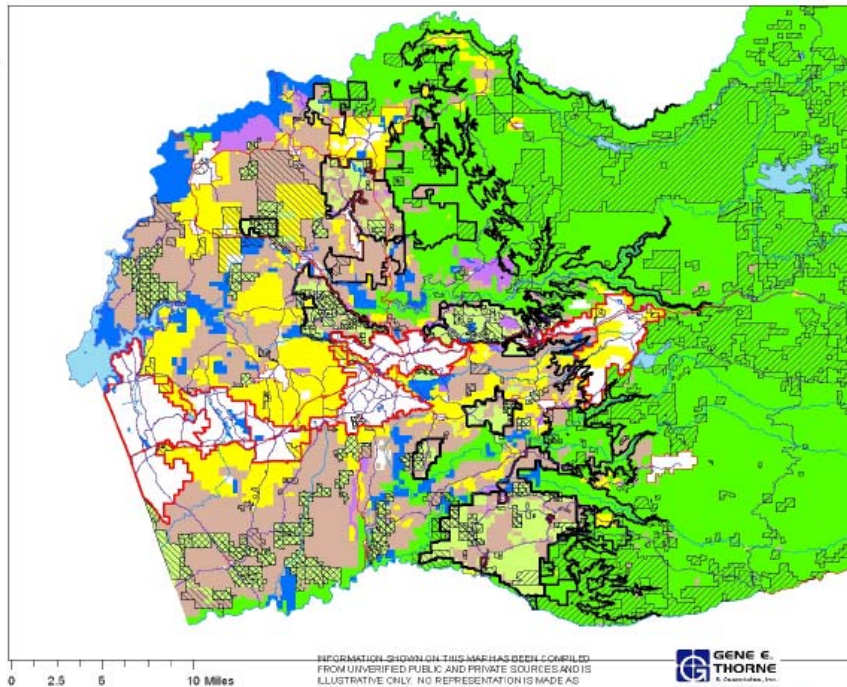
## Range of Analysis

- Improved open space at a lesser ratio (pool, tot lot, gardens, pocket parks.
- Limit in C/MUD/MFR
- STANDARD PLANS as alternative to PD
- PLAN is to encourage



MAP 1  
EL DORADO COUNTY

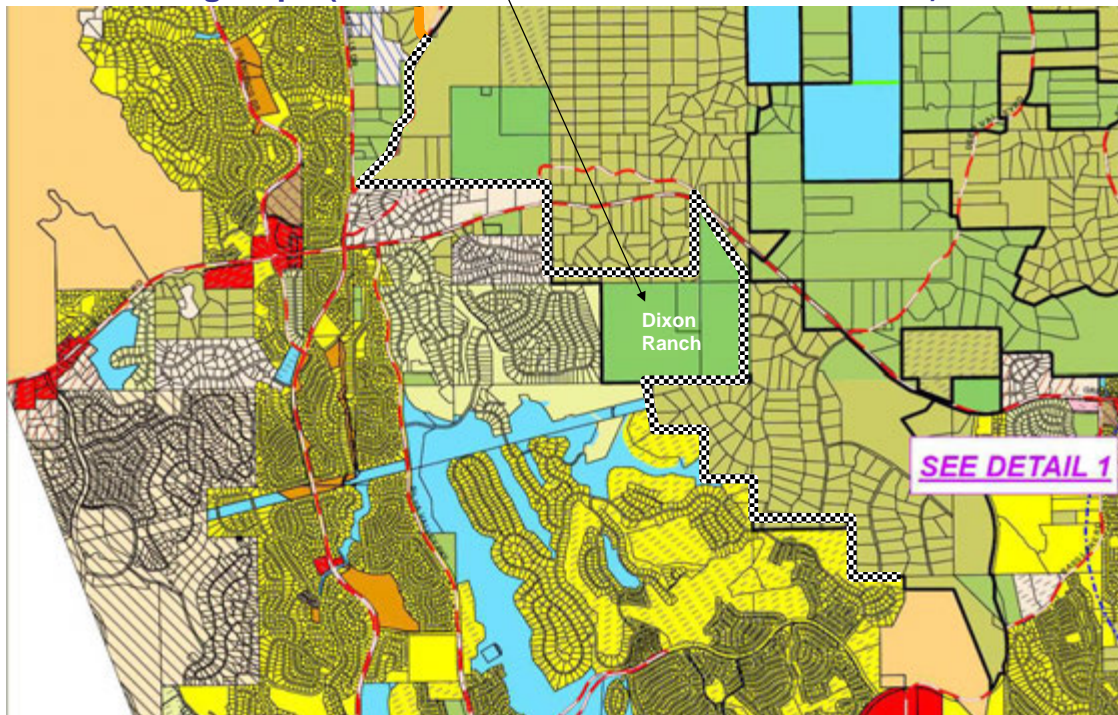
- Legend**
- 3000' Elevation
  - Land Use Base**
  - AL
  - LDR
  - NR
  - CG
  - RR
  - AGRICULTURAL DISTRICTS
  - PROPOSED AG DISTRICT
  - WILLIAMSONACT CONTRACT
  - AE
  - TPZ
  - PLATTED LANDS
  - COMMUNITY REGIONS
  - RURAL CENTERS



INFORMATION SHOWN ON THIS MAP HAS BEEN COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILLUSTRATIVE ONLY. NO REPRESENTATION IS MADE AS TO THE ACCURACY OF THIS INFORMATION.



### Draft Zoning Map: (EDH: Dixon Ranch Area - GP: LDR and OS)



- Residential - 20,000
- Single-unit Residential
- Estate Residential - 5 Ac.
- Commercial
- Exclusive Agricultural
- Approximate CR Boundary

## DO A LOT WITH A LITTLE

### Legend

#### COMMUNITY REGIONS



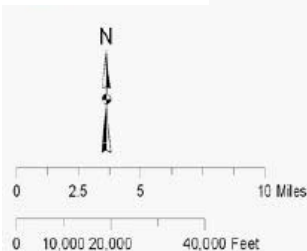
#### RURAL CENTERS



#### LAND USE BASE

MFR

C



INFORMATION SHOWN ON THIS MAP HAS BEEN COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILLUSTRATIVE ONLY. NO REPRESENTATION IS MADE AS TO THE ACCURACY OF THIS INFORMATION.

March 21, 2011









MAP 6  
EL DORADO COUNTY

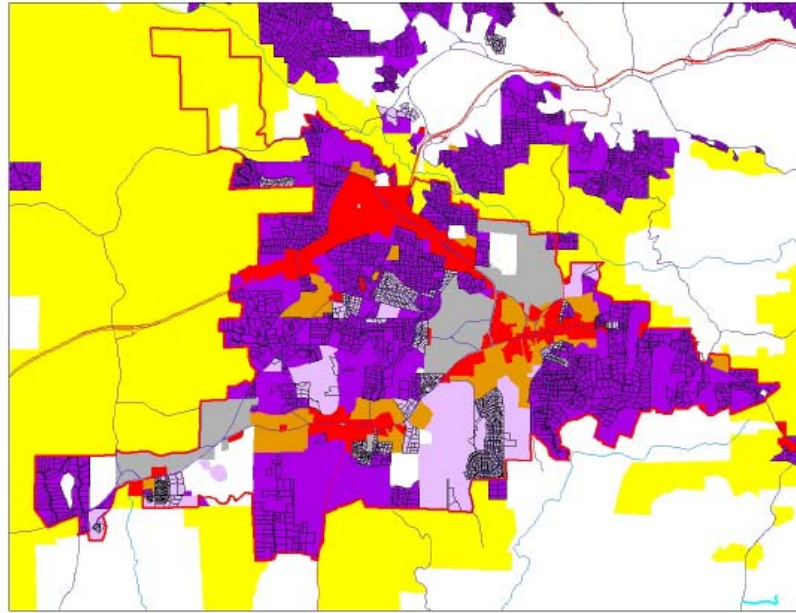
DIAMOND SPRINGS  
EL DORADO  
COMMUNITY  
REGION

Legend

-  DIAMOND SPRINGS/EL DORADO
-  PARCELS LESS THAN 5 AC IN MDR AND HDR

Land Use Base

-  C
-  MFR
-  HDR
-  MDR
-  LDR
-  I



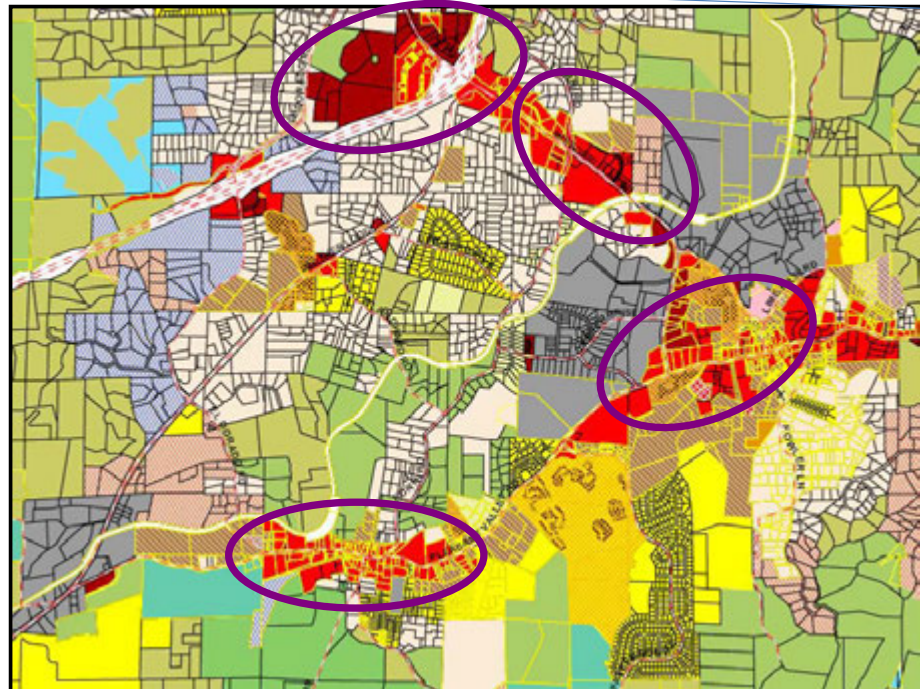
0 0.2 0.4 0.8 Miles

INFORMATION SHOWN ON THIS MAP HAS BEEN COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILLUSTRATIVE ONLY. NO REPRESENTATION IS MADE AS TO THE ACCURACY OF THIS INFORMATION.





8/25/2010

Draft Zoning Map – C general retail allows hotels by right CG outside Storage is norm auto repair/light mfg/nursery/laundry MOST SAME OR CUP IF NOT P

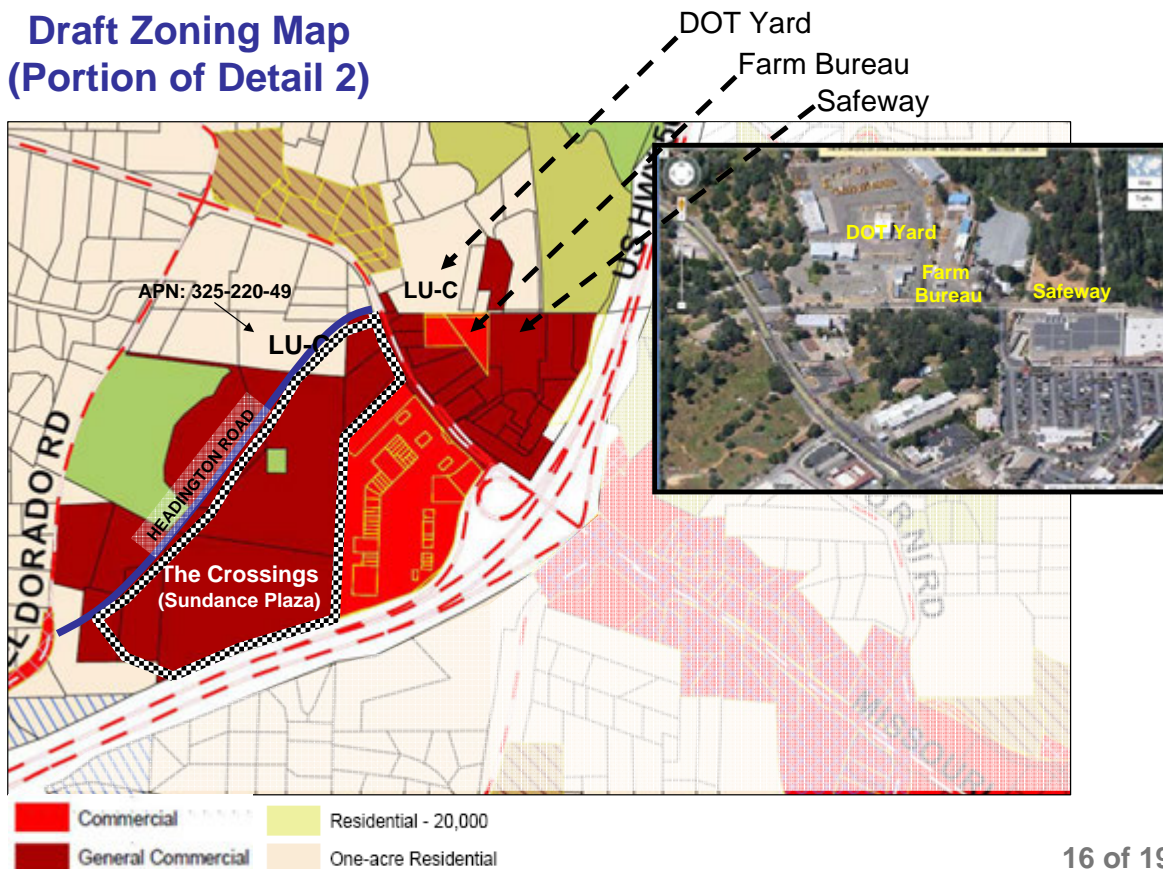


Legend

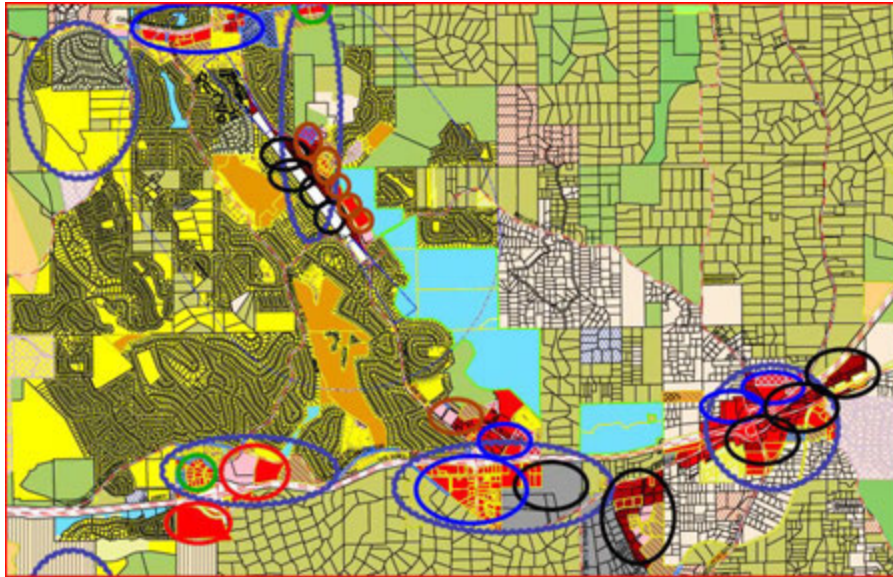
-  Commercial
-  General Commercial

Land Use	Zones	Type of Residential Configuration	
MFR	Multi-Unit Residential (RM)	VERTICAL (w/some Horizontal)- maximum density	M U D II +
Merge	Rural Commercial (CRR)	HORIZONTAL (w/ some Vertical)- detached compact	
	Limited Commercial (CL)		
C/ CMUD	Community Commercial (CC)	<u>Vertical Attached ONLY</u> - preserves prime commercial frontages	
	Regional Commercial (CR) TOWNCENTER		
Eliminate	Professional Office Commercial (CPO)		
	Main Street Commercial (MC)	VERTICAL or HORIZ w/PLANS	
Merge	Heavy Commercial (CH)		
I	Light I	NONE- residences incompatible	
	Heavy I		

### Draft Zoning Map (Portion of Detail 2)

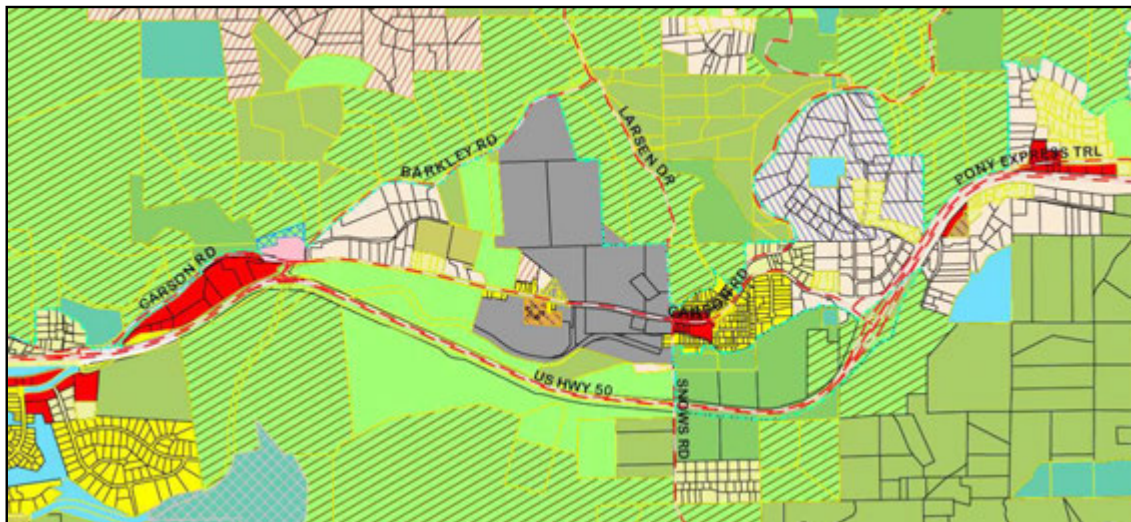


EXAMPLE OF PROPOSED ZONING DESIGNATION  
CAMERON PARK DRIVE/SHINGLE SPRINGS



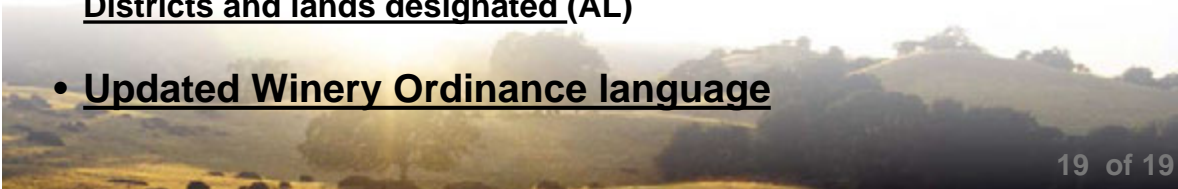
	Professional Office Commercial (CPO)		Community Commercial (CC)
	Limited Commercial (CL)		Regional Commercial (CR)
	Main Street Commercial (CM)		Heavy Commercial (CH)
	Special Study Region – [note: it is denoted by the curvy lines]		

**- Camino HEAVY INDUSTRIAL? ANALYSIS**  
**OPPORTUNITY AREAS / CR- RC Boundaries / ROI OK**



## EDAC Ag Workgroup Zoning Ordinance Recommendations FOR ANALYSIS **ROI** **OK**

- "Opt-in" for RA zones in RR to allow for agricultural zoning
- "Opt-in" for RE zones within Agricultural Districts to allow for agricultural zoning
- Expanded agricultural support uses within agricultural zones
- Allowance for Agricultural Homestays and Agricultural Lodging
- Dude Ranches and Ranch Marketing allowances on commercial grazing lands
- Right to Farm language that includes lands within Agricultural Districts and lands designated (AL)
- Updated Winery Ordinance language





## Draft Zoning Ordinance Notes

<b>Section</b>	<b>Page(s)</b>	<b>Comments</b>
<b>Article 1</b>		
17.10.030	3	No mention of the Ag Commission as an advisory board to the Planning Commission and BOS
17.12.010	8	Recommend adding Section numbers to zone headings
17.12.010	9	LA and FR left out of Minimum Lot Size Designation section
<b>Article 2</b>		
17.21.020	10-14	See Ag Sub-group recommendation for use matrix
<b>Article 3</b>		
17.30.030	12-13	Special Ag Setbacks not required on any parcel less than 10 acres. Ag Subcommittee had proposed language to be consistent with the “Criteria and Procedures for Administrative Relief from Ag Setbacks” Resolution 079-2007
17.30.050	20-24	No standards specified or mentioned for the construction of agricultural fencing on residential parcels adjacent to grazing lands (Required by GP Measure AF-A.F)
17.33.020	54	Need Landscaping Standards clarification: e-mailed Peter & Lillian on Feb 1, 2012; Lillian called to say rewriting section.
17.33.040	56	See above
17.33.050	57-62	See above
17.35.040	89-90	Parking space requirements for Ag (5 per acre...of crop? Or parcel acreage?)
<b>Article 4</b>		
17.40.060 F.2	9	Would include: The Assessor’s Office shall determine the cash value of the property as though the land is free from contractual obligations, “ <u>for the purpose of determining the cancellation fee,</u> ” and forward the report to the Department, “ <u>the landowner and the Department of Conservation</u> ”.
17.40.060 G.1	10	Need to add “local” in “...comparable <u>local</u> , state or federal criteria...” – we have “Soils of Local Importance”.
17.40.070 D.2	11	Maintain original position to strike out finding #2
17.40.120 D	19	Health and Safety Code Section 17021.6 states no permits required for ag employee housing that is not required of other agricultural uses in the same zone (i.e. ag zones) – in ag zoning use matrix, ag employee housing requires CUP in some instances...what would that be? And would it be illegal? In the verbiage under this section it says, “Permit approval for ag employee housing shall be subject to the following: a) Findings made by the Ag Commission that the need for such housing exists based on their determination of applicable factors”
17.40.120 F.1	20	For Ag Employee housing, is it absolutely necessary that at least one inhabitant be employed by the owner of the property that the housing is on? I don’t see a reason for this.



Section	Page(s)	Comments
17.40.260	53	Ranch Marketing Ord...left out "Ranch Marketing Provisions for Grazing Lands"
17.40.290	57	Right to Farm Ord...left out lands designated "AL" and lands located within GP designated Ag Districts from "Agricultural Land" definition
17.40.400	76	Winery Ord. - "LA" is not only replacing "AP" zones, but is also replacing the "RA" zones and has been left out of the use matrix where "RA" used to be.



# El Dorado County Draft Zoning Ordinance

## Section 17.40.260 Ranch Marketing

EDAC Regulatory Reform Ag Sub-group and Ranch  
Marketing Industry Recommendation (in yellow)

March 14, 2012

*Reviewed and Recommended by the Agricultural Commission*



**17.40.260 Ranch Marketing**

- A. Purpose.** The purpose of this Section is to provide for the orderly development of ranch marketing activities and accessory uses within agricultural zones; to encourage the economic development of the County agricultural and tourism industries; to provide for the sales of value-added products while protecting the agricultural character and long-term production of agricultural lands; and to provide for compatibility with adjacent land uses.
- B. Applicability.** Except as provided in Subsection C, the regulations and standards of this Section shall apply to ranch marketing uses, as defined in Article 8, where allowed in the permitted use matrices for the zones on lots that meet the following minimum criteria:
1. **Minimum Lot Size.** Ten gross acres.
  2. **Minimum Crop Area.** As defined in Subsection D:
    - a. Five acres of permanent agricultural **crop** in production; or
    - b. Ten acres of annual agricultural **crop** in production; providing
    - c. The minimum crop area shall be properly maintained and cared for to produce a commercial **crop**, as determined by the County Agricultural Commissioner. Failure to maintain crops will void the ranch marketing uses of this Section.
- C. Exceptions.** This Section does not apply to the following uses:
1. Produce sales, as defined in Article 8, for the direct sale of products grown on site.
  2. Indirect sales by mail, telephone, or internet where delivery of the goods occurs off site.
  3. **Direct sale of value added byproducts created from products grown on site.**
- D. Definitions.** As used in this Section, the terms below will mean the following:
- “Bake shop”** means a facility for the preparation and consumption of food items in which agriculture products grown on-site are used as a main ingredient for at least one of the baked goods (i.e. pies, turnovers, and other pastries.) Baked goods made from other ingredients may be offered for sale concurrently with goods made from on site grown produce.

**“Byproduct”** shall mean a value-added product, such as, **but not limited to**, a pie, jam, or juice, produced from an agricultural commodity.

**“Choose and Cut Tree Sales”** shall mean a commercial operation where the public is allowed on a site where evergreen trees are grown in order to select a specimen, cut it, and personally transport it off site for their use as a Christmas tree.

**“Christmas Tree Season”** is the time period beginning November 1 and ending on Christmas Day.

**“Dining Facility”** shall mean a food-serving facility with indoor seating that serves prepared food.

**“Food Stand”** means a food-serving facility used in conjunction with a ranch marketing operation serving prepared food from products **not** grown on site **or off** and for which indoor seating is not provided.

**“Harvest Season”** shall mean the time period in which the primary crop(s) is harvested on site and in which certain ranch marketing activities associated with that crop may occur. The season shall begin with the first day of the month in which the crop is harvested and conclude with the last sale of the primary crop(s) harvested that season.

**“Minimum Crop Area”** shall mean an area planted **either in the ground or in containers** and maintained in fruit trees, berry vines, truck crops, or other plants producing marketable produce using standard horticultural practices with regard to irrigation, plant spacing, pruning, and pest and predator control. **The Agricultural Commissioner shall verify the minimum crop area requirement.**

**“Ranch Marketing Area”** shall mean an area used for ranch marketing activities, not including land planted in crops or orchard, and packing and storage facilities, unless those areas are also used for accessory ranch marketing activities as set forth in Subsections E and F. Ranch marketing area includes permanent parking spaces and portions of the on site access road that serve only the Ranch Marketing facility, in compliance with Subsection J.

**“Special Events”** shall mean events such as charitable events, promotional events, and facility rental events, where more than 50 persons are in attendance, subject to the limitations set forth in Subsection F.5, below. Facility rental events involve the property, or portions thereof, being rented or donated for weddings, parties, company picnics, and similar social gatherings.

**E. General Standards.**

1. **Concurrency.** The uses identified in Subsections F, G, and H shall be conducted concurrently with the on site sale of agricultural products grown on site and/or byproducts, except as provided below:
  - a. Marketing activities, as provided in Paragraph F.3, may be allowed concurrently with the sale of off site produce or byproducts if:
    - (1) The off site produce or byproducts are, or are made from, the same type of produce grown on site;
    - (2) All other requirements of this Section are met.
  - b. Special events, as provided in Paragraph F.5, may occur at any time, subject to all other provisions of this Section.
2. **Maximum Ranch Marketing Area.** The total ranch marketing area, as defined in Subsection D, cannot occupy more than five acres or 50 percent of the lot, whichever is less.

**F. Ranch Marketing Uses Permitted by Right.** The following uses shall be allowed by right during the harvest season, except as provided in Paragraph 7 below.

1. **Bake Shops and Food Stands.** Bake shops and food stands, subject to the following standards:
  - a. Bake shops, food stands and any other sale of food products shall comply with the California Health and Safety Code, subject to approval from all applicable agencies, including but not limited to, El Dorado County Environmental Management Department, California Department of Public Health, and California Department of Food and Agriculture.
  - b. Indoor seating for a bake shop is limited to a total of 1,000 square feet of seating area.
  - c. Alcoholic beverage sales consistent with the provisions of a Type 2 Winegrower license from the State Department of Alcoholic Beverage Control (ABC). – Draft Zoning Ordinance is proposing to remove this.
2. **Handicraft Sales.** Handicraft sales subject to the following standards:
  - a. Handicrafts shall be products that are made domestically by hand, normally sold by the person who made them, and do not include

items that are mass produced by others;

- b. The area used for handicraft vendors is limited to a maximum of:
    - (1) 2,000 square feet for lots under 20 acres; or
    - (2) 4,000 square feet for lots 20 acres or larger.
  - c. Agricultural production is the primary use or function of the property. The Agricultural Commissioner may review the proposed sales area to ensure that the site conforms to the standards of Paragraph E.2 and Subparagraph F.2.b;
  - d. Vendors shall have a current County business license; and
  - e. Vendors may use the site for overnight RV camping during the time the vendor occupies the site, subject to any applicable state and County health and safety regulations.
- 3. Marketing Activities and Accessory Uses.** Marketing activities and accessory uses such as picnic areas, public tours, hay mazes, pony rides, and tractor rides, subject to the following:
- a. All public activities are limited to daylight hours.
  - b. Outdoor music shall meet County noise standards.
- 4. Retail Sales.** Retail display and sales areas not associated with produce sales, handicrafts, or bake shops are limited to a maximum of 500 square feet.
- 5. Special Events.** Special events, subject to the following limitations:
- a. Total of 24 events per calendar year;
  - b. Maximum capacity of 250 persons at one time.
  - c. Special events shall be limited in time duration to 48 hours.
  - d. The total number of special events shall be limited to the number provided in this paragraph and shall not be cumulative if a lot also qualifies for events under Paragraph I.4 or Section 17.40.400 (Wineries).
- 6. Museum.** Agriculturally related museums that primarily display items from California's agricultural history.
- 7. Exceptions to Uses Permitted by Right.** The following exceptions apply

to the by-right provisions of this Subsection:

- a. Retail sale of on site produce kept in cold storage is not limited to its harvest season.
- b. An existing commercial kitchen established for a bake shop or food stand can be used off-season to make byproducts from cold storage produce. The on or off site sale of said value-added products is not limited to its applicable harvest season.
- c. Special events, consistent with Paragraph F.5, may be held throughout the year and are not limited to the harvest season;
- d. Lots under active farmland conservation contracts pursuant to the California Government Code Section 51200 et seq. (Williamson Act) may require a Conditional Use Permit for any uses that are deemed to be incompatible under the terms of the Contract.

**G. Uses Requiring an Administrative Permit.** The following uses are permitted by Administrative Permit in compliance with Section 17.52.010:

1. Non-ranch marketing use of an existing commercial kitchen established for a bake shop or food stand as an owner-operated or leased catering facility, subject to approval from all applicable agencies, including but not limited to, El Dorado County Environmental Management Department, California Department of Public Health, and California Department of Food and Agriculture.
2. Ranch marketing activities that do not have direct access to a county-maintained road or state highway, provided that the operator of the facility has entered into an agreement to participate in any road maintenance entity (homeowner's agreement, Zone of Benefit, Community Services District, or County Service Area) on roads that serve the site.
3. Ranch marketing activities that operate at times other than the harvest season, as defined above.

**H. Uses Permitted by Conditional Use Permit.** The following uses are permitted by Conditional Use Permit in compliance with Section 17.52.020, subject to the findings in Paragraph 8 below:

1. Bake shop with an indoor seating area of over 1,000 square feet.
2. Special events that exceed the provisions of Subsection F.5 that are on-going or reoccurring. One-time special events may be authorized by Temporary Use Permit in compliance with Section 17.52.060 (Temporary



Use Permits).

3. Campgrounds, fishing, and commercial stables;
  4. Retail sales area in excess of that allowed by right in Subsections F.2 and F.4;
  5. Dining facility;
  6. Mechanical amusement rides, helicopter rides, and similar non-agricultural activities.
  7. Concerts or other live, outdoor amplified music where the music is the primary attraction.
  8. Ranch marketing activities that do not have direct access onto a county-maintained road or state highway and do not participate in a road maintenance agreement, as provided in Paragraph G.2.
  9. In addition to the findings required under Subsection 17.52.020.C (Conditional Use Permit), the following findings shall be made by the review authority prior to approving a Conditional Use Permit under this Section:
    - a. The site meets the minimum acreage and planting standards of Subsection B.
    - b. The use is secondary and subordinate to the agricultural use.
    - c. The use does not detract from or diminish the on site agricultural uses.
    - d. There is no adverse effect on agricultural production on surrounding properties.
    - e. For lands under Williamson Act contract, the use is compatible with the provisions of Government Code Section 51200 et seq.
- I. Ranch Marketing Provisions for Christmas Tree Sales.** The provisions of this Subsection apply only to operations whose primary product are Christmas trees and are not in addition to other uses permitted by this Section. The following ranch marketing provisions shall be permitted where Christmas trees are grown on sites that meet the minimum acreage and planting standards of Subsection B:
1. Choose and cut tree sales, as defined in Section D.

2. Retail sales in compliance with Paragraph F.4.
3. The sale of pre-cut Christmas trees grown off site provided they are sold concurrently with Christmas trees grown on site and the primary crop (greater than 51 percent) is grown on site.
4. Special events outside of the Christmas tree season on lots of 10 acres or more, subject to the following minimum standards:
  - a. Two events on lots with five acres or more of planted Christmas trees.
  - b. Five events on lots with ten acres or more of planted Christmas trees.

**J. Ranch Marketing Provisions for Agricultural Grazing Lands (Large Animal).** The provisions of this Subsection apply only to cattle grazing operations and are not in addition to other uses permitted by this Section. The following ranch marketing provisions shall provide a ranch atmosphere and natural environment for Dude Ranches, as defined in Article 8, and other events and activities defined in this ordinance and shall be permitted on land zoned Agricultural Grazing (AG) consisting of a single parcel or contiguous parcels totaling a minimum of 160 acres under the same ownership:

**1. Uses Permitted by Right.**

- a. Round-ups, rodeos, or other similar activities;
- b. Camping, fishing, hunting, horseback riding;
- c. Marketing activities in compliance with Subsection F.3;
- d. Food stands in compliance with Subsection F.1;
- e. Retail sales in compliance with Subsection F.4;
- f. Special Events in compliance with Subsection F.5;
- g. Museum as defined in Subsection F.6

**2. Uses Requiring an Administrative Permit.**

- a. Ranch marketing activities that do not have direct access to a county- maintained road or state highway, provided that the operator of the facility has entered into an agreement to participate in any road maintenance entity (homeowner's agreement, Zone of

Benefit, Community Services District, or County Service Area) on roads that serve the site.

- b. Use of existing permanent structures and/or temporary structures;
- c. Other uses found compatible with grazing operations

### 3. **Uses Requiring a Conditional Use Permit.**

- a. Food serving facility with indoor seating area of over 1,000 square feet;
- b. Concerts or other live, outdoor amplified music where the music is the primary attraction;
- c. Special events that exceed the provisions of Subsection F.5 that are on-going or reoccurring. One-time special events may be authorized by Temporary Use Permit in compliance with Section 17.52.060 (Temporary Use Permits);
- d. Dining facility;
- e. Ranch marketing activities that do not have direct access onto a county-maintained road or state highway and do not participate in a road maintenance agreement, as provided in Paragraph G.2;
- f. In addition to the findings required under Subsection 17.52.020.C (Conditional Use Permit), the following findings shall be made by the review authority prior to approving a Conditional Use Permit under this Section:
  - 1. The use is secondary and subordinate to the agricultural use.
  - 2. The use does not detract from or diminish the on site agricultural uses.
  - 3. There is no adverse effect on agricultural operations on surrounding properties.
  - 4. For lands under Williamson Act contract, the use is compatible with the provisions of Government Code Section 51200 et seq.

Parcels that do not meet the above acreage criteria, but have over 40 acres of grazing land and have agricultural zoning, may qualify for Ranch Marketing

activities with an Administrative Permit. For those parcels under 40 acres with agricultural zoning, a Conditional Use Permit shall be required.

**K. Ranch Marketing Provisions for Intensive Agricultural Operations (i.e. small livestock operations, horticultural flower farms, aquaculture, etc.) - *Reserved***

**L. Development Standards:** Ranch marketing uses shall not be allowed unless they comply with the development standards of the zone and Article 3 (Site Planning and Project Design Standards), except as provided below:

**1. Parking.**

- a. Parking spaces shall be provided on site for all Ranch Marketing uses, in compliance with Chapter 17.35 (Parking and Loading). No on-street parking is permitted on County maintained roads.
- b. Special events may utilize temporary overflow parking areas that are mowed of dried vegetation to a maximum height of two inches.
- c. Areas for bus stop and drop off areas shall be provided for any site that has a minimum of 20 parking spaces. Bus stops and drop off areas may be waived if the parking lot is designed to provide a loop or circular path of travel so that the bus can use the parking drive aisle as a temporary bus stop.

**2. Access.**

- a. A ranch marketing facility shall be connected directly to a county-maintained road or state highway, except as provided in Paragraphs G.2 and H.10.
- b. Access to a facility shall meet the minimum fire safe standards or same practical effect, as determined by the applicable fire district.

**3. Signs.** See Table 17.36.130

**4. Setbacks.** The following minimum setbacks apply to all ranch marketing facilities and outdoor use areas, excluding parking lots and picnic areas:

- a. Adjacent to non-residential zones: 50 feet from all property lines.
- b. Adjacent to residential zones: 200 feet from all property lines.
- c. The 200 foot setback in Subparagraph 4.b above may be reduced to no less than 50 feet by a grant of administrative relief in compliance with Section 17.52.010 (Administrative Permit).

- M. Nonconforming Ranch Marketing Uses.** Existing ranch marketing uses made nonconforming by the adoption of this ordinance may continue to operate subject to an Administrative Permit, as set forth in Chapter 17.61 (Non-Conforming Uses), in order to document the existing nonconforming ranch marketing uses.
1. The Administrative Permit application shall be submitted to the County within one year of the date of adoption of this ordinance.
  2. All existing uses shall be allowed to continue for one year from the application date of the required permit. If the required application has not been submitted within the one year time frame set forth in this Subsection, the existing uses shall constitute a violation of this Section and shall be subject to enforcement proceedings, as provided for in Chapter 17.67 (Code Enforcement).
  3. Upon approval of the Administrative Permit the non-conforming ranch marketing activities may continue operations consistent with the provisions of Chapter 17.61 (Non-Conforming Uses), except for seasonal uses that are inconsistent with the provisions of this Section and for which no permanent improvements have been made.



## RL Zone ~ Optional Analysis Refinement Rural Lands Subcommittee Input vs Staff Submission

This document is submitted to clarify those areas where the final EDC staff recommendations and EDAC Rural Lands (RL) Subcommittee recommendations vary – for purposes of the Gap Analysis.

**Original Submittal:** 1/24/12: Revisions/Clarification 3/9/12

### **Foundational Differences for Analysis:**

1. Location of Rural Lands (RL) zone in new Zoning Ordinance (Ag/Resource VS Residential) [Based on GP and Code 17.21 (Ag & Resource Zones) and 17.24 (Residential Zones)]
2. The GP Land Use Definition of Rural Regions (RR) =1 DU per **10** to 160 acres (ten-acre minimums). The Rural Lands Subcommittee recommends 10 acre minimums be allowed in the new RL zones. The Planning Commission supported 10 acre minimums at their September 2011 meeting. Staff's RL Zone draft language allows for only **20** acres minimums within RR lands – which includes RL zones.

The following RL zoning uses submitted by staff differ from the Rural Lands Subcommittee uses and their recommendations. Compare staff draft zoning posted 12/21/11 to EDAC Regulatory Reform RL Subcommittee analysis submitted 11/14/11 as shown on "CEQA: Evolution of the Project Description" CD.

**Subcommittee Zoning Permit Requirements Staff Changed:** The following 10 line items differ between Staff's and the RL Subcommittee's Recommendations - by showing a different permit process for each:

(1) Packing: Off site product (2) Agricultural Support Services, (3) Dude Ranches, (4) Storage Yard: Equipment and Materials (Permanent), (5) Camping, Temporary, (6) Hunting/Fishing Club, Farm, or Facility, (7) Marina: Non-motorized Craft, (8) Off-Highway Vehicle Recreation Area, (9) Community Services, Cultural centers and living history facilities; (10) Temporary Outdoor Retail Sales.

**Subcommittee Uses (with Code Sections) Staff Eliminated** The following line items differ between Staff's and the RL Subcommittee's Recommendations: Staff's submittal eliminated the following allowed uses for analysis:

<u>Use</u>	<u>Zone/Permit</u>	<u>Relevant Code Section</u>
Construction Trailer, Contractor's Office: On-site	RL-P	17.40.190
Rooming House	RL-A	
Transitional Housing:		17.40.360
Small (serving 6 or fewer)	RL-P	
Large (serving 7 or more)	RL-CUP	
Dining Facilities/Restaurants	RL-CUP	
Breweries	RL-CUP	
Equipment Repair	RL-P/CUP	
Retail Sales and Service: *		
Personal Services	RL-P	
Temporary Outdoor *	RL-A/T	17.40.220
Vehicle Repair and Maintenance	RL-P/CUP	
Equipment and Material Storage Yard:		
Permanent	RL-CUP	17.40.320
Wholesale Distribution	RL- P	

<u>Use</u>	<u>Zone/Permit</u>	<u>Relevant Code Section</u>
Recreational Facilities, Commercial <u>Note:</u> Expand definition to include outdoor day use on rural lands: Clubs, Lodges, Halls, Private Meeting Rooms, Conference Center, Research Facility; Education & Training	RL-A/CUP	
Solar Collection System	RL-CUP RL-A	
Office Professional <u>(Note:</u> reference Comm'l recommendations)	RL	
Recreation Vehicle Park <u>(Note:</u> reference Tourist/Recreation)	RL	CUP or SUP
Custom Production Services <u>(Note:</u> example: cars, cabinets, etc)	RL	A or CUP

**New Zoning Uses to be Analyzed – NOT Included in Original Submittals:**

Nighttime/overnight use(s) for camping on/in Rural Lands:	RL	
“Swap” Meets/ eg: <u>(Note:</u> example = Denios in Sacto)	RL	CUP/SUP ?



### Chapter 17.44 TIMBERLAND PRODUCTION ZONE (TPZ) DISTRICT

#### 17.44.010 Purpose.

The regulations set forth in this chapter shall apply only to those lands subject to the Forest Taxation Reform Act of 1976. (Prior code §9432(A))

#### 17.44.020 General Provisions.

Lands zoned pursuant to this chapter shall be subject to chapters [17.14](#), [17.16](#) and [17.18](#). (Prior code §9432(B))

#### 17.44.030 Uses Permitted by Right.

The following uses are allowed by right without special use permit or variance:

- A. Growing and harvesting ~~forest products~~ processing of forest products including but not limited to roads, log landings, log storage areas and temporary camps for employees working on active timber management activities;
- B. ~~A residence, subject to an Administrative permit on parcels greater than 160 acres. For existing legal parcels less than 160 acres a Minor Use Permit will be required, including a timber management plan prepared by a Registered Professional Forester. An Administrative Permit or Minor Use Permit will be solely evaluated based on meeting the General Plan Policy 8.4.2.1.~~ C. Maintenance and repair facilities for trucks and equipment used in the management and harvesting of timber of the landowner;
- D. Erection, construction, alteration or maintenance of gas, electric, water, ~~or communication~~ transmission facilities and commercial wind energy facilities, following review by the planning commission as may be required by chapter [17.18](#);
- E. Management for watershed;
- F. Management for fish and wildlife habitat;
- G. Noncommercial recreation uses (reasonable fees may be charged for maintenance):
  1. Hunting and fishing in accordance with applicable federal and state law including chapter [9.44](#) of this code,
  2. Day use for picnicking, riding, hiking, and
  3. Temporary camping;

Deleted: or

Deleted: , whether planted or of natural growth, standing or down, on privately owned land, including Christmas trees and including nursery stock for restocking commercial forest land, but not including nursery stock grown primarily for retail trade; ¶

Deleted: Uses, excluding

Deleted: s

Deleted: integrally related to the growing, harvesting and processing of forest products including but not limited to roads, log landings, log storage areas and temporary camps for employees working on active timber management activities; ¶

Deleted:

- H. Mineral resources removal and processing for road building when incidental to and in conjunction with timber producing and harvesting;
- I. Raising and grazing of livestock, poultry and other animals;
- J. Signs warning against trespass, hunting or shooting on the premises;
- K. Signs indicating the name of the owner, the property and the agricultural products produced on the premises; provided, that no more than two (2) such signs shall be erected on each parcel under separate ownership and no such sign shall exceed thirty-two (32) square feet in area;
- L. Sale of products produced on the premises. (Ord. 3606 §57, 1986: prior code §9432(C))

**17.44.040 Uses Requiring Special Use Permit.**

The following uses are allowed only after obtaining a special use permit therefor from the planning commission or zoning administrator:

- A. Commercial mineral resources removal and processing when not incidental to timber production and harvesting;
- B. Permanent structure for the processing and packaging of agricultural and timber products and the necessary support facilities required therefor;
- C. Gas and oil wells and/or exploration therefor;
- D. Other sign sizes and applicable general provisions as itemized in chapters [17.14](#), [17.16](#) and [17.18](#). (Prior code §9432(B))
- E. Heliports and their accessory uses and structures;
- F. [Commercial recreation uses \(See Land Use Zone District Matrix\)](#). A Timber Management Plan prepared by a Registered Professional Forester will be required to demonstrate the compatibility of a commercial recreational use with continued timber production). See the required supporting documentation requirements in 17.44.051.

**Formatted:** Font: (Default) Helvetica, (Asian) Times New Roman, Font color: Custom Color(0,112,192)

**Deleted:** residential use onf timberland is in general inconsistent with growing and harvesting of timber.

**Deleted:** such as intensively managed minimum size acreages, nurseries, etc., in private ownership, living quarters and outbuildings are necessary in connection with the management and protection of the property.

**Deleted:** Section 17.52.020 for

**Deleted:** of one owner or caretaker occupied subject to the following findings:

**Deleted:** special use

**17.44.050 Criteria for Residential Use in TPZ.**

- G. The County finds that ~~a residence within TPZ is a compatible use.~~ However, it is recognized that in certain situations ~~residential use may conflict with timber production.~~ Therefore, by recommendation of the Agricultural Commission, the zoning administrator may grant a ~~Administrative permit or Minor Use Permit~~ in compliance with ~~General Plan Policy 8.4.2 .1 for construction one single family residence.~~

1.

**Deleted:** The Agricultural Commission finds that there has been three consecutive years of management of intensive timber production on the subject property. The following criteria will aid the agricultural commission in determining what constitutes intensive management and must be considered before granting a Conditional Use Permit for a dwelling:

- a. . A timber inventory of stand has been prepared; ¶
- b. . Commercial harvesting operations have been previously conducted; ¶
- c. . Legal and physical access to the property exists that allows commercial operations to be carried out; ¶
- d. . The boundaries of the property have been located and the property owner has attempted to protect his property against trespass; ¶
- e. . Disease or insect control work has been conducted; ¶
- f. . Thinning, slash disposal, pruning and other appropriate silvicultural work has been performed; ¶
- g. . A fire protection system or a functioning fire protection plan has been developed; ¶
- h. . Erosion control has been provided on existing roads and skid trails and existing roads are maintained;

USE TYPE	AE	AP	PA	AG	RL	FR	TPZ	Specific Use Reg.
<b>Agricultural</b>								
Agricultural Employee Housing	<u>P/A/</u> <u>CUP</u>	<u>P/A/</u> <u>CUP</u>	<u>P/A/</u> <u>CUP</u>	<u>P/A/</u> <u>CUP</u>	<u>P/A/</u> <u>CUP</u>	<u>P/A/</u> <u>CUP</u>	=	<u>17.40.120</u>
Animal Keeping	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.40.070</u>
Barns, Stables, Storage structures	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=	<u>17.40.030</u>
Cropland	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=	<u>17.40.050</u>
Temp Outdoor Retail Sales	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	=	=	<u>17.40.220</u>
Grazing	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.40.050</u>
Livestock Feedlots	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	=	=	=	
Nursery, wholesale plant	<u>P</u>	<u>P</u>	<u>P</u>	=	<u>P</u>	<u>A/CUP</u> <sup>1</sup>	<u>CUP</u>	<u>17.44.051</u>
Orchards and Vineyards	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=	<u>17.40.050</u>
Packing: On-site product	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CUP</u>	<u>17.44.051</u>
Packing: Off-site product	<u>P/CUP</u>	<u>P/CUP</u>	<u>P/CUP</u>	<u>P/CUP</u>	<u>CUP</u>	<u>CUP</u>	=	
Processing (nature of product is changed)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>17.44.051</u>
Produce Sales	<u>P/MU</u> <u>P</u>	<u>P/MU</u> <u>P</u>	<u>P/MU</u> <u>P</u>	<u>P/MUP</u>	<u>P/MU</u> <u>P</u>	<u>P/MUP</u>	=	<u>17.40.240</u>
Timber	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.40.030</u>
<b>Residential</b>								
Child Day Care Home: Small family day care home	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=	<u>17.40.110</u>
Large family day care home	<u>CUP</u>	<u>CUP</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	=	
Dwelling: Single, detached	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>17.44.030</u>
Dwelling: Temporary during construction	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>A</u>	<u>17.40.190</u>
Guest House	=	=	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=	<u>17.40.160</u>

Formatted Table

<u>Hardship Mobile Home</u>	=	=	TMA	TMA	TMA	TMA	=	<u>17.40.190</u>
<u>Kennels, Private</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	=	<u>17.40.070</u>
<u>Room Rental:</u> <u>One bedroom, only</u>	P	P	P	P	P	P	=	
<u>Second Dwelling Unit</u>	A	A	P	P	P	P	=	<u>17.40.050</u> , <u>17.40.300</u>
<b>Commercial</b>								
<u>Agricultural Support Services</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	=	<u>17.40.060</u>
<u>Animal Sales and Service:</u> <u>Veterinary Clinics</u>	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	=	<u>17.40.060</u>
<u>Home Occupations</u>	<u>P/</u> <u>MUP</u>	<u>P/</u> <u>MUP</u>	<u>P/</u> <u>MUP</u>	<u>P/</u> <u>MUP</u>	<u>P/</u> <u>MUP</u>	<u>P/</u> <u>MUP</u>	=	<u>17.40.170</u>
<u>Horse Boarding</u>	P	P	P	P	P	P	<u>CUP</u>	<u>17.40.170</u> , <u>17.44.051</u>
<u>Lodging Facilities: B&amp;B, Ranch</u> <u>Style</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>17.40.090</u>
<u>Ranch Marketing</u>	<u>P/CUP</u>	<u>CUP</u>	<u>P/CUP</u>	<u>P/CUP</u>	=	=	=	<u>17.40.260</u>
<u>Wineries</u>	<u>P/CUP</u>	<u>CUP</u>	<u>P/CUP</u>	<u>CUP</u>	=	=	=	<u>17.40.400</u>
<b>Industrial</b>								
<u>Mineral Exploration</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	Chapter <u>17.29</u>
<u>Mineral Production</u>	=	=	<u>CUP</u>	=	=	=	<u>P/ CUP</u>	
<u>Mining</u>	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>P/ CUP</u>	
<u>Slaughterhouse</u>	=	=	<u>CUP</u>	=	=	=	=	
<u>Storage Yard: Equipment and</u> <u>Materials Permanent</u>	=	=	<u>CUP</u>	=	=	=	<u>CUP</u>	<u>17.40.320</u>
<u>Temporary</u>	I	I	I	I	I	I	I	
<b>Recreation and Open Space</b>								
<u>Campground</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>17.40.100</u>
<u>Camping, Temporary</u>	=	=	=	=	=	=	P	

<u>Conference Center/ Retreat</u>							<u>CUP</u>	
<u>Wellness Center</u>							<u>CUP</u>	
<u>Golf Course</u>	=	=	=	=	<u>CUP</u>	=	=	<u>17.40.210</u>
<u>Hiking and Equestrian Trails</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Hunting Club, Farm, or Facility</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	
<u>Marina: Non-motorized Craft</u>	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>17.40.210</u>
<u>Off-Road Vehicle Recreation Area</u>	=	=	=	=	=	<u>CUP</u>	<u>CUP</u>	
<u>Picnic Area</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Resource Protection and Restoration</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Riding Stables</u>	=	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>17.40.210,</u> <u>17.44,</u> <u>051</u>
<u>Ski Area</u>	=	=	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	
<u>Snow Play Area</u>	=	=	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>17.40.210,</u> <u>17.44,</u> <u>051</u>
<u>Special Events, Temporary</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>CUP</u>	
<u>Trail Head Parking and Staging Area</u>	=	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>17.40.210,</u> <u>17.44,</u> <u>051</u>
<u>Civic Uses</u>								
<u>Cemeteries</u>	=	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	=	
<u>Churches and Community Assembly</u>	=	=	=	=	<u>CUP</u>	<u>CUP</u>	=	
<u>Community Services</u>	=	=	=	=	<u>CUP</u>	=	=	
<u>Intensive Public Facilities</u>	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	=	
<u>Parks, Day Use</u>	=	=	=	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	=	<u>17.40.210</u>
<u>Transportation</u>								

**Comment [cdt1]:** The ordinance will need to specify the size of footprint that keeps the use "compatible". Suggest <3ac for building improvement footprint so that project will qualify as under the <3ac exemption from conversion.

<u>Airports, Airstrips and Heliports</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>17.40.060,</u> <u>17.44,</u> <u>051</u>
<b>Utility and Communication</b>								
<u>Communication Facilities</u>	<u>A/ CUP</u>	<u>A/ CUP</u>	<u>A/ CUP</u>	<u>A/ CUP</u>	<u>A/ CUP</u>	<u>A/ CUP</u>	<u>A</u>	<u>17.40.130,</u> <u>17.44,</u> <u>051</u>
<u>Public Utility Structures and Services: Intensive</u>	<u>=</u>	<u>=</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>17.40.250</u>
<u>Public Utility Structures and Services: Minor</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>CUP</u>	
<u>Wind Energy Conversion System</u>	<u>See Table 17.40.390.1 (WECS Use Matrix)</u>							<u>17.40.390</u>
<u>Wind Energy Conversion System</u>	<u>See Table 17.40.390.1 (WECS Use Matrix)</u>				<u>17.40.390</u>			
<b>NOTES:</b>								

**Comment [cdt2]:** Heliports only for TPZ

**17.44.051 Criteria for Other Compatible Uses in TPZ.**

1. The Agricultural Commission finds that the condition of the property can support a proposed compatible use to further the economic or social benefits of the County while not detracting from the parcels ability to produce timber. The following background information will be provided to the agricultural commission in order to aid in determining whether the subject parcel can support the proposed compatible use:

i. A Registered Professional Forester shall submit a timber management plan for the subject parcel that includes a discussion of the following resources:

Soils Resources, Watershed Resources, Wildlife Resources, Vegetation Conditions, Fire Risk & Prevention, Applicable Regulatory Sections & Discussion, Management Strategies, Governmental Review of Practices.

ii. Additional information may include: Road Access Map, Soils Map, Stream Assessment Map , Biological Resource Maps, Basal Area by Diameter Graph, Basal Area by Species Chart.

**Comment [cdt3]:** Will include a discussion of how the compatible use will not detract from growing and harvesting of timber.

**Comment [cdt4]:** Strategies that incorporate additional practices that promote timber production activities will be favored.

# ATTACHMENT 1



**of infrastructure and public services, and preserves the agricultural and forest/timber area to ensure its long-term viability for agriculture and timber operations.**

Policy 2.1.3.1 All lands not contained within the boundaries of a Community Region or a Rural Center are classified as Rural Regions.

**GOAL 2.2: LAND USE DESIGNATIONS**  
**A set of land use designations which provide for the maintenance of the rural and open character of the County and maintenance of a high standard of environmental quality.**

**OBJECTIVE 2.2.1: LAND USE DESIGNATIONS**

**An appropriate range of land use designations that will distribute growth and development in a manner that maintains the rural character of the County, utilizes infrastructure in an efficient, cost-effective manner, and further the implementation of the Community Region, Rural Center, and Rural Region concept areas.**

Policy 2.2.1.1 The matrix contained in Table 2-1 provides for the relationship and consistency between the General Plan planning concept areas and the land use designations.

<b>TABLE 2-1 PLANNING CONCEPT AREAS AND LAND USE DESIGNATION CONSISTENCY MATRIX</b>			
<b>Land Use Designations</b>	<b>Concept Areas</b>		
	Community Regions	Rural Centers	Rural Regions
Multifamily Residential*	●	●	
High-Density Residential*	●	●	
Medium-Density Residential*	●	●	
Low-Density Residential	●	●	●
Rural Residential			●
Agricultural Lands			●
Natural Resource			●
Commercial*	●	●	
Research & Development	●	●	
Industrial	●	●	●
Open Space	●	●	●
Public Facilities	●	●	●
Tourist Recreational	●	●	●
* May be applied in Rural Regions to reflect existing development when combined with the Platted Lands (-PL) overlay land use designation.			

Policy 2.2.1.2 To provide for an appropriate range of land use types and densities within the County, the following General Plan land use designations are established and defined.

Multifamily Residential (MFR): This land use designation identifies those areas suitable for high-density, multifamily structures such as apartments, single-family attached dwelling units (i.e., air-space condominiums, townhouses) and multiplexes. Mobile home parks, as well as existing and proposed manufactured home parks, shall also be permitted under this designation. Lands identified as MFR shall be in locations with the highest degree of access to transportation facilities, shopping and services, employment, recreation, and other public facilities. The minimum allowable density is five dwelling units per acre, with a maximum density of 24 dwelling units per acre. The provision of single-family attached dwelling units in the MFR land use designation is subject to the use of planned development design concepts which may result in zipper-lot zero-lot line, cottage-type, or comparable developments. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

High-Density Residential (HDR): This land use designation identifies those areas suitable for intensive single-family residential development at densities from one to five dwelling units per acre. Allowable residential structure types include single-family attached (i.e., air-space condominiums, townhouses) and detached dwellings and manufactured homes. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers. Standard residential subdivisions shall maintain a density range from one to two dwelling units per acre. Residential subdivisions utilizing the planned development concept shall maintain a density range from one to five dwelling units per acre. Residential development of single-family attached dwelling units are to be designed to satisfy the upper range of the allowable density under this designation. Proponents of single-family detached or manufactured home projects consistent with the HDR designation shall not be subject to the Planned Development combining zone if their projects meet the criteria set forth in Policy 2.2.5.4. (Res. No. 298-98; 12/8/98)

Medium-Density Residential (MDR): This land use designation establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. This designation shall be applied where the character of an area is single-family residences; where the absence or reduced level of infrastructure including roads, water lines, and sewer lines does not justify higher densities; where the topography poses a constraint to higher densities; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density shall be one dwelling unit per 1.0 acre. Parcel sizes shall range from 1.00 to 5.00

acres. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

Low-Density Residential (LDR): This land use designation establishes areas for single-family residential development in a rural setting. In Rural Regions, this designation shall provide a transition from Community Regions and Rural Centers into the agricultural, timber, and more rural areas of the County and shall be applied to those areas where infrastructure such as arterial roadways, public water, and public sewer are generally not available. This land use designation is also appropriate within Community Regions and Rural Centers where higher density serving infrastructure is not yet available.

The maximum allowable density shall be one dwelling unit per 5.0 acres. Parcel size shall range from 5.0 to 10.0 acres. Within Community Regions and Rural Centers, the LDR designation shall remain in effect until a specific project is proposed that applies the appropriate level of analysis and planning and yields the necessary expansion of infrastructure.

Rural Residential (RR): This land use designation establishes areas for residential and agricultural development. These lands will typically have limited infrastructure and public services and will remain for the most part in their natural state. This category is appropriate for lands that are characterized by steeper topography, high fire hazards, and limited or substandard access as well as “choice” agricultural soils. The RR designation shall be used as a transition between LDR and the Natural Resource (NR) designation. Clustering of residential units under allowable densities is encouraged as a means of preserving large areas in their natural state or for agricultural production. Typical uses include single-family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is one dwelling unit per 10 to 160 acres. This designation is considered appropriate only in the Rural Regions.

Agricultural Lands (AL): This designation is applied to lands described in Policy 8.1.1.8. A maximum of two residential dwellings used to support the agricultural use are allowed. The AL designation may be applied in Rural Regions only.

Natural Resource (NR): The purpose of the Natural Resource (NR) designation is to identify areas that contain economically viable natural resources and to protect the economic viability of those resources and those engaged in harvesting/processing of those resources including water resources development from interests that are in opposition to the managed conservation and economic, beneficial use of those resources. The important natural resources of the County include forested areas, mineral resources, important watershed, lakes and ponds, river corridors, grazing lands, and areas where the encroachment of development would

compromise these natural resource values. Land under both public and private ownership that contain these resources, including wilderness areas and other lands managed for resource values and multiple use, are included in this category. This designation shall be applied to those lands which are 40 acres or larger in size and contain one or more important natural resource. Compatible uses on private land may include agriculture, rangeland, forestry, wildlife management, recreation, water resources development, and support single-family dwellings. The maximum allowable density for this designation is one dwelling unit per 160 acres or larger outside the National Forest Service lands and within “timber production” areas and one dwelling unit per 40 acres within river canyons outside of the “timber production” areas. This designation is considered appropriate only in the Rural Regions. Isolated parcels outside the National Forest Service lands and below 3,000 feet elevation may be exempt from the one dwelling unit per 160 acre parcel size. If it is determined that such lands are unsuitable for “timber production,” one dwelling unit per 40 acres maximum density can be considered. Any modifications of this land use designation shall require one of the following findings: (1) No important natural resource exists on the property; or (2) If a project is proposed, it will significantly enhance the long-term production and preservation of the on-site resources through the application of development strategies such as fuels management plans, timber management plans, self imposed setbacks buffers, and open space.

Commercial (C): The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed use development of commercial lands within Community Regions and Rural Centers which combine commercial and residential uses shall be permitted. The residential component of the project shall only be implemented following or concurrent with the commercial component. Commercially designated parcels shall not be developed with a residential use as the sole use of the parcel unless the residential use is either (1) a community care facility as described in goal HO-4 or (2) part of an approved mixed use development as allowed by Policy 2.1.1.3 and 2.1.2.5. Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

Research & Development (R&D): The purpose of this land use designation is to provide areas for the location of high technology, non-polluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities in a rural or campus-like setting which ensures a high quality, aesthetic environment. This designation is highly appropriate for the business park/employment center concept. Lands designated as R&D can be located in Community Regions and in Rural Centers.

Industrial (I): The purpose of this land use category is to provide for a full range of light and heavy industrial uses. Types of uses that would be permitted include manufacturing, processing, distribution, and storage. Incompatible, non-industrial uses, excluding support services, shall be prohibited. Industrial uses shall be restricted to industrial lands within, or in close proximity to, Community Regions and Rural Centers. Industrial lands in Rural Regions shall be constrained to uses which support on-site agriculture, timber resource production, mineral extraction, or other resource utilization. In the Rural Regions, no additional land shall be designated for industrial uses. This designation is considered appropriate within Community Regions, Rural Centers and, subject to the limitation described above, Rural Regions.

Open Space (OS): This land use category can be used to designate public lands under governmental title (County, State Parks, BLM, U.S. Bureau of Reclamation, U.S. Forest Service, etc.), where no development other than that specifically needed for government-related open space uses is desired. This land use includes State parks, ecological preserves, and public lands acquired specifically for open space uses. It may also be used on private lands to maintain natural features within clustered development where a General Plan amendment is processed. This designation is considered appropriate within Community Regions, Rural Centers, and Rural Regions.

Public Facilities (PF): This land use category includes only publicly-owned lands used for public facilities such as sanitary landfills, storage and maintenance yards, regional parks and recreation facilities, fire stations, schools, community parks and recreation facilities, libraries, administration and support buildings, hospitals (including non-profit), airports, transit facilities, water and sewer treatment facilities, etc. This designation is considered appropriate within Community Regions, Rural Centers, and Rural Regions.

Adopted Plan (AP): This land use category recognizes areas for which specific land use plans have been prepared and adopted. These plans (e.g., specific plan or community plan) are accepted and incorporated by this reference, and the respective land use map associated with each such plan is hereby adopted as the General Plan map for each such area. The plans recognized by the AP category do not include the now-superseded Area Plans that comprised the County's General Plan prior to the adoption of this General Plan. The adopted plan for the Tahoe Basin is the *Regional Plan for the Tahoe Basin* and the Plan Area Statements, both adopted by the Tahoe Regional Planning Agency (TRPA), and the Meyers Community Plan, adopted by El Dorado County and TRPA.

Tourist Recreational (TR): This land use designation is to provide areas for tourist and resident serving recreational uses, transit and seasonal lodging facilities, and supporting commercial activities. The land use category would have differing intensities of use based on the location. In

the Community Regions and Rural Centers where infrastructure exists or can be extended, the uses permitted would be more intense and commercial in nature. In the Rural Regions, uses will be encouraged and defined that are compatible with the rural residential nature of those regions. Types of uses would include campgrounds, golf courses, ski areas, snow parks, riding stables, trail heads, museums, and other similar recreational and sight seeing activities. Lodging uses would include RV parks and other appropriate transit lodging. Tourist recreational activities, facilities, and industries shall be allowed throughout the County; however, specific activities and facilities shall be identified through zoning and permitted by right or special use permit, as appropriate.

Policy 2.2.1.3 The General Plan shall provide for the following range of population densities in the respective land use designation based upon the permitted range of dwelling units per acre and number of persons per acre as shown in Table 2-2 below.

<b>Land Use Designation</b>	<b>Units Per Acre</b>	<b>Persons Per Housing Unit<sup>1</sup></b>	<b>Persons Per Acre</b>
Multifamily Residential	5 – 24	2.3	11.5 - 55.2
High-Density Residential	1 – 5	2.8	2.8 - 19.6
Medium-Density Residential	1 – 0.2	2.8	2.8
Low-Density Residential	0.20 - 0.1 <sup>3</sup>	2.8	0.56 - 0.28
Rural Residential	0.1 – 0.025	2.8	0.28 - 0.07
Agricultural Lands	0.05	2.8	0.14
Natural Resource	0.025 – 0.00625	2.8	0.07 - 0.0175
Commercial	16/4 <sup>2</sup>	2.3/2.8	36.8-44.8/ 9.2-11.2
Research & Development	–	–	–
Industrial	–	–	–
Open Space	–	–	–
Public Facilities	–	–	–
Tourist Recreational	–	–	–
<b>Notes:</b>			
<sup>1</sup> 1990 U.S. Census			
<sup>2</sup> Maximum of 16 units per acre in Community Regions; maximum of 4 units per acre in Rural Centers			
<sup>3</sup> Policy 5.2.3.5 requires an average of 5-acre minimum parcels if ground water dependent. Parcel may be subdivided to create one new parcel not less than 4.5 acres in size under this policy as allowed by Title 16.44.120(L) and implemented by Title 17.14.120.			

# **ATTACHMENT 2**



# County of El Dorado

330 Fair Lane, Building A  
Placerville, California  
530-621-5390  
FAX 530-622-3645  
www.edcgov.us/bos

## Minutes

### Board of Supervisors

*Ray Nutting, Chair, District II*  
*John R. Knight, First Vice Chair, District I*  
*Ron Briggs, Second Vice Chair, District IV*  
*James R. Sweeney, District III*  
*Norma Santiago, District V*

*Suzanne Allen de Sanchez, Clerk of the Board of Supervisors*  
*Terri Daly, Chief Administrative Officer*    *Louis B. Green, County Counsel*

Monday, July 25, 2011

9:00 AM

Board of Supervisors Meeting Room

#### 9:06 A.M. - CALLED TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG

Supervisor Santiago led the Pledge of Allegiance.

**Present:** 5 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

1. [11-0356](#)

Development Services Department requesting the Board provide direction on the Scope of Work and the Environmental Impact Report Project Description for the Targeted General Plan Amendments, comprehensive Zoning Ordinance update, and the revised Land Development Manual; and staff recommending the Board take the following actions:

- 1) Direct that the Summary Recommendations (Legistar #11-0356.3D) be used as the basis for the preparation of the Work Scope and Project Description for the draft Request for Proposal and cost estimate, subject to Board approval; and
- 2) Direct those projects identified as separate actions in the Summary Recommendations (Legistar #11-0356.3D) be processed separately; and
- 3) Direct that a public hearing be held with the Planning Commission on the draft project description, returning to the Board no later than November 2011 for final approval of a Project Description. (Cont'd. 4/12/11, Item 24)

**FUNDING:** The cost of implementation is unknown at this time.

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, as follows:

- 1) Create a subcommittee including Supervisor Knight and Sweeney to work with DSD Director and EDAC in the preparation of a comprehensive Resolution of Intention that will combine previous Resolutions of Intention regarding General Plan Amendments and Zoning Ordinance update, to be used as the basis for the Project Description for an EIR and the RFP for the EIR, to be brought back on Tuesday, August 9, 2011;
- 2) Return to the Board in October - November with Targeted General Plan Amendment and Zoning Ordinance Update project description and draft RFP for an EIR; and



3) The LDM and Standard Plans may move forward independent of the targeted General Plan amendment and Zoning Ordinance Update. The LDM and Standard Plans are to be adopted by the Board Resolution. Staff will continue to work with EDAC, SAGE and other professionals.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

2. [11-0019](#)

Economic Development Advisory Committee (EDAC) presenting an analysis and recommendations of the Regulatory Reform Subcommittee. (Cont'd. 4/4/11, Item 3)

**FUNDING:** The cost of implementation is unknown at this time.

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, as follows:

- 1) Set September 26, 2011 afternoon for CEQA workshop organized by EDAC;
- 2) Direct staff to continue to work with EDAC and interested groups, such as SAGE, on the LDM, Standard Plans, a Climate Action Plan, and an Updated Traffic Model; and
- 3) Direct staff to continue working with EDAC in the preparation of a Planning Commission hearing on General Plan Amendments and Zoning Ordinance update; report progress and unresolved issues to BOS at time of CEQA workshop.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

**ADJOURNED AT 7:07 P.M.**

# **ATTACHMENT 3**

RECEIVED  
BOARD OF SUPERVISORS  
EL DORADO COUNTY  
4:41 pm, Aug 05, 2011

**LATE DISTRIBUTION**  
Date 4:41 pm, Aug 05, 2011



**EDAC**  
SUBCOMMITTEE FOR REGULATORY REFORM

## TARGETED GENERAL PLAN AMENDMENT (TGPA) and DSD PROGRAMMATIC WORKPLAN

### Executive Summary

On April 4, 2011 Development Services Department (DSD) presented a work plan (**Exhibit 1**) to the Board of Supervisors that included 6 tasks for 2011-2012. The zoning ordinance update was listed as # 1 and the Targeted General Plan Update listed as # 14 for action 2 or more years from now. EDAC suggested various concerns with this plan:

1. Since zoning implements the General Plan and the Board has adopted an ROI for a TGPA, the TGPA should be # 1 and the zoning update should be processed concurrent with or after the TGPA.
2. A few but significant issues with the Draft Zoning Ordinance were presented to the Board and should be resolved before adoption.
3. A programmatic approach to the DSD /DOT tasks could provide more "bang for the buck".

The Board directed Staff and EDAC to continue work on the zoning ordinance and project description for the TGPA and present the joint efforts at a Board workshop on July 25, 2011.

On July 25<sup>th</sup>, staff and EDAC presented information that included the following:

1. EDAC presented **a programmatic approach** to the DSD/DOT work plan (**Exhibit 2**);
2. EDAC suggested a **time line** for implementation of the programmatic approach (**Exhibit 3**);
3. EDAC presented **specific TGPAs**, as the "bare bones" of a project description (**Exhibit 4**);
4. EDAC presented **specific zoning proposals** (**Exhibit 5**);
5. Staff presented a **list of proposed TGPA** for consideration (**Exhibit 6**) in addition to the EDAC amendments identified in Exhibit 4.

The Board adopted a motion providing for staff and EDAC to continue work on the TGPA Project Description, TIM Fee Update and Climate Action Plan actions. On September 9<sup>th</sup> the Planning Commission will hear the matter. On September 26 EDAC will present a BOS CEQA workshop related to the TGPA; and in October or November the Board will adopt a Project Description and approve an RFP.

This Report is organized into the following subjects:

- I. Discussion of DSD Work Plan Presented April 4, 2011
- II. EDAC July 25, 2011 Programmatic Approach to DSD Tasks
- III. Targeted General Plan Amendments and Zoning Actions Recommended by EDAC
- IV. Targeted General Plan Amendments and Zoning Recommended by Staff
- V. Coordination of TGPA with separate Climate Action Plan (CAP), TIM Fee Update, and Land Development Manual (LDM).
- VI. Summary and Requested Action. EDAC provides **Exhibit 7** as a compilation matrix that integrates the staff and EDACs TGPAs.

### I. DSD Work Plan Presented April 4, 2011

On April 4, 2011, DSD presented a list of tasks and a work plan to complete those tasks. The DSD work plan is attached as Exhibit 1.

**DSD proposed the following tasks for 2011-2012:**

1. Zoning Ordinance/Map Update
2. Housing Element Implementation and Reporting Activities
3. Begin Housing Element Update
4. Gabbro Soils Rare Plant program coordination
5. Land Development Manual
6. TRPA Regional Plan Update

**For years 2-3, DSD proposed the following tasks and noted that without further funding these items may be postponed to 2012-2013 or later.**

7. ROI 274-2008 (Amend PD policies for 30% open space and PD use)
8. ROI 19-2010 (Historical Design Overlay for El Dorado/Diamond Springs)
9. ROI 013-2011 (Agriculture District Boundary Amendment Update)
10. Completion of INRMP Phase I
11. ROI 110-2009 (Community Region boundary change for Camino/Pollock Pines)
12. TIM Fee Program Update – Revised Land Use Forecast
13. INRMP Phase II
14. Targeted General Plan Amendment

The Following Tasks were not included in the April 4 DSD 2-3 year work plan

15. Mixed Use Development (MUD) II
16. Climate Action Plan (CAP)
17. Gabbro Soils Mitigation Fee Program

**EDAC concerns with the April 4, 2011 DSD Work Plan include:**

1. **The TGPA should be Task # 1 - not last.** The Board adopted an ROI in April for a Targeted General Plan Amendment to address concerns with retail leakage, jobs, moderate housing and rural commerce. The Zoning Ordinance Update should follow or run concurrent with the TGPA. Otherwise, the zoning update would be implementing a General Plan the Board has determined needs amendments.
2. **Board priority ROIs are on the back burner.** Adopted Resolutions of Intention will not be addressed for at least another 2-3 years, if staff is available.
3. The TIM Fee Program Update is a high priority and requires DSD to complete the Revised Land Use Forecast which is task #12 in the DSD work plan. Considering EDAC has already made substantial progress and could complete this item, **placing the Land Use Forecast as task # 12 or 2012-2013 or beyond dooms the TIM Fee Program Update to a start date years from now.**

4. The Gabbro soil fee was set aside by the 3<sup>rd</sup> District Court of Appeal on January 28, 2009 “because the fees set by the ordinance have never passed a CEQA evaluation, payment of the fee does not presumptively establish full mitigation for a discretionary project.” There is substantial information available to develop the framework for a mitigation fee. Staff has only budgeted time to meet with the Federal Agencies. **EDAC proposes volunteer efforts to help develop the framework for a Gabbro Soil mitigation fee program.**

5. As of April 4, 2011 the Zoning Ordinance Update did not adequately address the following:

a. **MUD II** could be implemented as a component of the Zoning Update. However, the April 4 work plan deferred MUD II for 3-5 years;

b. **Home Occupations** need to be encouraged, especially considering the TGPA needs to address the fact jobs have been created at less than 40% of GP projections;

c. **Agriculture** had specific zoning issues involving support services and other issues;

d. Zoning regulations involving **TPZ and riparian setbacks**, among other issues, are more restrictive than specific General Plan mandatory provisions;

e. For Commercial/Mixed Use lands, the General Plan expressly requires, “**Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County.**” The Board has identified both a limited supply of Commercial/MUD lands which directly relates to an \$ 800,000,000 unmet demand along with the need for these lands to provide moderate housing. To meet this demand with limited supply, the GP demands the county plan specific categories of C/MUD uses to appropriate areas of the County. Staff proposes limited zones to provide more flexibility for the market place. This approach is contrary to the General Plan directive and avoids the need for County planning for these limited areas and setting specific guidelines for project proponents to achieve.

f. Design Review is required for nearly all Commercial/MUD and Multi-Family projects with limited (to no) comprehensive design standards. This “**I’m thinking of a color**” approach resulted in the conditions that led to regulatory reform. EDAC proposes standards in the form of master or safe harbor plans including traditional neighborhood designs (TND) to be included in the Zoning Ordinance districts for Commercial/MUD and Multi-Family Residential lands. Further, EDAC recommends that those initial design standards be established as “safe harbor” designs pending future and separate community design efforts.

g. Rural Commerce requires regulations that enhance and encourage a “**working landscape**”. These include Ranch Marketing for grazing lands and allowance of expanded home occupations and cottage type commercial activities for larger parcels.

**On April 4, 2011 the Board directed that EDAC and Staff review the above concerns and return on July 25, 2011 to report on a process for the Board to adopt a Project Description for the Targeted General Plan Update, including the updated Zoning Ordinance.**

## II. EDAC PROPOSED PROGRAMMATIC WORKPLAN

EDAC proposes a programmatic approach to the DSD work plan which EDAC believes will allow the Board to accomplish the DSD work tasks (along with action on a Climate Action Plan, Mixed Use Development II and Gabbro Soil Fee) and get the **Best Bang for the Publics' Buck**. EDAC recommends implementing a comprehensive project that will complete substantially all of the DSD tasks at less cost and time than the total of the separate tasks.

Attached as **Exhibit 2** is an illustration of the programmatic approach to the DSD work tasks. This comprehensive programmatic approach integrates staff work with EDAC volunteer s and consultants. This programmatic approach involves all 14 DSD work tasks plus MUD II, Climate Action Plan and a Gabbro Soils Fee Framework, otherwise planned far into the future. The separate TIM Fee Update, Climate Action Plan and INRMP II are also coordinated into the proposed project timeline.

Attached as **Exhibit 3** is a time line for the implementation of the programmatic approach and coordinated actions consistent with the Board motion adopted on July 25, 2011. The Board motion substantially conformed to the following EDAC recommendations:

### EDAC RECOMMENDATIONS TO THE BOARD

1. *July 25 - Identify project components for initial consideration based on the decision matrix provided.*
2. Direct staff to continue to work with EDAC on the LDM, Standard Plans, a Climate Action Plan and an Updated Traffic Model.
3. Direct staff to continue working with EDAC in the preparation of a Planning Commission hearing on General Plan Amendments and Zoning components; report progress and unresolved issues to BOS at time of CEQA workshop
4. Approve date for BOS CEQA workshop organized by EDAC
5. Direct staff to work with EDAC in the preparation of an RFP for an EIR.
6. Return to the Board in October - November with project description and draft RFP

As reported in the Board minutes, the original motion was broken into two motions and reported as follows:

"A motion was made by Supervisor Knight, seconded by Supervisor Santiago, as follows:

- 1) Create a subcommittee including Supervisor Knight and Sweeney to work with DSD Director and EDAC in the preparation of a comprehensive Resolution of Intention that will combine previous Resolutions of Intention regarding General Plan Amendments and Zoning Ordinance

update, to be used as the basis for the Project Description for an EIR and the RFP for the EIR, to be brought back on Tuesday, August 9, 2011;

2) Return to the Board in October - November with Targeted General Plan Amendment and Zoning Ordinance Update project description and draft RFP for an EIR; and

3) The LDM and Standard Plans may move forward independent of the targeted General Plan amendment and Zoning Ordinance Update. The LDM and Standard Plans are to be adopted by the Board Resolution. Staff will continue to work with EDAC, SAGE and other professionals.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, as follows:

1) Set September 26, 2011 afternoon for CEQA workshop organized by EDAC;

2) Direct staff to continue to work with EDAC and interested groups, such as SAGE, on the LDM, Standard Plans, a Climate Action Plan, and an Updated Traffic Model; and

3) Direct staff to continue working with EDAC in the preparation of a Planning Commission hearing on General Plan Amendments and Zoning Ordinance update; report progress and unresolved issues to BOS at time of CEQA workshop.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago”

The reporter of the Board action failed to note the motion directed staff to work with EDAC in preparation of the RFP for the EIR. EDAC will prepare a transcript of the motion from the video.

### III. CEQA PROJECT DESCRIPTION FOR TARGETED GENERAL PLAN AMENDMENT (TGPA)

The Project Description for the Targeted General Plan Amendment (TGPA) will include General Plan Amendments along with the Zoning Ordinance Update and most likely components of other separate projects or actions, such as the Climate Action Plan, Updated Traffic Model and 2013 Housing Element Update.

General Plan Amendments for the TGPA presented by EDAC and considered to be “bare bones” for the Project Description are discussed below and listed in **Exhibit 4** and discussed below along with related zoning issues. EDAC zoning issues are listed in **Exhibit 5**.

Staff has proposed additional amendments, a compilation of which is attached as **Exhibit 6**. Each of the amendments proposed by staff are consistent with good planning practices, provide cost saving opportunities, and meet the mandate by the State of California to maintain an adequate and proper General Plan by ensuring use of current data, recommendations and policies as included. EDAC agrees these issues should be part of the TGPA review for consideration in the TGPA Project Description.

All of the amendments and zoning proposals listed in **Exhibits 4, 5 and 6** will be subjected to a cost/benefit analysis which will be presented to the Board for consideration when the Board adopts the Project Description in October or November 2011.



#### A. TGPAs and ZONING ISSUES RELATED TO RURAL COMMERCE

“Rural Commerce” includes economic activities on lands in the Rural Regions. These lands are designated in the General Plan land use map as Agricultural Lands (AL), Natural Resources (NR) and Rural Residential (RR). Low Density Residential (LDR) is a transition land use between Rural Regions and Community Regions.

The following proposed TGPA and zoning issues relate to Rural Commerce:

##### TGPA and Zoning Issues Common to All Rural Regions:

1. **Policy 2.2.1.2 and Table 2-1 should be amended to allow Commercial and Industrial land use in the Rural Regions.** Currently these land uses are limited to the Community Regions and Rural Centers. Considering there are more than 1,000,000 acres of lands in EDC outside of the Community Regions and Rural Centers, including over 500,000 acres outside of government lands, **this policy is a “poison pill” to innovation and prevents rational economic growth of Rural Regions.** After the poison pill is removed property owners in the Rural Regions may be allowed limited types of commercial and industrial activities through zoning regulations or landowners could apply for a General Plan Amendment to Commercial or Industrial land use, whereby appropriate levels of Commercial and Industrial uses could be expanded to targeted areas within the Rural Regions.
2. **Policy 8.1.2.1 and related policies should be amended to specify Ranch Marketing uses on grazing lands.** This Policy should be amended to specifically allow Ranch Marketing and other visitor serving uses on grazing lands. Implementation of this amended policy would be through the zoning code

##### TGPA and Zoning Issues Related to Rural Land Use

In addition to the above proposed amendments that may affect all Rural lands, the following Natural Resource, Agriculture and Rural Lands issues were also addressed by EDAC at the July 25 Board Workshop in presentations by representatives of Agriculture, Forest and Rural Lands:

##### Natural Resources (Timber)

**There are no proposed General Plan Amendments related to Timber Preserve Zones (TPZ).** State law and the General Plan allow compatible use of TPZ lands. 15 of 23 surveyed Northern California counties allow residences by right on TPZ with varying minimum parcel size. **This is a Zoning Ordinance issue.** The draft Zoning Ordinance Update requires an applicant for a residence on a TPZ parcel to apply for a Conditional Use Permit (CUP) and establish that a residence is necessary for the growing of timber. This requirement is in direct conflict with General Plan Policy 8.4.2.1, which details the required findings for: “All discretionary development applications involving...TPZ... (the Board) shall make the following findings:...1.) use shall not conflict with forest production; ...4.) use will not hinder timber production...”. EDAC will present specific proposed zoning language for consideration by the Planning Commission on September 8, 2011 and the Board may consider zoning language to include in the Project Description for review.

##### Agriculture

**Agriculture representative request that the Board consider the following General Plan Amendments:**

1. **GP Goal 8.1 and Land Use Map Exhibit LU-1, Expansion of Agricultural Districts.** The Board adopted an ROI to expand the Agricultural Districts. The issue is whether this matter should be

part of the TGPA and whether separate treatment would “piecemeal” the CEQA project description. Staff suggests the action be treated separately from the TGPA and EDAC defers to staff on this issue.

2. **GP Policy 2.1.1.1 and 2.1.2.1 Change Camino-Pollock Pines Community Region to Rural Center.** The Board adopted an ROI for this action in 2009. The issue is whether this matter should be part of the TGPA and whether separate treatment would “piecemeal” the CEQA project description. Staff suggests the action may be treated separately from the TGPA.

3. **GP Policy 2.2.5.10 Delete the Special Use Permit requirement for Ag Support Services.** Land Use Policy 2.2.5.10 states that it is recognized that agricultural support services will be needed in the Rural Regions and requires a special use permit. It is recommended that this policy be amended to delete the requirement for a “Special Use Permit” (SUP) in all cases and allow the level of review to be spelled out in the associated zoning code. Agriculture is preparing the draft zoning language that would provide for specific agriculture support services adjacent to or on-site of bona fide agricultural operations.

4. **GP Policy 7.6.1.3 B should be amended to delete references to specific agricultural zones to meet open space goals.** Policy 7.6.1.3 B lists specific agricultural zone designations that help meet open space goals. The zoning designations are changed in the draft zoning ordinance and it would be simpler, and consistent, if the reference in the GP Policy is simply to agricultural and timber zones, without identifying specific zone districts. This revision would read: “Policy 7.6.1.3 B Agricultural ~~The agricultural (A), Exclusive Agricultural (AE), Planned Agricultural (SA-10)~~ and timber (TPZ) zoning districts are consistent with Policy 7.6.1.1 and serve one or more of the purposes set forth herein.”

5. **GP Policy 8.1.3.2 may be amended to provide for a 50 foot buffer, as follows:** “Projects located within a Community Region or Rural Center shall maintain a minimum setback of 50 feet. The 50 foot setback shall only apply to incompatible uses, including residential structures.” This amendment conforms the language to the buffer provided for forest resources in Policy 8.4.1.2.

6. **GP Policy 8.1.1.6 provides that Williamson Act lands be zoned Exclusive Agriculture.** Since this zone is being discontinued, Policy 8.1.1.6 should be amended to read, “Parcels encumbered by a Williamson Act Contract, pursuant to the California Land Conservation Act Contract, shall be zoned Exclusive Agriculture (AE) be identified as an agricultural preserve.”

### Rural Lands

EDAC recommends expanding permitted and conditional uses on Rural Lands as economically viable alternatives to parcel splits in the Rural Regions. Rural lands are generally: owner-occupied; in the Rural Regions; 10 acres or greater; may or may not be in an agricultural district; are designated Rural Residential on the General Plan land use map, but may be Agricultural Lands (AL) or may be, in some areas, Low Density Residential (LDR) lands.

The two General Plan issues relating to Rural Lands are Policy 2.2.1.2 and Table 2-1. EDAC recommends allowing Commercial and Industrial land uses in Rural Regions, along with Policy 8.1.2.1, Ranch Marketing for Grazing. Both issues are discussed above.

Zoning treatment of Rural Lands relate to the permitted and conditional uses allowed in the Rural lands zone districts. These uses focus on home occupations and which industrial or commercial uses may be permitted or allowed by use permit. The draft Zoning Ordinance will be submitted, along with EDAC red lined versions, to the Planning Commission on September 8, 2011.

**B. COMMUNITY REGION TGPA AND ZONING ISSUES**  
**COMMUNITY REGION GENERAL PLAN AMENDMENTS**

EDAC proposes the Board consider the following GP Amendments within the Community Regions as being consistent with the General Plan Objective to direct growth within the Community Regions to help keep the rest of the county rural:

**1. Revise GP Policy 2.2.3 Planned Development (PD).** In 2006 the Planning Commission initiated a General Plan Amendment to amend GP policies, and in 2008 the Board of Supervisors initiated ROI 274-2008 and expressed its desire to amend GP Policies 2.2.3.1, 2.2.3.2, 2.2.5.4 and 2.2.5.13. In particular, the PD policies require 30% of the site be set aside as open space, and other policies make the PDs mandatory for certain types of projects. EDAC proposes the Board roll the previously adopted ROI into the TGPA, adopt revised language of GP Policies 2.2.1.2 (MFR) and (HDR), 2.2.3.1, delete Policy 2.2.5.4, incorporate open space requirements into the Zoning Ordinance. The proposed Zoning Ordinance suggests, as an alternative to providing 30% open space onsite, that an applicant must dedicate and improve an equivalent area offsite, thereby increasing the cost of providing moderate housing. Instead, EDAC proposes the Zoning Ordinance be revised to provide alternatives for higher density projects such as improved open space serving residents, including passive and active recreational or common area uses (swimming pools, BBQ areas, tot lots, community gardens, etc.).

**2. Consideration of revision of GP Policy 7.1.2.1 and Mitigation Measure 5.9-4(b) which prohibit development or disturbance of slopes exceeding 30% unless necessary for access or where reasonable use would otherwise be denied.** The rationale seems to be based on erosion concerns. A significant number of other jurisdictions, along with observation of successful developments in steeper areas, indicates that state-of-the-art engineering practices address this concern. Given the very limited amount of Commercial/Mixed Use Development land and Multi-Family Residential land, this constraint could be amended to allow flexibility based on best engineering practices and encourages compliance with commercial and compact residential housing objectives.

**3. Transportation Policy Issues.** The EDAC Engineering and Transportation Subcommittee has identified concerns in the GP Transportation/Circulation Element (and subsequently in the Land Development Manual) that impacts the ability to meet moderate housing goals, along with other issues that include:

a. **Table TC-1 should be reviewed** to ensure requirements do not constrain achieving General Plan Objectives for commercial activities and moderate housing goals. GP Table TC-1 needs to change Right-of-Way (ROW) widths, the intersection spacing requirement on smaller roads, and address the use of alleys for compact residential designs. Reducing the required width of local road ROW (and the size of public utility

easements behind the ROW) would allow better utilization of the limited lands available for housing for moderate income families.

b. GP Policies TC-5a and TC 5b require sidewalks on both sides of the street where lots are smaller than 10,000 square feet (TC 5a) and in Commercial/R&D Developments (TC-5b). Sidewalks on one side of the road may be adequate in many situations and would allow better utilization of the limited land areas available for these uses. In other areas sidewalks are of little to no value.

c. The last line of General Plan Policy TC-Xf requires that "reasonably foreseeable projects" include a cutoff date such as TM submittal date, Traffic Report scope date, or something else. Currently DOT continues to add new projects to the review and requires new projects' to analyze the ongoing projects' Traffic Study work scope. This increases the costs for the Traffic Study and unfairly extends the timeline for the original project.

d. General Plan Policy TC-xa-3 regarding the 4/5 Board vote: Implementation of the TC-Xa-3 process must be addressed in the Project Description and TGPA.

#### 4. EDAC proposes a TGPA to the GP treatment of Commercial/MUD as illustrated in red:

GP Policy 2.2.1.2 directs "Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County." The GP Review has identified a demand for retail (based on \$ 800,000,000 in sales revenue leakage) and moderate housing, as less than two-tenths of 1% (.2%) of the county land accommodates or supplies land to meet the demand. The County must "do a lot with a little" to meet moderate housing needs and commercial goals. Through zoning the GP requires the county to direct specific categories of commercial uses (Large Retail, Neighborhood, Main Street, Heavy Commercial, Office and Mixed Use) to appropriate areas within the county. In other words, the GP requires the County to plan and create zoning districts. Part of the analysis will be to identify where, and what type, of Mixed-Use projects will be allowed in which Commercial Districts. For instance, assume Diamond Springs was zoned "Main Street" and C/MUD was allowed in the manner described in the zoning code. Diamond Springs would then be a Mixed-Use area. The TGPA would allow residential development of a Commercial/MUD designated parcel zoned for MUD, and would allow the form of the residential use as included in the Ordinance.

#### GP Policy 2.2.1.2

**Commercial (C):** The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed-Use development of Commercial lands within Community Regions and Rural Centers, which combine commercial and residential uses, shall be permitted. Commercially designated parcels shall not be developed with a residential use as the sole use of the parcel, unless the residential use is either (1) a community care facility as described in GP Goal HO-4, or is (2) part of an approved Mixed-Use Development as allowed by Policies 2.1.1.3 and 2.1.2.5 or is (3) within a zoning district allowing Mixed-Use. **Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County.** This designation is considered appropriate within Community Regions, Rural Centers and Rural Regions.

### C. ADDITIONAL ZONING ISSUES

1. **Home Occupations.** Home occupations are encouraged by the General Plan; there are no General Plan Amendments recommended.

The General Plan assumes 1.3 jobs will be created for each new dwelling unit. Less than .5 jobs for each new dwelling unit have been created. To achieve the General Plan objective, 1.7 jobs per household needs to be created. Encouragement of Home Occupations would assist in job creation.

In the proposed **Zoning Ordinance - Section 17.40.170** Home Occupations limits rather than encourages home occupations. EDAC will present a revised home occupation in the Special Use zoning section and Zoning Districts at the September 9, 2011 Planning Commission hearing for review. The zoning revisions should be more consistent with the Zoning Ordinance Staff Report of October 26, 2006:

“Many existing home businesses, that utilize employees, detached buildings, create occasional noise, have operated for years without complaint, or impact on neighbors, but are illegal. Suggest standards: setbacks, hours of operation: 7 a.m. to 7 p.m. Economic Element of General Plan includes policies to encourage home occupations based on establishing standards in the Zoning Ordinance.”

2. **Riparian Setbacks (Zoning Issue)**
3. **Wetlands setbacks should be reviewed.** On June 22, 2006 the County adopted interim interpretive guidelines for GP Policy 7.3.3.4 relating to buffers and setbacks for the protection of riparian areas and wetlands. These are to be compared to proposed zoning code section **17.30.030.H** which adopts a new standard not included in the General Plan or Interim Guidelines, “Riparian setbacks shall be measured from the edge of riparian vegetation or ‘top of bank’, as defined in Article 8, whichever is furthest from the water feature.” This could result in a substantial increase in the setback requirements, especially considering the subjective determination of measuring from the “edge of riparian vegetation.” This policy should be further reviewed. EDAC recommends the Board incorporate Interim Guidelines provisions using wetland delineation standards
4. **Zoning Map Update**

The Zoning Ordinance implements various policies from the General Plan and the Zoning Map creates zoning districts in all areas of unincorporated EDC. The Zoning Map must be consistent with the GP Lands Use Map (LU-1). For the most part, the 2004 General Plan land use map simply incorporated the existing land uses as of around 1993. The result is that the “updated” zoning map results in substantially the same land uses as have existed for many years, although the names of several of the zones have been changed.

**There are at least two Zoning Map Update issues for the Board to address:**

- a) Lands designated AE but rolled out from Williamson Act Contracts should have the option to chose a zone consistent with their underlying land use. Lands within Low Density Residential Lands (5-10 acre parcels) have not yet been designated, even though there will no longer be an AE zone.
- b) GP Policy 2.2.1.2 requires that for lands designated Commercial, "Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County." EDAC will ask that the General Plan be implemented by adopting a range of commercial zones that direct specific uses to specific parts of the county. This action will also implement MUD II and provide land owners with knowledge of the County's plans and standards for development for these limited lands.

#### IV. ADDITIONAL STAFF GPA RECOMMENDATIONS FOR REVIEW

The EDAC TGPA recommendations discussed above and related zoning issues are "bare bones" for the targeted General Plan Amendment process and accompanying Zoning Ordinance and map revisions.

The following GPAs have been advanced by staff. EDAC believes that grouping these GPAs into one comprehensive review would result in cost savings, and is therefore the most "cost effective" approach to evaluating the GPAs. Whether they should be included in the TGPA Project Description will be determined after the cost/benefit analysis of each proposal has been considered. EDAC has prioritized these staff proposed GPAs and offers the following comments in italics:

1. **State Requirement.** GP Policy 2.2.1.2 Multi Family Residential: Regional Housing Needs Assessment (RHNA) – Include, as part of the Targeted General Plan Amendment process, an increase in allowable densities on Multi-Family lands from 24 to 30 units per acre, and expand the range of housing types permitted in the MFR land use designation. *EDAC Comments: This Amendment will be required in the 2013 Housing Element Update. By including this Amendment and other revisions in the TGPA now, the County may be able to utilize the TGPA environmental document for the Housing Element Update. This is good planning.*
2. **State Requirement.** GP Policy 2.2.1.2 b. SB375 Density Thresholds and Mixed-Use Development (i.e. MUD II): In the Targeted General Plan Amendment include a change to allow for mixed-use development on Multi-family lands, and allow for densities on Commercial lands to be increased from 16 units per acre to 20 units per acre. Create a new goal and associated policies recognizing the requirements for the regional MTP to include a Sustainable Communities Strategy and define how the county intends to utilize this strategy in achieving General Plan goals. *EDAC Comments: Although EDAC is focused on housing for moderate income households which require at least 8-12 dwelling units per acre, those densities have proven difficult to achieve. The staff proposal should not result in any more achievable density while meeting state objectives. This is good planning.*
3. **State Requirement.** AB32 and SB97– Energy Conservation and Green House Gas Reduction Plan: Amend GP Objective 6.7.1 to reflect updated air quality plan opportunities that support the adoption of a separate Air Quality Plan. *EDAC Comments: EDAC recognizes each private or public project must conduct a CEQA Greenhouse Gas Analysis (GGA) and has indicated the need for the Climate Action Plan. EDAC has located funding and has been directed by the Board to assist in the preparation of the Plan. This is good planning.*

4. **State Requirement.** Land Development Standards: Include in the TGPA a policy that supports the development of land use and street standards that safely accommodate all users, including bicyclists, pedestrians, transit riders, children, older and disabled people, as well as motorists. This will address state requirements.
5. **Infill Development Criteria and Identification of Opportunity Areas:** Include, as part of the Targeted General Plan Amendment process, a Land Use Element policy and Implementation Measure that supports the implementation program to promote infill development in existing communities and rural commerce areas. *EDAC Comments: Criteria and identification of infill sites for Commercial/MUD and Multi-Family addresses the limited supply of these lands with limited CEQA related costs. Staff may prepare a report on the Opportunity Sites for the County to increase the supply, while requiring project specific environmental review of the sites. This is good planning.*
6. **Change Community Region and Rural Center Boundaries:** *EDAC Comments: Some argue that GP Policy 2.9.1.4 limits the Board to only make changes during the GP 5-year Review, and this is the time to address appropriate changes. The TGPA has identified limited Commercial/MUD lands and Community Region changes should be considered during the TGPA. Rural Regions have complained that of the limited commercial opportunities allowed in Rural Centers. For example, one parcel adjacent to the Fair Play Center (APN 094-080-04-100) has been recommended to be removed from Fair Play/ Somerset Agricultural District and would be a suitable parcel for inclusion into the Fair Play Rural Center. The parcel surrounds the County-owned Fair Play Cemetery. On the other hand, these changes could add time and cost to the TGPA and the cost/benefit will be addressed during the project description review period. It is good planning to consider Community Region and Rural Center Boundary changes now. An alternative treatment would be to identify **opportunities** for expansion, without the Board committing to the changes, which would not increase the current CEQA cost of analysis, but helps clear the way for project specific applications.*
7. **Historic Townsites - Amend policy 2.4.1.3 as a part of the TGPA to add El Dorado and Diamond Springs to Clarksville on the list of historic townsites:** *EDAC Comments: Considering the Board has adopted ROI 179-2010 on 12/7/10 to place a Historical Design Overlay for historical town sites of El Dorado and Diamond, it makes economic sense to include this action in the TGPA project description and work plan.*
8. **Floor Area Ratio(FAR) requirements: Delete Policy 2.2.1.5 and Table 2-3 as a part of the Targeted General Plan Amendment.** Instead, implement the adopted FAR through the Zoning Ordinance. Develop flexible standards in the Zoning Ordinance to meet specific historic or community design criteria. *EDAC Comments: This proposal will be evaluated during the project description review period.*
9. **El Dorad Hills Business Park (EDHBP) employment cap limits** - Consider as an option in the TGPA the elimination or modification of General Plan Policy TC-1y. *EDAC Comments: This may be dependent on the concurrent progress of the traffic model update. In any event, a Congestion Management Plan should be considered to the Connector. It is good planning to at least address this issue.*

10. **Noise standards for public transportation and infrastructure projects**: As an option in the TGPA EIR consider a revision to the Noise Standards to allow for periodic night work on public transportation and infrastructure projects. *EDAC Comments: It is good planning to address this issue during the project description review process.*
11. **Revision of Table 2-4**. After the TGPA and zoning matters are reviewed, Table 2-4 must be amended to reflect the revisions. *EDAC Comments: This is good planning and necessary.*

#### **V. ACTIONS, PROGRAMS, PROJECTS TO COORDINATE WITH TGPA**

##### **COORDINATION OF TGPA WITH OTHER ACTIONS AND PROJECTS**

As shown on Exhibit 2, EDAC and staff will also be processing the Climate Action Plan, Land Use Forecast for the Tim Fee Traffic Forecast and Model update, along with preparing technical reports for inclusion in the TGPA EIR.

This coordinated effort between the TGPA and these separate actions, programs and projects will be discussed below.

##### **Land Development Manual (LDM)**

The Land Development Manual (LDM) is not a part of the Targeted General Plan Amendment project description. It is anticipated the LDM may be ready for adoption in October or November, 2011, or at the same time as the TGPA Project Description. It has been suggested that the LDM and Standard Plans may be adopted by Resolution, and that amendments to the LDM and Standard Plans would be processed in a streamlined manner. This streamlined amendment process should be included in the adoption action.

As of August 9, 2011, the following remaining points of discussion exist regarding DOT Standard Plans (Road Designs):

- 1) RS-11 - additional ROW/Easement for slope rounding
- 2) Vertical curves/Design speeds: If we accept the vertical curves, then keeping design speeds down will at least reduce the significance of impacts to vertical curve design. Some design speeds proposed are still higher than EDAC believes is necessary. See previous comments.
- 3) Avoidance of intersections at crest curves and inside of horizontal curves on all local roads: This needs to be more clearly stated, ie: "unless appropriate sight distance is provided".
- 4) Why require sidewalks on both sides of so many roads? Sidewalks on both sides of all roads, as reflected in the Standard Plans, should not be a design standard.
- 5) Why continue to have Right-of-Ways (ROW) extend beyond hard improvements (curb or walk)? Bringing ROW to the back of improvements would greatly increase the ability of site planners to accommodate more density in projects and eliminate County ownership of landscaped areas in front of homes. This is significant when future subdivision is not anticipated.
- 6) Alley development standards and details.



- 7) The Complete Streets legislation requires an update of the General Plan Policies and contemplation of planning for pedestrians, bikes, transit, ADA, the elderly, etc, in the EDC Transportation System and Circulation Plan.

The LDM has recently been revised and re-formatted. The EDAC Engineers Subcommittee has not had an opportunity to review the LDM as of this writing. Issues still to be addressed include: 1) Identification of the source of all regulations; 2) Alternative treatments of regulations be encouraged; 3) Fire access requirements for projects within State Responsibility Areas (SRA) which are governed by the Fire Safe Plans, as they have been for over 20 years. Several LDM sections impose greater standards than those required by the Fire Safe Regulations. EDAC continues to work with fire representatives regarding fire issues.

### Climate Action Plan

EDAC has previously reported on the opportunity for funding from PG&E through Sierra Business Council. EDAC is prepared to work with staff and the SBC to prepare a Climate Action Plan. Placer, Amador, Plumas, Nevada counties, along with Jackson, Placerville, Auburn and other jurisdictions are all participating. A copy of the communication from SBC reads:

From: [nmartin@sbcouncil.org](mailto:nmartin@sbcouncil.org)  
 To: [jlb87@aol.com](mailto:jlb87@aol.com)  
 Sent: 7/6/2011 6:20:29 P.M. Pacific Daylight Time  
 Subj: El Dorado County GHG Inventory

Hello Jim,

I spoke with you earlier today about the status of El Dorado County's climate action planning. I received an email back from my former program manager and she stated that she received resistance from the County in participating in our Phase 1 program (municipal-only GHG inventory). So it was not an elective exclusion on SBC's part. We would love to have them on board for Phase 2 of the program (community-wide GHG inventory), and could likely complete both the municipal and community-wide inventories at the same time during this phase. However, without the proper support from the local government staff, it is not possible for us to access the data needed to complete the inventory. So if you have a staff contact that would be willing to speak with me about the program, then you may just be our saving grace!

Thanks!

**Nicholas Martin**  
 Energy Associate  
 Sierra Business Council

### Traffic Model Update

The project to update the El Dorado County traffic forecasting process is envisioned to be undertaken in two distinct phases. The purpose of Phase 1 ("Quick Start Project") will be to evaluate the existing traffic forecasting processes and needs in El Dorado County in order to develop consensus on the most

appropriate and effective strategy to satisfy those needs. During Phase 2 the traffic forecast process and any associated studies, policies, or other documentation or activities necessary to implement the recommendations of Phase 1 will be completed.

EDAC is working with engineering firms to develop a proposal to "Quick Start" this process.

#### **VI. SUMMARY**

On July 25, 2011, the Board directed Staff with EDAC assistance to develop a TGPA Project Description and Draft RFP after a Planning Commission hearing on September 9, 2011 and an EDAC organized CEQA workshop on September 26, 2011.

All staff and EDAC proposed TGPA should be processed for Board review.

All EDAC zoning proposals should be processed. Staff has indicated time and money issues related to the zoning revisions: EDAC has indicated that it is prepared to develop a draft treatment of the alternative zoning provisions for review by staff for the September 8, 2011 Planning Commission hearing.

Respectfully Submitted,

Economic Development Advisory Committee

Regulatory Reform Subcommittee

Attachment 1 DSD Proposed Work Plan - April 4, 2011  
Attachment 2 EDAC Programmatic Work plan  
Attachment 3 EDAC Timeline  
Attachment 4 EDAC TGPA matrix  
Attachment 5 EDAC Zoning Update matrix  
Attachment 6 Staff TGPA matrix

# **ATTACHMENT 4**

	Zoning Ordinance Project Component Issues	Zoning Ordinance Sections	Description of Policy Issue and Proposed Amendment
1	Multiple commercial zones		<p>GP Provides for use of multiple commercial zones. EDAC believes the limited number of commercial zones proposed in the ZO should be increased in compliance with this policy.</p> <p>EDAC supports inclusion of policies in ZO which expand commercial and industrial uses in Rural Regions. In concert with GPA to allow Commercial and Industrial land uses within Rural Regions, draft ZO should be revised to allow Commercial, Industrial and Ag Support Uses within zone designations applicable to Rural Regions.</p>
2	Commercial/Industrial and Ag Support Uses or Zones		<p>ZO should be revised to conform to GPAs for PDs recommended by EDAC. (Eliminate 30% open space requirement in favor of lesser amount of improved open space; eliminate requirement for PD where more than 50 lots or more than 2 DU/ac.) <i>EDAC does not recommend adoption of language as proposed as it defeats the GPAs recommended by EDAC.</i></p>
3	Planned Development provisions		<p>Once ZO revisions are finalized, revisions to Table 2-4 will be required.</p>
4	Table 2-4 Amendment		<p>EDAC recommends the ZO allow provide for expanded home occupations, including employees in home occupations to the extent feasible in compliance with CEQA. This action will improve the jobs/housing balance, already addressed in GP Policy 10.1.7.4</p>
5	Home occupations		<p>ZO should incorporate GP standards; current ordinance and ZO update as drafted contains requirements more stringent than GP.</p>
6	Residences in TPZ		<p>EDAC recommends a consistency review process to develop on TPZ lands</p>
7	Mixed Use Development (MUD 2)		<p>ZO should be revised to designate multiple Commercial/Industrial uses. Include "master" or "safe harbor" plans for residential component of C/MUD2.</p>

Submitted by Jim Bunnello

1 | Page

at Board Hearing of 8/9/11

EDAC Zoning Recommendation

Attachment 5

8	Animal Keeping		Staff recommends deferral of Animal Keeping to separate ordinance. EDAC agrees, provided that language as proposed is not included in ZO.
9	Wetland/Riparian Setbacks		Criteria in draft ZO measure setbacks from "edge of riparian vegetation" rather than "top of bank" or "ordinary high water mark" as used in the Interim Guidelines adopted in 2006. EDAC recommends revisions to ZO to conform to Interim Guidelines and Army Corps of Engineers wetland delineation standards.
10	Zoning Map Update		Significant issues remain, including appropriate designation of rolled-out AE (former Williamson Act Contract) lands and designation of multiple commercial zone districts. Also an issue with regard to eliminating conflicts between planned higher density housing and ag zoned lands. Imperative to get the map right.
11	Ranch Marketing on Grazing Lands		Incorporate standards into Ranch Marketing provisions to allow Ranch Marketing for livestock operations, including visitor-serving uses and direct sales.
12	Ag Zoning "Opt In" within Ag Districts and Rural Regions		Recommend an "Opt In" process for lands within Ag Districts and RA Lands in Rural Regions to continue agricultural protection of underlying land uses.
13	Agriculture Homestays		Permitted under 10.1.6.1 and 8.2.4.3 "lodging facilities". Can be addressed through Zoning Ordinance, but clarification through GPA might be helpful. [Jobs, Retail, Protection of RR]

# **ATTACHMENT 5**

Attachment 2

Zoning Options based on EDAC Concerns

	Zoning Ordinance Project Component Issues	Zoning Ordinance Sections	Description of Policy Issue	Draft Ordinance	EDAC Recommendation	Options/Comments
1	Multiple commercial zones	Chapter 17.22	GP Provides for use of multiple commercial zones.	Commercial Zones similar to existing ordinance with deletion of CP zone and addition of Neighborhood Service zone	EDAC believes the limited number of commercial zones proposed in the ZO should be increased in compliance with this policy.	This is a fundamental change that will need to be decided upon by the PC/BOS or analyzed as an option in the EIR.
2	Commercial, Industrial and Ag Support Uses or Zones	Chapters 17.21, 17.22 & 17.23	Promote agriculture, resource and tourism industry in Rural Regions	Some additional uses permitted in the Agriculture and Resource zones by right, Administrative Permit, or CUP	EDAC supports inclusion of policy language in ZO that expands commercial and industrial uses in Rural Regions. In concert with GPA to allow Commercial and Industrial land uses within Rural Regions, draft ZO should be revised to allow Commercial, Industrial and Ag Support Uses within zone designations applicable to Rural Regions.	Expand potential uses permitted in the resource districts to provide greater opportunity for rural commerce without significant departure from fundamental concepts of General Plan and/or expand or create new Rural Centers.
3	Planned Development provisions	Chapter 17.28	30% open space requirement for PDs restricts development potential for urban infill and affordable housing.	Alternatives to on-site retention of 30% provided (modified common open space criteria, in-lieu fees, off-site acquisition or improvements, etc.) but maintains 30% requirement in general.	ZO should be revised to conform to GPAs for PDs recommended by EDAC. (Eliminate 30% open space requirement in favor of lesser amount of improved open space; eliminate requirement for PD where more than 50 lots or more than 2 DU/ac.)	Reduction or elimination of 30% requirement for specific types of development such as infill or affordable housing projects
4	Table 2-4 Amendment	General Plan	Once ZO revisions are finalized, revisions to Table 2-4 will be required.	Table 2-4 conforms to draft ordinance	Table 2-4 to be revised reflecting proposed new zones	Staff concurs if changes made to list of zones, Table to be changed.
5	Home occupations	17.40.170	Greater flexibility needed to create opportunities for home-based businesses, reduce commuting.	Home occupation provisions expanded to provide greater flexibility. CUP required for employees	EDAC recommends the ZO allow provide for expanded home occupations, including employees in home occupations to the extent feasible in compliance with CEQA. This action will improve the jobs/housing balance, already addressed in GP Policy 10.1.7.4	CEQA is not an issue. Need to consider use compatibility. Policy decision by County and extent of uses to be analyzed in EIR.

Zoning Options based on EDAC Concerns

6	Residences in TPZ	17.40.350, Table 17.21.020	Desire by large TPZ land owner to allow residences on TPZ by right.	Residence restriction retained from existing code based on Ag Commission recommendation	ZO should incorporate GP standards. Current ordinance and ZO update, as drafted, contains requirements more stringent than GP. EDAC recommends a consistency review process to develop on TPZ lands	GP does not address residences in TPZ, but does provide findings for discretionary development under Policy 8.4.2.I. Policy decision by County, but must be consistent with state law that only allows a residence if "necessary for the management of land zoned" TPZ (GC 51102(h)). One option is to establish standards for housing to support timber operations.
7	Mixed Use Development (MUD 2)	17.40.180	Ability to create mixed use development constrained because of PD requirement <u>under MUD 1.</u>	Mixed use provisions deferred until later for thorough review and analysis of potential options. Standards for "by right" MUD development complex and time-consuming to prepare.	ZO should be revised to designate multiple Commercial/Industrial uses. Include "master" or "safe harbor" plans for residential component of C/MUD2.	Unclear how "safe harbor" plans will reduce need for discretionary review of residential mixed use projects. It is possible to develop standards for rental units in commercial but any subdivision will require discretionary approval. Previous direction was that MUD 2 would follow adoption of the comprehensive Zoning Ordinance update, due to the need for significant community involvement
8	Animal Keeping	17.40.080	Provisions for keeping of animals on residential lots	Staff recommends deferral of Animal Keeping to separate ordinance.	EDAC agrees, provided that language as proposed (regarding slaughtering) is not included in ZO.	Slaughtering has been prohibited in R1 for many years through Director interpretation of existing code. No changes to existing procedures are recommended at this time.
9	Wetland/Riparian Setbacks	17.30.030.H	Implementation of GP policy regarding wetland and riparian setbacks	Criteria in draft ZO measure setbacks from "edge of riparian vegetation" rather than "top of bank" or "ordinary high water mark" as used in the Interim Guidelines adopted in 2006.	EDAC recommends revisions to ZO to conform to Interim Guidelines and Army Corps of Engineers wetland delineation standards.	Revisions to draft in process to incorporate Interim Guideline provisions for consistency.



Zoning Options based on EDAC Concerns

10	Zoning Map Update	Map	Conforming zoning map to GP land use designations	Map changes minimized while correcting inconsistencies, addressing deleted zones, and adding new zones per the rule set reviewed by PC & BOS	Significant issues remain, including appropriate designation of rolled-out AE (former Williamson Act Contract) lands and designation of multiple commercial zone districts. Also an issue with regard to eliminating conflicts between planned higher density housing and Ag zoned lands.	It is unclear what the issues are other than those that may be created if the PC/BOS decide to expand commercial/industrial zones. Staff to review draft maps to ensure all rolled-out AE in Community Regions are zoned appropriately.
11	Ranch Marketing on Grazing Lands	17.40.260	Update ranch marketing provisions to address livestock and non-consumable products	Provisions updated based on committee recommendations. Livestock and other products deferred.	Incorporate standards into Ranch Marketing provisions to allow Ranch Marketing for livestock operations, including visitor-serving uses and direct sales.	Include suggested changes for livestock. Defer other issues.
12	Ag Zoning "Opt In" within Ag Districts and Rural Regions	Map	Potential for active agricultural uses to lose protections with elimination of RA zones	RA zones changed to FR or RL based on elevation and location.	Recommend an "Opt In" process for lands within Ag Districts and RA Lands in Rural Regions to continue agricultural protection of underlying land uses.	Identify (by Ag Dept) active ag lands not recommended for Ag zoning; consider RE-10 zoned land in the agricultural districts; modify map accordingly.
13	Agriculture Homestays	17.40.050	Provisions for Ag homestays	Provisions included.	Permitted under 10.1.6.1 and 8.2.4.3 "lodging facilities". Can be addressed through Zoning Ordinance, but clarification through GPA might be helpful. [Jobs, Retail, Protection of RR]	No further action required with zoning ordinance update.

# **ATTACHMENT 6**

**PLANNING COMMISSION**  
**Minutes of September 22, 2011**

**11. WORKSHOP**

**General Plan Workshop;** Review and receive public comment on the project description for the Targeted General Plan Amendment and comprehensive Zoning Ordinance Update components, as directed by the Board of Supervisors on July 25, 2011 (See Board Agenda Items 1 & 2, Legistar File #11-0356.) Planning Commission to provide a recommendation to the Board on potential policy and land use map amendments and Zoning Ordinance components that address issues raised in the General Plan Five-Year Review; relating to housing for moderate-income families, creation of jobs, retention of sales tax revenue, and maintaining the agriculture and natural resource-based industries. *[Contact: Peter Maurer] [continued from 9/8/11 meeting]*

Peter Maurer summarized the workshop conducted at the last meeting focused on the Targeted General Plan Amendment.

Shawna Purvines distributed a revised Attachment #1 which incorporated the Commission's recommendations from the last meeting and would be forwarded to the Board of Supervisors for the workshop on September 26, 2011. Commissioner Pratt made comments on items #16 & #22.

Mr. Maurer provided an overview on the Zoning Ordinance Update and went through the identified issues as shown in Attachment #2 of the Staff Report. He provided status information on Tahoe and indicated that the Meyers area was a concern. Commissioner Tolhurst felt that Fallen Leaf Lake area also needs to be closely reviewed.

EDAC conducted a presentation and discussion took place immediately after each identified subject. Listed below are the identified subjects, the presenters, and Commission/public comments:

- Ag Issues (Valerie Zentner)
  - Commissioner Pratt:
    - Right to Farm comments; and
    - Ag Support Services.
  - Commissioner Tolhurst:
    - Ranch Marketing possibilities; and
    - Needs to be analyzed further to determine if it should be included.
  - Noah Briel:
    - Rural Commercial zone would be a "fail safe" for those uses that were not included at the time of adoption.
  - Michael Ranelli:
    - Process is very impressive with the County and public working together and public input encouraged throughout;
    - Residential Ag: Supports separating the uses between residential and ag; and
    - Need to have an "Opt-in" which would still allow creative zones but not unintentionally exclude other uses.

**PLANNING COMMISSION**  
**Minutes of September 22, 2011**

---

- Rural Lands (Linnea Marengo)
  - Commissioner Pratt:
    - RL minimum acreage should be 10 acres because RE-10 should not be a zone located in the countryside.
  - Kathye Russell:
    - RL should be a 10 acre minimum as it is a working scape and RE is more gentrified.
  - Noah Briel:
    - Have become a retirement community; and
    - Rural lands have fewer restrictions than ag lands.
- Tourism (Laurel Brent-Bumb)
  - Discussion with Commission on TOT collection and distribution.

*[Clerk's Note: Meeting recessed for lunch and Commissioner Tolhurst did not return.]*

- Home Occupation Ordinance (Kim Beal)
  - County Counsel provided clarification on CC&Rs and how they interact with County Ordinances.
  - Commissioner Pratt:
    - Struggles with business on property vs home occupation and feels more delineation is needed.
  - Noah Briel:
    - Natural eliminator is that owner lives on-site.
  - Linnea Marengo:
    - RL needs home occupations just as much as the other zones;
    - Need to direct sales to rural commerce; and
    - Suggest keeping business license fees low to encourage home occupations.
  - Valerie Zentner:
    - Home Occupation delineation in rural setting is outdoors and urban setting is indoors and agrees it needs to be more defined.
- TPZ (Cedric Twight)
  - Commissioner Pratt:
    - Wants to see specifics of surrounding counties and how they handle TPZ with residences.
  - Kathye Russell:
    - Supports need for analysis; and
    - Commented on private property owner's rights.
  - Laurel Brent-Bumb/Sustainable Forest Coalition:
    - Encourages study to look at property rights and to have residences by right on properties that are at least 160 acres.
  - Juli Jensen/Ag Commissioner:
    - Ag Commission reviewed this twice and by a unanimous vote, the Commission is not in support of residency by right on TPZ land, wants to maintain current criteria, and they are not opposed to a caretaker's cabin; and

**PLANNING COMMISSION**  
**Minutes of September 22, 2011**

- Humbolt County has a “residency by right”, which they are currently in the process of eliminating.
  - Bill Buckley:
    - Feels that TPZ land is being discriminated and property rights are not being respected.
- Low Density Residential (Kathye Russell)
- Industrial (Gordon Hill/Mike Turner)
  - Valerie Zentner/EDC Farm Bureau:
    - Comments on wastewater.
- Commercial/MUD (Mike Turner/Noah Briel)
  - Valerie Zentner:
    - Provides options for Rural Centers.
  - Kim Beal:
    - Commented on slide that showed “vertical only”.
  - Lindell Price:
    - Walkability to services is important as the public ages.

County Counsel Paula Frantz stated that the Commission would not be able to provide a recommendation on the TPZ issue as there were only three Commissioners present and Chair Heflin would have to recuse himself due to a conflict of interest as he owns TPZ land.

Jim Brunello spoke on Issue #7 and “safe harbor” plans. Requested that it be considered in the EIR review.

Mr. Maurer re-capped the discussion and the next steps needed. The Commission went through each issue identified in Attachment #2 and made the following comments:

- Issue #1: ok
- Issue #2: continue to refine list
- Issue #3: provide a range of alternatives
- Issue #4: ok
- Issue #5: continue to work with range of alternatives; different standards based on size/location of parcel
- Issue #6: no action
- Issue #7: include for analysis
- Issue #8: no action
- Issue #9: include
- Issue #10: maps need to be redefined
- Issue #11: some refinements
- Issue #12: need to accurately identify what is out there
- Issue #13: ok

More discussion ensued between the Commission and staff regarding the minimum acreage requirement for RL lands.

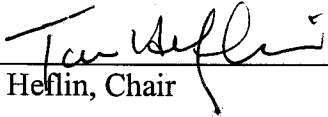
**PLANNING COMMISSION**  
**Minutes of September 22, 2011**

**12. ADJOURNMENT**

Meeting adjourned at 5:25 p.m.

APPROVED BY THE COMMISSION

Authenticated and Certified:

  
\_\_\_\_\_  
Tom Heflin, Chair

# **ATTACHMENT 7**

**2:00 P.M. - TIME ALLOCATION**

2. [11-0019](#) Economic Development Advisory Committee (EDAC) presenting to the Board an overview of the California Environmental Quality Act (CEQA) as it relates to economic development and regulatory reform. (Cont'd 7/25/11, Item 2)

*PUBLIC COMMENT*

*A. Marinaccio  
S. Taylor  
K. Newl*

**A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney, as follows:**

**1) Direct Staff and EDAC to continue work on the alternative Zoning treatments of the following 14 items:**

- 1 Multiple commercial zones
  - 2 Commercial/Industrial and Ag Support Uses or Zones
  - 3 Planned Development provisions
  - 4 Table 2-4 Amendment
  - 5 Home occupations
  - 6 Residences in TPZ
  - 7 Mixed Use Development (MUD 2)
  - 8 Animal Keeping
  - 9 Wetland/Riparian Setbacks
  - 10 Zoning Map Update
  - 11 Ranch Marketing on Grazing Lands
  - 12 Ag Zoning "Opt In" within Ag Districts and Rural Regions underlying land uses.
  - 13 Agriculture Homestays
  - 14 Rural Lands "Uses" Allowed; and
- 2) Continue the workshop to October 24, 2011.**

**Yes:** 3 - Nutting, Sweeney and Santiago

**Absent:** 2 - Knight and Briggs



# **ATTACHMENT 8**



RESOLUTION NO. 183-2011

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

***RESOLUTION OF INTENTION TO UNDERTAKE A COMPREHENSIVE UPDATE  
OF THE ZONING ORDINANCE***

**WHEREAS**, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

**WHEREAS**, the County of El Dorado adopted a General Plan in 2004; and

**WHEREAS**, many Policies, programs, and implementation measures are implemented through the Zoning Ordinance; and

**WHEREAS**, the Zoning Ordinance has not been comprehensively updated for over 30 years, yet has been amended an average of twice a year, resulting in a Zoning Ordinance that is a patchwork of provisions and dated regulations; and

**WHEREAS**, many State and federal regulations that affect the Zoning Ordinance are not accurately reflected in the Ordinance; and

**WHEREAS**, the Board of Supervisors adopted Resolution of Intention No. 44-2008, and

**WHEREAS**, the Board of Supervisors is considering amendments to the General Plan to address job creation, construction of housing for moderate-income families, the retention of sales taxes, and support of the agriculture and resource industries of the County that would be implemented by the Zoning Ordinance, and

**WHEREAS**, according to Section 17.10.010 the Zoning Ordinance amendment must be initiated by Board of Supervisors Resolution;

**NOW, THEREFORE, BE IT RESOLVED** that the County of El Dorado Board of Supervisors hereby authorizes the Development Services Department to proceed with the preparation of a Comprehensive Update of the Zoning Ordinance, addressing the following issues:

1. Conform the zoning map to the General Plan land use designations;
2. Eliminate conflicting provisions of the existing ordinance;
3. Include provisions in the ordinance to implement General Plan Implementation Measures LU-A, HO-6, HO-16, HS-K, CO-A, AF-A, ED-N, ED-P, ED-II, ED-JJ, ED-KK, and ED-QQ
4. Ensure that the ordinance is consistent with applicable state and federal laws;

5. Reorganize the ordinance for ease of use by the public, staff, and decision makers, including the use of tables to identify permitted uses and development standards, establishing specific use regulations for administrative review of specified uses, and providing rules of interpretation and a comprehensive glossary;
6. Create new zones to reflect current zoning needs and implement the General Plan, including the following zones: Rural Lands, Forest Resources, Agricultural Grazing, Neighborhood Service, and Limited Agriculture;
7. Delete obsolete zones, including Unclassified, Agriculture, Residential-Agricultural, and Planned Commercial;
8. Create overlay zones to more effectively implement General Plan policies;
9. Expand potential uses in the agricultural and rural lands zones to provide for opportunities for agricultural support, recreation, and rural commerce, including allowing ranch marketing on grazing land;
10. Provide a range of intensities for home occupations, based on size and zoning of parcels, addressing the use of accessory structures, customers, and employees.
11. Modify zoning for Williamson Act contracted and rolled out land to reflect the underlying General Plan land use designation;
12. Revise the zoning map to conform to standardized rule sets for zoning modifications based on the General Plan land use designations; and
13. Provide a range of commercial zones to specify and direct the type, design, and location of commercial uses.

**BE IT FURTHER RESOLVED** that the Board intends to have analyzed in the Environmental Impact Report for Comprehensive Zoning Ordinance Update the following options which may be included in the ordinance:

1. Create a Rural Commercial Zone that would be permitted within the Rural Regions planning concept area;
2. Increase potential uses to provide additional agricultural support, recreation, home occupation, and other rural residential, tourist serving, and commercial uses in zones in the Rural Region;
3. Create standards (master plans) for mixed use and Traditional Neighborhood Design development to provide for a streamlined approval process and to protect the commercial viability of the site;
4. Include single family detached development standards in the Multi-Family zone. Allow up to 15% of the project area, for commercial uses as part of a mixed use development in multifamily zones.
5. Provide multiple industrial zones to specify and direct the type, design, and location of industrial uses;
6. Provide alternative means to any open space requirement as part of a planned development to provide more flexibility and incentives for infill development and focus on recreation in Community Regions and Rural Centers;

- 7. Amend Zoning map to include historical overlay on El Dorado and Diamond Springs in relationship to historical townsites but consistent with adopted General Plan and Zoning Ordinance policies; and
- 8. Codify standards for wetland and riparian setbacks.

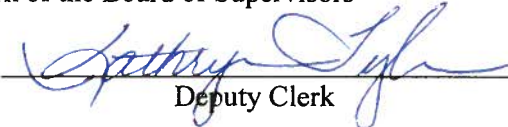
**BE IT FURTHER RESOLVED** that Resolution of Intention No. 44-2008 is hereby incorporated into and superseded by this resolution.

**BE IT FURTHER RESOLVED** that the Planning Commission and Board of Supervisors will return in a public hearing to consider the proposed amendments.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 14 day of November, 2011, by the following vote of said Board:

Ayes: Sweeney, Briggs, Knight, Nutting, Santiago  
Noes: none  
Absent: none

Attest:  
Suzanne Allen de Sanchez  
Clerk of the Board of Supervisors

By:   
Deputy Clerk

  
First Vice Chair, Board of Supervisors  
John R. Knight

**RESOLUTION NO. 184-2011**

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

***RESOLUTION OF INTENTION TO UNDERTAKE A COMPREHENSIVE UPDATE  
OF THE ZONING ORDINANCE***

**WHEREAS**, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

**WHEREAS**, the County of El Dorado adopted a General Plan in 2004; and

**WHEREAS**, many Policies, programs, and implementation measures are implemented through the Zoning Ordinance; and

**WHEREAS**, the Zoning Ordinance has not been comprehensively updated for over 30 years, yet has been amended an average of twice a year, resulting in a Zoning Ordinance that is a patchwork of provisions and dated regulations; and

**WHEREAS**, many State and federal regulations that affect the Zoning Ordinance are not accurately reflected in the Ordinance; and

**WHEREAS**, the Board of Supervisors adopted Resolution of Intention No. 44-2008, and

**WHEREAS**, the Board of Supervisors is considering amendments to the General Plan to address job creation, construction of housing for moderate-income families, the retention of sales taxes, and support of the agriculture and resource industries of the County that would be implemented by the Zoning Ordinance, and

**WHEREAS**, according to Section 17.10.010 the Zoning Ordinance amendment must be initiated by Board of Supervisors Resolution;

**NOW, THEREFORE, BE IT RESOLVED** that the County of El Dorado Board of Supervisors hereby authorizes the Development Services Department to include with the preparation of a Comprehensive Update of the Zoning Ordinance the provision of opportunities for residential and recreational uses on Timber Production Zone land compatible with timber management and harvesting.

**BE IT FURTHER RESOLVED** that the Planning Commission and Board of Supervisors will return in a public hearing to consider the proposed amendments.

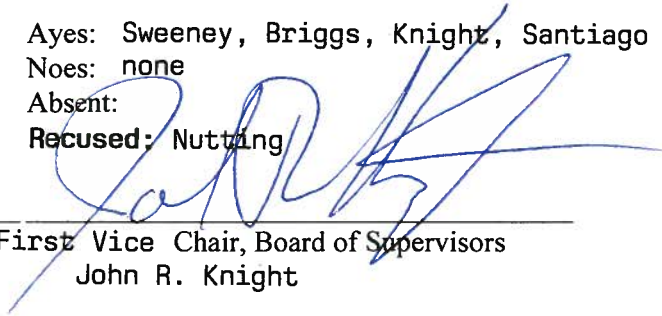
Resolution No. 184-2011

**PASSED AND ADOPTED** by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 14 day of November, 2011, by the following vote of said Board:

Attest:  
Suzanne Allen de Sanchez  
Clerk of the Board of Supervisors

Ayes: Sweeney, Briggs, Knight, Santiago  
Noes: none  
Absent:  
**Recused:** Nutting

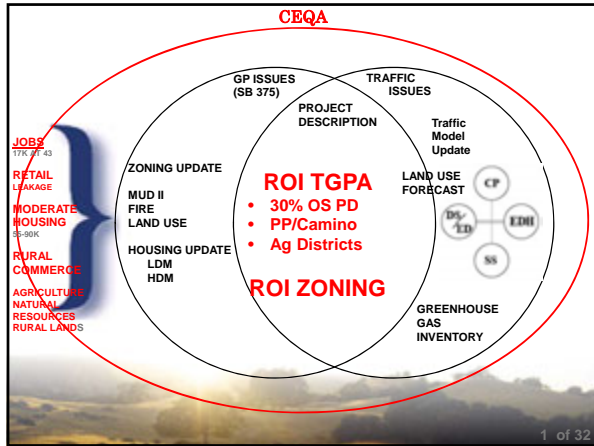
By:   
Deputy Clerk

  
First Vice Chair, Board of Supervisors  
John R. Knight

# **ATTACHMENT 9**

RECEIVED  
BOARD OF SUPERVISORS  
EL DORADO COUNTY  
1:46 pm, Nov 14, 2011

**LATE DISTRIBUTION**  
Date 1:46 pm, Nov 14, 2011




---

---

---

---

---

---

---

---

- Assumptions**
- 32,000 new DUs (no change)
    - 75% of 12,000 new DUs built Community Regions w/Sewer
  - 75% or 15,000 of new 20,000 DUs may be accommodated in CRs w/ sewer - (with project)
    - Moderate Detached achievable on C/MUD MFR
  - 25% or 5,000 outside CR with Sewer mostly on existing parcels - limited new parcels
  - 42,000 new Jobs (no change) If Review Addresses:
    - COMMERCIAL LAND USES
    - RURAL COMMERCIAL

---

---

---

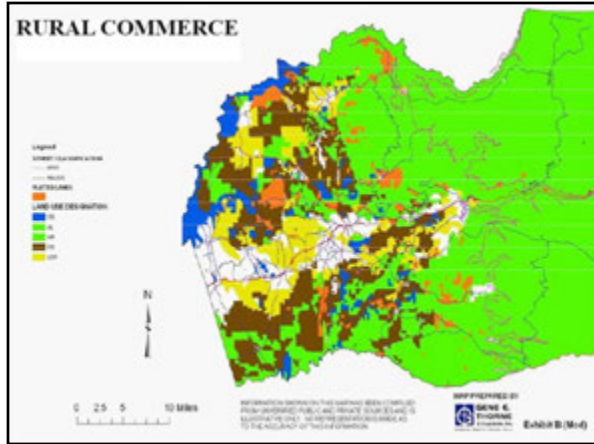
---

---

---

---

---




---

---

---

---

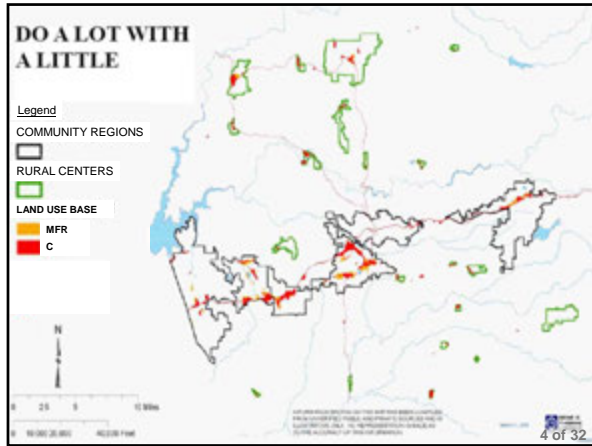
---

---

---

---






---

---

---

---

---

---

---

---

**“Targeted” Project Highlights**

<b>RURAL COMMERCE (ROI OK)</b>	<b>LOT WITH A LITTLE (ROI OK)</b>
<ul style="list-style-type: none"> <li>C/I in Rural Regions (G)</li> <li>C/I with private S/W</li> <li>Ranch Marketing</li> <li>Ag District Expansion ROI</li> <li>CR/RC Bounds PP/C ROI</li> <li>Compatible TPZ use (Z)</li> <li>Ag Homestays (Z)</li> <li>Ag Support (GP &amp; Z)</li> <li>Rural Lands Uses (Z)</li> <li>Home Occupations HOO Z</li> <li>ZONING MAP UPDATE (Z)</li> </ul>	<ul style="list-style-type: none"> <li>30 % OS (ROI) 1% of EDC</li> <li>30 % slopes I/C/HDR? 2% of EDC</li> <li>Wetlands/Riparian Setbacks (Z)</li> <li>Multiple Commercial zones w/ / Map Priority Areas (Z)</li> <li>/ Identify MUD II (GP &amp; Z)</li> <li>/ Set Standards (Z)</li> <li>Multiple Industrial Zones (Z)</li> <li>Home Occupations in CR/RC (Z)</li> <li>ZONING MAP UPDATE</li> </ul>

5 of 32

---

---

---

---

---

---

---

---

**Project Highlights– Good Planning (ROI OK)**

- Conform density to RHNA for 2013 Housing Element (Tier)
- AB 1358 “Complete Streets” (Tier)
- Greenhouse Gas Policies (Tier/Standards – Yolo)
- ED/DS Historical Overlay ROI – Stand alone?
- MUD in MFR (Tier/21083.3/Standards)
- Opportunity Area (Study)
- Regional Planning Coordination/375/ (Tier)
- EDH Business Park Employment CAP
- Dam Failure Inundation
- Traffic/Circulation – Consistent with GP/State Objectives
- Public Services Concurrency

6 of 32

---

---

---

---

---

---

---

---

### CEQA Scope of Review

- **EIR ANALYSIS SETS SCOPE OF ACTIONS** binder with CD and text contain *“Range of Options”* for CEQA Analysis between GP and TGPA and draft ZO and ZO Map and Proposed Analysis
- **ALL SIDES OF ISSUE NEED ANALYSIS**
- **Don’t Waste a Good EIR**
  - **STANDARDS UP FRONT** INSTEAD OF PD/CUP/DR
    - Analyze Range of Options
  - **PLAN TO TIER**
    - Housing Element Update / TIM / CAP / MUDII

7 of 32

---

---

---

---

---

---

---

---

### EDAC Ag Workgroup Zoning Ordinance Recommendations FOR ANALYSIS ROI OK

- “Opt-in” for RA zones in RR to allow for agricultural zoning
- “Opt-in” for RE zones within Agricultural Districts to allow for agricultural zoning
- Expanded agricultural support uses within agricultural zones
- Allowance for Agricultural Homestays and Agricultural Lodging
- Dude Ranches and Ranch Marketing allowances on commercial grazing lands
- Right to Farm language that includes lands within Agricultural Districts and lands designated (AL)
- Updated Winery Ordinance language

8 of 32

---

---

---

---

---

---

---

---

### TPZ Issues for Analysis ZO ROI

Draft Ordinance	Range for Analysis
<ul style="list-style-type: none"> <li>▪ Residences Allowed with CUP if <u>necessary for timber harvest</u> (poison pill)</li> <li>▪ Limited Compatible Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ Residences allowed <b>by right</b> (like 23 N. California TPZ counties) or discretionary permit that residence allowed with GP <b>Findings residence will not hinder or interfere with timber production.</b></li> <li>▪ <b>Expanded Compatible uses with standards that maintain Integrity of Timber Production</b></li> <li>▪ <b>STANDARDS</b></li> </ul>

9 of 32

---

---

---

---

---

---

---

---

### Rural Lands Issues for Analysis

Draft Zoning Ordinance	Range of Analysis
<ul style="list-style-type: none"> <li>▪ No new Commercial/ Industrial Uses</li> <li>▪ Treats Rural Lands as Resource Lands not Residential as adopted in GP</li> <li>▪ <b>Limited Rural Land Uses</b></li> <li>▪ No employees allowed under Home Occupation</li> <li>▪ Zoning Map Update                             <ul style="list-style-type: none"> <li>▪ WAC roll outs</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Allows new Commercial/ Industrial in Rural Regions</li> <li>▪ Positions Rural Lands as buffer between LDR and AG vs. Ag and NR</li> <li>▪ <b>Expands Rural Land Uses</b></li> <li>▪ Allows for employees as part of Home Occupation</li> <li>▪ Options for WAC Role outs</li> </ul>

10 of 32

---

---

---

---

---

---

---

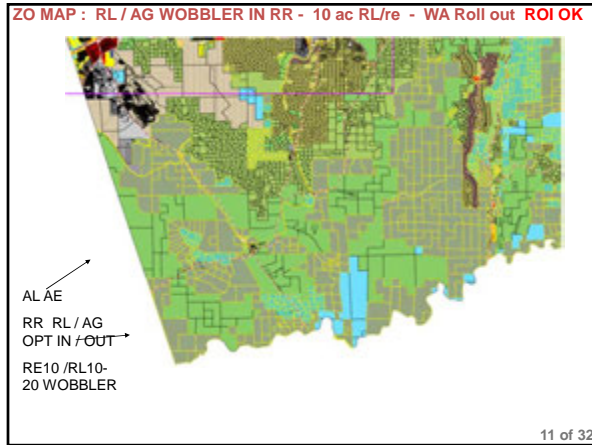
---

---

---

---

---




---

---

---

---

---

---

---

---

---

---

---

---

RURAL RESIDENTIAL (WOBBLER)					
RESIDENTIAL			AGRICULTURAL		
LDR	RR		AG ZONES		AL
RE 5 - 10	RE - 10	RL			AG
ANIMALS	P		NO NUISANCE LAWS FAVORED		
STABLES	P		NUISANCE LAWS FAVOR		
CROPS	P				
GRAZING	P				
ORCHARDS	P				
VINEYARDS	P	?	?		
PACKING	P				
SALES	A	?	?		
WINERIES	CUP				
RANCH MKT	CUP	?	?		
		?	?		
			?		

EDAC Range

OPTION				
LDR	RE-10 (exist)	Ag	RL	AL

12 of 32

---

---

---

---

---

---

---

---

---

---


---

---

### Home Occupation Ordinance –HOO

**ROI ZO ok – Range of Analysis**

<p><b>Draft ZO</b></p> <ul style="list-style-type: none"> <li>• No employees</li> <li>•  Banned Occupations (all food, no truck over 1 ton)</li> <li>• Limited to primary residence</li> <li>• No customers</li> <li>• CUP</li> </ul>	<p><b>Expanded Scope</b></p> <ul style="list-style-type: none"> <li>• Employees based on Graduated Standards (parcel size, use, traffic )</li> <li>• Structures / standards</li> <li>• Customers by graduated standard RL 10 and up</li> <li>• Retail Sales - standards</li> <li>• <u>Standards vs. CUP</u></li> </ul>
---	--



13 of 32

---

---

---

---

---

---

---

---

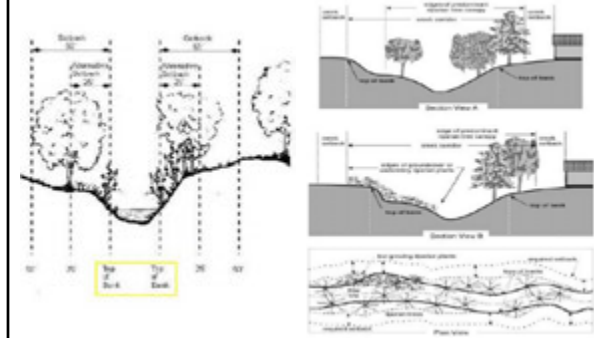
---

---

### Intermittent Stream and River Setbacks

**Zoning ROI OK Range of Analysis**

2006 Interim Interpretive Guidelines      Current Draft Zoning Ordinance



14 of 32

---

---

---

---

---

---

---

---

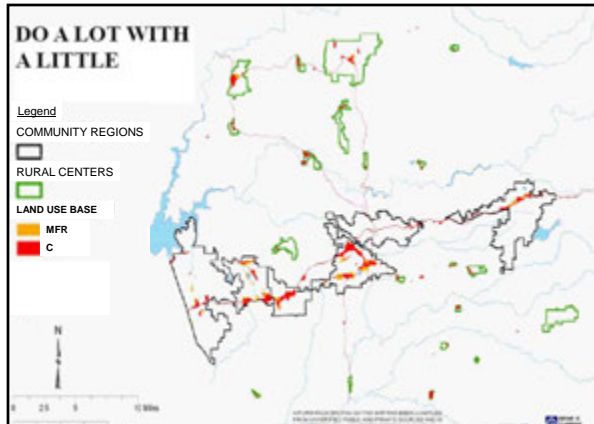
---

---

### DO A LOT WITH A LITTLE

**Legend**

- COMMUNITY REGIONS
- RURAL CENTERS
- LAND USE BASE
  - MFR
  - C



15 of 32

---

---

---

---

---

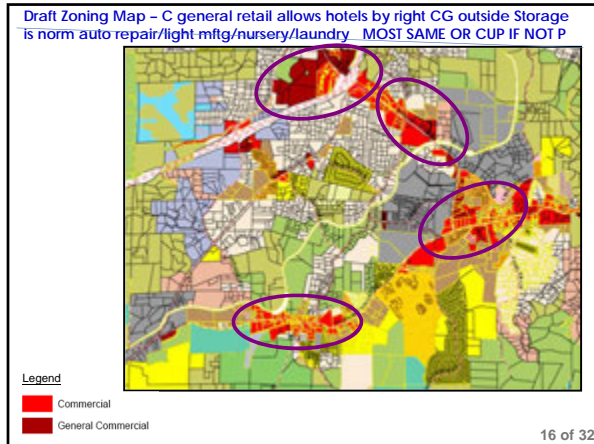
---

---

---

---

---




---

---

---

---

---

---

---

---

---

---

Land Use	Zones	Type of Residential Configuration	
MFR	Multi-Unit Residential (RM)	VERTICAL (w/some Horizontal)-maximum density	<b>M U D II +</b>
Merge	Rural Commercial (CRR)	HORIZONTAL (w/ some Vertical)-detached compact	
	Limited Commercial (CL)		
	Community Commercial (CC)		
C/ CMUD	Regional Commercial (CR)TOWNCENTER	Vertical Attached ONLY- preserves prime commercial frontages	
	Professional Office Commercial (CPO)	VERTICAL or HORIZ w/PLANS	
Eliminate	Main Street Commercial (MC)		
	Merge	Heavy Commercial (CH)	NONE- residences incompatible
I	Light I		
		Heavy I	

17 of 32

---

---

---

---

---

---

---

---

---

---

**Form Based Coding 101**  
**Large Mixed-Use Building**

**Standards**

**Table 6-25**  
**Building Placement**

Front build-to-line: The front facade of the building shall be placed at the back of the sidewalk.	A
Encroachment over the sidewalk may be allowed for some signage types.	B
Side setbacks: None required, 10 feet minimum if provided.	C
Rear setbacks: 5 feet from the alley.	D
<b>Building Size and Massing:</b>	
Building height: Two, three or four stories.	E
<b>Parking:</b>	
On-site covered or uncovered parking spaces shall be located a minimum of 20 feet behind the back of the sidewalk.	F

18 of 32

---

---

---

---

---

---

---

---

---

---

**Zone Garage, Garage with Carriage House.**

**Form**

**Table 6-6**

Building Placement.	
Front build-to-line. The building shall be placed at the rear of the lot within the area identified by the parking limit line for the primary building on the lot.	A
Side setbacks: 5 feet minimum on each side.	B
Rear setbacks: 5 feet from the alley, 20 feet from the alley where tandem parking spaces are to be provided between the garage façade and the alley edge.	C D
Building Size and Massing.	
Building height: A garage without a carriage house shall be one-story with a maximum height of 20 feet. A garage with carriage house shall be two-stories.	E

19 of 32

---

---

---

---

---

---

---

---

---

---

**EXAMPLE OF PROPOSED ZONING DESIGNATION**  
CAMERON PARK DRIVE/SINGLE SPRINGS

Professional Office Commercial (CPO)	Community Commercial (CC)
Limited Commercial (LL)	Regional Commercial (CR)
Main Street Commercial (CM)	Heavy Commercial (CH)
Special Study Region - [note: it is denoted by the curvy lines]	

20 of 32

---

---

---

---

---

---

---

---

---

---

**PD / Open Space (ROI OK)**

**Draft Ordinance**

- Retain requirement for 30% but allow requirement to be met offsite

**Range of Analysis**

- Improved open space at a lesser ratio (pool, tot lot, gardens, pocket parks.
- Limit HDR/C/MUD/MFR
- STANDARD PLANS as alternative to PD
- PLAN is to encourage

21 of 32

---

---

---

---

---

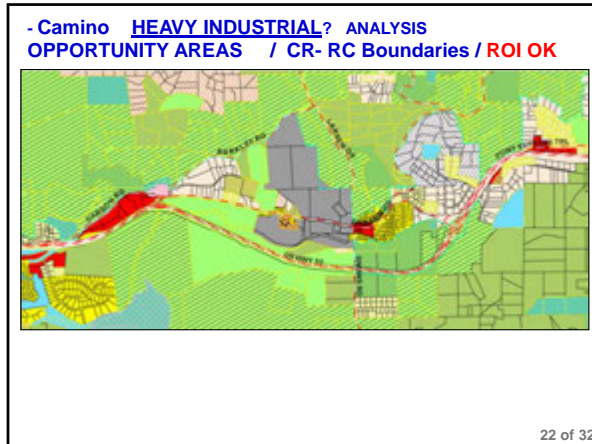
---

---

---

---

---




---

---

---

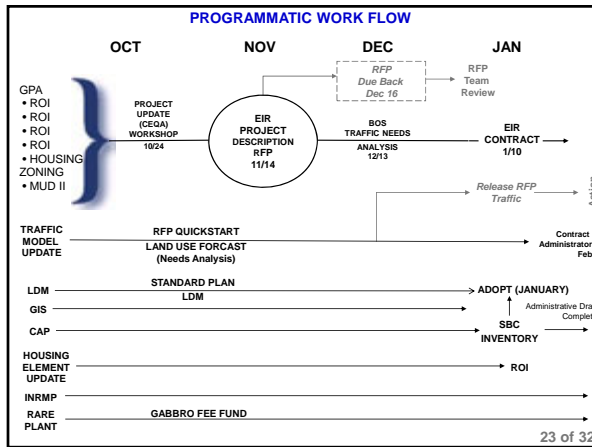
---

---

---

---

---




---

---

---

---

---

---

---

---

- Traffic Needs Assessment Update**
- Received NTP on October 31, 2011
  - **Review of GIS elements complete**
  - 8 of 10 interviews/meetings with staff, SACOG, and EDCTC complete
  - Review of candidate model software packages complete
  - Currently reviewing El Dorado County and SACOG Models
  - Anticipate mid-December completion
- 24 of 31

---

---

---

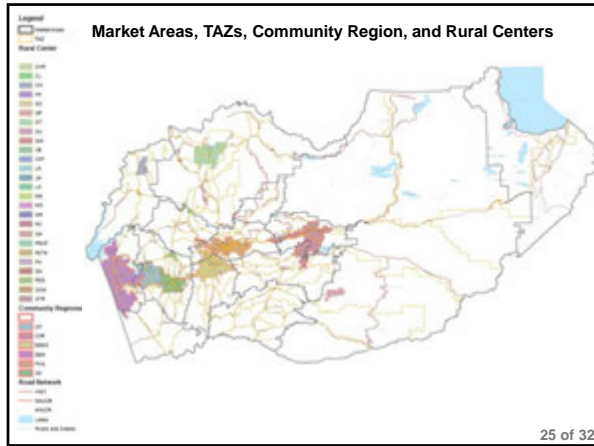
---

---

---

---

---




---

---

---

---

---

---

---

---

---

---

---

---

DSD TASK WORK PLAN April 2011 - 2012		Outside COST	PROGRAMMATIC WORK PLAN	
STAFFING #	WORKING		WORKING	#1
1.	WORKING	\$276,000	Housing Update	#2 - #3
2011-2012	2. HOUSING REPORTING		Gabbers Coord	#4
3.	Housing Update Region		LDM	#5
4.	LANDING COORDINATION		RCR	#6, #11, #12
5.	LDM		HOUSP I	#10 (shown)
6.	TEPA PARTICIPATION		Land Use Rev	#13
7.	RCR 30%		TEPA	#14
8.	RCR WEST DIST	\$104,000	PLRS	
9.	RCR AG DISTRICT		CAP Inventory	
10.	HOUSP I		MSD II	
11.	PPV/Com RCR if no TEPA		HOUSING UPDATE	
<b>MINIMAL WORK</b>				
\$125,000	12. Land Use Forecast	\$69,000		
\$60,000	14. TEPA	\$76,000		
(@ OSD = 3 Other for 2 yrs)				
<b>FUTURE 2-4 Years</b>				
Staff	MSD II	\$17,000	COORDINATE	
	Climate Action Plan	\$17,000	CAP	
2 new staff	13. HOUSP Phase II	\$75,000	GABRD FEE	
	Housing Element Update	\$76,000	GES	
			TDR FEE	
			13. HOUSP II	
\$500,000		\$1,229,000		

26 of 32

---

---

---

---

---

---

---

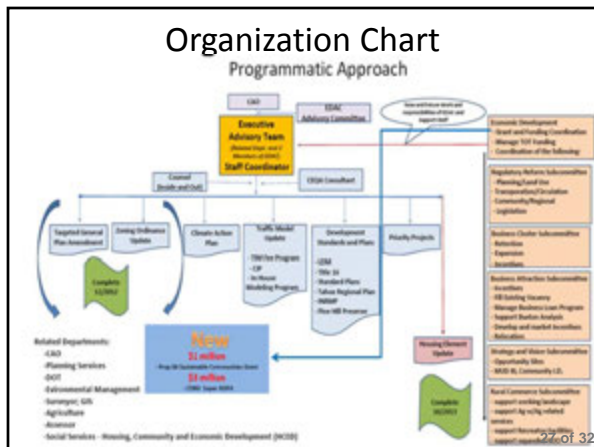
---

---

---

---

---




---

---

---

---

---

---

---

---

---

---

---

---



### Master Programmatic Schedule

**Purpose:**  
 Integrate Programmatic Work Schedule for Productivity

- Expand/collapse project detail
- Gantt charts and project relationships
- Align project teams and manage workflow
- Coordinate multi departmental efforts
- Identify and align key local and state milestones
- Manage finances and resources

28 of 32

---

---

---

---

---

---

---

---

---

---

---

---

### EDAC Continues Programmatic Work A Work In Progress

November 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 Rural Lands	2 HOO Review	3	4 Reg Reform	5
6	7 Commercial/ Mixed Use LDM	8 Commercial/ MUD	9 Traffic Sub Comm REG REGORM	10 Rural Lands	11 HOLIDAY	12
13	14 BOS MEETING	15 INRMP	16 Traffic Sub Comm	17 LDM EDAC MEETING	18 Reg Reform	19
20	21 Commercial/ Mixed Use HOO	22 Rural Lands	23 "Needs Analysis" Traffic	24 HOLIDAY	25 HOLIDAY	26
27	28	29	30 Traffic Sub Comm		2 Reg Reform	3

29 of 32

---

---

---

---

---

---

---

---

---

---

---

---

- ### November 14th
- Direct all related County Departments to work under the management of the CAO's Office to achieve "Programmatic Approach"
  - Adopt the following:
    - Resolution of Intention to Amend the General Plan **ROI TGPA**
    - Resolution of Intention to Adopt a Comprehensive Zoning Ordinance Update **ROI ZO**
    - Approve the Scope of work and a Request for Proposal to prepare an Environmental Impact Report for both and assign CAO as Contract Administrator for Programmatic Approach
    - Direct the Chief Administrative Officer to establish an Executive Advisory Team as proposed by staff
    - Direct staff to create an agricultural zone opt-in process to provide land-owner's input regarding the appropriate zoning for rural property
- 30 of 32

---

---

---

---

---

---

---

---

---

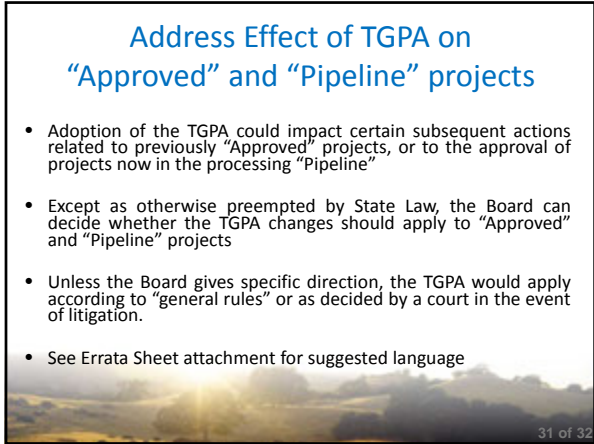
---

---

---

### Address Effect of TGPA on "Approved" and "Pipeline" projects

- Adoption of the TGPA could impact certain subsequent actions related to previously "Approved" projects, or to the approval of projects now in the processing "Pipeline"
- Except as otherwise preempted by State Law, the Board can decide whether the TGPA changes should apply to "Approved" and "Pipeline" projects
- Unless the Board gives specific direction, the TGPA would apply according to "general rules" or as decided by a court in the event of litigation.
- See Errata Sheet attachment for suggested language




---

---

---

---

---

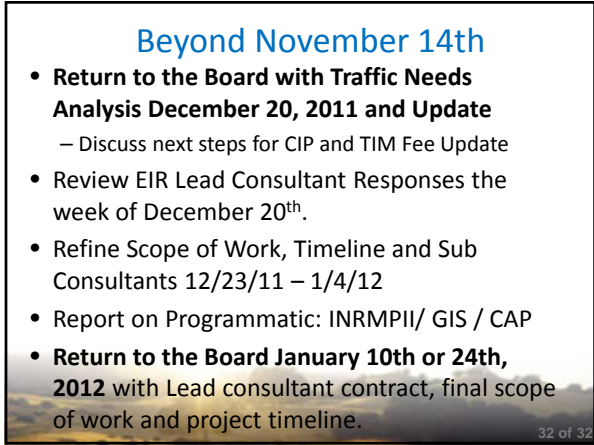
---

---

---

### Beyond November 14th

- **Return to the Board with Traffic Needs Analysis December 20, 2011 and Update**
  - Discuss next steps for CIP and TIM Fee Update
- Review EIR Lead Consultant Responses the week of December 20<sup>th</sup>.
- Refine Scope of Work, Timeline and Sub Consultants 12/23/11 – 1/4/12
- Report on Programmatic: INRMPII/ GIS / CAP
- **Return to the Board January 10th or 24th, 2012** with Lead consultant contract, final scope of work and project timeline.




---

---

---

---

---

---

---

---

# **ATTACHMENT 10**

November 14, 2011



# Master Catalog

## I Executive Summary

## II White Papers (Nov 14, 2011)

- Agriculture
- Rural Lands
- Home Occupation
- Timber Production
- Industrial & Research
- Commercial/MUD
- Mapping Criteria/Rules

## III BOS Meeting Presentation

- ✓ January 10, 2011
  - “Land Use Forecast Mythology”
- ✓ July 25, 2011
- ✓ August 9, 2011
- ✓ September 26, 2011
- ✓ October 24, 2011
- ✓ November 14, 2011

## IV Errata Sheet