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BOARD OF SUPERVISORS
EL DORADO COUNTY
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Date 1:33 pm, Oct 24, 2011

RESOLUTION NO.

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, **additional Commercial/Mixed Use and Industrial Zones consistent with General Plan Policy to create numerous zones to direct specific uses to specific areas of the county;**
7. Delete obsolete zones, including Unclassified, 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 and rural commerce including allowing for Ranch Marketing on Grazing land and Tourist/Recreation; and
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.

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 and tourist serving and rural commercial uses on 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 opportunities for residential and recreational uses on Timber Production Zone land compatible with timber management and harvesting;
6. Provide multiple industrial zones and additional commercial zones to specify and direct the type and design and location of industrial and commercial uses;
7. Provide alternative means to implementing ~~the 30%~~ open space requirement as part of a Planned Development to provide more flexibility and incentives for infill development and focus on active recreation in Community Regions and Rural Centers;

8. 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.

9. [Codify Interim guidelines for Wetland/Riparian setbacks.](#)

10. Zoning Map Update Options to include:

- a. Direction of Multiple Commercial/mixed use and Industrial Zones to specific areas;
- b. Alternate zoning for Rural Region lands designated Low Density Residential (LDR) or Rural Residential (RR) and rolled out from Williamson Act Contracts but zoned Exclusive Agriculture (AE);
- c. Alternate zoning criteria for Rural Region lands designated Rural Residential since these lands are considered a “wobbler”, they accommodate both agricultural and residential zoning. Consideration should be given to an “opt in” or “opt out” procedure whereby the the existing residential or agricultural zoning would be maintained unless the land owner “opts” for a different zoning.

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 ____ day of _____, 20__, by the following vote of said Board:

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

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk Chair, Board of Supervisors