

El Dorado County Planning Commission

TGPA-ZOU Project – Public Meeting,
Wednesday August 13, 2014

**Zoning Ordinance Format and
Chapter Overview,
The Mapping Process and
Final Draft Maps**

This Meeting's Purpose

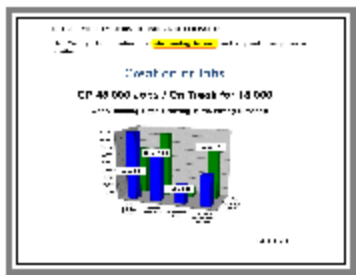
- Review of the Zoning Ordinance Update (the “ZOU” part of the TGPA-ZOU Project):
 - Project Background
 - Organization and Format of the ZOU
 - Chapter Overview
- Review proposed changes to zoning maps:
 - The mapping process
 - Final draft maps

Meeting Agenda

1. Review of the Zoning Ordinance Update (the “ZOU” part of the TGPA-ZOU Project):
 - a. Planning Commission Questions and Discussion
 - b. Public Comments
2. Break
3. Review proposed changes to zoning maps
 - a. Planning Commission Questions and Discussion
 - b. Public Comments

TGPA-ZOU Background: What is Being Considered

Jobs &
Jobs/Housing



Resolutions of Intention November 2011

Resolution of Intention #182-2011
Targeted General Plan Amendment to address issues identified in the five year review



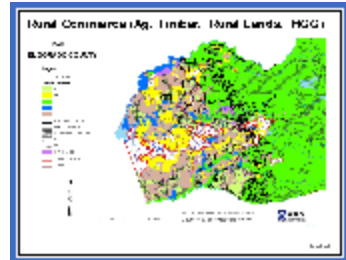
Resolutions of Intention #183-2011 and #184-2011

- Comprehensive Zoning Ordinance
- Draft Project plus optional analysis included
 - Above the line below the line

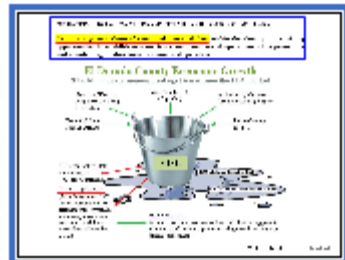


12-0837 K 16 of 49

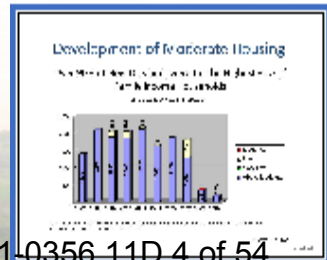
Rural Lands, Rural
Commerce, Ag and
Natural Resources



Sales Tax
Leakage



Moderate
Housing



TGPA-ZOU Background:

Board of Supervisors Identified Goals

- Bring differences between the General Plan and other County planning ordinances and manuals into a more useful, beneficial and consistent format
- Create a series of changes (reform) to the current regulatory process
- Achieve adoption of a:
 - Zoning Code Consistent with 2004 General Plan (ZOU)
 - Targeted General Plan amendments (TGPA)
 - Required 2013 Housing Element Update
- Complete a Travel Demand Model Update

TGPA-ZOU Common Misconceptions

- ✓ TGPA-ZOU Does Not Include General Plan Land Use changes, except for:
 - ✓ Ag District expansions, Camino/Pollock Pines Community Region amendment and minor map corrections.
- ✓ TGPA-ZOU Does Not create any new parcels or entitle a landowner to additional dwelling units.
 - ✓ Discretionary Approval of a subdivision would be required. A finding of consistency with the General Plan is required for all Discretionary approvals.
- ✓ TGPA-ZOU Does Not Include the Privately initiated Major General Plan Amendment Residential Projects.
- ✓ TGPA-ZOU Does Not include the comprehensive update to the CIP requiring a revised 20-year forecast per General Plan Policy TC-Xb.
- ✓ TGPA-ZOU Does Not include the addition of, or planning for 33,000 new homes.

Background

- 2008 Board authorized a comprehensive update including a complete reformatting of the existing Ordinance
- Initial Public Review Draft released 2010
 - No “track-change” version comparing existing ZO with 2010 PRD ZO was prepared due to the magnitude of the reformatting
 - Two documents outline the major changes to the ZO
 - Summary of Identified Problems with existing ZO
 - Implementing the General Plan through the ZO

Background

- ZOU Direction given by the Board
 - Avoid adding new regulations, except where required by changes in State law or the General Plan
 - Minimize changes in development standards to avoid making existing uses, structures and lots inconsistent or “nonconforming”
 - Ease or expand allowed uses to:
 - Enhance job creation
 - Capture more sales tax revenue
 - Reduce constraints to the development of moderate housing
 - Promote and protect Agriculture and natural Resources, and
 - Where applicable, legalize ongoing compatible uses

Why Update the Zoning Ordinance?

- Improve effectiveness
 - Ease of use by public, staff & decision makers
 - Fix identified problems and inconsistencies
- Reduce Regulations and Simplify Processes
- General Plan Consistency
 - Requirement of state law (CA Gov't Code §65680)
 - Implement policies and measures
 - Zoning and Land Use Designation consistency
- Implement state and federal laws

Identified Problems and Proposed Solutions

Problem:

- Periodic “piecemeal” changes to the Zoning Ordinance over a 30-year period, resulting in inconsistent regulations

Solution:

- ✓ The entire ordinance has been rewritten for internal consistency

Identified Problems and Proposed Solutions

Problem:

- Inconsistency with the (2004) General Plan and California Government Code

Solution:

- ✓ The proposed Zoning Ordinance, including maps and text, has been brought consistent with the General Plan and CA Government Code.

Identified Problems and Proposed Solutions

Problem:

- The existing Zoning Ordinance is outdated and difficult to read.

Solution:

- ✓ Outdated regulations have been updated.
- ✓ The proposed Zoning Ordinance Update (ZOU) has been completely reformatted with a contemporary design and layout.

Identified Problems and Proposed Solutions

Problem:

- Proposed changes were too comprehensive to directly compare the existing and proposed Zoning Ordinances

Solution:

- ✓ As directed by the Board, the initial Public Review Draft (PRD) included most large-scale changes to the draft ZOU.
- ✓ Subsequent (smaller) changes could be “tracked” through the ZOU update process.

Identified Problems and Proposed Solutions

Problem:

- Excessive and complex regulations in existing Zoning Ordinance

Solution:

- ✓ Avoid adding new regulations, except where required by changes in State law or the General Plan
- ✓ Minimize changes in development standards to avoid making existing uses, structures and lots inconsistent or “nonconforming”

Identified Problems and Proposed Solutions

Problem:

- Excessive and complex regulations in existing Zoning Ordinance

Solution (Continued):

- ✓ Ease or expand allowed uses to:
 - Enhance job creation
 - Capture more sales tax revenue
 - Reduce constraints to the development of moderate housing
 - Promote and protect Agriculture and natural Resources, and
 - Where applicable, legalize ongoing compatible uses

Reformatting the Zoning Ordinance

- The proposed ZOU is organized in outline format:

Title 17 – Zoning Ordinance
Article 1, 2, 3, 4, 5, 6, 7, and 8
Chapter 17.xx

Section 17.xx.xxx

A. Subsection

1. Paragraph

a. Subparagraph

(1) Subparagraph

(a) Subparagraph

Reformatting the Zoning Ordinance

- Rewritten in outline format:
 - Information is easier to locate
 - Easier to access electronically
 - Future amendments would be simpler to insert, with the least amount of disruption to the entire document.



Chapter Overview

- The Table of Contents demonstrates the order and “flow” of the Ordinance:
 - Article 1 – Zoning Ordinance Applicability (General Overview)
 - Article 2 – Zones, Allowed Uses and Zoning Standards
 - Article 3 – Site Planning and Project Design Standards
 - Article 4 - Specific Use Regulations
 - Article 5 – Planning Permit Processing
 - Article 6 – Zoning Ordinance Administration
 - Article 7 – (Miscellaneous) Fees
 - Article 8 – Glossary



Article 1

Zoning Ordinance Applicability

- Relationship of the Zoning Ordinance to the General Plan
- How current projects will be processed with adoption of new ordinance
- Delineates administrative responsibilities
- Application of Rules
- Mapping rules
- Rules of interpretation, including appeals

Article 2

Zones, Allowed Uses and Zoning Standards

- Identifies land uses permitted in a specific zone
- Overview of Planning Permit requirements
- Special use regulations
- Combining zones
- Matrix format for ease of use

Article 3

Site Planning and Project Design Standards

- General development standards
 - Minimum lot area and width
 - Building setbacks
 - Height limits
 - Fences, walls and gates
 - Hillside development standards

Article 3

Site Planning and Project Design Standards

- Affordable housing requirements and incentives
- Standards for flood damage prevention
- Noise standards
- Selected parking, lighting, landscaping standards
 - Remaining standards proposed for inclusion into Volume 3 of the Land Development Manual

Article 4

Specific Use Regulations

Standards for design, location and operation of over 30 specific uses including:

- Agricultural preserves and agricultural support services
- Animal raising and keeping
- Campgrounds and RV parks
- Home occupations
- Ranch marketing
- Produce sales
- Outdoor recreational facilities
- Child day care facilities
- Lodging facilities
- Outdoor retail sales
- Storage facilities
- Secondary dwellings
- Accessory structures and uses

Article 5

Planning Permit Processing

- Overview of Planning Permits
- Review authority for allowed uses and permit decisions
- Planning permits: Requirements, procedures, decisions and appeals
- Planning permit implementation, including time limits and extensions
- Requirements for specific plans and development agreements

Article 6

Zoning Ordinance Administration

- The review authority and function of each decision-making body:
 - “Director” of Division or Agency cited
 - Zoning Administrator
 - Planning Commission
 - Board of Supervisors
 - Technical Advisory Committee (“TAC”)
 - Design Review Committee
 - Floodplain Administrator

Article 6

Zoning Ordinance Administration

- Nonconforming uses, structures and lots
 - Nonconforming uses defined
 - Determination of abandonment
 - Appeal
 - Restoration
 - Public or private nuisance
- Ordinance and General Plan amendment processing
- Covenant of Easement

Article 6

Zoning Ordinance Administration

- Code enforcement
 - Administration
 - Nuisance abatement
 - Penalties for violation
 - Subsequent permits
 - Cumulative remedies
 - Fees associated with enforcement action(s)
- Post-disaster rebuilding

Article 7

Miscellaneous Fee Provisions

- Bass Lake Hills Specific Plan tentative map submittal fee
 - Applicability, fee amount, payments, refunds, exemptions
- Ecological preserve fees
 - Applicability, fee amount, payment, exemptions, credits, appeals
- Missouri Flat planning cost reimbursement fee
 - Requirements, fee amount, payments, refunds, credits, exemptions

Article 8

Comprehensive Glossary

- Defines technical or specialized words
- Contains words in the Zoning Ordinance that are defined differently from common English usage (e.g. “setback”)
- Any undefined word or term may be defined by the Director

A scenic landscape with rolling green hills, a large tree in the foreground, and a bright sky. The text is overlaid on the center of the image.

Planning Commission Discussion/Public Comment

A scenic landscape featuring rolling green hills under a bright, hazy sky. In the foreground, a large, mature tree with a thick trunk and dense foliage stands on the left. The hills in the background are covered in lush green grass, and the overall atmosphere is peaceful and natural.

Break

The Mapping Process and Final Draft Maps

The TGPA-ZOU Mapping “Rules”:

Changes to General Plan Land Use Designations:

- No changes were allowed except as follows:
 - Limited “clean-up” identified through the Comprehensive Zoning Ordinance Update (ROI 183-2011)
 - Camino/Pollock Pines Community Region (Previous ROI 110-2009)
 - To allow for Agriculture District Boundary changes (ROI 013-2011)

The TGPA-ZOU Mapping “Rules”:

Changes to Draft Zoning Maps:

- Zone changes were only allowed in specific instances resulting from:
 - Changes to zoning maps that were required in order for individual parcels to be consistent with General Plan Land Use Designations (Government Code 65860)
 - Removal of obsolete zones
 - Removal of duplicate zones
 - Addition of a limited number of new proposed zones to meet TGPA-ZOU goals and objectives

Changes to Draft Zoning Maps:

- Zones that were added to ensure consistency with the General Plan, State and federal laws:
 - Rural Lands (RL)
 - Forest Resource (FR)
 - Agricultural Grazing (AG)
 - Limited Agriculture (LA)
 - Industrial Light (IL)
 - Industrial Heavy (IH)
 - Recreation Facility—Low (RFL)
 - Recreation Facility—High (RFH)

Changes to Draft Zoning Maps:

- Additional Zones were created for consistency with existing General Plan Policy 2.2.1.2 “...*numerous zone districts shall be used to direct specific commercial uses to appropriate areas....*”
 - Commercial Regional (CR)
 - Commercial Community (CC)
 - Commercial Limited (CL)
 - Commercial Mainstreet (CM)
 - Rural Commercial (CRU) zone (within the Rural Region of the General Plan)

New Zoning Designations:

Zoning	Description (Intent)
CG – General Commercial	To create a buffer between industrial and retail uses and for heavy, intensive uses. The purposed to accommodate such uses as automotive repair, home improvement services and auto sales (for example).
CM – Main Street Commercial	To provide small “old town” type main street type areas, a zoning that accommodates the small shop owner, or small business owner the ability to conduct business and is really designed for a zoning in small blocks and parcels sizes.
CPO – Office Professional / Commercial	The CPO, Professional Office Commercial Zone is intended to promote and regulate the development of land suitable for professional, administrative, and business offices and offices mix with low to high intensity residential uses. It is intended that this zone be utilized as a transition between residential areas and higher intensity commercial uses while providing adequate economic incentive for development of such office space. Retail sales shall be incidental to the primary office uses in this zone.

New Zoning Designations:

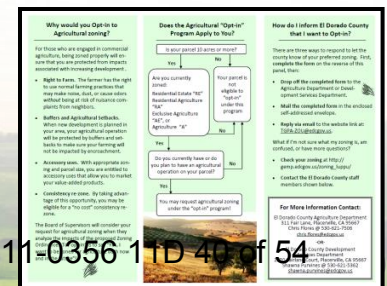
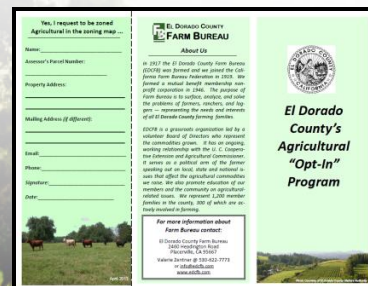
Zoning	Description (Intent)
CR – Regional Commercial	To direct major retail projects and prevent the development of these defined areas into non-retail/sales tax generating uses.
CC- Community Commercial	To allow for commercial uses that encompass a larger neighborhood trade area defined as such uses as grocery stores, financial institutions, services and commercial sales that happen in a frequent manner (weekly +).
CL – Limited Commercial	To define uses that are on limited areas (5 acres or less), that are both neighborhood oriented or rural in nature, such uses as garden offices , medical offices, day care, churches , convenience stores, cafés, coffee shops, and other neighborhood/rural uses servicing a small or less dense trade area. A mix of uses is encouraged, including residential and office.
CRU – Commercial Rural Region	Defined as uses similar to CL but shall include some heavy rural lands and Agricultural commercial uses consistent with surrounding character and limited by septic tanks. Support agriculture and tourism/recreational needs.

Changes to Draft Zoning Maps:

- Duplicate or obsolete zones were deleted:
 - Unclassified (U)
 - Agriculture (A)
 - Residential-Agricultural (RA)
 - Exclusive Agriculture (AE)
 - Select Agricultural (SA)
 - Agricultural Preserve (AP)
 - Planned Commercial (CP)
 - Limited Multifamily (R2)
 - Tourist Residential (RT)

Changes to Draft Zoning Maps:

- Agricultural Zoning “Opt-In” Program:
 - The obsolete Agricultural (A) and Residential Agricultural (RA) zones were removed and replaced with other compatible zones consistent with the General Plan Land Use Maps.
 - Parcels currently carrying those zones will be changed to either the new Rural Lands (RL) zone, the new Limited Agricultural (LA) zone, or the new Forest Resource (FR) zone, depending on each parcel’s General Plan Land Use Designation.
 - Parcel owners with the A or RA zone, and some parcels with the Residential Estate (RE) zone within Agricultural Districts, were given the opportunity to “opt in” to agricultural zoning, in order to keep Right to Farm and buffering protections.



Other Map Corrections:

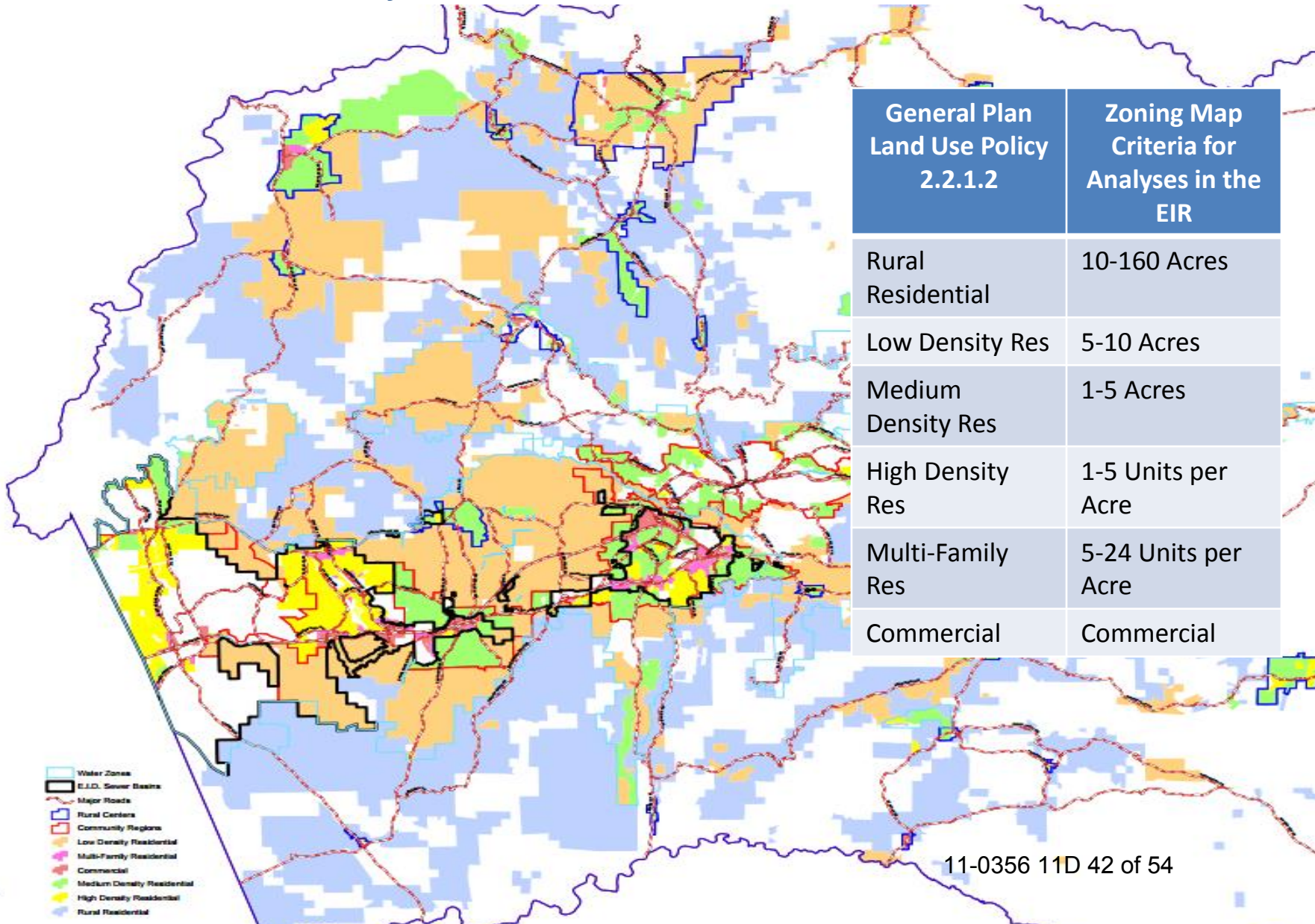
- Mapping Correction Requests:



- Notify staff if parcels are zoned inconsistent with the General Plan Land Use Map, or if possible General Plan Land Use Map errors are found.

Zoning Map Consistent with General Plan

California Government Code §65860



General Plan Land Use Policy 2.2.1.2	Zoning Map Criteria for Analyses in the EIR
Rural Residential	10-160 Acres
Low Density Res	5-10 Acres
Medium Density Res	1-5 Acres
High Density Res	1-5 Units per Acre
Multi-Family Res	5-24 Units per Acre
Commercial	Commercial

- Water Zones
- E.I.D. Sewer Basins
- Major Roads
- Rural Centers
- Community Regions
- Low Density Residential
- Multi-Family Residential
- Commercial
- Medium Density Residential
- High Density Residential
- Rural Residential

Zoning Map Criteria

- Resolution 183-2011 Item #12 – *Revise the zoning map to conform to standardized rules sets for zoning modifications based on General Plan land use designations.*

Land Use	Current Zoning	Proposed Zone	Proposed Zoning
Commercial (C)	Residential 1 Acre (R1A)	Community Commercial (CC) <small>(option: Limited, Mainstreet, Regional etc.)</small>	Residential 1 Acre (R1A)
High Density Residential (HDR)	Residential 10 Acre (RE-10)	Residential 1 Acre (R1A) <small>(allows for 1-5 units per acre)</small>	Residential 10 Acre (RE-10)
Low Density Residential (LDR)	Exclusive Agriculture (AE)	Residential Estate 10 Acre (RE-10) <small>(Option to Opt-in to Ag)</small>	Rural Lands 20, 40, 80 or 160
Rural Residential (RR)	Agriculture Residential (RA)	Residential Estate 5 Acre (RE-5)	Natural Resources 40 acres (NR 40)

Change in Project Description Required ↓

Change in Project Description Required →

Holding Zone as a result of analysis

Requires a Change in Land Use

Rezoned for General Plan Consistency

General Plan Land Use Designation	Approximate # of parcels ¹ that were rezoned for General Plan consistency	Total acreage rezoned	% of parcels rezoned that are vacant ³	% of County Total Acreage ²
MFR	2,000	1,210	9%	.10%
HDR	735	1,954	34%	.17%
MDR	2,250	5,424	14%	.48%
LDR	1,170	17,080	29%	1.50%
RR	660	11,746	31%	1.04%
AL	150	9,240	15%	.81%
NR	300	11,607	41%	1.02%
C	370	1,074	33%	.09%
R&D	4	96	75%	.009%
I	70	345	27%	.03%
OS	350	11,186	32%	.99%
TR	1	98	0%	.009%
PF	15	615	13%	.05%
Total	8,075	71,676		6.298%

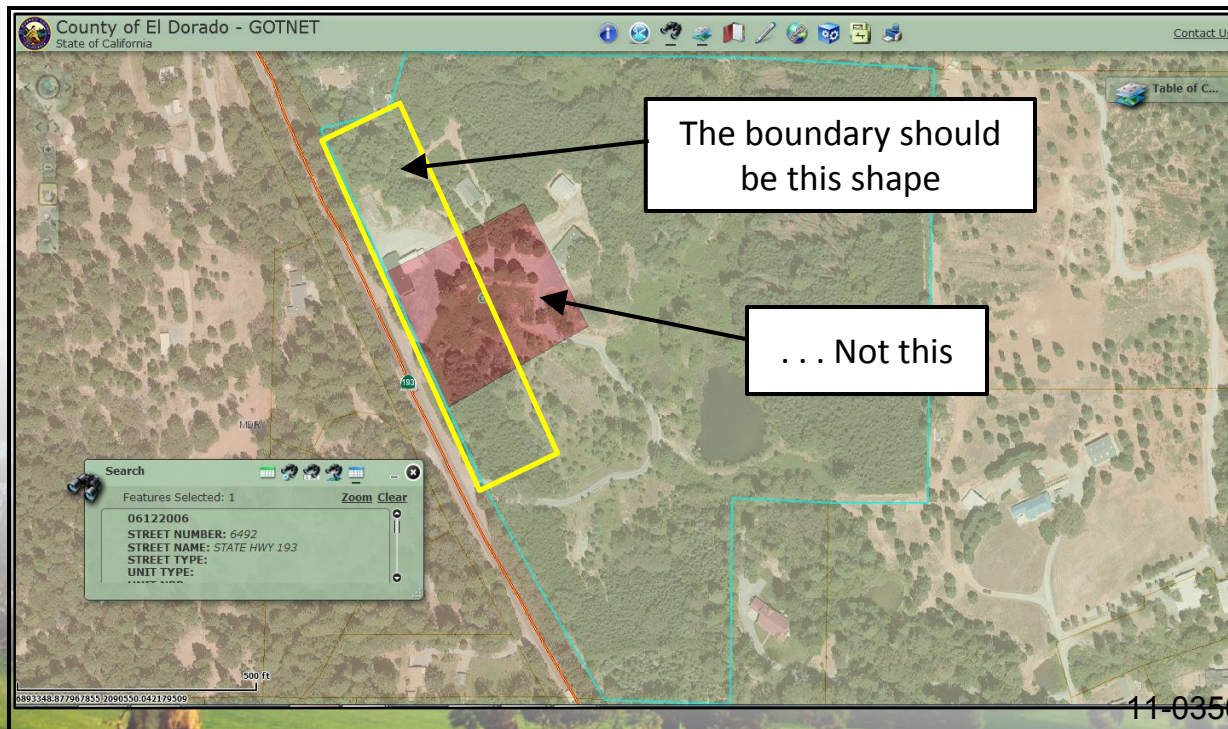
¹ Total parcels in the County is approximately 108,000, and excludes the Cities of Placerville and South Lake Tahoe.

² Total Acreage of unincorporated County lands equals 1.13 million acres, excluding the Cities of Placerville and South Lake Tahoe.

³ % of parcels rezoned that are vacant is based on data received by the County Assessor's Office. A developed parcel included any structure on site and does not necessarily denote the site is occupied, or that structures are consistent with the County General Plan Designation.

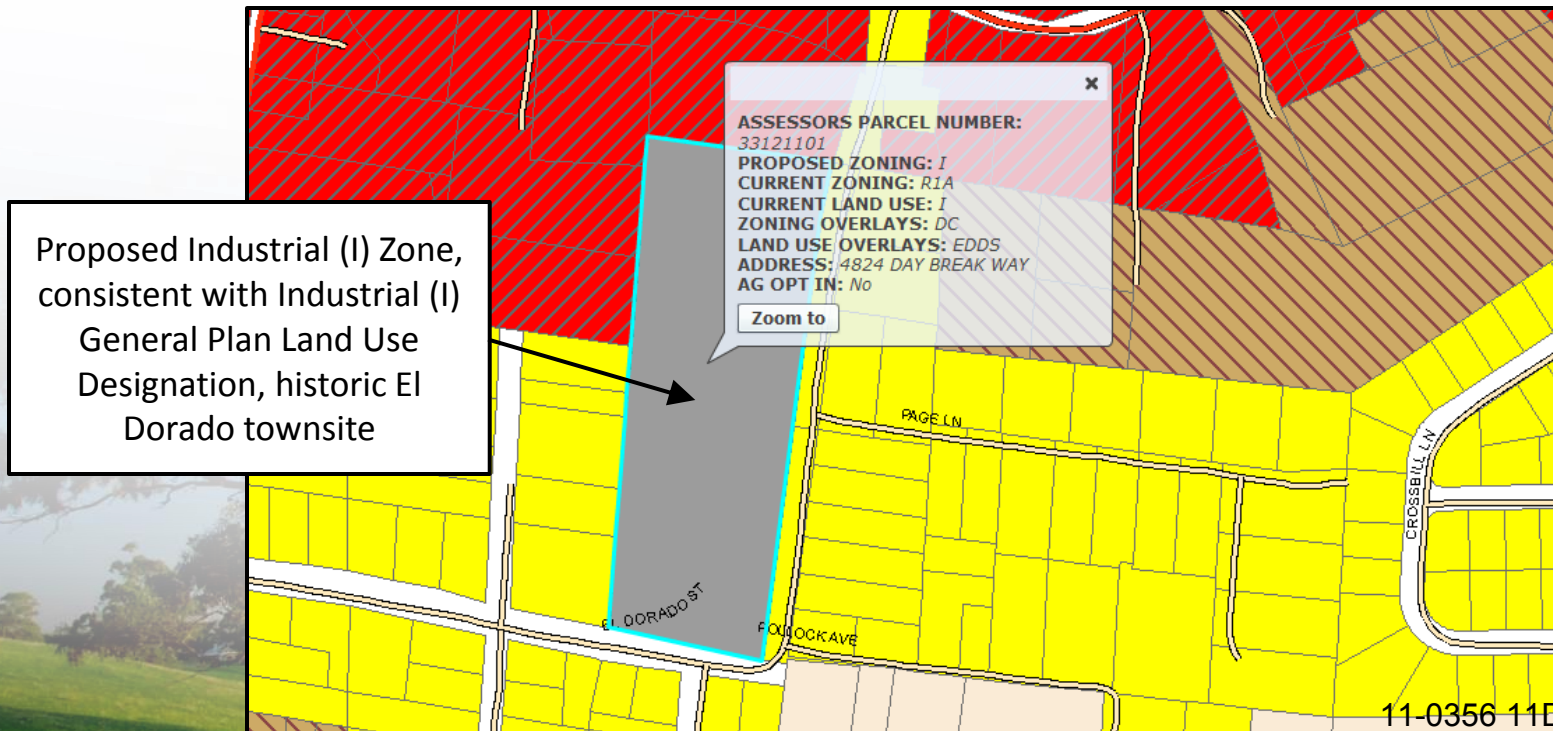
Mapping Process Examples

- Corrections of General Plan Mapping Errors
 - ✓ Example: Incorrect boundary of the Commercial (C) General Plan Land Use Designation, Georgetown area (boundary should be a rectangle, not a square)



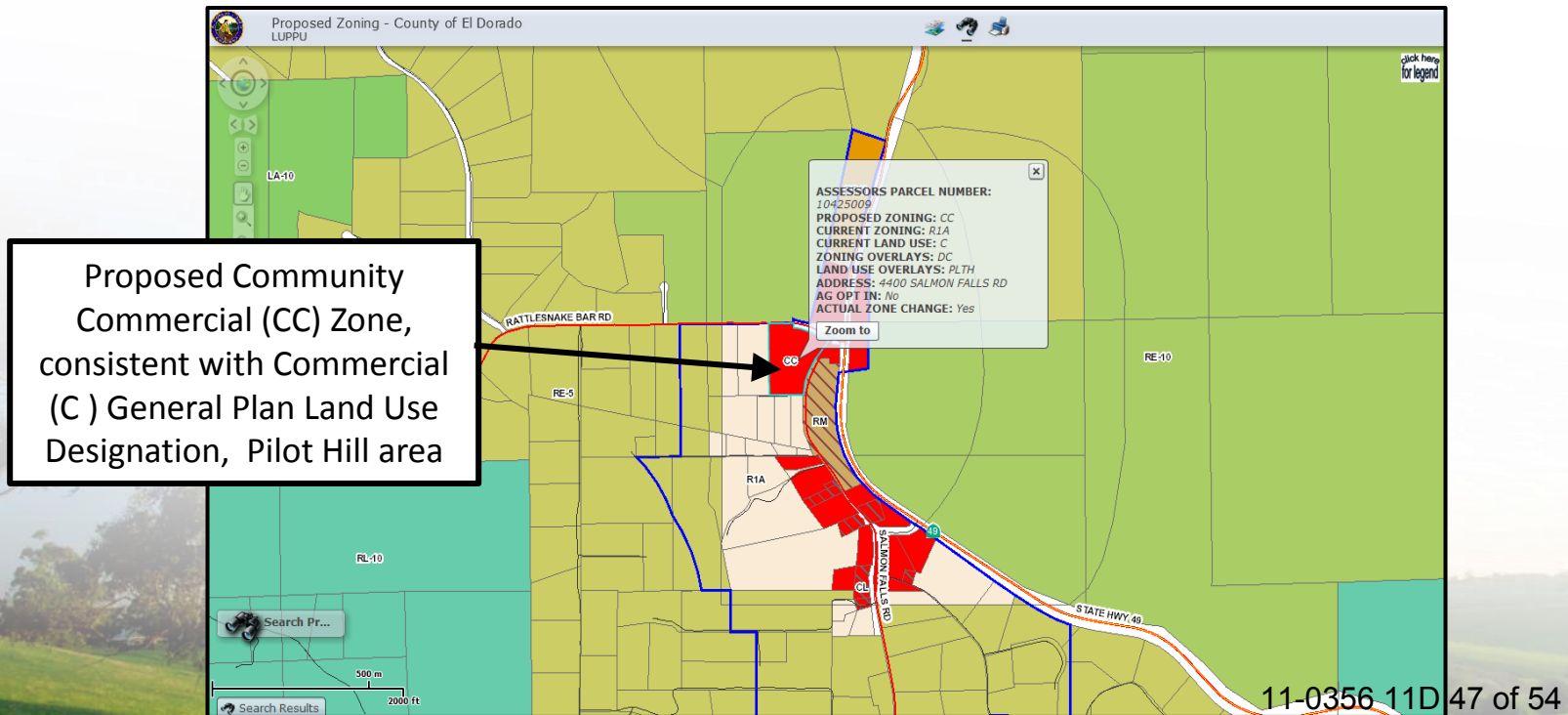
Mapping Process Examples

- Revisions to draft zoning maps for purposes of General Plan Consistency
 - ✓ Example: Residential 1 Acre (R1A) Zone changing to Industrial (I) Zone



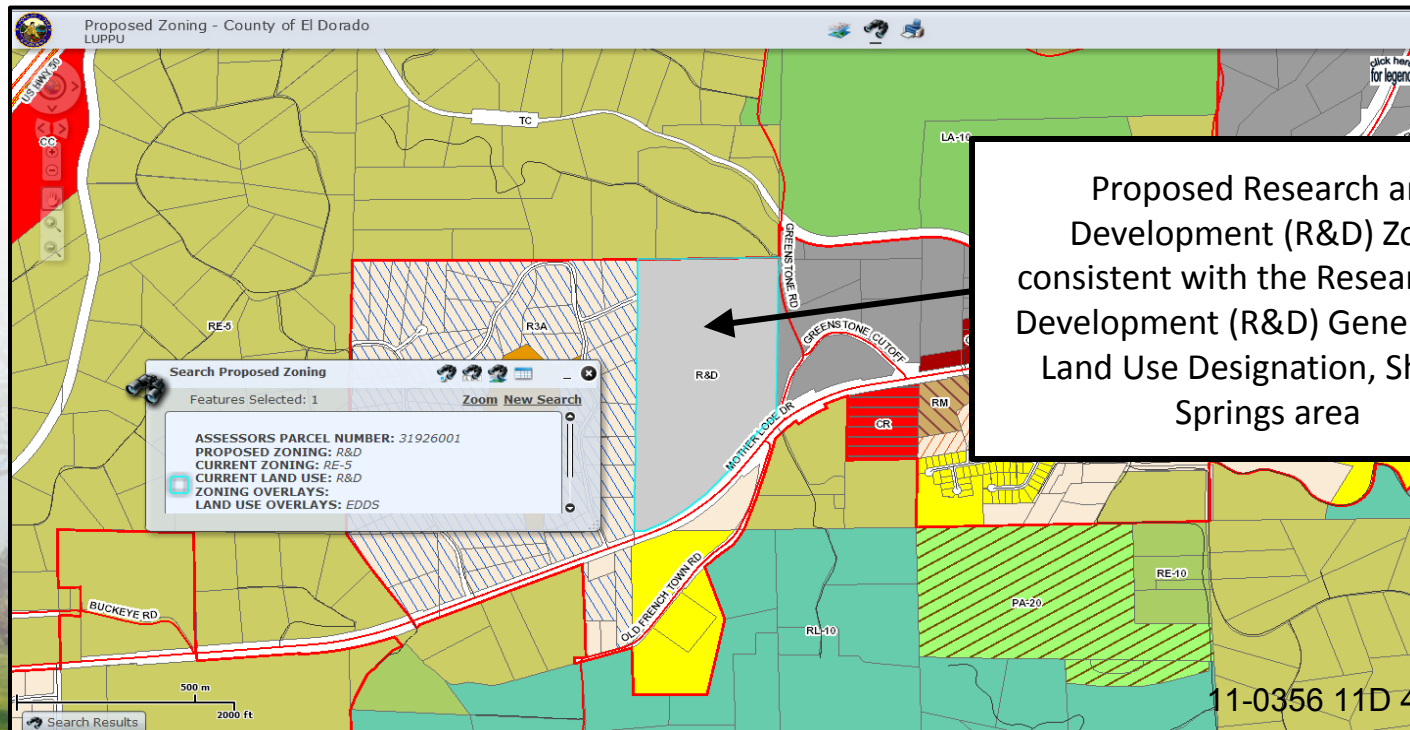
Mapping Process Examples

- Revisions to draft zoning maps for purposes of General Plan Consistency
 - ✓ Example: Residential 1 Acre (R1A) Zone changing to Community Commercial (CC) Zone



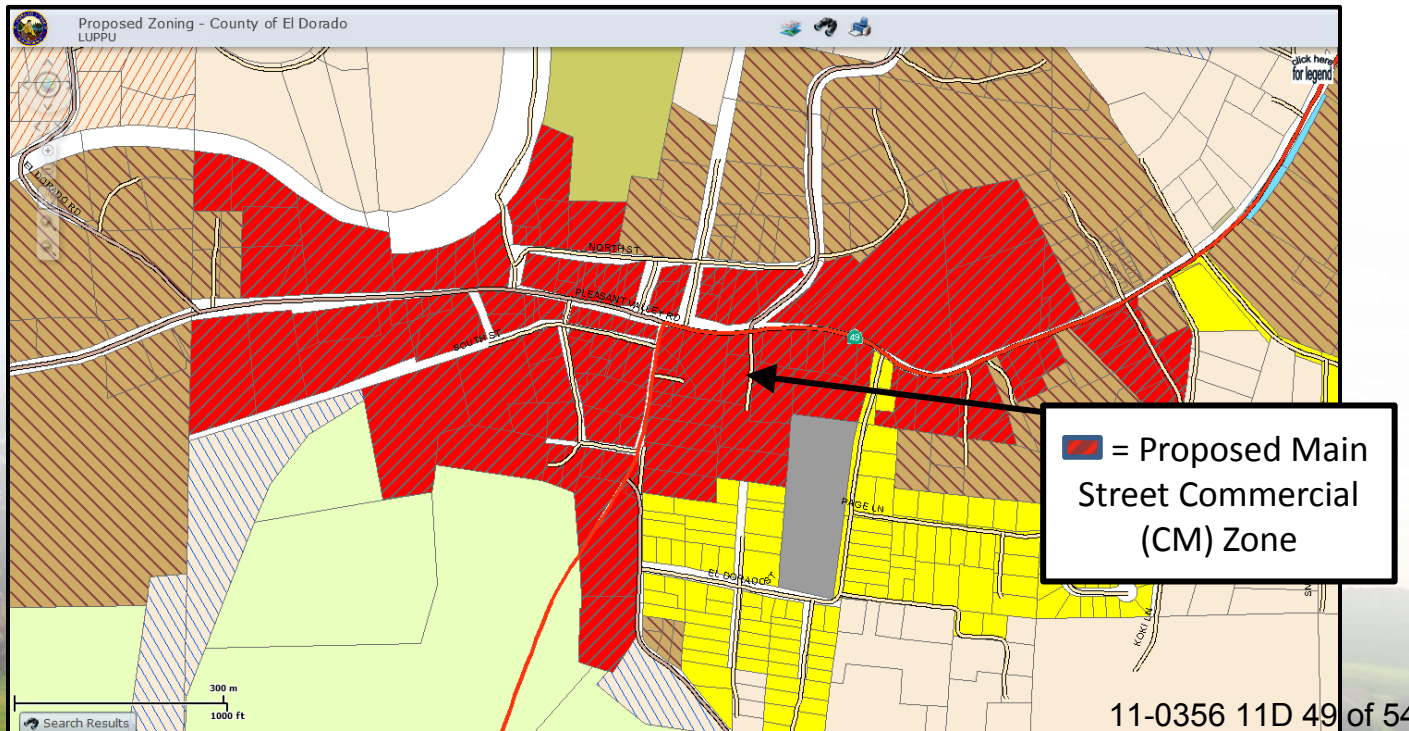
Mapping Process Examples

- Revisions to draft zoning maps for purposes of General Plan Consistency
 - ✓ Example: Residential Estate (RE) Zone changing to Research and Development (R&D) Zone



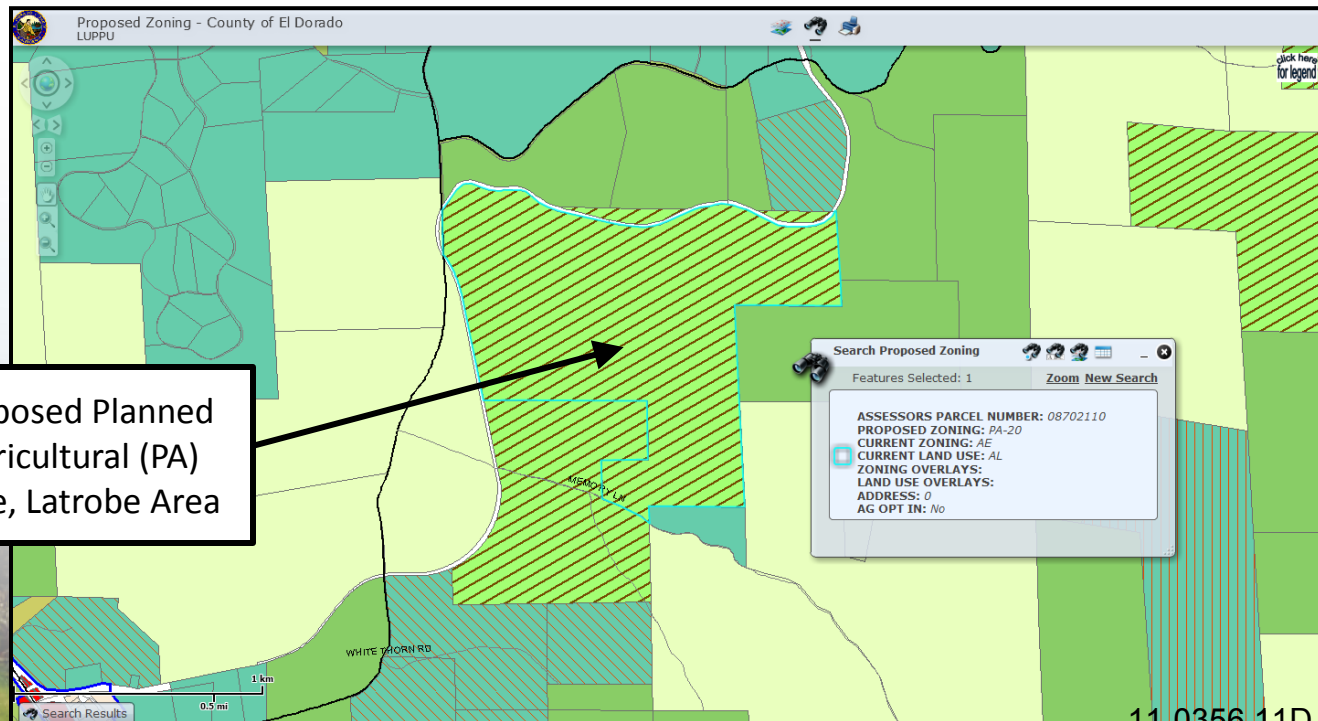
Mapping Process Examples

- New commercial zones created to meet TGPA-ZOU goals and objectives
 - ✓ Example: New Main Street Commercial (CM) Zone in the historic townsite of El Dorado



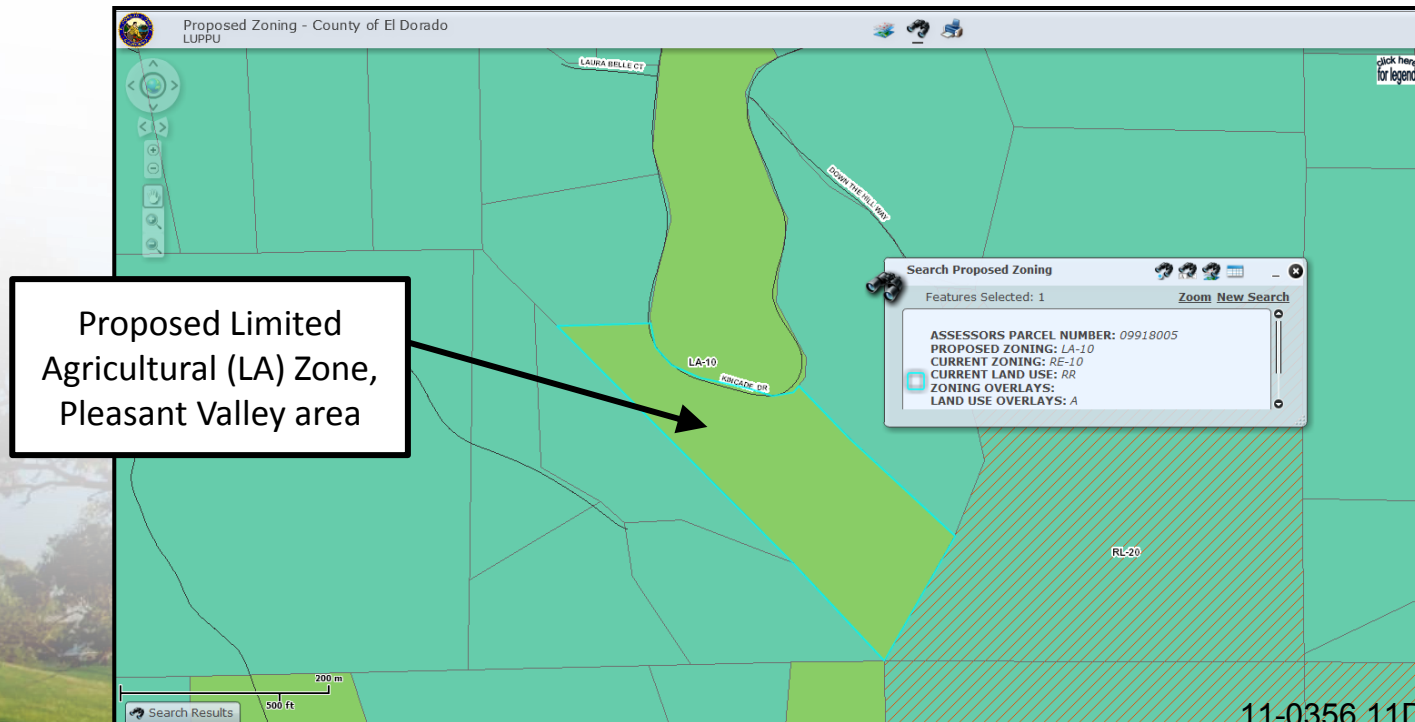
Mapping Process Examples

- Removal of Obsolete/Duplicate Zones
 - ✓ Example: The Exclusive Agricultural (AE) Zone was removed and replaced with the Planned Agricultural (PA) Zone for parcels in Williamson Act Contract



Mapping Process Examples

- Agricultural Zone “Opt-In” Program:
 - ✓ Example: The Residential Estate (RE) Zone is proposed to be rezoned Limited Agricultural (LA) Zone due to parcel owner request.



A scenic landscape with rolling green hills, a large tree in the foreground, and a bright sky. The text is overlaid on the center of the image.

Planning Commission Discussion/Public Comment

Next Steps: August 14th – Planning Commission

Discussion of Key Components

1. State Compliance

- Regional Housing Needs Assessment (RHNA)
- Mixed Use Development Density
- Infill Development

2. Rural Commerce, Recreation and Expanded uses in Timber Preserve (TPZ) Zoned Lands

- Rural Region Commercial and Industrial Uses
- Expand Recreation Uses in Selected Zones
- Expanded Uses in TPZ Zones

3. Site Planning & Design

- Land Development Manual, Including Community Design Standards and Guidelines
- Mixed Use Development Design Manual

4. Zone Mapping Criteria and Consistency with General Plan

5. Planned Development, Density Bonus and 30 Percent Open Space

6. Protection of Wetlands and Sensitive Riparian Habitat

7. Hillside Development Standards; 30 Percent Slope

8. Public Infrastructure (Roads, Water and Sewer), Facilities and Utilities

- Relaxation of Public Water and Wastewater Hook Up Requirements in Community Regions
- Public Utility Service Facilities allowed in Planned Agricultural, Agricultural Grazing, Rural Lands, Forest Resource and TPZ Zones
- Traffic Related Policy Amendments

9. Community Region/Rural Center Boundary Amendments

10. Agricultural District Boundary Amendments

11. Corrections to Imperfections, Errors in the Adopted General Plan and Zoning Ordinance and Other (Minor) Policy Clarifications

Next Steps:

August 18th – Planning Commission Recommendation

- Preparation of Planning Commission Recommendation to the Board of Supervisors on the TGPA-ZOU Project
 - Commission will not be taking any final action on the Project
 - Commission is not required to advise the Board on all of the policy and ordinance changes that make up the project
 - Commission can choose to make selected recommendations only