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ORDINANCE NO. 5082

AN ORDINANCE ADOPTING A COMPREHENSIVE UPDATE ON THE MEYERS AREA
PLAN TO TITLE 130 OF THE EL DORADO COUNTY ORDINANCE CODE

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. Amend Chapter 130.12 (Zoning Maps) as set forth below:

CHAPTER 130.12 – ZONING MAPS

Sections:

- 130.12.010 Zones Established
- 130.12.020 Zoning Map and Zones

130.12.010 Zones Established

This Section identifies the official zones that are established and shown on the zoning maps created in compliance with Section 130.12.020 (Zoning Map and Zones).

A. Official Zones.

1. Residential

- Residential, Multi-unit (RM)
- Residential, Single-unit (R)
- Residential, One-acre (R1A)
- Residential, Two-acre (R2A)
- Residential, Three-acre (R3A)
- Residential, Estate (RE)

2. Agricultural, Rural, and Resource

Limited Agricultural (LA)
Planned Agricultural (PA)
Agricultural Grazing (AG)
Timber Production (TPZ)
Forest Resource (FR)
Rural Lands (RL)

3. Commercial

Commercial, Professional Office (CPO)
Commercial, Limited (CL)
Commercial, Main Street (CM)
Commercial, Community (CC)
Commercial, Regional (CR)
Commercial, General (CG)
Commercial, Rural (CRU)

4. Industrial

Industrial Low (IL)
Industrial High (IH)
Research and Development (R&D)

5. Special Purpose

Recreational Facilities, Low-Intensity (RF-L)
Recreational Facilities, High-Intensity (RF-H)
Open Space (OS)
Transportation Corridor (TC)

6. Codified Area Plan

Meyers Area Plan (MAP)

B. Minimum Lot Size Designation. A designator indicating the minimum lot size shall be applied to all R, RE, PA, LA, RL, FR, and AG zones.

1. For R zones the numeric designator shall represent minimum lot sizes of 6,000 and 20,000 square feet, expressed as "R1" for 6,000 square feet and "R20K" for 20,000 square feet.
2. For RE zones the numeric designator shall represent the minimum lot size expressed in acres. The designator shall be one of the following: -5 and -10.
3. For PA, LA and RL zones the numeric designator shall represent the minimum lot size expressed in acres. The designator shall be one of the following: -10, -20, -40, -80, and -160.

4. For FR zones the numeric designator shall represent the minimum lot size expressed in acres. The designator shall be one of the following: -40, -80, and -160.
 5. For AG zones the numeric designator shall represent the minimum lot size expressed in acres. The designator shall be one of the following: -40, -80, and -160.
- C. Meyers Area Plan Zones.** To implement the Meyers Area Plan, each of the five subareas shall be designated on the official zoning map as MAP-1, MAP-2, MAP-3, MAP-4, and MAP-5 to reflect the subareas and the variables that each area represents in compliance with Chapter 130.26 (Meyers Area Plan (MAP) Zone).
- D. Combining Zones.** In addition to the primary zones established by Subsection A (Official Zones) above, the following combining zones are established:
1. Airport Safety (-AA)
 2. Avalanche (-AV)
 3. Dam Failure Inundation (-DFI)
 4. Design Review-Community (-DC)
 5. Design Review-Historic (-DH)
 6. Design Review-Scenic Corridor (-DS)
 7. Manufactured/Mobile Home Park (-MP)
 8. Mineral Resource (-MR)
 9. Noise Contour (-NC)
 10. Planned Development (-PD)
 11. Tahoe Basin (-T)

130.12.020 Zoning Map and Zones

The boundaries of the zones established by this Section shall be shown on the maps designated as the "County of El Dorado Zoning Maps," hereinafter referred to as Zoning Map. The Zoning Map shall be adopted by the Board in compliance with applicable law, and is hereby incorporated into this Title by reference as though it were fully set forth herein (see Exhibit A – Zoning Map). Any changes to the Zoning Map shall be accomplished as set forth in Chapter 130.63 (Amendments and Zone Changes).

Section 2. Amend Sections 130.20.010 and 130.20.030 of Chapter 130.20 (Development and Use Approval Requirements) as set forth below:

CHAPTER 130.20 – DEVELOPMENT AND USE APPROVAL REQUIREMENTS

Sections:

130.20.010 Contents of Chapter

This Chapter contains the County's requirements for the approval of proposed development and new uses. Development Standards and permit requirements established by this Ordinance for specific uses

are in Chapters 130.21 (Agricultural, Rural Lands, and Resources Zones) through 130.26 (Meyers Area Plan (MAP) Zone).

130.20.030 Allowable Uses and Planning Permit Requirements

A. Allowable Uses. The uses allowed by this Ordinance are listed in Chapters 130.21 (Agricultural, Rural Lands, and Resources Zones) through 130.25 (Special Purpose Zones), together with the type of planning permit required for each use. Each use type listed in the tables is defined in Article 8 (Glossary) unless otherwise defined within Article 4 (Specific Use Regulations). Chapter 130.26 (Meyers Area Plan (MAP) Zone) regarding the Meyers Area Plan has different use type provisions and definitions as set forth in the TRPA Code of Regulations.

1. Establishment of an Allowable Use.

- a. Any use type identified by Chapters 130.21 (Agricultural, Rural Lands, and Resources Zones) through 130.26 (Meyers Area Plan (MAP) Zone) as being allowable within a specific zone may be established on any lot within that zone, subject to the planning permit requirements of Subsection B (Planning Permit Requirements) below, and compliance with all applicable requirements of this Ordinance.
- b. Where a single lot is proposed for concurrent development of two or more uses listed in the tables, the overall project shall be subject to the permit level required for each individual use under Subsection B (Planning Permit Requirements) below. Consolidation of multiple permits into the one permit application may be allowed, subject to Director approval.

2. Use Not Listed.

- a. A use that is not listed in Chapters 130.21 (Agricultural, Rural Lands, and Resources Zones) through 130.26 (Meyers Area Plan (MAP) Zone), and is determined by the Director to not be included in Article 8 (Glossary) under the definition of a listed use, is not allowed within the County, except as otherwise provided in Subsection A.3 below, or Section 130.20.040 (Exemptions from Planning Permit Requirements).
- b. A use that is not listed in the tables within a particular zone is not allowed within that zone, except as otherwise provided in Subsection A.3 (Similar and Compatible Uses Allowed) below, or Section 130.20.040 (Exemptions from Planning Permit Requirements).

3. Similar and Compatible Uses Allowed. A use not listed in this Article is allowable where the Director or other approval authority makes the following findings:

- a. **Required Findings; Similar and Compatible Use.** A proposed use not listed in this Article is similar to and compatible with a listed use and shall be allowed

where the Director or other approval authority makes all of the following findings:

- (1) The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve a greater intensity than the uses listed in the zone;
- (2) The use will be consistent with the purposes of the applicable zone;
- (3) The use will be consistent with the General Plan and any applicable specific plan; and
- (4) The use will be compatible with the other uses allowed in the zone.

A determination that a use qualifies as a similar and compatible use and the findings supporting the determination shall be in writing. The Zoning Ordinance shall be periodically amended to incorporate those uses not listed in this Article which are found to be similar and compatible.

- b. Applicable Standards and Permit Requirements.** When the Director determines that a proposed but unlisted use is similar and compatible to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this Ordinance apply.
- c. Referral for Determination.** The Director may refer the question of whether a proposed use qualifies as a similar and compatible use directly to the Commission for a determination at a public meeting.
- d. Appeal.** A determination of similar and compatible use may be appealed in compliance with Section 130.52.090 (Appeals).

B. Planning Permit Requirements. Chapters 130.21 (Agricultural, Rural Lands, and Resources Zones) through 130.25 (Special Purpose Zones) provide for uses that are:

1. Allowed by right subject to compliance with all applicable provisions of this Ordinance. Uses allowed by right are exempt from planning permit requirements. These are shown as "P" in each respective matrix of allowed uses;
2. Allowed subject to approval of an Administrative Permit (Section 130.52.010, Administrative Permit, Relief, or Waiver), shown as "A" in each respective matrix of allowed uses;
3. Allowed subject to approval of a Temporary Use Permit (Section 130.52.060, Temporary Use Permit), shown as "TUP" in each respective matrix of allowed uses;
4. Allowed subject to the approval of a Use Permit (Section 130.52.020, Conditional and Minor Use Permits), and shown as "CUP" or "MUP" in each respective matrix of allowed uses;
5. Not allowed in particular zones, shown as "—" in each respective matrix of allowed uses.

- 6. Where additional provisions are contained in Article 4 (Specific Use Regulations) that address the “by right” or permit requirements, the matrix will cross reference the applicable section.

- C. Meyers Area Plan Requirements.** Chapter 130.26 (Meyers Area Plan (MAP) Zone) provides for uses within the Meyers Area Plan and follows the unique permit requirements of Section 130.26.050 (Matrix of Allowed Uses) instead of Subsection 130.20.030.B (Planning Permit Requirements).

- D. Multiple Permits May Be Required.** A use authorized through the approval of an Administrative Permit, Temporary Use Permit, or Conditional/Minor Use Permit may also require a Design Review Permit, building permit, and/or other permit(s) as required by the County Code of Ordinances.

Section 3. Amend Chapter 130.26 (Meyers Community Plan (MCP) Zone) as set forth below:

CHAPTER 130.26 — MEYERS AREA PLAN (MAP) ZONE

Sections:

- 130.26.010 Zones Established
- 130.26.020 Applicability
- 130.26.030 Zone Designations
- 130.26.040 Uses Allowed by Right or by Conditional Use Permit
- 130.26.050 Matrix of Allowed Uses
- 130.26.060 Development Standards

130.26.010 Zone Established

The MAP Zone is applied to implement the policies of the Meyers Area Plan by setting forth separate and distinct uses and standards which apply to each of the five areas of the Meyers Community. As noted in the Sections which follow, the allowed uses and development standards may vary for each designated area as a means of implementing the policies of the adopted Meyers Area Plan.

130.26.020 Applicability

The regulations set forth in this Chapter shall apply to the Meyers Area Plan (MAP) Zone. Where applicable, the standards of this Title shall apply. Additionally, the provisions of the Tahoe Regional Planning Agency (TRPA) Code of Ordinances shall apply to all projects within the MAP Zone. Where there is a conflict with the TRPA Code of Ordinances and this Ordinance, the most restrictive standard shall apply.

130.26.030 Zone Designations

In order to differentiate the variable uses and development standards required for each area, the MAP Zone will be designated on the official zone map as follows:

- A. MAP-1 Meyers Community Center District (Center)
- B. MAP-2 Meyers Industrial District (Ind)
- C. MAP-3 Upper Truckee Residential/Tourist District (Res/T)
- D. MAP-4 Meyers Recreation District (Rec)
- E. MAP-5 Upper Truckee River Corridor District (River)

130.26.040 Uses Allowed by Right or by Conditional Use Permit

- A. The resource management uses of timber, wildlife/fisheries, vegetation protection and watershed improvements are allowed uses in any of the MAP zones as long as such practices are consistent with the Meyers Area Plan.
- B. TRPA Code of Ordinances, Chapter 21, Section 21.4, *List of Primary Uses*, is adopted by reference for the uses listed under Table 130.26.050 (Allowed, Conditional Uses, and Prohibited Uses).

130.26.050 Matrix of Allowed Uses

Uses are allowed in the following zones subject to the requirements of this Title as designated in Table 130.26.050 (Allowed, Conditional Uses, and Prohibited Uses) below:

Table 130.26.050 – Allowed, Conditional Uses, and Prohibited Uses

Only those uses listed on the following table and otherwise noted in this Section shall be allowed by right or by Conditional Use Permit within the zones specified. The table has the following designations:

- “p” Allowed use;
- “CUP” Conditional Use Permit required (Section 130.52.020);
- (—) Use not allowed in zone.

USE	MAP-1 (Center)	MAP-2 (Ind)	MAP-3 (Res/T)	MAP-4 (Rec)	MAP-5 (River)
Residential					
Employee Housing	CUP ⁽³⁾	—	CUP	CUP	—
Multiple Family Dwelling	p ⁽⁶⁾	—	P	—	—
Multiple Person Dwelling (i.e., dormitories, etc.)	CUP	—	—	—	—
Nursing and Personal Care	CUP	—	—	—	—
Single Family Dwelling	p ⁽⁴⁾⁽⁶⁾	—	P	—	—
Tourist Accommodation					
Time-share units	—	—	—	—	—
Bed and Breakfast Facilities	P	—	P	—	—
Hotels/Motels	CUP	—	CUP ⁽⁷⁾	—	—
Commercial (Retail)					
Auto/Mobile Homes/Vehicle Dealers	—	CUP	—	—	—
Building Materials/Hardware	P	P	—	—	—
Eating and Drinking Places	P	P	—	—	—
Food and Beverage Sales	P	P	—	—	—
Furniture/Home Furnishings/Equipment	P	P	—	—	—
General Merchandise Stores	P	P	—	—	—
Mail Order and Vending	P	P	—	—	—
Nursery	P	P	—	CUP	—
Outdoor Retail Sales	CUP	CUP	—	—	—
Service Stations	CUP	CUP	—	—	—
Commercial (Entertainment)					
Amusements and Recreation Services	P	—	—	CUP	—
Privately Owned Assembly and Entertainment	CUP	—	—	—	—
Outdoor Amusements	CUP	—	—	CUP	—
Commercial (Services)					
Animal Husbandry Services	CUP	P	—	—	—
Broadcasting Studios	P	P	—	—	—
Business Support Services	P	P	—	—	—
Contract Construction Services	CUP	P	—	—	—
Financial Services	P	P	—	—	—
Health Care Services	P	P	—	—	—
Personal Services	P	P	—	—	—
Professional Offices	P	P	—	—	—
Repair Services	CUP	P	—	—	—
Schools-Business and Vocational	CUP	—	—	—	—
Sales Lots	—	CUP	—	—	—
Secondary Storage	CUP ⁽¹⁾	CUP	—	—	—
Auto Repair and Service	CUP	P	—	—	—

USE	MAP-1 (Center)	MAP-2 (Ind)	MAP-3 (Res/T)	MAP-4 (Rec)	MAP-5 (River)
Laundries and Dry Cleaning	CUP	CUP	—	—	—
Commercial (Light Industrial)					
Food and Kindred Products	CUP ⁽⁶⁾	P	—	—	—
Fuel and Ice Dealers	—	P	—	—	—
Industrial Services	—	CUP	—	—	—
Printing and Publishing	CUP ⁽⁶⁾	P	—	—	—
Commercial (Wholesale/Storage)					
Recycling and Scrap	—	CUP	—	—	—
Small Scale Manufacturing	CUP ⁽⁶⁾	CUP	—	—	—
Storage Yards	—	CUP	—	—	—
Vehicle/Freight Terminals	—	CUP	—	—	—
Vehicle Storage and Parking	CUP ⁽⁶⁾	P	—	—	—
Warehousing	CUP ⁽⁶⁾	P	—	—	—
Wholesale and Distribution	CUP ⁽⁶⁾	P	—	—	—
Public Services (General)					
Churches	P	—	CUP	—	—
Collections Stations	CUP ⁽⁶⁾	P	—	—	—
Child Day Care Facilities and Preschools	P	CUP	CUP	CUP	—
Government Offices	P	CUP	CUP	—	—
Hospitals	CUP	—	—	—	—
Local Assembly and Entertainment	P	CUP	CUP	P	—
Local Post Office	P	—	—	—	—
Local Public Health and Safety Facilities	P	P	CUP	CUP	CUP
Membership Organizations	P	—	—	—	—
Publicly Owned Assembly and Entertainment	CUP	—	—	CUP	—
Public Utility Centers	CUP ⁽⁶⁾	CUP	—	CUP	CUP
Regional Public Health and Safety Facilities	CUP	CUP	—	—	—
Social Service Organizations	P	CUP	CUP	—	—
Schools (K-12)	CUP	—	—	—	—
Cultural Facilities	P	CUP	P	P	—
Schools/Colleges	CUP	—	—	—	—
Public Service (Linear Facilities)					
Pipelines and Power Transmission	CUP	CUP	CUP	CUP	CUP
Transit Stations and Terminals	P	P	CUP	CUP	CUP
Transportation Routes	CUP ⁽⁵⁾	CUP ⁽⁵⁾	CUP ⁽⁵⁾	CUP ⁽⁵⁾	CUP ⁽⁵⁾
Transmission and Receiving Facilities	CUP	CUP	CUP	CUP	CUP
Recreation					
Cross Country Ski Courses	P	P	P	P	P
Day Use Areas	P	—	P	P	P
Golf Courses	—	—	—	CUP	—
Group Facilities	CUP	—	CUP	P	—

USE	MAP-1 (Center)	MAP-2 (Ind)	MAP-3 (Res/T)	MAP-4 (Rec)	MAP-5 (River)
Outdoor Recreation Concessions	P	CUP	CUP	P	—
Participant Sport Facilities	CUP	CUP	—	P	—
Recreation Centers	P	—	CUP	CUP	—
Riding and Hiking Trails	P	P	P	P	P
Rural Sports	—	CUP	CUP	P	CUP
Snowmobile Courses	—	—	—	CUP	—
Sport Assembly	CUP	—	—	—	—
Visitor Information Center	P	—	CUP	P	—
Developed Campgrounds	—	—	—	P	CUP
Undeveloped Campgrounds	—	—	—	P	CUP
Recreational Vehicle Parks	—	—	—	CUP	—
<p>⁽¹⁾ Applies only to parcels on Santa Fe Road.</p> <p>⁽²⁾ Maintenance facilities not allowed within any new transit facilities.</p> <p>⁽³⁾ One employee housing unit allowed without a CUP per commercial building with at least 1000 sq. ft. of CFA.</p> <p>⁽⁴⁾ Single family dwellings in Meyers Community Center limited to condominiums or townhouses with at least 3 attached units.</p> <p>⁽⁵⁾ Non-motorized public trails are a permitted use.</p> <p>⁽⁶⁾ These uses are not allowed within the portion of the ground floor of a structure that faces the primary entry point for projects adjacent to US 50. This restriction may be waived if the Meyers Advisory Council and the Planning Commission find that the use is otherwise consistent with the intent of the Meyers Area Plan.</p> <p>⁽⁷⁾ Hotels/motels are only allowed in the Town Center portion of MAP-3.</p>					

130.26.060 Development Standards

- A. The following provisions shall apply in all MAP zones unless a variance is obtained in compliance with Section 130.52.070 (Variance), or a modification is approved by the Advisory Committee for the front yard setback as further described herein.

The following table sets forth the applicable lot area, lot width and setback requirements for each MAP zone. Land coverage, building height, development density, and sign standards are further regulated under the TRPA Code of Ordinances and Attachment A of the Meyers Area Plan.

Table 130.26.060 – Meyers Area Plan Development Standards

		MAP-1 (Center)⁽⁶⁾	MAP-2 (Ind)	MAP-3 (Res/T)	MAP-4 (Rec)	MAP-5 (River)
Maximum Height and Density for All Uses	Maximum Height (Ft.) ⁽⁸⁾	42	TRPA Code Chapter 37	42, TRPA Code Sec. 37.4 ⁽⁹⁾	TRPA Code Sec. 37.4	TRPA Code Sec. 37.4
	Density, Single Family Residential	NA	NA	1 unit/parcel (parcels less than 1 acre); 2 units if greater than one acre	NA	NA
	Density, Multiple Family ⁽⁴⁾	20 units/acre	NA	15 units/acre	NA	NA
	Density, Multi-person/ Nursing & personal care	25 persons/acre	NA	NA	NA	NA
	Density, Bed and Breakfast	10 units/acre	NA	10 units/acre	NA	NA
	Density, all other Tourist accommodation	30 units/acre	NA	30 units/acre ⁽⁷⁾	NA	NA
	Density, Group facilities	25 persons/acre	NA	25 persons/acre	25 persons/acre	NA
	Density, Campgrounds & Recreational Vehicle Parks	NA	NA	NA	8 sites/acre for campgrounds, 10 sites/acre for RV Parks	8 sites/acre for campgrounds

		MAP-1 (Center) ⁽⁶⁾	MAP-2 (Ind)	MAP-3 (Res/T)	MAP-4 (Rec)	MAP-5 (River)
Setbacks and Lot Sizes for All Non-residential Uses	Minimum Lot Size (Sq. Ft.)	5,000	10,000	5,000	NA	NA
	Minimum Lot Frontage (Ft.)	50	100	50	NA	NA
	Front Setback (Ft.)	20 ⁽³⁾	20 ⁽¹⁾	20 ⁽¹⁾	20 ⁽¹⁾	20
	Side Setback (Ft.)	0	0	0	0	0
	Rear (Ft.)	0	10	0	0	0
	Setback Adjacent to residential (Ft.)	25	25	25	25	0
Setbacks and Lot Sizes for All Residential Uses	Minimum Lot Size (Sq. Ft.)	6,000	NA	6,000	NA	NA
	Minimum Lot Frontage (Ft.)	60	NA	60	NA	NA
	Front Setback (Ft.)	20 ⁽³⁾	NA	20 ⁽²⁾	NA	NA
	Side Setback (Ft.)	5	NA	5	NA	NA
	Rear Setback (Ft.)	15	NA	15	NA	NA
Maximum Transferred Land Coverage (see TRPA Code Sec. 30.4 for additional detail)		70% of high capability land	See TRPA Code Ch. 30	70% of high capability in Town Center overlay; see TRPA Code Ch. 30 for outside of Town Center ⁽⁵⁾	70% of high capability in Town Center overlay; see TRPA Code Ch. 30 for outside of Town Center	See TRPA Code Ch. 30

⁽¹⁾ The front setback may be reduced as part of the design review when such reduction supports the policies of the Meyers Area Plan and does not reduce the numerical scenic rating of the roadway unit.

⁽²⁾ Second story cantilever living space not more than 4 feet into front yard.

⁽³⁾ For parcels adjacent to the US 50 ROW in MAP-1 the minimum front setback can be reduced to 1 ft. from property line if the resulting setback is a minimum of 70 ft. from the centerline of US 50 and 35 feet from the centerline of the Pat Lowe multi-use trail.

⁽⁴⁾ Multiple family density applies to apartments, condominiums, and townhomes.

⁽⁵⁾ Detached single family dwellings limited to no more than 30% coverage per TRPA Code Sec. 30.4.

⁽⁶⁾ The maximum density for parcels in the Meyers Community Center Zoning District proposed for a mixture of land uses shall be calculated as a proportional share of the maximum densities used for different project land uses. These densities shall be combined together and rounded to the next lowest whole number. For example, if a 3 acre parcel proposes that 2 acres be used primarily for multiple family (20 units/acre) and 1 acre be used primarily for tourist accommodation other than bed

	MAP-1 (Center) ⁽⁶⁾	MAP-2 (Ind)	MAP-3 (Res/T)	MAP-4 (Rec)	MAP-5 (River)
<p>and breakfast (30 units/acre), then the maximum density allowed for the project would be 30 tourist accommodation units and 40 multiple family units.</p> <p>⁽⁷⁾ Hotels/motels are only allowed in the Town Center portion of the MAP-3 Zoning District.</p> <p>⁽⁸⁾ For building height above the maximum height of 26 feet, the findings in TRPA Code Sec. 37.7 shall apply.</p> <p>⁽⁹⁾ A maximum building height of 42 feet is only allowed in the Town Center portion of the MAP-3 Zoning District. For building height above the maximum height of 26 feet, the findings in TRPA Code Sec. 37.7 shall apply.</p>					

- B. Any new development, additions to existing development, change in use, or exterior modifications to existing development shall be subject to a Design Review Permit in compliance with Section 130.52.030 (Design Review Permit).

Section 4. Amend Sections 130.27.050 and 130.27.120 of Chapter 130.27 (Combining Zones) as set forth below:

CHAPTER 130.27 — COMBINING ZONES

Sections:

130.27.050 Design Review - Community (-DC) Combining Zone

- A. **Combining Zone Established.** This Section implements the General Plan by establishing a Design Review – Community (-DC) Combining Zone which includes standards and site review procedures.
- B. **Applicability.** This Section shall apply to all areas designated Design Review- Community Combining Zone (-DC) that are adjacent to or visible from designated State Scenic Highway corridors or located within community design review areas established by the Board. Prior to the application of the -DC Combining Zone design guidelines and standards shall be adopted by the Board.

The requirements of this Section shall be combined with the provisions of the base zone as designated on the zoning map.

- C. **Design Review Permit Application.** Prior to development of any multi-unit residential, commercial, mixed-use, or industrial zoned property within a -DC Combining Zone, a Design Review Permit application shall be processed in compliance with Section 130.52.030 (Design Review Permit).
 - 1. The requirements for a Design Review permit as set forth by this Subsection are in addition to, and not a substitute for, the requirements pertaining to building permits.

2. If the development requires a discretionary permit, such as a Conditional Use or Development Plan Permit, said discretionary permit will satisfy the Design Review Permit requirement.

D. Exemptions. With the exception of the Meyers Area Plan Design Review Area (See Subsection E, Meyers Area Plan Design Review Exemptions and Requirements, below), the following structures shall be exempt from the design review process required in this Section, but must still comply with all other applicable provisions of this Title and adopted community design guidelines and standards:

1. Structures and site development within a research and development zone that is combined with a -DC designation, if said base zone has been expanded to include architectural style and site design requirements which are more specific in nature and satisfy the intent of the design review concept;
2. Wall signs;
3. Change in text on existing signs;
4. Internal changes within an existing structure, including changes in the use of the existing structure, where no external changes or alterations are proposed;
5. Minor additions to existing structures wherein the total floor area increase is ten percent or less, and where compliance to the appearance of the existing structure is demonstrated, providing the existing structure has been reviewed and approved under a previous Design Review Permit or other discretionary application;
6. Fencing;
7. Detached single-unit residences and accessory structures;
8. Structures accessory to temporary uses in compliance with Section 130.52.060 (Temporary Use Permit); and
9. Modifications to bring a structure into conformance with the Americans with Disabilities Act.

E. Meyers Area Plan Design Review Exemptions and Requirements.

1. Any new development or additions and modifications to existing development on properties designated -DC on the Zoning Map within the Meyers Area Plan, shall be processed as a Design Review Permit. All design review applications shall be subject to applicable zone provisions and to the Meyers Area Plan Design Guidelines as noted within Attachment A of the Meyers Area Plan. The following activities, however, are exempt from the design review process:
 - a. Internal changes within an existing structure where no external changes or alterations are proposed;

- b. Change in text on existing signs;
 - c. Those activities listed as being "exempt" or "qualified exempt" in Chapter 2 of the TRPA Code of Ordinances;
 - d. Modifications to bring a structure into conformance with the Americans with Disabilities Act;
 - e. Fencing six feet or less in height if not located in a front yard setback.
2. The following minor use permit applications are also exempt from the procedures provided in this Subsection, but are subject to applicable zone regulations and the Design Guidelines as noted in Attachment A of the Meyers Area Plan, and shall be reviewed and approved, conditionally approved, or denied by the Department based on those provisions:
- a. Wall signs;
 - b. Internal changes within an existing structure where such changes require additional parking;
 - c. Fencing greater than six feet in height;
 - d. Freestanding and monument signs;
 - e. Minor increases to existing floor area that do not exceed five percent of the existing floor area or 500 square feet, whichever is less; and
 - f. Those projects which are located within a -DC Combining Zone but are located on lots which do not have frontage on either U.S. Highway 50 or State Route 89, or are so situated on the site that the project will not be visible from either highway.
3. All activities subject to this Subsection, which are not exempt as noted therein, shall be processed as a Design Review Permit in compliance with this Section. The Department shall review the application for compliance with the Design Guidelines for Meyers Area Plan and applicable zone regulations, and shall forward recommendations to the Commission. The Commission shall approve, conditionally approve, or deny the application based on the Design Guidelines and applicable zone regulations.

F. Establishment of Community Design Review Areas; Guidelines and Standards.

1. The Board, following consideration by the Commission, may establish new community design review areas upon making the following findings:
- a. It is the desire of the majority of residents in the affected community to impose such guidelines and standards; and

- b. The establishment of a community design review area would enhance the character of the community by establishing a community identity that would protect property values while promoting economic development.
2. Upon creation of a new community design review area, the Board shall adopt by resolution the boundaries of the area, shall designate the members of the design review committee, and delineate the procedural requirements for design review in the community for which it is adopted.
3. The following procedures shall be followed in adopting community design guidelines and standards for both existing and newly created design review areas:
 - a. The design review committee designated by the Board, whether an advisory committee, community service district, or some other entity recognized by the County, shall draft a document containing design guidelines and standards based on their establishment of a community identity through public outreach and consensus, and shall submit said draft to the Director. The design guidelines and standards shall be objective and measurable, rather than subjective and vague.
 - b. The Director shall review the draft community design guidelines and standards, and provide comments as to its consistency with the standards and findings provided in this Section, as well as its overall utility and effectiveness. The draft community design guidelines and standards shall be revised by the Department to incorporate those comments.
 - c. The Commission shall hold a hearing to review the draft community design guidelines and standards and shall transmit its action to the Board in the form of a written recommendation.
 - d. The Board shall hold a hearing to review and adopt the community design guidelines and standards.
 - (1) This hearing may be held in conjunction with the adoption of the respective community design review area.
 - (2) The manner of adoption of the community design guidelines and standards (i.e., by ordinance or resolution) shall be at the discretion of the Board.
 - e. Adoption of the community design guidelines and standards constitutes a directive to the Department for its use in reviewing projects located in the specific community design review area. However, adoption does not constitute a granting of any authority to any local design review committee not otherwise granted formal authority by the Board in compliance with Section 130.60.070 (Community Design Review Advisory Committees).

4. Until such time as new design guidelines and standards are adopted in compliance with Subsection F.3 (Establishment of Community Design Review Areas; Guidelines and Standards) above, design review of projects located within a community design review area shall utilize the guidelines set forth in the Community or Historic Design Guides where applicable, adopted by the Board on April 13, 1982. Projects located within the Missouri Flat Road Corridor shall utilize the guidelines set forth in the Missouri Flat Design Guidelines adopted by the Board on June 3, 2008. Projects located in the Pollock Pines design review area shall utilize the guidelines set forth in the Sierra Design Guide, adopted by the Board on October 26, 1982.

130.27.120 Tahoe Basin (-T) Combining Zone

- A. **Combining Zone Established.** The Tahoe Basin (-T) Combining Zone identifies lands under the jurisdiction of both the County and the Tahoe Regional Planning Agency (TRPA), and provides for the coordination of planning and permitting activities between both agencies.
- B. **Applicability.** The Tahoe Basin Combining Zone (-T) shall apply to all lands within the Lake Tahoe drainage basin, except for those zoned Meyers Area Plan (MAP).
- C. **Development Review.** In addition to the standards required under the base zone, all use and development shall be subject to any additional permitting requirements, development standards, and regulations adopted by the TRPA Plan Area Statement and other TRPA regulations, as amended from time to time.
- D. **Development Standards.** The following development standards in Table 130.27.120.A (Tahoe Basin Combining Zone Development Standards) below shall supersede the development standards of the base zone for all lots within the -T Combining Zone. Where a dash (—) is designated, the standard shall comply with the base zone.

Table 130.27.120.A – Tahoe Basin Combining Zone Development Standards

Development Attribute	RM	R1	R1A	RE	TPZ	CC	I
Min. Lot Width	60 ft, only	—	—	—	—	—	—
Setbacks	2 nd floor cantilevered living space can extend 4 ft into the front yard. No zero lot lines for common walls.	2 nd floor cantilevered living space can extend 4 ft into the front yard.	Residential: Front = 20ft Side = 10ft Rear = 30ft 2 nd floor cantilevered living space can extend 4 ft into the front yard.	Residential: Front = 20ft Side = 10ft Rear = 30ft	—	—	—
Parking¹		Requirements under Table 130.35.030.1 (Schedule of Off-Street Vehicle Parking Requirements) may be in tandem.					
Lot Coverage	Subject to: Bailey Use Scoring System (Development prior to 7/1/87); or Individual Parcel Evaluating System (IPES)						
Max. Height	25 feet at natural grade. Additional height subject to: TRPA Code of Ordinances, Chapter 37						
NOTES:							
¹ Subject to Chapter 130.35 (Parking and Loading), except where noted.							

Section 5. Amend Sections 130.30.020, 130.30.030, and 130.30.040 of Chapter 130.30 (General Development Standards) as set forth below:

CHAPTER 130.30 – GENERAL DEVELOPMENT STANDARDS

Sections:

130.30.020 Minimum Area and Width of Lots

- A.** The minimum area and width of lots shall be as defined in the Development Standards for each zone as set forth in Chapters 130.21 (Agricultural, Rural Lands, and Resources Zones) through 130.26 (Meyers Area Plan (MAP) Zone), inclusive, and Title 120 (Subdivisions) of the County Code of Ordinances.
- B. Measurement of Lot Width.** Lot width shall be measured in accordance with the following:
 - 1. The lot width shall be measured at the front lot line or the edge of the right-of-way or road easement. Where a lot is located at the end of a cul-de-sac or on the outside curve

of a road, the lot width shall be measured at the minimum front setback line as established by the development standards of the zone.

2. For a flag lot, the measurement requirements under Subsection B.1 above in this Section shall be taken across that portion of the lot not containing the access strip.

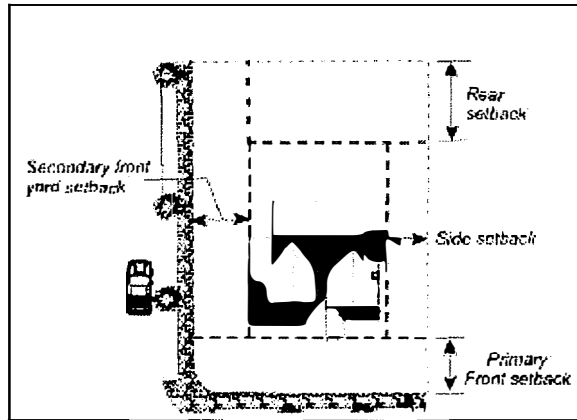
130.30.030 Setback Requirements and Exceptions

All structures and buildings (see Article 8 - Glossary: "Structure") shall be located on a lot so as to conform to the setback requirements established for the zone in which the lot is located, as set forth in Chapters 130.21 (Agricultural, Rural Lands, and Resources Zones) through 130.26 (Meyers Area Plan (MAP) Zone) inclusive, except as provided in this Chapter unless and until a Variance is granted in compliance with Section 130.52.070 (Variance) or standards are modified pursuant to a Development Plan permit in compliance with 130.52.040 (Development Plan Permit).

A. Measurement of Setbacks. Setbacks shall be measured from the closest of either a property line, the edge of a road easement, or the edge of a right-of-way line to the nearest point of the foundation or support of a building or structure, on a line perpendicular to the property line, road easement, or right-of-way line.

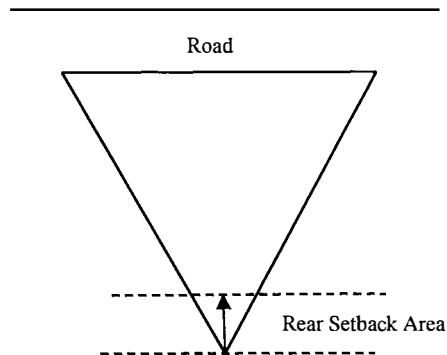
1. Setbacks adjacent to existing private roads without defined right-of-way or road easements shall be measured from the edge of the maintained area of the road. Setbacks adjacent to county maintained roadways shall be measured from a distance of 30 feet from the centerline of the road.
2. Where the Board has adopted a future roadway alignment, the minimum setback shall be measured from the edge of the future right-of-way line.
3. Expanded setbacks from major roads identified in the Design and Improvement Standards Manual (DISM)/Land Development Manual (LDM), or successor document shall be applied to protect future right of way for the planned widening of those roads. Proposed development adjacent to these roads shall be increased by the distance shown in the (DISM/LDM, or successor document).
4. Corner Lots. A corner lot with frontage on two or more streets shall have front yard (see Article 8 – Glossary: "Yards") setback requirements, as identified in the Development Standards Tables in Article 2, along each property line adjacent to a street, subject to the following exceptions:
 - a. Double Frontage Corner Lots. On a corner lot with frontage on two streets, the building permit application shall specify the primary front yard; the remaining street frontage shall be considered the secondary front yard, as shown in Figure 130.30.30.A (Example: Corner Lot Setbacks) below. The yard opposite the primary front yard shall be considered the rear yard. The primary front yard setback shall comply with the front yard setbacks of the zone; the secondary front yard setback shall comply with the secondary front setback applicable to the zone.

Figure 130.30.030.A Example: Corner Lot Setbacks



- b. **Triple Frontage Corner Lots.** On a corner lot with frontage on three streets, the building permit application shall specify the primary front yard. The frontage opposite the primary front yard shall be considered a rear yard for setback purposes, providing vehicular access is restricted.
- c. **Rear Setback on Triangular Lot.** Where a triangular lot has no rear lot line because its side lot lines converge to a point, an assumed line placed at the point, or vertex, of the angle and running perpendicular to a line bisecting the angle shall be considered the rear lot line for the purpose of measuring the required rear setback, as shown in Figure 130.30.030.B (Example: Rear Setbacks, Triangular Lots) below:

Figure 130.30.030.B Example: Rear Setbacks, Triangular Lots



- 5. **Through Lots.** Through lots, or double frontage non-corner lots, shall maintain front yard setbacks for the primary frontage containing the driveway encroachment, and rear yard setbacks for the opposite frontage, providing vehicular access is restricted. Where vehicular access is allowed, front yard setbacks shall apply.
- B. **Exceptions to Setback Requirements.** The following exceptions to the setback requirements shall be allowed when the qualifying conditions have been documented by a licensed civil engineer or surveyor. All reductions in front yard setbacks shall be subject to cross visibility area

(CVA) requirements under Subsection 130.30.050.B.4 (Fences, Walls, and Retaining Walls - Front Yards).

1. **Front Setback Reduction for Slope.** Where the elevation of a lot measured at the required front setback line averages six feet or more for a lot less than one acre, or eight feet or more for a lot one acre or greater, above or below the elevation at the edge of road pavement adjacent to said lot, the required front setback for a single-story structure may be reduced by 50 percent, except:
 - a. Where a lot has more than one frontage, the elevation criteria set forth under this Subsection B.1 must be satisfied for all frontages.
 - b. Any parking structure allowed by this Subsection B.1 at a reduced front setback shall provide at least 20 feet of parking area between the edge of road pavement and the structure.
2. **Administrative Relief.** Setback reductions for a multi-story structure, or where all frontages of a lot do not meet the elevation criteria set forth in Subsection B.1 (Front Setback Reduction for Slope) above may be approved under administrative relief subject to Chapter 130.52 (Permit Requirements, Procedures, Decisions, and Appeals) provided the requirement under Subsection 1.b (Front Setback Reduction for Slope) above is met.

C. Projections into Required Setbacks.

1. Cornices, window canopies, eaves, bay windows, or similar architectural features, which do not qualify as habitable area under the building code; heating and air conditioning equipment; and uncovered and unenclosed decks of 30 inches in height or less, excluding handrails, may extend into any required setback by not more than 50 percent provided that no such feature shall be allowed within three feet of any side lot line.
 - a. For uncovered and unenclosed decks, setbacks shall be measured from the closest portion of the deck, such as flooring, footing, or foundation, to the property line.
2. Front yards may have the following additional encroachments:
 - a. Fences and walls, subject to Section 130.30.050 (Fences, Walls, and Retaining Walls);
 - b. Bear resistant garbage can containers, subject to Subsection 3.f (Solar Collectors) below.
 - c. Signs, subject to Chapter 130.16 (Signs).
3. The following encroachments or reduced setbacks into the required yards are allowed for the following specific uses, provided there is no encroachment into any public utility or drainage easement:

- a. **Swimming pool, heating and air conditioning equipment** may encroach into any setback by up to 50 percent but not less than 3 feet from any lot line. When located within a required setback as allowed by this Subsection, accessory mechanical equipment that generates noise (such as air conditioning or swimming pool equipment) shall be enclosed with an appropriate noise barrier when less than 10 feet from the property line.
- b. **Swimming pools** measured to the back edge (non-water side) of the bond beam and their accessory water features, such as manmade waterfalls, if 30 inches in height or less:
 - (1) Front. Setback required by zone;
 - (2) Side and Rear. 5 feet minimum;
- c. **Propane Tanks** shall meet the applicable standards of the fire code (See Article 8: Glossary – “Fire Code” and “Fire Safe Regulations”) subject to the following conditions:
 - (1) Front. The propane tank may be located within the front setback provided it is not less than 10 feet from the property line and the tank is less than 40 inches in height and fully screened by fencing or landscaping.
 - (2) Underground Tanks. May be located within any setback.
- d. **Portable Sheds** (non-habitable, less than 120 square feet of floor space, containing no utilities):
 - (1) Front. Setback required by zone;
 - (2) Side and Rear. 5 feet minimum, subject to fire safe regulations under Subsection D (Fire Safe Setbacks) below.
- e. **Chimneys** (at ground level):
 - (1) Front and Rear. 3 feet into setbacks;
 - (2) Side. 3 feet into setback, but in no instance shall the remainder of the side yard be less than 3 feet;
 - (3) Chimneys that protrude above ground level, such as cantilevered chimney chases on the second story of a residence, shall not be subject to setback requirements.
- f. **Solar Collectors** that are ground mounted shall comply with the required side and rear setbacks for the zone, subject to the height requirements and maximum reduction in setbacks allowed under state Public Resource Code Section 25981.
- g. **Bear Resistant Garbage Can Containers.** A bear resistant garbage can enclosure in compliance with the approved list maintained by the Environmental Management Department shall be subject to the following minimum setbacks:
 - (1) Ten feet from the road as measured from the edge of the curb-face or pavement if no curbing exists. In no event shall a container be placed within the road right-of-way or easement;

- (2) On corner lots, containers shall not be located within the CVA at the intersection, as shown in Figure 130.30.050.B (Cross Visibility Area (CVA) Example #2).

h. Trellises and Arbors.

- (1) A trellis shall be considered similar to a fence for setback purposes and be subject to the requirements for fences under Section 130.30.050 (Fences, Walls, and Retaining Walls);
- (2) An arbor less than 50 percent open shall be considered a structure and be subject to development standards, including setback requirements, for the zone.

D. Fire Safe Setbacks. Where the net acreage of a lot is one acre or larger, any new structure shall maintain a 30 foot setback from all property lines or from the edge of the road, unless the applicable fire protection agency or the county has approved an exception, conditional or otherwise, for a reduction of the side and/or rear setback requirement to either the standard setback for the zone or as allowed under a Development Plan Permit.

E. Special Setbacks for Agricultural and Timber Resource Protection. Notwithstanding any other provision of this Title, where incompatible uses, as defined in Article 8 (Glossary, see "Incompatible Uses: Agricultural"), adjacent to the agricultural zones of LA, PA, and AG, or the Forest Resource (FR) and Timber Production Zone (TPZ), the following setbacks shall apply on those lots containing the incompatible use:

1. Setback Standards on Lots Adjacent to Agricultural Zones:

- a. When the agriculturally zoned lot is located within a General Plan designated Agricultural District: 200 feet
- b. When the agriculturally zoned lot is located outside of a General Plan designated Agricultural District, and:
 - (1) A lot with the proposed incompatible use is 10 acres or larger: 200 feet;
 - (2) A lot with the proposed incompatible use is less than 10 acres: No special agricultural setback is required.
- c. When the lot adjacent to the agriculturally zoned lot is in a General Plan designated Community Region or Rural Center: 50 feet.

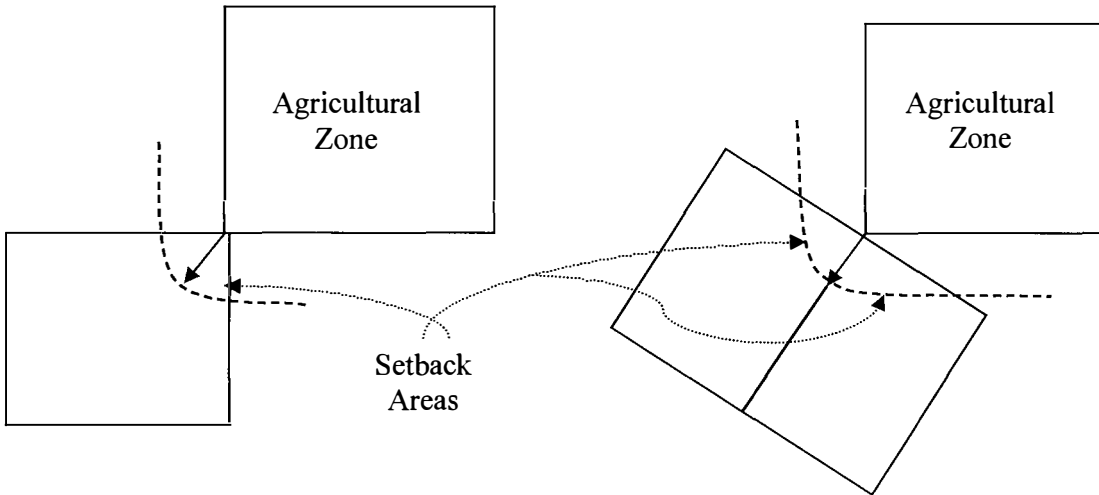
2. Setback Standards on Lots Adjacent to the Forest Resource or Timber Production Zone, when:

- a. When the lot adjacent to the Forest Resource or Timber Production Zone is within the General Plan designated Rural Region: 200 feet.
- b. When the lot adjacent to the Forest Resource or Timber Production zone is within a General Plan designated Community Region or Rural Center: 50 feet.

3. Setbacks and Buffers for Adjacent Tangent Lots. Where an agricultural or timber production zoned lot abuts a lot at a tangent or single point and where an agricultural or

timber production zone setback will apply to the adjacent lot, the setback will be measured as a radius the length of the required setback, from the point of tangent into the adjacent lot, as shown in Figure 130.30.030.C (Examples: Tangential Setbacks) below:

Figure 130.30.030.C Examples: Tangential Setbacks



4. **Administrative Relief.** Administrative relief from the setback requirements established in Subsections E.1 through E.3 above in this Section may be granted by the Ag Commission or the Director under an Administrative Permit (Section 130.52.010, Administrative Permit, Relief, or Waiver) in compliance with criteria set forth by resolution of the Board, as amended from time to time.

F. Special Setbacks for Mineral Resource Protection.

1. Notwithstanding any other provision of this Title, where incompatible uses, as defined in Article 8 (Glossary, see "Incompatible Uses: Mining"), adjacent to lands located in the -MR Combining Zone, the following setbacks shall apply on those lots containing the incompatible use:
 - a. 250 feet on lots 10 acres or greater.
 - b. 150 feet on lots less than 10 acres in size.
2. The required setbacks in Subsection G.1 (Protection of Wetlands and Sensitive Riparian Habitat, Content) below, may be administratively reduced under an Administrative Permit (Section 130.52.010, Administrative Permit, Relief, or Waiver) by not more than 50 percent when the property owner affected by the setback has demonstrated to the Director that the mineral resource is at least 250 feet from the property line and mining activities are not likely to be carried on within 250 feet of the property line.

G. Protection of Wetlands and Sensitive Riparian Habitat.

1. **Content.** This subsection establishes standards for avoidance and minimization of impacts to wetlands and sensitive riparian habitat as provided in General Plan Policies 7.3.3.4 (Wetlands) and 7.4.2.5 (Identify and Protect Resources).
2. **Applicability.** The standards in this subsection apply to all ministerial or discretionary development proposed adjacent to any perennial streams, rivers or lakes, any intermittent streams and wetlands, as shown on the latest 7.5 minute, 1:24,000 scale United States Geological Survey (USGS) Quadrangle maps, and any sensitive riparian habitat within the county. Activities regulated under this subsection include those activities also regulated under the federal Clean Water Act (33 U.S.C. §1251 et seq.) and California Fish and Game Code (Section 1600-1607). These standards do not apply to culverted creeks and engineered systems developed or approved by the County or other public agency for collection of storm or flood waters, or systems other than natural creeks designed to deliver irrigation or water supplies. Additional standards applicable to the design of new developments or subdivisions are found in the Design and Improvement Standards Manual (DISM)/Land Development Manual (LDM), or successor document.
3. **Use Regulations.**
 - a. New ministerial and discretionary development shall avoid or minimize impacts to perennial streams, rivers or lakes, intermittent streams and wetlands, and any sensitive riparian habitat to the maximum extent practicable. Where avoidance and minimization are not feasible, the county shall make findings, based on documentation provided by the project proponent, that avoidance and minimization are infeasible.
 - b. Any new development which does not avoid impacts to wetlands and sensitive riparian habitat shall prepare and submit a Biological Resource Evaluation identifying the location of all features regulated under this section.
 - c. An applicant shall obtain all required permits from state or federal agencies having jurisdiction, and shall fully implement any mitigation program required as a condition of such permit. Where the area impacted is not within federal or state jurisdiction, the county shall require appropriate mitigation as recommended in a biological resource evaluation.
 - d. Ministerial development, including single family dwellings and accessory structures, shall be set back a distance of 25 feet from any intermittent stream, wetland or sensitive riparian habitat, or a distance of 50 feet from any perennial lake, river or stream. This standardized setback may be reduced, or grading within the setback may be allowed, if a biological resource evaluation is prepared which indicates that a reduced setback would be sufficient to protect the resources.
 - e. All discretionary development which has the potential to impact wetlands or sensitive riparian habitat shall require a biological resource evaluation to establish the area of avoidance and any buffers or setbacks required to reduce

the impacts to a less than significant level. Where all impacts are not reasonably avoided, the biological resource evaluation shall identify mitigation measures that may be employed to reduce the significant effects. These mitigation measures may include the requirement for compliance with the mitigation requirements of a state or federal permit, if required for the proposed development activity.

- f. Any setback or buffer required by this subsection shall be measured from the ordinary high water mark of a river, perennial or intermittent stream, and the ordinary high water mark or spillway elevation of a lake or reservoir.
 - g. Except where otherwise provided in this section, filling, grading, excavating or obstructing streambeds is prohibited except where necessary for placement of storm drain and irrigation outflow structures approved by the county; placement of public and private utility lines; construction of bridges and connecting roadways; maintenance activities necessary to protect public health and safety; and creek restoration and improvement projects.
 - h. All new septic system construction shall comply with standards established by the Environmental Management Department, or applicable state and federal regulations for setbacks from lakes, rivers and streams.
 - i. Projects within the joint jurisdiction of the County and the Tahoe Regional Planning Agency (TRPA) shall be subject to setbacks established by TRPA.
4. Exceptions; Uses allowed. The following uses are allowed:
- a. Native landscaping;
 - b. Fencing, consistent with the provisions of Subsection 130.30.050.B (Fences, Walls, and Retaining Walls - Front Yards), that does not interfere with the flow of waters or identified wildlife migration corridors;
 - c. Roads or driveways used primarily for access or for the maintenance of a property;
 - d. Utilities;
 - e. Storm drains into riparian areas and creeks;
 - f. Trails and passive recreational activities not involving the establishment of any structures;
 - g. Boat ramps, docks, piers, and related features used for private purposes, subject to applicable local, state, or Federal regulations.
 - h. Construction and maintenance of bridges, culverts, rip-rap, and other drainage facilities.

- i. Agricultural activities that utilize best management practices (BMPs), as recommended by the Ag Commission and adopted by the Board.
5. Exceptions; Conditionally Permitted Uses.
 - a. The uses, and structures allowed in applicable zones are allowed within riparian areas with an approved Minor Use Permit.
 - b. In addition to the findings required for approval of a Minor Use Permit, the Zoning Administrator shall make all of the following findings for a Minor Use Permit for riparian area development:
 - (1) The proposed use, structure, or encroachment cannot be feasibly located outside the riparian area or such location would have a more adverse effect on the stream environment.
 - (2) Measures are included that provide adequate protection of wildlife habitat, water quality and in-stream habitat, and capacity for flood management.
6. Performance Standards.
 - a. Construction is prohibited in riparian buffers unless the necessary permits have been obtained from other responsible governmental agencies, and plans have been approved by the County.
 - b. Grading, alteration of the natural contours of the land, or cutting or alteration of natural vegetation that protects sensitive riparian habitat is prohibited within riparian areas except when such action is required for the construction of an approved development or structure, associated with an agricultural use utilizing approved BMP's, or a creek restoration and enhancement project, or necessary to protect public health and safety.
7. Specific setbacks for major lakes, rivers and streams. The setbacks identified in Table 130.30.030.H.1 (Specific Riparian Setbacks) shall be provided, unless a discretionary approval by the county provides a larger or smaller setback.

Table 130.30.030.H.1 – Specific Riparian Setbacks

Specific Riparian Setbacks	
Lakes and Reservoirs	
Bass Lake	200 Feet
Folsom Lake	200 Feet
Jenkinson Lake (Sly Park)	200 Feet
Slab Creek Reservoir	200 Feet
Stumpy Meadows Reservoir	200 Feet
Rivers	
American River (Middle and South Forks)	100 Feet
Cosumnes River (North, Middle and South Forks)	100 Feet
Rubicon River	100 Feet
Streams and Creeks	
Big Canyon Creek	50 Feet
Deer Creek (South of US Highway 50 only)	50 Feet
Camp Creek	50 Feet
Clear Creek	50 Feet
Martinez Creek	50 Feet
Pilot Creek	50 Feet
Weber Creek	50 Feet

8. Coordination with Other Regulatory Agencies

All required permits from the California Department of Fish and Game, the U.S. Army Corps of Engineers, regional water quality control board(s), California State Water Resources Control Board, or other applicable agencies, shall be obtained prior to commencement of construction. Evidence of approval or pending approval of any such permit shall be provided to the county, including all appropriate supporting materials, environmental documentation, and studies.

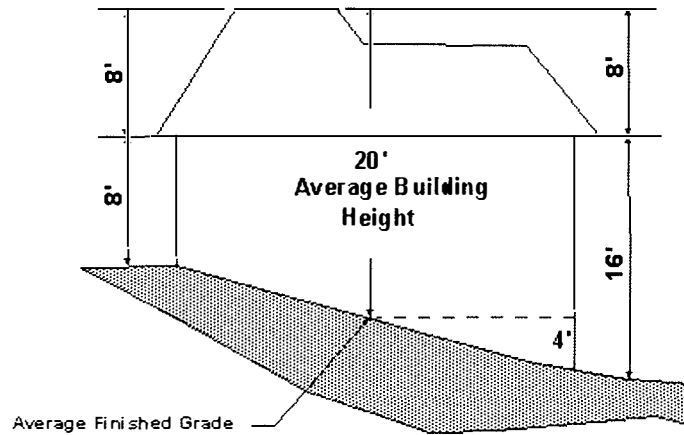
130.30.040 Height Limits and Exceptions

All structures and buildings shall conform to the maximum height requirements established for the zone in which the lot is located as set forth in Chapters 130.21 (Agricultural, Rural Lands, and Resources Zones) through 130.26 (Meyers Area Plan (MAP) Zone) inclusive, subject to the exceptions under Subsection C (Exceptions to Building Height Requirements) below unless a Development Plan or Conditional Use Permit is approved allowing additional height, in compliance with Sections 130.52.060 (Temporary Use Permit) or 130.52.070 (Variance), respectively.

A. Measurement of Building Height. The height of a building is determined by calculating the average finished grade of each building wall, and measuring the height between this average finished grade and the highest point of the building, as shown in Figure 130.30.040.A (Example: Building Height Calculation) below. Where a retaining wall supporting a drop in grade is within a five foot horizontal distance from the exterior wall, the height of the retaining wall shall be included in the building height. If each building wall has a different height, then the average height of all four walls is calculated to determine the actual building height, as shown in Figure 130.30.040.A (Example: Building Height Calculation) below.

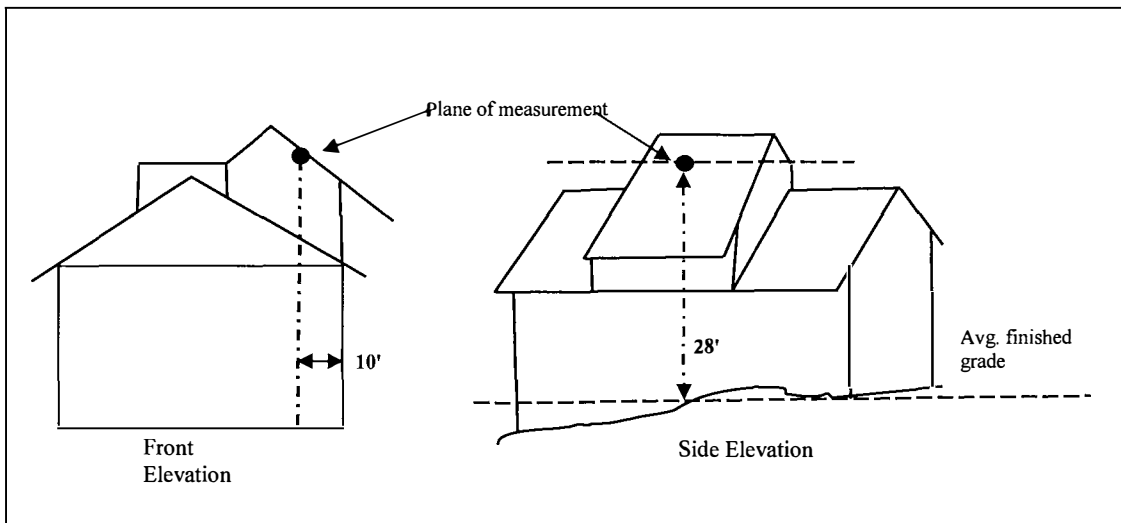
Figure 130.30.040.A

EXAMPLE: BUILDING HEIGHT CALCULATION



B. Building Height Calculation for Determination of Side Yard Setback in Residential Zones. This Subsection shall apply in all zones that require setbacks of less than 30 feet. To calculate side yard setbacks based on building height, the wall facing the side yard shall be measured in compliance with Subsection A above for average grade, but in this case the highest point of the building shall be that highest point within ten feet from the surface of the wall being measured, as shown in Figure 130.30.040.B (Example: Building Height Determination for Side Yard Setbacks) below:

Figure 130.30.040.B Example: Building Height Determination for Side Yard Setbacks



For purposes of calculating the side yard setback, every foot or fraction thereof over a 25 foot height, as measured according to this Subsection, shall increase the setback by one foot. As

demonstrated in Figure 130.30.040.B (Example: Building Height Determination for Side Yard Setbacks), the highest point measured, at 28 feet, shall increase the side yard setback by three feet.

C. Exceptions to Building Height Requirements.

Chimneys; church spires; elevator, mechanical and stair housings; flag poles; towers; vents; and other similar structures which are not used for human activity may be up to 20 percent higher than the maximum height requirements in all zones where the excess height is not prohibited by Chapter 130.38 (Airport Safety (-AA) District. The use of towers or similar structures to provide higher ceiling heights for habitable space shall be deemed a use intended for human activity. No such structure shall be employed for any commercial or advertising use unless specifically allowed by the applicable zone, except that antennas and associated equipment may be located within such structures.

Section 6. Amend Section 130.52.030 of Chapter 130.52 (Permit Requirements, Procedures, Decisions, and Appeals) as set forth below:

CHAPTER 130.52 – PERMIT REQUIREMENTS, PROCEDURES, DECISIONS, AND APPEALS

Sections:

130.52.030 Design Review Permit

A. Applicability. The Design Review Permit process is established in specific areas of the county to ensure compatibility with historical, scenic, or community design criteria. This process is applied only to commercial, industrial, mixed-use, and multi-unit residential projects in the following areas:

1. Meyers Area Plan.
2. Land adjacent to designated State Scenic Highway Corridors.
3. Other areas where the Design Review-Community (-DC), -Historic (-DH), or Scenic Corridor (-DS) Combining Zones have been applied.
4. Mixed use development projects in Community Regions.

B. Review Authority, Procedure, and CEQA. The Director shall have the review authority of original jurisdiction for those projects not adjacent to or visible from designated state scenic highway corridors. The procedure shall be staff-level with public notice. The Commission shall have the review authority of original jurisdiction for those projects that are adjacent to or visible from designated state scenic highway corridors. The adoption of Design Standards in accordance with Section 130.27.050.F (Establishment of Community Design Review Areas; Guidelines and Standards) is a discretionary project pursuant to CEQA. The approval of a Design Review Permit is a ministerial project pursuant to CEQA, when in compliance with adopted Design Standards. The Design Review process shall be limited to consideration of compliance

with established standards, provided that the use proposed for the project site is an allowed use within the zone.

- C. Design Review Committee.** If a project is located within a district for which a design review committee has been established in compliance with Section 130.60.070 (Design Review Committee), the Director shall transmit the application to the committee prior to rendering a written decision or making a recommendation to the Commission. The application review process by the committee shall provide an opportunity for the applicant or other interested persons to provide testimony. After public testimony, the committee shall discuss the proposed project and by motion present a recommendation to the Director. The Director may approve or deny the permit, and may incorporate conditions to ensure compliance with the applicable design standards.

Section 7. Amend County Zoning Map as set forth on the figure in Attachment A.

Section 8. Assessors Parcel Numbers for parcels within the Meyers Area Plan boundary are outlined in Attachment B.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 20th day of March, 2018, by the following vote of said Board:

ATTEST

Ayes: Veerkamp, Ranalli, Hidahl, Frentzen

JAMES S. MITRISIN

Clerk of the Board of Supervisors

By

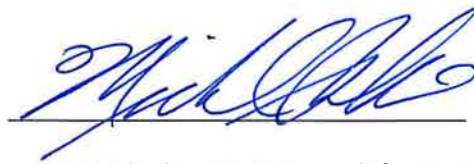


Deputy Clerk

Recused: Novasel

Noes: None

Absent: None



Michael Ranalli, Chair, Board of Supervisors

APPROVED AS TO FORM

MICHAEL J. CICOZZI

COUNTY COUNSEL

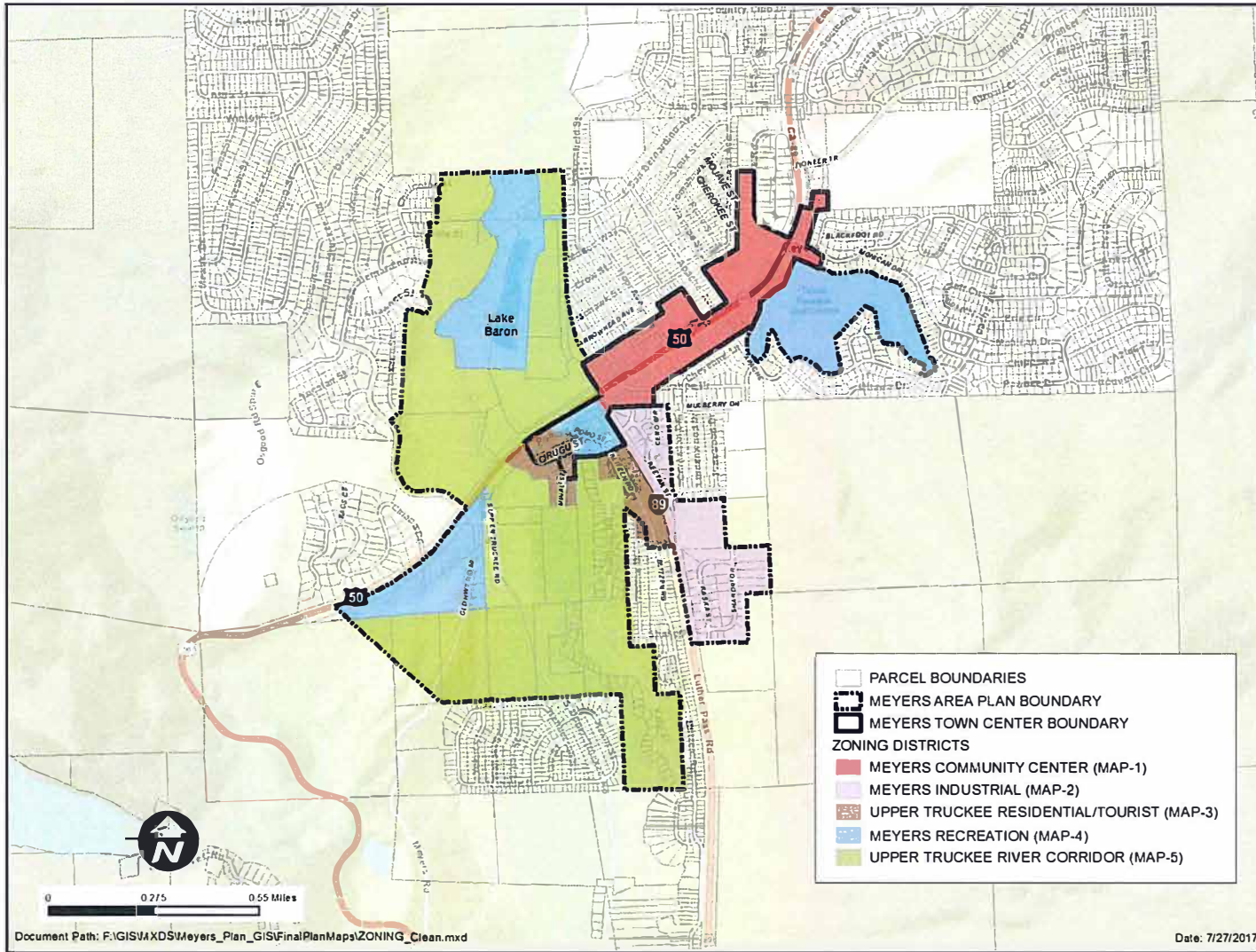
By:



Title:

County Counsel

ATTACHMENT A MEYERS AREA PLAN ZONING MAP



Meyers Area Plan | ATTACHMENT A: Zoning Map

ATTACHMENT B

ASSESSOR'S PARCEL NUMBERS

LISTED BY ZONING DISTRICT

MEYERS COMMUNITY CENTER

034-040-03	034-321-23	034-323-15	034-341-10	034-402-14
034-040-04	034-321-25	034-331-15	034-342-07	034-402-15
034-270-21	034-321-26	034-331-21	034-342-09	034-402-16
034-270-22	034-322-01	034-331-23	034-342-11	034-671-02
034-270-30	034-322-02	034-331-24	034-350-09	034-671-03
034-270-44	034-322-03	034-331-29	034-350-10	034-671-04
034-270-49	034-322-04	034-331-31	034-350-11	034-671-05
034-270-58	034-322-05	034-331-32	034-402-01	034-671-06
034-270-59	034-322-06	034-331-33	034-402-02	034-671-12
034-270-61	034-323-02	034-335-02	034-402-03	034-671-14
034-300-08	034-323-03	034-335-03	034-402-04	035-261-04
034-321-16	034-323-10	034-336-01	034-402-05	880-341-84
034-321-19	034-323-12	034-341-07	034-402-10	880-342-40
034-321-21	034-323-13	034-341-08	034-402-13	881-036-32

MEYERS INDUSTRIAL

035-030-17	035-183-15	035-192-10	035-262-04	035-263-04
035-030-18	035-183-16	035-193-01	035-262-05	035-264-01
035-030-19	035-183-17	035-193-02	035-262-06	035-264-02
035-181-05	035-183-18	035-193-03	035-262-07	035-264-03
035-181-06	035-183-19	035-193-04	035-262-08	
035-181-07	035-191-01	035-193-07	035-262-12	
035-181-08	035-191-02	035-193-08	035-262-13	
035-181-09	035-191-03	035-193-09	035-262-14	
035-182-01	035-191-04	035-194-01	035-262-15	
035-182-02	035-192-01	035-261-05	035-262-17	
035-182-03	035-192-02	035-261-06	035-262-18	
035-182-04	035-192-03	035-262-01	035-263-01	
035-182-05	035-192-05	035-262-02	035-263-02	
035-182-06	035-192-09	035-262-03	035-263-03	

MEYERS RECREATION

034-010-13	034-070-10	035-010-08	035-010-29
034-010-22	034-070-11	035-010-23	035-010-30

034-010-24	034-300-25	035-010-24	035-010-32
034-020-17	034-300-26	035-010-26	035-223-01
034-020-32	034-300-27	035-010-28	035-223-02
	034-300-28		035-224-01
	035-010-06		
	035-010-07		

UPPER TRUCKEE RESIDENTIAL/TOURIST

034-300-22	035-211-19	035-213-02	035-224-02	035-232-04
035-211-01	035-211-23	035-213-03	035-224-03	035-233-01
035-211-02	035-211-28	035-213-04	035-224-04	035-233-02
035-211-03	035-211-29	035-213-05	035-224-05	035-233-03
035-211-04	035-212-01	035-213-06	035-224-06	035-233-32
035-211-05	035-212-02	035-213-07	035-224-07	035-234-01
035-211-06	035-212-05	035-213-08	035-224-08	035-234-02
035-211-10	035-212-06	035-213-09	035-224-09	035-234-03
035-211-11	035-212-07	035-213-10	035-224-10	035-234-04
035-211-12	035-212-08	035-213-11	035-225-01	035-234-05
035-211-13	035-212-09	035-213-12	035-231-01	035-234-06
035-211-15	035-212-10	035-222-01	035-231-02	035-234-07
035-211-16	035-212-11	035-223-05	035-231-03	
035-211-17	035-212-12	035-223-06	035-231-04	
035-211-18	035-212-13	035-223-07	035-231-05	
	035-212-14	035-223-08	035-232-01	
	035-212-15	035-223-09	035-232-02	
	035-212-16		035-232-03	
	035-213-01			

UPPER TRUCKEE RIVER CORRIDOR

034-010-18	035-010-31	035-080-03	035-090-09	035-110-05
034-010-23	035-020-05	035-080-04	035-100-01	035-110-06
034-020-12	035-020-12	035-080-05	035-100-02	035-110-07
034-020-14	035-020-13	035-080-06	035-100-03	035-110-08
034-020-24	035-020-14	035-080-07	035-100-04	035-120-01
034-020-26	035-020-15	035-080-08	035-100-05	035-120-02
034-020-28	035-020-16	035-080-09	035-100-06	035-120-03
034-020-29	035-030-07	035-080-10	035-100-07	035-120-04
034-020-30	035-030-20	035-090-01	035-100-08	035-120-05
034-020-31	035-070-01	035-090-02	035-100-09	035-120-06
034-300-10	035-070-02	035-090-03	035-100-10	035-120-07
034-300-24	035-070-03	035-090-04	035-100-11	035-120-08
034-300-30	035-070-04	035-090-05	035-110-01	035-120-09

035-010-17
035-010-19
035-010-20
035-010-27

035-070-05
035-080-01
035-080-02

035-090-06
035-090-07
035-090-08

035-110-02
035-110-03
035-110-04

880-350-88
880-354-38