



RESOLUTION NO. xx-2023

RESOLUTION OF INTENTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO TO AMEND THE ZONING CODE (TITLE 130)

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, on December 15, 2015, the El Dorado County Board of Supervisors adopted a comprehensive Zoning Ordinance Update, including Countywide updates to both the Zoning Ordinance and Zoning Map, which became effective on January 15, 2016; and

WHEREAS, the County of El Dorado (“County”) is responsible for protecting the public health, safety, and welfare of its citizens; and

WHEREAS, the County has direct authority to implement land use plans, policies, and programs to meet the needs of its communities; and

WHEREAS, the built environment and land use decisions play an important role in shaping the pattern of community development and in improving quality of life and human health; and

WHEREAS, cities and counties throughout California are adopting ordinances to restrict the density and proximity of tobacco retail sales venues’ locations to youth-populated areas and other tobacco retailers in order to reduce the availability of tobacco products and tobacco advertising, improve health outcomes, and encourage patterns of development that promote a healthy community; and

WHEREAS, tobacco use is the number one cause of preventable death in California and continues to be an urgent public health issue, as evidenced by the following: 40,000 California adults die from their own smoking annually; More than 25% of all adult cancer deaths in California are attributable to smoking; Smoking costs California \$13.29 billion in annual health care expenses, \$3.58 billion in Medicaid costs caused by smoking, and \$10.35 billion in smoking-caused productivity losses.; Tobacco use can cause disease in nearly all of the organs of the body and is responsible for 87% of lung cancer deaths, 32% of coronary heart disease deaths, and 79% of all cases of chronic obstructive pulmonary disease in the United States; and

WHEREAS, policies to reduce tobacco retailer density have been shown to be effective and can reduce or eliminate inequities in the location and distribution of tobacco retailers; and

WHEREAS, research indicates that the density and proximity of tobacco retailers increase smoking behaviors, including the number of cigarettes smoked per day, particularly in neighborhoods experiencing poverty and the density of tobacco retailers near adolescents’ homes has been associated with increased youth smoking rates and initiation of noncigarette tobacco product use; and

WHEREAS, the Zoning Ordinance, Chapter 130.40- Specific Use Regulations- contains regulations applicable to certain specified uses that may be allowed, either by right or by discretionary permit, in a number of different zones; and

WHEREAS, pursuant to Section 130.63.020 of the Zoning Ordinance, which requires Zoning Ordinance amendments to be initiated by a Resolution of Intention;

NOW, THEREFORE, BE IT RESOLVED, that the El Dorado County Board of Supervisors will set a public hearing to consider proposed amendments to the El Dorado County Zoning Code (Title 130) to add a section to chapter 130.40, as generally described below and incorporated herein:

- A. Add new section to Article 4 (Specific Use Regulations) Chapter 130.40 (Specific Use Regulations), titled Commercial Tobacco
- B. Amend applicable matrices of allowed uses within Article 2 (Zones, Allowed Uses, and Zoning Standards)
- C. Amend Article 8 (Glossary)- to define a Tobacco Shop.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes the Health and Human Services Agency and the Planning and Building Department, to proceed with the preparation of all necessary documentation and environmental review requirements pursuant to the California Environmental Quality Act; and

BE IT FURTHER RESOLVED that the Planning Commission and Board of Supervisors will hold public hearings to consider the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby authorizes the Health and Human Services Agency and Planning and Building Department to proceed with the preparation of the above stated amendments/updates to the Zoning Ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 5th day of December, 2023, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors