

***El Dorado County
Chief Administrative Office
Interoffice Memorandum***

April 24, 2012

TO: Board of Supervisors

FROM: Kim Kerr 
Assistant Chief Administrative Officer

SUBJECT: Additional Information Requested on Items 1 & 2 on the April 16, 2012 Board of Supervisors Meeting Agenda

On April 16, 2012 the Board received draft documents related to the Targeted General Plan Amendment (TGPA) and the Comprehensive Zoning Code Update (Agenda Item #1), and the Travel Demand Model (Agenda Item #2). Based on Board discussion, I am providing additional information to facilitate your review of the items. This information will also be made available on the County website and as attachments in the Legistar agenda system.

Targeted General Plan Amendment

The Targeted General Plan Amendment document has been revised to reflect comments received by the Board members and the public at the Board of Supervisors' meeting on April 16, 2012. Attached is a copy of the revised Amendment this memo. Staff recommends the Targeted General Plan Amendment be reviewed side-by-side with the 2004 General Plan document. This will provide a context for assessing the proposed amendments as they interrelate to other policies within the identified General Plan Elements, as well as the General Plan as a whole. The 2004 General Plan is available in its entirety on the County website at:
http://www.edcgov.us/Government/Planning/Adopted_General_Plan.aspx.

Comprehensive Zoning Ordinance Update

On November 14, 2011, the Board adopted Resolutions of Intention 183-2011 and 184-2011 to undertake a comprehensive Zoning Ordinance update. This update requires an extensive rewrite of the existing County Title 17, Zoning. On April 16, 2012, staff presented the Draft Zoning Ordinance that reflects most of the changes identified in Resolutions of Intention. Staff is working to incorporate remaining changes needed and will provide documentation of those changes for review by the Board on May 1, 2012.

Additionally, staff anticipates minor revisions to the proposed Zoning Map Criteria (provided as Attachment D at the April 16th meeting), such as the number of acres affected by each proposed rezone and which zones have the Ag-Opt In option.

The following information and review recommendations are provided by Roger Trout, Development Services Director.

Changes to the current Zoning Ordinance are necessary to:

1. Implement 2004 General Plan Policies and Implementation Measures;
2. Correct problems identified within the current Code (including reformatting for ease of use);
3. Update specific sections based on direction from Planning Commission and Board Workshops; and
4. Update the County Code to comply with State and Federal law.

2004 General Plan

There are approximately 60 specific General Plan Policies or Implementation Measures that have been incorporated into the Draft Zoning Ordinance. Details and discussion of the most significant issues are provided in the attachment titled “General Plan Implementation through Zoning Update”.

Existing Zoning Ordinance Problems

The Draft Zoning Ordinance is consistent with the recommendations to correct problems that were enumerated in the attached document titled “Recommendations on Existing Zoning Code Problems” that was drafted at the start of the update process. This document was presented to the Planning Commission in October and November 2006 and to the Board of Supervisors on February 12, 2008, as part of the Resolution of Intention authorizing staff to proceed with preparation of the Zoning Ordinance Update (ROI 44-2008).

Ordinance Format

The Draft Zoning Ordinance has been restructured with the intent of making it more user-friendly. The Draft Zoning Ordinance is grouped into the following Articles:

- Article 1: Zoning Applicability and General Rules of interpretation and administration. A short new section that is necessary for proper introduction of the Code.
- Article 2: Zones and allowed uses and their development standards. This section is a significant format change from existing zoning; it also includes numerous “new” allowed uses that you will want to look up in the Glossary, Article 8.
- Article 3: General Site Planning and Design Standards that apply to all zones, such as parking standards, sign standards, landscaping, and flood damage prevention.
- Article 4: Specific Use Regulations: This is functionally tied to Article 2 because it contains specific guidance on “special” uses noted in Article 2 that require special considerations or standards. This area is similar to the current code Miscellaneous Chapter (17.14) but is expanded for many uses and is important to streamline some uses by allowing for Administrative Permits versus Conditional Use Permits.

Article 5: Planning Permit Processing: This section explains all the permit types and processes with much greater detail than current zoning. Variances, Use Permits, and Development Plans, are all included as well as expansion on Administrative Permits.

Article 6: Zoning Ordinance Administration includes Non-Conforming Use section, Code Enforcement and some other useful sections.

Article 7: Zoning Fees (Bass Lake, Missouri Flat, OWMP).

Article 8: Glossary (significantly expanded from current Zoning Code).

Tables are used in Article 2 to show each Zone's allowed uses and development standards. The allowed use matrices have cross references to Article 4 for special regulations that are currently in Chapter 17.14, Miscellaneous Provisions. Procedures for the different permits required in the matrices are clarified in Article 5. Article 8 provides a comprehensive Glossary to clearly define terms and uses.

Consistency with State and Federal Laws

To ensure consistency with state and federal laws, the following ordinances have either been updated or created:

17.28 Mining Ordinance, 17.30 Affordable Housing, 17.32 Flood Damage Prevention, 17.33.100 Water Efficient Landscaping, 17.34 Title 24 energy requirements, 17.35 Title 24 accessibility requirements, 17.40.120 Agricultural Employee Housing, 17.40.130 Cell Tower Facilities, 17.40.280 Recycling Facilities, 17.40.310 Solar Collector Systems, 17.40.350 Timber Production Zone, 17.40.360 Transitional Housing, and 17.40.390 Wind Energy Conversion Systems.

Reviewing the Draft Zoning Ordinance

The Draft Zoning Ordinance is over 400 pages. Because of the extensive and structural nature of the changes, it is not feasible to provide a "track changes" version of the document. The following suggestions are provided to assist in reviewing the Draft Zoning Ordinance:

1. Review the Table of Contents (attached).
2. Review the Glossary (Chapter 17.80 of the Draft Zoning Ordinance provided with Agenda Item #1, Legistar File 12-0267) to become familiar with terms used in the Draft Zoning Ordinance.
3. Review the Zones identified in Article 2 to become familiar with the terms and abbreviations used in the tables. Note that there are references to other regulations that apply to various "Use Types" in the right-hand column. Most of the Zones are the same as or similar to current Zones, but there are new Zones added and some existing Zones are proposed to be eliminated.

It may also be helpful to have available the current Zoning Code (County Ordinance Title 17) which is available in its entirety at:

<http://www.edcgov.us/Government/Planning/Ordinances.aspx>.

Travel Demand Model Technical Memo #10 – Land Use Forecast:

On April 16, 2012 Staff and Kimley-Horn & Associates, Inc. (consultant for the Travel Demand Model) provided a presentation for the land use forecast assumptions for the Travel Demand Model. During the course of the presentation, the following questions/comments were made by the Board:

1. How are we handling the Floor Area Ratio (FAR)?
2. The current General Plan is based on entitlements. Now is the time to obtain the real numbers as we want to get closer to reality.

On July 17, 2007, the Board of Supervisors approved Resolution 184-2007 to increase the Floor Area Ratio standards set forth in Policy 2.2.1.5. Since its adoption, the County has not seen a project use the upper limits as allowed by the revised policy. Kimley-Horn & Associates, Inc. (KHA) will be turning to County staff in obtaining reasonable assumptions in the land use forecast process.

In response to the second comment, KHA and County staff will be verifying actual plans of completion of all existing commitments (i.e. specific plans). If there are any changes, they will be reflected in the land use forecasts.

Next Steps

The Targeted General Plan, Comprehensive Zoning Ordinance Update and Travel Demand Model are scheduled for further discussion and action on May 1, 2012. Your feedback along with public comments will be taken into consideration when finalizing the documents. This is a critical step in the process as the documents need to be at a point whereby a fair and comprehensive Initial Study can be completed.

Staff anticipates bringing the draft Initial Study and Notice of Preparation to the Board for approval on May 15, 2012 along with a proposed schedule for Community Scoping meetings. Once the Initial Study and Notice of Preparation are complete, staff can proceed with the Community Scoping Meetings. Scoping meetings will help to refine the environmental review of the project and provide vital input in developing project alternatives to ensure that a comprehensive review of the project is accomplished.

I want to acknowledge the significant amount of material provided to you for review during this process and offer any assistance you might need. Please let me know if you have questions or need additional information. Thank you.

Attachments: Revised Targeted General Plan Amendment Draft
Zoning Ordinance Table of Contents
General Plan Implementation through Zoning Update
Recommendations on Existing Zoning Code Problems

TITLE 17 – ZONING ORDINANCE Last Revised: 2/7/12

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General Plan Implementation through Zoning Update December 10, 2007

General Plan Implementation Measures related to Zoning Ordinance are compiled below, from the 2004 General Plan, with minor modifications for clarity and correct typographical errors. Specific Policies related to the Zoning Ordinance that do not have a corresponding Implementation Measures are summarized as separate line items. Measures called out in the General Plan Checklists are also included.

Status notes are included in the table after each measure providing a status of the particular measure or policy and how it has been or will be addressed. Relevant notes and cross references by staff are in *italics*.

This document will evolve and change as progress on the zoning ordinance, as well as other General Plan implementation measures, are adopted or otherwise incorporated into regulations. This document will serve to plan and implement the General Plan through the Zoning update process.

1. MEASURE LU-A

Review the Zoning Ordinance (Title 17 of the El Dorado County Code) to identify revisions that accomplish the following:

- Provide for mixed commercial and residential uses [Policy 2.1.1.3];
- Provide consistency between the General Plan land use designations and the Zoning Ordinance [Policy 2.2.1.2];
- Identify needed revisions to and improved application of the Planned Development combining zone district [Policies 2.2.3.1, 2.2.3.2, 2.2.3.3, 2.2.3.4, 2.2.5.4, and 8.1.5.1];
- Develop a density bonus program [Policy 2.2.4.1];
- Provide a Neighborhood Services zone district [Policy 2.2.5.8]
- Establish provisions for extended family support services and institutional uses in residential areas [Policy 2.2.5.9];
- Allow support services for agricultural and timber production in Rural Regions, including agricultural employee housing, feed and supply stores, veterinary services, agricultural and timber processing, and sales of agricultural and timber products [Policies 2.2.5.10 and 2.2.5.11];
- Provide flexibility for minimum parcel size with boundary line adjustments [Policy 2.2.5.12];
- Land Uses adjacent to or surrounding airport facilities shall be subject to location, use and height restrictions consistent with the Comprehensive Airport Land Use Plan [Policy 2.2.5.13]
- Identify and separate incompatible uses (including public facilities) by setbacks and buffering [Policies 2.2.5.14 and 2.2.5.18];

General Plan Implementation through Zoning Update December 10, 2007

- Establish standards for parking lot shading and street trees in all new development projects [Policy 2.3.1.2];
- Establish standards for providing visual separation between Community Regions where existing land use patterns do not facilitate physical separation [Policies 2.5.1.1 and 2.5.1.2];
- Provide standards and incentives for commercial development [Policies 2.5.2.1, 2.5.2.2, and 2.5.2.3];
- Establish criteria for schools and places of worship in residential zone districts [Policy 2.2.5.17];
- Establish a Scenic Corridor (-SC) Combining Zone District [Policy 2.6.1.6];
- Modify Sign Ordinance standards for scenic corridors [Policies 2.7.1.1 and 2.7.1.2];
- Strengthen limitations on light and glare [Policy 2.8.1.1];
- Establish buffers around solid waste handling and disposal sites [Policy 5.5.2.2];
- Provide incentives for indoor and outdoor art [Policy 5.9.2.2];
- Establish siting criteria for placement of new structures for fire hazard protection [Policy 6.2.1.1];
- Create an avalanche overlay zone [Policy 6.3.2.3];
- Create a dam failure inundation overlay zone [Policies 6.4.2.1 and 6.4.2.2];
- Establish open space protection measures [Policies 7.6.1.1 and 7.6.1.3]; and
- Promote tourist lodging facilities. [Policy 9.3.9.1]

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Responsibility:	Planning Department and Department of Transportation
Time Frame:	Begin Zoning Ordinance rewrite immediately upon adoption of General Plan. By tiering off the General Plan EIR and relying on previous work completed for 1996 General Plan, adoption should occur within one year of General Plan adoption.
Status:	To be included as part of the Zoning Ordinance Update (in order from above):
2.1.1.3	1. Allow residential in most commercial zones. GPA may be needed for densities to exceed 10 units per acre.
2.2.1.2	2. Conform zones to 2.2.1.2: GPA may be needed for clarification. Table 2-4 may need GPA in conjunction with Zoning update.
2.2.3.1, etc.	3. PD process to be amended in new Permit Processing Article.
2.2.4.1	4. Density Bonus provisions to be added to PD zone in Article 2.
2.2.5.8	5. New Neighborhood Service Zone to be created in the “residential” section of Article 2.
2.2.5.9	6. Zone matrix will allow family support and institutional uses by SUP in residential zones.
2.2.5.10/11	7. Zone matrix will allow agricultural support services and other commercial support uses in agricultural zones and forest lands; some by SUP (by GP Policy), some by right.
2.2.5.12	8. Provide BLA section to allow flexible parcel sizes.
2.2.5.13	9. Ensure land uses near airports are compatible and consistent with airport CLUPs.
2.2.5.14/18	10. Provide minimum buffer requirements between residential and commercial; minimize noisy and incompatible commercial uses near residential.
2.3.1.2	11. Update parking lot landscaping to improve shading and street trees.
2.5.1.1/2	12. *** These policies apply to discretionary development proposals, not the zoning ordinance.
2.5.2.1/2/3	13. Neighborhood commercial center design concepts (A-J) can be provided as a unique zone district (Article 2), general design standards (Article 3) or specific use regulation (Article 4).
2.2.5.17	14. Setbacks and other standards for churches and schools in residential zones will be incorporated into Article 4.
2.6.1.6	15. Scenic Corridor (SC) overlay zone will be developed in Article 2.
2.7.1.1/2	16. Sign standards will be described with the SC overlay zone.
2.8.1.1	17. Augment current lighting ordinance with concepts from Policy 2.8.1.1.
5.5.2.2	18. Buffer zones for MRF type sites may be established in Article 3 or with a new Specific Use Regulation (Article 4) and/or as a setback provision in Article 3.
5.9.2.2	19. Article 3 may have provision to encourage art in MFR, C, and I development.
6.2.1.1	20. Change setbacks for one acre parcels to 30 feet to conform to Fire Safe regulations.
6.3.2.3	21. Create the Avalanche Hazard overlay zone (Article 2).
6.4.2.1/2	22. Create the Dam Failure Inundation overlay zone (Article 2).
7.6.1.1/3	23. Open space policies will affect zone district standards (Article 2, 3

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9.3.9.1	and 4). 23. Tourist lodging is to be encouraged. Codify the B&B inn policies. Clarify “Homestay” provisions regarding agricultural lands. Allow lodging facilities in some commercial and industrial (R&D?) zones.
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2. POLICY 2.2.1.5 PROVIDES GENERAL PLAN STANDARDS FOR FLOOR AREA RATIOS THAT NEED TO BE INCLUDED IN THE ZONING ORDINANCE.

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be included as part of the Zoning Ordinance Update. Latest FAR standards will be included in zone district development standards (Article 2) as adopted by Board Resolution 184-2007 on July 17, 2007.

3. POLICY 2.2.2.7, 7.2.1.2, 7.6.1.1 AND 7.2.3.12 REQUIRE “Mineral Resource - MR” OVERLAY ZONE: Objectives 7.2.1 and 7.2.2, Policies 7.2.1.1 to 7.2.3.13 cover MR overlays, including buffering to minimize adverse impacts to and from mining, and minimum 20-acre size parcels on and adjacent to mineral resources areas [7.2.2.1].

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be included as part of the Zoning Ordinance Update. Article 2 will include all overlay zones including the –MR overlay and provisions to flag adjacent parcels for the 20-acre minimum parcel size. General Plan land use maps should be reviewed for lands that truly should be designated –MR and protected. Use current State Classification Reports and contact the State Department of Conservation pursuant to Policy 7.2.1.3.

4. MEASURE LU-C

Establish performance standards to be included in the Zoning Ordinance to allow applicants for ministerial projects to demonstrate compliance with General Plan policies and with other applicable County ordinances, policies, and regulations. Until such time as these standards are developed, the Planning Director shall review information submitted by the applicant to ascertain compliance. The review shall include, but not be limited to: (1) the effects of the proposed project on biological resources, cultural resources, geology and soils, agriculture, visual, noise, and air quality; (2) the project’s compliance with the concurrency requirements of the General Plan pertaining to traffic infrastructure and the availability of water and other services; (3) risks of exposure to hazardous materials and conditions as a result of site development; and (4) a determination as to whether the project is exempt from review under

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the California Environmental Quality Act. In lieu of requiring detailed resource assessments as part of initial applications, the Planning Director may establish a program for preliminary site inspections by qualified professionals employed or retained by the County to determine the need (if any) for specific resource evaluations required to complete this review. [Policy 2.2.5.20]

Responsibility:	Planning Department
Time Frame:	Revise Zoning Ordinance within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update; interim checklist in place in 2005 through early 2007; the Site Plan Review ordinance has been amended (March 2007) to incorporate a general plan consistency review process. However, comprehensive update of the Zoning Ordinance is intended to replace that process. The comprehensive update will address all the other issues associated with the GP checklist including replacement of the “Interim Guidelines” currently being used (Ag Setbacks; Riparian Setbacks, Slopes; Oak Tree Protection).

5. MEASURE LU-D

Revise the Zoning Ordinance to ensure that all uses permitted by right in any zoning district are compatible. Allow potentially incompatible uses subject to a discretionary review process with performance standards designed to ensure appropriate separation of incompatible uses. Include in the Zoning Ordinance a requirement that any project located adjacent to an existing sensitive land use shall be required to avoid impacts on the existing use. [Policy 2.2.5.21]

Responsibility:	Planning Department
Time Frame:	Revise Zoning Ordinance within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update. Article 2 contains the zones with allowed land uses and development standards such as setbacks; Article 3 will contain provisions for setbacks and buffers to improve compatibility; Most of Article 4 regarding Specific Use Regulations is intended to reduce impacts from incompatible adjoining uses.

6. MEASURE LU-F

Create and adopt Community Design Review standards and guidelines and identify new Community Design Review Districts. This would include working with community groups to develop standards. [Policies 2.4.1.1, 2.4.1.2, and 2.4.1.4]

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Responsibility:	Planning Department and Board of Supervisors
Time Frame:	Identify and seat community advisory members within two years of General Plan adoption. Identify community boundaries and create and adopt standards and guidelines within five years of General Plan adoption.
Status	Framework for these committees and standards can be incorporated into the Zoning Ordinance Update. The standards and guidelines may then be developed after the bulk of the Zoning Ordinance Update.

7. MEASURE LU-G

Amend the County Code to establish a Historic Design Review Combining Zone District. Identify suitable areas for application of the district and develop design standards or guidelines for such districts. [Policies 2.4.1.3 and 7.5.2.1 through 7.5.2.4]

Responsibility:	Planning Department
Time Frame:	Begin identification of potential historic districts immediately upon General Plan adoption. Draft ordinance and standards prepared within two to three years. Adoption of district boundaries, ordinance, and guidelines within three years.
Status	Framework for this can be incorporated into the Zoning Ordinance Update. The boundaries, ordinance, and guidelines may then be developed after the bulk of the Zoning Ordinance Update Might hire consultant or process later with LU-I and Sign Ordinance

8. MEASURE LU-I

Inventory potential scenic corridors and prepare a Scenic Corridor Ordinance, which should include development standards, provisions for avoidance of ridgeline development, and off-premise sign amortization. [Policies 2.6.1.1 through 2.6.1.7]

Responsibility:	Planning Department and Department of Transportation,
Time Frame:	Begin inventory immediately following General Plan adoption. Adopt ordinance within 18 months.
Status	To be included as part of the Zoning Ordinance Update. Includes Policy 2.7.1.2 removal of billboards in scenic corridor Workshop on policies held on January 11, 2007; General direction to implement policies with minimal impact on residential development.. Might hire consultant or process next year with LU-G and Sign Ordinance

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9. MEASURE LU-J

If segments of State Route 49 are identified as appropriate for State Scenic Highway status during preparation of the Scenic Corridor Ordinance (see Measure LU-I above), prepare documentation in support of having those segments of State Route 49 identified as a State Scenic Highway [Policy 2.6.1.8]

Responsibility:	Department of Transportation and Planning Department
Time Frame:	Prepare supporting information within three years of General Plan adoption in coordination with Implementation Measure LU-I.
Status	Not currently anticipated to be part of the scenic corridor ordinance or part of this Zoning Ordinance Update. Might hire consultant or process later with LU-I and Sign Ordinance

10. MEASURE LU-O

Coordinate the following actions with the Tahoe Regional Planning Agency (TRPA) and other agencies having land use jurisdiction in the Tahoe Basin to create a comprehensive approach to land use regulation in the Tahoe Basin:

- Preparation and adoption of a Community Plan for the Tahoma/Meeks Bay area;
- Identification of additional affordable housing opportunities;
- Modification of the County’s Zoning Ordinance to be consistent with, or adopt as County Code, the TRPA Code of Ordinances and Plan Area Statements; and
- Implementation of actions recommended in TRPA’s periodic threshold evaluation reports.

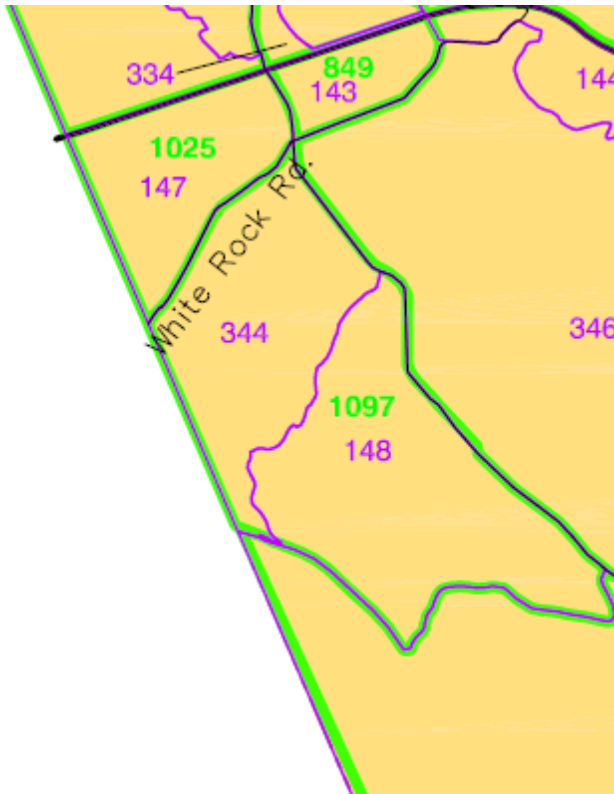
[Goal 2.10]

Responsibility:	Planning Department
Time Frame:	Begin working with TRPA immediately upon adoption of the General Plan. Identification of additional affordable housing opportunities will be ongoing. Adoption of Community Plan within five years of General Plan adoption. Modification of the County Zoning Code within one year of General Plan adoption.
Status	Community Plan for Tahoma/Meeks Bay is not part of this phase of the Zoning Ordinance Update. Could proceed separately under consultant or TRPA guidance. The –T overlay zone (Tahoe) is intended to reflect the TRPA Code of Ordinances in this phase of Zoning Ordinance Update.

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11. Employment Cap, El Dorado Hills Business Park, Policy TC-1y

Responsibility:	Planning Department
Time Frame:	Ongoing
Status	To be included as part of the Zoning Ordinance Update to replace provision in non-residential General Plan Checklist. A provision can be included in the Article 3 Site Planning and Project Design Standards to flag the subject area for conformance with this policy. Zoning map may also be used to flag the area affected: currently identified only as Traffic Analysis Zones 148 and 344. (See map below)



12. MEASURE TC-P

Use appropriate zoning in designated rail corridors to ensure preservation of rail facilities for future local rail use. [Policy TC-6a]

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Responsibility:	Planning Department
Time Frame:	Ongoing
Status	To be included as part of the Zoning Ordinance Update. Likely designate rail corridor to a new or revised Transportation Corridor zone.

13. MEASURE HO-G

Amend the Zoning Ordinance and *Design and Improvement Standards Manual* to provide more flexibility in development standards as incentives for affordable housing developments. Any amendments to development standards should consider site characteristics. The specific standards that may be evaluated include, but are not limited to, the following:

- Reduction in minimum lot size to accommodate smaller units;
- Reduction in setbacks;
- Reduction in the area of paved surfaces through the use of angled parking and one-way circulation;
- Reduction in street widths;
- Reduction in turning radius on cul-de-sacs;
- Reduction in pavement thickness when it can be demonstrated that soils and geotechnical conditions can permit a lesser thickness;
- Increase in the allowable lot coverage for affordable housing developments; and
- Consideration of cluster development particularly where either more open space is achieved or existing requirements increases costs or reduces density.

[Policy HO-1c]

Responsibility:	Planning Department
Time Frame:	Within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update as may be applicable. New section titled “Affordable Housing Requirements and Incentives” can be developed within the general Site Planning and Project Design Standards section and can address setbacks, lot size flexibility, and lot coverage, as well as other incentives.

14. MEASURE HO-H

Adopt a density bonus ordinance in accordance with state law and promote the benefits of this program to the development community by posting information on the County’s website and creating a handout to be distributed with land development applications. [Policy HO-1r]

Responsibility:	Planning Department
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Time Frame:	Within one year of General Plan adoption.
Status:	PD provisions will include provisions for basic density bonus related to dedication of open space. Additional density bonus provisions regarding affordable housing may be cited or cross referenced in the PD provisions or under a new section titled “Affordable Housing Requirements and Incentives.” Consultants or outsourcing may be used for this Policy.

15. MEASURE HO-N

Review the County’s residential development processing procedures to identify additional opportunities to further streamline the procedures for affordable housing projects while maintaining adequate levels of public review. The review may include, but is not limited to:

- Prioritizing the development review process for projects that provide housing for very low and lower income households;
- Developing a land development issues oversight committee and interdepartmental land development teams, with regular briefings on key issues;
- Training and cross-training for new tools and processes;
- Greater public outreach and education; and
- Using new technology including on-line permitting, expanded use of geographic information systems, and greater use of the County website.

[Policy HO-1c]

Responsibility:	Planning Department, Building Department, Department of Transportation, and Environmental Management Department
Time Frame:	Within two years of General Plan adoption.
Status	Portions of this policy can be included as part of the Zoning Ordinance Update under a new section titled “Affordable Housing Requirements and Incentives.” Consultants or outsourcing may be used for this Policy

16. MEASURE HO-O

Adopt an infill incentive ordinance to assist developers in addressing barriers to infill development. Incentives could include, but are not limited to, modifications of development standards, such as reduced parking and setback requirements, to accommodate smaller or odd-shaped parcels, and waivers or deferrals of certain development fees, helping to decrease or defer the costs of development. [Policy HO-1e]

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Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.
Status:	Portions of this policy can be included as part of the Zoning Ordinance Update under a new section titled “Affordable Housing Requirements and Incentives.” Consultants or outsourcing may be used for this Policy

17. MEASURE HO-T

Amend the Planned Development combining zone district to provide adequate developer incentives to encourage inclusion of a variety of housing types for all income levels. [Policy HO-1r]

Responsibility:	Planning Department
Time Frame:	Within one year of General Plan adoption as part of revision to the Zoning Ordinance.
Status:	The PD provisions may be amended or cross reference a new section titled “Affordable Housing Requirements and Incentives.” Consultants or outsourcing may be used for this Policy

18. MEASURE HO-U

Work with non-profit and for profit developers to adopt development and design standards that would make affordable multifamily housing ministerial, requiring such housing to blend in with the surrounding area. [Policy HO-1p]

Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.
Status:	To be included as part of the Zoning Ordinance Update, with either the Affordable Housing Requirements section, or as part of the Multifamily zoning section. Consultants or outsourcing may be used for this Policy.

19. MEASURE HO-V

Consider ministerial approval affordable housing. [Policies HO-1f and HO-1p]

Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.
Status:	To be included as part of the Zoning Ordinance Update. Similar to HO-U and may also benefit from using consultants or outsourcing.

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20. MEASURE HO-Z

Adopt a mobile home park conversion ordinance with measures to encourage retention of mobile home and manufactured home housing, aid in relocation, and provide compensation to owners and residents. The ordinance may consider the following approaches to preserve affordable mobile home housing:

- Provide rent subsidies;
- Grant financial assistance with Community Development Block Grant, tax increment, or other local sources;
- Establish rehabilitation loans to correct health and safety violations;
- Participate with mobile home residents in the state’s Mobile Home Park Assistance Program;
- Require adequate notice of any intent to raise rent; and
- Protect current mobile home parks and sites by zoning them for appropriate residential use.

[Policies HO-3a and HO-3d]

Responsibility:	Planning Department and Department of Human Services
Time Frame:	Within two years of General Plan adoption.
Status	MP overlay zone should include applicable portions of HO-Z, as part of the Zoning Ordinance Update. Existing Mobile Home Parks will need to be designated with the –MP overlay. Recent experience with Candlelight Village can be reviewed for legal findings and process direction (TM07-1436).

21. MEASURE HO-EE

Review the Zoning Ordinance, existing policies, permitting practices, and building codes to identify provisions that could pose constraints to the development of housing for persons with disabilities. Adopt an ordinance, pursuant to the Fair Housing Amendments Act of 1988, to establish a process for making requests for reasonable accommodations to land use and zoning decisions and procedures regulating the siting, funding, development and use of housing for people with disabilities. [Policy HO-4c]

Responsibility:	Planning Department and Building Department
Time Frame:	Within three years of General Plan adoption.

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Status	To be included as part of the Zoning Ordinance Update. Reasonable accommodations may include minor variations to setbacks or coverage standards to allow for access ramps to be installed for existing dwellings, approvable at the administrative level.
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22. MEASURE HO-GG

As part of the Zoning Ordinance update, clearly define temporary shelters, transitional housing, and permanent supportive housing and identify zone districts within which temporary shelters or transitional housing may be established by right or by Special Use Permit. Once that exercise is complete, identify suitable sites for establishment of emergency shelters and transitional and permanent supportive housing, with characteristics appropriate for such use, including but not limited to proximity to public services and facilities and accessibility to and from areas where homeless persons congregate. [Policy HO-4d]

Responsibility:	Planning Department and Department of Human Services
Time Frame:	Zoning Ordinance to be updated within one year of General Plan adoption. Identification of sites to begin immediately thereafter.
Status	To be included as part of the Zoning Ordinance Update: New definition will be needed of this new land use type, and some zones will need to allow the use by right or by use permit.

23. MEASURE HO-MM

Adopt an ordinance to establish a process for making requests for reasonable accommodations to land use and zoning decisions and to procedures regulating the siting, funding, development, and use of housing for people with disabilities. [Policy HO-4b]

Responsibility:	Planning Department
Time Frame:	Within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update similar to HO-EE.

24. MEASURE HO-NN

As part of the Zoning Ordinance update, ensure that the permit processing procedures for agricultural employee housing do not conflict with Health and Safety Code Section 17021.6 which states that “no conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing that serves 12 or fewer employees and is not required of any other agricultural activity in the same zone.” The County shall also ensure that such procedures encourage and facilitate the development of housing for agricultural employees.

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Responsibility:	Planning Department and Department of Human Services
Time Frame:	Zoning Ordinance to be updated within one year of General Plan adoption
Status	Review H&S Code Section and address as part of the Zoning Ordinance Update

25. MEASURE PS-B

Review the County Code to identify revisions that could accomplish the following:

- A. Require and specify the nature of findings to be made by the approving body that a proposed project is consistent with the long range and capital improvement plans of County and other service providers or, if not consistent, the conditions under which the project can be approved [Policy 5.1.1.2]; and
- B. Require and specify the nature of findings to be made by the approving body that a proposed project meets minimum standards for the provision of emergency services, including emergency water supply and conveyance and emergency access, and emergency service facilities. [Policy 5.1.2.1]

Responsibility:	Planning Department
Time Frame:	Revise County Code within five years of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update. Review the land use permit processes to ensure findings related to public services are being considered with each development proposal.

26. POLICY 5.6.1.4 REQUIRES SUP FOR TELECOMMUNICATION FACILITIES IN RESIDENTIAL ZONES.

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be included as part of the Zoning Ordinance Update. Article 4 will contain a specific use section for the existing wireless ordinance (17.14.200) to be updated, including implementation of this policy.

27. POLICY 5.8.3.1 REQUIRES THAT CHILD DAY CARE FACILITIES BE ALLOWED BY RIGHT IN COMMERCIAL /OFFICE PROJECTS, IN MFR DEVELOPMENT, MIXED USE DEVELOPMENTS, EMPLOYMENT CENTERS AND NEAR TRANSIT FACILITIES.

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Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be included as part of the Zoning Ordinance Update. Day care facilities may also have Article 4 Specific Use Regulations to minimize potential land use conflicts.

28. MEASURE PS-H

Work with the Water Agency and water service providers to develop and implement a water use efficiency program for application to existing and new residential, commercial/industrial, and agricultural water users for those areas not served by a water purveyor with an existing water use efficiency program. The program shall include identification of the types of programs that must utilize reclaimed water and address the feasibility of such use, consistent with Policy 5.2.1.10. Amend the County Code to include water use efficiency requirements, which may include:

- Water-conserving design and equipment in new construction, including single-family residential developments;
- Water-conserving landscaping and other conservation measures for new residential development;
- Retrofitting existing development with water conserving devices;
- Water-conserving agricultural irrigation practices; and
- Provide information/educational materials regarding water usage and conservation to the public.

[Policies 8.2.1.1 and 5.2.1.12]

Responsibility:	Planning Department, Building Department, and Department of Agriculture
Time Frame:	Develop and implement program within eight years of General Plan adoption.
Status	Water –conservation measures to be included as part of the Zoning Ordinance Update. Other measures will be addressed elsewhere. Landscaping provisions will also require water conserving landscape standards. Current water conserving landscape standards and additional design information will be an Appendix to the Zoning Code.

29. MEASURE PS-O

Develop standards for energy-efficient site development and construction. [Policies 5.6.2.1 and 5.6.2.2]

Responsibility:	Planning Department, Department of Transportation, and Building Department
Time Frame:	Develop standards within four years of General Plan adoption.

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Status	To the extent practical, standards may be included as part of the Zoning Ordinance Update. Discretionary reviews require “energy conserving landscape plans” (policy 5.6.2.1) and subdivisions need to include design components for seasonal passive cooling/heating, although that provision will be in the updated Design Manual.
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30. MEASURE HS-D

Develop and adopt standards to protect against seismic and geologic hazards, INCLUDING ASBESTOS REVIEW [Objective 6.3.1 INCLUDING POLICY 6.3.1.1]

Responsibility:	Planning Department, Building Department, and Department of Transportation
Time Frame:	Develop standards within five years of General Plan adoption.
Status	To the extent practical, standards may be included as part of the Zoning Ordinance Update. At this point, the asbestos ordinance enforced by Environmental Management address the asbestos policies and nothing more is needed, except for potential cross referencing.

31. MEASURE HS-H

Continue to participate in the Federal Flood Insurance Program, maintain flood hazard maps and other relevant floodplain data made available by other sources, and revise or update this information as new information becomes available. In its review of applications for building permits, discretionary project applications, and capital improvement proposals, the County shall determine whether the proposed project is within the 100-year floodplain based on these data. [Policies 6.4.1.1, 6.4.1.2, and 6.4.1.3]

Responsibility:	Planning Department, Building Department, Department of Transportation, and General Services Department
Time Frame:	Ongoing
Status	Flood Hazard Prevention chapter of the existing County Code will be updated and included as part of the Zoning Ordinance Update.

32. MEASURE HS-I

To provide a comprehensive approach to noise control, adopt a Noise Ordinance that includes, but is not limited to, the following:

- A. Procedures to ensure that noise mitigation measures, as determined through an acoustical analysis, are implemented in the project review process and, if determined necessary, through the building permit process;
- B. Procedures to monitor compliance with the standards of the Noise Ordinance after completion of projects where noise mitigation measures were required; and

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- C. Application of the noise standards to ministerial projects, with the exception of single-family residential building permits, if not in areas governed by the Airport Comprehensive Land Use Plans.

[Policies 6.5.1.10, 6.5.1.13, and 6.5.1.14]

Responsibility:	Planning Department and Department of Transportation
Time Frame:	Develop ordinance within five years of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update. Noise Ordinance may be developed separately or outsourced to consultant for technical assistance for a reasonable and enforceable ordinance.

33. MEASURE HS-K combined with other policies related to Airport land use and noise

Review the Zoning Ordinance and identify changes that would accomplish the following:

- A. The County shall recognize the Comprehensive Land Use Plan (CLUPS) for the Placerville Airport, the Cameron Airpark Airport, the Georgetown Airport, and the City of South Lake Tahoe Airport as the applicable guidelines for development within the 55dB/CNEL contour of these airports. Where there is a conflict between the County noise standards and the noise standards of the CLUPS, the standards of the CLUPS shall take precedence. [Objective 6.5.2]
- B. All development within the safety zones of the Placerville Airport, the Cameron Airpark Airport, the Georgetown Airport, and the City of South Lake Tahoe Airport shall comply with Airport Land Use Commission height, noise and safety policies and maps as set forth in each airport’s comprehensive land use plan. Where there is a difference between the County development standards and the development standards of the Comprehensive Land Use Plan, as applied to proposed development, the standards that will most reduce airport-related safety hazards shall apply. [Policy 6.8.1.1]
- C. Evaluate all projects, including single family residential, within the 65dB/CNEL noise contour of a county airport against the noise guidelines and policies in the applicable CLUP.
- D. Include an airport combining zone district for each of the Safety Zones as defined in the comprehensive land use plans for each of the County’s public airports. The ordinance shall specify maximum density and minimum parcel size; and
- E. Develop and apply a combining zone district for areas within the 55 dB CNEL of public airports to discourage the placement of incompatible uses within the contour. [Policies 6.5.2.1, 6.5.2.2 and 6.8.1.2]
- F. Continue to support federal and state regulations governing operations and land use restrictions related to airports in the County. [TC-7A]

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Responsibility:	Planning Department and Airport Land Use Commission
Time Frame:	Update Zoning Ordinance within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update; Note HS-I is related in that it requires a comprehensive approach to noise control and requires a noise ordinance. New “Noise Contour” overlay zone may implement the CLUP policies on noise and the “Airport Safety” overlay will implement the rest of the CLUP policies, at least by reference. Noise Ordinance may be developed separately or outsourced to consultant for technical assistance for a reasonable and enforceable ordinance.

34. MEASURE CO-A

Review the Zoning Ordinance (Title 17 of the El Dorado County Code) to identify revisions that accomplish the following:

- A. Incorporate tree canopy coverage standards outlined in Policy 7.4.4.4;
- B. Develop standards for use of native plants in landscaping [Policy 7.4.5.2]; *(Note: This Reference is to the 1996 GP; This policy no longer exists. – refer to similar policy 7.4.4.2; rpt)*
- C. Establish Historic Design Control Combining Zone District and design guidelines for reconstruction and construction of new buildings and the demolition of existing buildings in such districts. Adopt an ordinance amendment implementing historic design review requirements and recordation procedures. [Policies 7.5.2.1, 7.5.2.2, and 7.5.2.4];
- D. Develop buffer standards for new nonmining land uses next to existing mining operations [Policy 7.2.2.3];
- E. Develop standards for minimizing erosion and sedimentation associated with earthwork and grading [Policy 7.1.2.2].

Responsibility:	Planning Department
Time Frame:	Update Zoning Ordinance within one year of General Plan adoption.
Status	Interim Guidelines for Policy 7.4.4.4 will be modified and included within the updated Zoning Ordinance. Native plants in landscaping, Historic Design Control Combining Zone, buffer standards, and specific erosion control will be included as part of the Zoning Ordinance Update.

35. MEASURE CO-K

Work cooperatively with the State Department of Fish and Game, U.S. Fish and Wildlife Service, and Bureau of Land Management to implement the gabbro soils rare plant ecological preserve and recovery program and to develop a long-term preserve strategy. Develop

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implementation measures to incorporate in County development standards for ministerial and discretionary projects, which may include:

- Identification of compatible land uses within preserve sites, which may include passive recreation, research and scientific study, and interpretive education; and
- Fuels management and fire protection plans to reduce fire hazards at the interface between rare plant preserve sites and residential land uses; and

[Policies 7.4.1.1, 7.4.1.2, and 7.4.1.3 and Objective 7.4.3]

Responsibility:	Planning Department
Time Frame:	Ongoing implementation to continue immediately upon General Plan adoption. Development standards to be incorporated into updated Zoning Ordinance and design standards programs.
Status	Development standards to be included as part of the Zoning Ordinance Update, see Chapter 17.71 of existing ZO

36. MEASURE CO-N

Review and update an Important Biological Corridor (-IBC) Overlay land use designation consistent with Policy 7.4.2.9. (AND POLICY 2.2.2.8)

Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update

37. MEASURE CO-O Riparian and Wetland Setbacks in the Zoning Ordinance

Prepare and adopt a riparian setback ordinance. The ordinance, which shall be incorporated into the Zoning Code, should address mitigation standards, including permanent protection mechanisms for protected areas, and exceptions to the setback requirements. The ordinance shall be applied to riparian areas associated with any surface water feature (i.e., rivers, streams, lakes, ponds, and wetlands) and should be prepared in coordination with Measure CO-B. [Policies 7.3.3.4, 7.3.3.5, 7.3.4.2, 7.4.2.5, 5.4.1.2, 7.4.2.5]

Responsibility:	Planning Department
Time Frame:	Within three years of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update.

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38. Policy 7.1.2.1 establishes a 30 percent Slope development limitation in the Zoning Ordinance.

Responsibility:	Planning Department
Time Frame:	Update Zoning Ordinance within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update

39. Objective 2.3.2 – maintain the visual integrity of hillsides and ridgelines in the Zoning Ordinance.

Responsibility:	Planning Department
Time Frame:	Update Zoning Ordinance within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update

40. MEASURE CO-P

Develop and adopt an Oak Resources Management Plan and a related Ordinance for inclusion in Zoning Ordinance The plan shall address the following:

- Canopy Cover and related Mitigation standards outlined in Policy 7.4.4.4;
- Thresholds of significance for the loss of oak woodlands;
- Requirements for tree surveys and mitigation plans for discretionary projects Policy 7.4.5.2;
- Replanting and replacement standards Policy 7.4.4.5;
- Heritage/landmark tree protection standards; and
- An Oak Tree Preservation Ordinance as outlined in Policy 7.4.5.1.

[Policies 7.4.4.4, 7.4.4.5 , 7.4.5.1 and 7.4.5.2]

Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.
Status	Oak Woodland Management Plan being prepared by consultants (EN2 Resources) to include ordinance. Prepared separately.

41. MEASURE CO-Q

Develop and adopt a Cultural Resources Preservation Ordinance, consistent with Policy 7.5.1.1.

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Responsibility:	Planning Department and Department of Transportation
Time Frame:	Adopt ordinance within two years of General Plan adoption.
Status To be done separately.	Ordinance previously adopted as Ord. 4621 effective 2/11/03. Board disbanded the Commission pending adoption of a new ordinance. Since original ordinance was codified in as Section 2.29, this measure will be addressed separately and not included as part of the Zoning Ordinance Update.

42. OBJECTIVES 7.5.1, 7.5.2, 7.5.3 AND 7.5.4 [POLICIES 7.5.1.6, 7.5.2.1., 7.5.2.2., 7.5.2.3 AND 7.5.4.1] REQUIRE CONSIDERATION OF CULTURAL RESOURCES INCLUDING CEMETARIES WITHIN ZONING ORDINANCE – TO BE INCLUDED BEFORE CULTURAL RESOURCES PRESERVATION ORDINANCE ADOPTED.

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	Policies under these objectives may be related to other Zoning Ordinance implementation provisions, and therefore need to be reviewed for opportunities to be included as part of the Zoning Ordinance Update

43. MEASURE CO-T

Work with the State of California Department of Parks and Recreation to identify the viewshed of Marshall Gold Discovery State Historic Park (Coloma) and establish guidelines for development within that viewshed. [Policy 7.5.2.6]

Responsibility:	Planning Department
Time Frame:	Identify viewshed within four years of General Plan adoption. Adopt standards within six years.
Status	To be included as part of the Zoning Ordinance Update and may coincide with any evaluations conducted pursuant to the Scenic Corridor Policies.

44. POLICY 7.6.1.3 REQUIRES OS ZONING STANDARDS

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be included as part of the Zoning Ordinance Update

45. MEASURE AF-A

Review the Zoning Ordinance (Title 17 of the El Dorado County Code) to identify revisions that accomplish the following:

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- A. Provisions that establish minimum densities of and setbacks on lands adjacent to agriculturally-zoned lands and timberlands to protect current and future agricultural and timber production on those lands as set forth below:
 - 1. 10-acre minimum parcel sizes adjacent to agriculturally-zoned lands [Policy 8.1.3.1];
 - 2. 200 foot setback adjacent to agriculturally zoned lands [Policies 8.1.1.5 and 8.1.3.2];
 - 3. 160-acre minimum parcel size for TPZ-zoned lands [Policy 8.3.2.1];
 - 4. 160-acre minimum parcel size for Natural Resource-designated lands above 3000-foot elevation [Policy 8.3.2.2];
 - 5. 40-acre minimum parcel size for Natural Resource-designated lands below 3000-foot elevation [Policy 8.3.2.3];
 - 6. 40-acre minimum parcel size on lands adjacent to timberlands [Policy 8.4.1.1]; and
 - 7. 200-foot setback adjacent to timberlands [Policy 8.4.1.2].
- B. Update and revise the Right to Farm Ordinance to include a requirement for a mandatory local option real estate transfer disclosure statement on all new parcels created adjacent to agricultural lands requiring the new owner to sign a statement acknowledging that his/her parcel is adjacent to a parcel engaging in agricultural activities and to protect forest management activities [Policies 8.1.1.5, 8.1.3.3, and 8.2.2.4];
- C. Provisions requiring alternative and/or supplemental findings for approval for special use permits to establish additional dwellings for permanent and seasonal agricultural employees [Policy 8.2.3.1];
- D. Provisions to encourage clustering of permitted residential development to minimize loss of choice agricultural soils [Policy 8.1.5.1];
- E. Provisions setting forth appropriate by right, and conditional use permit development to support the agricultural industry [Policies 8.2.2.1, 8.2.4.2, and 8.2.4.3]; and
- F. Standards for the construction of agricultural fencing on residential parcels adjacent to grazing lands [Policy 8.2.2.6].

Responsibility:	Planning Department and Department of Agriculture
Time Frame:	Revise Zoning Ordinance within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update

46. MEASURE AF-E

Develop and implement a method to identify and officially recognize rangelands currently used for grazing or suitable for sustained grazing of domestic livestock. [Policy 8.1.2.1]

Responsibility:	Department of Agriculture
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Time Frame:	Within five years of General Plan adoption.
Status	Department of Agriculture to identify said lands. How to designate lands shall be considered and included as part of the Zoning Ordinance Update. Land identification could include an agricultural zone or overlay.

47. MEASURE AF-J

Complete an inventory of agricultural lands in active production and/or lands determined by the Agricultural Commission to be suitable for agricultural production. Once the inventory is complete, perform a suitability review (consistent with Policies 8.1.1.1, 8.1.1.2, 8.1.1.3, and 8.1.1.4) and amend the Agricultural District boundaries as appropriate. [Policy 8.1.1.7]

Responsibility:	Department of Agriculture and Planning Department
Time Frame:	Within two years of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update

48. POLICY 9.3.9.1: The County will encourage the development of private lodging facilities by modifying the Zoning Ordinance sections dealing with tourist related facilities.

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be included as part of the Zoning Ordinance Update. New B&B section implementing Department Policies to be codified. Additional provisions related to commercial and agricultural lodging facilities to be added.

49. MEASURE ED-O

Use the final Environmental Impact Report (EIR) for the General Plan as a first tier EIR. Future environmental documents for site specific projects, development code regulations, and specific zoning may rely upon and tier off of this EIR. [Policy 10.1.2.2] (10.1.2.2.5)

Responsibility:	Planning Department
Time Frame:	Ongoing
Status	To be considered during the Zoning Ordinance Update

50. MEASURE ED-P

Revise the Zoning Ordinance so that classes of permitted uses for commercial, industrial, and research and development uses on lands so designated on the General Plan Land Use Maps,

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and/or that have been pre-planned through planned developments, specific plans, and other master planned lands, are expanded. [Policy 10.1.2.2] (10.1.2.2.6)

Responsibility:	Planning Department
Time Frame:	Revise Zoning Ordinance within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update

51. MEASURE ED-Q

Regulations shall include a means to accomplish regulatory needs with the least interference and/or barriers to business. Interested parties should be invited to participate in the development and review of new regulations. [Policy 10.1.2.4]

Responsibility:	County Counsel, Office of Economic Development, Planning Department, Environmental Management, Department of Transportation, and Building Department
Time Frame:	Concurrent with the Zoning Ordinance update (within one year of General Plan adoption) and Implementation Measure ED-N and ED-R.
Status	To be considered during the Zoning Ordinance Update

52. MEASURE ED-R

The County shall prepare an overview statement for proposed laws or administrative regulations including: (a) the purpose of the law and/or regulation; and (b) the relationship between stated purposes and other adopted laws and/or regulations of the County. [Policy 10.1.2.4]

Responsibility:	County Counsel
Time Frame:	Concurrent with the Zoning Ordinance update (within one year of General Plan adoption) and Implementation Measure ED-N and ED-Q.
Status	To be considered during the Zoning Ordinance Update

53. MEASURE ED-S

All proposed development regulations or ordinances shall demonstrate a public benefit where proposed regulations or ordinances will result in private or public costs. This requirement shall not be construed to create a cause of action against the County for its alleged failure to prepare a formal cost/benefit analysis or its alleged failure to prepare a legally adequate or sufficient cost/benefit analysis. [Program 10.1.2.4.3]

Responsibility:	County Counsel
Time Frame:	Ongoing as new ordinances are developed and existing ordinances are updated.

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Status	To be considered during the Zoning Ordinance Update. Reference to this policy may be appropriately located in the Planning Permit Processing Section.
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54. MEASURE ED-II

The Zoning Ordinance shall provide for agriculture dependent commercial and industrial uses on lands within Rural Regions. [Policy 10.1.5.4]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update. New and expanded “use types” will clarify what types of commercial activities are permitted in Rural Regions and various zone districts.

55. MEASURE ED-JJ

The Zoning Ordinance shall allow the sales and marketing of products grown in El Dorado County and crafts made in El Dorado County in areas designated for agricultural use. [Policy 10.1.5.4]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update. New and expanded “use types” and updates to the winery and ranch marketing provisions will implement Policy 10.1.5.4 and allow produce sales. Crafts are identified in the Ranch Marketing section as a new use: “Handicraft and Promotional Item Sales.”

56. MEASURE ED-KK

Designate sufficient lands of a size and at locations to accommodate needed retail and commercial development. [Policy 10.1.5.5]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.
Status:	Zone District maps will be updated to bring maps into conformance with adopted General Plan land use designations.

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57. MEASURE ED-MM

Work with the cities of Placerville and South Lake Tahoe to establish a uniform small business licensing application, forms, and instructions for all cities and the County. [Policy 10.1.7.1]

Responsibility:	Office of Economic Development and Planning Department
Time Frame:	Establish uniform program within two years of General Plan adoption. Should be concurrent with Implementation Measures ED-K and ED-M.
Status	The business license process and updates have been led by the Tax Collectors Office. However, certain provision may be implemented in the Home Occupation section of the Zoning Ordinance.

58. MEASURE ED-PP

Establish land use regulations that permit by right satellite work centers, home work place alternatives, and home occupations as a means of reducing commutes on U.S. Highway 50. [Policy 10.1.7.3]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update. The Commercial Zones and the Home Occupation ordinance updates may implement this policy.

59. MEASURE ED-QQ

Establish standards in the Zoning Ordinance that provide compatible home businesses that complement residential uses in the Community Regions, Rural Centers, and Rural Regions. [Policy 10.1.7.4]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.
Status	To be included as part of the Zoning Ordinance Update. A new Home Occupation section will be provided in Article 4 Specific Use Regulations. See also ED-RR.

60. MEASURE ED-RR

Work with developers of Conditions, Covenants, and Restrictions (CC&Rs) to prevent the creation of CC&Rs that preclude home occupations or work-at-home activities. [Policy 10.1.7.4]

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Responsibility:	Office of Economic Development and Planning Department
Time Frame:	Ongoing
Status:	This measure would generally be implemented as a result of discretionary permit review: "Land use regulations shall disallow CC&Rs that preclude home occupations or work at home activities" and would not be included as part of the Zoning Ordinance Update. The Zoning Ordinance Update will include provisions for home occupations and work-at-home activities consistent with Policy 10.1.7.4

61. POLICY 10.1.9.1 RELATED TO ZONING AND PERMIT STREAMLINING STRATEGIES.

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be included as part of the Zoning Ordinance Update. Procedural section of Zoning Ordinance will be reviewed for conformance with this Policy. Administrative permit process may be available for some "Specific Use Regulations" and the Minor Use Permit provisions can be expanded in clarity and usage.

62. Portion of HO-F: Keep 2nd Unit and TMA provisions in code.

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be included as part of the Zoning Ordinance Update. Clarification of 2 nd Unit and TMA provisions will be reviewed.

63. Amend Table 2-4 of the General Plan with Zoning Ordinance (PC interpretation direction)

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be reviewed and amended as part of the Zoning Map adoption process. Table 2-4 attached at end for reference. Need to add the PF land use designation and add/remove any zone districts resulting from the zoning text update process..

64. Policy 10.1.2.3: All County regulations and procedures shall be written in a concise and easy to understand manner.

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Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be considered as part of the Zoning Code adoption process. In general, the review of the reformat of the zoning ordinance is intended to implement this policy, but each new provision will need to be reviewed to be concise and easy to understand.

65. Policy 10.1.6.5: Policy requires a new zone for low vs. high intensity recreation uses.

Responsibility:	Planning Department
Time Frame:	None provided.
Status:	To be considered as part of the Zoning Code and Map adoption process. The RF zone can be divided into two zones: a low intensity and a high intensity zone.

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TABLE 2-4 GENERAL PLAN LAND USE DESIGNATION AND ZONING DISTRICT CONSISTENCY MATRIX												
Zoning Districts*	Land Use Designations*											
	MFR	HDR	MDR	LDR	RR	AL	NR	C	R&D	I	OS	TR
RM & R2	•											
MP	•	•										
R1 & R20,000		•										
R1A			•									
R2A			•									
R3A		◊	•									
RE-5	◊	◊	◊	•								
RE-10	◊	◊	◊	•	•							
RA-20			◊	•	•	•						
RA-40+			◊	◊	•	•	•					
NS ¹	•	•	•									
CH ¹								•				•
C								•				
CPO, CP, CG								•				
R&D									•	•		
I										•		
IR ¹					•	•	•			•		
A & SA-10				•		•						
PA				•	•	•						
AE				•	•	•	•					
TPZ				◊	•	•	•					
FR ¹				◊	•	•	•					
MR					•	•	•	•		•		
RF	•	•	•	•	•		•	•			•	•
RT	•							•				
CN				•	•						•	
OS	•	•	•	•	•	•	•	•	•	•	•	
TC	•	•	•	•	•		•	•	•	•	•	•
LEGEND	•◊ ^{2/3} – Consistent					Inconsistent						
Notes:												
¹ Proposed new zone districts: CH - Highway Commercial; NS - Neighborhood Service; IR - Resource Industrial; and FR - Forest Resource												
² Zone district intensity/density of permitted uses within acceptable range of land use designation												
³ Zone district intensity/density of permitted uses below the acceptable range of land use designation												
* See table below for land use designations and zoning districts												

Notes on Table 2-4: Needs to be amended to include the PF land use designation, add any new zone districts established by the updated Zoning Ordinance, and review/modify the consistency matrix. Purpose of solid diamonds, open diamonds, and blank boxes needs to be clarified. rpt

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Recommendations on Existing Zoning Code Problems

Updated November 15, 2007

The following table identifies problems with the existing El Dorado County Zoning Code and recommendations for the updated zoning code.

0. Text Problems w/Code Reference	Examples or Comments	Recommendation(s)
<p>1. Text is difficult to Navigate</p>	<p>Should have header/footer referencing section of code.</p> <p>Index lacking</p> <p>Info on web in PDF format cannot be easily searched</p> <p>Chapters and sections do not follow a logical order. It is necessary to use Table of Contents to find sections.</p> <p>RE-10 is Section 17.70 but RE-5 is 17.28.</p>	<p>Add headers and footers referencing code section.</p> <p>Add Index to address common queries and all words in glossary (using word processing software).</p> <p>Ensure that ZO digital information can be electronically searched by word or phrase</p> <p>Reformat Code based on recommendations from consultants, staff, logical progression, and APA journal.</p> <p>Consolidate zones into same section.</p>
<p>2. Often language is archaic and misleading. Grammar and punctuation is not consistent, nor compliant with current common usage.</p>	<p>Commas often out of place, confusing whether one particular use is permitted or whether the subsequent list is permitted.</p> <p>Certain terms, fees, and procedures are cited, but have been superseded.</p> <p>Uses allowed by right in residential districts are the same; however, the code language is slightly different in each zone.</p>	<p>Establish new format to identify uses permitted in each zone. Use table format.</p> <p>Update definitions in new glossary. Leave fees out of code, but reference an adopted fee schedule.</p> <p>In conjunction with Zone Ordinance, determine ZO amendment procedures that clarify how superseded items will be removed. That is, internal Dept procedures that will supplement process-related text in the ZO and ensure the latest code text is on-line and available to public.</p> <p>Use new format to clarify uses in each zone, and be certain that superseded terms and conditions are removed from ZO when any new ordinance is approved by Board</p>
<p>3. Code has not been interpreted consistently over time.</p>	<p>Various provisions are unclear. Planning has relied on a large series of changing, documented and undocumented) interpretations for over 20 years. The documented interpretations, and many of the</p>	<p>Documented interpretations will be reviewed and incorporated into the Code, as applicable.</p> <p>Log of zoning code problems will be started in order to track future problems and recommend solutions. Regular (annual?) code updates may be set up.</p>

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	<p>undocumented interpretations, are contained within this table.</p>	<p>List of ZO Adopted Ordinances to be included within Code and referenced in text (i.e. – Ordinance 4589, Section 2, 2001)</p>
<p>4. Code includes different formats to identify permitted uses.</p>	<p>In the majority of the code, each zone lists uses allowed by right, by SUP, and occasionally prohibited uses. These are often linked to other zones by reference resulting in a complicated review process requiring a review of many other districts to determine the uses allowed in one zone.</p> <p>The Meyers Community Plan (17.58) utilizes a table format that identifies the uses allowed and the permits required, for all uses in all the zones. This format is shorter, clearer, and easier to use. It also is easier to amend and show relationships between uses allowed in the zones. Allows the depiction of gradual increases in intensities between districts. Allows users to search for zones that permit specific uses. (Example: What zone(s) allow auto sales?)</p> <p>Example of a use allowed in all single family districts, but not listed in any district: 2nd residential units are described in section 17.15. (Same for Temporary Mobile Home Provisions in 17.52.)</p>	<p>Reformat of code and use of tables to identify uses and permit types would improve clarity.</p> <p>The Meyers Community Plan uses such tables.</p> <p>These tables would include provisions for 2nd units (17.15) and other uses that are scattered in the code (primarily in the Miscellaneous Chapter 17.14).</p> <p>Optional: New separate sub-section to consolidate standard conditions for all “Assemblage of people for educational or entertainment purposes in a building or open area not otherwise approved for assemblage under this ordinance and including, but not limited to...” see the Tulare County ZO, Section 16 page 9). Whether the event involves concerts, weekly trainings, periodic wedding events etc in non-commercial area, it would all be addressed in one location in ZO because no matter the reason for congregation of more than a specified number of people such as 10 for multiple events (church, wedding venue, library, community center) the impacts related to noise, access, parking, are all similar. Like wineries and 2nd homes, this type of use should be addressed in one section. If a facility intends to include assemblages of people, they would spell out the intended use in an operational statement and on their site plan, with parking, restrooms, etc to meet their needs and mitigate neighborhood concerns.</p>
<p>5. Improved intent and purpose sections so that County can make rational decisions when looking at use permits or new land uses in a</p>	<p>Currently no intent or purpose section for: R1, R1A, R2, RM, RT, C, CP, I, AE, AP, MP, RF</p> <p>No easy method to compare similar districts. Uses by right, uses requiring SUP, and development standards are listed on separate pages of the code.</p>	<p>Add intent and purpose sections. Included relationship of residential, agricultural, and commercial intensities anticipated. This will provide distinctions between, for example, bed and breakfast lodging and employee housing which is less regulated by local land use agencies. Same with Travel Trailer/RV and Park Model Use as permanent residences (with rotating tenants) in campgrounds.</p>

Recommendations on Existing Zoning Code Problems

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zone district.		
6. Change from “pyramid format;” hard to identify what uses are allowed by right or by use permit.	Permitted uses in one zone refer to another zone, that refers to another, and another...For example: Uses permitted by right in RT: “Any use allowed by right in RM.” RM refers to R2, R2 refers to R1. Industrial allows by right anything allowed by right or SUP in C zones. Requires staff to review up to six zone districts to explain what uses are allowed by right and by use permit in various zones.	Revised code format to a table or matrix format for permitted uses in each zone district that works in concert with the purpose and intent of each zone. Consider the “all inclusive” provisions, similar to existing Industrial where no matter what the use is that is permitted by right, if it creates noise, odor, or negatively affect neighbors that it is a violation of the intent of the Zone.
7. References to definitions and important regulations from other County Code sections/Government Code.	Examples: References to chapter 15 (mobile home); References to chapter 6 (animals; kennel permits); ABC (winery); etc. Citations of GC and PRC sections in TPZ; PUC in AA;	Review code references and update definitions in glossary for consistency. Option: Keep list of needed cross references, and create a table for inclusion in ZO appendix. Appendix can contain brief summary of relevant aspect of referenced code.
8. Definitions need to be improved.	No specific definitions for most commercial uses, but due to recent ordinance amendments, very specific definitions for wireless facilities, winery, and ranch marketing uses are in the code. Definition of accessory building is too loose. Large, dwelling type structures can be built under this definition and used for non-accessory and non-incidental uses	Update all definitions. Use professionally accepted guidelines for definitions such as those recommended by the APA (APA PAS report 421). Suggest tracking and indicating the source of each definition in order to track changes during County review and approval process. Regulations should not be part of the definition. Regulations should be in the body of the ordinance. Definitions to be consolidated in “Article 7.”
9. General: Ordinance is old, amended an average of twice a year; contains archaic language from earliest zoning code.	Examples: 17.06.080/17.06.140 (described later) Original zoning code adopted in 1949, with significant update in 1969 and many amendments in early 1970’s. Current format and labeling system adopted in mid 1980’s but carried forth previous	Reformat and update code. Coordinate with County Counsel to see what historical versions County needs to keep in event of legal action and questions by landowners who believe they have been down zoned or otherwise economically damaged.

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	terminology.	
10. 17.04 PD procedures are confusing.	<p>What is needed for a development plan? Is a preliminary development plan required to rezone to PD? What force and effect does it have?</p> <p>PD section is not in a logical order in the Code; should be in the land use permit section (currently 17.22). Is the PD a zone, permit or a process?</p>	<p>Clarify process for development plan including when PD overlay is being added without a project..</p> <p>Relocate PD process section to a “Planning Permit Processing Chapter” (Proposed Article 5). Have a separate section for PD zone standards such as open space provisions, density bonus rules, and mixed use options. Utilize PD ordinance provisions, as updated in the Public Comment Draft Zoning Ord.</p>
11. Definitions in 17.06. such as dwelling unit, accessory building, and guest house (listed separately below).	<p>Accessory buildings may contain bathrooms, wet bar, and other rooms that may appear to be a dwelling unit. Structures appear to be 2nd residential units, or primary dwellings, but have uses that are called out as “shop,” “recreation room,” or “pool house.” County impact fees, building codes, and zoning regulations often conflict. Regulations on accessory buildings are difficult to interpret and challenging to advise the public.</p>	<p>Identify clear definitions for accessory buildings and provisions for bathrooms and wetbars; prohibition of kitchens, use as rental or lodging, and whether the owner must reside on-site.</p> <p>Provide process for unique structures that may include a kitchen, but do not have bedrooms, etc. such as an “outdoor” kitchen, or a pool-house with a small kitchen/indoor BBQ.</p> <p>Coordinate the combined issues related to accessory structures and accessory uses with second unit issue with other departments regarding definitions, fees, and procedures. Use table to clarify similar and different residential types.</p>
12. 17.06 Guest House	<p>Definition of guest house is not located in 17.06 with the majority of definitions. It is located in a few of the residential zones, and often clarified as being 400 square feet and no kitchen, but not consistently.</p>	<p>Define guest house as 400 square feet, without kitchen for consistency. Or consider removal of guest house. What purpose does it serve? Include this in discussion of Item 11, above.</p> <p>Look into consistency in Tahoe basin: TRPA allows 640 sq. ft. accessory building vs. 400 sq. ft. guest house (where 2nd unit not allowed in TRPA lots of less than an acre.)</p>
13. 17.06 Building Coverage	<p>Needs definition to support “coverage” in development standards. Does it include pools? Walkways? Decks? Need to add new issue, distinguish from Impervious Lot Coverage which is, in part, a storm drainage/water quality issue.</p>	<p>Clarify coverage to include all structures as measured from the floor area, not eaves, and not to include pavement, etc. Note: TRPA/Tahoe would be regulated under separate provisions.</p>
14. 17.06 Building Height	<p>Building height definitions have two measurement criteria for two</p>	<p>Attempt to simplify height calculation provisions.</p>

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	<p>purposes. One is for maximum height; one is in relation to side yard setbacks. This is a very confusing section and difficult to apply to sloped parcels, especially for buildings complicated roof lines.</p>	<p>Remove side yard setback provisions regarding height for lots with 30 foot setbacks. Consider removing for others.</p> <p>Describe in more detail averaging options for height limitations.</p>
<p>15. 17.06 Arena (horse)/ riding stables.</p>	<p>Could use new definition of arena to distinguish from agricultural structures that require setbacks from property lines. Arenas may not need building permits but need some clarification in zoning.</p>	<p>Add new definition or specific use regulation. Consider differentiation between private, public, and commercial riding stable/arena. Related to animal structures and stables. Consider potential impacts on neighbors and possibly increase setbacks unless there is no night lighting or sound system.</p>
<p>16. 17.06 Animal Structure (stable, barn, feed lot)</p>	<p>No definitions in definition section, but used throughout code, seemingly interchangeably.</p>	<p>Add definitions and separate use section to clarify structures, uses, and development standards if applicable. See comment above.</p>
<p>17. 17.06 Vacation Rental</p>	<p>Needs definition and cross reference to Chapter 5.56.060.</p> <p>Cross reference TRPA plan area statements: allowed uses.</p> <p>May need to refine the definition in conjunction with “family,” “dwelling unit,” or “single family dwelling” to clarify any differences between 30 day lease and day-to-day or week-to-week rental.</p>	<p>Add new definition; cross ref. to Chapter 5; evaluate provisions for West Slope; consider impact on housing availability, costs, economic impact and minimizing any impacts on neighbors. May be reviewed as a separate task after bulk of Zoning Code is updated. See comments on issues No. 11 and 12, above.</p> <p>Follow direction of any workshop on Vacation Rentals.</p>
<p>18. 17.06 Vacation Rental ordinance</p>	<p>Board directed staff to develop a County wide vacation rental ordinance. Existing ordinance only affects Tahoe Basin and none has been developed for the west slope.</p> <p>Include Tax Collector’s Office on vacation rental ordinance; consistency between Tahoe Basin and west slope preferred.</p>	<p>Update ordinance, within context of other lodging types. Check whether Williamson Act lands can be used in this way.</p>
<p>19. 17.06 General Definitions</p>	<p>All definitions need to be reviewed. Regulations should not be identified within definition. All definitions should be consolidated in one location, such as proposed Article 7.</p> <p>General Plan definitions do not</p>	<p>Update all definitions (see No. 11, above). Use professionally accepted guidelines for definitions such as those recommended by the APA (APA PAS report 421). Indicate source of each definition in order to track changes during update process.</p> <p>Update definitions to better coordinate with GP</p>

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	<p>match zoning definitions.</p> <p>Interim Guidelines have established newer definitions.</p> <p>Certain terms have no definition resulting in use of standard English dictionary definition that is not always the intended definition.</p>	<p>definitions, as viable.</p> <p>Cross reference definitions to the “Specific Use Regulations” if applicable.</p> <p>Start list of terms with unintended definitions and add appropriate definitions to ZO.</p>
20. 17.06.070 Districts – Designated	Needs to be revised to match revised zones	Update or remove obsolete provisions.
21. 17.06.080 Combining Zone “B Districts” and 17.06.140 “Index map...”	Archaic reference to a “B District” and Sectional District maps that needs to be removed or amended.	Remove irrelevant references.
22. 17.06.100 Boundary Determination	With GIS mapping, this provision on interpretation of Zone district boundaries should be amended.	Update provisions to address GIS mapping accuracy and potential drafting errors.
23. 17.06.130 Lake Tahoe drainage basin districts	Requires the prefix “T” in addition to zone districts for Tahoe. Requires the repeat of all zone districts in code. Should instead conform to the rest of the code by creation of a “-TB” or”-T” overlay zone.	Create –T overlay zone with the unique development standards in Tahoe such as: 4’ cantilever in front yard, No side yard increases for height, Lot size minimums, Minimum dwelling size standards.
24. 17.06.150 Agricultural Buffer Requirements	<p>Long standing interpretation on how to measure agricultural setbacks and buffer requirements for parcels that connect at a lot corner should be codified.</p> <p>Interim standards for agricultural setbacks needs to be formatted into the new zoning code, replacing this section</p>	<p>Integrate new Interim Standards into zoning ordinance.</p> <p>Identify Agricultural Zoning districts that result in Agricultural Setbacks</p>
25. 17.06.160 Family day care homes – permitted use	<p>Section is intended to describe lawful pre-emption by state regulations, but is hard to find and requires cross reference with other code provisions for clear understanding of what is allowed.</p> <p>Allows 14: see 1596.78</p>	Update code to cross reference with State Regulations concerning number of clients, and related local land use authority.

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<p>26. 17.10 Amendments</p>	<p>No specific findings identified for a map or text rezone.</p>	<p>Add findings. S.B. Co. has three basic findings (ref. Sec. 35.325.5; pg. 514, Jan. 2005) Note: CA Planning and Zoning law considers rezones to be a legislative act which does not require findings like a SUP or Variance. However, findings are allowed. Consider using somewhat same findings as for SUP and Variance.</p>
<p>27. 17.12 Enforcement provisions are old and need to be updated for current issues and trends.</p>	<p>17.12 uses archaic language and other provisions of the code could use clarity in code enforcement, penalty, and fine provisions to encourage compliance.</p> <p>Errors in issuance of permits should be described: procedure for permit revocation. What if discretionary conditions are not met? When and how do we conclude an administrative “estoppel” threshold? What other recourses can be included in Zone Ordinance enforcement section?</p>	<p>Incorporate previous comments from Code Enforcement on draft versions. Revisit Code Enforcement with each revised section. Discuss policy of code enforcement with PC and BOS and incorporate provisions in code. Consider naming anything out of compliance with ZO as a Nuisance, so Code Enforcement staff will not need to prove that a nuisance exists when landowner has too many animals on property, uses an RV as a permanent residence, excessive litter (solid waste) on property and other violations.</p>
<p>28. 17.14 Miscellaneous - Very unorganized and hard to find information</p>	<p>Section contains some General Standards (lighting, setback exceptions), some specific standards (stables, motorcycle leasing), preemptions (utilities, water treatment), some procedural topics (design review/winery/wireless).</p>	<p>Reorganize code: Split provisions into Article 3 “development standards” and Article 4 “specific land uses.”</p>
<p>29. 17.14 Front setback reduction for slope (17.14.020 and .030) unclear on implementation.</p>	<p>Dept. policy has been to require surveyor (or civil eng.) verification that topography qualifies for setback reduction.</p> <p>Could it be used for accessory structures like a pump house, or propane tank?</p> <p>Unclear whether .030 section could result in reduced side and rear yard setbacks, not just front, since the word “front” is never used.</p>	<p>Clarify setback exceptions and consolidate in one section. Expand provision to allow some accessory structures to utilize setback reduction. Allow side yard reductions but not rear yard reduction.</p>
<p>30. 17.14 Setback (averaging)</p>	<p>Currently evaluated on a case by case basis. Unsure how many homes needed to qualify for</p>	<p>Clarify setback exceptions and consolidate in one section. See comment above.</p>

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<p>along developed roads needs implementation provisions (17.14.040)</p>	<p>averaging. Same side of street or both? Does it matter if existing encroaching homes are legal, illegal, or just nonconforming? Do garages equate to living space?</p>	<p>Note: garages, porches and other “unheated areas” are not generally considered living space by tax assessor or real estate industry. Coordinate with Building Official and Assessor office on this one.</p> <p>Consider special provisions for Tahoe area since this is where this provision is usually applicable too.</p>
<p>31. 17.14 Encroachments into required yards unclear and complex.</p>	<p>Section 17.14.050(A) terminology of “uncovered and unenclosed” conflicts with later listing of canopies, eaves and bay windows that by definition are covered or enclosed.</p> <p>Propane tanks may need more flexibility in Tahoe and snow country they need to be protected from snow buildup. Underground tanks are being used in areas since they cannot meet setbacks and remain accessible for deliveries. However, oversized propane tanks may need additional review (those over the normal 249/499 gallon).</p> <p>Pump/well house could be allowed, with limited size and height</p> <p>Deck setbacks need clarification.</p> <p>Pop outs?</p> <p>Chimney exemption is usually allowed even in 5 foot side yard easements.</p> <p>Pool, spas, and waterfall features, if over 30 inches tall are treated as structures. Pool equipment less than 30 inches is allowed in setback.</p> <p>Patio covers: is overhanging portion allowed in setback, but not any structural supports?</p>	<p>Clarify setback exceptions and consolidate in one section.</p> <p>Provide options as zoning update progresses.</p>

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	<p>Solid cover structures vs. open cover/trellis type (50 percent open); do same setback rules apply? What about freestanding trellis type structures?</p> <p>Clarify whether pool setback is five feet to waterline or outside of pool gunnite/structure</p>	
<p>32. 17.14.060 Stable provisions unclear whether they supersede zone setbacks, definition of stable, whether other farm animals than horses are to be included in the one-acre minimum.</p>	<p>“Stable shall be located at least 30 feet from any building used for residential purposes.” (Accessory building? – Pool room? Game room? Garage? Guest house?) No horse (cow, pig, sheep?) shall be kept on a building site of less than one acre in any district.” (Some districts do not allow horses: R20,000)</p>	<p>Clarify setback exceptions and consolidate animal related standards in one section, and consolidate living area types (second units, etc) in another section.</p> <p>Revise provision or allow process for exceptions (minor use permit; etc.). Suggest public notice to neighbors even on minor exceptions due to community volatility of this issue.</p> <p>Clarify Zones that allow agricultural activities, structures, and under what provisions.</p>
<p>33. 17.14.090 Interior Lot lines: unclear of its purpose in context with the rest of the code.</p>	<p>Seems to be an archaic code section. Zone districts allow zero lot lines, what does this provision mean?</p>	<p>Update or remove provision.</p>
<p>34. 17.14.095 Mineral Resource development</p>	<p>Measure A initiative from 11/20/84. Still valid?</p>	<p>Update or remove provision.</p> <p>May need to leave alone. SMARA regulations may over-ride local authority.</p>
<p>35. 17.14.100 Waste Water Treatment Plans</p>	<p>Not current with Environmental Health rules. May be obsolete or require amendment.</p>	<p>Update or remove provision.</p>
<p>36. 17.14.110: Parcel size exception provisions</p>	<p>Unclear on remaining parcel size provision or govt. parcel sale procedures. COC required for remaining parcel or to disburse the govt. property?</p>	<p>Clarify with Subdivision Map Act and County Land Division Ordinance. Add information on Hillside Design standards for subdivisions on slopes that require larger parcel sizes.</p>
<p>37. 17.14.120 Parcel size exceptions “Ten percent rule”</p>	<p>Zoning provision to allow reduced parcel size during a subdivision or parcel map applies to some zones, not others, and has obscure findings linked to 1979 tax roll.</p>	<p>Suggest simplification and expand to allow all parcels within “10%” be allow to subdivide; not just parcels from prior to 1979 or fractional division. Provide options during zoning update process.</p>

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<p>38. 17.14.130 Architectural supervision</p>	<p>Procedural section that requires design review to Planning Commission for projects facing a state highway, but is unclear and easy to argue “facing” vs. adjacent, intervening road or railroad, etc.</p>	<p>Clarify requirement that adjacent is what triggers PC review. . Although some nearby commercial areas are adjacent, they cannot be seen from the highway while others are not adjacent but are clearly visible.</p>
<p>39. 17.14.140 Zoning Permit</p>	<p>Archaic portion of code. To be amended or removed.</p>	<p>Clarify, amend or remove.</p>
<p>40. 17.14.150 Height limit and exceptions</p>	<p>General Provision allows SUP for height exceptions for towers, flagpoles and chimneys. Out of place in code. Not easy to find.</p>	<p>Relocate provision. Note: New state law re: telecommunication towers went into effect Jan 1, 2007 that allows collocation as a use by right for adjacent towers. Need to incorporate into ZO.</p>
<p>41. 17.14.155 Fence regulations</p>	<p>Complicated fencing provisions that change based on zoning, yards, location on corner lot, without clear provision for administration (no permits needed for fences) or enforcement. Requires notarized approval from neighbor for some fence provisions. Should have additional hearing process if neighbor declines. Related to gate issue previously listed. Related fences in right of way previously listed. Fence height calculations with retaining walls should apply only if retaining wall faces adjacent property. Planning Interpretations regulate retaining wall location and height, but not currently codified.</p>	<p>Try to clarify provisions. Consider removing neighbor consent provision, or modify to allow neighbor appeal of County decision to allow the construction of a 7-10 ft fence, and only under specific circumstances, such as when the fence actually impacts the neighboring property. Retaining wall setbacks should be considered in the grading ordinance, since it has a site grade function in addition to a zone ordinance function as a fence, wall or landscape feature. Note: Walls over 4-feet must be designed by a licensed civil engineer. New Planning Director interpretation treats retaining walls like fences, including 50% reduction in front yard setback due to slope. Clarify that gates are not allowed over roads without approved use permit. Gates on driveways (onsite gate for property owner) are allowed, but may need some standards such as minimum width and minimum setback from roads (30 foot standard from Fire Safe regulations). Along with gates, clarify that no barrier (rocks, bollards, wood, speed bumps) are allowed in roads.</p>
<p>42. 17.14.155 Fences in right of ways.</p>	<p>Field fencing, decorative fencing, sound walls are all existing or being constructed in road right-of-ways. Difficult to enforce. Dept. policy to only enforce if pedestrian or traffic problem or safety issue.</p>	<p>Consider standards for fences in right of ways and permit provision if necessary. Perhaps require that fences on corners be no more that 40” in height and/or more than 50% open. Consider including DOT in review for sight distance around corners, including vegetation that blocks sight distance.</p>
<p>43. 17.14.155 Gates</p>	<p>Need to define permit process for gates. Current interpretation requires a SUP for a gate across a</p>	<p>Provide clear permit process for gates. Include clear direction on exempt gates and prohibited gates. Add standard condition that gated communities need to</p>

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	road. No special permits for gates on driveways. No gates on County roads or roads with an IOD. Subdivisions can be approved with gates.	have a way for emergency vehicles to easily access gate in event of fire or medical emergency.
44. 17.14.160 Recycling collection facilities	Needs clarification of what zones this is permitted. (Allowed in Industrial?– not listed.)	Clarify where and how permitted. Distinguish between transfer station and other solid waste facilities which are defined by and must be licensed by state solid waste board.
45. 17.14.170 Outdoor lighting: requires light plan and standards	Text and exhibits inconsistent “property line” vs. “Zone Boundary” Porch lights made illegal. Minor lighting complaints resulting. Commercial lighting brightness not addressed. Sign brightness not addressed.	Improve definitions, clarify intent, and regulatory provisions. PC workshop on lighting held in 2005. Standards, such as pole height, lumens, volts, etc. could be integrated to clarify permitted lights and contents of lighting plans required with non-residential development. Revisions to sign ordinance and lighting ordinance will address sign and commercial brightness.
46. 17.14.180 Ranch Marketing	Updates to Ranch Marketing ordinance needs to be integrated into new code. General concerns have been raised when new agricultural zoning is established, that traffic and noise impacts from certain events, or a large volume of events, would be detrimental to neighbors. Some historical ranch marketing facilities have evolved into facilities that are more like full time restaurants, grocery stores, and special events facilities. In some cases causing impacts to neighboring parcels, but also generating a fairness issue in relation with other ranch marketing facilities.	Possible updated ordinance would address certain parking, noise, and traffic impacts adjacent to residential uses. Should consider potential for General Plan Amendment and Rezone for some existing facilities that are more like Commercial establishments. Consider a new baseline for these uses so they cannot continue to evolve into even bigger operations if there could be increased impacts to neighbors. Consider development standards for setbacks, parking, and noise events, such as standards setbacks, buffer requirements, and/or hours of operation. Work with Agricultural Dept. and Apple Hill growers for additional recommendations on provisions for Ranch Marketing.
47. 17.14.190 Wineries	Requires 20 acres for winery in one section, and then allows a winery on 10 acres through site plan review.	Unlimited special events have generated regular concern from neighbors of rezone applications to agricultural zones. Simple regulation of maximum capacity and maximum number of events could

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	<p>Allows unlimited Special events under 250 persons.</p> <p>Is amplified music allowed?</p> <p>Updates to Winery ordinance needs to be integrated into new code.</p> <p>Rezoning to Agricultural Zones becoming controversial due to 200 foot agricultural setback and potential for ranch marketing and winery uses allowed by right.</p> <p>Winery, tasting, sales may be allowed when grapes are planted.</p> <p>Splitting an AE parcel was complicated because of potential traffic from each parcel's potential for winery/ranch marketing and accessory uses. Significant road improvement conditions were contemplated.</p>	<p>resolve the "unlimited" issue.</p> <p>The AP zone, requiring a SUP for a winery and tasting facility, was created in 2003 due to concerns of a winery on private road in an RE-10 zone rural subdivision (in Fair Play Ag District).</p> <p>Related issue to the 200 foot agricultural buffer setback. New Ag zones are being established, but provisions could be added to remove or reduce the setback on a case by case basis. The BOS has already initiated this action on a couple of cases (one TPZ near Pollock, one AE zone at Mt. Aukum/Omo Ranch Road, also others).</p> <p>Review possibility of establishing a provision that would allow improvements to roads for potential future winery/accessory uses after a map or rezone is completed. This may be related to special setback provisions and allowances for exceptions to be established when new zoning is established.</p> <p>Clarifications to some definitions: regarding food services, need for commercial kitchen.</p>
<p>48. 17.14.200 Communication Facilities</p>	<p>Does not seem to encourage co-locations; new tower proposals are the norm, although they are usually mono-pine. Move mono-pine towers of a certain size to an administrative or ZA permit?</p> <p>Review recent legislation (SB1627) signed Sept. 29, 2006, effective January 1, 2007. May pre-empt some co-location permit review.</p> <p>Amateur radio station regulation needs to be consistent with law 65850.3.</p> <p>Could be interpreted to apply to residential TV/satellite/internet antennae and dishes.</p> <p>Setbacks to property lines are</p>	<p>Monopine (as well as other types of standard "stealth" towers or camouflaged with certain development standards) could be approved by the ZA based on applicants providing maps of nearby towers and coverage (existing and proposed) that demonstrates need for any additional towers.</p> <p>Setbacks should equal height of tower or minimum zone standards, which ever is more strict. SUP could allow variations based on specific criteria, such as development potential on the adjacent lot, reduce setback adjacent to TPZ or agricultural zoned land, or for co-locations.</p> <p>New state law re: telecommunication towers went into effect Jan 1, 2007 that allows collocation as a use by right for same and adjacent towers. Need to incorporate into ZO, possibly with local limitations.</p> <p>Note: The industry is changing due to increased consumer desire for wireless operations, even in</p>

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	<p>currently set at the minimum setbacks in the zone district. Setback equivalent to height of tower may be more logical.</p> <p>IT Department may have suggestions for ordinance. (Contact Tom Straling.)</p>	<p>residential areas. This will likely mean more, but shorter, towers in residential areas.</p> <p>Note: Received recent inquiries for systems to use hundreds of small receiver/transmitters both in public right-of-ways and on private property to provide wireless coverage for entire areas. These may be addressed separately, such as in a franchise agreement and/or a single use permit for multiple sites.</p>
<p>49. 17.15 Second Residential Units</p>	<p>Maximum size and measurements subject to Planning interpretations. Need to be clearer in code. 2nd unit ordinance handout includes one-page of development standards.</p> <p>What size garage can be attached? Right now, no limit.</p> <p>Related to accessory structure definitions. Many accessory buildings being developed, and designed without (or required to remove) kitchen facilities to get around 2nd unit provisions (and fees). Suggest limitation on wet bar standards (see TRPA regulations) or full bath vs. half-bath provisions to limit abuse of the accessory building allowances.</p> <p>Public and staff have a difficult time understanding this section.</p> <p>2nd unit first? Conversion of large unit to 2nd unit? 2nd unit and a guest house? Permanent or temporary foundation?</p> <p>Is a Notice of Restriction required?</p> <p>Difficult to enforce provision that property owner must live in one unit and not rent both. Is there a real purpose for that provision?</p>	<p>Codify development standards for “measurement rules” etc.</p> <p>Historically allowed 2nd unit in WAC, but only on same parcel as primary dwelling. Not necessarily consistent with WAC without SUP.</p> <p>Discuss options regarding the limitation on the size of living space, but unlimited garage size:</p> <p>Limit the entire structure to 1600 square feet: 1200 sq. ft. living, 400 sq. ft. garage.</p> <p>Another option to simply increase the size (such as to 1500 or 1600 sq. ft.) but don’t differentiate between living space, storage, garage, etc.</p> <p>Keep status quo: no limit to garage size, only limitation is 1200 square feet of living space.</p>

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	<p>Clarify if 2nd unit is allowed in a Williamson Act Contract.</p>	
<p>50. 17.16 Signs</p>	<p>Sign number and size allowed unclear. Other sign provisions are within individual zone district's "permissible uses" and "development standards" sections.</p> <p>Provide illustration of how to measure sign size (sign face vs. overall sign size) and limitations on unnecessary additions (beyond architectural features – such as giant chicken, giant donut, giant tire, etc.) or oversized areas used to attract attention or posting of unauthorized billboards, banners, posters, etc.</p> <p>Message Center provisions or prohibition need to be created. (LED standards. Consistent with CALTRANS standards?)</p> <p>Off-site signs not clearly regulated except by SUP.</p> <p>What constitutes official exempt signs: Kiwanis/Lions/community service emblems? How is an official exempt sign determined?</p> <p>Preemptions for sale of property; directions to property on property owned by another, with consent (not in right-of-way) Civil Code §713</p> <p>"Entry monument signs" need clarification as to setback, definition.</p> <p>Use of temporary signs, balloons, banners, pennants as signs. Need definitions of signs allowed, allowed by TUP/SUP.</p>	<p>PC workshop held 1/11/07.</p> <p>Clarify sign size criteria; add definitions and diagrams of signs.</p> <p>Coordinate with County Counsel re: "content neutral" First Amendment aspects of sign ordinances.</p>

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	<p>Signage permitted at bus stops by interpretation.</p> <p>Flag poles and advertising flags should be covered (size, height, and location)</p>	
<p>51. 17.18 Parking and loading and Landscape standards</p>	<p>Landscape standards are in the Parking ordinance, at the end; hard to find and only are required in conjunction with parking.</p> <p>Loading standards need flexibility.</p> <p>Shared parking provisions needed.</p> <p>Clarification of use types and parking ratios need updating.</p> <p>Driveway standards need to dovetail with Design and Improvement Standards Manual.</p> <p>Compliance with current (and changing) ADA requirements.</p> <p>Tandem parking (Review restriction or remove for SFD?)</p> <p>Bus stop/turnout standards needed.</p> <p>Landscape buffer between two or more adjacent parcels designed as a single project interpreted to not need the minimum 5 foot landscape buffer.</p> <p>Landscape medians should be required to provide shade and break up large rows of parking stalls.</p> <p>Parking stall depth dimensions call out 18 feet and 19 feet: inconsistent.</p> <p>Need subdivision model home parking requirement (and landscape</p>	<p>PC workshop on 1/11/07.</p> <p>Include irrigation and water conservation aspects of landscape standards.</p> <p>Include grading and drainage aspects of landscape design, such as use of planted buffers to filter pollutants and allow irrigation water to seep into ground.</p> <p>Are compact car spaces to be encouraged, included, or reduced?</p> <p>Are solar panels on top of parking structures to provide shade and also generate power to be encouraged?</p> <p>Develop an appendix for landscape design standards.</p>

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	<p>requirement – 17.28.020(J))</p> <p>Need standard for trash enclosures: number, location, access, fence/wall/landscape screening.</p>	
<p>52. 17.18 Parking standards are primarily in 17.18, but also in the development standards of some zones</p>	<p>17.04.100 (PD) and 17.34 (I); PD parking conflicts with apartment parking, confounding certain condominium conversion projects.</p> <p>Loading zone for smaller buildings sometimes unnecessary.</p> <p>Consider oversize vehicle parking (delivery truck, vehicle towing trailers or boats, RV's) based on use, size of lot, proximity to recreational areas.</p>	<p>Update. Provide options and flexibility. Consider workshop on Parking results when updating parking section.</p>
<p>53. 17.19 Missouri Flat Planning Cost Reimbursement</p>	<p>Unusual provision to be codified, in awkward location in code. No zoning issues, this is a fee program.</p>	<p>Consider removal to separate all fees from ZO or include in an appendix.</p>
<p>54. 17.20 Nonconforming uses</p>	<p>Expansion, rebuild, and expiration of nonconforming uses and structures needs clarification</p> <p>Interpretations currently allow residential structure or use in C or I zones to be rebuilt, but meet setbacks, parking requirements; clarification of “value” and “termination.” Exceptions are often allowed to build within “the footprint.”</p> <p>Should be clear for “burn down letters” and should include provisions for residential expansion in commercial districts.</p> <p>In general, one of the most difficult sections to understand and may have legal implications on its application.</p> <p>Comply with 65852.25 for non</p>	<p>Update provisions; discuss policy options.</p> <p>Consult with legal counsel and or consultants.</p>

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	conforming multi-family housing.	
55. 17.22 Land use permit procedures	<p>Minor Use Permit “discretionary” but ministerial for CEQA purposes is a conflict.</p> <p>Administrative Relief/Waiver provision never used. Requires neighbor sign off, but does not provide a reasonable hearing process (requires variance instead).</p> <p>Permit application time limits would be useful: suggest a one year period to make an application complete; or one year for project action, or application expires. Allow 6 month extensions by Director (maximum of one or two).</p> <p>Site Plan Review is used for a multitude of permit processes including building permits.</p> <p>Special Use Permit Procedures need to be fully reviewed. Possibly use 3 levels of review and approval: 1) Admin SUPs such as second units; 2) Zone Admin SUPs such as arena for personal use and very minor commercial use; 3) PC for most intensive SUPs.</p>	<p>Update provisions. Clarify required findings.</p> <p>Prepare standardized admin relief/ waiver/ variance and appeal processes, to extent possible.</p> <p>Permit time limits, extensions need to clarify time limits for multi-phased projects, when time lines start, end, and get extended.</p> <p>Recognize that site plan review application requirements (and maybe or maybe not site plan review/approval procedures) should be standardized for this multitude of processes so that all County requirements are met. For example, building permit site plans, also called plot plans, should probably now include riparian setbacks, topo to identify 30% slopes and ridgelines, access and other easements, etc.</p> <p>Operational aspects of an SUP construction and use not clearly described in application. This would help reviewers distinguish between small churches and mega-churches. Each approved SUP to have an associated #1) site plan; #2) text clearly describing operation that can be used for assessing impacts in IS/ND; and 3) resolution of approval that requires changes to #1 and #2 requires review and possibly a revised application.</p>
56. 17.23 Temporary use Permits	<p>TUP section appears to contradict other zoning limitations and does not cross reference other county code provisions (for example: 5.32 music concerts).</p> <p>Itinerant businesses need clarification.</p> <p>Needs a purpose and intent section</p> <p>Construction trailers need clarification.</p>	<p>Clear up conflicts.</p> <p>Provide options for certain itinerant businesses.</p> <p>Update.</p>

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	<p>Time limits are provided for some uses that are not listed as allowed in any zone.</p> <p>Bond amounts appear unnecessary and burdensome.</p> <p>Model Homes in subdivisions: timing for model homes construction in relation to subdivision improvements.</p> <p>Only provision for signs is grand opening. Should have additional provisions and guidelines for other temporary signage.</p> <p>“Similar Temporary Uses” as determined by Director, needs clarification as to purpose, intent, and limitations.</p> <p>Should allow temporary cell tower on wheels (COW).</p> <p>Could we allow by TUP car/boat show on R&D?</p>	
<p>57. 17.25 Flood damage prevention ordinance</p>	<p>Need to bring ordinance up to current FEMA regulations.</p> <p>Substantial Improvement documentation is modeled on FEMA standards, but could be codified or more formally reviewed and implemented.</p>	<p>Update. Check with FEMA on current regulations.</p>
<p>58. 17.26 “U” Unclassified District</p>	<p>This district is archaic and needs to be replaced by standard zone districts. Development standards rarely match the General Plan designation.</p>	<p>Suggest removal of U District – replace with closest applicable zone.</p>
<p>59. 17.28 (all) Residential and Home Occupation</p>	<p>Same provisions for home occupations are constant through the code. However, use of employees, traffic, commercial vehicles, noise, and other issues continue to be contentious.</p>	<p>Review PC workshops. Consider options for employees and accessory buildings. Suggest alternatives that may lend themselves to economic development, yet are compatible with and minimize impacts to a neighborhood.</p>

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	<p>Additional permit process may be needed, as well as restricting certain occupations to certain zones. Difficult to administer or modify under current zoning code format.</p> <p>Special Use Permit requirements need clarification. Maybe allow administrative permit for use of small accessory building or garage.</p> <p>Common complaints of late night use of log trucks, tow trucks, and other heavy, noisy vehicles for some home occupations.</p> <p>Storage of material or heavy equipment common complaint.</p> <p>Many existing home businesses, that utilize employees, detached buildings, create occasional noise, have operated for years without complaint, or impact on neighbors, but are illegal. Suggest development standards: setbacks, hours of operation: 7 a.m. to 7 p.m.</p> <p>Economic element of General Plan includes policies to encourage home occupations based on establishing standards in the Zoning Ordinance.</p>	<p>A minor use permit process should be created that is a relatively short and inexpensive process for uses that are clearly not a problem.</p> <p>Some development standards would likely help minimize impacts, and define limits of the use so that once the business grows to a certain level, it must be relocated to a more appropriate zone. Use should be monitored in conjunction with annual business permit; may involve amortization of use.</p> <p>Home Occupation contractor's storage yards should also be addressed in ZO (either by right or by SUP). Specific standards should identify when it is appropriate and inappropriate in various zones. For example, large rural parcels can accommodate some storage, but smaller urban parcels cannot. No on-street storage of vehicles, No storage of materials above height of fence or otherwise visible by others.</p> <p>Clarify limitation on commercial vehicles by homeowner and potential employees. Consider limitation of vehicles in certain zones. (Example: no more than 5 cars parked outdoors in R1, without a use permit. OR: limit where cars can be parked in R1 zone: the driveway or designated parking areas only, not in designated yards (front/side/rear). This can be limited to Home Occupations (by right or by SUP) or expanded to certain zones.</p>
<p>60. 17.28 Residential and Guest House (also under definition section 17.06)</p>	<p>Guest houses are sometimes allowed, sometimes limited to 400 square feet, sometimes it is stated that it cannot have a kitchen.</p> <p>Is guest house allowed in R1, RT, R2, and RM?</p>	<p>Clarify definition, regulation, and zone districts. Consider codification of interpretation by Planning Deputy Director, Larry Appel memo dated 1/29/07</p> <p>Note: SB County has some specific standards that appeared useful.</p>
<p>61. 17.28.210 (H) RE-5 setback adjacent to PA</p>	<p>Odd provision in development standards for additional setback from PA zone land. Difficult to find in code and may be inconsistent with 17.06 Agricultural Buffer setbacks.</p>	<p>Remove provision officially.</p>

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<p>62. 17.28 (all) Residential Districts and Real Estate Sales Trailer</p>	<p>Same provisions for a “sales trailer” in a subdivision, including nine requirements, repeated in each zone. Should be consolidated in another format, and just cross referenced in each zone.</p>	<p>Replace with section in Specific Use article, which might include standard conditions for each specific use.</p>
<p>63. 17.28 (all) Residential Districts and agricultural structure setbacks</p>	<p>Various residential zones include unique setbacks for agricultural structures, with no clear purpose or delineation (R3A – not mentioned). Where are stables allowed? What setbacks apply?</p>	<p>Update code with a logical progression of setback standards. Clarify structures and uses in each zone related to agricultural (and similar) structures. Consider odor, vector and noise issues in determining land use setbacks. Manure stockpiling and spreading should also be addressed.</p>
<p>64. 17.28 (all) Residential Districts</p>	<p>Current interpretation prohibits slaughtering of livestock; need clarification of “commercial” vs. incidental home use/ cultural event (Mediterranean cultures and lamb; Thanksgiving goose/turkey; provisions for mobile slaughtering services; 4H, accessory agricultural uses). Needs clarification of public library in R zones (R1) by right or SUP. School zoning provisions of 65852.9</p>	<p>Clarify. Use table or matrix. Libraries and other public and quasi-public uses such as community centers, church with recreational facilities, private schools, etc. should be addressed at same time.</p>
<p>65. 17.30 (all) Residential Agricultural Districts</p>	<p>Uses allowed by SUP are too wide open: “All other buildings, structures, signs, uses or expansion thereof.” Appears to be identical to RE-5/RE-10 zones but may actually be more agriculturally driven. Need to define purpose and intent.</p>	<p>Remove wide open uses by SUP. Determine whether zones and properties are more residential or agricultural. Zone may be replaced with RE, AG or other zone.</p>
<p>66. 17.32 (all) Commercial Districts</p>	<p>“Uses” need definitions. What is allowed in a service station? What level of auto repair? When is a gas station allowed? When is outdoor display allowed? (When is a SUP required?)</p>	<p>Clarify uses in table form. Clarify use regulations in separate chapter. Make determination of the type of commercial to be allowed and encouraged within each C district. Mobile food vendors (which are also regulated by EH through an annual permit) should be addressed separately from Commercial section. Suggest that</p>

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	<p>“(New and) used retail” allowed?</p> <p>When and how are dwellings allowed? Explain density development standard.</p> <p>Difficult to compare uses and development standards between districts.</p> <p>CG lists 89 uses; C, CP, CPO do not, but many similar uses are allowed in those districts, making distinction between similar uses difficult.</p> <p>Uses like drive through business, quick lubes, appear to be allowed in all zones. Maybe not CPO. By right/by SUP</p> <p>Need definition of mini-warehousing, where allowed.</p> <p>Need definition of unenclosed vehicle and sales lots and mobile home display and sales lots.</p>	<p>Mobile Food Trailers not be allowed on any property for longer than 1 hour.</p> <p>Need provision and clarification for Outdoor Seating at restaurant. Location, size, fencing, parking. ABC license issues. Noise/safety from roadways, parking areas.</p> <p>Need clarification of permits required for temporary uses: temporary food carts, temporary sales: candy, flowers, crafts; longer term facilities: temporary offices, restrooms (maybe during construction or to facilitate employee hiring, advertising); semi-permanent food carts or coffee stands on wheels or portable.</p> <p>Provisions for mixed use need to be developed. Ratio of commercial to residential, variations to development standards, see other jurisdictions recent mixed use provisions, such as Rancho Cordova.</p>
<p>67. 17.34 Industrial</p>	<p>Allows any use allowed by right or SUP in C; then allows any use allowed by SUP in A. Does not seem to be logical. Difficult to evaluate uses allowed.</p> <p>Caretaker dwelling provisions should have findings for temporary vs. permanent dwellings.</p>	<p>Clarify uses in table form. Specify use regulations in separate chapter. Remove “pyramid” zoning from ZO.</p>
<p>68. 17.35 Research and Development</p>	<p>Allowed uses: Churches, schools, Theater, Gyms, laser tag, fire station, wine storage,</p> <p>The R&D zone in EDH includes a –DC overlay, but is superseded in 17.74 by an exception provision; not very obvious.</p> <p>Building coverage/development</p>	<p>Clarify uses in table form. Specify use regulations in separate chapter.</p> <p>Clear out obsolete provisions.</p> <p>Consider removal of –DC overlay and modify DR exception provision.</p> <p>17.35.030(D).4.b should read “Parking Spaces --- Area to be shaded” instead of “Parking Spaces</p>

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	<p>standards associated with urban area is obsolete.</p> <p>Includes distinct landscaping and setback provisions.</p> <p>17.35.030(D)1 appears to mix and match setback requirement terminology: uses setback from “property line” as well as setback from “street right-of-way.” These are the same in the EDH business park where R&D is located, but should be changed to be consistent.</p>	<p>Required Area to be Landscaped.</p> <p>Standards for mini-warehousing uses should be identified: limitation on rollup doors, coverage, outdoor storage, etc.</p>
<p>69. 17.36 Agricultural Districts (A zoning, not General Plan Ag Districts)</p>	<p>Uses too similar to Residential districts; unique setbacks from agricultural zoned lands, referencing 1983 ordinance, no longer in effect.</p> <p>Repeated provision of non-compatible uses should be reformatted to remove redundancy and refer to new GP Policy and administrative relief provisions.</p>	<p>Clarify Purpose and Intent sections.</p> <p>Reformat non-conforming portion.</p> <p>Add new Ag zones as directed by GP.</p>
<p>70. 17.36.060 AE district</p>	<p>One dwelling within each Preserve is difficult to regulate.</p> <p>Obsolete reference to ZA approval for a mobile home.</p>	<p>Update; clarify dwelling unit provisions, including 2nd unit.</p>
<p>71. 17.36.31 AP District</p>	<p>District invented as alternative Williamson Act Contract Zoning that does not allow winery or ranch marketing by right;</p>	<p>Update like AE. Consider alternative new zones for use as WAC consistent zones.</p>
<p>72. 17.38 AA District</p>	<p>Only established as a district around the Placerville Airport. Actually should be modified to be an overlay zone only, as applied in approach zones, and in Cameron Park zones 1, 2, and 3.</p> <p>Clarification of effect on 2nd residential units not cross referenced in 2nd unit section.</p> <p>Noise attenuation measures need</p>	<p>Consider removal or conversion to an Overlay Zone. Treat all airport areas the same. What about South Lake Tahoe Airport in addition to Placerville and Cameron Park?</p>

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	clarification.	
73. 17.48 Recreational Facilities District	Requires SUP for most uses. Minimum lot area and density need logical justification.	GP requires an intensive RF zone and a non- intensive RF zone.
74. 17.52 Mobile Homes	Are they allowed in AE or AP Zones? Setbacks needed for construction yard coach? (no) Temp while building a SFD? (yes) Construction trailer provision appear to conflict between 17.52.020(C) and 17.23.020(A)2 Review dead storage permit process: 15.64.060 Currently allows indefinite “dead storage” of unoccupied mobile homes in residential districts – suggest time limit to remove. TMA in agricultural zones should go to Ag Commission. Do we need to tighten up TMA regulations for size, use, and timing? Conditions? TMA application currently requires Notarized forms for an NOR, etc. Applicants often complain of this requirement; renewal procedure may/may not require another Notarized statement. This requirement should be clarified in the Code.	Clarify provisions in WAC lands. Clarify development standards. Review dead storage provisions. Require TMA to be reviewed by Ag Commission when in or adjacent to Ag Districts or Ag Zones. Review TMA provisions. Consider deed restriction instead of notarized documents. County Counsel has reviewed the NOR policies and practices of Planning and has some criticism of our use of NORs. Many are not truly recordable documents. May need additional County Counsel advice on the TMA provisions.
75. 17.54 Tahoe Districts (TR1, etc.)	What would work better: Keep the status quo (practically duplicate zones for Tahoe), or create overlay zone? Development standards are needed since TRPA plan area statements do not have setbacks.	See Tahoe Districts below.
76. Tahoe Districts	Review for conflicts between TRPA Plan Area Statements, Zoning, and	Consider -T overlay zone with development standards to replace all current T(R1, etc.) zones.

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	<p>existing condition: definitions, development standards and procedures.</p> <p>TRPA Code of Ordinances</p> <p>Chapter 2, Definitions: See wet bar definition and other definitions of interest. Such as: Section 18.2.F Living Area Associated with Residential Accessory Structures.</p> <p>Deferral to TRPA Land Coverage standards instead of County zoning development standards that require maximum lot coverage. TRPA land coverage standards include Chapters 20 and 37 of TRPA Code. Codification of Tahoe Basin agricultural setback requirements, versus west slope agricultural setback requirements. Deferral to TRPA Heights Standards instead of County zoning development standards that require a maximum building height (Chapter 22 of TRPA Code.)</p>	<p>Include development standards consistent with TRPA Code of Ordinance.</p> <p>Development standards include:</p> <p>4 ft. cantilever over driveway, into frontyard setback.</p> <p>No side yard setback increase due to building height.</p> <p>Different lot size minimums than west slope.</p> <p>Minimum size of dwelling unit standards varies from west slope.</p> <p>Need to research / report upon TRPA code, in order to determine what EDC code to keep and what to defer to TRPA.</p>
<p>77. 17.70. RE-10 (location)</p>	<p>Located in 17.70 (p237) when logically it should follow RE-5 17.28. (p 111). Need to reorganize section location and clarify intent and purpose related to RE-5.</p>	<p>Revise format and RE-10 location.</p>
<p>78. 17.70. CN zoning (17.70).</p>	<p>Not used. Need to delete or revise.</p>	<p>Delete.</p>
<p>79. Specific uses: Farm animals</p>	<p>Clarify what zones allow farm animals, number of animals allowed, and what constitutes a farm animal vs. domestic pet, vs. exotic animal.</p>	<p>Follow Animal Keeping workshop (not currently scheduled). Not many “farm” animals anymore. Rename “agricultural use of animals” or other... Note: Homing Pigeon provision in state law: 65852.6</p>
<p>80. 17.74 Design Review</p>	<p>Needs clarification of exempt activities.</p> <p>Need to rezone the R&D areas to remove the DC overlay and remove that exception from the code.</p>	<p>Discuss with Planning and PC options and recommendations to streamline and clarify DR process by combining this review with other processes?</p> <p>Delete DC in the EDH business park.</p>

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	<p>Without careful reading of the code, it appears that a design review is required in R&D.</p> <p>Consideration to modify Design Review to limit review to design and architectural styles/guidelines. Streamline process needed.</p>	
81. Administrative relief	<p>Need better provisions for Director to allow administrative relief. Develop substantial conformance findings. Possible public notice, due process, appeals hearing.</p>	<p>Update current administrative relief provisions. Allow flexibility through more appropriate findings.</p>
82. Agricultural Housing	<p>Not clear where prohibited, allowed by SUP, and under what provisions. (Meeting agricultural preserve criteria or not?)</p>	<p>Clarify Zones that would allow the use and potential development standards (under Caretaker, Ag Labor and employee housing).</p>
83. Use of RV as a TMP	<p>Current interpretation is yes – but for one year term with only one one-year extension available.</p>	<p>Include provision in Code. Review options during update process: remove or modify.</p>
84. “Inspection” of inspection exempt barns	<p>No inspections have resulted in problems with location and future conversions.</p> <p>Can they be allowed in non-agricultural zones? As a first structure?</p>	<p>Consider development standards under accessory structure provisions. May need revision to Chapter 15, where provision is located.</p>
85. Accessory buildings	<p>Allowed prior to main dwelling? Current interpretation allows garage constructed prior to main dwelling, as long as lot has issued permit for SFD.</p>	<p>Clarify in accessory structure provisions.</p>
86. BLA (Boundary Line Adjustment)	<p>Current interpretation allows BLA on non-conforming parcel (sizes); but not making the non-conforming situation worse, and/or if the BLA would not result in allowing a future subdivision of one of the parcels.</p> <p>No expiration date.</p> <p>BLA appeal process needs to be codified:</p> <p>No BLA section in current</p>	<p>Provide a BLA section in Zoning Code.</p> <p>May require revisions to Chapter 16 where provision is currently located.</p> <p>Simplify BLA process. Clarify findings associated with substandard parcel sizes (in relation to Zoning as well as General Plan).</p> <p>BOS doesn’t want to hear BLA appeals. Provide in-house appeal process from Deputy Director to DSD Director.</p> <p>BLA approvals should have expiration (1 year, for</p>

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	<p>ordinance. 1999 Draft section allows Zone Boundary “clean up” for parcels with multiple zone districts.</p> <p>IODs for roads need to be addressed.</p>	<p>example).</p> <p>Clarify what General Plan policies are applicable to BLA’s. Primarily those affecting parcel sizes (buffers, setbacks).</p>
<p>87. River Use and Campgrounds</p>	<p>Current interpretation allows sale of T-shirts and souvenirs as an accessory use. Should be codified.</p> <p>Campgrounds in EDC seem to be intensifying use to year-road and more permanent.</p>	<p>Include in development standards. See comments in #56.</p>
<p>88. Boarding Horses</p>	<p>Many versions of interpretations have evolved to define what zones allow boarding, what constitutes “commercial” boarding, and what type of training, schooling, shows are permitted. Often conflicts with surrounding residential or agricultural uses. Development standards could be created to minimize impacts such as setbacks or maximum number of animals per acre.</p> <p>Code enforcement has trouble enforcing some cases due to the loose definition of feed lots and the range and intensity of cattle/horse/other activities. RE-5 and RE-10 zones generally have most conflicts since they allow “raising and grazing.</p>	<p>Follow Animal Keeping workshops. Development standards may be needed regarding Animal Raising and Keeping (new topic in admin draft zoning ordinance.)</p> <p>See also #15 Arena.</p> <p>Review Code Enforcement cases with excessive animal populations in RE zones. Review potential well contamination, smell, flies; grandfathering; agricultural activities in RE zones with employees; farming vs. ranching (animals) provisions.</p>
<p>89. Easements:</p>	<p>What is allowed in easements? Specifically related to retaining walls, pools, pool equipment, landscape features such as waterfalls, underground conduits (water, power). Currently permitted are stackable/gravity walls lower than 36 inches.</p> <p>Different rules for utility easements vs. drainage easements?</p>	<p>Clarify. Possible new interpretation on retaining walls in setback areas being prepared by Development Services.</p>

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	Does an easement have to be abandoned or will permission from easement holder allow certain uses or improvements?	
90. Setbacks:	<p>Determination of front, side, and rear yards requires unique interpretation for corner lots, double frontage lots, triple frontage lots, unique shaped lots, and those with vehicular access restrictions.</p> <p>Measurement of setbacks related to roads, road easements, roads without easements, (not from edge of pavement) need clarification. Currently using interpretation exhibits.</p> <p>Clarify determination of rear yard setbacks on corner lots; fences in front yard setbacks/corner lots; rear fences along streets (where no access is allowed). Also if located in a utility/drainage/other easements.</p> <p>Nonconforming structures?</p>	<p>Carefully clarify setback determinations, exceptions, and provisions primarily based on current application of the rules. However, some additional provisions may be appropriate to consider to allow flexibility where appropriate and minimal or no impact to adjacent properties.</p> <p>In some zones, such as neighborhood commercial where pedestrian use would be encouraged, having setback MAXIMUMS instead of minimums should be encouraged. There maybe other situations where a critical mass of development, and large setbacks should be discouraged in order to cluster development.</p> <p>Alleys – where these are desired by County, need to encourage by limiting the front street size and amount of required pavement.</p> <p>Expansion of non-conforming structures located partially in setback areas. Current interpretation allows no additions within the setback. In the past, some encroachments were allowed that did not encroach “any further” into the setback.</p>
91. Split zoned parcels	Interpretations currently in use to define uses allowed on split zoned lots.	Include provision. (Zoning Ordinance Applicability.) Consider restricting split zoned parcels.
92. Shed setbacks	Portable sheds and small structures do not require permits, but are interpreted to meet setbacks. Not clear in code.	Clarify exactly what setback applies for accessory and/or portable structures. If a 30ft setback is required for a primary structure, why require only 5 ft. for a shed?
93. 17.71 EP fee collection	Interpretation has been used to clarify fee collection procedures. These should be revisited and code section should be modified to reflect necessary provisions.	Codify provisions; Remove from code. Suggest clarification of need for biological resource studies in Mit 0 and Mit 1 areas.
94. Temporary power poles	Interpretation that no site plan or setbacks required. Often first improvement on rural property, for well or barn or in anticipation of future dwelling construction.	Clarify provisions, and what happens when a “temporary” pole or structure has sides added and/or becomes permanent.

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<p>95. Plant nursery</p>	<p>Need definition and clarification where allowed. Separate definition for wholesale and retail nursery.</p> <p>Allowed in RE zones? Historically a controversial issue.</p> <p>Green houses can be intensively concentrated and impact adjacent residential uses, create relatively high traffic volume.</p>	<p>Clarify use, locations, and development standards.</p> <p>Maybe allow “contract growing” of plants up to a certain amount as a home occupation.</p>
<p>96. Residential Vehicles</p>	<p>No regulations on maximum number of vehicles stored on property. Currently unlimited if registered. Parking on lawns, vacant property, backyards, and front yards should be regulated, and possibly prohibited as common in other jurisdictions. Storage inside buildings could be allowed. Tent covers, RV covers may be suitable for some development standards (currently the temporary canvas/plastic/metal structures need to meet setbacks of the zone.)</p>	<p>Consider options based on zone, consistency with vehicle abatement and junkyard provisions.</p> <p>Limit vehicle storage to those registered, licensed, owned and operated by residents of property (i.e. - owner or renter only) in order to minimize situations with storage of six RVs stored on a property rented by six unrelated persons.</p>
<p>97. Application Procedure</p>	<p>Require proper authorization from property owner for submittal of application.</p> <p>Review for completion within 30 days and notify applicant/owner. Do we need any additional code provisions?</p>	<p>Require copy of action by non-profit Board of Directors authorizing the spending of non-profit funds for permit.</p> <p>Update Code as appropriate. Adhere to state law and yet include options for streamlining.</p>
<p>98. Motocross use and other off-road recreational vehicles</p>	<p>What limitations should be established for establishing motocross track on property? Limitation in RE zones? By SUP? For home owner use only/but friends and neighbors may use/or is it a potential nuisance?</p>	<p>Review and update code as may be appropriate. This has a lot in common with private arenas that gain popularity with a growing number of “friends” allowed to use a private facility. Consider provisions on this use based upon avoiding nuisance, hours of use, noise, dust, traffic, etc., not on who uses it. Suggest options to PC/BOS. Allow tracks by SUP in I and RF; and/or define use as gathering of six or more people to drive recreational vehicles;</p>
<p>99. Define Road and Driveway</p>	<p>Setbacks and other development standards vary for “roads” and “driveways” and many people use</p>	<p>Provide definitions and clarify setbacks in separate chapter on setback provisions.</p>

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	the term driveway, when by code definition, it is a “road.” (Front yard setback to be shown on site plans is a common example: no setback from a driveway, but up to a 55 foot setback is required from the center line of a (prescriptive) road.	
100. Define warehouse	Needs clear definition due to parking regulation being relatively light for this use. Many mixed use projects use the term warehouse loosely, possibly resulting in parking problems.	Clearer definition of the minimum standards for warehouse such as minimum size of 2,000 or 10,000 square feet would help. Review glossary and parking provisions for clearer definitions of uses.
101. Define mini-warehouse	When is warehousing really mini-warehousing? Size limits? Number or types of doors? Leasing office? Fences?	Clarify intent in ZO section and definition in glossary.
102. Side yard setbacks and Building Height	These provisions are very complicated and difficult to administer. Professional architects have difficulty understanding the provisions and how staff is interpreting them.).	Suggest simplification of rules or clarification how to demonstrate compliance with rules (maybe exempt anything beyond 15 feet from the property line – this would clear out most structures on an acre because they need 30 ft setbacks) (maybe simplify by increasing height from 25 feet to 30 feet
103. HOA structures	Provide for HOA owned and operated facilities such as barns, recreation rooms, meeting rooms, in residential zones by SUP, or admin permit, rather than as an accessory use.	Review options for Code. Provide direction if HOA wants to lease or sell; if the HOA no longer want to provide this service; affect on entitlements; or Quimby Act.
104. Common Variance Requests:	County receives about five variance requests every year in the Tahoe Basin for reduced front setbacks due to TRPA coverage requirements. Suggestion is to provide a separate 50 percent administrative setback variance for the –T overlay zone. Develop some performance standards such as any execution of a Hold Harmless/Indemnification statement. Would still have to comply with any subdivision easements, setbacks, or PUE’s.	Suggest option to PC. Cross reference in –T overlay zone and setback exception sections. Include easy way to get review/ signoff from TRPA staff.
105. ABC license; zoning	Currently all commercial zones allow alcohol sales; staff routinely	Consider clarification of process, including any zones that would not permit certain license types, or

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affidavits	reviews ABC applications to verify zoning, and signs off.	appropriate development standards. SUP approvals should clarify what level of ABC license is associated with the allowed use. Change from beer and wine to full bar should require additional review/approval.
106. SCR process	No formal process is established for a Substantial Conformance review process. This can be used to authorize and document minor modifications to approved plans.	(The SCR process would provide a certain number of plan sets (five) to be submitted with a fee (\$300 or so) to assess minor changes. The SCR could be reviewed and if approved included in the (original) plan file for record and a copy could be provided to the applicant with a County approval stamp.) If approved SCR related to a SUP, recommend the revised document be recorded to ensure clear understanding of entitlement.
107. Under-grounding of Overhead Utility Lines. 108.	No direction in Code on utilities. PUC regs usually require undergrounding of utilities at a 3 acre parcel size or less. County zoning regs may be designed to dovetail with PUC provisions. This may also be suitable for the Subdivision Ordinance instead of Zoning	Consider dovetailing regulations. Not necessary to be in Zoning, probably better in subdivision ordinance or even the updated Design Manual. Scenic corridor provisions may include standards for undergrounding in those cases.
109. Blue Binder Interpretations:	Ensure all past Department interpretations have been adequately addressed.	Cross check interpretations with this list; identify interpretations on file or in use as applicable during the various stages of the Zoning Update process.
110. 17.22: Land Use Permits process not clearly defined.	Process, permits, findings for all discretionary actions in a (Land Development Code)/Zoning Ordinance - and the level of review(s) listed under each section and the triggers.	Clarify process and findings for all existing, new, and revised permit processes. Identify hearing body, as appropriate. Put a chart in ZO that shows how each type of land use application is reviewed, noticed and decided and appealed. Add a second chart that shows what land use and other applications can be submitted and/or decided concurrently or consecutively.
111. Definitions and development standards unclear.	Definitions for specific terms and rules for density calculations are needed. How to calculate density for example, wetlands or other items that are not clear defined or referenced. All associated setbacks in one place in the definitions area - such as (setbacks, front: setbacks, side; setbacks, rear').	Glossary will contain all specific terms. Rules for density calculations, exceptions, special situations, will be contained in a stand alone section for comprehensive reference. Zone district development standards will be cross referenced with the "Setback Requirements and Exceptions" section.
112. Hillside Standards	Standards are located in the Design and Improvement Standards Manual and there is no cross reference in	Incorporate provisions in Zoning, or provide cross reference to DSIM and/or updated Grading Ordinance. Some provisions such as Hillside Design

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	Zoning. GP policies require provisions for hillside standards and restrictions for grading on 30% slopes.	standards, such as lot size, setbacks need to be added to ZO.
113. Noise Ordinance	Complaints of construction noise, crowing roosters, and amplified music are not clearly resolved in the Code.	Consider noise ordinance to address common issues, allow temporary activities, and provide reasonable hours for construction. Evaluate enforcement procedures such as how Code Compliance staff would use noise meters that result in a printout of decibel reading.
114. Cross reference with Health and Safety Code	EM notes that many uses require compliance with H&S code. Septic requirements being updated by H&S	Dovetail or cross reference certain uses with H&S code: B&B, bake shop, prepared food stand, special event, and restaurant. Numerous cities require that mobile food vendors be required to park their vehicles only in approved locations, generally by their approved commercial kitchen. This minimizes chance that vendor will use personal kitchen to prepare food for sale.
115. Grading	How do zoning rules apply to grading-only permits?	Clarify, possibly limit, rules for grading only permits. Review the long list of exceptions in the new Grading Ordinance.
116. Subdivision Ordinance Revisions	Staff should review the Subdivision Ordinance for necessary updates. Some provisions may relevant to zoning ordinance text. Some issues that need Subdivision Ordinance updates included: Procedure for receiving the automatic 3 year extension for a phased subdivision, when a final map is recorded and the off-site improvements exceed the (approximately) \$180,000. Identify what qualifies (do EID Fees qualify?); how to document, and memorialize.	No change to Zoning required at this time, unless ZO conflicts with SO. Monitor update of Subdivision Ordinance and identify any necessary changes to the Zoning Code and dovetail into Zoning Code monitoring program; proposed changes next time Zoning Code is amended.

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