

# CONTRACT ROUTING SHEET

Date Prepared: 5-25-2018

Need Date: 5-30-2018

**PROCESSING DEPARTMENT:**

Department: Planning & Building,  
Long Range Planning  
Dept. Contact: Anne Novotny  
Phone #: X5931  
Department  
Head Signature: *Roger Hunt*

**CONTRACTOR:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

EL DORADO COUNTY COUNSEL  
2018 MAY 31 12:44

**CONTRACTING DEPARTMENT:** Planning and Building

Service Requested: Review draft CEQA Addendum to the TGPA-ZOU EIR for Title 130 Zoning Ordinance Minor Amendments (Planning and Bldg. Dept. File OR 17-0901)

Contract Term: \_\_\_\_\_ Contract Amendment Value: \_\_\_\_\_  
Compliance with Human Resources requirements? Yes: \_\_\_\_\_ No: \_\_\_\_\_  
Compliance verified by: \_\_\_\_\_

**COUNTY COUNSEL:** (Must approve all contracts and MOU's)

Approved:  Disapproved: \_\_\_\_\_ Date: 6/4/2018 By: *K. Markham*  
Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

On December 15, 2015, the Board adopted a comprehensive Zoning Ordinance Update (2015 ZOU) and certified a Final EIR for the TGPA-ZOU project. After implementing the 2015 ZOU over the past two years, staff identified a list of minor changes to the Zoning Ordinance and limited parcel-specific corrections to the adopted Zoning Map to correct documented mapping errors, typographical/grammatical/formatting errors, clarify confusing or ambiguous language/references, and consolidate/renumber previously adopted zoning regulations that were not part of the 2015 ZOU.

On September 12, 2017, the Board adopted ROI 139-2017 (Legistar File 17-0901) authorizing staff to prepare these minor amendments to the Zoning Ordinance and proceed with any environmental review required under CEQA. CEQA Guidelines Sections 15162 and 15164 provide that an Addendum to an adopted EIR may be prepared for minor changes/additions if those changes/additions would not result in any new or more severe impacts than those previously analyzed in the certified EIR. Because the proposed Zoning Ordinance Minor Amendments will not result in new or more severe significant environmental effects not previously analyzed, no additional CEQA review is required. Therefore, the attached draft Addendum, together with the TGPA-ZOU EIR, will be utilized by the County as the environmental clearance for the proposed Zoning Ordinance Minor Amendments. The complete text of the proposed Title 130 Zoning Ordinance dated June 2018 is included with proposed minor amendments shown in red track changes.

**PLEASE CALL CINDY JOHNSON AT x4650 WHEN READY FOR PICKUP.**

**RISK MANAGEMENT:** (All contracts and MOU's except boilerplate grant funding agreements)

N/A

**OTHER APPROVAL:** (Specify department(s) participating or directly affected by this contract).

Departments: N/A

**ADDENDUM TO TGPA-ZOU Project EIR**  
**State Clearinghouse No. 2012052074**  
**Title 130 Zoning Ordinance Minor Amendments**  
**(File No. OR 17-0001)**

**I. Introduction**

This document constitutes an Addendum to the certified Environmental Impact Report (EIR) (State Clearinghouse No. 2012052074) for the El Dorado County Targeted General Plan Amendment-Zoning Ordinance Update (TGPA-ZOU) Project. This Addendum specifically addresses proposed minor corrections/modifications to the County Zoning Ordinance (Title 130) and Zoning Map since the Ordinance and map were adopted on December 15, 2015. This Addendum evaluates whether these proposed modifications would result in any new or substantially more adverse significant effects or require any new mitigation measures not identified in the certified TGPA-ZOU Environmental Impact Report (EIR). The certified EIR can be accessed via the following link:

[http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU\\_FEIR.aspx](http://www.edcgov.us/Government/LongRangePlanning/LandUse/TGPA-ZOU_FEIR.aspx)

**II. Purpose of this Addendum**

This Addendum, together with the EIR, will be utilized by the County as the environmental clearance for the Title 130 Zoning Ordinance Minor Amendments (OR 17-0001). In accordance with the California Environmental Quality Act (CEQA) and Sections 15162 and 15164 of the CEQA Guidelines (Addendum to An EIR or Negative Declaration), staff has determined that this Addendum is the appropriate document to analyze the proposed Ordinance modifications.

**III. Background / 2015 TGPA-ZOU Project**

The 2015 Zoning Ordinance Update (ZOU) was an important component of the TGPA-ZOU Project. The ZOU was the first comprehensive update of the County's Zoning Ordinance in more than 40 years. The update was needed so that the Zoning Ordinance would be consistent with the provisions of the General Plan's goals, objectives, policies, and Implementation Measures, as mandated by state law (Government Code 65860). Prior to 2015, the Zoning Ordinance was not consistent with the General Plan. The ZOU had two major components:

- 1) To revise the zoning maps to bring existing zoning designations into conformance with the General Plan, as required by state law; and
- 2) To comprehensively update the text of the Zoning Ordinance to bring it into conformance with the General Plan to eliminate inconsistencies and to incorporate modern implementation tools.

On December 15, 2015, the Board of Supervisors adopted El Dorado County Resolution 195-2015 certifying the Final Environmental Impact Report for the TGPA-ZOU Project and adopted the Zoning Ordinance Update.

#### **IV. Title 130 Zoning Ordinance Minor Amendments**

In 2017, after more than 18 months of implementing the updated Zoning Ordinance, Planning and Building Department staff identified a list of minor corrections/modifications to the Zoning Ordinance. The minor changes included but were not limited to: corrections to typographical/grammatical/formatting errors; text modification for clarity; corrections of inaccurate or obsolete code and documents references, including renumbered sections of Title 130; and consolidation/renumbering of the following adopted zoning ordinances that were not part of the County's 2015 Zoning Ordinance Update adopted on December 15, 2015: Ordinance No. 4156 (Parcel Size Exception) adopted on April 16, 1991; Ordinance No. 4182 (Airport Safety) adopted on May 12, 1987; and Ordinance No. 5025 (Signs) adopted on July 28, 2015. In addition, 11 parcel-specific rezones are proposed in order to correct documented errors to the adopted Zoning Map. The Title 130 Zoning Ordinance Minor Amendments (File OR 17-0001) consolidates all of these changes into one clean-up effort.

#### **CEQA Framework For This Addendum**

State CEQA Guidelines Section 15164 provides that “the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 (cited below) calling for preparation of a subsequent EIR have occurred:”

#### ***Section 15162: SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS***

*(a) “When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*

*(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

*(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:*

*(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*

- (B) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
- (C) *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
- (D) *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”*

## **V. Discussion**

### **A. Aesthetics Impacts**

The Title 130 Zoning Ordinance Minor Amendments consist of minor text changes or corrections to the Zoning Ordinance and 11 parcel-specific rezones to correct documented errors to the adopted Zoning Map with no further increase to environmental impacts described in the TGPA-ZOU Project EIR because:

- (1) The proposed amendments will have no physical impact on aesthetics.

### **B. Agricultural/Forestry Resources Impacts**

The Title 130 Zoning Ordinance Minor Amendments consist of minor text changes or corrections to the Zoning Ordinance and 11 parcel-specific rezones to correct documented errors to the adopted Zoning Map with no further increase to environmental impacts described in the TGPA-ZOU Project EIR because:

- (1) The proposed amendments will have no physical impact on agricultural or forestry resources.

### **C. Air Quality/Greenhouse Gases Impacts**

Air Quality and Greenhouse Gas Emissions impacts were reviewed by the El Dorado County Air Quality Management District (AQMD) and the AQMD found that the proposed amendments will not create any new or more severe impacts than those previously analyzed in the TGPA-ZOU Project EIR. *See attached letter from the AQMD (Exhibit A).*

### **D. Biological Resources Impacts**

The Title 130 Zoning Ordinance Minor Amendments consist of minor text changes or corrections to the Zoning Ordinance and 11 parcel-specific rezones to correct documented

errors to the adopted Zoning Map with no further increase to environmental impacts described in the TGPA-ZOU Project EIR because:

- (1) The proposed amendments will have no physical impact on biological resources.

**E. Cultural Resources Impacts**

The Title 130 Zoning Ordinance Minor Amendments consist of minor text changes or corrections to the Zoning Ordinance and 11 parcel-specific rezones to correct documented errors to the adopted Zoning Map with no further increase to environmental impacts described in the TGPA-ZOU Project EIR because:

- (1) The proposed amendments will have no physical impact on cultural resources.

**F. Land Use and Planning Impacts**

The Title 130 Zoning Ordinance Minor Amendments consist of minor text changes or corrections to the Zoning Ordinance and 11 parcel-specific rezones to correct documented errors to the adopted Zoning Map.

There would be no further increase to environmental impacts described in the TGPA-ZOU Project EIR because:

- (1) With the exception of the proposed amendment to Zoning Ordinance Table 130.22.020 (Allowed Uses and Permit Requirements for the Commercial Zones) to allow outdoor entertainment in the Commercial Main Street (CM) Zone by Conditional Use Permit (CUP), the proposed amendments will have no physical impact on land use and planning.
- (2) A CUP for Outdoor entertainment requires a site-specific CEQA analysis to ensure that impacts to land use and planning are fully addressed.
- (3) Existing Zoning Ordinance standards are in place to ensure impacts would not exceed the thresholds previously analyzed in the TGPA-ZOU Project EIR. For example, Zoning Ordinance Subsection 130.52.021.C (Specific Findings for Conditional Use Permits) requires the following three findings prior to approval of any CUP:
  - a) The proposed use is consistent with the General Plan; and
  - b) The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood; and
  - c) The proposed use is specifically allowed by a conditional use permit pursuant to this Title.

The 11 parcel-specific rezones referenced above in this section are to correct documented errors to the adopted Zoning Map and would have no impact on Land Use and Planning.

**G. Noise Impacts**

The amendment of Table 130.22.020 (Allowed Uses and Permit Requirements for the Commercial Zones) to allow outdoor entertainment in the Commercial Main Street (CM) Zone by Conditional Use Permit (CUP) would allow a new noise-generating use not currently allowed in this zone. The CUP could be issued for new outdoor entertainment uses only if new noise source(s) would not exceed the noise level thresholds shown in Zoning Ordinance Table 130.37.060.1 (Noise Level Performance Protection Standards for Noise-Sensitive Land Uses Affected by Non-Transportation Sources), as previously analyzed under the TGPA-ZOU Project EIR. [TGPA-ZOU Final Program EIR, p. 3.7-12]. Therefore, noise levels resulting from new outdoor entertainment uses would not exceed levels previously analyzed under the TGPA-ZOU Project EIR.

The proposed minor amendments include the consolidation/renumbering of Chapter 130.38 (Airport Safety [AA] District) to Section 130.27.100 (Airport Noise and Safety Contour [-ANS]) with some changes. These changes are limited to changes to internal document and zone district references for consistency with the adopted 2012 Airport Land Use Compatibility Plan (ALUCP), and were authorized by the Board of Supervisors under Resolution of Intention (ROI) 239-2014, but the process of incorporating the changes into the Zoning Ordinance was not completed. No new or intensified land uses are proposed as part of this effort. Therefore, as amendments to Chapter 130.38 (proposed Zoning Ordinance Section 130.27.100) are administrative in nature, these changes would not affect the TGPA-ZOU EIR conclusions about exposure to aircraft noise. (TGPA-ZOU Final Program EIR, p. 3.7-12)

No new or more severe noise impacts will occur as a result of the proposed amendments.

**H. Population and Housing Impacts**

The Title 130 Zoning Ordinance Minor Amendments consist of minor text changes or corrections to the Zoning Ordinance and 11 parcel-specific rezones to correct documented errors to the adopted Zoning Map with no further increase to environmental impacts described in the TGPA-ZOU Project EIR because:

- (1) The proposed amendments will have no physical impact on population or housing.

**I. Transportation and Traffic Impacts.**

No new or more severe transportation and traffic impacts will occur as a result of the proposed amendments. *See attached letter from the County Department of Transportation Senior Civil Engineer (Exhibit B).*

The amendment of Table 130.22.020 (Allowed Uses and Permit Requirements for the Commercial Zones) to allow outdoor entertainment in the Commercial Main Street (CM) Zone by Conditional Use Permit (CUP) would not change the TGPA-ZOU EIR traffic impact conclusions. The CM Zone District is limited to a relatively small number of parcels within historic downtown areas or town centers with existing transportation infrastructure. Due to this small and localized geographic footprint, no significant changes to traffic or traffic patterns would be expected as a result of this change because a discretionary permit (CUP) would evaluate and mitigate potential traffic impacts. All CUP applicants are required to submit an El Dorado County Transportation Impact Study (TIS) – Initial Determination Form, to ensure project-specific traffic impacts, if any, are identified, evaluated and mitigated appropriately under CEQA.

**J. Water Supply Impacts**

The Zoning Ordinance minor amendments consist primarily of minor text changes or corrections to the Zoning Ordinance and 11 parcel-specific rezones to correct documented errors to the adopted Zoning Map with no further increase to environmental impacts described in the TGPA-ZOU Project EIR because:

- (1) The proposed amendments will have no physical impact on water supply.

**K. Energy Resources Impacts**

The Zoning Ordinance minor amendments consist primarily of minor text changes or corrections to the Zoning Ordinance and 11 parcel-specific rezones to correct documented errors to the adopted Zoning Map with no further increase to environmental impacts described in the TGPA-ZOU Project EIR because:

- (1) The proposed amendments will have no physical impact on energy resources.

**L. Community Design Standards Impacts**

The Project EIR previously analyzed impacts resulting from the Community Design Standards (landscaping and irrigation, mobile home park design, parking and loading, outdoor lighting and research and development zone design standards) adopted on December 15, 2015 including associated 2015 Zoning Ordinance amendments. None of the proposed amendments or corrections to the adopted Zoning Map will have a significant effect on these adopted standards.

**M. Other Impacts**

Other environmental factors previously analyzed in the Project EIR including Geology and soils, Hazards and Hazardous Materials, Mineral Resources, Public Services, Utilities and Service Systems and Recreation would be unaffected by the proposed project.

**N. Findings Regarding Previously Adopted Mitigation Measures**

CEQA Guidelines Sections 15162(a)(3)(C) and 15162(a)(3)(D) require a subsequent EIR if new information indicates the following:

*(C) “Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”*

**Discussion:**

**Findings Regarding CEQA Guidelines Section 15162(a)(3)(C):**

- 1) There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible. The Title 130 Zoning Ordinance Minor Amendments project is not proposing any changes that would affect the feasibility of previously adopted mitigation measures.

**Findings Regarding CEQA Guidelines Section 15162(a)(3)(D):**

- 1) There are no new or different mitigation measures or alternatives from those adopted in the TGPA-ZOU EIR that would substantially reduce one or more significant effects on the environment. The Title 130 Zoning Ordinance Minor Amendments project is not proposing any changes that would require consideration of new or different mitigation measures or alternatives from those adopted in the TGPA-ZOU EIR.

**VI. Conclusion**

This addendum demonstrates that the Title 130 Zoning Ordinance Minor Amendments would not result in any new or more severe impacts than those previously analyzed in the TGPA-ZOU Project EIR. Therefore, this Addendum satisfies the requirements of CEQA Guidelines Sections 15162 and 15164.

**Exhibits**

- A. County Air Quality Management District (AQMD) Letter, May 3, 2018
- B. County Department of Transportation (DOT) Letter, May 16, 2018



# CEQA Addendum - Exhibit A



## County of El Dorado Air Quality Management District

345 Fair Lane Trailer T-1, Placerville Ca 95667  
Tel. 530.621.7501 Fax 530.295.2774  
[www.edcgov.us/AirQualityManagement](http://www.edcgov.us/AirQualityManagement)

Dave Johnston  
Air Pollution Control Officer

May 3, 2018

Tom Purciel  
Department of Planning & Building  
Long Range Planning  
2850 Fair Lane Placerville, CA 95667

RE: Proposed 2017 Zoning Ordinance Minor Updates

Dear Mr. Purciel,

The El Dorado County Air Quality Management District (AQMD) has reviewed the proposed changes to the Zoning Ordinance for the proposed 2017 Zoning Ordinance Minor Amendments (File No. OR 17-0001), as submitted from Long Range Planning in March, 2018. The changes are minor and mostly clerical in nature. After reviewing the proposed revisions, the AQMD has determined that the proposed changes would not result in a change to air quality impacts that were previously identified under the 2015 General Plan Amendment - Zoning Ordinance Update (TGPA-ZOU) Environmental Impact Report (EIR).

Sincerely,

Adam Baughman  
Air Quality Engineer



**CEQA Addendum - Exhibit B**  
**COMMUNITY DEVELOPMENT SERVICES**  
**DEPARTMENT OF TRANSPORTATION**

<http://www.edcgov.us/DOT/>

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**PLACERVILLE OFFICES:**

**MAIN OFFICE:**

2850 Fairlane Court, Placerville, CA 95667  
(530) 621-5900 / (530) 626-0387 Fax

**CONSTRUCTION & MAINTENANCE:**

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**ENGINEERING:**

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**MAINTENANCE:**

1121 Shakori Drive, South Lake Tahoe, CA 96150  
(530) 573-3180 / (530) 577-8402 Fax

May 16, 2018

Tom Purciel  
Planning and Building Department  
Long Range Planning  
2850 Fair Lane Court  
Placerville, CA 95667

RE: Proposed 2017 Zoning Ordinance Minor Amendments (Project File No. OR 17-0001)

Dear Mr. Purciel,

The El Dorado County Department of Transportation staff has reviewed the proposed changes to the Zoning Ordinance for the proposed 2017 Zoning Ordinance Minor Amendments (File No. OR 17-0001) and has determined that no new or more severe transportation and traffic impacts will occur on a programmatic level as a result of the proposed amendments. After reviewing the proposed revisions and reason(s) for those revisions, the proposed changes would not result in a change to transportation and traffic impacts on a programmatic level that were previously identified under the 2015 Targeted General Plan Amendment – Zoning Ordinance Update (TGPA-ZOU) Project EIR.

Sincerely,

Natalie K. Porter, P.E., T.E.  
Senior Civil Engineer