



# COMMUNITY DEVELOPMENT SERVICES PLANNING AND BUILDING DEPARTMENT LONG RANGE PLANNING

---

2850 Fairlane Court, Placerville, CA 95667  
Phone (530) 621-4650, Fax (530) 642-0508

Date: January 11, 2019

To: Planning Commission (Agenda Date: January 24, 2019)

From: Lindsey Alagozian, Senior Planner

**Subject: Public Workshop for Review and Comment on Proposed Title 130 - Zoning Ordinance Major Amendments (File No. OR17-0002)**

---

## **EXECUTIVE SUMMARY**

The El Dorado County Planning and Building Department, Planning Services Division, Long Range Planning Unit has initiated a Zoning Ordinance Major Amendments project to address issues identified during implementation of the comprehensive Zoning Ordinance Update adopted by the Board of Supervisors on December 15, 2015. The proposed project includes modifications to existing land uses, additional or expanded land uses including agricultural related land uses, improvements to planning permit processing including general review procedures, modifications to public noticing, and several parcel specific rezones.

The purpose of the public workshop is to solicit early community engagement and direction from the Planning Commission prior to scheduling public hearings for formal action. An outline of the main components of the project will be presented for review and comment only. Formal public hearings on the proposed amendments are anticipated to be scheduled in April-June of 2019.

## **BACKGROUND / HISTORY**

On December 15, 2015, the Board of Supervisors (Board) adopted a comprehensive Zoning Ordinance Update (ZOU) and directed staff to return to the Planning Commission and Board to report on implementation of the ordinance. From January 2016 through June 2017, staff compiled a list of proposed minor and major amendments to the Zoning Ordinance and Zoning Map to address issues identified during implementation of the ZOU.

On September 12, 2017, the Board adopted two Resolutions of Intention (ROIs) to initiate the proposed amendments to Title 130 (Zoning Ordinance): ROI 139-2017 for the Minor Amendments and ROI 140-2017 for the Major Amendments (Legistar File 17-0901).

On June 28, 2018, the Planning Commission held a public hearing on the Zoning Ordinance Minor Amendments and Minor Revisions to the Zoning Map and approved staff's recommended actions to forward to the Board.

On August 14, 2018, the Board adopted the Title 130 Zoning Ordinance Minor Amendment (Ordinance No. 5090) and a separate rezone ordinance (Ordinance No. 5088) to correct 11 parcel-specific errors on the adopted Zoning Map. The Title 130 Zoning Ordinance Minor Amendment became effective on September 13, 2018.

The components of the Zoning Ordinance Major Amendments project, which are summarized in the attached table (Exhibit A), originated from both ROI 139-2017 and ROI 140-2017. During the preparation of the Zoning Ordinance Minor Amendment project, several Minor Amendment items were shifted to the Major Amendment project for further analysis and include the following: amendments to public noticing requirements, and parcel-specific rezones in the areas of Greenwood, Meeks Bay, and Pilot Hill. Additionally, proposed regulations of drive-through facilities were added at the request of the Cameron Park Design Review Committee (Exhibit B) and staff has included this item for consideration. Staff is proposing to add a section to the Zoning Ordinance for drive-through facilities to include the existing standards for drive-through facilities currently in the Community Design Standards, Parking and Loading Standards the Board adopted on December 15, 2015 (Exhibit C).

Specific rezone maps and any necessary documentation identifying each area are included for consideration (Exhibits D through M). All other components of the Major Amendment project originated from ROI 140-2017, including temporary camping, which staff is recommending to be removed from the project due to potential conflicts with Ordinance 5059 the Board adopted on August 29, 2017 that addresses camping and storage of personal property on private and public property in El Dorado County (Exhibit N).

## **PROPOSED PROJECT**

The Zoning Ordinance Major Amendments project (ROI No. 140-2017) consists of several categories of proposed changes including modifications to existing land uses, additional or expanded land uses including agricultural related land uses, improvements to planning permit processing including general review procedures, modifications to public noticing, and several parcel specific rezones. As a result of further research, staff identified a few project components that will require General Plan Amendments and further environmental review. The items recommended to be removed and analyzed separately include the following: allowing residential uses in open space zones; the expansion of temporary camping; and parcel rezones within the North Placerville, Pilot Hill, and Texas Hill Reservoir areas. Staff recommends that these items be removed from the project and analyzed separately.

The proposed Major Amendments to the Zoning Ordinance are summarized in the attached table (Exhibit A), with the exception of public noticing which is summarized within the staff memo below.

### **Public Notice Requirements and Procedures**

On September 9, 2015, the Board adopted Ordinance No. 5026 which established public noticing requirements. At that time, the comprehensive update to the Zoning Ordinance was well underway so the adopted public noticing ordinance was codified in Title 130, under Article 9 (Miscellaneous). The ROI for the Minor Amendments included relocating the public noticing sections to Chapter 130.51 (General Application Procedures). However, upon further review, staff determined that the public noticing sections needed substantial modifications and recommended the public noticing be moved to the Major Amendment.

According to the current Zoning Ordinance, public noticing requirements have been established for planning projects including Planned Development Applications, Rezone Applications, or Specific Plans and require mailings of public notices at a distance of either half a mile or a mile depending upon the number of parcels created within the project. A physical posting of the notice on the property proposed for development and a notice published in a newspaper is also required. Furthermore, a public outreach plan may be required to be conducted by the applicant as determined by the Director.

County staff is currently implementing these regulations and have also extended public noticing requirements to other entitlements including General Plan Amendments, Design Review, Parcel Maps, Conditional Use Permits, Site Plan Review, and Variances. Currently, the public notification range is between 500 feet to one mile for projects requiring a public hearing.

Staff recognizes the need to improve the public notification process and to involve the community in project review as early as possible. In an effort to improve and to expand the public notification procedures of development projects, staff is recommending an amendment to the current Zoning Ordinance that would facilitate public involvement in the planning process.

Staff recommends the expansion of a public outreach plan for all Planning Commission and Board level projects as a requirement of the applicant. The current Zoning Ordinance does not require a public outreach plan, but indicates that it may be required. This requirement will ensure that applicants conduct early outreach to neighboring property owners and community groups for the purpose of presenting the proposed project to the community and soliciting feedback. Staff recommends that the extent and content of the public outreach plan be determined by the Planning and Building Department Director.

Staff is also recommending the need to hold “review and comment” public hearings at the Planning Commission for development projects that may generate significant discussion or that are of interest to a wide region. The purpose of “review and comment” is to provide public notice of the proposed project early on in the development process and to solicit feedback from the community and the Commission of which no action will commence. This newly added process will allow the applicant to identify potential problems early on in the process and to engage with the community directly, if necessary. Staff recommends that the need for a review and comment hearing be determined by the Planning and Building Department Director.

When the Board adopted the public noticing ordinance, new requirements regarding the distance of public notification mailings were included. The ordinance requires public notices to be mailed at a distance from 500 feet to one mile depending on the number of proposed parcels created with the project or type of entitlement. When the Board adopted this requirement, staff was asked to track the effectiveness of the various mailings. The tracking data indicates that the most effective mailing radius is 1,000 feet. In an effort to improve the efficiency of public notification mailings, staff is recommending all development projects that require a public hearing to be publicly noticed to owners of real property within 1,000 feet of the subject property.

#### **NEXT STEPS**

Following this public workshop, staff will review the comments received from the public and the Planning Commission, and will make any necessary revisions to the Zoning Ordinance amendments. Staff will present the agricultural related items to the Agriculture Commission, and return to the Planning Commission for a formal public hearing and to receive the Planning Commission’s recommendation for the Board of Supervisors. The Planning Commission and Board public hearings are anticipated to be scheduled in April-June of 2019.

**STAFF MEMO EXHIBITS**

Exhibit A.....Summary Table of Proposed Zoning Ordinance Major Amendments

Exhibit B.....Correspondence received from Cameron Park Design Review Committee regarding drive through facilities

Exhibit C.....Community Design Standards: Parking and Loading, Drive-through Facilities

Exhibit D.....Proposed Rezone - Somerset Area

Exhibit E.....Proposed Rezone - Greenwood Area

Exhibit F.....Proposed Rezone - Meeks Bay Area

Exhibit G.....Correspondence with TRPA regarding Proposed Rezone within Meeks Creek Plan Area

Exhibit H.....Proposed Rezone - Mt. Aukum Area

Exhibit I.....Mt. Aukum Area Rezone Request by Property Owner (Agricultural Zone “Opt-In”)

Exhibit J.....2012 Zone Mapping Criteria, May 25, 2012 (Legistar File 12-0837, Attachment 4A)

Exhibit K.....Proposed Rezone - Garden Valley Area

Exhibit L.....Proposed Rezone - North Placerville and Texas Hill Areas

Exhibit M.....Proposed Rezone - Pilot Hill Area

Exhibit N.....Ordinance No. 5059 - Camping and Storage of Personal Property on Private and Public Property in El Dorado County, adopted August 29, 2017