

**LATE DISTRIBUTION**  
Public Comment #18  
DATE BOS RCVD 8/19/2025

**From:** [Sue Taylor](#)  
**To:** [BOS-District I](#); [BOS-District V](#); [BOS-District II](#); [BOS-District IV](#); [BOS-District III](#); [BOS-Clerk of the Board](#)  
**Subject:** Regarding Agenda 8-19-2025, Item #18, Legistar # 25-1386  
**Date:** Tuesday, August 19, 2025 12:56:40 PM  
**Attachments:** [8-19-2025 Public Comment #18.docx](#)

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8-19-2025 Board of Supervisors:

It appears that the County focus is modifying county codes in order to facilitate developers rather than having developers conform to the codes that have been in place for the health and safety of its residents.

Regarding Agenda 8-19-2025, Item #18, Legistar # 25-1386

## 1. Fire Safe Setbacks:

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

This policy must remain. It's State Law and required by El Dorado County Fire CCR T14 1276.01 Setback for Defensible space: "(a) All parcels shall provide a minimum thirty (30) foot setback for all buildings from all property lines and/or the center of the road."

There are exceptions for some structures, which come with conditions. For each reduction there is a requirement for mitigation. The County cannot just eliminate this law required by the Fire District, which comes down from the State, they can only make the law stricter.

<https://www.eldoradocountyfire.com/engineering-development-and-plan-review#docaccess-a901245aa3e4af2d18baf1e5838392d6fb40e29bb04ed86e042ddb0efcaa167b>

## CALIFORNIA BOARD OF FORESTRY AND FIRE PROTECTION SRA FIRE SAFE REGULATIONS

### 1276.01 Setback for Structure Defensible Space

(a) All parcels 1 acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or the center of the road.

(b) For parcels less than 1 acre, the local jurisdiction shall provide for the same practical effect.

The screenshot shows the El Dorado County website with a search bar at the top right containing the text "Search El Dorado County...". Below the search bar is a navigation menu with icons for Home, Want to, Government, Doing Business, Living, Visiting, Emergency Services, Connect With Us, Phone Directory, Vacation Home Rentals, and Strategic Plan. The main content area is titled "Building Services Menu" and lists several regulations:

- 1276.00 Intent: To reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation, the strategic using of fuel modification and greenbelt shall provide:
  - (1) increased safety for emergency fire equipment and evacuating civilians.
  - (2) a point of attack or defense from a wildfire.
- 1276.01 Setback for Structure Defensible Space**:
  - (a) All parcels 1 acre and larger shall provide a minimum 30-foot setback for buildings and accessory buildings from all property lines and/or the center of the road.
  - (b) For parcels less than 1 acre, the local jurisdiction shall provide for the same practical effect.
- 1276.02 Disposal of Flammable Vegetation and Fuels: Disposal, including chipping, burying, burning or removal to a landfill site, approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.
- 1276.03 Greenbelt: Subdivision and other developments, which propose greenbelt as a part of the development plan, shall locate said greenbelt strategically, as a separation between wildland fuels and structures. The locations shall be approved by the jurisdiction.

## 2. Large Family Day Care Homes.

Why would the County change this? This is for Child Care homes for 7 or more children. The requirement is simple. It's an administrative permit so at least one person can look over to make sure the location is safe for this use. Do they have the parking, space, loading on and off for safety purposes? This does not seem like a difficult issue to abide by. Please leave this in the ordinance as is.

2. **Large Family Day Care Homes.** Allowed by right. ~~Allowed under an Administrative Permit in compliance with Section 130.52.010 (Administrative Permit, Relief, or Waiver) in Article 5, (Planning Permit Processing) of this Title. The following shall be submitted in addition to the standard permit application requirements:~~

- a. ~~Name and address of the applicant and a statement that he/she resides in the home where the day care will be conducted.~~
- b. ~~A site plan drawn to scale, which may be hand drawn provided it is legible, clearly delineating the location and dimensions of all existing and proposed buildings, structures, walkways, yards, driveways, on-site parking areas, and available parking area along the road frontage.~~
- c. ~~A sign plan, if applicable, demonstrating compliance with Chapter 130.36 (Signs) in Article 3 (Site Planning and Project Design Standards) of this Title for residential signage.~~

3. **Mining operations:** This ordinance was to protect current and future need of our mineral resources. A pretty important protection policy in our General Plan... Is this being changed specifically for the Lime Rock Project? It sure looks like it. Just another barrier for your favored developers. Not a good look.

E. Special Setbacks for Mineral Resource Protection.

- 1. Notwithstanding any other provision of this Title, where incompatible uses, as defined in Article 8 (Glossary: see "Incompatible Uses: Mining") of this Title, adjacent to lands located in the -MR Combining Zone containing existing approved

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4. **Same with Agricultural**, where you disregard the importance of the resource if not in current use – just another nail in their coffin:

**Section 7.** Section 130.30.090 entitled “Gates” is amended in part to read as follows:

### **130.30.090 Gates**

The placement of gates across county-maintained rights-of-way shall be prohibited. The following regulations establish a supplemental review and approval procedure for placing gates across non-county-maintained roads or private driveways entering residential and nonresidential development. The regulations in this section do not apply to gates serving **exclusively** agricultural uses.

5. Mixed Use:

This is the worse. The county sold the voters on this cute concept of main street with a business below and a residence about with 4 dwellings allowed per acre in rural centers and 10 in Community Regions and turned it into a behemoth nightmare... which Planning is about to drop these onto our communities without much process from the public. Some of you must really hate being part of a rural county.

**Section 9.** Section 130.40.180 entitled “Mixed Use Development” is amended in part to read as follows:

### **130.40.180 Mixed Use Development**

- A. **Applicability.** Residential development may occur with the commercial development allowed in Chapter 130.22 (Commercial Zones) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title under the use matrices for the zones. Commercial development may occur with residential development allowed in Chapter 130.24 (Residential Zones) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title.
- B. **General Requirements.** The following requirements shall apply to all mixed use development projects:
1. Commercial and residential uses shall be complementary and mutually supportive of each other and shall be integrated into the community or neighborhood where the development is located.
  2. The residential component shall be allowed on separate lots within the development.
  3. The residential component may include a full range of single-unit and/or multi-unit residential design concepts.
  4. ~~On commercially zoned land, the residential component shall be constructed concurrently with or following construction of the commercial component of the project site. On RM zoned land, timing provisions shall not apply.~~
- ~~4.~~ Mixed use development projects may be phased.

Why take out the original #4? The developer is being allowed to never build the commercial part of the project. You are harming the jobs to homes balance severely by reducing the stock of commercial properties, just so that developers can make more money.

5. Mixed use development may include live/work units. A live/work unit is defined as a single unit consisting of both a commercial/office and a residence that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant.
6. Mixed use development projects in Community Regions shall be designed consistent with the Mixed Use Design Manual, adopted by the Board on December 15, 2015 and reformatted on April 24, 2018 (Resolution 197-2015) and either the Interim Objective Design Standards for Streamlined Ministerial Projects or the Interim Design Standards and Guidelines for Multifamily, Mixed-Use or Commercial Projects, whichever is applicable, as adopted by the Board on December 3, 2024 (Resolutions No. 214-2024 and 215-2024, respectively). Mixed use projects that deviate from the standards of the Mixed Use Design Manual shall require a Design Review Permit.
7. Mixed use development projects in Rural Centers or the Rural Region shall be encouraged to comply with the standards and guidelines found in the adopted Mixed Use Design Manual.

How confusing can you be on #6. We now have so many conflicting standards, with more coming. So, when the law is so confusing there is no law. Is this again to benefit the developers currently processing these projects?

#7. Encouraged? You've taken everything out to project bad development and now you are going to leave the rural centers out there to the mercy of the developers?

C. **Development Standards.**

1. At least 30 percent of the gross floor area of the mixed use development project shall be devoted to commercial uses. "Gross floor area" as used within this Section does not include inner courtyards and exterior stairwells or balconies.
2. The maximum density for the residential use component shall be 20 dwelling units per acre in Community Regions and 10 dwelling units per acre in Rural Centers or developments without a public sewer connection.
3. Minimum residential dwelling unit area shall comply with the building code.
4. The gross floor area of commercial use in a mixed use development on RM zoned land shall not exceed 15 percent of the gross floor area of the project.
5. Setbacks: Notwithstanding Sections 130.22.030 (Commercial Zone Development Standards) and 130.24.030 (Residential Zone Development Standards) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title, front setbacks for mixed use development projects shall be as follows:

**Table 130.40.180.1 – Front Setbacks for Mixed Use Development**

Street Classification	Minimum (in feet)	Maximum (in feet)
Major 2-lane Road – Community Region	0	10
Major 2-lane Road – Rural Center and Rural Region	0	5
Local Road	0	5

Okay setback table... this is just nuts and should have been fixed a long time ago. ZERO LOT LINE ON THE ROAD!!!! So are you saying the proposed mixed use project coming down the pike can now put their building directly on either the right of way or roadway of

Pleasant Valley Road – The most dangerous level F section of Diamond Springs. Besides being rural you must really hate Diamond Springs.

More confusing policies for the lay person to find and dig through, in which the developers will get exemptions anyway.

Mixed use buildings shall have no minimum side and rear setbacks if the building has a fireproof wall with no openings that meets all building and fire code requirements. Otherwise, side and rear setbacks shall be a minimum of five feet.

6. Parking shall be subject to the requirements in Chapter 130.35 (Parking and Loading) and Chapter 130.33 (Landscaping Standards) in Article 3 (Site Planning and Project Design Standards) of this Title. Notwithstanding the requirements of Chapter 130.35 (Parking and Loading), parking shall be required as follows:

Due to the impact of these changes, there must be an environmental review of the changes and the impacts they will have to our citizens and our resources. Please return this to the Planning Commission for a more proper review.

Sue Taylor

Sue Taylor for Save Our County

