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FW: Draft El Dorado County Code/EID Bass Lake Property

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To: Charlene Tim <charlene.tim@edcgov.us>

Wed, Sep 3, 2014 at 2:13 PM

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Subject: re: Draft El Dorado County Code/EID Bass Lake Property

To the El Dorado County Planning Commission and the Board of Supervisors:

RE: LUPPU Proposed rezoning of APN 115-400-12, 3240 Bass Lake Road

From RF - Adopted Plan Land Use - Open Space (EDH Specific Plan) to RFH - High Use Recreational
El Dorado Irrigation District (EID) property containing Bass Lake

Many thanks to the Planning Commission members for listening to my concerns about the EID Bass Lake property proposed rezoning on Wednesday, August 27, and for their thoughtful discussion which followed.

One point I wish to reiterate is the EID Bass Lake property (as well as the proposed Bass Lake Regional Park) is in a **Rural Region** and immediately adjoining rural Green Springs Ranch.

During your discussions, the fact there was little difference between Recreation Facility - Low (RFL) and and Recreational Facility - High (RFH) zoning according to the Draft El Dorado County Code was discussed. I reviewed my notes and the draft zoning code 17.25.020

Special Purpose Zones which is attached above and while at first glance this seems to be true, the detail in the footnotes proves this to be partially incorrect. If you review the attached document, I have high lighted items in the Special Purpose Zones Use Matrix which are footnoted as only applying to specific situations.

I will spell out the footnoted items under RFL zoning as follows:

Golf Course (CUP 1) - **As part of an approved development plan or subdivision.**

Parks: Nighttime Use (A2)- **In Rural Centers, only.**

Swimming Pool (A3) - **In Community Regions, only.**

Tennis Court, public (A3) **In Community Region, only.**

Commercial Recreation,

Indoor entertainment (A2) **In Rural Centers, only.**

Outdoor entertainment (CUP2) **In Rural Centers, only.**

Outdoor Sports and Recreation (A/CUP2) **In Rural Centers, only.**

Civic

Community Services (CUP2) **In Rural Centers, only.**

Communication Facilities

Public Utility Service Facilities, Minor (P2) **In Rural Centers, only.**

In my letter of comment to the Long Range Planning Division I included the following information:

*A. El Dorado County Impact Analysis Biological Resources El Dorado County TGPA/ZOU
Draft Program EIRSCH# 20120520743.4-24March 2014ICF
00103.12
λ Section 17.25.010 and 17.25.020*

*"Recreational Facilities, Low-intensity [RFL] and Recreational Facilities, High-intensity [RFH]) **RFL zoning would be allowable in Rural Regions and Rural Centers; RFH zoning would be "primarily located in Community Regions and Rural Centers."***

B. Table 2.2 El Dorado County Project Description Draft EIR

General Plan Land Use Designation and Zone Consistency Matrix shows RFH zoning in OS - Open Space only when "within a Community Region" and the EID Bass Lake parcel is outside the Community Region.

In conclusion, since this property is in a Rural Region, the zoning for the EID Bass Lake property should not be changed from its current RF zoning with a land use of open space/conservation as shown in the EDHSP DEIR Area Place Designations Map to RFH based on the Draft El Dorado County Code and the TGPA/ZOU Draft EIR.

Thank you again for your time and consideration.

Kathy Prevost
Vice President
Bass Lake Action Committee
www.basslakeaction.org

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Thank you.



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CHAPTER 17.25 — SPECIAL PURPOSE ZONES REVISED: 3/2/12

Sections:

- 17.25.010 Purpose and Intent
- 17.25.020 Matrix of Permitted Uses
- 17.25.030 Special Purpose Zone Development Standards

17.25.010 Purpose and Intent

- A. The purpose of special purpose zones is to achieve the following:
 - 1. Identify areas suitable for public and private recreational opportunities and facilities on a regional basis, consistent with the General Plan.
 - 2. Encourage economic development by providing opportunities for tourism and recreation-based businesses to expand and develop in appropriate areas of the County, while minimizing conflicts with adjacent land uses.
 - 3. Establish development standards for public and private recreational development to protect the public health, safety, and welfare as well as the privacy and quiet of surrounding property owners.
 - 4. Protect and preserve the established and proposed transportation corridors within the County.
 - 5. Provide areas for transportation-related facilities and services that do not create a conflict between the existing and future transportation needs of the County.
 - 6. Identify, protect, and regulate lands set aside as open space, public lands, areas not suitable for development, natural resources, scenic viewsheds, outdoor passive recreation areas, important watersheds, riparian areas and aquifers, and rare, threatened, and endangered species and their habitats.
- B. This Chapter lists the land uses that may be allowed within the special purpose zones established by Section 17.12.020 (Zoning Map and Zones), determines the type of planning permit/approval required for each use, and provides basic standards for site layout and building size.
- C. The purpose of the Special Purpose zones and the manner in which they are applied is as follows:
 - 1. **Recreational Facilities, Low-Intensity (RFL).** The RFL, Low-Intensity Recreational Facilities Zone is intended to regulate and promote dispersed recreational and tourist accommodating uses and activities primarily in Rural Regions or Rural Centers of the County where such uses are compatible with

adjacent or nearby rural residential development. Uses include but are not limited to camping, picnicking, equestrian staging, and river put-in and take-out.

2. **Recreational Facilities, High-Intensity (RFH).** The RFH, High-Intensity Recreational Facilities Zone is intended to regulate and promote recreational uses and activities with high concentrations of people or activities of a more urban nature, such as recreational vehicle parks, sports fields and complexes, and amusement parks or facilities that are primarily located in Community Regions and Rural Centers. This zone also includes that land set aside for active recreational purposes as part of a subdivision, development plan, specific plan, or other discretionary process.
3. **Transportation Corridor (TC).** The TC, Transportation Corridor Zone, is intended to protect and preserve established and identified future transportation corridors within the County, including corridors for motor vehicle, bicycle, hiking, equestrian, and rail transportation.
4. **Open Space (OS).** The OS, Open Space Zone, is intended to identify and protect land set aside for passive open space purposes including, but not limited to, the protection of rare and endangered plant or animal habitat; wildlife habitat, such as critical winter deer range and migration corridors; riparian areas; oak woodlands; visual resources as a part of a development plan or along a designated scenic corridor; and watersheds and groundwater recharge areas. Intensive agriculture is not compatible, although low intensity agriculture such as seasonal grazing may be compatible. Recreational uses that have little impact and do not require substantial permanent structures or facilities are also compatible.

The OS Zone can also designate land set aside to protect agricultural lands covered by an open space easement or as a part of a development plan in an Agricultural District, as identified on the General Plan land use maps, or on other identified agricultural lands.

17.25.020 Matrix of Permitted Uses

Uses are permitted in Special Purpose zones subject to the requirements of this Title as designated in Table 17.25.020 below:

Table 17.25.020 Special Purpose Zones Use Matrix

RFL: Recreation Facility-Low RFH: Recreation Facility-High TC: Transportation Corridor OS: Open Space	P Permitted use (Article 4) A Administrative permit required (17.52.010) T Temporary use permit required (17.52.070) CUP/ Conditional Use Permit / MUP Minor use permit required (17.52.020) TMA Temporary mobile home permit (17.52.060) — Use not allowed in zone				
USE TYPE	RFL	RFH	TC	OS	Specific Use Regulation
Agricultural					
Grazing	P	—	—	P	
Timber	P	—	—	CUP	
Recreation and Open Space					
Campground	CUP	CUP	—	—	17.40.100
Golf Course	CUP ¹	CUP	—	—	17.40.210
Hiking and Equestrian Trail	P	P	P	P	
Hunting/Fishing Club, Farm, or Facility	A	—	—	CUP	
Marina, motorized craft	CUP	CUP	—	—	
Marina, non-motorized craft	A	A	—	CUP	
Off-road Vehicle Recreation Area	CUP	CUP	—	—	
Parks: Day Use	P	P	—	CUP	
Nighttime Use	A ²	A	—	—	
Picnic Area	P	P	P	P	
Private Recreation Area	P ²	P ²	—	—	
Recreational Vehicle Park	—	CUP	—	—	17.40.100
Resource Protection and Restoration	P	P	P	P	
River Put-in and Take-out	A	CUP	—	CUP	17.40.210
Ski Area	CUP	CUP	—	—	
Snow Play Area	A	A	—	CUP	
Special Events, Temporary	T	T	—	T	
Stable, commercial	A	A	—	—	17.40.210
Swimming Pool, public	CUP A ³	CUP A	—	—	

RFL: Recreation Facility-Low RFH: Recreation Facility-High TC: Transportation Corridor OS: Open Space	P Permitted use (Article 4) A Administrative permit required (17.52.010) T Temporary use permit required (17.52.070) CUP/ Conditional Use Permit / MUP Minor use permit required (17.52.020) TMA Temporary mobile home permit (17.52.060) — Use not allowed in zone				
USE TYPE	RFL	RFH	TC	OS	Specific Use Regulation
Tennis Court, public	A ³	A	—	—	
Trail Head Parking or Staging Area	A/CUP	A	A	A/CUP	
Residential					
Employee Housing: Commercial Caretaker Permanent	—	A	—	—	17.40.120
Temporary	—	TMA	—	—	
Commercial					
Automotive and Equipment: Fuel Sales	CUP ⁴	CUP ⁴	—	—	
Commercial Recreation: Arcade	—	P	—	—	
Indoor Entertainment	A ²	P	—	—	
Large Amusement Complex	—	CUP ³	—	—	
Outdoor Entertainment	CUP ²	A	—	—	
Outdoor Sports and Recreation	A/CUP ²	A	—	—	
Contractor's Office: On site	A	A	—	—	17.40.190
Off site	TUP	TUP	—	—	
Lodging Facilities: Dude Ranch	A	—	—	—	17.40.140
Health Resort and Retreat Center	A	A	—	—	17.40.160
Hotels and Motels	—	CUP ³	—	—	
Retail Sales and Service: Itinerant Sales	A/T	A/T			17.40.220
Seasonal Sales	—	A	A	A	
Specialized Education and Training	—	CUP	—	—	
Industrial					
Storage Yard: Equipment and Material Permanent	—	—	A	—	17.40.320

RFL: Recreation Facility-Low RFH: Recreation Facility-High TC: Transportation Corridor OS: Open Space	P Permitted use (Article 4) A Administrative permit required (17.52.010) T Temporary use permit required (17.52.070) CUP/ Conditional Use Permit / MUP Minor use permit required (17.52.020) TMA Temporary mobile home permit (17.52.060) — Use not allowed in zone				
USE TYPE	RFL	RFH	TC	OS	Specific Use Regulation
Temporary	—	T	T	—	
Mineral Exploration	A/CUP	A/CUP	—	—	Chapter 17.29
Mining, Subsurface	CUP	CUP	—	—	
Civic					
Community Services: Minor	CUP ²	CUP	—	—	
Transportation					
Intermodal Facility	—	CUP	P	—	
Parking Lot, Public	—	—	P	—	
Utility and Communication					
Antenna and Communication Facilities	A/CUP	A/CUP	CUP	CUP	17.40.130
Public Utility Service Facilities: Intensive	—	—	CUP	CUP	17.40.250
Minor	P ²	P	CUP	CUP	
Wind Energy Conversion System	See Table 17.40.390.1 (WECS Use Matrix)				17.40.390
Notes: ¹ As part of an approved development plan or subdivision. ² In Rural Centers, only. ³ In Community Regions, only. ⁴ Accessory to motorized vehicle recreational uses.					

17.25.030 Special Purpose Zone Development Standards

Permitted uses and associated structures shall comply with the following development standards, in addition to any other applicable requirements of this Title:

Table 17.25.030 Special Purpose Zone Development Standards

	RFL	RFH	TC	OS
Minimum Lot Size	5 acres	20,000 sq. ft.	None	None
Setbacks: Front	50 feet	50 feet	30 feet	50 feet
Sides	50 feet	50 feet	30 feet	50 feet
Rear	50 feet	50 feet	30 feet	50 feet
Maximum Height	35 feet	35 feet	35 feet	25 feet