

**COUNTY OF EL DORADO  
PLANNING AND BUILDING DEPARTMENT  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** November 18, 2021

**Staff:** Melanie Shasha

**Specific Plan Amendment**

**FILE NUMBER:** SP-R21-0001/Proposed Meyers Area Plan-Accessory Dwelling Units

**APPLICANT:** El Dorado County

**REQUEST:** Proposed Meyers Area Plan Minor Amendment - Accessory Dwelling Units

**ENVIRONMENTAL DOCUMENT:** California Environmental Quality Act (CEQA) Exemption consistent with Section 15282(h) of the CEQA Guidelines.

**RECOMMENDATION:** Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

1. Approve the CEQA Exemption consistent with Section 15282(h) of the CEQA Guidelines pursuant to Section 21080.17 of the California Public Resources Code (Exhibit A); and
2. Approve the proposed amendments to the Meyers Area Plan for the additional use of Accessory Dwelling Unit (ADU) (Exhibit B) as presented by staff.

**PURPOSE**

The purpose of this Planning Commission hearing is to provide the public with an opportunity to comment on the proposed revision to the Meyers Area Plan (Project SP-R21-0001) for the additional use of ADUs, and for the Planning Commission to review and discuss the modifications required by the Zoning Ordinance and the Tahoe Regional Planning Agency (TRPA) Code of Ordinances as presented by staff for the Board of Supervisors (Board) consideration.

**DISCUSSION / BACKGROUND**

Accessory Dwelling Units, or ADUs, are also known as granny flats, in-law units, and backyard cottages. ADUs can be attached to or detached from a primary residential dwelling on the same lot as the primary dwelling and must provide complete independent living facilities for one or more

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persons. ADUs must include permanent provisions for living, sleeping, eating, cooking, and sanitation, in contrast to recreational vehicles which provide temporary housing according to California law.

Title 130 of the County's Code of Ordinances (Zoning Ordinance) allows homeowners to build ADUs in zones that permit residential development and incorporates those provisions. ADUs support the County's efforts to encourage a variety of housing options for local residents. ADUs provide an innovative, affordable, and effective option for adding much-needed housing in El Dorado County without diminishing the rural character of local communities.

The Meyers Area Plan (MAP), originally adopted in 1993 and revised in 2018, provides community-specific development standards that are both substitute and supplemental standards to both the TRPA Code of Ordinances and the El Dorado County Zoning Ordinance. The TRPA and the County Board of Supervisors have approved revisions to those documents, respectively. This is a final step in the process to amend the MAP for consistency with the other two documents. This amendment will allow ADUs within the MAP zones (MAP-1 and MAP-3) that already allow residential dwellings and Mixed Use.

### **Tahoe Regional Planning Agency Amendments to Regional Plan and Code of Ordinances**

On July 29, 2021, the TRPA adopted changes to the Regional Plan and Code of Ordinances allowing California jurisdictions within the Tahoe Basin to allow ADUs. This approval also amended the Meyers Area Plan portion of the Code of Ordinances. The full adopted language of those revisions is found in Exhibit C. Those rules took effect September 29, 2021. The amendments include:

- Allow ADUs on all California residential parcels, subject to local jurisdiction rules and regulations;
- Allow up to two ADUs on all California residential parcels, to accommodate one detached ADU and one attached ADU;
- Remove requirements for noticing to adjacent neighbors, similar to rules for other accessory single-family uses;
- Require ADUs to still comply with existing coverage regulations; and
- Require ADUs to still comply with existing development rights requirements.

### **County Amendments to Zoning Ordinance**

On November 16, 2021, the County Board adopted changes to the Zoning Ordinance, including in the Meyers Area Plan section, to allow ADUs. A chart summarizing the adopted changes to Section 130.40.300 and related Articles of the El Dorado County Zoning Ordinance is attached (Exhibit D).

### **Meyers Area Plan Amendments**

The Meyers Area Plan amendments to regulation of ADUs (Project SP-R21-0001) consist of modifications from both the TRPA Code of Ordinances and the County Zoning Ordinance. Amendments to the Meyers Area Plan as noted in these documents have been approved. While brief, these changes provide consistency between the three documents. A chart summarizing the

proposed changes is attached as Exhibit F. These amendments include:

- Add Accessory Dwelling Unit to the list of allowed uses;
- Update the density of ADUs;
- Remove the one acre minimum parcel size;
- Clarify the process for a Design Review application and explicitly exempt ADUs; and
- Add definitions for ADUs and JADUs.

The amendments to the Meyers Area Plan were presented to the Meyers Advisory Council on October 19, 2021. The Meyers Advisory Council recommended the Planning Commission approve the changes as submitted by staff.

## **ENVIRONMENTAL REVIEW**

Pursuant to Section 21080.17 of the California Public Resources Code (PRC), the adoption of the area plan is statutorily exempt from CEQA. Under PRC Section 21080.17, CEQA does not apply to the adoption of an resolution by a city or county to implement the provisions of Section 65852.2 (and 65852.22) of the Government Code (the state ADU law). The resolution implements Government Code Section 65852.2 and 65852.22 within the unincorporated area of El Dorado County in a manner that is consistent with the requirements of state law. As such, the adoption of the resolution is exempt from CEQA. The draft CEQA Notice of Exemption is attached as (Exhibit A).

## **NEXT STEPS**

The Planning Commission’s recommendation for the proposed Meyers Area Plan Minor Amendments will be forwarded to the Board. The Board hearing is anticipated to be held on December 7, 2021. At that time, the Board will hold a public hearing to receive public comments and take formal action on the proposed Meyers Area Plan Minor Amendments.

## **SUPPORT INFORMATION**

Exhibit A.....	Draft CEQA Notice of Exemption
Exhibit B.....	Summary Table of Proposed Meyers Area Plan Minor Amendments and Related Attachments
Exhibit C.....	TRPA Code of Ordinances Adopted Revisions.
Exhibit D.....	Summary Table of Proposed Title 130 Zoning Ordinance Minor Amendments – Secondary Dwellings
Exhibit E.....	Letter of Authorization for Amendments from the CAO’s Office