



RESOLUTION NO. XXX-2026

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION OF INTENTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO TO AMEND THE ZONING ORDINANCE (TITLE 130) RELATED TO COMMERCIAL CANNABIS

WHEREAS, on May 13, 2025, the Planning and Building Department, Planning Division, provided an update to the Board of Supervisors (Board) on the division's activities including those within the Cannabis Unit; and

WHEREAS, as part of that update, the Board discussed recent proceedings on Commercial Cannabis projects, many under review by the Board on appeal, and concerns related to requests for modifying required setbacks from property lines or public right-of-way, from upland extent of riparian vegetation of watercourse, and from any school, school bus stop, place of worship, park, playground, child care center, youth-oriented facility, pre-school, public library, licensed drug or alcohol recovery facility, or licensed sober living facility as currently allowed within El Dorado County Zoning Code (Title 130) Section 130.41 Commercial Cannabis; and

WHEREAS, during that discussion, the Board directed the Planning Division, Cannabis Unit, to bring back a Resolution of Intention (ROI) to amend Chapter 130.41 – Commercial Cannabis to remove the allowance for modification of required setbacks; and

WHEREAS, although Chapter 130.41 – Commercial Cannabis was originally enacted by the voters, pursuant to Section 130.41.100.1.B the Board retains discretion to amend the ordinance in any way, including but not limited to all procedures, permit requirements, and penalties without further voter approval; and

WHEREAS, pursuant to Section 130.63.020 of the Zoning Ordinance County-initiated Zoning Ordinance amendments are to be initiated by a ROI by the Board.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Building Department, Planning Division, is directed to proceed with the preparation of all necessary documentation and environmental review requirements pursuant to the California Environmental Quality Act for the following proposed amendments to the Title 130 generally described below:

A. Amendment to Sections 130.41.100.4.C to include the following change:

1. Remove or modify the ability for any setback from a commercial cannabis activity to be reduced in a Commercial Cannabis Use Permit so long as the applicant demonstrates that the actual setback will substantially achieve the purpose of the required setback and that

the parcel was owned or leased by the applicant before voter approval of the ordinance from which the section was derived on November 6, 2018.

B. Any other sections determined necessary or convenient to meet the objectives of this amendment.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes the Planning and Building Department to proceed with the preparation of the above stated amendments to Title 130.

BE IT FURTHER RESOLVED that the Planning Commission and Board will hold public hearings to consider the proposed amendments to Title 130; and

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 2026, by the following vote of said Board:

Ayes:

Attest:

Noes:

Kim Dawson

Absent:

Clerk of the Board of Supervisors

By: _____

Deputy Clerk

Chair, Board of Supervisors