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TO: Board of Supervisors [Agenda Date: 8/25/2020]

FROM: Anne Novotny, Planning Manager

DATE: August 3, 2020

RE: **Proposed Title 130 (Zoning Ordinance) Major Amendments (OR17-0002) and Title 120 (Subdivisions) Amendments to Notice Requirements and Procedures**

STAFF RECOMMENDATION

Planning and Building Department, Planning Services Division staff recommends the Board of Supervisors (Board):

1. Approve the California Environmental Quality Act (CEQA) Addendum to the Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) Environmental Impact Report (EIR) consistent with Sections 15162 and 15164 of the CEQA Guidelines (Legistar File 20-1037, Attachment C); and
2. Consider recommended additional modifications to Title 130 (Zoning) and Title 120 (Subdivisions) of the El Dorado County Ordinance Code from the Planning Commission made during the Planning Commission hearing on July 9, 2020; and
3. Adopt an Ordinance for Title 130 (Zoning) Amendments of the El Dorado County Ordinance Code, incorporating additional modifications proposed by the Planning Commission and recommended by the Board (Legistar File 20-1037, Attachment D); and
4. Adopt an Ordinance for Title 120 (Subdivisions) Amendments of the El Dorado County Ordinance Code, incorporating additional modifications proposed by the Planning Commission and recommended by the Board (Legistar File 20-1037, Attachment E).

Summary of Planning Commission Hearing on July 9, 2020

On July 9, 2020, Planning staff presented the Title 130 Zoning Ordinance Major Amendments (OR17-0002) project to the Planning Commission (Item 3, Legistar File 20-0829). The Planning Commission (Commission) hearing discussion focused on the proposed new Drive-Through Facilities zoning regulations, and amendments to the Public Notice Requirements and Procedures. Two El Dorado County

residents spoke during the public comment period. One speaker requested cannabis setback consistency with the winery section of the Zoning Ordinance, and the other speaker asked for clarification on the proposed project as to why certain rezone components were removed from the project. Following closure of deliberation and public comments, Commissioner Williams made a motion, with a second by Commissioner Miller. The Commission motion (5-0 vote) approved staff’s recommended actions with additional recommendations provided by the Commission for the Board’s consideration as outlined below.

Planning Commission: Additional Recommended Modifications to Proposed Title 130 Amendments (Legistar File 20-0829, Attachment C) for the Board’s Consideration

1. Article 2, Table 130.23.020 - Industrial/R&D Zones Use Matrix

Initial Staff Recommendation: Staff recommended deleting footnote, “On-site cafeteria for employee use only,” which would have allowed restaurants by right in the Industrial Low (IL) zone. The reason for the proposed amendment was because employee cafeterias are an outdated use and it is unrealistic to enforce who utilizes them.

Commission Recommendation: The Commission expressed concerns with allowing restaurants by right in the Industrial Low (IL) Zone. After deliberating and discussing with staff, the Commission recommended allowing the Restaurant use by right only when it is an ancillary use to another existing primary use type allowed in the IL zone. If the property owner or applicant’s intent is to add a restaurant in the IL as a primary use, then they would be required to apply for a conditional use permit (CUP) application.

Final Staff Recommendation: Planning staff recommends the Board approve the Commission’s recommended modifications to Table 130.23.020 – Industrial/R&D Zones Use Matrix as shown below in track changes.

IL: Industrial Low IH: Industrial High R&D: Research & Development	P Allowed use (Article 4: Special Use Regulations) A Administrative permit required (130.52.010) TUP Temporary use permit required (130.52.060) CUP Conditional use Permit required(130.52.021) MUP Minor use permit required (130.52.020) TMA Temporary mobile home permit (130.52.050) — Use not allowed in zone			
USE TYPE	IL	IH	R&D	Specific Use Reg.
Restaurant	P²/CUP	—	P	
NOTES: ¹ CUP for larger, general industrial-scale use. ² <u>On-site cafeteria for employee use only. If Restaurant is an ancillary use to an existing primary use, then it is a permitted use (P); If Restaurant is a new primary use, then it requires a CUP.</u> ³ Not subject to Section 130.40.400 (Wineries) in Article 4 (Specific Use Regulations) of this Title.				

2. Article 3, Table 130.35.030.1 – Schedule of Off-Street Vehicle Parking Requirements, Restaurant and Brewpub: Parking Space Requirements

Initial Staff Recommendation: Staff recommended removing the employee parking requirement due to the difficult nature of determining the number of restaurant employees that can fluctuate over time and is problematic to determine upon an initial application based on anticipated shifts, seasonality, and patronage. The initial proposed amendment changed the parking requirement from “1 per 300 square feet (sf.) of dining area; plus 1 per 2 employees” to **“1 per 250 sf. of Gross Floor Area (GFA)”**. The GFA change from 300 sf. to 250 sf. was to compensate for the removal of the parking requirements for employees.

Commission Recommendation: **The Commission questioned whether 250 square feet is appropriate and suggested 225 square feet instead.** The Commission also asked staff to spell out the acronyms used within the table.

Final Staff Recommendation: **Planning staff recommends the Board approve the initial staff recommendation of 1 parking space per 250 square feet of GFA.** Changing to 225 square feet will increase current parking requirements by 122% (excluding the decrease in employee parking). The proposed change is already increasing parking requirements by 100%. As shown in the table below, parking requirements for a 4,000 square foot restaurant is currently 8 spaces with an additional space for every 2 employees. The proposed change from 1 space per 300 square feet of dining area to 1 space per 250 square feet of GFA increases the number of spaces required to 16 (assuming dining area accounts for 60% of GFA). Planning staff recommends that the GFA requirement remain at 250 due to the fact that decreasing the square footage to 250 square feet and changing the calculation area from “dining area” to “GFA” already increases total parking requirements by 100%.

Number of Parking Spaces Required									
When GFA is used, not dining area				Assuming 60% of GFA is dining area				% Increase	
Restaurant Size (Total Square Feet)	225	250	300	Restaurant Size (Total Sq. Ft.)	225	250	300	250	225
1,500	7	6	5	900	4	4	3	100%	122%
2,000	9	8	7	1,200	5	5	4	100%	122%
2,500	11	10	8	1,500	7	6	5	100%	122%
3,000	13	12	10	1,800	8	7	6	100%	122%
3,500	16	14	12	2,100	9	8	7	100%	122%
4,000	18	16	13	2,400	11	10	8	100%	122%

USE TYPE	PARKING SPACE REQUIREMENTS
<p>Restaurant and Brewpub: Full-service</p>	<p>1 per 250300 sf. of <u>Gross Floor Area (GFA)</u> dining room area; plus 1 per 2 employees; plus 1 RV space for every 20 parking spaces.</p> <p>When outdoor seating is provided, the first 300 sf. of <u>Outside Use Area (OUA)</u> exempt from parking requirements.</p>

New Proposed Drive-Through Facilities Section 130.40.140

The proposed Zoning Ordinance Major Amendments includes a new Drive-Through Facilities section, making it easier to locate development standards for drive-through facilities which are currently located in the *Community Design Standards: Parking and Loading*, Section 4.4.H (Special Parking Requirements and Adjustments, Drive-Through Facilities). The proposed new Section 130.40.140 (Drive-Through Facilities) incorporates *Community Design Standards: Parking and Loading* Section 4.4.H and additional sections developed by Planning staff in collaboration with Department of Transportation (DOT) staff. The Commission had several recommended modifications to the proposed drive-through facilities zoning regulations as noted below:

3. Article 4, Subsection 130.40.140.D.1.b: Drive-Through Lanes

Initial Staff Recommendation: Staff recommended adding a provision under the Drive-Through Lanes subsection 130.40.140.D.1.b to establish that a vehicle turning analysis may be required and establish a minimum 12 foot inside radius standard for drive-through lanes to ensure that passenger vehicles can navigate any curves or turns as they travel through the drive-through lane.

Commission Recommendation: The Commission recommended that the vehicle turning analysis should be required rather than optional, questioned whether a 12 foot inside radius was sufficient, and suggested further review by staff to ensure that longer passenger vehicles (e.g., crew cab trucks) are capable of navigating any curves or turns in the drive-through lane.

Final Staff Recommendation: **Planning staff recommends the Board approve the Commission’s recommendation of changing the amendment text for a vehicle turning analysis “may be required” to “shall be required.”** This change would require a vehicle turning analysis be conducted for all Drive-Through Facilities. Staff consulted with DOT staff on whether the 12 foot inside radius requirement is adequate for larger passenger vehicles. DOT staff conducted further analysis and recommended that the 12 foot inside radius be increased to a 15 foot inside radius requirement. DOT staff also recommended adding new language to the requirement, which would allow additional alternative design widths and radii specified by the National Association of City Transportation

Officials. **Planning staff also recommends incorporating changes recommended by DOT staff as shown below in track changes.**

- b. A vehicle turning analysis ~~shall~~may be required, demonstrating that an American Association of State Highway Transportation Officials (AASHTO) Passenger (P) Vehicle can negotiate any curves or turns in the drive-through lane. A minimum 152 foot inside radius is required. Alternative design widths and radii may be approved by the County Engineer or Building Official, utilizing the DL-23 vehicle, as specified by the National Association of City Transportation Officials.

4. Article 4, Section 130.40.140.D.1: Drive-Through Lanes , Subsections c and d:

Initial Staff Recommendation: Staff recommended that a “drive-through lane shall be a minimum of 50 feet from the nearest property line of any residentially zoned lot or residential zone” (Subsection D.1.c). This provision is consistent with the existing standard in the Drive-Through Facilities section in the *Community Design Standards: Parking and Loading Standards*, subsection 4.4.H.3 which states, “A drive-through facility, including stacking areas for vehicle awaiting services, shall be a minimum of 50 feet from the nearest property line of any residentially zoned lot.” Staff also recommended that each “drive-through entrance and exit shall be at least 50 feet from the nearest property line of a residential use” (Subsection D.1.d).

Commission Recommendation: The Commission questioned whether a 50 foot setback is appropriate and suggested increasing to a 75 foot setback from the nearest property line of any residentially zoned use.

Final Staff Recommendation: **Planning staff recommends the Board approve the initial staff recommendation of 50 feet from the nearest property line of any residential zoned lot or residential use for drive-through lanes, drive-through entrances, and drive-through exits.** The 50 feet is the adequate setback requirement as it provides the appropriate distance to residential zoned lots or residential use, and changing it to 75 feet would require further analysis. A quick comparison of neighboring jurisdictions indicates that the County of El Dorado’s 50 feet setback standard is twice that of other jurisdictions, which require a 25 feet setback. The proposed amendments are shown below.

1. Drive-Through Lanes.

- c. A drive-through lane shall be a minimum of 50 feet from the nearest property line of any residentially zoned lot or residential use. See Figure 130.40.140.A – Drive-Through Food and/or Beverage Facility (Typical Example) below in this Section.
- d. Each drive-through entrance and exit shall be at least 50 feet from the nearest property line of a residential land use.

5. Article 4, Subsection 130.40.140.D.4.: Pedestrian Access and Crossings

Initial Staff Recommendation: Staff recommended adding pedestrian access and crossing standards (not addressed in the existing *Community Design Standards: Parking and Loading Standards*, subsection 4.4.H) under the new section for Drive-Through Facilities.

Commission Recommendation: The Commission requested adding “on-site” after “continuous” to clarify that the 4-foot wide sidewalk applies to interior pedestrian access sidewalks and not public right-of-way sidewalks.

Final Staff Recommendation: **Planning staff recommends the Board approve the Commission’s recommendation to add the word “on-site” to the proposed new subsection 130.40.140.D.4 as shown below in track changes.**

4. **Pedestrian Access and Crossings.** Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous on-site 4-foot wide sidewalk or delineated walkway. Pedestrian walkways preferably should not intersect the drive-through lanes, but where they do, the walkways shall have clear visibility and shall be delineated by textured and colored paving.

6. Article 4, Figure 130.40.140.A: Drive-Through Food and/or Beverage Facility

Initial Staff Recommendation: Staff recommended including a figure as an example of what a drive-through facility could potentially look like, given all the requirements outlined in the same section for Drive-Through Facilities. At no point was this the one size fits all example for Drive-Through Facilities, as staff recognized that sites have their own specific constraints for development.

Commission Recommendation: The Commission requested the word “typical” be added in front of example to make it clear that not all drive-through facilities need to be designed exactly as depicted in the example.

Final Staff Recommendation: **Planning staff recommends the Board approve the Commission’s recommendation to adding the word “typical” in front of the word “example” in the figure title (and other references to this figure).** The language drafted below shown in track changes for subsection 130.40.140.D captures the intent that the example is not site specific or the absolute design for all drive-through facilities. Each drive-through facility can vary based on their site characteristics and compliance with the standards set forth in Section 130.40.140 (Drive-Through Facilities).

D. **Development Standards.** The development standards in this Section are intended to supplement the standards in the underlying zone for drive-through facilities. In the event of conflict between these standards and the underlying zone standards, the provisions of this Section shall apply. A typical example (not site specific) is shown in Figure 130.40.140.A entitled “Drive-Through Food and/or Beverage Facility (Typical Example)” below in this Section.

7. Article 5, Subsection 130.51.050.B: Public Notice Requirements and Procedures

Initial Staff Recommendation: Planning Staff recommended that the County reiterate and codify CA Gov. Code § 65091 that provides an optional exception to the requirement to mail individual hearing notices to property owners when the number of mailings exceeds 1,000. In lieu of individual mailings, an advertisement of at least one-eighth page in at least one newspaper of general circulation would be required.

Commission Recommendation: The Commission requested that this section specify that it is intended to be utilized for County initiated projects, and that private development projects would still be subject to the noticing requirements set forth in Tables 130.51.050.1 and 130.51.050.2, even though the noticing could require mailing more than 1,000 project notices.

Final Staff Recommendation: Planning staff recommends that this subsection (as shown below in **strikeout**) not be added to the County Code. The CA Gov. Code § 65091 already allows this exception and there is no need to reiterate this provision in the County Zoning Ordinance. Common practice is that the County typically mails to all property owners for discretionary projects according to the distance thresholds regardless of the number of mailings, as specified in Table 130.51.050.1 (Public Notice Requirements and Procedures – Administrative Projects) and Table 130.51.050.2 (Public Notice Requirements and Procedures – Discretionary Projects).

~~B. Any project requiring public notice that exceeds 1,000 individual property owners, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of a least one eighth page in at least one newspaper of general circulation (CA Gov. Code § 65091).~~

8. Article 5, Subsection 130.51.050.C: Public Notice Requirements and Procedures

Initial Staff Recommendation: Staff recommended moving and modifying the Public Notice Requirements and Procedures from Title 130, Article 9 (Miscellaneous) to Chapter 130.51 (General Application Procedures), Section 130.51.050 (Public Notice) and retitling this section to “Public Notice Requirements and Procedures.” Within the new modified section, staff recommended adopting noticing standards codified in CA Gov. Code § 65092 into the County Zoning Ordinance (as shown below under the Final Staff Recommendation). As specified in CA Gov. Code § 65092, notice shall be mailed at least 10 days prior to the hearing.

Commission Recommendation: The Commission questioned whether the 10 days prior to the hearing is adequate and recommended increasing this standard to 14 days.

Final Staff Recommendation: Planning staff recommends the Board approve the initial staff recommendation of 10 days prior to the hearing. The original proposed amendment is adequate because it provides better alignment of County standards with State standards. The alignment of standards helps

prevent the unintended consequence of an undelivered notice and it helps avoid confusion.

- C. The notice shall be mailed at least 10 days prior to the hearing to any person who has filed a written request for notice either with the clerk of the governing body or with any other person designated by the governing body to receive these requests. The local agency may charge a fee, which is reasonably related to the costs of providing this service, and the local agency may require each request to be annually renewed. As used in this Chapter, “person” includes a California Native American tribe that is on the contact list maintained by the Native American Heritage Commission (CA Gov. Code § 65092).

9. Article 5, Table 130.51.050.1: Public Notice Requirements and Procedures – Administrative Projects

Initial Staff Recommendation: None

Commission Recommendation: The Commission questioned the use of an asterisk (*) to denote a subcategory of a project permit type.

Final Staff Recommendation: Planning staff recommends the Board approve the Commission’s recommendation to remove the asterisk (*) next to each of the subcategory project permit types and to use indentations instead.

10. Article 5, Subsection 130.51.050.H: Physical Sign Posting

Initial Staff Recommendation: Staff recommended adding requirements for physical sign posting as a new subsection 130.51.050.H entitled “Physical Sign Posting” to the Zoning Ordinance, which would alleviate the need for external planning procedure documents. The requirements for physical sign posting included the dimensions of the sign, content, and number of days prior to the hearing the sign would be required to be posted on the project site.

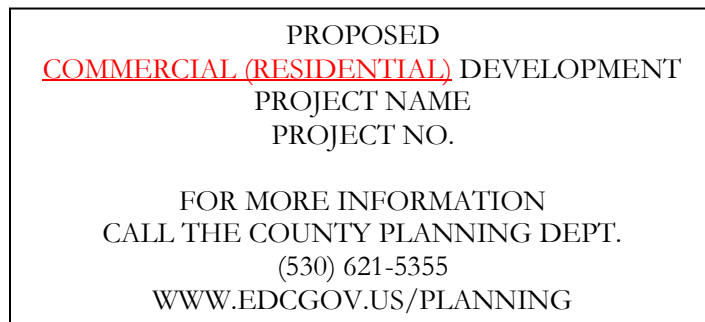
Commission Recommendation: The Commission requested the requirements for the physical sign posting specify a minimum font size based on further research from planning staff. The Commission also requested modifying the content of the physical sign posting to include project type such as “Commercial” or “Residential” between “PROPOSED” and “DEVELOPMENT.” The Commission also requested that a project description be included (if Project Type is not included) on the physical sign posting. The Commission also requested revising the minimum number of days prior to the hearing from 10 days to 30 days that the sign be posted on the property.

Final Staff Recommendation: Planning staff recommends the Board approve the following recommendations by the Commission: 1) add the project type of “Commercial” or “Residential”; and 2) Increase the number of days the sign shall be posted prior to the hearing from 10 days to 30 days. Planning staff considered the adjustment from 10 calendar days to 30 calendar days and offers no objection as it would not become a

disruption to current planning procedures. Concerning the font size, **Planning staff recommends adding the requirement that the “font size shall be proportional to the sign size for optimum readability.”** Planning staff consulted the County’s Traffic Superintendent and a local sign company that installs these types of proposed development signs. Planning staff analyzed the information provided by these two consultants and formulated the proposed modifications outlined below. **Planning staff recommends that the project description not be included on these physical sign postings** as there are a limited number of characters that can fit on the sign before it becomes unreadable at a distance. **Planning staff also recommends increasing the minimum size sign to 20 square feet (from 16 square feet).** The proposed modifications are shown below in track changes.

H. **Physical Sign Posting.** The Applicant shall post a sign on the subject property for the purpose of providing notice that an application at the subject property is currently undergoing review. The sign shall comply with the following specifications:

1. The size of the sign shall be a minimum of 20 square feet~~four (4) feet wide by four (4) feet high.~~
2. The sign text shall ~~be include~~ large, black letters on a white background. The font size shall be proportional to the sign size for optimum readability. The sign shall specify project type (e.g., Commercial or Residential) and include the following information read as follows:



6. The sign(s) shall be posted on the property at least ~~30~~40 calendar days prior to the hearing. The sign(s) shall remain posted until final action has been taken on the application and the appeal period has expired.

11. Article 5, Chapter 13.51: Public Noticing Requirements and Procedures, Section 130.51.100: Public Outreach Plan

Initial Staff Recommendation: Planning staff recommended that a new section be added to the public noticing chapter (Chapter 130.51) to provide the Director with discretion to request and require a public outreach plan for discretionary development projects as the Director sees fit.

Commission Recommendation: The Commission recommended that the County require a public outreach plan for any discretionary project with 300 or more proposed dwelling units.

Final Staff Recommendation: Planning staff recommends the Board approve the Commission's recommendation to require a public outreach plan for discretionary projects with 300 or more dwelling units (as show below in track changes). As a result of this change, the Director will have discretion for other types of discretionary projects, but the public outreach plan will be required for any discretionary project proposing 300 or more dwelling units.

130.51.100 Public Outreach Plan

For some Planning Commission-level and Board-level discretionary development projects, the Director may require the Applicant to prepare a public outreach plan to provide for early public notice and an opportunity for the public to provide input to the Applicant on the proposed development project. For discretionary projects with 300 or more dwelling units, a public outreach plan shall be required.

12. Article 5, Section 130.51.100.B: Public Outreach Plan

Initial Staff Recommendation: Planning staff recommended inclusion of a subsection to the Public Outreach Plan section to require that the Applicant submit the public outreach plan to the Director for approval and inclusion in the public record. In addition, the Applicant shall submit a summary of the outreach efforts conducted and public comments received.

Commission Recommendation: The Commission recommended that the public outreach summary include attendance numbers from any public meetings.

Final Staff Recommendation: Planning staff recommends the Board approve the Commission's recommendation to include attendance numbers from any public meetings in the summary of the public outreach efforts the Applicant provides to the Director (as shown below in the track changes). As a result of this change, the public outreach summary has one specific requirement to include attendance numbers, but does not place any other requirements on the Applicant such as; dates and times of meetings, a list of individuals and organizations contacted/invited, method and frequency of outreach, or alterations to plans as a result of the public outreach. Planning staff suggests that the Planning Services Division create a policy guide that identifies required components of a public outreach plan and summary which both the Applicant and Director are able to refer to when approving the public outreach plan upon submission by the Applicant. Planning staff recognizes that placing this one requirement in the ordinance may lead to further requirements, but rather than codifying those additional requirements, Planning staff will capture all requirements in the policy.

- B. The Applicant shall submit the public outreach plan to the Director for approval and inclusion in the public record. The Applicant shall implement the public outreach plan and provide a summary to the Director of the outreach efforts conducted including number of attendees at public outreach meetings and public comments received which will be part of the agenda packet presented to the Planning Commission and/or Board of Supervisors.

Planning Commission: Additional Recommended Amendments to the proposed Title 120 Amendments (Legistar File 20-0829, Attachment D) for the Board's Consideration

13. Subsection 120.24.085.B: Public Notice requirements and procedures

Initial Staff Recommendation: Planning staff recommended that the County reiterate and codify CA Gov. Code § 65091 that provides an optional exception to the requirement to mail individual hearing notices to property owners when the number of mailings exceeds 1,000. In lieu of individual mailings, an advertisement of at least one-eighth page in at least one newspaper of general circulation would be required. **(Consistent with No. 7 above)**

Commission Recommendation: The Commission requested that this section specify that it is intended to be utilized for County initiated projects, and that private development projects would still be subject to the noticing requirements set forth in this section, even though the noticing could require mailing more than 1,000 project notices. (Same recommendation as No. 7 above)

Final Staff Recommendation: **Planning staff recommends that this subsection (as shown below in strikeout) not be added to the County Code.** The CA Gov. Code § 65091 already allows this exception and there is no need to reiterate this provision in the County Zoning Ordinance. Common practice is that the County typically chooses to mail to all property owners according to the distance thresholds regardless of the number of mailings, as specified in Table 130.51.050.1 (Public Notice Requirements and Procedures – Administrative Projects) and Table 130.51.050.2 (Public Notice Requirements and Procedures – Discretionary Projects). (Similar to No. 7 above)

~~B. Any project requiring public notice that exceeds 1,000 individual property owners, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of a least one eighth page in at least one newspaper of general circulation (CA Gov. Code § 65091).~~

14. Section 120.24.085.C: Notice requirements and procedures

Initial Staff Recommendation: Staff recommended modifying Section 120.24.085 entitled “Notice requirements and procedure” of the County Subdivision Ordinance (Title 120). Within the new modified section for tentative maps, staff recommended adopting standards codified in CA Gov. Code § 65092 into the County Subdivision Ordinance. As specified in CA Gov. Code § 65092, notice shall be mailed at least 10 days prior to the hearing. **(Consistent with No. 8 above).**

Commission Recommendation: The Commission questioned whether the 10 days prior to the hearing is adequate and recommended increasing this standard to 14 days for tentative maps. (Same recommendation as No. 8 above)

Final Staff Recommendation: **Planning staff recommends the Board approve the initial staff recommendation of 10 days prior to the hearing.** The original proposed amendment is adequate because it provides better alignment of County standards with state standards. The alignment of standards helps prevent the unintended consequence of an undelivered notice and it helps avoid confusion. (Same recommendation as No. 8 above)

15. Subsection 120.24.085.F: Public Outreach Plan

Initial Staff Recommendation: None

Commission Recommendation: The Commission suggested that a Public Outreach Plan section be added to Section 120.24.085, consistent with the Public Outreach Plan created for Title 130, and to include the Commission's recommended modifications as notes in No. 12, 13, and 14 above.

Final Staff Recommendation: **Planning staff recommends the Board approve the Commission's recommendation to add a Public Outreach Plan to Title 120, Section 120.24.085, consistent with the Public Outreach Plan included in Title 130, and include the Commission's recommendations as noted in No. 11 and 12 above, as shown below in track changes.** (Same recommendation as No. 11 and 12 above)

F. Public Outreach Plan

For some Planning Commission-level and Board-level discretionary development projects, the Director may require the Applicant to prepare a public outreach plan to provide for early public notice and an opportunity for the public to provide input to the Applicant on the proposed development project. For discretionary projects with 300 or more dwelling units, a public outreach plan shall be required.

1. The public outreach plan may include but shall not be limited to: 1) direct mailing to the property owners nearby (distance radius from the proposed project site parcel boundary) for the Project Type as noted in Table 120.24.085.1 (Tentative Map Notice Requirements and Procedures) that includes a description of the proposed project and methods for how to submit comments; and 2) one or more public workshops held in the community by the Applicant prior to any County public hearing on the proposed project.
2. The Applicant shall submit the public outreach plan to the Director for approval and inclusion in the public record. The Applicant shall implement the public outreach plan and provide a summary to the Director of the outreach efforts conducted including

number of attendees at public outreach meetings and public comments received which will be part of the agenda packet presented to the Planning Commission and/or Board of Supervisors.

16. Table 120.24.085.1: Tentative Map Notice Requirements and Procedures

Initial Staff Recommendation: Staff recommended modifying Section 120.24.085 entitled “Notice requirements and procedure” of the County Subdivision Ordinance (Title 120). Within the new modified section for tentative maps, staff recommended adding Table 120.24.085.1 - Tentative Map Notice Requirement and Procedures, which helps clarify the standards for public noticing in a table format.

Commission Recommendation: The Commission requested a definition for ‘lots’ be added to include all lots (included undeveloped lots) in the count of lots within the glossary and to re-state the glossary definition of ‘lots’ within this section.

Final Staff Recommendation: **Planning staff recommends the Board approve staff’s recommendation to add a new footnote 5 which states “Lots are defined in Section 120.53.020 – Definitions.” to Table 120.24.085.1 - Tentative Maps Notice Requirements and Procedures and Table 120.48.065.1 - Parcel Map Notice Requirements and Procedures.**

17. Table 120.24.085.1: Tentative Map Notice Requirements and Procedures

Initial Staff Recommendation: Staff recommended adding Table 120.24.085.1 - Tentative Map Notice Requirement and Procedures, to include identifying which Tentative Map project types required a physical sign posting. Tentative Map Revisions did not require a physical sign posting.

Commission Recommendation: The Commission suggested that Tentative Map Revisions also require a physical sign posting. Due to the requirement for public noticing, it is implied that the Tentative Map Revision is a “major” revision and would also warrant a physical sign posting.

Final Staff Recommendation: **Planning staff recommends the Board approve the Commission’s recommendation to require a physical sign posting for Tentative Map Revisions.** As a result, the Planning Services Division will initiate staff training and update the Tentative Map Revision Application to identify that a physical sign posting will be required.

18. Table 120.24.085.1: Tentative Map Notice Requirements and Procedures

Initial Staff Recommendation: Staff recommended modifying Section 120.24.085 entitled “Notice requirements and procedure” of the County Subdivision Ordinance (Title 120). Within the new modified section for tentative maps, staff recommended **adding Table 120.24.085.1 – Tentative Map Notice Requirement and Procedures, which helps clarify the standards for public**

noticing in a table format. Staff researched the current requirements for public noticing and organized these requirements into a table format.

Commission Recommendation: The Commission requested to modify Table 120.24.085.1 – Tentative Map Notice Requirements and Procedures further, by requesting a new footnote be added. This new footnote would require additional county-recorded entities within the project notification range be added, such as Homeowner’s Associations (HOAs), Zone of Benefits, and Private Road Maintenance entities.

Final Staff Recommendation: Planning staff recommends the Board approve staff’s recommendation to not include the Commission recommendation to add a new footnote for county-recorded entities within the project notification range. Planning staff reviewed existing requirements for discretionary applications and found that applications already require mailing address for HOAs and other entities. For instance, the checklist item for determination application completeness requests the project applicant submit, “Name and address of Homeowner’s Association (HOA), CSA 9 Zone of Benefit, or other road maintenance entity if it exists in the project area.” Therefore, it would be a duplicate effort to include this requirement in the Subdivision Ordinance, as it already exists in other planning documents such as discretionary applications. The membership of the HOA, Zone of Benefit, and road maintenance entities would already be included in the project notice radius. A separate mailing notice for the named entities themselves would create an unnecessary task for staff.

Attachments to Legistar File 20-1037 Referenced in Staff Memo

- Attachment C CEQA Addendum to the TGPA-ZOU EIR
- Attachment D Title 130 (Zoning Ordinance) Major Amendments
- Attachment E Title 120 (Subdivisions Ordinance) Amendments to Notice Requirements and Procedures

Contact

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