



RESOLUTION NO. 140-2017

RESOLUTION OF INTENTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO TO AMEND THE ZONING CODE (TITLE 130)

WHEREAS, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

WHEREAS, the County of El Dorado adopted a General Plan in 2004; and

WHEREAS, many policies, programs, and implementation measures are implemented through the Zoning Ordinance; and

WHEREAS, on December 15, 2015, the El Dorado County Board of Supervisors adopted a comprehensive update of the Zoning Ordinance which became effective on January 15, 2016; and

WHEREAS, after more than 18 months of implementation of the 2015 Zoning Ordinance Update, a number of major changes and corrections have been identified based on comments received by members of the Board of Supervisors, members of the public and County staff; and

WHEREAS, pursuant to Section 130.63.020 of the Zoning Ordinance, which requires Zoning Ordinance amendments to be initiated by a Resolution of Intention;

NOW, THEREFORE, BE IT RESOLVED, that the El Dorado County Board of Supervisors will set a public hearing to consider proposed amendments to the El Dorado County Zoning Code (Title 130) of the County Code of Ordinances, as generally described below and as more specifically described in Exhibit A, attached hereto and incorporated herein:

- A. Major text changes in order to regulate new or expanded land uses not included in the 2015 Zoning Ordinance Update;
- B. Broad policy changes (e.g. changes to current agricultural setback regulations); and
- C. Focused Countywide amendments to the Zoning Map (e.g. consider allowing residential uses on lands zoned Open Space (OS) or Recreational Facility (RF) under specific and limited circumstances.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes the Planning and Building Department - Long Range Planning, to proceed with the preparation of all necessary documentation and environmental review requirements pursuant to the California Environmental Quality Act; and

BE IT FURTHER RESOLVED that the Agricultural Commission, Planning Commission, and Board of Supervisors will hold public hearings to consider the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby authorizes the Planning and Building Department - Long Range Planning, to proceed with the preparation of the above stated amendments/updates to the Zoning Ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 12th day of September, 2017, by the following vote of said Board:

Attest:
James S. Mitrisin
Clerk of the Board of Supervisors

Ayes:

Noes:

Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors

EXHIBIT A
Proposed Zoning Ordinance Major Amendments
Staff Review Draft – 7/26/17

Item No.	ZO/Chapter/Section	Revision	Reason for Revision
	ARTICLE 3		
1.	Section 130.20.040.B (Exemptions From Planning Permit Requirements)	Add new exemption for “Mobile Services”.	Major Zoning Text: Consider new exemption from Planning Permit requirements for temporary mobile uses
	ARTICLE 5		
2.	Section 130.04.015 (Notice Requirements and Procedure)	(Renumbered) Section 130.51.051: Add new public notice sign requirements to address issues such as sign size/visibility, sign orientation, posting timeframes and standard posting language.	Major Zoning Text: Add new public notice sign requirements for clarity and better visibility
3.	Section 130.40.100.B (Campgrounds and Recreational Vehicle Parks – Temporary Camping)	Expand temporary camping, not to exceed 30 days, outside existing campgrounds and RV parks (Section 130.40.100.B).	Major Zoning Text: Temporary camping, not to exceed 30 days, is currently allowed in campgrounds and RV parks (Section 130.40.100.B). Should temporary camping be allowed in other zones? If so, how should it be regulated?

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4.	Table 130.40.400.1 (Wineries Allowed Use Matrix)	<p>Proposed amendments to Table 130.40.400.1:</p> <ol style="list-style-type: none"> 1. Add Limited Agriculture (LA) to the “Planned Agriculture 10 -19.9 Acres in Ag District” Section; 2. Remove the upper limit acreage (19.9) from the same column; and 3. Add “Out of Ag District” to the existing column labeled: “LA 10+ Acres.” 	<p>Major Zoning Text: Recommended amendments from the Agricultural Commission and Planning/Building Dept. Director to expand winery uses within General Plan Agricultural Districts</p>
5.	Section 130.40.260.H and Table 130.40.260.3 (Ranch Marketing Provisions for Agricultural Grazing Lands)	Expand the zones eligible to use Ranch Marketing Agricultural Grazing uses to include both Planned Agricultural (PA) and Limited Agricultural (LA) Zones	<p>Major Zoning Text: LA and PA zones already allow grazing uses and should be allowed to participate in applicable ranch marketing activities</p>
6.	Section 130.40.100.A.2 (Large Family Day Care Homes)	Proposed removal of public notice requirement for Large Family Day Care Homes under Section 130.40.100.D.2 (Administrative Permit – public notice)	<p>Major Zoning Text: Consider removing public notice requirement for Large Family Day Care Homes</p>
7.	Section 130.40.080.1 (Animal Raising and Keeping Matrix)	Consider Adding “Aviaries, Commercial” (Allowed by CUP in RIA through RE Zones) to animal raising and keeping matrix	<p>Major Zoning Text: Aviaries are not currently listed in the Zoning Ordinance</p>

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8.	(New) Section 130.52.060.F (Repeating Uses at Same Site)	Add new Subsection 130.52.060.F (Repeating Uses at Same Site) as follows: “Section 130.52.060 F (Repeating Uses at Same Site): <u>The Director may require a CUP instead of a TUP based on the use of permanent structures, the repeated nature of the use, and/or the history of similar TUPs on the same site.</u> ”	Major Zoning Text: Change gives Director flexibility to regulate long-term management of a specific site through a CUP rather than serial TUP’s.
9.	Section 130.40.160.F.6 (Home Occupations – Personal Services)	Add “Those” before “Personal services”. Add “that are similar to self-service laundries and dry cleaners” after “as defined in Article 8”.	Major Zoning Text: Consider adding Personal Services to uses allowed by right in home occupations. Note: most personal services, excluding laundries and dry-cleaners, were allowed by right in the previous (pre-2015) Zoning Ordinance
ARTICLE 8			
10.	Section 130.80.020 (Glossary)	Add text “ Mobile Services: <u>Mobile services: Services (whether non-profit or for profit) provided from a vehicle to residents of a dwelling or any other site, including but not limited to: pet grooming, auto detailing, home cleaning service, dental service, book mobile, ice cream truck, etc.</u> ” <u>Mobile food vendors are regulated under the Administrative Permit process as “Sales; Temporary Outdoor”, unless associated with a commercial site or parks and authorized under the zoning or other zoning permit for a site.</u> “ between “Mobile/Manufactured Home Sales Lots” and “Model Home(s)”	Major Zoning Text: Consider new exemption for “mobile services” uses that do not create potential zoning conflicts, and therefore, should not require a Planning Permit

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Item No.	ZO/Chapter/Section	Revision	Reason for Revision
	Zoning Tables		
11.	Table 130.23.020 (Industrial/R&D Zones Use Matrix)	Under Commercial subheading: Add “Self-Storage (Mini-storage)” and include use notations after the following zones “ <u>IL</u> ; <u>P</u> ; <u>IH</u> ; <u>P</u> ; <u>R&D</u> ; <u>CUP</u> ”.	Major Zoning Text: Consider allowing self-storage uses in Industrial/R&D Zones
12.	Table 130.25.020 (Special Purpose Zones Use Matrix)	Under Commercial subheading: Add “Self-Storage (Mini storage)” and add use notation after the following zone: “ <u>TC</u> ; <u>CUP</u> ”	Major Zoning Text: Consider allowing self-storage uses in TC zones
13.	Table 13.22.020 (Allowed Uses and Permit Requirements for the Commercial Zones)	Under Commercial General (CG) Heading: 1. Winery Use Category/Full Service Facilities: Change from prohibited to <u>P</u> . 2. Restaurant Use Category: Change from prohibited to <u>P</u> . 3. Offices: Professional/Medical: Change from prohibited to <u>P</u> for both categories.	Major Zoning Text: Consider expanding uses allowed by right in the General Commercial (CG) Zone District
14.	Table 130.22.020 (Allowed Uses and Permit Requirements for the Commercial Zones)	Under Commercial Main Street (CM) Heading: 1. Outdoor Entertainment: Change use matrix from prohibited to CUP; 2. Winery: Change Production from prohibited to CUP.	Major Zoning Text: Consider expanding uses allowed by CUP in the Mainstreet Commercial (CM) Zone District
15.	Table 130.22.020 (Allowed Uses and Permit Requirements for the Commercial Zones)	General Amendment to Table 13.22.020: Add “Distillery” as new commercial use and identify whether it is prohibited, allowed or requires CUP in each zone.	Major Zoning Text: Use not addressed in 2015 Zoning Ordinance Update

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16.	Table 130.25.020 (Special Purpose Zones Use Matrix)	Under Residential Zones, add residential uses as an allowed use (“P”) in all Special Purpose Zones.	Major Zoning Text: Based on public request and supported by Gen Plan Policy 2.2.3.1 and Table 2-4, consider adding residential uses as an allowed use in all Special Purpose zones.
17.	Table 130.23.020 (Industrial/R&D Zones Use Matrix)	Under Commercial use type-under the Automotive and Equipment heading, add “Vehicle Sales and Rentals” to uses allowed by right (“P”) in the IL Zone and by CUP in the IH Zone.	Major Zoning Text: Consider allowing auto sales/rentals in Industrial Zones (IL and IH). Uses are generally compatible with most low-intensity industrial uses and potentially compatible with high-intensity industrial uses.

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Zoning Map Amendments	
Item No.	Parcel ID
18.	<p>051-481-21, 051-481-78, 051-481-77, 051-481-08, 051-450-30; 051-420-09, -21, -23 -35; 051-450-30, -31; 051-481-77</p> <p>Proposed Revision Texas Hill Reservoir properties APNs: Rezone from RFL to RE-5, to reflect privately owned parcels designated Open Space on the General Plan Land Use Map. <i>Note: This proposed amendment is not consistent with General Plan Land Use Element Table 2-4 (General Plan LUD and Zoning District Consistency Matrix) – Only Zones LA, PA, RL, AG, RFL, RFH, OS and TC are consistent with OS Land Use Designation – Further action could require General Plan amendments for consistency.</i></p>
19.	<p>050-010-16</p> <p>North Placerville APN: Rezone from RFL to RE-10 to reflect privately held parcel designated Open Space. <i>Note: This proposed amendment is not consistent with General Plan Land Use Element Table 2-4 (General Plan LUD and Zoning District Consistency Matrix) – Only Zones LA, PA, RL, AG, RFL, RFH, OS and TC are consistent with OS Land Use Designation – Further action could require General Plan amendments for consistency.</i></p>
20.	<p>046-370-42</p> <p>Weber Reservoir APN: Rezone from RFL to RE-5, to reflect privately owned parcels designated Open Space. <i>Note: This proposed amendment is not consistent with General Plan Land Use Element Table 2-4 (General Plan LUD and Zoning District Consistency Matrix) – Only Zones LA, PA, RL, AG, RFL, RFH, OS and TC are consistent with OS Land Use Designation – Further action could require General Plan amendments for consistency.</i></p>
21.	<p>Countywide</p> <p>Potential Policy Amendment: Agricultural Setbacks</p>