



# PLANNING AND BUILDING DEPARTMENT

## PLANNING DIVISION

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### NOTICE OF PUBLIC HEARING

The County of El Dorado Board of Supervisors will hold a public hearing in the Board of Supervisors Hearing Room, 330 Fair Lane, Placerville, CA 95667 on November 16, 2021, at 9:00 a.m., or as soon thereafter as can be heard, to consider adoption of proposed Title 130 Zoning Ordinance Minor Amendments related to Secondary Dwelling units submitted by the County for consistency with Government Code Sections 65852.2 and 65852.22 (Project File OR19-0002). (Statutory Exemption pursuant to Section 15282(h) of the California Environmental Quality Act [CEQA] Guidelines per Government Code 65852.2 and 65852.22)\*\*

The amendments include but are not limited to amendments to the Secondary Dwelling Ordinance (Section 130.40.300) hereafter called the Accessory Dwelling Unit Ordinance, and related sections in Title 130 (Zoning Ordinance) of the El Dorado County Ordinance Code for consistency with Government Code Sections 65852.2 and 65852.22. The amendments include but are not limited to:

- 1) universal name change from “Secondary Dwelling” to “Accessory Dwelling Unit” (ADU) throughout Title 130;
- 2) add the ADU Use Type as an allowed use in Residential Multi-family (RM) Zones (Article 2, Table 130.24.020 – Residential Zone Use Matrix);
- 3) add ADU as an allowed use in the Meyers Area Plan (MAP) for MAP-1 and MAP-3 zones;
- 4) revise MAP-3 Zone (Res/T) to remove limitation of second unit only on parcels greater than one acre;
- 5) add language to clarify Design Review exclusions for ADUs in MAP Zones;
- 6) add parking reduction requirements and exemptions for ADUs (Article 3, Table 130.35.030.1 – Schedule of Off-Street Vehicle Parking Requirements);
- 7) revise maximum ADU floor area for smaller residential lots from 600 sq. ft. to 850 sq. ft., or 1,000 sq. ft. if more than one bedroom (Article 4, Table 130.40.300.1 – Maximum Floor Area for Detached Accessory Dwelling Units);
- 8) remove lot coverage from zoning conformance requirements;
- 9) increase floor area for converted living area of primary dwelling to ADUs from maximum of 30 percent to 50 percent;
- 10) add development standards for conversion of all or a portion of a legally permitted accessory structure to an ADU;
- 11) add minimum setback requirements of four feet with exceptions for fire and safety, public utility or drainage easements, or other recorded easements;
- 12) add language to clarify that passageways are not required for ADUs;
- 13) add language to define accessory dwelling units including identification and description of types of ADUs;
- 14) add subsection to allow for one ADU and one junior ADU per lot under certain conditions;
- 15) add language to allow an expansion of not more than 150 sq. ft. beyond the same physical dimensions as the existing primary dwelling to accommodate ingress and egress (Article 4, Subsection 130.40.300.2 – General Development Requirements);
- 16) add subsections “b” to describe detached ADUs and “c” to describe converting existing space to ADUs;
- 17) add subsection “e” to allow for ADUs in multi-family or mixed use zones;
- 18) add subsection for Junior Accessory Dwelling Unit development

standards; 19) add subsection to clarify detached accessory dwelling unit floor area, minimum setbacks, and requirements for converted structures to ADUs (Article 4, Subsection 130.40.300.3 – Specific Development Requirements); 20) revise parking requirements to one per ADU and allow for parking in setback areas, if feasible; 21) add provisions when no replacement parking is required due to conversion of parking structures to ADUs and other exceptions to parking requirements (Article 4, Subsection 130.40.300.4 – Parking); 22) add resale restriction and short-term rental restrictions for ADUs; 23) add five-year suspension of owner-occupancy requirements from January 1, 2020 to December 31, 2024; 24) Remove Subsection 130.40.300.C.5, Utilities; 25) add County-initiated exceptions for ADU owner-occupancy for licensed care facilities, nonprofit housing organizations and beneficiaries of special needs trusts owning the property (Article 4, Subsection 130.40.300.D – Owner Occupancy); 26) add definitions for “Accessory Dwelling Unit,” “Efficiency Unit,” and “Junior Accessory Dwelling Unit”; and 27) delete definition for “Secondary Dwelling” (Article 8, Section 130.80.020 – Definitions of Specialized Terms and Phrases).

On October 14, 2021, Planning staff presented proposed Title 130 Zoning Ordinance Minor Amendments related to Secondary Dwelling units submitted by the County for consistency with Government Code Sections 65852.2 and 65852.22 (Project File OR19-0002) project to the Planning Commission (Item 4, Legistar File 21-1556). Following closure of the public hearing and deliberation, Commissioner Nevis, made a motion to approve staff’s recommendation that the Planning Commission forward a recommendation to the Board to approve the Project, with a second by seconded by Commissioner Clerici. The Planning Commission motion recommends that the Board of Supervisors: 1) Approve the California Environmental Quality Act (CEQA) Exemption consistent with Section 15282(h) of the CEQA Guidelines (Exhibit A); and 2) Approve the proposed amendments to the Secondary Dwelling Ordinance, now referred to under state law as the Accessory Dwelling Unit (ADU) Ordinance and related Articles of the Zoning Ordinance, and adopt an Ordinance for comprehensive minor amendments to Title 130 of the El Dorado County Ordinance Code relating to ADUs as presented by staff. The full recommendation from the Planning Commission is summarized in the Planning Commission meeting minutes from October 14, 2021 (Item 4, Legistar File 21-1556).

Agenda and Staff Reports are available prior at <https://eldorado.legistar.com/Calendar.aspx>

Project Information is available online at <https://edc-trk.aspgov.com/etrakit/Search/project.aspx> search by project name or project number.

All persons interested are invited to write their comments to the Board of Supervisors in advance of the hearing. In light of COVID-19, all persons are encouraged to observe and participate in the hearing remotely, and in-person attendance may be restricted depending on the current COVID-19 recommendations as the hearing date approaches. For the current remote options, including whether in-person attendance is allowed, please check the meeting Agenda no less than 72 hours before the meeting, which will be posted at <https://eldorado.legistar.com/Calendar.aspx>. If you challenge the project in court, you may be limited to raising only those items you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing. Any written correspondence should be directed to the Board of Supervisors at 330 Fair Lane, Placerville, CA 95667 or via e-mail: [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us).

\*\*This project is exempt from CEQA pursuant to the above-referenced section, and it is not subject to any further environmental review.