

Exhibit A: Steps in the Preparation of the Updated El Dorado County Code

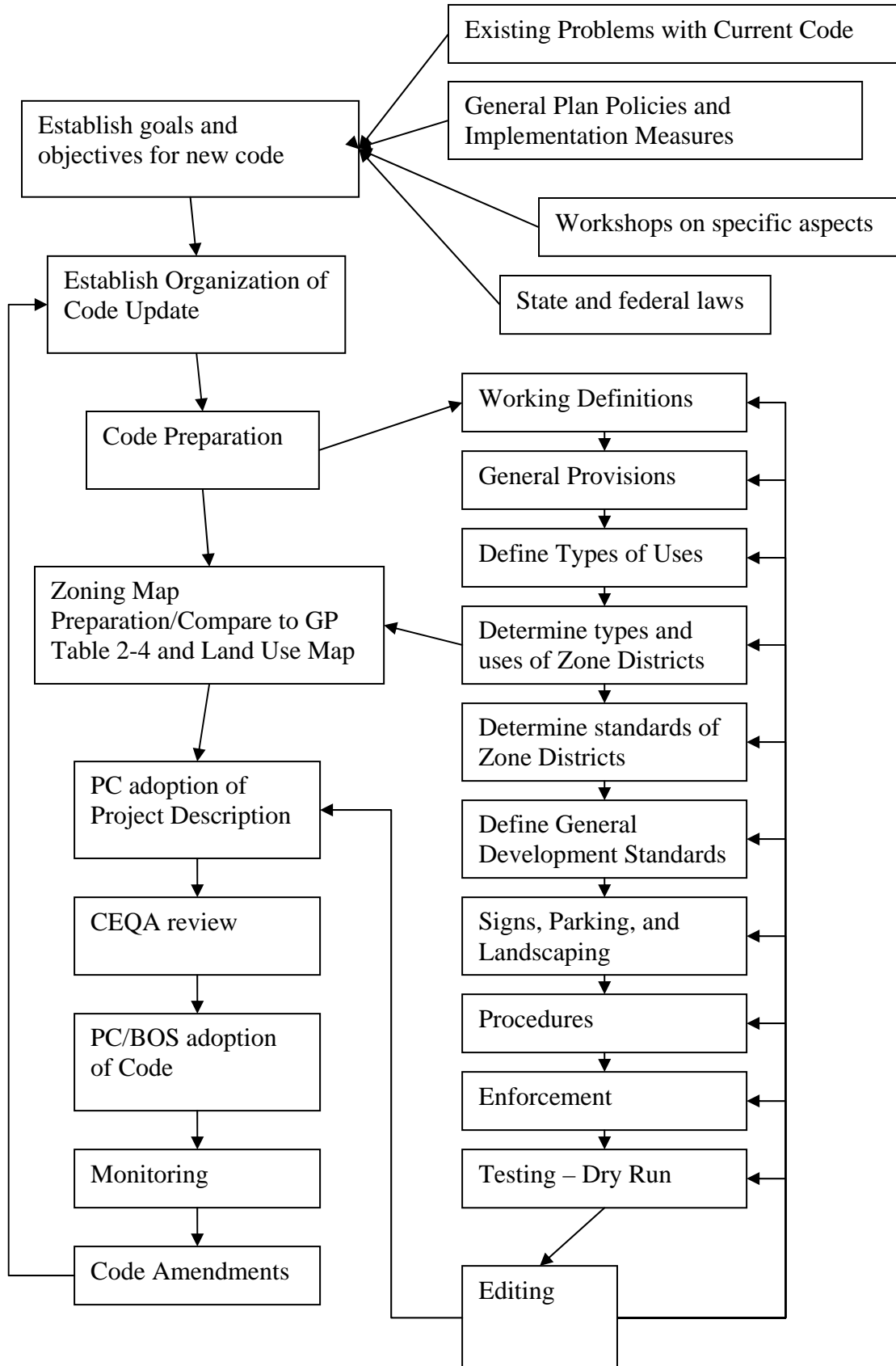


Exhibit B - Existing Problems

The following table identifies problems with the existing El Dorado County Zoning Code, for purpose of establishing goals and objectives for an updated zoning code.

Number	Text Problems	Examples or Comments
1.	Difficult to Navigate	<p>Should have header/footer referencing section of code.</p> <p>Chapters and sections do not follow a logical order. It is necessary to use Table of Contents to find sections.</p>
2.	Often language is archaic and misleading. Grammar and punctuation is not consistent, nor compliant with current common usage.	<p>Commas often out of place, confusing whether one particular use is permitted or whether the subsequent list is permitted.</p> <p>Certain terms, fees, and procedures are cited, but have been superseded.</p> <p>Uses allowed by right in residential districts are the same; however, the code language is slightly different in each zone.</p>
3.	Code has not been interpreted consistently over time.	Various provisions are unclear. Planning has relied on a large series of changing, documented (and undocumented) interpretations for over 20 years. The documented interpretations, and many of the undocumented interpretations, are contained within this table
4.	Code includes different formats to identify permitted uses.	<p>In the majority of the code, each zone lists uses allowed by right, by SUP, and occasionally prohibited uses. These are often linked to other zones by reference resulting in a complicated review process requiring a review of many other districts to determine the uses allowed in one zone.</p> <p>The Meyers Community Plan (17. 58) utilizes a table format that identifies the uses allowed and the permits required, for all uses in all the zones. This format is shorter, clearer, and easier to use. It also is easier to amend and show relationships between uses allowed in the zones. Allows the depiction of gradual increases in intensities between districts. Allows users to search for zones that permit specific uses. (Example: What zone allows auto sales? What zone allows a storage yard without a special use permit?)</p> <p>Example of a use allowed in all single family districts, but not listed in any district: Second residential units are described in section 17.15. Would be easier to show in a table format (similar to MCP districts). Currently, staff has to explain the second residential unit option to most readers of the code because it is “hidden” in another section. (Same for Temporary Mobile Home Provisions in 17.52.)</p>
5.	Improved intent and purpose sections so that the PC/BOS can make rational decisions when looking at SUPS or looking to add additional land uses to a zone district.	<p>Currently there is no intent or purpose section for: R1, R1A, R2, RM, RT, C, CP, I, AE, AP, MP, RF.</p> <p>No easy method to compare similar districts. Uses by right, uses requiring SUP, and development standards are listed on separate pages of the code.</p>

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6.	Change from pyramid format; hard to identify what uses are allowed by right or by use permit.	Permitted uses in one zone refer to another, that refers, to another, and another...For example: Uses permitted by right in RT: "Any use allowed by right in RM." RM refers to R2, R2 refers to R1. Industrial allows by right anything allowed by right or SUP in C zones. Requires staff to review up to six zone districts to explain what uses are allowed by right and by use permit in various zones.
7.	Code references definitions in other County Code Provisions	References chapter 15 (mobile home) References chapter 6 (animals; kennel permits)
8.	Secondary/accessory use definitions and standards need to be improved.	No specific definitions for most commercial uses, however due to recent ordinance amendments, very specific definitions for wireless facilities, winery, and ranch marketing uses are in the code. Definition of accessory building is too loose. Large, dwelling type, structures can be built under this definition.
9.	General: Ordinance is old, amended an average of twice a year; contains archaic language from earliest zoning code and in similar format. New code formats are available to improve clarity.	Examples: 17.06.080/17.06.140 (described later) Original zoning code adopted in 1949, with significant update in 1969 and many amendments in early 1970's. Current format and labeling system adopted in mid 1980's but carried forth previous terminology.
10.	17.04 PD procedures are confusing.	What is needed for a development plan? Is a preliminary development plan required to rezone to PD? What force and effect does it have? PD section is not in a logical order in the Code; should be in the land use permit section (currently 17.22).
11.	17.06. Definitions such as dwelling unit, accessory building	Accessory buildings may contain bathrooms, wet bar, and other rooms that may appear to be a dwelling unit. Structures appear to be second residential units, or primary dwellings, but have uses that are called out as "shop," "recreation room," or "pool house." County impact fees, building codes, and zoning regulations often conflict. Regulations on accessory buildings are difficult to interpret and challenging to advise the public.
12.	17.06 Guest House	Definition of guest house is not located in 17.06 with the majority of definitions. It is located in a few of the residential zones, and often clarified as being 400 square feet and no kitchen, but not consistently.
13.	17.06 Building Coverage	Needs definition to support "coverage" in development standards. Does it include pools? Walkways? Decks?
14.	17.06 Building Height	Building height definitions have two measurement criteria for two purposes. One is for maximum height; one is in relation to side yard setbacks. This is a very confusing section and difficult to apply to sloped parcels, especially for buildings complicated roof lines.
15.	17.06 Arena (horse)	Could use new definition of arena to distinguish from agricultural structures that require setbacks from property lines.

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16.	17.06 Vacation Rental definitions	<p>Needs definition and cross reference to Chapter 5.56.060.</p> <p>Cross reference TRPA plan area statements: allowed uses.</p> <p>May need to refine the definition in conjunction with “family,” “dwelling unit,” or “single family dwelling” to clarify any differences between 30 day lease and day-to-day or week-to-week rental.</p>
17.	17.06 Vacation Rental ordinance	<p>Board directed staff to develop a County wide vacation rental ordinance. Existing ordinance only affects Tahoe Basin and none has been developed for the west slope. Possibility of updating the existing ordinance based on comments from the public and experience with the existing ordinance.</p>
18.	17.06 General Definitions	<p>All definitions need to be reviewed. Regulations should not be identified within definition. All definitions should be consolidated in one location, perhaps an Appendix or Glossary.</p> <p>General Plan definitions do not match zoning definitions.</p> <p>Interim Guidelines have established newer definitions.</p> <p>Certain terms have no definition resulting in use of standard English dictionary definition that is not always the intended definition.</p>
19.	17.06.070 Districts – Designated	<p>Needs to be revised to match revised zones</p>
20.	17.06.080 Combining Zone “B Districts” and 17.06.140 “Index map...”	<p>Archaic reference to a “B District” and Sectional District maps that needs to be removed or amended.</p>
21.	17.06.100 Boundary Determination	<p>With GIS mapping, this provision on interpretation of Zone district boundaries should be amended.</p>
22.	17.06.130 Lake Tahoe drainage basin districts	<p>Requires the prefix “T” in addition to zone districts for Tahoe. Requires the repeat of all zone districts in code. Should instead conform to the rest of the code by creation of a “TB” overlay zone.</p>
23.	17.06.150 Agricultural buffer requirements	<p>Long standing interpretation on how to measure agricultural setbacks and buffer requirements for parcels that connect at a lot corner should be codified.</p> <p>Interim standards for agricultural setbacks needs to be formatted into the new zoning code, replacing this section.</p>
24.	17.06.160 Family day care homes – permitted use	<p>Section is intended to describe lawful pre-emption by state regulations, but is hard to find and requires cross reference with other code provisions for clear understanding of what is allowed.</p> <p>Allows 14: see 1596.78.</p>

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25.	17.12 Enforcement provisions are old and need to be updated for current issues and trends.	17.12 has archaic language and other provisions of the code could use clarity in code enforcement, penalty, and fine provisions to encourage compliance.
26.	17.14 Miscellaneous - Very unorganized and hard to find information	Section contains some General Standards (lighting, setback exceptions), some specific standards (stables, motorcycle leasing), preemptions (utilities, water treatment), some procedural topics (design review/winery/wireless).
27.	17.14 Front setback reduction for slope (17.14.020 and .030) unclear on implementation.	<p>Department policy has been to require surveyor (or civil eng.) verification that topography qualifies for setback reduction.</p> <p>Could it be used for accessory structures like a pump house, or propane tank?</p> <p>Unclear whether .030 section could result in reduced side and rear yard setbacks, not just front, since the word "front" is never used.</p>
28.	17.14 Setback (averaging) along developed roads needs implementation provisions (17.14.040)	Currently evaluated on a case by case basis. Unsure how many homes needed to qualify for averaging. Same side of street or both? Does it matter if existing encroaching homes are legal, illegal, or just nonconforming? Do garages equate to living space?
29.	17.14 Encroachments into required yards unclear and could use more or less options.	<p>Section 17.14.050(A) terminology of "uncovered and unenclosed" conflicts with later listing of canopies, eaves and bay windows that by definition are covered or enclosed.</p> <p>Propane tanks need more flexibility – in Tahoe and snow country they need to be protected from snow buildup. Underground tanks are being used in areas since they cannot meet setbacks and remain accessible for deliveries.</p> <p>However, oversized propane tanks may need additional review (those over the normal 249/499 gallon.)</p> <p>Pump/well house could be allowed, with limited size and height</p> <p>Deck setbacks need clarification.</p> <p>Pop outs?</p> <p>Chimney exemption is usually allowed even in 5 foot side yard easements.</p> <p>Waterfall features with pools and spas, if over 30 inches tall are treated as structures. Pool equipment less than 30 inches is allowed in setback.</p> <p>Patio covers: is overhanging portion allowed in setback, but not any structural supports?</p> <p>Solid cover structures vs. open cover/trellis type (50 percent open); do same setback rules apply? What about freestanding trellis type structures?</p>

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30.	17.14.060 Stable provisions unclear whether they supersede zone setbacks, definition of stable, whether other farm animals than horses are to be included in the one-acre minimum.	“Stable shall be located at least 30 feet from any building used for residential purposes.” (Accessory building? – Pool room? Game room? Garage? Guest house?) No horse (cow, pig, sheep?) shall be kept on a building site of less than one acre in any district.” (Some districts do not allow horses: R20,000)
31.	17.14.090 Interior Lot lines: unclear of its purpose in context with the rest of the code.	Seems to be an archaic code section. Zone districts allow zero lot lines, what does this provision mean?
32.	17.14.095 Mineral Resource development	Measure A initiative from 11/20/84. Still valid?
33.	17.14.100 Waste Water Treatment Plans	Not current with Environmental Health rules. May be obsolete or require amendment.
34.	17.14.110: Parcel size exception provisions	Unclear on remaining parcel size provision or govt. parcel sale procedures. COC required for remaining parcel or to disburse the govt. property?
35.	17.14.120 Parcel size exceptions “Ten percent rule”	Zoning provision to allow reduced parcel size during a subdivision or parcel map applies to some zones, not others, and has obscure findings linked to 1979 tax roll.
36.	17.14.130 Architectural supervision	Procedural section that requires design review to Planning Commission for projects facing a state highway, but is unclear and easy to argue “facing” vs. adjacent, intervening road or railroad, etc.
37.	17.14.140 Zoning Permit	Archaic portion of code. To be amended or removed.
38.	17.14.150 Height limit and exceptions	General Provision allows SUP for height exceptions for towers, flagpoles and chimneys. Out of place in code. Not easy to find.
39.	17.14.155 Fence regulations	<p>Complicated fencing provisions that change based on zoning, yards, location on corner lot, without clear provision for administration (no permits needed for fences) or enforcement.</p> <p>Requires notarized approval from neighbor for some fence provisions. Should have additional hearing process if neighbor declines.</p> <p>Related to gate issue previously listed.</p> <p>Related fences in right of way previously listed.</p> <p>Fence height calculations with retaining walls should apply only if retaining wall faces adjacent property.</p> <p>Do we want to regulate retaining wall height, maybe in setback area?</p>
40.	17.14.155 Fences in right of ways.	Field fencing, decorative fencing, sound walls are all existing or being constructed in road right-of-ways. Difficult to enforce. Dept. policy to only enforce if pedestrian or traffic problem or safety issue.

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41.	17.14.155 Gates	Need to define permit process for gates.
42.	17.14.160 Recycling collection facilities	Needs clarification of what zones this is permitted. (Allowed in Industrial?)
43.	17.14.170 Outdoor lighting: requires light plan and standards	<p>Text and exhibits inconsistent “property line” vs “Zone Boundary”</p> <p>Porch lights made illegal.</p> <p>Minor lighting complaints resulting.</p> <p>Commercial lighting brightness not addressed.</p> <p>Sign brightness not addressed.</p> <p>Standards, such as pole height, lumens, volts, etc. could be integrated to clarify permitted lights and contents of lighting plans required with non-residential development.</p>
44.	17.14.180 Ranch Marketing	Updates to Ranch Marketing ordinance needs to be integrated into new code.
45.	17.14.190 Wineries	<p>Requires 20 acres for winery in one section, and then allows a winery on 10 acres through site plan review.</p> <p>Allows unlimited Special events under 250 persons.</p> <p>Is amplified music allowed?</p> <p>Updates to Winery ordinance needs to be integrated into new code.</p> <p>Rezoning to Agricultural Zones becoming controversial due to 200 foot agricultural setback and potential for ranch marketing and winery uses allowed by right.</p>
46.	17.14.200 Communication Facilities	<p>Does not seem to encourage co-locations; new tower proposals are the norm, although they are usually mono-pine. Move mono-pine towers of a certain size to an administrative or Zoning Administrator permit?</p> <p>Review recent legislation (SB1627) signed September 29, 2006, effective January 1, 2007. May pre-empt some collocation permit review.</p>
47.	17.15 Second Residential Units	<p>Maximum size and measurements subject to Planning interpretations. Need to be clearer in code. Second unit ordinance handout includes one-page of development standards.</p> <p>What size Garage can be attached? Right now, no limit.</p> <p>Related to accessory structure definitions. Many accessory buildings being developed, and designed without (or required to remove) kitchen facilities to get around 2nd unit provisions (and fees). Suggest</p>

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		<p>limitation on wet bar standards (see TRPA regulations) or full bath vs. half-bath provisions to limit abuse of the accessory building allowances.</p> <p>Public and staff have a difficult time understanding this section.</p> <p>Second unit first? Conversion of large unit to second unit? Second unit and a guest house? Permanent or temporary foundation?</p> <p>Is a Notice of Restriction required?</p> <p>Difficult to enforce provision that property owner must live in one unit and not rent both.</p>
48.	17.16 Signs	<p>Sign number and size allowed unclear. Other sign provisions are within individual zone district's "permissible uses" and "development standards" sections.</p> <p>Message Center provisions or prohibition need to be created. (LED standards. Consistent with CALTRANS standards?)</p> <p>Off-site signs not clearly regulated except by SUP.</p> <p>What constitutes official exempt signs: Kiwanis/Lions/community service emblems? How is an official exempt sign determined?</p> <p>Preemptions for sale of property; directions to property on property owned by another, with consent (not in right-of-way) Civil Code §713</p> <p>"Entry monument signs" need clarification as to setback, definition.</p> <p>Use of temporary signs, balloons, banners, pennants as signs. Need definitions of signs allowed, allowed by TUP/SUP.</p> <p>Signage permitted at bus stops by interpretation.</p> <p>Flag poles and advertising flags should be covered (size, height, and location)</p>
49.	17.18 Parking and loading	<p>Landscape standards are in the Parking ordinance, at the end; hard to find and only are required in conjunction with parking.</p> <p>Loading standards need flexibility.</p> <p>Shared parking provisions needed.</p> <p>Clarification of use types and parking ratios need updating.</p>

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		<p>Driveway standards need to dovetail with Design and Improvement Standards Manual.</p> <p>Compliance with ADA requirements.</p> <p>Tandem parking (Review restriction or remove for SFD?)</p> <p>Bus stop/turnout standards needed.</p> <p>Landscape buffer between two or more adjacent parcels designed as a single project interpreted to not need the minimum 5 foot landscape buffer.</p> <p>Landscape medians should be required to provide shade and break up large rows of parking stalls.</p> <p>Parking stall depth dimensions call out 18 feet and 19 feet: inconsistent.</p> <p>Need subdivision model home parking requirement (and landscape requirement – 17.28.020(J))</p> <p>Need standard for trash enclosures: number, location, access, fence/wall/landscape screening.</p>
50.	17.18 Parking standards are primarily in 17.18, but also in the development standards of some zones	17.04.100 (PD) and 17.34 (I); PD parking conflicts with apartment parking, confounding certain condominium conversion projects.
51.	17.19 Missouri Flat Planning Cost Reimbursement	Unusual provision to be codified, in awkward location in code. No zoning issues, this is a fee program.
52.	17.20 Nonconforming uses	<p>Expansion, rebuild, and expiration of nonconforming uses and structures needs clarification</p> <p>Interpretations currently allow residential structure or use in C or I zones to be rebuilt, but meet setbacks, parking requirements; clarification of “value” and “termination.” Exceptions are often allowed to build within “the footprint.”</p> <p>Should be clear for “burn down letters” and should include provisions for residential expansion in commercial districts.</p> <p>In general, one of the most difficult sections to understand and may have legal implications on its application.</p>

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53.	17.22 Land use permit procedures	<p>Minor Use Permit “discretionary” but ministerial for CEQA purposes is a conflict.</p> <p>Permit time limits, extensions need to clarify time limits for multi-phased projects, when time lines start, end, and get extended.</p> <p>Administrative Relief/Waiver provision never used. Requires neighbor sign off, but does not provide a reasonable hearing process (requires variance instead).</p>
54.	17.23 Temporary use Permits	<p>TUP section appears to contradict other zoning limitations and does not cross reference other county code provisions (for example: 5.32 music concerts).</p> <p>Itinerant businesses need clarification.</p> <p>Needs a purpose and intent section</p> <p>Construction trailers need clarification.</p> <p>Time limits are provided for some uses that are not listed as allowed in any zone.</p> <p>Bond amounts appear unnecessary and burdensome.</p> <p>Model Homes in subdivisions: when can homes are built in relation to subdivision improvements.</p> <p>Only provision for signs is grand opening. Should have additional provisions and guidelines for other temporary signage.</p> <p>“Similar Temporary Uses” as determined by Director, needs clarification as to purpose, intent, and limitations.</p> <p>Should allow temporary cell tower on wheels (COW).</p> <p>Could we allow by TUP car/boat show on R&D?</p>
55.	17.25 Flood damage prevention ordinance	<p>Need to bring ordinance up to current FEMA regulations.</p> <p>Pools have not been addressed in this section: Contamination, inundation, and water pressure causing the pool to pop out of the ground should be issues.</p> <p>Substantial Improvement documentation is modeled on FEMA standards, but could be codified or more formally reviewed and implemented.</p>
56.	17.26 Unclassified District	<p>This district is archaic and needs to be replaced by standard zone districts. Development standards rarely match the General Plan</p>

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		designation. Old “holding” zone.
57.	17.28 (all) Residential and Home Occupation	<p>Same provisions for home occupations are constant through the code. However, use of employees, traffic, commercial vehicles, noise, and other issues continue to be contentious. Additional permit process may be needed, as well as restricting certain occupations to certain zones. Difficult to administer or modify under current zoning code format.</p> <p>Special Use Permit requirements need clarification. Maybe allow administrative permit for use of small accessory building or garage.</p> <p>Common complaints of late night use of log trucks, tow trucks, and other heavy, noisy vehicles for some home occupations.</p> <p>Storage of material or heavy equipment common complaint.</p> <p>Many existing home businesses, that utilize employees, detached buildings, create occasional noise, have operated for years without complaint, or impact on neighbors, but are illegal. Suggest development standards: setbacks, hours of operation: 7 a.m. to 7 p.m.</p> <p>Economic element of General Plan includes policies to encourage home occupations based on establishing standards in the Zoning Ordinance.</p>
58.	17.28 Residential and Guest House (also referenced under definition section 17.06)	<p>Guest houses are sometimes allowed, sometimes limited to 400 square feet, sometimes it is stated that it cannot have a kitchen.</p> <p>Is guest house allowed in R1, RT, R2, RM?</p>
59.	17.28.210 (H) RE-5 setback adjacent to PA	Odd provision in development standards for additional setback from PA zone land. Difficult to find in code and may be inconsistent with 17.06 Agricultural Buffer setbacks.
60.	17.28 (all) Residential Districts and Real Estate Sales Trailer	Same provisions for a “sales trailer” in a subdivision, including nine requirements, repeated in each zone. Should be consolidated in another format, and just cross referenced in each zone.
61.	17.28 (all) Residential Districts and agricultural structure setbacks	<p>Various residential zones include unique setbacks for agricultural structures, with no clear purpose or delineation (R3A – not mentioned).</p> <p>Where are stables allowed? What setbacks apply?</p>
62.	17.28 (all) Residential Districts	<p>Current interpretation prohibits slaughtering of livestock; need clarification of “commercial” vs. incidental home use/ cultural event (Mediterranean cultures and lamb; Thanksgiving goose/turkey; provisions for mobile slaughtering services; 4H, accessory agricultural uses).</p> <p>Needs clarification of public library in R zones (R1) by right or SUP.</p>

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63.	17.30 (all) Residential Agricultural Districts	<p>Uses allowed by SUP are too wide open: "All other buildings, structures, signs, uses or expansion thereof."</p> <p>Appears to be identical to RE-5/RE-10 zones but may actually be more agriculturally driven. Need to define purpose and intent.</p>
64.	17.32 (all) Commercial Districts	<p>"Uses" need definitions.</p> <p>What is allowed in a service station? What level of auto repair? When is a gas station allowed?</p> <p>When is outdoor display allowed? (When is a SUP required?)</p> <p>"(New and) used retail" allowed?</p> <p>When and how are dwellings allowed? Explain density development standard.</p> <p>Difficult to compare uses and development standards between districts.</p> <p>CG lists 89 uses; C, CP, CPO do not, but many similar uses are allowed in those districts, making distinction between similar uses difficult.</p> <p>Uses like drive through business, quick lubes, appear to be allowed in all zones. Maybe not CPO. By right/by SUP.</p> <p>Need definition of mini-warehousing, where allowed (currently department interpretation.)</p> <p>Need definition of unenclosed vehicle and sales lots and mobile home display and sales lots (currently department interpretation).</p> <p>Need provision and clarification for Outdoor Seating at restaurant. Location, size, fencing, parking. ABC license issues. Noise/safety from roadways, parking areas.</p> <p>Need clarification of permits required for temporary uses: temporary food carts, temporary sales: candy, flowers, crafts; longer term facilities: temporary offices, restrooms (maybe during construction or to facilitate employee hiring, advertising); semi-permanent food carts or coffee stands on wheels or portable.</p>
65.	17.34 Industrial	<p>Allows any use allowed by right or SUP in C; then allows any use allowed by SUP in A. Does not seem to be logical. Difficult to evaluate uses allowed.</p>
66.	17.35 Research and Development	<p>Allowed uses: Churches, schools, Theater, Gyms, laser tag, fire station, wine storage,</p>

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Number	Text Problems	Examples or Comments
		<p>Building coverage/development standards associated with urban area is obsolete.</p> <p>Includes distinct landscaping and setback provisions.</p> <p>17.35.030(D)1 appears to mix and match setback requirement terminology: uses setback from “property line” as well as setback from “street right-of-way.” These are the same in the EDH business park where R&D is located, but should be changed to be consistent.</p> <p>17.35.030(D)4b should read area “Parking Spaces --- Area to be shaded” instead of “Parking Spaces Required Area to be Landscaped”</p> <p>Standards for mini-warehousing uses should be identified: limitation on rollup doors, coverage, outdoor storage, etc.</p>
67.	17.36 Agricultural Districts	<p>Uses too similar to Residential districts; unique setbacks from agricultural zoned lands, referencing 1983 ordinance, no longer in effect.</p> <p>Repeated provision of noncompatible uses should be reformatted to remove redundancy and refer to new GP Policy and administrative relief provisions.</p>
68.	17.36.060 AE district	<p>One dwelling within each Preserve is difficult to regulate.</p> <p>Obsolete reference to Zoning Administrator approval for a mobile home.</p>
69.	17.36.31 AP District	<p>District invented as alternative Williamson Act Contract Zoning that does not allow winery or ranch marketing by right; Consider alternative new zones for use as WAC consistent zones.</p>
70.	17.38 AA District	<p>Only established as a district around the Placerville Airport. Actually should be modified to be an overlay zone only, as applied in approach zones, and in Cameron Park zones 1, 2, and 3.</p> <p>Clarification of effect on second residential units not cross referenced in second unit section.</p> <p>Noise attenuation measures need clarification.</p>
71.	17.48 Recreational Facilities District	<p>Requires SUP for most uses. Minimum lot area and density need logical justification.</p>
72.	17.52 Mobile Homes	<p>Are they allowed in AE or AP Zones?</p> <p>Setbacks needed for construction yard coach? (no) Temporary while building a SFD? (yes) Construction trailer provisions appear to conflict between 17.52.020(C) and 17.23.020(A)2</p> <p>Review dead storage permit process: 15.64.060</p>

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		<p>Currently allows indefinite “dead storage” of unoccupied mobile homes in residential districts – suggest time limit to remove.</p> <p>TMA in agricultural zones should go to Ag Commission.</p> <p>Do we need to amend TMA provisions? Conditions?</p> <p>Do we need to tighten up TMA regulations for size, use, and timing?</p>
73.	17.54 Tahoe Districts	<p>What would work better? Keep the status quo, or create overlay zone? Development standards needed since TRPA plan area statements do not have setbacks.</p>
74.	Tahoe Districts	<p>Review for conflicts between TRPA Plan Area Statements, Zoning, and existing condition: definitions, development standards and procedures.</p> <p>TRPA Code of Ordinances</p> <p>Chapter 2, Definitions: See wet bar definition and other definitions of interest.</p> <p>Section 4.2.A List of Exempt Activities: (4) Grading up to 3 cubic yards (9) Home Occupations, (10) Construction of new residential fences; maximum 6-foot height limitation.</p> <p>Section 4.3.A List of Qualified Exempt Activities: (4) Grading up to 7 cubic yards.</p> <p>Section 18.2.B Secondary Residence.</p> <p>Section 18.2.F Living Area Associated with Residential Accessory Structures.</p> <p>Review all provisions of Section 24.2, Driveway Standards: see Section 24.2.C (5), Section 24.2.D, and Section 24.2.E.</p> <p>Section 64.2, Grading Season Limitations.</p> <p>Section 64.7.B: TRPA Soils/Hydrologic Report is required for all excavation in excess of 5 feet in depth, and within areas where there exists a reasonable possibility of groundwater interference/interception.</p> <p>Section 65.2.A; Any vegetation removal is prohibited unless authorized in conjunction with a permit/project.</p> <p>Tahoe Basin County Zoning Ordinance Revision Considerations</p> <p>Deferral to TRPA Land Coverage standards instead of County zoning development standards that require maximum lot coverage. TRPA land coverage standards include Chapters 20 and 37 of TRPA Code.</p> <p>Codification of Tahoe Basin agricultural setback requirements, versus west slope agricultural setback requirements</p> <p>Deferral to TRPA Heights Standards instead of County zoning development standards that require a maximum building height. TRPA building height requirements are typically much more restrictive than County zoning development standards for maximum building height. TRPA height standards are identified in Chapter 22 of TRPA Code.</p>
75.	17.70. RE-10 (location)	<p>Located in 17.70 (p237) when logically it should follow RE-5 17.28. (p 111). Need to reorganize section location and clarify intent and purpose related to RE-5.</p>

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76.	17.70. CN zoning (17.70).	Not used. Need to delete or revise.
77.	Specific uses: Farm animals	Clarify what zones allow farm animals, number of animals allowed, and what constitutes a farm animal vs domestic pet, vs exotic animal.
78.	17.74 Design Review	<p>Needs clarification of exempt activities.</p> <p>Need to rezone the R&D areas to remove the DC overlay and remove that exception from the code. Without careful reading of the code, it appears that a design review is required in R&D.</p> <p>Consideration to modify Design Review to limit review to design and architectural styles/guidelines. Streamline process needed.</p>
79.	Administrative relief	Need better provisions for Director to allow administrative relief. Develop substantial conformance findings. Possible public notice, due process, appeals hearing.
80.	Agricultural Housing	Where prohibited, allowed by SUP, and under what provisions? (Meeting agricultural preserve criteria or not?)
81.	Use of RV as a TMP	Current interpretation is yes – but for one year term with only one one-year extension available.
82.	“Inspection” exempt barns	<p>Should they require an inspection for setback verification?</p> <p>Should they be allowed in non-agricultural zones? As a first structure?</p>
83.	Accessory buildings	Allowed prior to Main dwelling? Current interpretation allows garage constructed prior to main dwelling, as long as lot has issued permit for SFD.
84.	BLA	<p>Current interpretation allows BLA on non-conforming parcel (sizes); but not making the non-conforming situation worse, or if the BLA would result in allowing a future subdivision.</p> <p>BLA approvals should have expiration (one year, for example).</p>
85.	River Use/Campgrounds	Current interpretation allows sale of t-shirts and souvenirs as an accessory use. Should be codified.
86.	Boarding Horses	Many versions of interpretations have evolved to define what zones allow boarding, what constitutes “commercial” boarding, and what type of training, schooling, shows are permitted. Often conflicts with surrounding residential or agricultural uses. Development standards could be created to minimize impacts such as setbacks or maximum number of animals per acre.
87.	Easements:	<p>What is allowed in easements? Specifically related to retaining walls, pools, pool equipment, landscape features such as waterfalls, underground conduits (water, power). Currently permitted are stackable/gravity walls under 36 inches.</p> <p>Different rules for utility easements vs. drainage easements?</p> <p>Does an easement have to be abandoned or will permission from easement holder allow certain uses or improvements?</p>

Exhibit B - Existing Problems

Number	Text Problems	Examples or Comments
88.	Setbacks:	<p>Determination of front, side, and rear yards requires unique interpretation for corner lots, double frontage lots, triple frontage lots, unique shaped lots, and those with vehicular access restrictions.</p> <p>Measurement of setbacks related to roads, road easements, roads without easements, (not from edge of pavement) need clarification. Currently using interpretation exhibits.</p> <p>Rear yard setbacks on corner lots.</p> <p>Fences in front yard setbacks/corner lots.</p> <p>Rear fences along streets (where no access is allowed). Also if located in a utility/drainage/other easements.</p> <p>Expansion of non-conforming structures that are in setback areas. Current interpretation allows no further encroachment, but expansion may be permitted that meets setback requirements.</p>
89.	Split zoned parcels	Interpretations currently in use to define uses allowed on split zoned lots.
90.	Shed setbacks	Portable sheds and small structures do not require permits, but are interpreted to meet setbacks. Not clear in code.
91.	17.71 EP fee collection	Interpretation has been used to clarify fee collection procedures. These should be revisited and code section should be modified to reflect necessary provisions.
92.	Temporary power poles	Interpretation that no site plan or setbacks required. Often first improvement on rural property, for well or barn or in anticipation of future dwelling construction.
93.	Plant nursery	<p>Need definition and clarification where allowed. Separate definition for wholesale and retail nursery.</p> <p>Allowed in RE zones? Historically a controversial issue.</p> <p>Green houses can be intensively concentrated and impact adjacent residential uses, create relatively high traffic volume.</p>
94.	Residential Vehicles	Regulations on maximum number of vehicles stored on property should be considered. Currently unlimited if registered. Parking on lawns, vacant property, backyards, and front yards could be regulated. Storage inside buildings could be allowed. Tent covers, RV covers may be suitable for some development standards (currently the temporary canvas/plastic/metal structures need to meet setbacks of the zone.)
95.	Application Procedure	<p>Require proper authorization from property owner for submittal of application.</p> <p>Review for completion within 30 days and notify applicant/owner. Do we need additional code provisions?</p>

Exhibit B - Existing Problems

Number	Text Problems	Examples or Comments
96.	Motocross use	What limitations should be established for establishing motocross track on property? Limitation in RE zones? By SUP? For home owner use only/but friends and neighbors may use/or is it a potential nuisance?
97.	Define Road and Driveway	Setbacks and other development standards vary for “Roads” and “driveways” and many people use the term driveway, when by code definition, it is a “road.” (Front yard setback to be shown on site plans is a common example: no setback from a driveway, but up to a 55 foot setback is required from the center line of a (prescriptive) road.
98.	Define warehouse	Needs clear definition due to parking regulation being relatively light for this use. Many mixed use projects use the term warehouse loosely, possibly resulting in parking problems.
99.	Define mini-warehouse	When is warehousing really mini-warehousing? Size limits? Number or types of doors? Leasing office? Fences?
100.	Side yard setbacks and Building Height	These provisions are very complicated and difficult to administer. Professional architects have difficulty understanding the provisions and how staff is interpreting them. Suggest simplification of rules or clarification how to demonstrate compliance with rules (maybe exempt anything beyond 15 feet from the property line – this would clear out most structures on an acre because they need 30 ft setbacks) (maybe simplify by increasing height from 25 feet to 30 feet).
101.	HOA structures	Provide for HOA owned and operated facilities such as barns, recreation rooms, meeting rooms, in residential zones by SUP, admin permit, rather than as an accessory use.
102.	Common Variance Requests:	County receives about five variance requests every year in the Tahoe Basin for reduced front setbacks due to TRPA coverage requirements. Suggestion is to provide a separate 50 percent administrative setback variance for the –T overlay zone. Develop some performance standards such as any execution of a Hold Harmless/Indemnification statement. Would still have to comply with any subdivision easements, setbacks or other PUE’s.
103.	ABC license; zoning affidavits	Currently all commercial zones allow alcohol sales; staff routinely reviews ABC applications to verify zoning, and signs off. Consider clarification of process, including any zones that would not permit certain license types, or appropriate development standards.
104.	(blank for additions)	
105.	(blank for additions)	
106.	(blank for additions)	
107.	(blank for additions)	

Exhibit B - Existing Problems

Number	Text Problems	Examples or Comments
108.	(blank for additions)	
109.	(blank for additions)	
110.	(blank for additions)	

Exhibit C - General Plan Implementation Program for Zoning Update

General Plan Implementation Measures related to Zoning Ordinance are compiled below, directly copied from the 2004 General Plan. Specific Policies related to Zoning Ordinance are summarized as separate line items.

1. MEASURE LU-A

Review the Zoning Ordinance (Title 17 of the El Dorado County Code) to identify revisions that accomplish the following:

- Provide for mixed commercial and residential uses [Policy 2.1.1.3];
- Provide consistency between the General Plan land use designations and the Zoning Ordinance [Policy 2.2.1.2];
- Identify needed revisions to and improved application of the Planned Development combining zone district [Policies 2.2.3.1, 2.2.3.2, 2.2.3.3, 2.2.3.4, 2.2.5.4, and 8.1.5.1];
- Develop a density bonus program [Policy 2.2.4.1];
- Provide a Neighborhood Services zone district [Policy 2.2.5.8]
- Establish provisions for extended family support services and institutional uses in residential areas [Policy 2.2.5.9];
- Allow support services for agricultural and timber production in Rural Regions, including agricultural employee housing, feed and supply stores, veterinary services, agricultural and timber processing, and sales of agricultural and timber products [Policies 2.2.5.10 and 2.2.5.11];
- Provide flexibility for minimum parcel size with boundary line adjustments [Policy 2.2.5.12];
- Identify and separate incompatible uses (including public facilities) by setbacks and buffering [Policies 2.2.5.14 and 2.2.5.18];
- Establish standards for parking lot shading and street trees in all new development projects [Policy 2.3.1.2];
- Establish standards for providing visual separation between Community Regions where existing land use patterns do not facilitate physical separation [Policies 2.5.1.1 and 2.5.1.2];
- Provide standards and incentives for commercial development [Policies 2.5.2.1, 2.5.2.2, and 2.5.2.3];
- Establish criteria for schools and places of worship in residential zone districts [Policy 2.5.5.17];
- Establish a Scenic Corridor (-SC) Combining Zone District [Policy 2.6.1.6];
- Modify Sign Ordinance standards for scenic corridors [Policies 2.7.1.1 and 2.7.1.2];
- Strengthen limitations on light and glare [Policy 2.8.1.1];
- Establish buffers around solid waste handling and disposal sites [Policy 5.5.2.2];

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- Provide incentives for indoor and outdoor art [Policy 5.9.2.2];
- Establish siting criteria for placement of new structures for fire hazard protection [Policy 6.2.1.1];
- Create an avalanche overlay zone [Policy 6.3.2.3];
- Create a dam failure inundation overlay zone [Policies 6.4.2.1 and 6.4.2.2];
- Establish open space protection measures [Policies 7.6.1.1 and 7.6.1.3]; and
- Promote tourist lodging facilities. [Policy 9.3.9.1]

Responsibility:	Planning Department and Department of Transportation
Time Frame:	Begin Zoning Ordinance rewrite immediately upon adoption of General Plan. By tiering off the General Plan EIR and relying on previous work completed for 1996 General Plan, adoption should occur within one year of General Plan adoption.

2. **POLICY 2.2.2.7, 7.2.1.2, 7.6.1.1 AND 7.2.3.12 REQUIRE “-MR” OVERLAY ZONE.**

3. **MEASURE LU-C**

Establish performance standards to be included in the Zoning Ordinance to allow applicants for ministerial projects to demonstrate compliance with General Plan policies and with other applicable County ordinances, policies, and regulations. Until such time as these standards are developed, the Planning Director shall review information submitted by the applicant to ascertain compliance. The review shall include, but not be limited to: (1) the effects of the proposed project on biological resources, cultural resources, geology and soils, agriculture, visual, noise, and air quality; (2) the project’s compliance with the concurrency requirements of the General Plan pertaining to traffic infrastructure and the availability of water and other services; (3) risks of exposure to hazardous materials and conditions as a result of site development; and (4) a determination as to whether the project is exempt from review under the California Environmental Quality Act. In lieu of requiring detailed resource assessments as part of initial applications, the Planning Director may establish a program for preliminary site inspections by qualified professionals employed or retained by the County to determine the need (if any) for specific resource evaluations required to complete this review. [Policy 2.2.5.20]

Responsibility:	Planning Department
Time Frame:	Revise Zoning Ordinance within one year of General Plan adoption.

4. **MEASURE LU-D**

Revise the Zoning Ordinance to ensure that all uses permitted by right in any zoning district are compatible. Allow potentially incompatible uses subject to a discretionary review process with performance standards designed to ensure appropriate separation of incompatible uses. Include in the Zoning Ordinance a requirement that any project located

Exhibit C - General Plan Implementation Program for Zoning Update

adjacent to an existing sensitive land use shall be required to avoid impacts on the existing use. [Policy 2.2.5.21]

Responsibility:	Planning Department
Time Frame:	Revise Zoning Ordinance within one year of General Plan adoption.

5. MEASURE LU-F

Create and adopt Community Design Review standards and guidelines and identify new Community Design Review Districts. This would include working with community groups to develop standards. [Policies 2.4.1.1, 2.4.1.2, and 2.4.1.4]

Responsibility:	Planning Department and Board of Supervisors
Time Frame:	Identify and seat community advisory members within two years of General Plan adoption. Identify community boundaries and create and adopt standards and guidelines within five years of General Plan adoption.

6. MEASURE LU-G

Amend the County Code to establish a Historic Design Review Combining Zone District. Identify suitable areas for application of the district and develop design standards or guidelines for such districts. [Policies 2.4.1.3 and 7.5.2.1 through 7.5.2.4]

Responsibility:	Planning Department
Time Frame:	Begin identification of potential historic districts immediately upon General Plan adoption. Draft ordinance and standards prepared within two to three years. Adoption of district boundaries, ordinance, and guidelines within three years.

7. MEASURE LU-I

Inventory potential scenic corridors and prepare a Scenic Corridor Ordinance, which should include development standards, provisions for avoidance of ridgeline development, and off-premise sign amortization. [Policies 2.6.1.1 through 2.6.1.7]

Responsibility:	Planning Department and Department of Transportation,
Time Frame:	Begin inventory immediately following General Plan adoption. Adopt ordinance within 18 months.

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8. MEASURE LU-J

If segments of State Route 49 are identified as appropriate for State Scenic Highway status during preparation of the Scenic Corridor Ordinance (see Measure LU-I above), prepare documentation in support of having those segments of State Route 49 identified as a State Scenic Highway [Policy 2.6.1.8]

Responsibility:	Department of Transportation and Planning Department
Time Frame:	Prepare supporting information within three years of General Plan adoption in coordination with Implementation Measure LU-I.

9. MEASURE LU-O

Coordinate the following actions with the Tahoe Regional Planning Agency (TRPA) and other agencies having land use jurisdiction in the Tahoe Basin to create a comprehensive approach to land use regulation in the Tahoe Basin:

- Preparation and adoption of a Community Plan for the Tahoma/Meeks Bay area;
- Identification of additional affordable housing opportunities;
- Modification of the County's Zoning Ordinance to be consistent with, or adopt as County Code, the TRPA Code of Ordinances and Plan Area Statements; and
- Implementation of actions recommended in TRPA's periodic threshold evaluation reports.

[Goal 2.10]

Responsibility:	Planning Department
Time Frame:	Begin working with TRPA immediately upon adoption of the General Plan. Identification of additional affordable housing opportunities will be ongoing. Adoption of Community Plan within five years of General Plan adoption. Modification of the County Zoning Code within one year of General Plan adoption.

10. MEASURE TC-P

Use appropriate zoning in designated rail corridors to ensure preservation of rail facilities for future local rail use. [Policy TC-6a]

Responsibility:	Planning Department
Time Frame:	Ongoing

11. MEASURE HO-G

Amend the Zoning Ordinance and *Design and Improvement Standards Manual* to provide more flexibility in development standards as incentives for affordable housing developments.

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Any amendments to development standards should consider site characteristics. The specific standards that may be evaluated include, but are not limited to, the following:

- Reduction in minimum lot size to accommodate smaller units;
- Reduction in setbacks;
- Reduction in the area of paved surfaces through the use of angled parking and one-way circulation;
- Reduction in street widths;
- Reduction in turning radius on cul-de-sacs;
- Reduction in pavement thickness when it can be demonstrated that soils and geotechnical conditions can permit a lesser thickness;
- Increase in the allowable lot coverage for affordable housing developments; and
- Consideration of cluster development particularly where either more open space is achieved or existing requirements increases costs or reduces density.

[Policy HO-1c]

Responsibility:	Planning Department
Time Frame:	Within one year of General Plan adoption.

12. MEASURE HO-H

Adopt a density bonus ordinance in accordance with state law and promote the benefits of this program to the development community by posting information on the County's website and creating a handout to be distributed with land development applications. [Policy HO-1r]

Responsibility:	Planning Department
Time Frame:	Within one year of General Plan adoption.

13. MEASURE HO-N

Review the County's residential development processing procedures to identify additional opportunities to further streamline the procedures for affordable housing projects while maintaining adequate levels of public review. The review may include, but is not limited to:

- Prioritizing the development review process for projects that provide housing for very low and lower income households;
- Developing a land development issues oversight committee and interdepartmental land development teams, with regular briefings on key issues;
- Training and cross-training for new tools and processes;
- Greater public outreach and education; and

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- Using new technology including on-line permitting, expanded use of geographic information systems, and greater use of the County website.

[Policy HO-1c]

Responsibility:	Planning Department, Building Department, Department of Transportation, and Environmental Management Department
Time Frame:	Within two years of General Plan adoption.

14. MEASURE HO-O

Adopt an infill incentive ordinance to assist developers in addressing barriers to infill development. Incentives could include, but are not limited to, modifications of development standards, such as reduced parking and setback requirements, to accommodate smaller or odd-shaped parcels, and waivers or deferrals of certain development fees, helping to decrease or defer the costs of development. [Policy HO-1e]

Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.

15. MEASURE HO-T

Amend the Planned Development combining zone district to provide adequate developer incentives to encourage inclusion of a variety of housing types for all income levels. [Policy HO-1r]

Responsibility:	Planning Department
Time Frame:	Within one year of General Plan adoption as part of revision to the Zoning Ordinance.

16. MEASURE HO-U

Work with non-profit and for profit developers to adopt development and design standards that would make affordable multifamily housing ministerial, requiring such housing to blend in with the surrounding area. [Policy HO-1p]

Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.

17. MEASURE HO-V

Consider ministerial approval affordable housing. [Policies HO-1f and HO-1p]

Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.

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18. MEASURE HO-Z

Adopt a mobile home park conversion ordinance with measures to encourage retention of mobile home and manufactured home housing, aid in relocation, and provide compensation to owners and residents. The ordinance may consider the following approaches to preserve affordable mobile home housing:

- Provide rent subsidies;
- Grant financial assistance with Community Development Block Grant, tax increment, or other local sources;
- Establish rehabilitation loans to correct health and safety violations;
- Participate with mobile home residents in the state's Mobile Home Park Assistance Program;
- Require adequate notice of any intent to raise rent; and
- Protect current mobile home parks and sites by zoning them for appropriate residential use.

[Policies HO-3a and HO-3d]

Responsibility:	Planning Department and Department of Human Services
Time Frame:	Within two years of General Plan adoption.

19. MEASURE HO-DD

Develop universal design standards to be included in new construction. Such features may include:

- Entrances to homes without steps;
- Hallways and doors that comfortably accommodate strollers and wheelchairs;
- Lever door handles and doors of the appropriate weight;
- Electrical outlets that can be accessed without having to move furniture;
- Rocker action light switches to aide people with a loss of finger dexterity;
- Showers that can accommodate a wheelchair and that have adjustable showerheads to accommodate people of different heights; and
- Varying counter heights.

[Policies HO-4b and HO-4c]

Responsibility:	Planning Department and Building Department
Time Frame:	Within two years of General Plan adoption.

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20. MEASURE HO-EE

Review the Zoning Ordinance, existing policies, permitting practices, and building codes to identify provisions that could pose constraints to the development of housing for persons with disabilities. Adopt an ordinance, pursuant to the Fair Housing Amendments Act of 1988, to establish a process for making requests for reasonable accommodations to land use and zoning decisions and procedures regulating the siting, funding, development and use of housing for people with disabilities. [Policy HO-4c]

Responsibility:	Planning Department and Building Department
Time Frame:	Within three years of General Plan adoption.

21. MEASURE HO-GG

As part of the Zoning Ordinance update, clearly define temporary shelters, transitional housing, and permanent supportive housing and identify zone districts within which temporary shelters or transitional housing may be established by right or by Special Use Permit. Once that exercise is complete, identify suitable sites for establishment of emergency shelters and transitional and permanent supportive housing, with characteristics appropriate for such use, including but not limited to proximity to public services and facilities and accessibility to and from areas where homeless persons congregate. [Policy HO-4d]

Responsibility:	Planning Department and Department of Human Services
Time Frame:	Zoning Ordinance to be updated within one year of General Plan adoption. Identification of sites to begin immediately thereafter.

22. MEASURE HO-JJ

Promote programs that encourage efficient energy use, such as compact urban form, access to non-auto transit, non-traditional design, and use of traffic demand management into new and updated land use plans. [Policy HO-5b]

Responsibility:	Planning Department and Department of Transportation
Time Frame:	Ongoing

23. MEASURE HO-MM

Adopt an ordinance to establish a process for making requests for reasonable accommodations to land use and zoning decisions and to procedures regulating the siting, funding, development, and use of housing for people with disabilities. [Policy HO-4b]

Responsibility:	Planning Department
Time Frame:	Within one year of General Plan adoption.

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24. MEASURE HO-NN

As part of the Zoning Ordinance update, ensure that the permit processing procedures for agricultural employee housing do not conflict with Health and Safety Code Section 17021.6 which states that “no conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing that serves 12 or fewer employees and is not required of any other agricultural activity in the same zone.” The County shall also ensure that such procedures encourage and facilitate the development of housing for agricultural employees.

Responsibility:	Planning Department and Department of Human Services
Time Frame:	Zoning Ordinance to be updated within one year of General Plan adoption

25. MEASURE PS-B

Review the County Code to identify revisions that could accomplish the following:

- A. Require and specify the nature of findings to be made by the approving body that a proposed project is consistent with the long range and capital improvement plans of County and other service providers or, if not consistent, the conditions under which the project can be approved [Policy 5.1.1.2]; and
- B. Require and specify the nature of findings to be made by the approving body that a proposed project meets minimum standards for the provision of emergency services, including emergency water supply and conveyance and emergency access, and emergency service facilities. [Policy 5.1.2.1]

Responsibility:	Planning Department
Time Frame:	Revise County Code within five years of General Plan adoption.

26. POLICY 5.6.1.4 REQUIRES SUP FOR TELECOMMUNICATION FACILITIES IN RESIDENTIAL ZONES.

27. POLICY 5.8.3.1 REQUIRES THAT CHILD DAY CARE FACILITIES BE ALLOWED BY RIGHT IN COMMERCIAL /OFFICE PROJECTS, IN MFR DEVELOPMENT, MIXED USE DEVELOPMENTS, EMPLOYMENT CENTERS AND NEAR TRANSIT FACILITIES.

28. MEASURE PS-H

Work with the Water Agency and water service providers to develop and implement a water use efficiency program for application to existing and new residential, commercial/industrial, and agricultural water users for those areas not served by a water purveyor with an existing water use efficiency program. The program shall include identification of the types of programs that must utilize reclaimed water and address the feasibility of such use, consistent

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with Policy 5.2.1.10. Amend the County Code to include water use efficiency requirements, which may include:

- Water-conserving design and equipment in new construction, including single-family residential developments;
- Water-conserving landscaping and other conservation measures for new residential development;
- Retrofitting existing development with water conserving devices;
- Water-conserving agricultural irrigation practices; and
- Provide information/educational materials regarding water usage and conservation to the public.

[Policies 8.2.1.1 and 5.2.1.12]

Responsibility:	Planning Department, Building Department, and Department of Agriculture
Time Frame:	Develop and implement program within eight years of General Plan adoption.

29. MEASURE PS-O

Develop standards for energy-efficient site development and construction. [Policies 5.6.2.1 and 5.6.2.2]

Responsibility:	Planning Department, Department of Transportation, and Building Department
Time Frame:	Develop standards within four years of General Plan adoption.

30. MEASURE HS-D

Develop and adopt standards to protect against seismic and geologic hazards. [Objective 6.3.1]

Responsibility:	Planning Department, Building Department, and Department of Transportation
Time Frame:	Develop standards within five years of General Plan adoption.

31. MEASURE HS-H

Continue to participate in the Federal Flood Insurance Program, maintain flood hazard maps and other relevant floodplain data made available by other sources, and revise or update this information as new information becomes available. In its review of applications for building permits, discretionary project applications, and capital improvement proposals, the County shall determine whether the proposed project is within the 100-year floodplain based on these data. [Policies 6.4.1.1, 6.4.1.2, and 6.4.1.3]

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Responsibility:	Planning Department, Building Department, Department of Transportation, and General Services Department
Time Frame:	Ongoing

32. MEASURE HS-I

To provide a comprehensive approach to noise control, adopt a Noise Ordinance that includes, but is not limited to, the following:

- A. Procedures to ensure that noise mitigation measures, as determined through an acoustical analysis, are implemented in the project review process and, if determined necessary, through the building permit process;
- B. Procedures to monitor compliance with the standards of the Noise Ordinance after completion of projects where noise mitigation measures were required; and
- C. Application of the noise standards to ministerial projects, with the exception of single-family residential building permits, if not in areas governed by the Airport Comprehensive Land Use Plans.

[Policies 6.5.1.10, 6.5.1.13, and 6.5.1.14]

Responsibility:	Planning Department and Department of Transportation
Time Frame:	Develop ordinance within five years of General Plan adoption.

33. MEASURE HS-K

Review the Zoning Ordinance and identify changes that would accomplish the following:

- A. Include an airport combining zone district for each of the Safety Zones as defined in the comprehensive land use plans for each of the County's public airports. The ordinance shall specify maximum density and minimum parcel size; and
- B. Develop and apply a combining zone district for areas within the 55 dB CNEL of public airports to discourage the placement of incompatible uses within the contour. [Policies 6.5.2.2 and 6.8.1.2]

Responsibility:	Planning Department
Time Frame:	Update Zoning Ordinance within one year of General Plan adoption.

34. MEASURE CO-A

Review the Zoning Ordinance (Title 17 of the El Dorado County Code) to identify revisions that accomplish the following:

- A. Incorporate tree canopy coverage standards outlined in Policy 7.4.4.4;

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- B. Develop standards for use of native plants in landscaping [Policy 7.4.5.2]; *(Note: This Reference is to the 1996 GP; This policy no longer exists. – refer to similar policy 7.4.4.2; rpt)*
- C. Establish Historic Design Control Combining Zone District and design guidelines for reconstruction and construction of new buildings and the demolition of existing buildings in such districts. Adopt an ordinance amendment implementing historic design review requirements and recordation procedures. [Policies 7.5.2.1, 7.5.2.2, and 7.5.2.4];
- D. Develop buffer standards for new nonmining land uses next to existing mining operations [Policy 7.2.2.3];
- E. Develop standards for minimizing erosion and sedimentation associated with earthwork and grading [Policy 7.1.2.2].

Responsibility:	Planning Department
Time Frame:	Update Zoning Ordinance within one year of General Plan adoption.

35. MEASURE CO-K

Work cooperatively with the State Department of Fish and Game, U.S. Fish and Wildlife Service, and Bureau of Land Management to implement the gabbro soils rare plant ecological preserve and recovery program and to develop a long-term preserve strategy. Develop implementation measures to incorporate in County development standards for ministerial and discretionary projects, which may include:

- Identification of compatible land uses within preserve sites, which may include passive recreation, research and scientific study, and interpretive education; and
- Fuels management and fire protection plans to reduce fire hazards at the interface between rare plant preserve sites and residential land uses; and

[Policies 7.4.1.1, 7.4.1.2, and 7.4.1.3 and Objective 7.4.3]

Responsibility:	Planning Department
Time Frame:	Ongoing implementation to continue immediately upon General Plan adoption. Development standards to be incorporated into updated Zoning Ordinance and design standards programs.

36. MEASURE CO-N

Review and update an Important Biological Corridor (-IBC) Overlay land use designation consistent with Policy 7.4.2.9. (AND POLICY 2.2.2.8)

Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.

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37. MEASURE CO-O

Prepare and adopt a riparian setback ordinance. The ordinance, which shall be incorporated into the Zoning Code, should address mitigation standards, including permanent protection mechanisms for protected areas, and exceptions to the setback requirements. The ordinance shall be applied to riparian areas associated with any surface water feature (i.e., rivers, streams, lakes, ponds, and wetlands) and should be prepared in coordination with Measure CO-B. [Policy 7.4.2.5]

Responsibility:	Planning Department
Time Frame:	Within three years of General Plan adoption.

38. MEASURE CO-P

Develop and adopt an Oak Resources Management Plan. The plan shall address the following:

- Mitigation standards outlined in Policy 7.4.4.4;
- Thresholds of significance for the loss of oak woodlands;
- Requirements for tree surveys and mitigation plans for discretionary projects;
- Replanting and replacement standards;
- Heritage/landmark tree protection standards; and
- An Oak Tree Preservation Ordinance as outlined in Policy 7.4.5.1.

[Policies 7.4.4.4 and 7.4.5.1]

Responsibility:	Planning Department
Time Frame:	Within two years of General Plan adoption.

39. MEASURE CO-Q

Develop and adopt a Cultural Resources Preservation Ordinance, consistent with Policy 7.5.1.1.

Responsibility:	Planning Department and Department of Transportation
Time Frame:	Adopt ordinance within two years of General Plan adoption.

40. MEASURE CO-T

Work with the State of California Department of Parks and Recreation to identify the viewshed of Marshall Gold Discovery State Historic Park (Coloma) and establish guidelines for development within that viewshed. [Policy 7.5.2.6]

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Responsibility:	Planning Department
Time Frame:	Identify viewshed within four years of General Plan adoption. Adopt standards within six years.

41. POLICY 7.6.1.3 REQUIRES OS ZONING STANDARDS

42. MEASURE AF-A

Review the Zoning Ordinance (Title 17 of the El Dorado County Code) to identify revisions that accomplish the following:

- A. Provisions that establish minimum densities of and setbacks on lands adjacent to agriculturally-zoned lands and timberlands to protect current and future agricultural and timber production on those lands as set forth below:
 1. 10-acre minimum parcel sizes adjacent to agriculturally-zoned lands [Policy 8.1.3.1];
 2. 200 foot setback adjacent to agriculturally zoned lands [Policies 8.1.1.5 and 8.1.3.2];
 3. 160-acre minimum parcel size for TPZ-zoned lands [Policy 8.3.2.1];
 4. 160-acre minimum parcel size for Natural Resource-designated lands above 3000-foot elevation [Policy 8.3.2.2];
 5. 40-acre minimum parcel size for Natural Resource-designated lands below 3000-foot elevation [Policy 8.3.2.3];
 6. 40-acre minimum parcel size on lands adjacent to timberlands [Policy 8.4.1.1]; and
 7. 200-foot setback adjacent to timberlands [Policy 8.4.1.2].
- B. Update and revise the Right to Farm Ordinance to include a requirement for a mandatory local option real estate transfer disclosure statement on all new parcels created adjacent to agricultural lands requiring the new owner to sign a statement acknowledging that his/her parcel is adjacent to a parcel engaging in agricultural activities and to protect forest management activities [Policies 8.1.1.5, 8.1.3.3, and 8.2.2.4];
- C. Provisions requiring alternative and/or supplemental findings for approval for special use permits to establish additional dwellings for permanent and seasonal agricultural employees [Policy 8.2.3.1];
- D. Provisions to encourage clustering of permitted residential development to minimize loss of choice agricultural soils [Policy 8.1.5.1];
- E. Provisions setting forth appropriate by right, and conditional use permit development to support the agricultural industry [Policies 8.2.2.1, 8.2.4.2, and 8.2.4.3]; and
- F. Standards for the construction of agricultural fencing on residential parcels adjacent to grazing lands [Policy 8.2.2.6].

Responsibility:	Planning Department and Department of Agriculture
Time Frame:	Revise Zoning Ordinance within one year of General Plan adoption.

Exhibit C - General Plan Implementation Program for Zoning Update

43. MEASURE AF-E

Develop and implement a method to identify and officially recognize rangelands currently used for grazing or suitable for sustained grazing of domestic livestock. [Policy 8.1.2.1]

Responsibility:	Department of Agriculture
Time Frame:	Within five years of General Plan adoption.

44. MEASURE AF-J

Complete an inventory of agricultural lands in active production and/or lands determined by the Agricultural Commission to be suitable for agricultural production. Once the inventory is complete, perform a suitability review (consistent with Policies 8.1.1.1, 8.1.1.2, 8.1.1.3, and 8.1.1.4) and amend the Agricultural District boundaries as appropriate. [Policy 8.1.1.7]

Responsibility:	Department of Agriculture and Planning Department
Time Frame:	Within two years of General Plan adoption.

45. POLICY 9.3.9.1 REQUIRES ZONING TO DEAL WITH ENCOURAGING TOURIST RELATED FACILITIES.

46. MEASURE ED-O

Use the final Environmental Impact Report (EIR) for the General Plan as a first tier EIR. Future environmental documents for site specific projects, development code regulations, and specific zoning may rely upon and tier off of this EIR. [Policy 10.1.2.2]

Responsibility:	Planning Department
Time Frame:	Ongoing

47. MEASURE ED-P

Revise the Zoning Ordinance so that classes of permitted uses for commercial, industrial, and research and development uses on lands so designated on the General Plan Land Use Maps, and/or that have been pre-planned through planned developments, specific plans, and other master planned lands, are expanded. [Policy 10.1.2.2]

Responsibility:	Planning Department
Time Frame:	Revise Zoning Ordinance within one year of General Plan adoption.

Exhibit C - General Plan Implementation Program for Zoning Update

48. MEASURE ED-Q

Regulations shall include a means to accomplish regulatory needs with the least interference and/or barriers to business. Interested parties should be invited to participate in the development and review of new regulations. [Policy 10.1.2.4]

Responsibility:	County Counsel, Office of Economic Development, Planning Department, Environmental Management, Department of Transportation, and Building Department
Time Frame:	Concurrent with the Zoning Ordinance update (within one year of General Plan adoption) and Implementation Measure ED-N and ED-R.

49. MEASURE ED-R

The County shall prepare an overview statement for proposed laws or administrative regulations including: (a) the purpose of the law and/or regulation; and (b) the relationship between stated purposes and other adopted laws and/or regulations of the County. [Policy 10.1.2.4]

Responsibility:	County Counsel
Time Frame:	Concurrent with the Zoning Ordinance update (within one year of General Plan adoption) and Implementation Measure ED-N and ED-Q.

50. MEASURE ED-S

All proposed development regulations or ordinances shall demonstrate a public benefit where proposed regulations or ordinances will result in private or public costs. This requirement shall not be construed to create a cause of action against the County for its alleged failure to prepare a formal cost/benefit analysis or its alleged failure to prepare a legally adequate or sufficient cost/benefit analysis. [Policy 10.1.2.4]

Responsibility:	County Counsel
Time Frame:	Ongoing as new ordinances are developed and existing ordinances are updated.

51. MEASURE ED-II

The Zoning Ordinance shall provide for agriculture dependent commercial and industrial uses on lands within Rural Regions. [Policy 10.1.5.4]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

Exhibit C - General Plan Implementation Program for Zoning Update

52. MEASURE ED-JJ

The Zoning Ordinance shall allow the sales and marketing of products grown in El Dorado County and crafts made in El Dorado County in areas designated for agricultural use. [Policy 10.1.5.4]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

53. MEASURE ED-KK

Designate sufficient lands of a size and at locations to accommodate needed retail and commercial development. [Policy 10.1.5.5]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

54. MEASURE ED-MM

Work with the cities of Placerville and South Lake Tahoe to establish a uniform small business licensing application, forms, and instructions for all cities and the County. [Policy 10.1.7.1]

Responsibility:	Office of Economic Development and Planning Department
Time Frame:	Establish uniform program within two years of General Plan adoption. Should be concurrent with Implementation Measures ED-K and ED-M.

55. MEASURE ED-PP

Establish land use regulations that permit by right satellite work centers, home work place alternatives, and home occupations as a means of reducing commutes on U.S. Highway 50. [Policy 10.1.7.3]

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

56. MEASURE ED-QQ

Establish standards in the Zoning Ordinance that provide compatible home businesses that complement residential uses in the Community Regions, Rural Centers, and Rural Regions. [Policy 10.1.7.4]

Exhibit C - General Plan Implementation Program for Zoning Update

Responsibility:	Planning Department
Time Frame:	As part of Zoning Ordinance update, within one year of General Plan adoption.

57. MEASURE ED-RR

Work with developers of Conditions, Covenants, and Restrictions (CC&Rs) to prevent the creation of CC&Rs that preclude home occupations or work-at-home activities. [Policy 10.1.7.4]

Responsibility:	Office of Economic Development and Planning Department
Time Frame:	Ongoing

58. POLICY 10.1.9.1 RELATED TO ZONING AND PERMIT STREAMLINING STRATEGIES.

59. Note: Keep 2nd Unit and TMA provisions in code. (portion of HO-F)

60. Amend Table 2-4 of the General Plan with Zoning Ordinance (PC interpretation direction).

Exhibit C - General Plan Implementation Program for Zoning Update

**TABLE 2-4
GENERAL PLAN LAND USE DESIGNATION AND ZONING DISTRICT CONSISTENCY MATRIX**

Zoning Districts ¹	Land Use Designations ²											
	MFR	HDR	MDR	LDR	RR	AL	NR	C	R&D	I	OS	TR
RM & R2	•											
MP	•	•										
R1 & R20,000		•										
R1A			•									
R2A			•									
R3A		◊	•									
RE-5	◊	◊	◊	•								
RE-10	◊	◊	◊	•	•							
RA-20			◊	•	•	•						
RA-40+			◊	◊	•	•	•					
NS ¹	•	•	•									
CH ¹								•				•
C								•				
CPO, CP, CG								•				
R&D									•	•		
I										•		
IR ¹					•	•	•			•		
A & SA-10				•		•						
PA				•	•	•						
AE				•	•	•	•					
TPZ				◊	•	•	•					
FR ¹				◊	•	•	•					
MR					•	•	•	•		•		
RF	•	•	•	•	•		•	•			•	•
RT	•							•				
CN				•	•						•	
OS	•	•	•	•	•	•	•	•	•	•	•	•
TC	•	•	•	•	•		•	•	•	•	•	•
LEGEND	• ² ◊ ³ – Consistent					Inconsistent						

Notes:
¹ Proposed new zone districts: CH - Highway Commercial; NS - Neighborhood Service; IR - Resource Industrial; and FR - Forest Resource
² Zone district intensity/density of permitted uses within acceptable range of land use designation
³ Zone district intensity/density of permitted uses below the acceptable range of land use designation
* See table below for land use designations and zoning districts

Exhibit D: Preliminary Goals and Objectives for New Code Text

General Goals: (From Crawford Multari & Clark scope of services)

1. Improving clarity and ease of use.
2. Improving format.
3. Streamlining and clarifying procedures.
4. Ensuring consistency with State law.
5. Avoiding/eliminating duplicative processes.
6. Minimizing conflicts between building code and zoning regulations.
7. Identifying sections of the ordinance where Smart Growth/SACOG “Blueprint” principles could be applied.
8. Suggestion for any additional topics that should be considered within the zoning ordinance to address issues/circumstances unique to El Dorado County.
9. The inclusion of zoning interpretations within the new zoning ordinance.

Specific Goals:

10.
 - A. Use January 28, 1999, Public Comment Draft for text editing purposes.
 - B. Modify with consultant recommendations for outline and format.
 - C. Use APA Planning Advisory Service Report Number 460 “Preparing a Conventional Zoning Ordinance.”
11. Follow results of previous steps on flowchart:
 - A. Use Existing Conditions analysis to improve code (separate document as may be amended from time to time).
 - B. Use General Plan Policy and Implementation Measure analysis to ensure compliance with General Plan (separate document, as may be revised from time to time).
 - C. Incorporate information from PC workshops.
 - D. Acknowledge state, federal and other regulations that may preempt, supersede, or alter the code.

Exhibit D: Preliminary Goals and Objectives for New Code Text

12. Incorporate Approved Zoning Ordinances adopted since release of the 1999 Draft:
 - Medical Marijuana (Ord. 4683, 2005);
 - Right to Farm (Ord. 4663, 2005);
 - Agricultural Preserve (AP) Zone (Ord. 4636, 2003);
 - Bear proof containers (4614, 2002);
 - R&D ordinance (schools and churches by SUP; Ord. 4603, 2002);
 - Wireless ordinance (Ord. 4589, 2001);
 - Ranch Marketing and Winery (Ord. 4573, 2001)
 - Missouri Flat Planning Cost Reimbursement (Ord. 4565, 2000)
 - Lighting (Ord. 4564, 2000)
 - Second Residential Unit (limitation on east slope; Ord. 4560, 2000)
 - Meyers CP modification (Ord. 4537 and 4538, 1999)
13. Consider incorporation of additional Zoning Ordinance sections not completed:
 - PD process revisions including expiration tied to Tentative Maps;
 - Flood Zone Ordinance;
 - Cultural Resources Ordinance;
 - Agricultural Employee temporary mobile homes;
 - Mapping Change: old SPRR railroad R.O.W. change to some form of TC.
14. Establish a new webpage, similar to the General Plan update page, to house all documents made available to the public, allow for noticing of upcoming workshops and hearings, FAQs', maps, track amendments, and any helpful links.
15. Review sections from Code Enforcement perspective.
16. As sections are drafted: coordinate "dry run" exercise with:
 - A. Permit Center staff on ministerial scenarios
 - B. Current Planning staff on discretionary scenarios
17. Replacement of General Plan Checklist (2.2.5.20) with development standards.

Exhibit E: Preliminary Goals for Updating Zone District Maps

1. Proposed General Plan amendment to update Land Use maps to clear up:
 - A. Minor errors based on drafting actions.
 - B. Land Use Designation, Community Region Boundary, or overlay inconsistencies.
 - C. Mineral Resource Overlay “eastward shift”/not matching property boundaries.
 - D. Mis-designations where Commercial development exists or has been developed.
 - E. Fine tuning the map in the boundaries areas of Community Regions/Rural Regions/Ag Districts
 - F. Other areas as deemed appropriate

To be processed in two or three steps:

First - Easy or administrative corrections

Second – More major changes, requiring more thorough CEQA review,

Third – Final changes associated with specific direction resulting from necessary changes for final Zoning map adoption such as:

- a. Table 2-4
- b. adding PF land use designation
- c. certain other inconsistencies with existing land use

2. Amend Zoning Maps:
 - A. Consistency with General Plan Land Use Maps
 - B. Consistency with General Plan Table 2-4
 - C. Removal of Zones: (Suggested removal of some zones, to be replaced by others)
 - R20,000 (Suggested revised R1 zone to replace R20,000)
 - U – Unclassified Zone to be replaced by existing or new zones.
 - RA series – Possible change to FR, AG, RE, or other similar zones
 - AA – Unique zone, limited use, to be replaced by AA overlay
 - CN – Unique zone, not used.
 - Others:
 - D. New Zones or modification of Zones:
 - NS – Neighborhood Service Zone (Table 2-4, Policy 2.2.5.8)
 - AG – Agricultural Grazing (Suggested to implement Objective 8.1.2)
 - FR – Forest Resource (Table 2-4, Policy 8.3.1.1)
 - RL – Rural Lands (Suggested replacement for some RE- and RA-zones)

Exhibit E: Preliminary Goals for Updating Zone District Maps

TCA and TCH (Table 2-4, suggested graduated intensity of zones)
RF1 and RF2 (Suggested graduated intensity of zones)
C1, C2, C3 (Suggested graduated intensity of zones)
I1, I2, and IR (Suggested graduated intensity of zones)

E. Addition of Overlay Zones:

SC – Scenic Corridor (Policy 2.6.1.6)
NC – Noise Contour (Policy 6.5.2.2)
AV – Avalanche Hazard (Policy 6.3.2.3)
DFI – Dam Failure Inundation (Policy 6.4.2.1)
EP – Ecological Preserve (Identification of General Plan EP overlay)
MP – Mobile Home Park (Suggested replacement of MP Zone)
N55 – Noise Contour at 55db line around airports (Policy 6.5.2.2)
PL – Platted Lands (Identification of General Plan PL overlay)
TB – Denoting Tahoe Basin Zones

3. Establish general direction for staff to revise zoning maps:

Review exhibit showing General Plan designation with existing zoning and identification of inconsistent zone districts – one draft panel created for discussion.

Discuss alternatives and options.

Amend GP maps first or concurrent with zone maps?

Develop zones for new code; establish rules to change inconsistent zones (Ex: based on inconsistency with GP land use, Table 2-4, and other PC advice); review maps with PC;
Schedule public notice and hearings.