



## ORDINANCE NO. 5026

### THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. El Dorado County Ordinance Code Part B-Land Development Code, Title 120-SUBDIVISIONS, Subpart 1.-Major Land Divisions, Chapter 120.24 Tentative Maps; and Subpart II- Minor Land Divisions, Chapter 120.48 Tentative Maps are hereby amended to read as follows:

#### SUBPART 1. MAJOR LAND DIVISIONS CHAPTER 120.24 / TENTATIVE MAPS

##### **Section 120.24.085. - Notice requirements and procedure.**

- A. Action by the Planning Commission pursuant to Section 120.24.075.A shall be made after a public hearing for which notice has been given as follows:
1. Mailed or delivered at least ten days prior to the hearing to the applicant and all owners of real property as shown on the latest equalized assessment roll within one thousand feet (1,000') of the property which is the subject of the hearing excluding condominium conversions. Expanded notice would be required as follows:
    - a. 2,640 feet (half a mile) notice for residential applications creating between 300 through 999 lots;
    - b. 5,280 feet (one mile) notice for residential applications creating 1,000 lots or more;
  2. Physical posting of notice on the property proposed for development so as to be visible to the public;
  3. For land development with 300 dwelling units and larger, the project application shall require a public outreach plan, as determined by the Development Services Division Director, to be conducted by the applicant to further provide early public notice and input on the development application, subject to review and approval by the Development Services Division Director; and
  4. Published once in at least one newspaper of general circulation at least ten (10) days prior to the hearing.

**SUBPART II.-MINOR LAND DIVISIONS  
CHAPTER 120.48 / TENTATIVE MAPS**

**Section 120.48.065. - Notice requirements and procedure.**

- A. Action by the Development Services Division Director pursuant to Section 120.48.060.A shall be made after a public hearing for which notice has been given as follows;
1. Mailed or delivered at least ten (10) days prior to the hearing to the applicant and all owners of real property as shown on the latest equalized assessment roll within one thousand feet (1,000') of the property which is the subject of the hearing with the exception of condominium conversions.
  2. Published once in at least one (1) newspaper of general circulation at least ten days prior to the hearing.

Section 2. El Dorado County Ordinance Code Part B-Land Development Code, Title 130 ZONING, Subpart 1.-Planned Developments, Chapters 130.04-Procedure, and Subpart II-General Land Use Zoning, Chapter 130.10-Amendments, and Chapter 130.22-Land Use Permit Procedures Article III.-Permit Approval or Disapproval are hereby amended to read as follows:

**Section 130.04.015. - Notice requirements and procedure.**

- A. Action by the Planning Commission pursuant to Section 130.04.005.B.1 shall be made after a public hearing for which notice has been given as follows:
1. Mailed or delivered at least ten (10) days prior to the hearing to the applicant and all owners of real property as shown on the latest equalized assessment roll within one thousand feet (1,000') of the property which is the subject of the hearing or:
    - a. 2,640 feet (half a mile) notice for residential applications creating between 300 through 999 lots;
    - b. 5,280 feet (one mile) notice for residential applications creating 1,000 lots or more;
  2. Physical posting of notice on the property proposed for development so as to be visible to the public;
  3. For land development with 300 dwelling units and larger, the project application may require a public outreach plan as determined by the Development Services Division Director, to be conducted by the applicant, to further provide early public notice and input on the development application, subject to review and approval by the Development Services Division Director; and
  4. Published once in at least one newspaper of general circulation at least ten (10) days prior to the hearing.



**Section 130.10.020. - Commission hearing.**

- A. Following the filing of a verified petition as provided for in Section 130.10.010.A, the executive secretary of the Planning Commission shall designate the time and place of the public hearing on the petition as may be required by law, and shall give notice of the hearing as required by law, subject to the provisions under Section 130.10.040.

The failure of any property owner to receive such notice shall not invalidate the proceedings.

**Section 130.10.040. - Board hearing.**

- A. Upon receipt of the report from the planning commission, the clerk of the board of supervisors shall set the matter for public hearing after notice thereof and of the proposed amendment, given as provided by law, and in addition thereto shall give notice of the time and place of the hearing by mail to all property owners within one thousand feet of the property proposed to be rezoned, excluding condominium conversions, and:
1. 2,640 feet (half a mile) notice for residential applications creating between 300 through 999 lots;
  2. 5,280 feet (one mile) notice for residential applications creating 1,000 lots or more;
  3. Physical posting of notice on the property proposed for development so as to be visible to the public; and
  4. For land development with 300 dwelling units and larger, the project application may require a public outreach plan as determined by the County, to be conducted by the applicant, to further provide early public notice and input on the development application, subject to review and approval by the Development Services Division Director.

The notice shall state the location and present zoning of the property and the nature of the proposed amendment. The notice shall be mailed at least ten days prior to the date of the hearing. The failure of any property owner to receive the notice shall not invalidate the proceedings.

After the conclusion of the hearing, the board of supervisors may adopt the amendment or any part thereof as approved by the planning commission or take any other action it deems appropriate and consistent with the general plan.

**Section 130.22.200. - Notice of hearings.**

Notice for all hearings held pursuant to this chapter shall be given in accordance with the provisions of Government Code Section 65091 (Ord. 4589 §§2, 5, 2001) and as follows:

- A. Action by the approving authority shall be made after a public hearing for which notice has been given as follows:
1. Mailed or delivered at least ten (10) days prior to the hearing to the applicant and all owners of real property as shown on the latest equalized

assessment roll within one thousand feet (1,000') of the property which is the subject of the hearing.

- 2. Published once in at least one newspaper of general circulation at least ten (10) days prior to the hearing.
- 3. For Specific Plans the following notification applies:
  - a. 2,640 feet (half a mile) notice for residential applications creating between 300 through 999 lots;
  - b. 5,280 feet (one mile) notice for residential applications creating 1,000 lots or more;
  - c. Physical posting of notice on the property proposed for development so as to be visible to the public;
  - d. For land development with 300 dwelling units and larger, the project application may require a public outreach plan as determined by the Development Services Division Director, to be conducted by the applicant, to further provide early public notice and input on the development application, subject to review and approval by the Development Services Division Director.

Section 3. This ordinance shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 15<sup>th</sup> day of September, 2015, by the following vote of said Board:

Ayes: Michael Ranalli, Shiva Frentzen, Ron Mikulaco, Brian K. Veerkamp, Sue Novasel

Noes: None  
Absent: None

ATTEST  
JAMES S. MITRISIN  
Clerk of the Board of Supervisors

By   
Deputy Clerk

  
Brian K. Veerkamp, Chair, Board of Supervisors

APPROVED AS TO FORM  
ROBYN TRUITT DRIVON  
COUNTY COUNSEL

  
David A. Livingston,  
Sr. Deputy County Counsel

I CERTIFY THAT:  
THE FOREGOING INSTRUMENT IS A  
CORRECT COPY OF THE ORIGINAL ON  
FILE IN THIS OFFICE

Date \_\_\_\_\_  
ATTEST: JAMES S. MITRISIN, Clerk of the Board of  
Supervisors of the County of El Dorado, State of California.

By \_\_\_\_\_  
Deputy Clerk