



# COMMUNITY DEVELOPMENT SERVICES

## PLANNING AND BUILDING DEPARTMENT

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**Date:** June 24, 2020

**From:** Tiffany Schmid, Director, Planning and Building Department

**Subject:** Staff Interpretation – Zoning Ordinance Section 130.40.180(B)(4)  
Construction timing requirements for mixed use development projects

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### INTERPRETATION

There are no timing provisions relative to the construction of the individual commercial and residential components of mixed use development projects. Either component may be constructed first or both components may be constructed concurrently.

### DISCUSSION

Chapter 130.40 (Specific Use Regulations), Section 130.40.180 (Mixed Use Development), Subsection B (General Requirements), Item 4 of the Zoning Ordinance (Adopted 8/14/2018, Amended 1/8/2019) states that:

On commercially zoned land, the residential component shall be constructed concurrently with or following construction of the commercial component of the project site. On RM zoned land, timing provisions shall not apply.

However, this language was struck from the Land Use Element of the General Plan during the Targeted General Plan Amendment/ Zoning Ordinance Update (TGPA/ZOU) process with the explicit purpose of allowing construction of the residential component of mixed use development project to precede construction of the commercial component, if the applicant so chooses.

The Draft Program Environmental Impact Report (EIR) for the TGPA/ZOU (March 2014; pp. ES-2 and 2-7), includes the following language (*italics added for emphasis*):

Policy 2.2.1.2: Commercial/Residential Mixed Use. The following sentence would be deleted: “The residential component of the project shall only be implemented following or concurrent with the commercial component.” *This would allow residential use to precede commercial development in mixed use projects.*

The following language revisions are indicated in the TGPA/ZOU Proposed Targeted General Plan Amendment (Revised 03/24/14; p. 2).

Policy 2.2.1.2 Commercial (C): The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed use development of commercial lands within Community Regions and Rural Centers which combine commercial and residential uses shall be permitted. ~~The residential component of the project shall only be implemented following or concurrent with the commercial component.~~ Commercially designated parcels shall not be developed with a residential use as the sole use of the parcel unless the residential use is either (1) a community care facility as described in goal HO-4 or (2) part of an approved mixed use development as allowed by Policy 2.1.1.3 and 2.1.2.5, within an area zoned to allow for a mix of uses. Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. ~~Except as provided in Policy 2.2.2.3, t~~ This designation is considered appropriate only within Community Regions, and Rural Centers and Rural Regions.

These changes above are reflected in the Land Use Element (p. 17) in the current General Plan (July 2004; Amended 2019), as follows:

Commercial (C): The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed use development of commercial lands within Community Regions and Rural Centers which combine commercial and residential uses shall be permitted. Commercially designated parcels shall not be developed with a residential use as the sole use of the parcel unless the residential use is either (1) a community care facility as described in goal HO-4 or (2) part of an approved mixed use development as allowed by Policy 2.1.1.3 and 2.1.2.5, within an area zoned to allow for a mix of uses. Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. This designation is considered appropriate within Community Regions, Rural Centers and Rural Regions.

Again, the language in the TGPA/ZOU EIR was explicit that the intent of this modification was to allow residential use to precede commercial development in mixed use projects. Failure to strike this language from the Zoning Code resulted in a conflict between the Zoning Code and the General Plan.

Attachments:

1. Current Mixed Use Development Related Zoning Ordinance Section (130.40.180 Mixed Use Development)
2. Current Related General Plan Land Use Definitions (Objective 2.2.1: Land Use Designations)
3. Related Language from El Dorado County Targeted General Plan Amendment/ Zoning Ordinance Update (TGPA/ZOU) Draft Program Environmental Impact Report (Executive Summary pp. ES-1 through ES-5 and General Plan Policy Amendments pp. 2-6 through 2-14)
4. Proposed Language from Proposed Targeted General Plan Amendment (Revised 03/24/14) (pp. 2 through 4)

**130.40.180 Mixed Use Development**

- A. **Applicability.** Residential development may occur with the commercial development allowed in Chapter 130.22 (Commercial Zones) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title under the use matrices for the zones. Commercial development may occur with residential development allowed in Chapter 130.24 (Residential Zones) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title.
- B. **General Requirements.** The following requirements shall apply to all mixed use development projects:
1. Commercial and residential uses shall be complementary and mutually supportive of each other and shall be integrated into the community or neighborhood where the development is located.
  2. The residential component shall be allowed on separate lots within the development.
  3. The residential component may include a full range of single-unit and/or multi-unit residential design concepts.
  4. **On commercially zoned land, the residential component shall be constructed concurrently with or following construction of the commercial component of the project site. On RM zoned land, timing provisions shall not apply.**
  5. Mixed use development projects may be phased.
  6. Mixed use development may include live/work units. A live/work unit is defined as a single unit consisting of both a commercial/office and a residence that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant.
  7. Mixed use development projects in Community Regions shall require one of the following planning permits:
    - a. Projects designed consistent with the Mixed Use Design Manual, adopted by the Board on December 15, 2015 and reformatted on April 24, 2018 (Resolution 197-2015) shall require a Design Review Permit consistent with Section 130.52.030 (Design Review Permit) in Article 5 (Planning Permit Processing) of this Title.
    - b. All other mixed use projects shall require a Development Plan Permit consistent with Section 130.52.040 (Development Plan Permit) in Article 5 (Planning Permit Processing) of this Title.

8. Mixed use development projects in Rural Centers or the Rural Region shall be encouraged to comply with the standards and guidelines found in the adopted Mixed Use Design Manual.

**C. Development Standards.**

1. At least 30 percent of the gross floor area of the mixed use development project shall be devoted to commercial uses. “Gross floor area” as used within this Section does not include inner courtyards and exterior stairwells or balconies.
2. The maximum density for the residential use component shall be 20 dwelling units per acre in Community Regions and 10 dwelling units per acre in Rural Centers or developments without a public sewer connection.
3. Minimum residential dwelling unit area shall comply with the building code.
4. The gross floor area of commercial use in a mixed use development on RM zoned land shall not exceed 15 percent of the gross floor area of the project.
5. Setbacks: Notwithstanding Sections 130.22.030 (Commercial Zone Development Standards) and 130.24.030 (Residential Zone Development Standards) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title, front setbacks for mixed use development projects shall be as follows:

**Table 130.40.180.1 – Front Setbacks for Mixed Use Development**

<b>Street Classification</b>	<b>Minimum (in feet)</b>	<b>Maximum (in feet)</b>
Major 2-lane Road – Community Region	0	10
Major 2-lane Road – Rural Center and Rural Region	0	5
Local Road	0	5

Mixed use buildings shall have no minimum side and rear setbacks if the building has a fireproof wall with no openings that meets all building and fire code requirements. Otherwise, side and rear setbacks shall be a minimum of five feet.

6. Parking shall be subject to the requirements in Chapter 130.35 (Parking and Loading) and Chapter 130.33 (Landscaping Standards) in Article 3 (Site Planning and Project Design Standards) of this Title. Notwithstanding the requirements of Chapter 130.35 (Parking and Loading), parking shall be required as follows:

**Table 130.40.180.2 – Parking Requirements**

Use type	Minimum standard
Accessory dwelling unit	none
Commercial use	1 space/400 square feet 3 bicycle parking spaces per 2,000 square feet of building space
Civic use	1 space/400 square feet
Industrial use (limited to commercial zone provisions)	1 space/500 square feet 3 bicycle parking spaces per 2,000 square feet of building space
Residential use	1 space/dwelling unit
Live/work	1 space/dwelling unit, plus the lesser of 1 space/400 SF or 1 space for each non-resident employee

- a. On-street parking spaces located within 400 feet of the project may be credited to meet up to 50 percent of the minimum required off-street parking spaces. On-street parking allowed by this provision shall not be counted toward the maximum amount of parking allowed.
- b. The Director may reduce the minimum off street parking requirements by up to 100 percent for mixed-use projects meeting at least one of the following requirements:
  - i. The project is sited within one-quarter mile of a public or private parking lot that can accommodate the off-street requirements.
  - ii. The project developer or owner contributes into a “public parking lot development fund” based upon the number of required off-street parking spaces.

7. On-site pedestrian walkways or sidewalks connecting the residential and commercial components, as well as connecting to adjacent commercial, residential, and civic uses, shall be provided for pedestrian safety.

D. **Findings.** To assure the proposed development meets the intent of this Section for mixed use development the following findings shall be made prior to approving a mixed use project:

- 1. The development contains complementary and connected uses that are mutually supportive of each use, provides a significant functional interrelationship, and are integrated into the community or neighborhood it is located.

2. The development creates an appropriate internal and external human scale, and provides for pedestrian comfort and amenities.
3. The development is an integrated project as to land use, building design, and site layout, with a coherent physical design.

#### **130.40.190 Mobile/Manufactured Homes**

- A. **Applicability.** A mobile or manufactured home (hereinafter referred to as “mobile home”) or a recreational vehicle (RV) may be allowed for temporary or permanent use in compliance with the provisions of Chapter 110.64 (Mobile Home Regulations) of Title 110 (Buildings and Construction) of the County Code of Ordinances, the development standards of the zone, and the provisions of this Section.
- B. **Permit Requirements.**
1. **Residential Dwellings.** In all zones which permit detached, single-unit residential dwellings by right, the permanent placement of mobile homes as primary and/or secondary dwellings shall be allowed by right.
  2. **Temporary While Constructing.** One mobile home or recreational vehicle may be placed on a lot for the purpose of habitation during the construction of a permitted primary dwelling or during major repair of a damaged dwelling that is uninhabitable. A temporary occupancy permit shall be obtained from Building Services for the mobile home or recreational vehicle, and an active building permit must remain in effect for the primary dwelling.
  3. **Hardship Purposes.** One temporary mobile home may be allowed on a lot measuring one acre or larger, in compliance with permit requirements under Section 130.52.050 (Temporary Mobile Home Permit) in Article 5 (Planning Permit Processing) of this Title only when there is an existing primary dwelling and the temporary mobile home is for the following uses:
    - a. To provide temporary housing or shelter for the owner or members of the household and/or to allow for in-home care of household members who reside on the lot.
    - b. To provide caretaker assistance to the elderly or disabled homeowner(s) in their personal care and/or protection of their property. The elderly or disabled homeowner(s) must reside in the primary or secondary dwelling. Under this Section, “elderly” shall mean a person 62 years of age or older.

**OBJECTIVE 2.1.4: OPPORTUNITY AREAS**

**Encourage development and revitalization within designated opportunity areas with a mix of uses that support the County’s jobs/housing balance.**

Policy 2.1.4.1 Facilitate increased density and intensity of development and revitalization in identified Opportunity Areas.

Policy 2.1.4.2 When setting priorities for public infrastructure spending, give particular attention to improvements that will support development and redevelopment within designated Opportunity Areas.

Policy 2.1.4.3 Utilize incentives to promote infill development, revitalization, rehabilitation, and mixed-use projects in designated Opportunity Areas.

Policy 2.1.4.4 Require that projects within Opportunity Areas develop at or above the midpoint of the allowed density unless one or more of the following findings are made:

- The proposed project does not include residential development.
- Residences are integrated vertically in a mixed-use project.
- Site considerations such as parcel size, configuration, environmental resources, or other features make achieving the midpoint infeasible or undesirable.
- Infrastructure constraints make achieving the midpoint impractical.

**GOAL 2.2: LAND USE DESIGNATIONS**

**A set of land use designations which provide for the maintenance of the rural and open character of the County and maintenance of a high standard of environmental quality.**

**OBJECTIVE 2.2.1: LAND USE DESIGNATIONS**

**An appropriate range of land use designations that will distribute growth and development in a manner that maintains the rural character of the County, utilizes infrastructure in an efficient, cost-effective manner, and further the implementation of the Community Region, Rural Center, and Rural Region concept areas.**

Policy 2.2.1.1 The matrix contained in Table 2-1 provides for the relationship and consistency between the General Plan planning concept areas and the land use designations.



**TABLE 2-1  
PLANNING CONCEPT AREAS AND LAND USE DESIGNATION CONSISTENCY MATRIX**

Land Use Designations	Concept Areas		
	Community Regions	Rural Centers	Rural Regions
Multifamily Residential	•	•	
High-Density Residential	•	•	
Medium-Density Residential	•	•	
Low-Density Residential	•	•	•
Rural Residential			•
Agricultural Lands			•
Natural Resource			•
Commercial	•	•	•
Research & Development	•	•	
Industrial	•	•	•
Open Space	•	•	•
Public Facilities	•	•	•
Tourist Recreational	•	•	•

Policy 2.2.1.2 To provide for an appropriate range of land use types and densities within the County, the following General Plan land use designations are established and defined.

Multifamily Residential (MFR): This land use designation identifies those areas suitable for high-density, single family and multifamily design concepts such as apartments, single-family attached dwelling units (i.e., air-space condominiums, townhouses and multiplexes), and small-lot single-family detached dwellings subject to the standards set for in the Zoning Ordinance and which meet the minimum allowable density. Mobile home parks, as well as existing and proposed manufactured home parks, shall also be permitted under this designation. Lands identified as MFR shall be in locations with the highest degree of access to transportation facilities, shopping and services, employment, recreation, and other public facilities. Mixed use development within Community Regions and Rural Centers which combine commercial and residential uses shall be permitted. Except as provided in Objective 2.2.6 (Site Specific Policy), the minimum allowable density is five dwelling units per acre, with a maximum density of 24 dwelling units per acre. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers. (Resolution 199-2018, September 25, 2018)

High-Density Residential (HDR): This land use designation identifies those areas suitable for intensive single-family residential development at

densities from one to five dwelling units per acre. Allowable residential structure types include single-family attached (i.e., air-space condominiums, townhouses) and detached dwellings and manufactured homes. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

Medium-Density Residential (MDR): This land use designation establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. This designation shall be applied where the character of an area is single-family residences; where the absence or reduced level of infrastructure including roads, water lines, and sewer lines does not justify higher densities; where the topography poses a constraint to higher densities; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density shall be one dwelling unit per 1.0 acre. Parcel sizes shall range from 1.00 to 5.00 acres. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

Low-Density Residential (LDR): This land use designation establishes areas for single-family residential development in a rural setting. In Rural Regions, this designation shall provide a transition from Community Regions and Rural Centers into the agricultural, timber, and more rural areas of the County and shall be applied to those areas where infrastructure such as arterial roadways, public water, and public sewer are generally not available. This land use designation is also appropriate within Community Regions and Rural Centers where higher density serving infrastructure is not yet available.

The maximum allowable density shall be one dwelling unit per 5.0 acres. Parcel size shall range from 5.0 to 10.0 acres. Within Community Regions and Rural Centers, the LDR designation shall remain in effect until a specific project is proposed that applies the appropriate level of analysis and planning and yields the necessary expansion of infrastructure.

Rural Residential (RR): This land use designation establishes areas for residential and agricultural development. These lands will typically have limited infrastructure and public services and will remain for the most part in their natural state. This category is appropriate for lands that are characterized by steeper topography, high fire hazards, and limited or substandard access as well as “choice” agricultural soils. The RR designation shall be used as a transition between LDR and the Natural Resource (NR) designation. Clustering of residential units under allowable densities is encouraged as a means of preserving large areas in their natural state or for agricultural production. Typical uses include single-family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is one dwelling unit

per 10 to 160 acres. This designation is considered appropriate only in the Rural Regions.

Agricultural Lands (AL): This designation is applied to lands described in Policy 8.1.1.8. A maximum of two residential dwellings used to support the agricultural use are allowed. The AL designation may be applied in Rural Regions only.

Natural Resource (NR): The purpose of the Natural Resource (NR) designation is to identify areas that contain economically viable natural resources and to protect the economic viability of those resources and those engaged in harvesting/processing of those resources including water resources development from interests that are in opposition to the managed conservation and economic, beneficial use of those resources. The important natural resources of the County include forested areas, mineral resources, important watershed, lakes and ponds, river corridors, grazing lands, and areas where the encroachment of development would compromise these natural resource values. Land under both public and private ownership that contain these resources, including wilderness areas and other lands managed for resource values and multiple use, are included in this category. This designation shall be applied to those lands which are 40 acres or larger in size and contain one or more important natural resource. Compatible uses on private land may include agriculture, rangeland, forestry, wildlife management, recreation, water resources development, and support single-family dwellings. The maximum allowable density for this designation is one dwelling unit per 160 acres or larger outside the National Forest Service lands and within “timber production” areas and one dwelling unit per 40 acres within river canyons outside of the “timber production” areas. This designation is considered appropriate only in the Rural Regions. Isolated parcels outside the National Forest Service lands and below 3,000 feet elevation may be exempt from the one dwelling unit per 160 acre parcel size. If it is determined that such lands are unsuitable for “timber production,” one dwelling unit per 40 acres maximum density can be considered. Any modifications of this land use designation shall require one of the following findings: (1) No important natural resource exists on the property; or (2) If a project is proposed, it will significantly enhance the long-term production and preservation of the on-site resources through the application of development strategies such as fuels management plans, timber management plans, self imposed setbacks buffers, and open space.

Commercial (C): The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed use development of commercial lands within Community Regions and Rural Centers which combine commercial and residential uses shall be permitted. Commercially designated parcels shall not be developed with a residential use as the sole use of the parcel unless the residential use is either (1) a

community care facility as described in goal HO-4 or (2) part of an approved mixed use development as allowed by Policy 2.1.1.3 and 2.1.2.5, within an area zoned to allow for a mix of uses. Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. This designation is considered appropriate within Community Regions, Rural Centers and Rural Regions.

Research & Development (R&D): The purpose of this land use designation is to provide areas for the location of high technology, non-polluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities in a rural or campus-like setting which ensures a high quality, aesthetic environment. This designation is highly appropriate for the business park/employment center concept. Lands designated as R&D can be located in Community Regions and in Rural Centers.

Industrial (I): The purpose of this land use category is to provide for a full range of light and heavy industrial uses. Types of uses that would be permitted include manufacturing, processing, distribution, and storage. Incompatible, non-industrial uses, excluding support services, shall be discouraged. Industrial lands in Rural Regions may have uses which support agriculture, timber resource production, mineral extraction, or other resource utilization. This designation is considered appropriate within Community Regions, Rural Centers and Rural Regions.

Open Space (OS): This land use category can be used to designate public lands under governmental title (County, State Parks, BLM, U.S. Bureau of Reclamation, U.S. Forest Service, etc.), where no development other than that specifically needed for government-related open space uses is desired. This land use includes State parks, ecological preserves, and public lands acquired specifically for open space uses. It may also be used on private lands to maintain natural features within clustered development where a General Plan amendment is processed. This designation is considered appropriate within Community Regions, Rural Centers, and Rural Regions.

Public Facilities (PF): This land use category includes only publicly-owned lands used for public facilities such as sanitary landfills, storage and maintenance yards, regional parks and recreation facilities, fire stations, schools, community parks and recreation facilities, libraries, administration and support buildings, hospitals (including non-profit), airports, transit facilities, water and sewer treatment facilities, etc. This designation is considered appropriate within Community Regions, Rural Centers, and Rural Regions.

Adopted Plan (AP): This land use category recognizes areas for which specific land use plans have been prepared and adopted. These plans (e.g., specific plan or community plan) are accepted and incorporated by this reference, and the respective land use map associated with each such plan

is hereby adopted as the General Plan map for each such area. The plans recognized by the AP category do not include the now-superseded Area Plans that comprised the County's General Plan prior to the adoption of this General Plan. The adopted plan for the Tahoe Basin is the *Regional Plan for the Tahoe Basin* and the Plan Area Statements, both adopted by the Tahoe Regional Planning Agency (TRPA), and the Meyers Area (Community) Plan, adopted by El Dorado County and TRPA.

Tourist Recreational (TR): This land use designation is to provide areas for tourist and resident serving recreational uses, transit and seasonal lodging facilities, and supporting commercial activities. The land use category would have differing intensities of use based on the location. In the Community Regions and Rural Centers where infrastructure exists or can be extended, the uses permitted would be more intense and commercial in nature. In the Rural Regions, uses will be encouraged and defined that are compatible with the rural residential nature of those regions. Types of uses would include campgrounds, golf courses, ski areas, snow parks, riding stables, trail heads, museums, and other similar recreational and sight seeing activities. Lodging uses would include RV parks and other appropriate transit lodging. Tourist recreational activities, facilities, and industries shall be allowed throughout the County; however, specific activities and facilities shall be identified through zoning and permitted by right or special use permit, as appropriate.

Policy 2.2.1.3 The General Plan shall provide for the following range of population densities in the respective land use designation based upon the permitted range of dwelling units per acre and number of persons per acre as shown in Table 2-2 below.

<b>TABLE 2-2 LAND USE DENSITIES AND RESIDENTIAL POPULATION RANGES</b>			
<b>Land Use Designation</b>	<b>Units Per Acre</b>	<b>Persons Per Housing Unit<sup>1</sup></b>	<b>Persons Per Acre</b>
Multifamily Residential	5 – 24	2.3	11.5 - 55.2
High-Density Residential	1 – 5	2.8	2.8 - 19.6
Medium-Density Residential	1 – 0.2	2.8	2.8
Low-Density Residential	0.20 - 0.1 <sup>3</sup>	2.8	0.56 - 0.28
Rural Residential	0.1 – 0.025	2.8	0.28 - 0.07
Agricultural Lands	0.05	2.8	0.14
Natural Resource	0.025 – 0.00625	2.8	0.07 - 0.0175
Commercial	20/10 <sup>2</sup>	2.3	46/23
Research & Development	–	–	–
Industrial	–	–	–
Open Space	–	–	–
Public Facilities	–	–	–
Tourist Recreational	–	–	–
<b>Notes:</b>			
<sup>1</sup> 1990 U.S. Census			
<sup>2</sup> Maximum of 20 units per acre in Community Regions; maximum of 10 units per acre in Rural Centers			
<sup>3</sup> Policy 5.2.3.5 requires an average of 5-acre minimum parcels if ground water dependent. Parcel may be subdivided to create one new parcel not less than 4.5 acres in size under this policy as allowed by Title 16.44.120(L).			

Policy 2.2.1.4      The population densities described in Policy 2.2.1.3 are representative of land use designations permitting residential use which are considered permanent population. These population densities are not to be construed to apply to recreational facilities, campgrounds, or other transitory populations.

Policy 2.2.1.5 The General Plan shall provide for the following building intensities in each land use designation as shown in Table 2-3:

<b>TABLE 2-3 BUILDING INTENSITIES</b>	
<b>Land Use Designation</b>	<b>Floor Area Ratio*</b>
Multifamily Residential	
High-Density Residential	
Medium-Density Residential	
Low-Density Residential	
Rural Residential	
Natural Resource	
Commercial	.85
Research & Development	.50
Industrial	.85
Open Space	
Public Facilities	
Tourist Recreational	
<p>* Ratio of allowable floor area (square footage) to site area (square footage). The FAR can be calculated over an entire integrated development rather than on a project-by-project basis under the following circumstances: 1) the aggregate average FAR within applicable land use designations does not exceed the General Plan maximum; or 2) satisfactory evidence is provided that demonstrates on a site-specific basis that measures will be imposed to keep traffic at levels associated with the applicable FAR threshold.</p>	

TABLE 2-4 GENERAL PLAN LAND USE DESIGNATION AND ZONING DISTRICT CONSISTENCY MATRIX													
Zoning Districts <sup>*</sup>	Land Use Designations <sup>*</sup>												
	MFR	HDR	MDR	LDR	RR	AL	NR	C	R&D	I	OS	PF	TR
RM	•							• <sup>1</sup>				•	
R1		•	Δ									•	
R20K		•										•	
R1A		•	•									•	
R2A			•									•	
R3A		◊	•									•	
RE (-5-10)			• <sup>2</sup>	•	• <sup>2</sup>							•	
CPO								•				•	
CL								•				•	
CM								•				•	
CC								•				•	
CR								•				•	
CRU												•	
CG								•				•	
R&D									•	•		•	
IL										•		•	
IH					•	•	•			•			
LA (10-160)				• <sup>4</sup>	•	•	•				• <sup>3</sup>	•	
PA				• <sup>4</sup> ★	•	•	•				• <sup>3</sup>	•	
RL (10-160)				• <sup>4</sup>	•	•	•				• <sup>3</sup>	•	
AG (40-160)				★	•	•	•				• <sup>3</sup>	•	★
TPZ				•	•	•	•						
FR					•	•	•					•	
RFL	•	•	•	•	•		•				•	•	•
RFH	•	•						•			• <sup>5</sup>	•	•
OS	•	•	•	•	•	•	•				•		•
TC	•	•	•	•	•	•	•	•	•	•	•	•	•

**Notes:**  
 • – Consistent with General Plan Policy  
 Δ - Consistent when combined with the Platted Lands (-PL) Overlay Only  
 ★ - Consistent when in a Williamson Act Contract  
<sup>1</sup> As part of a Mixed Use project  
<sup>2</sup> MDR is for 5 acres only; RR is for RE-10 only  
<sup>3</sup> With a conservation easement  
<sup>4</sup> LA-10, PA-10 and RL-10 only  
<sup>5</sup> When inside a Community Region  
 \* See table on next page for land use designations and zoning districts

(Resolution 126-2019, August 6, 2019)



LAND USE DESIGNATIONS AND ZONING DISTRICTS			
Land Use Designations		Zone Districts, Continued	
MFR	Multifamily Residential	CPO	Professional Office Commercial
HDR	High-Density Residential	CL	Limited Commercial
MDR	Medium-Density Residential	CM	Mainstreet Commercial
LDR	Low-Density Residential	CC	Community Commercial
RR	Rural Residential	CR	Regional Commercial
		CRU	Rural Commercial
AL	Agricultural Lands	CG	General Commercial
NR	Natural Resource	R&D	Research and Development
C	Commercial	IH	Industrial High
R&D	Research & Development	IL	Industrial Low
I	Industrial	LA	Limited Agricultural
OS	Open Space	PA	Planned Agricultural
PF	Public Facilities	RL (10-160)	Rural Lands
TR	Tourist Recreational		
<b>Zone Districts</b>		AG (40-160)	Agricultural
RM	Multifamily Residential	TPZ	Timberland Preserve Zone
R1	One-family Residential	FR	
R20,000	One-half Acre Residential	RFL	Recreational Facilities Low
R1A	One-acre Residential	RFH	Recreational Facilities High
R2A	Single-family Two-acre Residential	OS	Open Space
R3A	Single-family Three-acre Residential	TC	Transportation Corridor
RE-5	Estate Residential Five-acre		
RE-10	Estate Residential Ten-acre		
(Zone Districts continued in next column)			

(Resolution 126-2019, August 6, 2019)

**OBJECTIVE 2.2.2: OVERLAY LAND USE DESIGNATIONS**

**Establishment of overlay designations to provide additional direction for the development of land where circumstances apply generally to the lands regardless of the underlying land use designations.**

Policy 2.2.2.1 The following General Plan overlay designations are included:

- A. Agricultural Districts
- B. Platted Lands

## Executive Summary

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### ES.1 Project Overview and Brief Description

El Dorado County (County) is proposing targeted amendments to certain General Plan policies and land use designations (TGPA) and a comprehensive update to the Zoning Ordinance (ZOU). The TGPA and the ZOU considered together (TGPA/ZOU) constitute the proposed project (project) under the California Environmental Quality Act (CEQA). The preliminary draft TGPA and draft comprehensive ZOU were circulated for public review and comment. Comments received during the review process were taken into consideration in the proposed TGPA and ZOU.

The project does not include any site-specific development proposals, although it does include adoption of guidelines for mixed-use development. Rather, it is limited to amendments to General Plan policies and a comprehensive revision of the Zoning Ordinance. Consequently, the project will not have any direct impacts on the environment. This Draft Environmental Impact Report (DEIR) examines the project's indirect impacts: reasonably foreseeable outcomes of future development that would rely upon the amended general plan policies or updated Zoning Ordinance.

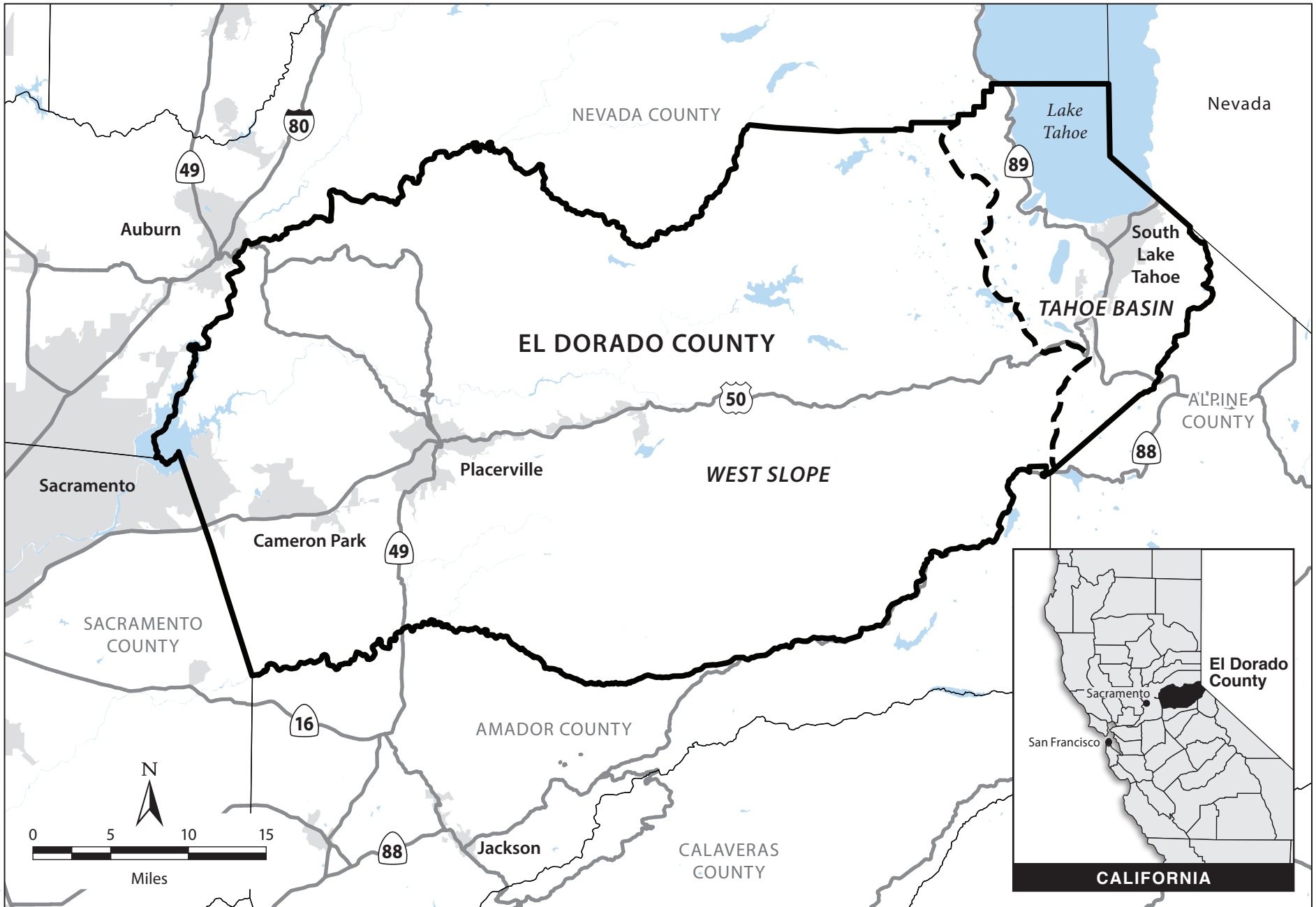
The following is a brief description of the project. More detailed information is available in Chapter 2, *Project Description*. Figure ES-1 shows the regional location of the project.

#### ES.1.1 TGPA

The TGPA consists of a limited set of amendments to the County's adopted General Plan.

- **Map corrections.** The TGPA includes a limited number of corrections to Land Use Map errors on individual parcels (approximately one tenth of one percent of the existing parcels) discovered subsequent to the adoption of the General Plan in 2004.
- **Camino/Pollock Pines Community Region.** The existing Community Region is proposed to be split into three Rural Centers to better reflect the character of the communities of Camino, Cedar Grove, and Pollock Pines. Together, the Rural Centers would encompass the same area as the Community Region. No changes are being proposed to land use designations on individual parcels.
- **Agricultural District Boundaries.** The Agricultural District overlay applies in combination with another land use designation to identify rural areas that are important to the county's agricultural economy. The total current acreage of the Agricultural Districts is 49,141. The TGPA would add 17,241 acres to the Districts and remove 137 acres that have been determined unsuitable for agricultural use. Including a parcel in or excluding a parcel from the Agricultural District overlay does not change the underlying General Plan land use designation.
- **Policy 2.1.1.3.** Commercial/Mixed Use (in Community Regions). This policy would increase the maximum density for the residential portion of mixed-use projects in Community Regions from 16 dwelling units per acre to 20 dwelling units per acre.
- **Policy 2.1.2.5.** Commercial/Mixed Use (in Rural Centers). This policy would increase the maximum density for the residential portion of mixed-use projects in Rural Centers from 4 dwelling units per acre to 10 dwelling units per acre.

- **Policy 2.2.1.1 and Table 2-1.** Commercial and Industrial. The General Plan states that commercial designations are “considered appropriate only within Community Regions and Rural Centers.” Industrial designations are allowed in Community Regions and Rural Centers, but in Rural Regions only when “constrained to uses which support on-site agriculture, timber resource production, mineral extraction, or other resource utilization.”
- The TGPA would amend current policy restrictions that prohibit commercial and industrial land use designations in the Rural Regions.
- **Policy 2.2.1.2.** Commercial/Residential Mixed Use. The following sentence would be deleted: “The residential component of the project shall only be implemented following or concurrent with the commercial component.” This would allow residential use to precede commercial development in mixed-use projects.
- **Policy 2.2.1.2.** Industrial. The requirement that industrial lands be restricted to areas within, or in close proximity to Community Regions and Rural Centers would be deleted. The requirement that industrial lands in rural regions have more limited industrial uses—for support of agriculture and natural resource uses—would be deleted.
- **Policy 2.2.1.2.** Multifamily Residential (MFR). The minimum allowable density for the MFR designation in the current General Plan is 5 dwelling units per acre, with a maximum density of up to 24 dwelling units. The TGPA would amend the MFR designation to encourage a full range of housing types including small lot, single-family detached design without a requirement for a planned development. The project would specify that mixed-use development within Community Regions and Rural Centers that combine commercial and residential uses shall be permitted under the MFR designation.
- **Policy 2.2.1.2.** High Density Residential. The requirement for a planned development application on projects of three or more dwelling units per acre to allow for additional moderate-income housing options would be deleted.
- **Policy 2.2.1.2.** The policy to refer to General Plan Objective 7.6.1 and to allow for additional moderate income housing options would be amended.
- **Table 2-2.** Land Use Densities and Residential Population Ranges. This table would be amended to reflect the above increases in maximum residential densities for commercial/residential mixed use from 16 to 20 dwelling units per acre. The proposal circulated with the Notice of Preparation also included increasing density for multifamily residential from 24 to 30 dwelling units per acre; however, that proposal has been abandoned.
- **Policies 2.2.3.1, 2.2.3.2, and 2.2.5.4.** The 30% open space requirement for Planned Development in Community Regions and Rural Centers to allow less than 30% of “improved open space” on site would be amended.
- **Table 2-4.** General Plan Land Use Designation and Zoning District Consistency Matrix. This table would be amended as necessary to reflect Zoning Ordinance Update revisions.
- **Policy 2.2.4.1.** Density Bonus. The density bonus criteria would be amended for clarity and consistency with General Plan policies 2.2.3.1 and 2.2.3.2, which establish additional criteria required to qualify for a residential density bonus.
- **Policy 2.2.5.4.** Planned Development. This policy, requiring a Planned Development application on projects requesting the creation of 50 parcels or more to allow for additional moderate-income housing, would be deleted.



Graphics ... 0010312 (11-6-12)



**Figure ES-1**  
**Regional Location**



- **Policy 2.2.5.8.** Neighborhood Services zoning district. The policy creating the Neighborhood Services zoning district and allowing for neighborhood service uses to be met in related commercial and residential zones would be deleted.
- **Policy 2.2.5.10.** Agricultural Support Services. The policy that requires a special use permit for agriculture support services would be amended; standards and permit requirements for such uses would be incorporated into the Zoning Ordinance.
- **Policy 2.4.1.3.** Design Historic (-DH) combining zone district for Clarksburg. The policy would be amended to recognize the historical town sites of El Dorado and Diamond Springs.
- **Policy 2.5.2.1.** Mixed-use development would be allowed in neighborhood commercial centers. Currently, this policy allows residential use on the second story, but does not mention mixed use by name.
- **Policies 2.9.1.2, 2.9.1.3, and 2.9.1.4.** Five-year Amendment Intervals. Criteria for establishing Community Region and Rural Center boundaries would be amended by deleting the restriction that boundaries can be amended every 5 years; this revision would allow revisions to the boundaries to be initiated by Board of Supervisors whenever necessary.
- **New Policy 2.1.4.5.** This policy would set criteria for and identify infill sites and opportunity areas and provide, through an implementation measure, incentives for development of these vacant/underutilized areas. Implementation may support the use of mixed-use and “form-based” codes. These policy changes would not include amending the land use designations or increasing the densities currently provided for in the General Plan.
- **Policies TC-1a, TC-1b, and Table TC-1.** County Roadway Standards. These policies and table in the Transportation and Circulation Element would be revised to allow for narrower streets and roadways when needed to accommodate “complete streets” per state law or mixed-use development.
- **Policies TC-1m, TC-1n(B), TC-1w.** Road Improvements. These policies would be amended to make minor modifications to clarify language: TC-1m—delete “of effort”; TC-1n(B)—replace “accidents” with “crashes” to be consistent with transportation industry standard language; and TC-1w—delete “maximum.”
- **Table TC-2, Policy TC-Xb, and Policy TC-Xd.** Level of Service Standards. This revision entails moving Table TC-2 to another document; if it is moved, all references to TC-2, including the references in TC-Xb and TC -Xd, would be amended.
- **Policy TC-Xb (C).** Roadway Capacity. This would be a minor amendment to refer to “Figure TC-1” when referencing the circulation diagram.
- **Policy TC-Xg.** Right of Way Dedications. This amendment would clarify the requirement that development may be required to dedicate right-of-way, fund design and construction, and/or fund all improvements necessary to mitigate the effects of traffic from the project.
- **Policy TC-Xi.** Planning for U.S. Highway 50 Widening. This policy would be amended to allow for coordination of regional projects to be delivered on a schedule agreed to by related regional agencies, thereby excluding regional projects from the scheduling requirements of the policies of the General Plan.
- **Policies TC-4a, TC-4d, and TC-4f.** Bicycle Routes. Language in these policies would be amended to ensure consistency with subsequently adopted documents and plans.

- **Policies TC 4i, TC-5a, TC-5b, and TC-5c.** Paths and Sidewalks. These policies would be amended to provide more flexibility as to when sidewalks are required. Requirements and enforcement would be included in subsequently adopted design standards and guidelines.
- **New Goal and associated policies.** A goal and policies would be added to provide for CEQA streamlining opportunities for qualified projects that are consistent with the Metropolitan Transportation Plan.
- **New Policy.** A new policy would be added to support the development of new or substantially improved roadways to accommodate all users—bicyclists, pedestrians, transit riders, children, older people, and disabled people, as well as motorists—to comply with the requirements of the Complete Streets Act of 2008. An implementation measure would be added to update the applicable manuals and standard plans to incorporate elements in support of all users.
- **Objectives 5.1.1, 5.1.2, and Table 5-1.** Planned Adequate Infrastructure. The Public Services and Utilities policies and table would be amended as needed to clarify that the Board has final authority when determining minimum level of service requirements consistent with General Plan objectives, standards, and related policies.
- **Policy 6.4.1.4 and 6.4.1.5.** New Parcels in Flood Hazard Areas. Reference to the flood insurance rate maps would be removed from these policies to address recommendations by the Office of Emergency Services and Homeland Security regarding dam failure inundation.
- **Policy 6.5.1.11.** Noise Standards; Tables 6-3 through 6-5, Establish Noise Standards. This amendment would exempt construction activities occurring from 7 a.m. to 7 p.m. during the week or from 8 a.m. to 5 p.m. on weekends and holidays from those standards. In addition, the amendment would fully exempt public projects to alleviate traffic congestion and safety hazards from those noise standards. No changes to the tables are proposed.
- **Objective 6.7.1 and 6.7.5.** These objectives would be amended to reflect updated air quality plan opportunities and add new policies and implementation measure that support the adoption of an Air Quality—Energy Conservation Plan.
- **Policy 7.1.2.1.** Restriction on Developing Slopes of 30%. The policy that prohibits development on slopes of 30% or steeper would be amended to correspond with policy 2.3.2.1 discouraging development on 30% slopes or steeper and to set standards in the Zoning Ordinance and Grading Ordinance.
- **Policy 7.2.1.2 and 7.1.2.3.** Mineral Resources. These policies would be amended to clarify which mineral resource zones are required to be mapped.
- **Objective 7.6.1.3(B).** Specific references to Agricultural (A), Exclusive Agricultural (AE), Agricultural Preserve (AP), Residential-Agricultural (RA), and Select Agricultural (SA-10) zone districts would be deleted to conform to the new agricultural zones proposed in the ZOU.
- **Objective 7.6.1.3(D).** “Residential agricultural” would be deleted from the list of zoning regulations that provide for maintenance of permanent open space.
- **Policy 8.1.1.6.** Williamson Act Parcels. The policy requiring parcels encumbered by a Williamson Act Contract to be zoned Exclusive Agriculture (AE), pursuant to the California Land Conservation Act, would be deleted. The ZOU establishes new agricultural zones that can accommodate lands encumbered by Williamson Act contracts.

- **Policy 8.1.3.2.** This policy would be amended to provide a limited agricultural buffer for lands within a community region by adding language from Policy 8.4.1.2.
- **Policy 8.2.4.2.** Special Use Permit. This policy would be amended to eliminate the requirement for a special use permit for all visitor-serving uses, and instead would establish standards, permitted uses, and requirements for permits in the various zone districts in the Zoning Ordinance.
- **Policy TC-1y.** The El Dorado Hills Business Park employment cap limits would be analyzed to consider amending or deleting them.
- **Policies TC-Xd, TC-Xe and TC-Xf.** Level of Service Standards. These policies would be amended to clarify the definition of “worsen”; to clarify what is required if a project “worsens” traffic; to identify the methodology for traffic studies (e.g., analysis period, analysis scenarios, methods); and to identify the timing of improvements.
- **Policy 8.1.1.6.** Williamson Act Parcels. This policy would be amended to eliminate requirement for parcels encumbered by a Williamson Act Contract to be zoned Exclusive Agriculture (AE), to be consistent with the ZOU.
- **Policy 8.2.4.4.** This policy provides that Ranch Marketing, Winery, and visitor-serving uses (agricultural promotional uses) are permitted on agricultural parcels, subject to a compatibility review to ensure that the establishment of the use is secondary and subordinate to the agricultural use and will have no significant adverse effect on agricultural production on surrounding properties. The proposal considers amending the policy to allow for ranch marketing activities on grazing lands.

## ES.1.2 ZOU

- County-Initiated Zone Changes. State Planning and Zoning Law requires the County’s Zoning Ordinance to be consistent with the General Plan. The ZOU proposes limited zone changes on individual parcels to reflect the General Plan designations for those sites. Where more than one zone classification would be consistent with the General Plan, the most restrictive zone would be applied.
- The zoning map would be amended to include a historical overlay zone district to the historical townsites of El Dorado and Diamond Springs, consistent with adopted General Plan and Zoning Ordinance policies.
- Zones were added and deleted as needed to ensure that the Zoning Ordinance is consistent with applicable state and federal laws, as well as the General Plan policies. The following new zones were added: Rural Lands (RL), Forest Resources (FR), Agricultural Grazing (AG), Limited Agriculture (LA), Commercial Regional (CR), Commercial Community (CC), Commercial Limited (CL), Commercial Main Street (CM), Industrial Light (IL), Industrial Heavy (IH), Recreation Facility—Low (RFL), and Recreation Facility—High (RFH). The following zones were deleted: Unclassified (U), Agriculture (A), Residential-Agricultural (RA), Exclusive Agriculture (AE), Select Agricultural (SA), Agricultural Preserve (AP), General Commercial (CG), Planned Commercial (CP), Limited Multifamily (R2), Tourist Residential (RT), and Residential Agricultural (RA). Combining zone districts (e.g., Historical, Community Design) would be created to identify land that needs additional protection of resources or protection of public health and safety, and a review process would be established to more effectively implement General Plan policies and related ordinances.



parcels now within Agricultural Districts will be removed from those districts, based on the Policy 8.1.1.2 criteria (see Figure 2-4).

The total current acreage of the Agricultural Districts is 49,141. The total acreage proposed to be added with the project is 17,241, and 137 acres are proposed to be removed. The County Agricultural Commission has identified the parcels to be added and the parcels to be removed through a public process that included notifying the affected landowners and offering them the opportunity to contest the Commission's preliminary determination. All contested parcels were addressed during the May 2010 Agricultural Commission meeting. Table 2-1 summarizes the proposed changes to the Agricultural Districts.

- Land Use Map Corrections.** State planning and zoning law requires the County's Zoning Ordinance, including the zoning map, to be consistent with the General Plan land use map (Government Code Section 65860). In the process of bringing the zoning map into conformance with the General Plan, errors in the General Plan land use map were discovered. The project would include both changes to the zoning map through the ZOU and limited land use map clean-up through the TGPA (Figures 2-5a-5l).

**Table 2-1. El Dorado County Agricultural District Changes**

Ag District	Parcels Identified for Addition				Parcels Identified for Removal			
	# of Proposed Additions	Acres	# of Contested Parcels <sup>a</sup>	Acres	# of Proposed Removals	Acres	# of Contested Parcels <sup>a</sup>	Acres
Camino-Fruitridge	25	990	4	294	0	0	0	0
Gold Hill	7	316	0	0	24	92	3	16
Oak Hill	6	299	0	0	0	0	0	0
Pleasant Valley	27	650	0	0	1	20	0	0
Coloma	8	1,163	0	0	0	0	0	0
Garden Valley - Georgetown East	65	3,291	0	0	0	0	0	0
Fair Play- Somerset (1st Half)	82	4,628	0	0	71	25	0	0
Fair Play- Somerset (2nd Half)	259	5,904	4	148	0	0	0	0
<b>Total</b>	<b>479</b>	<b>17,241</b>	<b>8</b>	<b>442</b>	<b>96</b>	<b>137</b>	<b>3</b>	<b>16</b>

Source: El Dorado County Department of Agriculture and Weights and Measures 2010.

<sup>a</sup> A contested parcels is one for which the landowner contested the Planning Commission's preliminary determination to add or remove the parcel from Agricultural Districts.

## General Plan Policy Amendments

The proposed General Plan policy amendments are listed below.

*Policy 2.1.1.3: Commercial/Mixed Use (in Community Regions).* This policy would increase the maximum density for the residential portion of mixed-use projects in Community Regions from 16 dwelling units per acre to 20 dwelling units per acre to be consistent with 2009 amendments to State planning law (Government Code Section 65583.2(c)(B)(3)). The maximum residential

density of 20 dwelling units per acre may only be achieved where adequate infrastructure, such as water, sewer and roadway are available or can be provided concurrent with development.

*Policy 2.1.2.5: Commercial/Mixed Use (in Rural Centers).* This policy would increase the maximum density for the residential portion of mixed use projects in Rural Centers from 4 dwelling units per acre to 10 dwelling units per acre.

*Policy 2.2.1.1 and Table 2-1: Commercial and Industrial.* The General Plan states that commercial designations are “considered appropriate only within Community Regions and Rural Centers.” Industrial designations are allowed in Community Regions and Rural Centers, but in Rural Regions only when “constrained to uses which support on-site agriculture, timber resource production, mineral extraction, or other resource utilization.”

The TGPA proposes to change current policy restrictions that prohibit commercial and industrial land use designations in the Rural Regions.

*Policy 2.2.1.2: Commercial/Residential Mixed Use.* The following sentence would be deleted: “The residential component of the project shall only be implemented following or concurrent with the commercial component.” This would allow residential use to precede commercial development in mixed use projects.

*Policy 2.2.1.2: Industrial.* The requirement that industrial lands be restricted to areas within, or in close proximity to Community Regions and Rural Centers would be deleted. The requirement that industrial lands in rural regions have more limited industrial uses—for support of agriculture and natural resource uses—would be deleted

*Policy 2.2.1.2: Multifamily Residential (MFR).* The minimum allowable density for the MFR designation in the current General Plan is 5 dwelling units per acre, with a maximum density of up to 24 dwelling units. The project would increase the designation’s minimum density to eight units per acre with an optional review but retain the current maximum density of 24 units per acre<sup>1</sup>. The project would amend the MFR designation to encourage a full range of housing types including small lot, single-family detached design without a requirement for a planned development. The project would specify that mixed-use development within Community Regions and Rural Centers that combine commercial and residential uses shall be permitted under the MFR designation.

*Policy 2.2.1.2: High Density Residential.* The requirement for a planned development application on projects of three or more dwelling units per acre to allow for additional moderate income housing options would be deleted.

*Policy 2.2.1.2: Open Space.* The policy to refer to General Plan Objective 7.6.1 and to allow for additional moderate income housing options would be amended.

*Policies 2.2.3.1, 2.2.3.2, and 2.2.5.4: Open Space.* Amend the 30% open space requirement for Planned Development in Community Regions and Rural Centers to allow less than 30% of “improved open space” on site.

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<sup>1</sup> The prior proposal to increase the MFR density to 30 units per acre described in the NOP for the DEIR was based on the belief that this was necessary in order for the housing element to accommodate the county’s fair share of the regional housing need. After adoption of the Housing Element in late October 2013 and its ratification by the California Department of Housing and Community Development later that year, it is clear that the density is not needed in order to meet state law. Therefore, that part of the project is no longer being pursued.

*Table 2-4: General Plan Land Use Designation and Zoning District Consistency Matrix:* This table would be amended as necessary to reflect Zoning Ordinance Update revisions.

*Policy 2.2.4.1: Density Bonus.* The density bonus criteria would be amended for clarity and consistency with General Plan policies 2.2.3.1 and 2.2.3.2, which establish additional criteria required to qualify for a residential density bonus.

*Policy 2.2.5.4: Planned Development.* This policy, requiring a Planned Development application on projects requesting the creation of 50 parcels or more to allow for additional moderate-income housing, would be deleted.

*Policy 2.2.5.8: Neighborhood Services zoning district.* The policy creating the Neighborhood Services zoning district and allowing for neighborhood service uses to be met in related commercial and residential zones would be deleted.

*Policy 2.2.5.10: Agricultural Support Services.* The policy that requires a special use permit for agriculture support services would be amended; standards and permit requirements for such uses would be incorporated into the Zoning Ordinance.

*Policy 2.4.1.3: Design Historic (-DH) combining zone district for Clarksburg.* The policy would be amended to recognize the historical town sites of El Dorado and Diamond Springs.

*Policy 2.5.2.1: Mixed-use development* would be allowed in neighborhood commercial centers. Currently, this policy allows residential use on the second story, but does not mention mixed use by name.

*Policies 2.9.1.2, 2.9.1.3, and 2.9.1.4: Five-year Amendment Intervals.* Criteria for establishing Community Region and Rural Center boundaries would be amended by deleting the restriction that boundaries can be amended every 5 years; this revision would allow revisions to the boundaries to be initiated by Board of Supervisors whenever necessary.

*New Policy 2.4.1.5.* This policy would set criteria for and identify infill sites and opportunity areas and provide, through an implementation measure, incentives for development of these vacant/underutilized areas. Implementation may support the use of mixed-use and “form-based” codes. These policy changes would not include amending the land use designations or increasing the densities currently provided for in the General Plan.

*Policies TC-1a, TC-1b, and Table TC-1: County Roadway Standards.* These policies and table in the Transportation and Circulation Element would be revised to allow for narrower streets and road ways and to support the development of housing affordable to all income levels and to further support the objectives found in policies TC-1p, TC-1r, TC-1t, TC-1u, TC-1w, TC-4f, TC-4i, HO-1.3, HO-1.5, HO-1.8, HO-1.18, HO-5.1, and HO-5.2. This will involve adding an exception to Table TC-1 to allow deviations from the standards when needed to accommodate “complete streets” pursuant to state law or for mixed-use developments.

*Policies TC-1m, TC-1n(B), TC-1w: Road Improvements.* These policies would be amended to make minor modifications to clarify language: TC-1m—delete “of effort”; TC-1n(B)—replace “accidents” with “crashes” to be consistent with transportation industry standard language; and TC-1w—delete “maximum.”

*Table TC-2, Policy TC-Xb, and Policy TC-Xd: Level of Service Standards.* This revision entails moving Table TC-2 to another document; if it is moved, all references to TC-2, including the references in TC-Xb and TC -Xd, would be amended.

*Policy TC-Xb (C): Roadway Capacity.* This would be a minor amendment to refer to “Figure TC-1” when referencing the circulation diagram.

*Policy TC-Xg: Right of Way Dedications.* This amendment would clarify the requirement that development may be required to dedicate right-of-way, fund design and construction, and or fund all improvements necessary to mitigate the effects of traffic from the project.

*Policy TC-Xi: Planning for U.S. Highway 50 Widening.* This policy would be amended to allow for coordination of regional projects to be delivered on a schedule agreed to by related regional agencies, thereby excluding regional projects from the scheduling requirements of the policies of the General Plan.

*Policies TC-4a, TC-4d, and TC-4f: Bicycle Routes.* Language in these policies would be amended to ensure consistency with subsequently adopted documents and plans.

*Policies TC 4i, TC-5a, TC-5b, and TC-5c: Paths and Sidewalks.* These policies would be amended to provide more flexibility as to when sidewalks are required. Requirements and enforcement would be included in subsequently adopted design standards and guidelines.

*Policy TC-1y: Employment Cap.* The El Dorado Hills Business Park employment cap limits would be analyzed and either amended or deleted.

*Policies TC-Xd, TC-Xe and TC-Xf: Level of Service Standards.* These policies would be amended to clarify the definition of “worsen”; to clarify what is required if a project “worsens” traffic; to identify the methodology for traffic studies (e.g., analysis period, analysis scenarios, methods); and to identify the timing of improvements.

*New Goal and associated policies.* A goal and policies would be added to provide for CEQA streamlining opportunities for qualified projects that are consistent with the Metropolitan Transportation Plan.

*New Policy.* A new policy would be added to support the development of new or substantially improved roadways to accommodate all users, including bicyclists, pedestrians, transit riders, children, older people, and disabled people, as well as motorists, to comply with the requirements of Assembly Bill 1358, the Complete Streets Act of 2008 (Chapter 657, Statutes of 2008 – Government Code Section 65302(b)(2)). An implementation measure would be added to update the applicable manuals and standard plans to incorporate elements in support of all users.

*Objectives 5.1.1, 5.1.2, and Table 5-1: Planned Adequate Infrastructure.* The Public Services and Utilities policies and table would be amended as needed to clarify that the Board has final authority when determining minimum level of service requirements consistent with General Plan objectives, standards, and related policies.

*Policy 6.4.1.4 and 6.4.1.5: New Parcels in Flood Hazard Areas.* Reference to the flood insurance rate maps would be removed from these policies to address recommendations by the Office of Emergency Services and Homeland Security regarding dam failure inundation.

*Policy 6.5.1.11: Noise Standards.* Tables 6-3 through 6-5 establish noise standards. This amendment would exempt construction activities occurring from 7 a.m. to 7 p.m. during the week or from 8 a.m. to 5 p.m. on weekends and holidays from those standards. In addition, the amendment would fully exempt public projects to alleviate traffic congestion and safety hazards from those noise standards. No changes to the tables are proposed.

*Objective 6.7.1 and 6.7.5: Air Quality.* These objectives would be amended to reflect updated air quality plan opportunities and add new policies and implementation measure that support the adoption of an Air Quality–Energy Conservation Plan.

*Policy 7.1.2.1: Restriction on Developing Slopes of 30%.* The policy that prohibits development on slopes of 30% or steeper would be amended to correspond with policy 2.3.2.1 discouraging development on 30% slopes or steeper and to set standards in the Zoning Ordinance and Grading Ordinance.

*Policy 7.2.1.2 and 7.1.2.3: Mineral Resources.* These policies would be amended to clarify which mineral resource zones are required to be mapped.

*Objective 7.6.1.3(B):* Specific references to Agricultural (A), Exclusive Agricultural (AE), Agricultural Preserve (AP), Residential-Agricultural (RA), and Select Agricultural (SA-10) zone districts would be deleted to conform to the new agricultural zones proposed in the ZOU.

*Policy 8.1.3.2: Buffer for Incompatible Uses.* This policy would be amended to provide a limited agricultural buffer for lands within a community region by adding language from Policy 8.4.1.2.

*Policy 8.2.4.2: Special Use Permit.* This policy would be amended to eliminate the requirement for a special use permit for all visitor serving uses, and instead would establish standards, permitted uses, and requirements for permits, in the various zone districts in the Zoning Ordinance.

*Policy 8.1.1.6: Williamson Act Parcels.* The policy requiring parcels encumbered by a Williamson Act Contract to be zoned Exclusive Agriculture (AE), pursuant to the California Land Conservation Act, would be deleted. The ZOU establishes new agricultural zones that can accommodate lands encumbered by Williamson Act contracts.

*Policy 8.2.4.4:* This policy provides that Ranch Marketing, Winery, and visitor-serving uses (agricultural promotional uses) are permitted on agricultural parcels, subject to a compatibility review to ensure that the establishment of the use is secondary and subordinate to the agricultural use and will have no significant adverse effect on agricultural production on surrounding properties. The proposal considers amending the policy to allow for ranch marketing activities on grazing lands.

- **Zoning Ordinance Update**

The ZOU is a comprehensive update of the County’s Zoning Ordinance. The update is needed so that the Zoning Ordinance will be consistent with the provisions of the General Plan’s goals, objectives, policies, and Implementation Measures. Consistency between the general plan and zoning is mandated by state law (Government Code 65860). The current Zoning Ordinance is not consistent with the General Plan.

The proposed comprehensive ZOU has two major components:

1. Revising the zoning maps to bring existing zoning designations into conformance with the General Plan, as required by state law.
2. Comprehensively updating the text of the Zoning Ordinance to bring it into conformance with the General Plan to eliminate inconsistencies and to incorporate modern implementation tools.

Table 2-2 illustrates the consistency between the General Plan’s land use designations and the proposed zoning classifications.

**Table 2-2. General Plan Land Use Designation and Zone Consistency Matrix**

Zones	Land Use Designations											
	MFR	HDR	MDR	LDR	RR	AL	NR	C	R&D	I	OS	TR
RM	•							• <sup>1</sup>				
R1		•	Δ									
R20K		•										
R1A		•	•									
R2A			•									
R3A			•									
RE (5-10)			•	•	• <sup>2</sup>							
CPO								•				
CL								•				
CM								•				
CC								•				
CR								•				
CG								•				
I										•		
R&D									•			
LA (10-160)				• <sup>4</sup>	•	•	•				• <sup>3</sup>	
PA (10-160)				• <sup>4</sup> , ★	•	•	•				• <sup>3</sup>	
RL (10-160)				• <sup>4</sup>	•	•	•				• <sup>3</sup>	
AG (40-160)				★	•	•	•				• <sup>3</sup>	★
FR					•	•	•					
TPZ				•	•	•	•					
RFL	•	•	•	•	•		•				•	•
RFH	•	•						•			• <sup>5</sup>	•
TC	•	•	•	•	•	•	•	•	•	•	•	•
OS	•	•	•	•	•	•	•				•	•

NOTES:

Land Use Designations

- C = Commercial
- R&D = Research & Development
- HDR = High-Density Residential
- I = Industrial
- LDR = Low-Density Residential
- MDR = Medium-Density Residential
- MFR = Multifamily Residential
- NR = Natural Resource
- OS = Open Space
- RR = Rural Residential
- AL = Agricultural Lands
- TR = Tourist Recreational

Zones	Land Use Designations											
	MFR	HDR	MDR	LDR	RR	AL	NR	C	R&D	I	OS	TR

Zones

- AG (40-160) = Agricultural Grazing
- CC = Commercial, Community
- CG = Commercial, General
- CL = Commercial, Limited
- CM = Commercial, Main Street
- CPO = Commercial Professional Office
- CR = Commercial, Regional
- FR = Forest Resource
- I = Industrial
- LA (10-160) = Limited Agricultural
- OS = Open Space
- PA (10-160) = Planned Agricultural
- R&D = Research & Development
- R1 = Single-unit Residential
- R1A = One-acre Residential
- R20K = Single-Unit Residential
- R2A = Two-acre Residential
- R3A = Three-acre Residential
- RE (5-10) = Residential Estate
- RFH = Recreation Facility-High
- RFL = Recreation Facility-Low
- RL (10-160) = Rural Lands
- RM = Multi-Unit Residential
- TC = Transportation Corridor
- TPZ = Timber Production Zone

- = Consistent with General Plan Policy.
- Δ = Consistent when combined with the Platted Lands (-PL) Overlay Only.
- ★ = Consistent when in a Williamson Act Contract.

<sup>1</sup> As part of a mixed use project.  
<sup>2</sup> RE-10, only.  
<sup>3</sup> With a conservation easement.  
<sup>4</sup> LA-10, PA-10 and RL-10 only.  
<sup>5</sup> When inside a Community Region.

The main changes to the Zoning Ordinance being proposed are summarized below. The full text of the ZOU is available at the locations described in Section 2.4 above.

- Change zone designations as necessary so the zoning map for all parcels in the county conforms to the General Plan land use designations for those parcels. This consists of re-zoning individual parcels that currently have zoning inconsistent with the General Plan to make them consistent with the General Plan. As shown in Table 2-2, a given General Plan land use designation may have more than one consistent zoning classification. The changes generally adopt the least intensive consistent zone.
- Eliminate inconsistent provisions in the Zoning Ordinance.

- Add provisions to carry out the General Plan Implementation Measures.
- Zones were added and deleted as needed to ensure that the Zoning Ordinance is consistent with applicable state and federal laws, as well as the General Plan policies. The following new zones were added: Rural Lands (RL), Forest Resources (FR), Agricultural Grazing (AG), Limited Agriculture (LA), Commercial Regional (CR), Commercial Community (CC), Commercial Limited (CL), Commercial Main Street (CM), Industrial Light (IL), Industrial Heavy (IH), Recreation Facility—Low (RFL), and Recreation Facility—High (RFH). The following zones were deleted: Unclassified (U), Agriculture (A), Residential-Agricultural (RA), Exclusive Agriculture (AE), Select Agricultural (SA), Agricultural Preserve (AP), General Commercial (CG), Planned Commercial (CP), Limited Multifamily (R2), Tourist Residential (RT), and Residential Agricultural (RA). Combining zone districts (e.g., Historical, Community Design) would be created to identify land that needs additional protection of resources or protection of public health and safety, and a review process would be established to more effectively implement General Plan policies and related ordinances.
- Create combining zone districts (e.g., Historical, Community Design, etc.) to identify land that needs additional protection of resources or protection of public health and safety, and establish a review process to more effectively implement General Plan policies and related ordinances.
- Establish new commercial zones reflecting a range of development intensities that specify the types, designs, and locations of commercial uses consistent with the General Plan. Proposed zones are: Commercial Regional (CR), Commercial General (CG), Commercial Community (CC), Commercial Professional Office (CPO), Commercial Limited (CL), and Commercial Mainstreet (CM). Also create a Rural Commercial (CRU) zone that would be permitted within the Rural Region of the General Plan.
- Reorganize the Zoning Ordinance for ease of use. The existing Zoning Ordinance includes extensive lists of land uses that are allowed by right or by special use permit for each zoning classification. The ZOU makes extensive use of tables to identify the types of development that are allowed by right, and those allowed upon approval of a conditional use permit (CUP), development plan permit, administrative permit, temporary use permit, and minor use permit. Development standards, such as parking and allowable noise levels, are similarly presented in tabular form for ease of reference.
- Expand allowed uses in the agricultural and rural lands zones to provide opportunities for agricultural support, recreation, and rural commercial activities, including Ranch Marketing on agricultural grazing land. Ranch Marketing would be allowed by right or upon approval of a CUP, administrative permit, temporary use permit, and minor use permit, depending on the particular use.
- Increase allowed uses in the rural regions to provide additional agricultural support, recreation, home occupation, and other rural residential, tourist serving, and commercial uses.
- Provide a range of intensities for home occupations, based on size and zoning of parcels, and establish standards for the use of accessory structures, ingress and egress of customers, and number of employees. This includes provisions for “cottage food operations” (small, home-based producers of food for commercial sale) as now allowed under state law.
- Establish a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act in the application of zoning laws and other land



use regulations, policies, and procedures when consistent with the General Plan and Zoning Ordinance.

- Modify zoning for Williamson Act contracted and rolled out land to reflect the General Plan land use designation.
- Create standards (master plans) for proposed mixed use and traditional neighborhood design development on commercial and multi-family zoned parcels to provide a streamlined approval process.
- Create standards for single family detached development proposed in multi-family zones.
- Create a standard to allow a limited percentage of commercial use in proposed mixed use development in multi-family zones.
- Provide multiple industrial zones with varying intensities to specify the type, design, and location of industrial uses.
- Provide alternative options for open space requirements that are part of a planned development to provide more flexibility and incentives for infill development and use that focus on recreation in Community Regions and Rural Centers.
- Amend the zoning map to include a historical overlay zone district to the historical townsites of El Dorado and Diamond Springs, consistent with adopted General Plan and Zoning Ordinance policies.
- Establish standards, including setbacks from lakes, rivers, and streams to avoid and minimize impacts on wetlands and sensitive riparian habitats.
- Establish standards for hillside development, including limitations on the development of slopes that are 30% (i.e., 30 feet of rise for every 100 feet of horizontal distance) or greater. These include the method for calculating average slope.
- Provide opportunities for recreational uses on Timber Production Zone land that is compatible with timber management and harvesting.

## 2.5 Public Involvement

### 2.5.1 Community Outreach

The first phase of public outreach for the project consisted of a series of community meetings in March 2012. Evening meetings were held in the communities of El Dorado Hills, South Lake Tahoe, Somerset, Cameron Park, Cool, and El Dorado. The meetings provided an opportunity for residents to learn about the various project components, the decision-making process, and opportunities for further involvement. These meetings were advertised through the County's project-dedicated website, the County homepage, through press releases distributed to local media, and through direct email by staff to key individuals and organizations. Attendance ranged from a single person at the Tahoe meeting to more than 60 people at the El Dorado Hills meeting. A concluding press release was provided to local media.

The second phase of public outreach for the project centered on the initial scoping meetings held in May and June of 2012. In addition to the daytime County Planning Commission meeting and evening

## ATTACHMENT 4

residential component of a mixed use project may include a full range of single and/or multi family design concepts. The maximum residential density of 20 dwelling units per acre may only be achieved where adequate infrastructure, such as water, sewer and roadway are available or can be provided concurrent with development.

### OBJECTIVE 2.2.1: LAND USE DESIGNATIONS

An appropriate range of land use designations that will distribute growth and development in a manner that maintains the rural character of the County, utilizes infrastructure in an efficient, cost-effective manner, and further the implementation of the Community Region, Rural Center, and Rural Region concept areas.

**Policy 2.2.1.1** The matrix contained in Table 2-1 provides for the relationship and consistency between the General Plan planning concept areas and the land use designations.

Land Use Designations	Concept Areas		
	Community Regions	Rural Centers	Rural Regions
Multifamily Residential*	•	•	
High-Density Residential*	•	•	
Medium-Density Residential*	•	•	
Low-Density Residential	•	•	•
Rural Residential			•
Agricultural Lands			•
Natural Resource			•
Commercial*	•	•	• -
Research & Development	•	•	
Industrial	•	•	•
Open Space	•	•	•
Public Facilities	•	•	•
Tourist Recreational	•	•	•
* May be applied in Rural Regions to reflect existing development when combined with the Platted Lands (PL) overlay land use designation.			

**Policy 2.2.1.2** Commercial (C): The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed use development of commercial lands within Community Regions and Rural Centers which combine commercial and residential uses shall be permitted. The residential component of the project shall only be implemented following

~~or concurrent with the commercial component.~~ Commercially designated parcels shall not be developed with a residential use as the sole use of the parcel unless the residential use is either (1) a community care facility as described in goal HO-4 or (2) part of an approved mixed use development as allowed by Policy 2.1.1.3 and 2.1.2.5, within an area zoned to allow for a mix of uses. Numerous zone districts shall be utilized to direct specific categories of commercial uses to the appropriate areas of the County. ~~Except as provided in Policy 2.2.2.3, t~~ This designation is considered appropriate only within Community Regions, and Rural Centers and Rural Regions.

Multifamily Residential (MFR): This land use designation identifies those areas suitable for high-density, single family and multifamily design concepts structures—such as apartments, single-family attached dwelling units (i.e., air-space condominiums, townhouses and multiplexes), and small-lot single-family detached dwellings subject to the standards set for in the Zoning Ordinance and which meet the minimum allowable density. Mobile home parks, as well as existing and proposed manufactured home parks, shall also be permitted under this designation. Lands identified as MFR shall be in locations with the highest degree of access to transportation facilities, shopping and services, employment, recreation, and other public facilities. Mixed use development within Community Regions and Rural Centers which combine commercial and residential uses shall be permitted. The minimum allowable density is five [optional review for minimum of eight] dwelling units per acre, with a maximum density of ~~24~~ 30 dwelling units per acre. ~~The provision of single-family detached attached dwelling units in the MFR land use designation is subject to the use of planned development design concepts which may result in zipper lot zero lot line, cottage type, or comparable developments.~~ Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers.

High-Density Residential (HDR): This land use designation identifies those areas suitable for intensive single-family residential development at densities from one to five [optional review would include up to 8] dwelling units per acre. Allowable residential structure types include single-family attached (i.e., air-space condominiums, townhouses) and detached dwellings and manufactured homes. Except as provided in Policy 2.2.2.3, this designation is considered appropriate only within Community Regions and Rural Centers. ~~Standard residential subdivisions shall maintain a density range from one to two dwelling units per acre. Residential subdivisions utilizing the planned development concept shall maintain a density range from one to five dwelling units per acre. Residential development of single family attached dwelling units are to be designed to satisfy the upper range of the allowable density under this designation. Proponents of single family detached or manufactured home projects consistent with the HDR designation shall not be subject to the~~

~~Planned Development combining zone if their projects meet the criteria set forth in Policy 2.2.5.4. (Res. No. 298-98; 12/8/98)~~

~~Industrial (I): The purpose of this land use category is to provide for a full range of light and heavy industrial uses. Types of uses that would be permitted include manufacturing, processing, distribution, and storage. Incompatible, non-industrial uses, excluding support services, shall be prohibited-discouraged. Industrial uses shall be restricted to industrial lands within, or in close proximity to, Community Regions and Rural Centers. Industrial lands in Rural Regions shall be constrained to may have uses which support on-site agriculture, timber resource production, mineral extraction, or other resource utilization. In the Rural Regions, no additional land shall be designated for industrial uses. This designation is considered appropriate within Community Regions, Rural Centers and, subject to the limitation described above, Rural Regions.~~

#### **GOAL 2.1.4: Opportunity Areas**

**OBJECTIVE: ENCOURAGE DEVELOPMENT AND REVITALIZATION WITHIN DESIGNATED OPPORTUNITY AREAS WITH A MIX OF USES THAT SUPPORT THE COUNTY'S JOBS/HOUSING BALANCE.**

Policy 2.1.4.1 Facilitate increased density and intensity of development and revitalization in identified Opportunity Areas.

Policy 2.1.4.2 When setting priorities for public infrastructure spending, give particular attention to improvements that will support development and redevelopment within designated Opportunity Areas.

Policy 2.1.4.3 Utilize incentives to promote infill development, revitalization, rehabilitation, and mixed-use projects in designated Opportunity Areas.

Policy 2.1.4.4 Require that projects within Opportunity Areas develop at or above the midpoint of the allowed density unless one or more of the following findings are made:

- The proposed project does not include residential development.
- Residences are integrated vertically in a mixed-use project.
- Site considerations such as parcel size, configuration, environmental resources, or other features make achieving the midpoint infeasible or undesirable.
- Infrastructure constraints make achieving the midpoint impractical.

Implementation Measure: Establish a program including appropriate criteria for designating Opportunity Areas. The program shall include setting priorities for public infrastructure and funding support. [Policies 2.1.4.1, 2.1.4.2, 2.1.4.3, and 2.1.4.4]