"We are a welcoming, active and business-friendly rural foothill community built on California's rich gold rush history."

Planning Commission Staff Report

Meeting Date: November 17, 2026
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PROJECT INFORMATION SUMMARY

Case File: Zoning Ordinance Amendment (ZOA) 26-11 – Yard Regulations and Setback Exemptions for Exempt Structures

Request: Consideration of a request to amend the Placerville Municipal Code via Zoning Ordinance Amendment (ZOA) 26-11, proposing an amendment to Section 3 to Title 10, Chapter 4 (10-4-3: Yards) to remove standard zoning setback requirements for minor detached accessory structures that are exempt from a building permit under the CBC (e.g., structures under 120 square feet), while maintaining strict fire safety and life-safety setback compliance.; and a determination that the amendment is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3).

Summary Recommendation:

Recommend that the City Council determine the project is exempt from CEQA under Guidelines Section 15061(b)(3) "Common Sense Exemption", and adopt the ordinance to add Title 10, Chapter 4, Section 3 to remove standard zoning setback requirements for minor detached accessory structures that are exempt from a building permit under the CBC (e.g., structures under 120 square feet), while maintaining strict fire safety and life-safety setback compliance.

PURPOSE

Zoning Ordinance Amendment (ZOA) 26-11 was initiated in response to concerns raised by several citizens regarding the City's current yard restrictions for minor, unpermitted structures. Under the existing framework of Section 10-4-3, detached structures under 120 square feet (such as tool sheds, playhouses, and minor storage buildings) are burdened by restrictive zoning setbacks. This creates an unnecessary regulatory challenge for residents attempting to utilize their properties for basic, low-impact accessory uses.

This amendment will provide meaningful relief for property owners trying to utilize their property who may face physical obstacles due to constrained lot sizes, steep topography, and other site-specific issues that otherwise prevent the use of their property.

To resolve these challenges, staff is proposing to eliminate standard zoning yard setbacks for these minor structures. However, to preserve public health, safety, and property protection, all non-permitted, CBC-exempt structures will still be required to meet strict fire safety setbacks (such as California Building Code fire separation distances, fire-rated wall requirements near property lines, and local fire district safety clearances).

DISCUSSION

The core objective of ZOA 26-11 is to balance property owner flexibility with necessary community fire protection. Currently, the City's Zoning Ordinance subjects all detached accessory structures to standard yard setbacks regardless of size. This blanket application frequently penalizes homeowners with irregular, small, or steeply sloped parcels where the buildable footprint is severely restricted by natural terrain or historic subdivision boundaries. For instance, a citizen attempting to place a minor 80-square-foot garden shed is often forced to choose between a costly, uncertain variance process or abandoning the utilization of their land entirely.

To resolve this issue, the proposed text amendment decouples minor, non-habitable outbuildings from standard zoning yard restrictions, provided the structures are already exempt from structural building permits under the California Building Code (CBC) (typically detached structures under 120 square feet without utilities).

However, staff recognizes that Placerville is situated in a high fire hazard environment. Removing zoning setbacks must not translate into creating fire hazards. Therefore, the amendment explicitly mandates that these structures remain subject to Fire Safety Setbacks and Fire Separation Distances as defined by the California Building and Fire Codes.

To implement this policy, staff proposes adding subsection (X) to Title 10, Chapter 4, Section 3 of the Placerville Municipal Code as follows:

Section 10-4-3: Yards. No structure shall be constructed on any yard required by this chapter unless in compliance with all the following requirements unless detached accessory structures that do not require a building permit under Title 8 of this Code or the California Building Code (CBC) (e.g., one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet) shall be exempt from the standard yard and setback regulations of this Section. *Notwithstanding this exemption, all such structures shall comply with applicable fire safety setbacks, fire separation distance regulations as defined by the current California Building Code/California Fire Code, and shall not encroach into any public utility or drainage easements.:*

Under this text amendment, if a homeowner places a 100-square-foot shed within a traditional 5-foot or 10-foot zoning setback, they will no longer face a zoning violation. However, the structure must still comply with the following structural fire-safety mandates:

- The 5-Foot Proximity Prohibition: Under State WUI standards and CBC Chapter 7A, structures cannot sit directly on a property line or against a primary home unless built entirely of non-combustible materials.
- Fire-Resistant Materials: Structures placed within close proximity to a property line (typically under 10 to 30 feet depending on the hazard zone) must utilize ignition-resistant siding, boxed eaves, and non-combustible roofing materials to prevent the structure from becoming a "ladder fuel" that transmits fire to neighboring parcels.
- Easement Protection: The amendment strictly preserves utility and drainage easements, ensuring that no structure blocks vital infrastructure or creates localized flooding issues for neighboring properties.

By shifting the regulatory threshold from arbitrary spatial zoning distances to objective fire-safe construction standards, the City can provide meaningful relief to topographically constrained properties while dynamically improving wildland-urban interface structural hardening.

GENERAL PLAN CONSISTENCY

Zoning Ordinance Amendment (ZOA) 26-11 directly aligns with the goals, objectives, and policies of multiple elements within the City of Placerville General Plan:

- Land Use Element (Goal C): To ensure a well-balanced distribution of land uses that optimizes property utility while maintaining neighborhood aesthetics. The amendment provides flexibility for parcels constrained by steep Sierra foothill topography and historical lot configurations, allowing citizens the full and reasonable use of their land without seeking expensive, burdensome variances for minor, low-impact installations.
- Land Use Element (Administrative Efficiency Policies): This amendment implements city directives to streamline code enforcement and administrative processes. By removing standard zoning setbacks for structures under 120 square feet, staff eliminates redundant permit streams for de minimis neighborhood elements, focusing city resources on higher-impact structural planning.
- Health and Safety Element (Goal G): To protect the community from fire hazards, particularly within wildland-urban interface (WUI) environments. While the amendment offers zoning relief, it maintains a strict regulatory backstop by mandating full compliance with California Fire Code and CBC Chapter 7A/Chapter 1 fire separation distances. By legally shifting the focus exclusively to fire safety setbacks, the amendment ensures that minor outbuildings will not act as hazardous "ladder fuels" adjacent to neighbor structures or property lines.

ENVIRONMENTAL REVIEW

The amendment is exempt under State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) because adjusting setback rules for minor, non-habitable structures while preserving

strict fire safety protocols ensures there is no potential for a significant physical impact on the environment.

RECOMMENDED PLANNING COMMISSION ACTION

Hold a public meeting; and,

The Planning Commission may take one of the following actions based on the analysis provided:

1. Find that Zoning Ordinance Amendment (ZOA) 26-11 is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the adoption of these administrative water conservation regulations will have a significant effect on the environment, and direct staff to file a Notice of Exemption (NOE) following City Council adoption.
    a. Forward a recommendation of approval to the City Council to add Title 10, Chapter 4, Section 3 of the Placerville Municipal Code remove standard zoning setback requirements for minor detached accessory structures that are exempt from a building permit under the CBC (e.g., structures under 120 square feet), while maintaining strict fire safety and life-safety setback compliance.; or,
    b. Forward a Resolution recommending approval with modifications to the City Council; or,

2. Forward a Resolution recommending of denial to the City Council

If adopted, the Zoning Code additions of Title 10, Chapter 4, Section 3 of the Placerville Municipal Code become effective 30 days post-adoption by City Council per Government Code §36937. This aligns with state mandates and there are no General Plan conflicts.

ATTACHMENTS

A. Draft Ordinance
B. Draft Resolution
C. Proof of Publication

INCORPORATED BY REFERENCE

City of Placerville General Plan
City of Placerville Zoning Ordinance
Contents of City of Placerville Planning Department Project File for Zoning Ordinance Amendment ZOA 26-11