



RESOLUTION NO. 214-2024

RESOLUTION TO ADOPT INTERIM OBJECTIVE DESIGN STANDARDS FOR MULTIFAMILY RESIDENTIAL AND MIXED-USE DEVELOPMENT PROJECTS THAT QUALIFY FOR STATE STREAMLINING AND MINISTERIAL PROVISIONS, UPDATING APPROVAL AUTHORITY, AND REPEALING RESOLUTION 211-2021

WHEREAS, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

WHEREAS, the County of El Dorado adopted a General Plan in 2004; and

WHEREAS, General Plan Goal 2.4 (Existing Community Identity) states: "Maintain and enhance the character of existing rural and urban communities, emphasizing both the natural setting and built design elements which contribute to the quality of life, economic health and community pride of County residents"; and

WHEREAS, General Plan Goal 2.4 is achieved by General Plan Objective 2.4.1 (Community Identity), which requires "Identification, maintenance and enhancement of the unique identity of each existing community"; and

WHEREAS, General Plan Policy 2.4.1.1 helps fulfill Goal 2.4 and Objective 2.4.1 by directing design control combining zone districts to be expanded for commercial and multiple family zoning districts to include identified Communities, Rural Centers and historic districts; and

WHEREAS, General Plan Policy 2.4.1.2 also helps fulfill Goal 2.4 and Objective 2.4.1 by directing the County to develop community design guidelines, in concert with members of each community, for all Community Regions; and

WHEREAS, General Plan Policy 2.4.1.2 also directs the County to develop design guidelines for Rural Centers to the extent possible; and

WHEREAS, as the California Legislature has recently enacted legislation (e.g., Senate Bill 35, Assembly Bill 2011) allowing qualifying multifamily residential and mixed-use housing projects as a ministerial use with no local design oversight unless a local agency has adopted objective design standards applying to such projects; and

WHEREAS, many policies, programs, and implementation measures are implemented through the Zoning Ordinance; and

WHEREAS, on December 15, 2015, the Board adopted Ordinance No. 5030, a comprehensive update to Title 130, which became effective on January 15, 2016, and included Sections 130.27.050 and 130.27.060 (development standards for Design Review – Community (-DC) and Design Review – Historic (-DH) combining zones) in Article 2; and

WHEREAS, Ordinance No. 5030 also included Section 130.52.030 (Design Review Permit) in Article 5, which established a Design Review permit process to ensure that all applicable development will be compatible with established community or historic design criteria; and

WHEREAS, although the County has existing design guidelines in place, including the Community, Historic and Sierra Design Guides, adopted by the Board in 1982, and the Missouri Flat Design Guidelines, adopted by the Board in 2008, these guidelines are generally obsolete and lack objective design standards for qualifying multifamily residential and mixed-use housing projects consistent with new state legislation; and

WHEREAS, on March 17, 2020 and again on June 28, 2022, the Board of Supervisors directed Long Range Planning staff to expedite the creation of new multi-family residential and commercial design standards for Community Regions and Rural Centers including all associated Zoning Ordinance amendments required to implement the new design standards; and

WHEREAS, the County has maintained a strong desire to create updated, community-based, comprehensive, and enforceable community design standards and guidelines, ensure County design oversight for state-qualifying ministerial housing projects and to create a more predictable review process; and

WHEREAS, on February 9, 2021 the Board adopted Resolution 211-2021 that designated approval authority to the Planning Commission for SB 35 Streamlined Ministerial Projects where discretionary review would otherwise be required by Title 130 of the County code, with no appeal provided, and with modification requests subject to the approval of the Planning Director.

WHEREAS, adoption of this resolution would supersede the designated approval authority outlined in Resolution 211-2021 allowing for staff level review of ministerial projects that comply with recently enacted legislation (e.g. Senate Bill 35, Assembly Bill 2011) and comply with the Interim Objective Design Standards for Multifamily Residential and Mixed-Use Developments that Qualify for State Streamlining and Ministerial Provisions where discretionary review would otherwise be required by Title 130 of the County code; and

WHEREAS, the tribal scoping consultation process for streamlined projects identified in Assembly Bill 168 (AB 168)(Aguiar-Curry, 2020) still remains in effect requiring developers to submit a notice of intent in the form of a preliminary application with key project details and engage in tribal scoping consultation that potentially influences the project's eligibility for streamlining; and

WHEREAS, on July 23, 2024, as a result of pressing desire to expedite development of community design standards, the Board unanimously directed staff to develop interim objective, community-based commercial, mixed-use and multifamily design standards for the County's West Slope Community Regions and Rural Centers by December, 2024; and

WHEREAS, the Planning Commission and Board of Supervisors have held public hearings to review the proposed interim objective design standards for qualifying multifamily residential and mixed-use development projects and determined that these standards best reflect the design preferences of the community until such time as permanent standards can be completed for such projects.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the County of El Dorado Board of Supervisors hereby adopts the Interim Objective Design Standards For Multifamily Residential And Mixed Use Development Projects That Qualify For State Streamlining And Ministerial Provisions, attached hereto as Exhibit D, to apply to all West Slope Community Regions and Rural Centers within the unincorporated areas of El Dorado County, effective until such time as permanent objective design standards are adopted for these communities.

NOW, THEREFORE, BE IT FURTHER RESOLVED, adoption of this Resolution shall supersede the previous approval authority outlined in Resolution 211-2021 and require the Planning Director to make the determination on a project's eligibility for streamlined, ministerial approval (e.g., Senate Bill 35, Assembly Bill 2011) and staff level review of ministerial projects for compliance with the Interim Objective Design Standards. Resolution 211-2021 is hereby repealed. Decisions pursuant to this Resolution shall not be subject to an administrative appeal.


NOW, THEREFORE, BE IT FURTHER RESOLVED, adoption of this Resolution shall become effective concurrently with the effective date of the implementing ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 3rd day of December, 2024, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes: Thomas, Turnboo, Parlin, Laine
Noes: None
Absent: None

By: 
Deputy Clerk


Chair, Board of Supervisors
Wendy Thomas