



Legislation Details (With Text)

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File created: 6/1/2023 **In control:** Board of Supervisors

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Title: HEARING - To consider the Planning Commission's recommendation for approval of proposed amendments to Title 130 (Zoning Ordinance) of the County Code (Z23-0003) to rezone and to restore County design oversight for affected parcels by adding a new Design Review-Community Combining Zone (-DC) overlay to the remaining 11 commercial or multifamily-zoned parcels, or portions of parcels, that are not currently located within an existing (-DC) or (-PD) Combining Zone overlay; and Planning Commission recommending the Board of Supervisors take the following actions:
 1) Find Rezone Z23-0003 exempt from CEQA under Section 15305 of the CEQA Guidelines (Minor Alterations in Land Use Limitations); and
 2) Adopt and Authorize the Chair to sign Ordinance 5178 for said rezone (Attachment B).
 (Supervisory District 4)

FUNDING: General Fund.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Counsel Approval - Z23-0003, 2. B - Rezone Ordinance Z23-0003, 3. C - Parcel Legal Descriptions of Affected APNs, 4. D - APN 071280051 Map, 5. D - Revised Ordinance Exhibit A - APN 071280051 Rezone BOS Rcvd 6-26-23, 6. E - Planning Commission Staff Memo, 7. F - PC Staff Memo Exhibits A-D, 8. Executed Ordinance 5178, 9. RECEIPT Notice of Exemption, 10. FILED Notice of Exemption

Date	Ver.	Action By	Action	Result
6/27/2023	1	Board of Supervisors	Approved	Pass

HEARING - To consider the Planning Commission's recommendation for approval of proposed amendments to Title 130 (Zoning Ordinance) of the County Code (Z23-0003) to rezone and to restore County design oversight for affected parcels by adding a new Design Review-Community Combining Zone (-DC) overlay to the remaining 11 commercial or multifamily-zoned parcels, or portions of parcels, that are not currently located within an existing (-DC) or (-PD) Combining Zone overlay; and Planning Commission recommending the Board of Supervisors take the following actions:

- 1) Find Rezone Z23-0003 exempt from CEQA under Section 15305 of the CEQA Guidelines (Minor Alterations in Land Use Limitations); and
- 2) Adopt and Authorize the Chair to sign Ordinance **5178** for said rezone (Attachment B).
(Supervisory District 4)

FUNDING: General Fund.

DISCUSSION / BACKGROUND

On December 15, 2015 (Legistar File No. 11-0356, Item No. 42) the Board of Supervisors approved a comprehensive update to Title 130 of the County Ordinance Code (Zoning Ordinance). Prior to the 2015 Countywide Zoning Ordinance Update (2015 ZOU), previous Zoning Ordinance regulations, including former Section 17.14.130 (Architectural Supervision), required a discretionary Planning

Commission review of all new buildings or structures on commercial and multifamily-zoned parcels visible from a state highway, which included all commercial or multifamily-zoned parcels within the Cool Rural Center.

After adoption of the 2015 ZOU, staff discovered that the above architectural supervision regulations for commercial and multifamily-zoned lands fronting state highways were inadvertently removed from the Zoning Ordinance. This resulted in inconsistent design oversight for commercial and multifamily-zoned lands within the Cool Rural Center. While many parcels still require County design oversight because they are located within a Design Review-Community Combining Zone (-DC) or a Planned Development (-PD) Combining Zone, staff identified 11 individual commercial or multifamily-zoned parcels, or portions of parcels, that are not located within either of the above zoning overlays. Therefore, under current zoning regulations, no discretionary design approval is required prior to obtaining a building or grading permit on those parcels. Of the 11 affected parcels, six (6) parcels are currently developed with rural residential uses, including single family residences and associated accessory structures, and five (5) affected parcels are undeveloped. With the exception of a single parcel (Assessor's Parcel No. 071-500-026) adjacent to existing commercial uses (retail, restaurant and storage), all other adjacent parcels are currently vacant/undeveloped or developed with rural residential uses.

On June 28, 2022 (File No. 22-1101, Item No. 53) the Board approved and endorsed the Long Range Planning (LRP) Project Prioritization Matrix for Fiscal Year 2022-23, which included reviewing and expanding the Design Review-Community Combining Zone (-DC) for the Cool Rural Center.

On March 7, 2023 (Legistar File No. 23-0256, Item No. 23), the Board of Supervisors directed staff to restore County design oversight for affected parcels by adding a new Design Review-Community Combining Zone (-DC) overlay to the remaining 11 commercial or multifamily-zoned parcels, or portions of parcels, that are not currently located within an existing (-DC) or (-PD) Combining Zone overlay.

On May 11, 2023 (Legistar No. 23-0888, Item No. 2), the Planning Commission voted to forward staff's recommendation to the Board of Supervisors to 1) Find Rezone Z23-0003 exempt from CEQA under Section 15305 of the CEQA Guidelines (Minor Alterations in Land Use Limitations); and 2) Approve Rezone Z23-0003 to rezone 11 identified multifamily or commercially-zoned parcels, or portions of parcels, adding a new Design Review - Community Combining Zone (-DC) to the base zone of each commercial or multifamily-zone parcel.

California Environmental Quality Act:

Staff reviewed the project for consistency with CEQA and found the project exempt from environmental review under Section 15305 of the CEQA Guidelines (Minor Alterations in Land Use Limitations) because the proposed zone change would not result in any changes to land use or density as specified in this Section.

The proposed Ordinance would be effective 30 days after final adoption by the County Board of Supervisors.

ALTERNATIVES

The Board may choose to not approve this Rezone Ordinance or suggest revisions to said Ordinance.

PRIOR BOARD ACTION

See Discussion/Background above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

FINANCIAL IMPACT

There is no change to Net County Cost associated with this item. Funding for the staff time associated with this Rezone has been included in the FY 2023-24 Budget.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Clerk to obtain Chair's signature on the original copy of the Ordinance.
- 2) Clerk to forward two (1) fully executed Ordinance copies to the Planning and Building Department, Planning Services, attention Chris Smith.

STRATEGIC PLAN COMPONENT

Good Governance: Evaluate requests and recommendations based on complete assessment of the best available information, with the goal of reaching well informed decisions.

CONTACT

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