



## Legislation Details (With Text)

**File #:** 23-0272 **Version:** 1

**Type:** Agenda Item **Status:** Approved

**File created:** 1/24/2023 **In control:** Board of Supervisors

**On agenda:** 3/7/2023 **Final action:** 3/7/2023

**Title:** Planning and Building Department, Planning Division, Long Range Planning Unit, recommending the Board adopt and authorize the Chair to sign Resolution of Intention 040-2023 to initiate an Amendment to Title 130 of the County Zoning Ordinance to revise applicable sections in Article 2 (Zones, Allowed Uses and Zoning Standards) and Article 5 (Planning Permit Processing) associated with adoption and implementation of new objective multi-family residential, commercial, mixed use and historic design standards for the County's Community Regions and Rural Centers.

FUNDING: General Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Counsel Approved Blue, 2. B - Resolution of Intention, 3. Executed Resolution 040-2023

Date	Ver.	Action By	Action	Result
3/7/2023	1	Board of Supervisors	Approved	Pass

Planning and Building Department, Planning Division, Long Range Planning Unit, recommending the Board adopt and authorize the Chair to sign Resolution of Intention **040-2023** to initiate an Amendment to Title 130 of the County Zoning Ordinance to revise applicable sections in Article 2 (Zones, Allowed Uses and Zoning Standards) and Article 5 (Planning Permit Processing) associated with adoption and implementation of new objective multi-family residential, commercial, mixed use and historic design standards for the County's Community Regions and Rural Centers.

**FUNDING:** General Fund.

### DISCUSSION / BACKGROUND

On December 5, 2017 (File No. 13-0561, Item No. 36), the Board directed staff to create custom design guidelines/standards and prototypes for communities identified in General Plan Policy 2.1.1.1 (Cameron Park, Camino/Pollock Pines, Diamond Springs/El Dorado, El Dorado Hills, and Shingle Springs) and interested Rural Centers identified in General Plan Policy 2.1.2.1.

Further, on June 12, 2018 (File No. 18-0865, Item No. 34), March 5, 2019 (File No. 19-0311, Item No. 20), March 17, 2020 (File No. 20-0326, Item No. 27), April 13, 2021 (File No. 21-0502, Item No. 21), and June 28, 2022 (File No. 22-1101, Item No. 53) the Board also approved the Long Range Planning Unit (LRP) Project Prioritization Matrices for Fiscal Years 2018-2019 through 2022-2023, authorizing LRP staff to proceed with the Board's top-priority projects such as the creation of new multi-family residential and commercial design standards for Community Regions and Rural Centers, as well as a closely related project to create a new Historic Design (-DH) zoning overlay for the Rural Center of Georgetown.

In 2018 and again in 2022, the State Legislature enacted comprehensive changes to state housing law (e.g. Senate Bill 35, Senate Bill 6, Assembly Bill 2011) allowing qualifying multifamily housing projects on either multifamily or commercial-zoned land in the County's Community Regions, and potentially Rural Centers, as a ministerial use, with no County design oversight, unless a local agency has adopted objective design standards applying to such projects. Although the County has existing design guidelines in place, including the Mixed Use, Community, Historic, Sierra Design and the Missouri Flat Design Guidelines, these guidelines lack objective design standards for affordable/multifamily housing projects consistent with the requirements of the new state legislation. Therefore, as it is the Board's desire to preserve and enhance County design oversight for future multifamily and commercial development, the proposed design standards, and associated Zoning Ordinance amendments, will allow for creation of objective design standards consistent with the new legislation.

An initial step in amending the Zoning Ordinance is the adoption of a Resolution of Intention (ROI), as required by Section 130.63.020 (Ordinance Amendments and Zone Change Applications) of the Zoning Ordinance. The Community Design Standards Project (Project) will incorporate all required Zoning Ordinance Amendments to implement these new design standards. The Zoning Ordinance sections to be addressed include but are not limited to: Article 2, Sections 130.27.050 and 130.27.060 (Development Standards for Design Review - Community (-DC) and Design Review - Historic (-DH) overlay zones) and Article 5, Section 130.52.030 (Design Review Permit).

Following adoption of the ROI, LRP staff, in collaboration with a consultant, will prepare public review drafts of the proposed amendments and proceed with preparation of all necessary documentation and environmental review as required by the California Environmental Quality Act. Following preparation of the environmental documents, LRP staff will schedule public hearings with the Planning Commission to receive public comments, review applicable environmental documents, and forward recommendations to the Board for consideration at the final adoption hearing(s).

## **ALTERNATIVES**

The Board may choose to not approve this ROI for the Zoning Ordinance for the Project; however, this will cause delays in adoption of objective design standards consistent with the requirements of new state legislation. Further, disapproval of this ROI would be inconsistent with Board authorization to proceed with the Project, as shown on the current Board-approved LRP Project Prioritization Matrix for FY 2022-23.

## **PRIOR BOARD ACTION**

See Discussion/Background above

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

## **CAO RECOMMENDATION**

Approve as recommended.

## **FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. Consultant funding has been included in the FY 2022-23 Budget. Funding for services beyond FY 2022-23, will be included in subsequent budgets accordingly.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) original copy of the ROI; and
- 2) The Clerk of the Board will forward two (2) certified copies of the fully-executed ROI to Planning and Building Department, attention Christopher Smith, Planning Division, for further processing.

### **STRATEGIC PLAN COMPONENT**

Good Governance: Incorporate benchmarks (to other agencies) and best practices to provide context to decisions, using data to inform discussions while promoting efforts to creatively address service delivery.

### **CONTACT**

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