



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

MEMORANDUM

TO: Honorable Board of Supervisors
FROM: Paul Thompson, Deputy Planning Director
DATE: January 26, 2010
SUBJECT: CDRA Planning Department General Fund Work Program Update

ACTION REQUESTED

The Planning Services Division is seeking concurrence of the continued implementation of the identified work program for the balance of Fiscal Year 2009/2010 unless otherwise directed by the Board.

GENERAL FUND WORK PROGRAMS

The Division's General Fund work programs consist of County-initiated projects that are funded through the County's General Fund as part of the Planning Division's budget, and are being processed by a team of planners within the Advanced Planning function. Following are Planning Services Division's existing General Fund work programs that staff has and will continue to work on through the balance of this current fiscal year.

Placer County Conservation Plan

The Placer County Conservation Plan (PCCP) is a comprehensive plan designed to provide protection of biological resources while accommodating growth within Western Placer County over the next 50 years. Additionally, when the PCCP is accepted by the regulatory agencies it will provide a streamlined process that allows the County to environmentally review projects and issue several types of permits (404, 401 and 1602) on behalf of the regulatory agencies as long as the activities and mitigation measures are consistent with the plan.

The PCCP strategy is based upon a map that depicts areas of growth and areas of potential preservation opportunities based upon land designations (General Plan). The potential reserve areas will provide property owners an opportunity to sell parcels or conservation easements on a voluntary basis and will not change the allowed land uses according to the General Plan and Zoning regulations.

The PCCP map is currently being finalized and will be presented to the Board at its January 12, 2010 meeting for final direction. Once the map is approved, the final analysis can be completed to determine acreages necessary to meet regulatory standards and a draft PCCP can be provided to the Ad Hoc committee for review and approval. This is anticipated sometime in late January, and an agency draft review should be completed shortly thereafter.

Community Plan Updates/Reviews

Granite Bay Community Plan (GBCP):

At the Board's direction, Planning staff began work reviewing the Granite Bay Community Plan and current land use designations in December 2008. The purpose of this review is to evaluate whether the 20-year-old Assumptions and General Community Plan Goals and Policies remain valid, and to determine what changes, if any, are needed to the document.

Since December 2008, public meetings have been held on the Community Plan review, including a kick-off meeting in February 2009 where the County announced the beginning of a six-month public comment period allowing the public to provide suggestions on policy and land use changes to the Community Plan. From July 2009 through September 2009 staff conducted periodic updates to the Granite Bay Municipal Advisory Council (MAC) on the Community Plan review and the Granite Bay resident suggestions received on policy and land use changes.

A Community Plan review workshop was held in October 2009, where staff conducted a survey regarding potential policy and land use changes that were identified by the initial Granite Bay resident suggestions received. Two-hundred and forty-six surveys were received. Since receiving the surveys, staff has been tabulating the survey data and anticipates providing a summary of the survey tabulations to the MAC in spring 2010. It is staff's intent to present the tabulations and the MAC's position on the Community Plan review to the Board in Spring 2010 to determine how the Board would like to proceed.

Housing Element Implementation

Affordable Housing Banking:

The Board-adopted Housing Element Update recommended the County provide various options to allow project applicants to fine-tune a proposal that might fit their specific needs to meet required affordable housing or workforce housing obligations, while at the same time furthering the County's affordable housing efforts. In order to provide developer flexibility, and to further facilitate development of affordable housing, staff has been working on an Affordable Housing Banking Program. The Banking Program will be similar to the program approved for the Placer Vineyards Specific Plan.

The program would credit newly-constructed affordable housing units that are above and beyond what is required under current affordable housing requirements and to reserve these units, or bank them, for future project purposes as a means of facilitating the production of affordable housing in Placer County. Units banked can be credited to future affordable housing obligations for other developers within the same geographical area of Placer County. A draft program for Board's consideration is expected by mid-2010.

Tahoe Basin Second Units:

Staff is working with the Tahoe Regional Planning Agency (TRPA) on a program to permit deed-restricted second units on parcels less than one acre of size within the Tahoe Basin. TRPA must certify Placer County's local government housing program prior to entering into a Memorandum of Understanding (MOU) to allow the secondary units which will be required to remain affordable in perpetuity. Placer County is partnering with the Placer County Redevelopment Agency to implement the second unit program. Monitoring of the deed restricted units will be modeled after the successful program underway in the City of South Lake Tahoe. Staff is currently collaborating with TRPA on the MOU language. The MOU is

expected to be on the TRPA Governing Board's agenda in May and to the Board of Supervisors for its consideration shortly thereafter.

Affordable Housing Fee Waiver:

Consistent with the County's programs and policies set forth in the County's adopted Housing Element, an affordable housing fee relief program is being drafted in order to provide incentives for continued production of safe, decent and accessible affordable housing units constructed by the private sector. The intent of a fee waiver is to target increased private sector development of housing for moderate, low and very-low income families.

As proposed by Program B-5 of the Housing Element, the Board of Supervisors will be asked to consider raising the fee waiver from 50 to 100 percent for affordable housing projects, and consider the eligibility of a waiver for staff time costs incurred during a project's environmental review. Fees eligible for waiver would include mitigation fees, project review/environmental fees, and administrative fees. Staff anticipates that this work program will be presented to the Board within 60 days.

Emergency Shelters/Transitional and Supportive Housing:

Consistent with the County's adopted Housing Element Program G-3, staff is preparing amended language to the Zoning Ordinance to permit emergency shelters as an allowed use in specified zoning districts. The proposed zoning text amendment would also address transitional and supportive housing. This work program is an effort to implement the Housing Element as required by State law.

Staff has drafted the amendments which define transitional and supportive housing, and which allow for emergency shelters as well as transitional and supportive housing in residential and commercial zone districts. This work program has been presented before the Planning Commission on two occasions, once in May 2009 for a workshop, and again in October 2009 for a hearing. At the October 2009 hearing, the Planning Commission directed staff to present the work program before all County Municipal Advisory Councils (MACs) for their consideration and prior to the Commission's consideration. Staff has been presenting the Zoning Text Amendments to the MACs and anticipates bringing the program back to the Planning Commission in spring 2010 for its recommendation to the Board.

Other Housing Element Implementation Work Programs:

Consistent with the County's approved Housing Element, the Planning staff is also tasked with implementing other identified work programs by 2010. Such programs include: Program A-7 and B-4, a minimum density standard and density bonus; Programs B-10 and C-4, affordable and workforce housing programs; Program A-8, a nexus study to analyze impact fees; Program C-6, a down-payment assistance pilot program; Program F-1, increasing group home by-right occupancies; Program F-2 and H-3, a universal design ordinance and a green building incentive program; Program A-4, allowing mixed-use development and residential development in commercial zones; and Programs A-5 and A-6, creating an infill development overlay district and adopting an infill development incentive ordinance. While staff is not currently assigned to these tasks, it is anticipated that additional Housing Element implementation work programs will be assigned to staff throughout the year, and such work programs will be presented to the Board of Supervisors for consideration.

Zoning Text Amendments

Structural Setbacks:

In order to provide for a more consistent approach and to address deficiencies that exist in the County's Zoning Ordinance as they relate to structural setbacks, staff is working on various zoning text amendments to change structural setback standards. This work program will result in the modification of approximately 80 pages of the Placer County Zoning Ordinance, including the amendment of the definition of "Structure". In addition, the zoning text amendments will more clearly define what constitutes the "front", "street-side", "side", and "rear" of a parcel, will clarify how to apply setbacks to structures, and will include a section that sets forth specific setback requirements for solar arrays. Staff has drafted the amended language and has been circulating the work program for internal review. It is anticipated that this work program will be presented before the Planning Commission in spring 2010 for its consideration and recommendation to the Board.

Temporary Agricultural Events:

Consistent with the General Plan policy to promote agriculture in Placer County, staff is working on Zoning Text Amendment to Section 17.56.300 (*Temporary Uses and Events*) to provide relief for agricultural events that are temporary in nature. Staff is currently collaborating with the County's Agricultural Commissioner to draft amended language which will offer exemptions for agricultural events that meet specific land use criteria. It is anticipated that this work program will be presented before western Placer County Municipal Advisory Councils beginning in spring 2010. The Zoning Text Amendment will be presented to the Planning Commission for its recommendation to the Board of Supervisors.

Outdoor Advertising Amortization:

In review of the County's Sign Ordinance (Section 17.54.200), staff has determined that an amendment to the non-conforming sign language is prudent. This section currently establishes the amortization date (August 24, 2010) by which all nonconforming signs (including billboards) must be removed or brought into compliance, and based on Section 17.54.170 (D), *Prohibited Signs*, the use of billboards is prohibited. However, State Business and Resources Code Sections 5400-5419, protects any outdoor advertising from enforced removal without just compensation as defined in the Eminent Domain Law (Title 7), except as provided in Sections 5412.1-5412.3, which allow enforcement, by a County, of removal of a nonconforming sign without compensation to the property owner if the sign is located in a residential or agricultural zone district.

Given the discrepancies that exist within the County's Sign Ordinance, as it relates to the removal of billboard signs, staff is working to draft amended language to the Sign Ordinance which will "grandfather" existing legal billboards and prohibit new billboard construction; and which will allow for the maintenance, upkeep and replacement in kind of any legal existing signs. Staff is currently working with County Counsel to draft such language and will present this work program before the Planning Commission in late spring/early summer 2010 for its recommendation to the Board.

Fowl and Poultry Keeping – Hen Ordinance:

Consistent with an overall local and national land use planning trend, the Planning staff has been working on a Zoning Text Amendment to allow for the raising and keeping of three hens in the Residential Single-Family (RS) zoning district. The Hen Ordinance involves

amending the Animal and Raising and Keeping section of the Zoning Ordinance and modifying section 17.56.070(f)(6) for Fowl and Poultry to allow for the keeping of up to three (3) chicken hens in the Residential Single-Family (RS) zone district with the approval of an Administrative Review Permit. The keeping of roosters, guinea hens, peacock hens or other exotic hens is prohibited, and the chicken hens are required to be on-site. This work program also modifies the combining Agricultural zone district to allow up to six chicken hens on parcels less than one-half acre and the Residential-Forest zone district to allow up to 12 chicken hens on parcels less than one acre.

Staff has collaborated with the County's Agricultural Commissioner to draft the amended language for the Ordinance and is currently in the process of presenting the work program to the County's MACs and Agricultural Commission for their consideration. To date, issues raised regarding the amendments include the objection of the Agricultural Commissioner to any discretionary action (requiring an Administrative Review Permit for the keeping of the hens), as well as the desire of the Humane Society for the amendment to address the welfare of the chickens. It is anticipated that this work program will be presented to the Planning Commission in spring 2010 for its consideration and recommendation to the Board of Supervisors.

Medical Marijuana Collectives, Cooperatives or Dispensaries:

The permitting of medical marijuana collectives, cooperatives or dispensaries by local governments as a legal use is both a public policy issue and a contentious legal issue. Staff has reviewed both federal and California laws and is recommending an amendment to the ordinance that would ban these uses within Placer County. In addition, the amendment would clarify that the production and composting of cannabis is not included in the existing County definitions of "Crop Production" or "Agricultural processing". These proposed amendments would not affect the County's existing local identification card program for medical marijuana qualified patients and primary caregivers. Staff has collaborated with County Council to draft the amended language for the Ordinance and will present these proposed amendments to the Planning Commission on January 28, 2010 for a recommendation to the Board of Supervisors.

Dry Creek Greenway Master Plan

Placer County received grant funding to prepare a master plan for a continuous and coordinated system of preserved lands and habitat, with a connecting corridor of walking, equestrian, and bicycle trails from the Sacramento border to Dry Creek's sources, and to the Folsom Lake State Recreation Area. The Dry Creek Greenway Regional Vision document encompasses Dry Creek and its major tributaries including Miners Ravine, Secret Ravine, Strap Ravine, Antelope Creek, Cirby Creek, Clover Valley Creek and Linda Creek. The Vision Plan includes a multi-jurisdiction management strategy to address: hiking, biking, equestrian trails and public access, habitat preservation, flood control and water quality.

A programmatic Environmental Impact Statement has been prepared to identify and assess the anticipated environmental impacts of the proposed Dry Creek Greenway within unincorporated Placer County. This work program and EIR are expected to be before the Planning Commission for its consideration and recommendation to the Board of Supervisors in spring 2010.

Landscape Design Guidelines

The Planning staff is working with the Engineering and Surveying Division to update the Landscape Design Guideline manual. The overall intent of the manual is to provide the Planning Division, prospective developers and stakeholders with a basic framework for landscape and streetscape improvements within unincorporated Placer County. Consistent with State Assembly Bill 1881, the manual will incorporate guidelines that meet the State's new Water Efficiency Landscape Model Ordinance (WELMO). The landscape guidelines will address sight distances and sight triangles, landscape and irrigation design criteria, streetscape design criteria and recommended plant materials that are consistent with the State's WELMO. The intent of the design guidelines is to promote high-quality design of development that is consistent with the State's standards, yet allows for a level of flexibility through site design. Staff is currently working on a draft document that will be circulated internally for review. A draft document is expected to be presented to the Planning Commission for its consideration and recommendation to the Board of Supervisors by mid-2010.

Census 2010

The Planning Division is currently working as support staff to assist with the U.S. Census Bureau for the 2010 Census for Placer County. Activities include participating in the Complete Count Committee, tasked with helping to identify and reach targeted groups of residents in Placer County who may not be represented in the prior censuses; review Placer County census tracts, block groups and census blocks; review the 2010 Boundary and Annexation Survey; and participate 2010 Census New Construction Program. It is anticipated that this work program will continue through mid-2010.

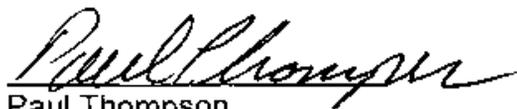
FISCAL IMPACT

Implementation of the above-stated work programs will not have an adverse impact on the Fiscal Year 2009/2010 budget for the Planning Services Division, as the monies needed to accomplish these work programs have already been allocated to the Planning Division budget.

RECOMMENDATION

The Planning Services Division is seeking concurrence of the continued implementation of the identified work program for the balance of Fiscal Year 2009/2010 unless otherwise directed by the Board.

Respectfully submitted,



Paul Thompson
Deputy Planning Director