



**COUNTY OF PLACER**  
Community Development/ Resource Agency

Michael J. Johnson, AICP  
Agency Director

**PLANNING**

**MEMORANDUM**

**TO:** Honorable Board of Supervisors

**FROM:** Michael J. Johnson, AICP  
CDRA Director

**DATE:** September 7, 2010

**SUBJECT:** Zoning Text Amendment (PZTAT20100164)  
MUNICIPAL ADVISORY COUNCILS (MAC)  
MAC Referral for County-Initiated ZTAs

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**ACTION REQUESTED:** Adopt an Ordinance amending Zoning Ordinance Section 17.060.090 (B) (Chapter Plan Amendments and Rezonings), to require notification to County Municipal Advisory Councils of County-initiated Zoning Text Amendments as recommended by the Planning Commission.

**BACKGROUND:**

The Board of Supervisors established MACs throughout the unincorporated areas of Placer County, beginning with the Sheridan MAC which was created in 1978. Since that time, the Board has established 13 MACs, including North Tahoe, Squaw Valley, Weimar-Applegate-Cofax, Meadow Vista, Foresthill, North Auburn, Newcastle-Ophir, Penryn, Horseshoe Bar, Rural Lincoln, Granite Bay, West Placer, and Sheridan.

At the January 26, 2010 Board of Supervisors meeting, staff provided the Board with a General Fund Work Program update, which included discussion regarding some County-initiated planning projects/programs that are typically not presented before MACs prior to the Board's consideration. At that hearing, the Board expressed a desire for some of these projects to be presented to County MACs. The Board directed staff to provide a report to the Planning Commission, clarifying the MACs planning process responsibilities and to have the Commission consider a modified process for notification to the MACs when a County-initiated project/program is proposed.

Staff reported to the Planning Commission at its April 8, 2010 and June 24, 2010 meetings regarding the MAC planning process. At the April 8, 2010 hearing, the Commission heard testimony from the public and various County staff and MAC members, and directed staff to explore a modification to the Zoning Ordinance to provide a notification process in which County-initiated ZTAs may be presented to MACs.

As directed, staff prepared a Zoning Text Amendment (ZTA) to Section 17.60.090 (B) (Chapter Plan Amendments and Rezonings) of the Placer County Zoning Ordinance that includes the incorporation of a new sub-section under Section 17.60.090 (B), which will address the referral of all County-initiated ZTAs to all MACs. At its June 24, 2010 meeting, the Planning Commission considered the proposed Zoning Text Amendment, and made a motion to unanimously recommend approval of the ZTA to the Board of Supervisors (5:0; Commissioner Sevison abstained and Commissioner Johnson absent).

## DISCUSSION OF ISSUES

### Current MAC Process for County-Initiated Zoning Text Amendments (ZTAs)

Proposed changes to the County's Zoning Ordinance are largely initiated by the County, and in some cases, the amendments are a result of public interest. While all County initiated Zoning Text Amendments (ZTAs) are heard by the Planning Commission, the County's MAC Handbook does not require that such projects undergo MAC review. In addition, it has not been the policy of the Planning Services Division to present County initiated ZTAs at MAC meetings. However, the staff does provide notification to the MACs for all projects that are scheduled for a Planning Commission or Board hearings. Furthermore, upon request of the Board or direction from the Planning Commission, the staff will present specific County-initiated ZTAs before the MACs for their consideration.

### Summary of Proposed Amendment

In response to the Board's direction at its January 26, 2010 hearing, as well as the Planning Commission's recommendation at its April 8, 2010 and June 24, 2010 hearings staff has prepared a modification to Section 17.60.090 (B) of the Placer County Zoning Ordinance. The proposed Zoning Text Amendment language is provided in Attachment A and is presented below. The Zoning Ordinance language proposed to be amended is shown as underlined.

Subsection (B) of Section 17.60.090 of Article 17.60 of Chapter 17 of the Placer County Code:

B. Notice to Municipal Advisory Councils/Planning Commission Hearing.

**1. Notice of any proposed amendment to the text of this Chapter 17 that is initiated by the County and that is not associated with an application for a private project shall be provided to all of the municipal advisory councils in accordance with this subsection (1). At least sixty (60) days prior to the date the proposed amendment is scheduled to be heard by the planning commission, the planning director shall notify in writing the chair and secretary of each municipal advisory council, describe the proposed amendment and offer to present it to the municipal advisory council for its review and comment. The chair may request that the proposed amendment be presented to the municipal advisory council by contacting the planning department within fifteen (15) days, or as soon as possible after receipt of the information, and the proposed amendment shall be scheduled for presentation to the municipal advisory council as soon as feasible thereafter. No zoning text amendment proposed by the County shall be invalid in the event it is not, for any reason, reviewed by a municipal advisory council prior to its hearing by the planning commission.**

**2. After any review has been completed as provided by subsection (1), above, and after the completion of any environmental documents and public review periods required by**

the California Environmental Quality Act (CEQA) and the completion of a planning department staff report, the planning commission will provide notice and hold a public hearing pursuant to Section 17.60.140. The purpose of the hearing shall be to receive testimony from persons interested in the proposed amendment, to consider the recommendations of the agency director, planning director and/or the development review committee, and to adopt a recommendation to the board of supervisors.

**FISCAL IMPACT:** The proposed amendment to the Zoning Ordinance may result in increased number of staff presentations at MAC meetings for County-initiated ZTAs. Therefore, the proposed ZTA may likely increase general fund costs if the need for staff presentations results in overtime. As is the current practice for all Agency divisions, managers work with staff to flex their work hours when night meetings are required, thereby minimizing the need for overtime.

**CEQA COMPLIANCE:** The adoption and implementation of this ordinance is exempt from the provisions of the California Environmental Quality Act per CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendment of the Zoning Ordinance to add additional procedural requirements will not result in a significant effect on the environment.

**PUBLIC NOTICES AND REFERRAL FOR COMMENTS:** A legal notice was published in the *Sacramento Bee* newspaper. Other appropriate public interest groups, including Municipal Advisory Councils, and citizens were sent copies of the public hearing notice.

**RECOMMENDATION:** Staff brings forward the Planning Commission's recommendation that the Board of Supervisors adopt the attached Ordinance (Attachment 1) amending the Zoning Ordinance Section 17.060.090 (B) (Chapter Plan Amendments and Rezoning), to require notification of all County-initiated Zoning Text Amendments to County Municipal Advisory Councils.

Respectfully submitted,



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MICHAEL J. JOHNSON, AICP  
Director of Planning

Attached to this report for the Board's information/consideration are:

**ATTACHMENTS:**

Attachment 1: Ordinance amending Zoning Ordinance Section 17.060.090 (B)

cc: Holly Heinzen – County Executive Office  
Scott Finley- County Counsel  
Loren Clark – Deputy Planning Director

Paul Thompson – Deputy Planning Director  
Wes Zicker - Engineering and Surveying Division  
Jill Pahl - Environmental Health Services  
Tim Wegner– Chief Building Official  
Bob Eicholtz - Emergency Services

# Before the Board of Supervisors County of Placer, State of California

In the matter of: AN ORDINANCE  
AMENDING SECTION 17.60.090(B) IN  
CHAPTER 17 OF THE PLACER  
COUNTY CODE RELATING TO  
ZONING TEXT AMENDMENTS

Ord. No. \_\_\_\_\_

The following ordinance was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held \_\_\_\_\_, 2010, by  
the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

\_\_\_\_\_  
Kirk Uhler  
Chair, Board of Supervisors

Attest:

\_\_\_\_\_  
Ann Holman  
Clerk of said Board

\_\_\_\_\_  
THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF  
CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1:** Subsection (B) of Section 17.60.010 of Article 17.60 of Chapter 17 of the  
Placer County Code is hereby amended to read as follows:

B. Notice to Municipal Advisory Councils/Planning Commission Hearing.

1. Notice of any proposed amendment to the text of this Chapter 17 that is initiated by  
the County and that is not associated with an application for a private project shall be  
provided to all of the municipal advisory councils in accordance with this subsection (1).  
At least sixty (60) days prior to the date the proposed amendment is scheduled to be

heard by the planning commission, the planning director shall notify in writing the chair and secretary of each municipal advisory council, describe the proposed amendment and offer to present it to the municipal advisory council for its review and comment. The chair may request that the proposed amendment be presented to the municipal advisory council by contacting the planning department within fifteen (15) days, or as soon as possible after receipt of the information, and the proposed amendment shall be scheduled for presentation to the municipal advisory council as soon as feasible thereafter. No zoning text amendment proposed by the County shall be invalid in the event it is not, for any reason, reviewed by a municipal advisory council prior to its hearing by the planning commission.

2. After any review has been completed as provided by subsection (1), above, and after the completion of any environmental documents and public review periods required by the California Environmental Quality Act (CEQA) and the completion of a planning department staff report, the planning commission will provide notice and hold a public hearing pursuant to Section 17.60.140. The purpose of the hearing shall be to receive testimony from persons interested in the proposed amendment, to consider the recommendations of the agency director, planning director and/or the development review committee, and to adopt a recommendation to the board of supervisors.

**Section 2:** This ordinance shall take effect and be in full force and effect upon thirty (30) days after its passage. The Clerk is directed to publish this ordinance, or a summary thereof, in accordance with Government Code Section 25124.