

Notice of Availability and Intent to Adopt an Initial Study/ Negative Declaration

To: Public Agencies, Organizations and Other Interested Parties

From: City of Sutter Creek
Planning Department
18 Main Street
Sutter Creek, CA 95685

Subject: Zoning Ordinance Amendment and General Plan Circulation Element Update
Draft Initial Study and Negative Declaration

Notice is hereby given that the City of Sutter Creek, acting as Lead Agency under the California Environmental Quality Act (CEQA), is releasing for review and comment to all agencies, organizations and interested persons, a Draft Initial Study and Negative Declaration (IS/ND) for the Zoning Ordinance Amendment and General Plan Circulation Element Update Project (Project).

Public Review Period: The Draft IS/ND is being circulated for a 30-day review period beginning **August 4, 2023 to September 5, 2023** pursuant to Section 15105 of the CEQA Guidelines. Persons responding are urged to submit their comments in writing. Comments should be mailed or emailed to the City, at the addresses listed below, by no later than **5 p.m. on September 5th**.

City of Sutter Creek Planning Division
18 Main Street
Sutter Creek, CA 95685
Attn: Erin Ventura
Contract Planner

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Project Location: City wide.

Project Description: The Project includes text amendments to the City of Sutter Creek Code of Ordinances, Chapter 18-Zoning Ordinance. In conforming the Zoning Ordinance to the recently updated General Plan, the proposed ordinance makes changes to some of the authorized zones. These changes include:

1. The Agricultural Zone was changed to the Residential Ranchette Zone, and the Limited Multiple Family Dwelling Zone (R-3) and the Multiple Family Dwelling Zone (R-4) were consolidated.
2. Public Service (P-S) Zone was added.
3. The maximum development densities set forth in the General Plan were incorporated into the zoning districts.
4. The commercial and industrial uses allowed in the commercial zones and industrial zones were modified for consistency with the General Plan.
5. Section 18.46.050 was added to implement a review process for special events.
6. Home Occupations regulations were amended to allow administrative review of applications.

The Zoning Ordinance is also proposed to be amended to comply with disability access and fair housing laws, as well as recent changes in State Law related to housing. On these subjects, the following changes are proposed:

1. Chapter 18.58 was added to establish a procedure for making requests for reasonable

accommodation in land use, zoning, and building regulations, in compliance with Federal Fair Housing Amendments Act of 1988 (42 U.S.C. §§ 3601 et seq.) and the California Fair Employment and Housing Act (Cal. Gov't Code §§ 12955 et seq.).

2. Chapter 18.61 was added to incorporate State requirements for accessory dwelling units and junior accessory dwelling units (Government Code Section 65852.2).
3. Chapter 18.62 was added to incorporate State Density Bonus Law (California Government Code Title 7, Division 1, Chapter 4.3, Sections 65915, et seq.).
4. Definitions were amended to be consistent with State Law.
5. Single-family zones were amended to include residential care facilities with six or fewer clients as a single-family use.
6. "Family daycare homes" were added as a permitted use in all zoning districts where residential use is allowed, as required by Health and Safety Code Section 1596.78.
7. "Emergency shelters" were added as a "by-right" use in C-2, as required by Government Code Sections 65582, 65583(a), and 65589.5, and regulations related to such facilities were added to the Zoning Code.
8. "Low barrier navigation centers" were added as a "by-right" use in mixed use and nonresidential zones that permit multifamily use, as required by Government Code Section 65662.
9. Section 18.12.060 was added to incorporate Government Code Section 65583, which requires that the City treat transitional housing as a residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone, and to incorporate Government Code Section 65651, which requires that the City allow permanent supportive housing, by right, in areas zoned for multifamily and mixed use. Corresponding changes were made to the zoning districts.
10. Senior housing was re-defined to comply with State Law, and changes were made to ensure that senior housing is treated the same as other residential uses in the underlying zoning district.
11. Single family zones were amended to permit employee housing for six or fewer employees as a single-family structure, as required by Health and Safety Code Section 17021.5.

The Project also includes a comprehensive update to the City's General Plan Circulation Element.

Public Hearing Date: A public hearing date for the City Sutter Creek Planning Commission to review the IS/ND and take public comment has been scheduled for **August 14, 2023 at 6 pm** at 33 Church Street, Sutter Creek. The IS/ND and Project are tentatively scheduled to be reviewed by the City Council on **September 18, 2023**.

CEQA Project Status: A Draft Initial Study and Negative Declaration have been prepared for this Project pursuant to the provisions of CEQA. The Draft IS/ND prepared for this Project demonstrates that the Project will not have any significant and unavoidable impacts on the environment.

The text amendments to the City of Sutter Creek Code of Ordinances, Chapter 18- Zoning Ordinance, Circulation Element update, Draft IS/MND and all related analysis are on file and available for review at City Hall located at 18 Main Street, Sutter Creek or online at www.cityofsuttercreek.org.
