



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

TUOLUMNE COUNTY PLANNING COMMISSION BOARD OF SUPERVISORS CHAMBERS, 4TH FLOOR COUNTY ADMINISTRATION CENTER 2 SOUTH GREEN STREET

October 2, 2024

6:00 p.m.*

48 Yaney Avenue, Sonora
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*** The doors to the County Administration Center will be opened at 5:30 p.m.**

You may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370, or email (CDD@tuolumnecounty.ca.gov) for retention as part of the administrative record. Comments will not be read during the meeting.

PLANNING COMMISSION BUSINESS:

1. Reports from Commissioners and Staff

** Reports are a brief oral report from a Commission member and/or County staff, and no Commission action will occur. This item is not intended to include in-depth presentations or reports, as those matters should be placed on an agenda for discussion**

2. Report from the Agricultural Advisory Committee Representative

3. Welcome and Commission Overview for New Commissioners

PUBLIC COMMENT: 15 minutes

The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

NEW ITEMS:

1. Small-Lot Subdivision Ordinance

Consideration of a recommendation regarding the Small-Lot Subdivision Ordinance (Article 3, Chapter 17.25) to the Board of Supervisors.

The Minutes, Staff Reports, and environmental documents for the items referenced in this Agenda are available for review at the Tuolumne County Community Development Department Monday through Thursday, 8:00 a.m. 3:00 p.m., Fourth Floor, A.N. Francisco Building, 48 Yaney, Sonora, California, and online at www.tuolumnecounty.ca.gov.

Any other materials related to the items referenced in this Agenda that are provided by the County to the Planning Commissioners prior to the meeting are available for review at the Tuolumne County Community Development Department 48 Yaney, Sonora, California, and will be available at the meeting. Any materials provided to the Planning Commissioners during the meeting by the County will be available for review at the

meeting, and materials provided by the public will be available for review at the Community Development Department the day following the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28CFR Part 35 ADA Title II).

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October 2, 2024

TO: Tuolumne County Planning Commissioners

FROM: Quincy Yaley, Community Development Director, AICP
Tamera Blankenship, Housing Development Specialist

SUBJECT: Consideration of recommendation to approve the Small-Lot Subdivision Ordinance (Article 3, Chapter 17.25) to the Board of Supervisors

BACKGROUND

1. In April 2024, the Board of Supervisors prioritized workforce housing within its broader goal of promoting community health and economic prosperity. As part of this effort, the Board directed staff to collaborate with stakeholders to explore strategies for overcoming barriers to residential development, particularly with respect to minimum lot size and floor area ratio (FAR) requirements.
2. Large minimum lot sizes can drive up housing costs, encourage car dependency, and accelerate land consumption. By contrast, smaller lot sizes can foster more attainable single-family homes and allow for moderate increases in density in suitable areas.
3. Staff identified that a blanket reduction in minimum lot sizes in low-density residential zones (R-1) would require extensive environmental review and may have unintended consequences. To address these challenges, the Development Process Workgroup worked with stakeholders to develop the proposed Small-Lot Subdivision Ordinance, which provides a flexible approach to reduce these constraints and increase the availability of housing attainable to moderate-income households.

DETAILS

4. The Small-Lot Subdivision Ordinance aims to:
 - Encourage quality residential infill development.
 - Enable more efficient land use in single-family and underutilized commercial zones.
 - Increase the supply of housing for a broader range of income levels.
5. This ordinance does **not** increase the densities currently allowed within applicable zones. Instead, it allows for innovative design and site planning to achieve the existing densities while protecting green space, natural resources, and areas with topographic constraints. By promoting infill development and only allowing small-lot subdivisions where public water and sewer are available, the ordinance also helps prevent urban sprawl.

6. To ensure compatibility with the community's character, Objective Site and Design Standards will apply to all small-lot subdivisions, helping to preserve Tuolumne County's historic and natural beauty.
7. The proposed ordinance does not provide relief from other Tuolumne Code Ordinances including Titles 11, 12, 15, and 16. State law applies; including the Subdivision Map Act, California Streets and Highways Code, and Public Resources Code related to fire prevention.

GENERAL PLAN CONSISTENCY

8. The Small-Lot Subdivision Ordinance has been drafted with extensive collaboration among stakeholders and is consistent with the three overarching vision statements of the Tuolumne County General Plan:

OAV1. Promote development in Tuolumne County that reflects the values and vision of the community and implements the latest legal, statutory, scientific, and technical changes and advances.

OAV2. Achieve, enable, and preserve maximum flexibility within the constraints of state and federal law and an ever evolving legal, cultural, and environmental landscape.

OAV3. Recognize that the County has a unique role to collaborate with special districts/ stakeholders within the County to promote the delivery of efficient and cost-effective public services.

Specifically, the proposed ordinance is consistent with Policy 1.A.1, promoting the efficient use of land to conserve natural resources, and Policy 1.A.5, promoting infill and clustered patterns of development that facilitate the efficient and timely provision of infrastructure and services.

ENVIRONMENTAL REVIEW

9. The proposed ordinance will not have an impact on the environment, as it consists of the Board adopting a regulation that does not increase allowable densities or change allowable land uses.

Adoption of the ordinance is exempt from CEQA pursuant to State CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3). The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; and the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA. The residential developments authorized under this ordinance are consistent with existing allowable densities and land uses. The ordinance does not change the zoning for any properties, meaning that it does not create negative environmental impacts or result in physical changes to the environment, and does not propose or entitle new development without environmental review.

REQUESTED ACTION

Staff recommends that the Planning Commission recommend approval of the Small-Lot Subdivision Ordinance (Article 3, Chapter 17.25) to the Board of Supervisors.

Attachments:

Tuolumne County Ordinance Code Article 3, Chapter 17.25 Small-Lot Subdivisions (draft)

Article 3 – Chapter 17.25

SMALL-LOT SUBDIVISIONS

Sections:

17.25.010	Purpose.
17.25.020	Applicability.
17.25.030	Application Requirements.
17.25.040	Preliminary Application Review Meeting.
17.25.050	Formal Application Requirements.
17.25.060	Development Standards.

17.25.010. Purpose. This section establishes provisions for small-lot subdivisions to promote infill development, provide alternatives to large-lot single-family homes, provide more affordable housing stock, and implement the goals and policies of the County's General Plan. Specific objectives of these provisions are to:

- A. Provide an incentive to create quality residential infill developments where existing conditions prevent the attainment of the allowed density of a property using the R-1 minimum lot.
- B. Enable more efficient utilization of R-1 parcels by allowing a range of lot sizes;
- C. Encourage the development of underutilized land in commercial zones where residential projects are permitted;
- D. Facilitate innovative development concepts that achieve greater consistency with the County's General Plan;
- E. Promote housing stock affordable to a greater range of income levels;
- F. Affirmatively further fair housing by permitting more affordable housing options in higher resource neighborhoods;
- G. Increase home ownership opportunities; and
- H. Establish objective site and design standards for subdivisions that include lot sizes smaller than established lot sizes for residential development to ensure new residential development is compatible with existing neighborhoods.

17.25.020. Applicability.

A. Location. Small-lot subdivisions shall be allowed as an alternative to conventional subdivision design in the R-1, R-2, R-3, C-O, C-1, and MU zones. Small-lot subdivisions are subject to all the requirements of the State Subdivision Map Act and Tuolumne County Ordinance Code Title 16, in addition to the provisions set forth under this section. A Use Permit, Planned Unit Development (PUD) or other rezoning application is not required to use these provisions.

B. Optional Use. The use of small-lot subdivision provisions is optional. Persons wishing to subdivide and develop land may use these provisions or proceed under the otherwise applicable Zoning Ordinance requirements.

17.25.030. Application Requirements.

A. Preliminary Application. An applicant shall submit to the County a preliminary application prior to submitting a formal application for a small-lot subdivision project. The preliminary application shall include a conceptual development plan that identifies proposed building lots and sites, and a description of the maximum number of lots, roads, green space areas, and other features as applicable.

B. Objective Site and Design Standards. The conceptual development plan shall address all items listed in the County of Tuolumne Objective Site and Design Standards. Where appropriate, information may be provided in narrative form.

17.25.040. Preliminary Application Review Meeting.

A. Once a preliminary application has been submitted, the applicant shall schedule a preliminary application review meeting with County staff and external stakeholders. The purpose of this meeting is to provide the following preliminary direction to the applicant:

1. Identify any potential inconsistencies between the proposed project and County ordinances and policies;
2. Identify site and design standards required for the formal project application;
3. Discuss the application review process;
4. Identify potential environmental impacts; and
5. Identify special studies that may be required to accompany the final application.

B. Any direction given to the applicant by County staff shall be preliminary and subject to further refinement or change as the proposed project progresses through the formal application process. Following the meeting, the Community Development Department shall communicate to the applicant the recommended direction, additional filing requirements for the formal application, and other determinations reached at the meeting.

17.25.050. Formal Application Requirements.

Following completion of the preliminary application process, a formal subdivision application for a small-lot project shall be filed and reviewed in compliance with all applicable local ordinances and the State Subdivision Map Act requirements governing tentative subdivision, parcel map, and parcel map waiver application. Residential development applications submitted pursuant to this article shall be clearly identified as small-lot subdivisions on the Tentative Map.

17.25.060. Development Standards.

Small-lot subdivisions shall adhere to the development standards for the zone applicable to the property, except as modified below:

- A. Objective Site and Design Standards. The adopted Objective Site and Design Standards at the time of application are the applicable standards for a small-lot subdivision project.
- B. Density. Residential density shall be determined by the zoning designation for the parcel. Maximum residential density for proposed projects shall be:

Zone	Dwelling units per acre
MU	15
R-1	6
R-2	12
R-3	15
C-O	15
C-1	15

Additional residential density may be possible through a density bonus for the provision of affordable housing in accordance with the California Government Code.

- C. Lot Size. The minimum lot size in a small-lot subdivision is determined by the size of the dwelling unit, site conditions, and any applicable setback or easement requirements.
- D. Building Setbacks and Parcel Dimension Requirements. Building setbacks are determined by California Building Code, Tuolumne County Ordinance Code Title 15, and Tuolumne County Ordinance Code Title 16. Small-lot subdivisions may apply the minimum setback distance that complies with all applicable state and local ordinances, including but not limited to minimum fire separation distance standards. Parcel dimension requirements are subject to Tuolumne County Ordinance Code Chapter 16.26.190, with the exception of the minimum lot size requirement of 16.26.190A.
- E. Fire Prevention. All site development shall be consistent with the County Fire Code requirements and Public Resources Code Section 4290. Developments must comply with Tuolumne County Ordinance Code Chapter 15.20 specific to fire flow requirements, water supply standards, building height, fire hydrants, identification of buildings and off-site signing, driveways, gate entrances, setbacks, defensible space, and fuel modification.
- F. Street Design. Street improvements, including sidewalks, within a small lot subdivision project shall be governed by Tuolumne County Ordinance Code Titles 11, 12, and 16, California Streets and Highways Codes, and the General Plan. Street design must comply with all applicable fire prevention requirements. All street design standards shall be approved by the Director of Public Works and the County's Fire Marshal.
- G. Parking. Parking shall be provided for each dwelling unit to include one parking space for studios and one-bedroom units, and two parking spaces for two-bedroom and larger units. Parking shall be off-street and may be provided on each parcel or in a common parking area shared by multiple units.
- H. Sewage Disposal/ Potable Water. Small-lot subdivisions shall be served by public sewer and water systems. Each application for a small-lot subdivision shall include a service availability letter or other equivalent form of documentation from the utility provider indicating whether capacity exists or if offsite improvements will be needed prior to serving the proposed development. Service availability letters are not entitlements. A commitment to provide water and/or sewer service is formalized through a development agreement executed by the Developer and the Utility. Any water/sewer infrastructure improvements, capacity charges and/or other associated costs or fees required by the public water and sewer provider(s) for the provision of service are the responsibility of the applicant.
- I. Public Utility Easements. Public utility easements shall be provided as required by Tuolumne County Ordinance Code Chapter 16.24.170. Deviations from the public utility easement requirement may be granted by consent of the public utility provider.
- J. Flood Zones. Small-lot subdivisions shall be prohibited from creating parcels for residential use within flood hazard zones A, A99, AE, AH, AO, and VE as identified in the most recent National Flood Hazard Layer published by the Federal Emergency Management Agency.
- K. Final Subdivision and Parcel Maps. Final subdivision and parcel maps shall include a notation that stipulates that the small-lot parcels created as part of a small-lot subdivision cannot be further divided. Lots within the subdivision that are larger than the minimum lot size allowed in the zone may be later divided in accordance with county ordinance code.