

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACERVILLE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PLACERVILLE TO APPLY THE COMMERCIAL-HOUSING OPPORTUNITY OVERLAY (C-HO) TO THE PROPERTY AT 201 NEW MORNING COURT (APN 325-240-016) FOR ZONE CHANGE ZC 26-01; ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; AND MAKING RELATED FINDINGS**

**WHEREAS**, the City of Placerville adopted its 2021-2029 Housing Element on August 31, 2021 (Resolution No. 9005), with amendments adopted December 13, 2022 (Resolution No. 9150); and

**WHEREAS**, the Department of Housing and Community Development (HCD) certified the amended Housing Element in substantial compliance with State Housing Element Law on December 21, 2022; and

**WHEREAS**, Housing Element Program A-3 (High-Density Development and Objective Design Standards) commits the City to increasing the inventory of sites suitable for high-density multi-family residential development at a minimum of 20 dwelling units per acre (du/ac) on three specific sites, including the 2.36-acre site at 201 New Morning Court (APN 325-240-016), to accommodate housing affordable to very low- and low-income households and facilitate up to 56 multi-family units on this site with at least 50% affordable (minimum 30% very low-income and 20% low-income); and

**WHEREAS**, Program A-3 supports the City's Regional Housing Needs Allocation (RHNA) goals and enables by-right, ministerial review under State laws including SB 35; and

**WHEREAS**, on December 3, 2025, HCD issued a Letter of Inquiry regarding the status of Program A-3 and other Housing Element programs; and

**WHEREAS**, the City responded to the Letter of Inquiry on December 23, 2025, providing updates on completed and pending actions; and

**WHEREAS**, the proposed General Plan Amendment GPA 26-01 and Zone Change ZC 26-01 apply the Housing Opportunity (HO) Overlay to the site at 201 New Morning Court (APN 325-240-016), changing the General Plan Land Use Designation from Commercial (C) to Commercial-Housing Opportunity Overlay (C-HO) and the Zoning Map from Commercial (C) to Commercial-Housing Opportunity Overlay (C-HO), in accordance with Placerville Municipal Code Section 10-5-24, to implement Program A-3 and maintain substantial compliance with State Housing Element Law; and

**WHEREAS**, the HO Overlay provides a ministerial, by-right pathway for multi-family residential development at 20-24 du/ac, with objective development standards including minimum density of 20 du/ac, maximum 60% lot coverage, 40-foot height limit, and 1.5 parking spaces per unit; and

**WHEREAS**, the site was selected for its size (2.36 acres), vacancy, access to utilities and services, and proximity to commercial and residential areas, making it conducive to affordable multi-family housing; and

**WHEREAS**, an Initial Study/Mitigated Negative Declaration (IS/MND) dated July 2025 was prepared for the project, evaluating all CEQA checklist topics and finding that potentially significant impacts would be less than significant with mitigation; and

**WHEREAS**, the Planning Commission held a duly-noticed public hearing on March 3, 2026, and adopted Resolution No. 2026-03 recommending that the City Council approve GPA 26-01, introduce and waive the first reading of an ordinance approving ZC 26-01, and adopt the Mitigated Negative Declaration (MND); and

**WHEREAS**, the City Council held a duly-noticed public hearing on April 14, 2026, at which time all interested persons were given the opportunity to be heard, including written and oral comments from the public (such as comments from New Morning Youth & Family Services and the El Dorado County Fair); and

**WHEREAS**, the City Council has reviewed the Planning Commission recommendation, the IS/MND, the staff report, all public comments received, and all related materials; and

**WHEREAS**, the proposed amendments are consistent with the City's General Plan (as amended), the 2021-2029 Housing Element, the Placerville Municipal Code, and State law.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Placerville makes the following findings and determinations with respect to the proposed Zoning Map Amendment:

**SECTION 1.** The City Council of the City of Placerville hereby finds:

1. The Initial Study/Mitigated Negative Declaration (IS/MND) dated July 2025 was prepared in compliance with the requirements of the California Environmental Quality Act (CEQA) under Title 14 of the California Code of Regulations and reflects the independent judgment and analysis of the City Council as the lead agency.
2. All potentially significant effects identified in the IS/MND have been mitigated to less-than-significant levels through the incorporated mitigation measures (including BIO-1, CUL-1, CUL-2, GEO-1, HYDRO-1, NOISE-1, and FIRE-1), supporting adoption of a Mitigated Negative Declaration pursuant to CEQA Guidelines §15070(b).
3. The City Council hereby adopts the Mitigated Negative Declaration (MND) dated July 2025 and the Mitigation Monitoring and Reporting Program (MMRP) attached to the IS/MND (and set forth in the Planning Commission Resolution No. 2026-03), which shall be implemented as a condition of project approval to ensure compliance with mitigation measures.
4. In the absence of substantial evidence to support a fair argument that the proposed amendments may result in significant environmental impacts not previously studied or mitigated, the MND is adequate.

5. General Plan Amendment GPA 26-01 is in the public interest, promotes the public health, safety, and welfare, maintains internal consistency within the General Plan, and complies with State Housing Element Law by implementing Program A-3 to facilitate high-density affordable housing.
6. Zone Change ZC 26-01 is consistent with the amended General Plan (including the C-HO land use designation), is suitable for the permitted uses in terms of site characteristics (e.g., size, access, and proximity to services), and is in the public interest by supporting the City's RHNA obligations without adverse impacts on surrounding properties. All public comments received have been considered and incorporated where appropriate.
7. The proposed zone change has been prepared in conformance with the requirements of the Government Code and Placerville Municipal Code, including Section 10-5-24 governing the Housing Opportunity Overlay.
8. The zone change will not result in spot zoning or other inconsistencies and will support the City's housing goals without significant unmitigated impacts.

## **SECTION 2. PURPOSE AND AUTHORITY.**

The purpose of this Ordinance is to amend the Official Zoning Map of the City of Placerville for APN 325-240-016, as shown on Exhibit A attached hereto and incorporated herein by reference, to implement the Housing Element and facilitate affordable multi-family housing.

## **SECTION 3. AMENDMENT TO THE ZONING MAP.**

The Official Zoning Map for the City of Placerville is hereby amended to rezone the following described land:

From: Commercial (C)

To: Commercial-Housing Opportunity Overlay (C-HO)

Assessor's Parcel Number 325-240-016; all that real property located within the City of Placerville at 201 New Morning Court, consisting of 2.36 acres as shown on Exhibit A attached hereto and incorporated herein by reference.

## **SECTION 4. SEVERABILITY.**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.

## **SECTION 5. EFFECTIVE DATE AND PUBLICATION**

# Att. A

This ordinance shall take effect thirty (30) days after its adoption, pursuant to Government Code Section 36937. Prior to the expiration of fifteen (15) days from the date of its adoption, a summary shall be published at least once in the Mountain Democrat, a newspaper of general circulation published in the City of Placerville, with the names of the City Council members voting for and against the ordinance.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Placerville held on April 14, 2026, by \_\_\_\_\_ who moved its adoption. The motion was seconded by \_\_\_\_\_.

**PASSED AND APPROVED**, by the City Council of the City of Placerville on April 14, 2026, by the poll taken as follows:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**MOVED, PASSED AND ADOPTED**, this 28th day of April 2026, upon second reading by the following roll call vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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Mayor Nicole Gotberg

ATTEST:

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Regina O'Connell, CPMC, City Clerk