



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**SPECIAL MEETING  
HISTORIC DISTRICT COMMISSION AGENDA  
October 10, 2019  
CITY COUNCIL CHAMBERS  
6:00 p.m.  
50 Natoma Street  
Folsom, California 95630**

**CALL TO ORDER HISTORIC DISTRICT COMMISSION:** Rosario Rodriguez, Vice Chair Candy Miller, Mickey Ankhelyi, Daniel West, Kevin Duewel, Mary Asay, Chair Daron Bracht

*Any documents produced by the City and distributed to the Historic District Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers.*

**PLEDGE OF ALLEGIANCE**

**WORKSHOP:**

**1. PN 19-051 Zoning Code Update and Direction to Staff**

A presentation will be given regarding current zoning issues in Chapter 17.52 of the Folsom Municipal Code, which regulates development within the Historic District, and possible alternative approaches to zoning within the district. **(Project Planner: Principal Planner, Desmond Parrington)**

**HISTORIC DISTRICT COMMISSION / PRINCIPAL PLANNER REPORT**

The next Historic District Commission meeting is scheduled for **October 16, 2019**. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2<sup>nd</sup> Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 461-6203 and fax number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact the Community Development Department at (916) 461-6231, (916) 355-7274 (fax) or [kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us). Requests must be made as early as possible and at least two-full business days before the start of the meeting.

**NOTICE REGARDING CHALLENGES TO DECISIONS**

**The appeal period for Historic District Commission Action:** Pursuant to all applicable laws and regulations, including without limitation, California Government Code, Section 65009 and/or California Public Resources Code, Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning, and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing. Any appeal of a Historic District Commission action must be filed, in writing with the City Clerk's Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081.



## **Historic District Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

**Project:** Zoning Code Update – Historic District Zoning Workshop  
**File #:** PN 19-051  
**Request:** Review and Comment  
**Location:** Historic District  
**Parcel(s):** N/A  
**Staff Contact:** Desmond Parrington, AICP, Principal Planner, 916-461-6233  
dparrington@folsom.ca.us

**Recommendation:** Please review and comment on the staff report and presentation involving current zoning issues in Chapter 17.52 of the Folsom Municipal Code, which regulates development within the Historic District, and possible alternative approaches to zoning within the District.

**Project Summary:** Development within the City’s Historic District is regulated by the City’s Zoning Code (Title 17 of the Folsom Municipal Code) as well as the Historic District Design and Development Guidelines. In particular, Chapter 17.52 of the Zoning Code in conjunction with the Guidelines set out development standards for the District. The Historic District is governed by the same type of zoning districts, such as R-1-M (Single Family Dwelling, Small Lot District), C-2 (Community Commercial), etc., that apply to the rest of the City. However, the area also has a Historic District overlay designation with distinct primary and subarea districts (e.g., Historic Residential Primary Area, Persifer-Dean Subarea, etc.), which each have their own development regulations. In some cases, properties have up to three different zoning designations for a parcel. In addition, the Historic District Design and Development Guidelines work with Chapter 17.52, but also include separate goals, policies, standards and guidelines meant to inform the design and City review of development proposals in the District. All these regulatory layers can create confusion for businesses, residents, property owners, and developers regarding what are the applicable standards for properties and the desired design outcome in the District. Even though there are these layers of regulations, members of the public have raised concerns that the regulations do not adequately address concerns about building scale, height, massing and design.

The purpose of this report and workshop is to discuss current issues with the Zoning Code as it relates to the Historic District and to discuss whether there are alternative approaches that would better address the needs of this unique area of Folsom.



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**AGENDA ITEM NO. 1**  
**Type: Special Workshop**  
Date: October 10, 2019

This workshop will not address other issues of importance to the Historic District including parking, signage, and regulation of entertainment uses. Those issues will be addressed in future workshops.

**Table of Contents:**

- 1 - Description/Analysis
- 2 - Background
- 3 - Historic District General Plan Land Use Designations
- 4 - Historic District Zoning Map
- 5 - Historic District Primary Areas and Subareas Map

Submitted,

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PAM JOHNS  
Community Development Director

## ATTACHMENT 1 DESCRIPTION/ANALYSIS

### ISSUES AND ANALYSIS

The key question facing the City is whether there is a need to develop new zoning that reflects the uniqueness of the Historic District.

As identified on the prior page, the Historic District has three levels of zoning regulations. These include the base zoning district designations (refer to Attachment 4) that are used throughout the City (e.g., R-1-M, R-4, C-2, OSC, etc.) as well as overlay designations that include primary areas (e.g., Historic Residential Primary Area, Natoma-Riley-Bidwell Commercial Primary Area, etc.) and subareas such as the Sutter Street Subarea, Resort Subarea, Figueroa Subarea, etc. Development in all of these areas is also subject to the Historic District Design and Development Guidelines. Based on staff use and implementation of these regulations, the following issues have arisen over time:

- **Property Owner Confusion:** Property owners often do not know what they can develop or change on their building and property. For example, there are properties that are zoned R-4 (General Apartment District). This zoning designation has led property owners to believe that they can do more intensive development on their property than they are actually allowed to do. For example, the Historic Residential Primary Area (Section 17.52.540 of the FMC) requires a conditional use permit (CUP) for any multi-family development and limits the total number of apartment units to 12. This puts these regulations in direct conflict with the General Plan density limits. In addition, the building can be no taller than 35 feet, which would make an apartment project with 12 units difficult to design and construct.
- **Non-conforming Uses:** Since most of the Historic District was built before the imposition of zoning regulations, many properties do not meet the development standards and existing regulations have created non-conforming uses without a means to easily remedy the situation. This has either prevented property owners from improving their homes or required them to go through a process to obtain a variance in order to do those improvements. In some cases, property owners are not able to meet the findings for a variance and therefore may not be able to proceed with improvements.
- **Historic District Zone:** The H-D zone district is not defined in the Zoning Code. Within Chapter 17.52 and the Design and Development Guidelines, there are no specific development standards for the H-D zone. Instead, the Sutter Street Subarea as described in Chapter 17.52 and the Design and Development

Guidelines provides all the development standards. This is the only area of the Historic District where only the subarea standards apply. All other areas have both development standards associated with the base zoning and those associated with the subarea and primary area.

- **Incomplete Standards:** Some sections in Chapter 17.52 are either incomplete or are missing important development standards. For example, the Historic Residential Primary Area lacks a parking ratio requirement (i.e., parking space(s) per unit) even though the other primary areas contain that requirement. While the Design and Development Guidelines address some of the gaps in Chapter 17.52, others remain. Furthermore, the fact that there are multiple locations that one has to search to find the appropriate standards adds to the confusion noted above.
- **Subarea Vision and Market Reality:** In some cases, the current subarea definition, boundaries, and zoning (primarily R-4 and H-D) do not align with the reality on the ground. For example, the River Way Subarea was envisioned as an area for artists and craft persons with studios and mixed-use dwellings; however, the area remains primarily residential with varying lot sizes, many non-conforming uses, and without much of an identity. In addition, the area is somewhat isolated, cutoff from the rest of the District by Folsom Boulevard and the new bridge. Current development trends and market realities suggest that the area will not develop into a location for artists unless there are City subsidized and deed-restricted housing projects developed in the area for artists similar to ones developed in Sacramento such as Surreal Estates or the WAL projects.
- **Primary Area and Subarea Boundaries:** There may be a need to adjust the boundaries of some of the primary areas and subareas as development patterns at the edge of a few of the areas have extended into other areas. An example is the Natoma-Riley-Bidwell (NRB) Commercial Primary Area. The area along Bidwell from Wool Street to Decatur that is currently in the Historic Residential Primary Area has quite a few distinct commercial uses. Currently, these are outside of the NRB boundary and are therefore non-conforming because they do not resemble residential buildings.
- **Relationship of Design Guidelines to the Zoning Requirements:** Historic District Design and Development Guidelines including Appendix D (Design Criteria) work in conjunction with Chapter 17.52 to inform the design of projects in the District. Unlike most design guidelines, the Design and Development Guidelines include not only design guidelines, but also important goals, policies, and required standards for development. Some in Folsom believe that the guidelines should play a more prominent role in the development process, possibly being integrated directly into the Zoning Code rather than as a separate

document in order to ensure that projects achieve and are compatible with the vision for the District.

Based on the issues listed above, several other key questions should be considered including:

1. Should the zoning for the Historic District be simplified?
2. Should the Historic District have the same kind of zoning designations as the rest of the city?
3. Should staff develop new zoning designations for the Historic District that incorporate essential elements from the subareas and primary areas?
4. Should elements of the Historic District Design and Development Guidelines be incorporated as standards in any new zoning designations proposed for the District?
5. Should staff revisit the current boundaries for the subareas?

## **POLICY/RULE**

The City's 2035 General Plan identified the Historic District as the heart of Folsom and the first urban center of the city. As shown in Attachment 3, the General Plan established land use designations not only for the Historic District but also for the rest of the City. In addition, the General Plan established policies which will guide the Zoning Code update as well as future development within the Historic District. These policies include:

- LU 1.1.1 Zoning Ordinance: Ensure that the Folsom Zoning Ordinance is consistent with the policies and programs of the General Plan.
- LU 1.1.9 Preserve Historic Resources: Recognize the importance of history in the City of Folsom, and preserve historic and cultural resources throughout the city, to the extent feasible.
- LU 2.1.1 Historic Folsom: Maintain the existing street fabric and pattern and enhance the tourist-oriented, historic commercial uses in the Historic Folsom commercial areas to preserve the unique character of Folsom's historic center and support local business.
- LU 6.1.2 Historic Folsom Residential Areas: Preserve and protect the residential character of Historic Folsom's residential areas.
- LU 9.1.7 District Identity: Encourage efforts to establish and promote district identities (e.g., urban centers, East Bidwell Street) through the use of signage, wayfinding signage, streetscape and building design standards, advertising, and

site-specific historic themes.

- NCR 5.1.1 Historic Buildings and Sites: Whenever feasible, require historic buildings and sites to be preserved or incorporated into the design of new development.
- NCR 5.1.6 Historic District Standards: Maintain and implement design and development standards for the Historic District.

### **ENVIRONMENTAL REVIEW**

This is a special presentation and is not a project as defined by California Environmental Quality Act (CEQA). It is therefore not subject to environmental review.

### **RECOMMENDATION/HISTORIC DISTRICT COMMISSION ACTION**

Review and comment. Please provide input as staff and its consultant team begin the process of updating the Zoning Code as it applies to the Historic District.

## **ATTACHMENT 2 BACKGROUND**

### **BACKGROUND**

The City has a decades-old Zoning Code (Title 17 of the Folsom Municipal Code) with standards designed to address residential and commercial development in Folsom. The Zoning Code divides Folsom into different districts each with their own regulations and development standards that govern the type, design, location, size, and height of buildings in the City. These standards are generally suburban in nature to reflect the existing development patterns in the City.

The Historic District, on the other hand, has a development pattern reflective of growth spanning from 1850 to the 1950 when architectural design was less influenced by the automobile. With the exception of the Sutter Street subarea and the Natoma-Riley-Bidwell Commercial Primary Area, most of the land within the District is zoned for residential development with a typical lot size of 50 feet by 140 feet. In general, compared with the rest of Folsom, the homes and businesses are smaller scale, are on smaller lots, and are set closer to the street. In addition, most homes have one-car garages or no garage and have alley access in contrast to the larger homes and lots in the rest of the city. Many businesses have little to no parking other than on-street parking or public parking lots. In addition, the Sutter Street Subarea has multi-story mixed-use development with little to no front and side yard setbacks that create a more walkable, urban environment that is unique to Folsom.

Included in the 1988 General Plan was a policy directing staff to prepare a specific plan for the Historic District (Resolution No. 3435). So, starting in 1989, staff in conjunction with a consultant began the preparation of a specific plan for the District in an effort to preserve the uniqueness of the area. While the specific plan addressed many of the issues and concerns raised at the time, there was not universal agreement that a specific plan was the right planning tool for the District. Yet, while the specific plan was not adopted by the Council, there were a series of actions taken in 1998 to address development standards and design issues in the District. In July 1998, the City Council adopted Ordinance No. 890 which established an overlay for the Historic District that included both “primary areas” as well as “subareas,” each with development standards unique to those areas.

As shown in Attachment 5, these primary areas and subareas established for the Historic District are:

#### Primary Areas:

- Historic Residential Primary Area
- Historic Commercial Primary Area



- Natomia-Riley-Bidwell Commercial Primary Area
- Open space/public Primary Area

Subareas:

- Sutter Street Subarea
- Central Subarea
- River Way Subarea
- Railroad Wye Subarea
- Resort Subarea
- Figueroa Subarea
- Persifer-Dean Subarea
- The Preserve Subarea

Then in October 1998, the City Council approved the Historic District Design and Development Guidelines as a tool to supplement Chapter 17.52. As noted earlier in this report, the Guidelines established not only guidelines for design and development but also set out goals, policies and standards for development to ensure compatibility of new development with surrounding buildings. Between 1998 and 2018, staff used the new primary area and subarea standards and the Guidelines for the review of development projects. While the new ordinance and the Guidelines created standards that provided useful direction to staff, property owners, and developers, the new overlay was placed on top of existing zoning designations. Unfortunately, this resulted in conflicts between the base zoning districts (e.g., R-1-M, R-4, C-2, etc.), the new primary area and subarea standards and in some cases the Guidelines.

As result of these issues, Council adopted two ordinances (Ordinance No. 1286 and No. 1287) in June 2018 to provide clear direction to staff in the event of a conflict which standards should take precedence. Among other changes to Title 17 (Zoning Code), Ordinance 1286 added primary areas and subareas to the list of districts allowed in the Zoning Code. Ordinance No. 1287 clarified that 1) that land uses permitted by the applicable base zoning district, the applicable primary area, and/or the applicable subarea are all permitted uses within the Historic District; and 2) a conditional use permit (CUP) is required within the Historic District if a CUP is required by the applicable base zoning district, the applicable primary area, and/or the applicable subarea. It also clarified that the regulations set forth in Section 17.52 (Historic District) take precedence over those in the base zoning.

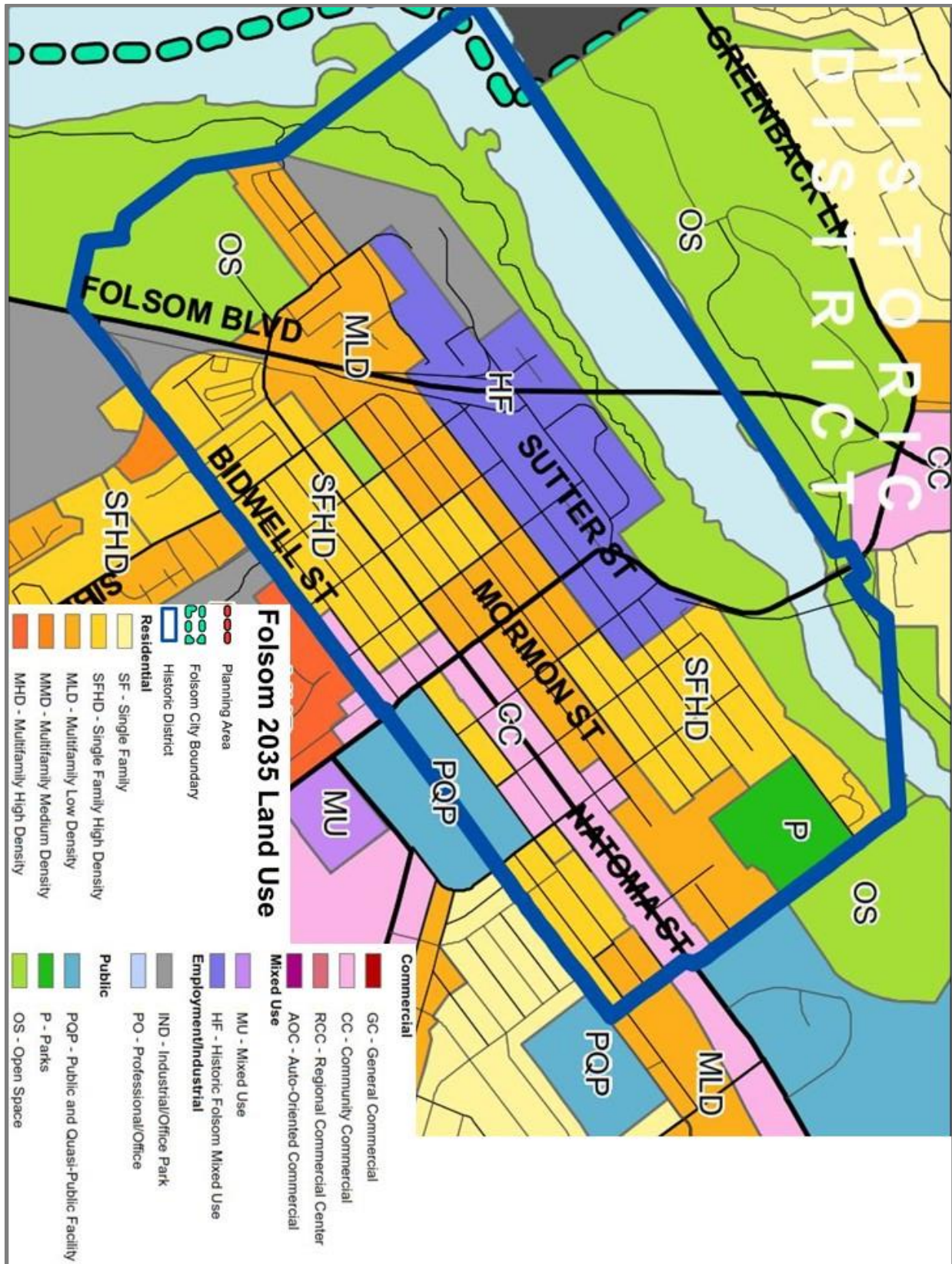
Despite these clarifications, some issues remain as noted above.

## **REGULATIONS IN OTHER HISTORIC DISTRICTS**

In this region and across the country, a variety of different planning and zoning tools have been used to protect existing development and guide new development in

established historic districts. These tools have included unique zoning, zoning overlays, special planning districts, design guidelines, and specific plans, among others. Based on staff's review of these approaches, there is no perfect approach. Those approaches that work best are those that address local needs, are easy to understand, and provide clear design direction.

**Attachment 3**  
**Historic District**  
**General Plan Land Use Designations**



Historic District Commission  
Zoning Code Update – Historic District Zoning Workshop (PN 19-051)  
October 10, 2019

## **Attachment 4**

# **Historic District Zoning**



## **Attachment 5**

# **Historic District Primary Areas and Subareas**



