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## Planning Commission Staff Report

**Meeting Date:** May 19, 2026

**Prepared By:** Carole Kendrick, Director of Development Services

### PROJECT INFORMATION SUMMARY

**Case File:** Zoning Ordinance Amendment (ZOA) 26-04 Program B-4 Homeless Low Barrier Navigation Center Use.

**Request:** Public Hearing and Recommendation to City Council on Proposed Amend Title 10 (Zoning) of the Placerville Municipal Code to Establish Regulations and Permitted Uses for Low-Barrier Navigation Centers in Compliance with State Law (AB 101).

### Summary Recommendation:

1. Conduct a public hearing and receive public input on the proposed ordinance amendment.
2. Recommend that the City Council find that the proposed ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Government Code Section 65661(b), which provides that a Low-Barrier Navigation Center is a use by-right and not subject to discretionary review; and
3. Recommend that the City Council introduce and waive the first reading of an Ordinance amending Section 10-1-4 (Definitions), adding Section 10-4-21 (Low-Barrier Navigation Centers), and amending Sections 10-5-14, 10-5-15, 10-5-16, and 10-5-17 of the Placerville Municipal Code.

### PURPOSE

The purpose of the proposed Zoning Ordinance Amendment (ZOA) is to implement Program B-4 (Homeless Low Barrier Navigation Center Use) of the City's adopted 2021-2029 Housing Element (6th Cycle). This program commits the City to reviewing and changing the Zoning Ordinance to ensure compliance with AB 101 (2019), codified in Government Code Sections 65660 to 65668.

This state mandate requires jurisdictions to allow Low-Barrier Navigation Centers (LBNC) as a use allowed by-right, without discretionary review, in areas zoned for mixed-use and non-residential zones permitting multi-family uses. This action supports the City's ongoing commitment to meeting state housing mandates and maintaining substantial compliance with Housing Element Law.

## BACKGROUND/DISCUSSION

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). HCD certified the amended element in substantial compliance with State Housing Element Law on December 21, 2022, emphasizing timely implementation of programs, including B-4, to avoid revocation of compliance (Gov. Code § 65585(i)).

Housing Element Program B-4 commits that the City to review and amend the City Zoning Ordinance to ensure full compliance with Assembly Bill 101 (2019). Per Government Code Sections 65660–65668, the City will update its regulations to allow Low-Barrier Navigation Centers as a "use by right," exempt from discretionary review. This applies specifically to areas zoned for mixed-use and non-residential zones that permit multifamily housing. The objective of this State law and City Housing Element Program is to streamline the development process for supportive housing and emergency services, reducing administrative hurdles to address local homelessness effectively.

On December 3, 2025, HCD issued a letter of inquiry (LOI) inquiring about the status of Program B-4 and other Housing Element programs. The City had committed to completing Program B-4 by June 2023. Failure to implement Housing Element Programs could result in revocation of Housing Element certification, leading to consequences such as ineligibility for state funds, referral to the Attorney General, financial penalties, loss of land use authority, and application of the "builder's remedy" (Gov. Code §§ 65585, 65589.5). The City prepared a response to the LOI on December 23, 2025, providing updates on all queried programs, including noting delays in Program B-4 implementation due to staffing constraints.

Low-Barrier Navigation Centers (AB 101): Low-Barrier Navigation Centers (LBNCs) are "Housing First," service-enriched shelters focused on moving people into permanent housing. Unlike traditional emergency shelters, LBNCs are designed to reduce barriers to entry by allowing:

1. Partners to stay together.
2. The storage of personal possessions.
3. Residents to bring their pets.
4. Privacy (partitions or private rooms).

Per State law (Gov. Code § 65662), these facilities must be permitted ministerially (by-right) in zones that allow multi-family residential use. This means that if a proposal meets all objective development standards, the City must approve it through a staff-level administrative process without a public hearing or subjective design review.

Proposed Zoning Ordinance Amendments: To comply with AB 101 and Program B-4, the following text amendments are proposed:

1. Definition Amendment (Section 10-1-4): Adds a formal definition of "Low-Barrier Navigation Center" consistent with the statutory definition in Government Code Section 65660.
2. New General Regulation (Section 10-4-21): Establishes the objective standards for LBNCs, including requirements for participation in the County's Coordinated Entry System and the Homeless Management Information System (HMIS), and a mandatory 30-day completeness/60-day action timeline.
3. Zone District Updates: Amends the Permitted Uses section for the CBD (Central Business District), C (Commercial), HWC (Highway Commercial), and BP (Business-Professional) zones to explicitly list LBNCs as a permitted use subject to the new objective standards.

### **Environmental Review:**

The proposed ordinance is Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to Government Code Section 65661(b). This state law explicitly provides that a Low-Barrier Navigation Center is a use by-right and is not subject to discretionary review if it meets specific statutory requirements. Furthermore, as a ministerial action, it is exempt under CEQA Guidelines Section 15268. This amendment establishes a regulatory framework for ministerial approvals and does not involve any project-specific construction.

### **Public Communications:**

In accordance with California Government Code Section 65091(a)(2) and Section 65854 (20-day notice requirement for zoning ordinance amendments), a legal advertisement for the May 19, 2026, Planning Commission public hearing was published in the Mountain Democrat on April 29, 2026, twenty (20) days prior to the hearing date (see Attachment C). As of the date of preparation of this report, no public comments have been received.

### **DECISION MAKING AUTHORITY**

The **Planning Commission's** authority to hold a public hearing and make a recommendation to the City Council on proposed amendments to Title 10, Chapter 4, Section 20 of the Placerville Municipal Code (regarding Short Term Rentals) comes from the following sources:

- **City of Placerville Practices and Descriptions:** The official City website and related documents describe the Planning Commission as responsible for reviewing land use proposals and making recommendations to the City Council on amendments to the Zoning Ordinance (Title 10 of the Municipal Code), rezoning requests, General Plan amendments, and other planning matters. This includes preparing and reviewing ordinance amendments for consistency with the General Plan and State law.
- **Standard California Local Government Structure:** Under California law (Government Code Sections 65100 et seq. and 65800 et seq.), local planning commissions serve in an

advisory capacity to the legislative body (City Council). They typically conduct public hearings on zoning ordinance amendments and forward recommendations to the Council, which holds final adoption authority. This process aligns with Placerville's practices, as evidenced by historical examples where the Commission has reviewed and recommended zoning text amendments to the Council.

### **RECOMMENDED PLANNING COMMISSION ACTION**

Hold a public meeting; and,

The Planning Commission may take one of the following actions based on the analysis provided:

1. Forward a recommendation of approval to the City Council
2. Forward a recommendation of approval with modifications to the City Council
3. Forward a recommendation of denial to the City Council

If adopted, the Zoning Code amendments become effective 30 days post-adoption by City Council per Government Code §36937. This aligns with state mandates and there are no General Plan conflicts.

### **ATTACHMENTS**

- A. Planning Commission Resolution No. XX – Draft
- B. Proposed Zoning Ordinance Text Amendments
- C. Proof of Publication

### **INCORPORATED BY REFERENCE**

City of Placerville General Plan  
City of Placerville Zoning Ordinance  
City of Placerville 6<sup>th</sup> Cycle Housing Element