Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

ORDINANCE NO. 1353

AN ORDINANCE OF THE CITY OF FOLSOM AMENDING CHAPTER 17.52 OF THE FOLSOM MUNICIPAL CODE FOR THE HISTORIC DISTRICT RELATING TO DESIGN REVIEW, SIGN PERMITS, DEMOLITIONS, AND ACCESSORY BUILDINGS

The City Council of the City of Folsom does hereby ordain as follows:

SECTION 1 PURPOSE

The purpose of this ordinance is to amend certain sections of Chapter 17.52 in the Folsom Municipal Code to move design review of small projects to director-level approval, to exempt certain projects from design review, to move sign permit review to director-level approval, to move non-historic demolitions to director-level approval, to further limit the height, size, and setback requirements for accessory buildings, and to modify historic district entitlement expirations and extensions to be consistent with regulations outside of the historic district.

SECTION 2

Section 17.52.130 of the Folsom Municipal Code is hereby amended to read as follows:

17.52.130 Administrative Support

The community development director, previously referred to as the planning, inspections and permitting director, shall be responsible for the administration of this chapter and shall assist the historic district commission in performing its functions. The director shall carry out those additional duties delegated by the historic district commission.

SECTION 3

Sections 17.52.300 through 17.52.390 of the Folsom Municipal Code are hereby amended to read as follows:

17.52.300 Design review.

A. Except as otherwise provided in subsection (B), the design and architecture of the following projects shall be submitted to the historic district commission for review and approval under the provisions of this chapter:

1. All new office, industrial, commercial and residential buildings, excluding accessory buildings as defined in Section 17.02.020 and accessory dwelling units as regulated by Section 17.52.300(D);

2. All exterior renovation, remodeling, modification or addition to existing buildings located on properties listed in the City's Cultural Resources Inventory or located on an existing or potentially eligible historic resource, as defined by the California

Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

Environmental Quality Act Guidelines section 15064.5 or the adopted City of Folsom Historic Preservation Master Plan;

3. All additions to existing buildings over twenty-five percent of the total square footage of the existing building or over 500 square feet, whichever is less, except additions to accessory buildings, as regulated by Section 17.52.300(B)(3) and additions to accessory dwelling units as regulated by Section 17.52.300(D)

4. Projects which are part of a planned development or a tentative map.

5. Proposed project design guidelines and standards and revisions to existing design guidelines and standards.

B. The design and architecture of the following projects shall be submitted to the community development director for review and approval under the provisions of this chapter:

1. All exterior renovation, remodeling, or modification to existing buildings, except those exempted under section 17.52.300(C), and those regulated under 17.52.300(A)(2);

2. All additions to existing buildings under twenty-five percent of the total square footage of the existing building or under 500 square feet, whichever is less, except additions to accessory buildings, as regulated by Section 17.52.300(B)(3) and additions to accessory dwelling units, as regulated by Section 17.52.300(D);

3. All new accessory buildings, including but not limited to garages and sheds, and any addition to such buildings, except those regulated under 17.52.300(A)(2) and 17.52.300(D)(1).

C. The following types of projects are exempt from the design review process under this chapter:

1. Minor modifications including:

a. replacement of existing building and roof materials with similar materials,

b. replacement of existing windows and doors with similar windows and doors,

c. changes to exterior colors on residential buildings,

d. patio covers, gazebos, pergolas and trellises under 200 square feet in size and located outside of the front, side, and street side yards,

e. privacy walls and fencing, excluding chain link, which is not allowed,

f. aboveground spas and hot tubs located outside of the front and street side yards,

g. solar panels,

Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

h. outdoor cooking facilities located outside of the front and street side yards, and

i. other projects that the director deems similar in material, design, and scope to those listed, except projects involving buildings or properties on the City's Cultural Resources Inventory or located on an existing or potentially eligible historic resource, as defined by the California Environmental Quality Act Guidelines section 15064.5 or the adopted City of Folsom Historic Preservation Master Plan, which are subject to historic district commission approval.

D. Final approval authority relating to the design and architecture of accessory dwelling units and additions to such buildings within the historic district boundaries shall be as follows:

1. The historic district commission shall have final approval authority relating to the design and architecture of proposed attached or detached accessory dwelling units not exempt from design review by California Government Code Section 66321 based on height, and any new garage or other attached conditioned or unconditioned space proposed along with such an accessory dwelling unit.

2. The historic district commission shall have final approval authority relating to the design and architecture of proposed additions to existing accessory dwelling units that result in the unit no longer being exempt from design review by California Government Code Section 66321 based on height.

3. The community development director shall have final approval authority relating to the design and architecture of proposed attached or detached accessory dwelling units not exempt from design review by California Government Code Section 66321 based on square footage, and any other attached space proposed along with such an accessory dwelling unit.

4. The community development director shall have final approval authority relating to the design and architecture of proposed additions to existing accessory dwelling units that result in the unit no longer being exempt from design review by California Government Code Section 66321 based on square footage.

17.52.310 Design review submittal requirements.

The applicant shall file the following information with the community development director for design review:

A. Completed and signed application form including name, address, email address, telephone number of the applicant, and agent authorization from the property owner if the applicant is not the property owner;

B. Application fee as established by resolution of the city council;

Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

C. A copy of all entitlements granted for the property by the city, including conditions of approval and the environmental documentation;

D. A copy of all required state and federal permits;

E. Site plan;

F. Building design plans/elevations;

G. Material samples and color board;

H. Project narrative describing the proposed project and how it is consistent with the requirements of Section 17.52 and any applicable design guidelines;

I. Recent photographs of the project site taken within 30 days prior to the submittal which accurately depict the project location; and

J. Other material and information as requested by the commission or community development director.

17.52.320 Notice and posting of site for design review.

The provisions of Section 17.06.070 A and B shall apply within the historic district. In addition, a notice containing the project description and the time and place of the meeting for design review of a proposed project shall be posted on the City website and mailed to property owners directly adjacent to the project site at a time reasonably expected to give at least five days before the commission meeting or director level meeting. As used in this section, “directly adjacent to the project site” also includes properties located directly across an alley, street or public right-of-way from the project site.

17.52.330 Plan evaluation for design review.

In reviewing projects for design review, the historic district commission or community development director shall consider the following criteria:

A. Project compliance with the General Plan and any applicable zoning ordinances;

B. Conformance with any city-wide design guidelines and historic district design and development guidelines adopted by the city council;

C. Conformance with any project-specific design standards approved through the planned development permit process or similar review process; and

D. Compatibility of building materials, textures and colors with surrounding development and consistency with the general design theme of the neighborhood.

Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

17.52.340 Approval process for design review.

A. The community development director or the historic district commission, in exercising design review authority under this chapter, shall make the decision to approve, conditionally approve or deny the design review application with findings based on the criteria established in Section 17.52.330. A copy of the decision, findings and any applicable conditions shall be provided in writing to the applicant.

B. Projects that are subject to director-level review may be elevated to the historic district commission for review at the discretion of the community development director. The applicant may request to elevate a director-level design review to the historic district commission. The request shall be granted upon payment of the commission-level design review application fee established by resolution of the city council and any other applicable fees.

C. The community development department shall provide a summary to the historic district commission of all design review projects within the historic district approved at the director level. Such review will allow the commission to provide input to the department concerning the appropriateness of the approvals and help the commission and the department develop a consistent approach to design review. The historic district commission may not overturn the decision of the community development department unless an appeal has been filed pursuant to Section 17.52.700.

17.52.350 Design Review expiration and extension of approval.

A. A design review approval shall be null and void unless the applicant submits a complete application for a building permit within two years from the date of approval.

B. The community development director or the historic district commission, in exercising design review authority under this chapter, may extend an approval for an additional 1 year upon receipt of a written request accompanied by a fee, as may be established by resolution of the city council, and other information deemed necessary by the community development director. Requests for approval extension must be received before the original approval expires.

17.52.360 Conditional use permit review.

A. The historic district commission shall have final authority relating to the issuance of conditional use permits for any of the uses or purposes for which such permits are required or permitted by the terms of this title, as well as the expiration and extension of such permits, within the boundaries of the historic district.

B. In acting upon applications for conditional use permits, the historic district commission shall adhere to the procedural requirements set forth in Chapter 17.60, except for matters of appeal, which shall be governed by this chapter.

Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

17.52.370 Variance review.

A. The historic district commission shall have final authority relating to application for variances from any of the provisions of this title, as well as the expiration and extension of such requests, within the boundaries of the historic district.

B. In acting upon applications for variances, the historic district commission shall adhere to the procedural requirements set forth in Chapter 17.62, except for matters of appeal, which shall be governed by this chapter.

17.52.380 Sign permit review.

A. The community development director shall have final approval authority relating to the issuance of sign permits for any signs for which such permits are required by this title, within the boundaries of the historic district.

B. The provisions of Chapter 17.59 are applicable in the historic district as modified by this chapter and any adopted design and development guidelines. In acting upon applications for sign permits, the community development director shall adhere to the procedural requirements set forth in Chapter 17.59, except for matters of appeal, which shall be governed by this chapter.

C. Any sign permit application may be elevated to the historic district commission for review at the director's discretion. The applicant may also request to elevate a director-level sign permit review to the historic district commission upon payment of the commission-level sign permit review application fee established by resolution of the city council. Notice and posting shall be required for all sign permits elevated to the historic district commission, consistent with section 17.52.320.

D. Buildings with multiple tenants shall be required to submit a uniform signage program (USP) for historic district commission approval, as described in Sections 17.52.510 through 17.52.560. Notice and posting shall be required, consistent with section 17.52.320.

17.52.390 Environmental review.

Review by the community development director and historic district commission of applications for conditional use permits, sign permits, variances, design review, and other entitlements is subject to the requirements of the California Environmental Quality Act (CEQA). The historic district commission, in exercising its review authorities under this chapter, is authorized to hold public hearings on negative declarations, mitigated negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for the above permits or for design review. The community development director and historic district commission shall not approve applications prior to considering the applicable environmental document or exemption and complying with the requirements of CEQA and any city procedures for preparation and processing of environmental documents.

Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

SECTION 4

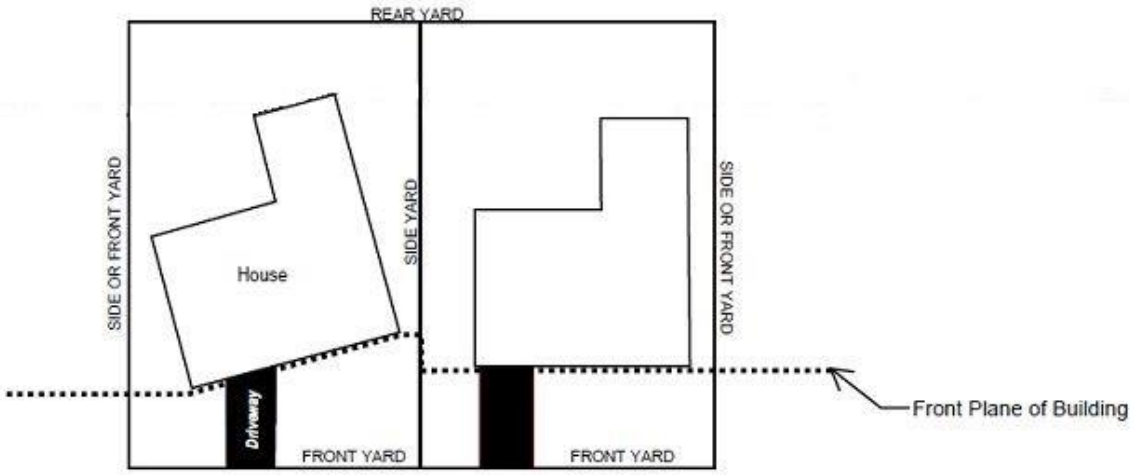
Section 17.52.480 of the Folsom Municipal Code is hereby amended to read as follows:

17.52.480 Accessory buildings.

A. Accessory buildings, as defined in Section 17.02.020, are subject to the following development standards within the historic district (with the exception of accessory dwelling units):

1. Height. Accessory buildings shall not exceed fifteen feet in height, as measured using the methodology in Section 17.02.110. An accessory building shall not be taller than the primary building on the lot as measured from finished grade of each building.

2. Setbacks. Accessory buildings shall be set back a minimum of twenty feet from the front yard lot line, five feet from the rear yard lot line, five feet from the interior side-yard lot line, ten feet from the street side-yard lot line and five feet from all other buildings on the property. In no instance shall any portion of an accessory building be located in front of the front plane of the primary building. In the case of a corner lot abutting upon two streets, no detached accessory building shall be erected, altered or moved so as to occupy any part of the front half of such lot.



3. Size. Detached accessory buildings (with the exception of accessory dwelling units) may occupy a maximum of fifty percent of the area of a required rear yard. The total square footage of all accessory buildings on a single parcel, excluding residential accessory dwelling units, shall not exceed 50 percent of the total square footage of the primary building on the same parcel.

Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

SECTION 5

Section 17.52.660 of the Folsom Municipal Code is hereby amended to read as follows:

17.52.660 Demolition review.

A. The demolition of a building originally constructed less than 50 years before submittal of a demolition permit application that is located in the historic district is exempt from review under this Chapter.

B. Review and approval of a Historic District Demolition application is required before the demolition of a building originally constructed 50 or more years prior to submittal of a demolition permit that is located in the historic district.

1. The applicant shall file the following information with the community development director:

a. Completed and signed application form including name, address, email address, and telephone number of the applicant;

b. An application fee as established by resolution of the city council;

c. All available information related to the age of the structure.

d. Other material and information as requested by the director.

2. Prior to a decision by the community development director to approve a Historic District Demolition application, notice and posting shall be required, consistent with section 17.52.320.

3. The historic district commission shall have final authority relating to the review and approval of Historic District Demolition applications involving existing or potentially eligible historic resources, as defined by the California Environmental Quality Act Guidelines section 15064.5 or the adopted City of Folsom Historic Preservation Master Plan.

a. Upon determination by the community development director that the building proposed for demolition is an existing or potentially eligible historic resource, notice and posting shall be required, consistent with section 17.52.320.

b. Before authorizing the demolition of a building determined by the community development director to be an existing or a potentially eligible historic resource, the historic district commission shall consider the following factors:

i. Whether the public health, safety and/or welfare warrant the demolition;

Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

ii. What accommodations can be provided to the owner of the property to make it feasible for the owner to preserve the property;

iii. Whether the owner of the property is willing to sell the property to a buyer who wishes to preserve the property;

iv. Whether a public entity wishes to acquire the property through exercise of the power of eminent domain in order to preserve the property.

4. The community development director shall have final authority relating to the review and approval of all Historic District Demolition applications not involving an existing or potentially eligible historic resource, as defined by the California Environmental Quality Act Guidelines section 15064.5 or the adopted City of Folsom Historic Preservation Master Plan.

5. Prior to approval of a Historic District Demolition application, the applicant shall provide documentation of the structure for the historical record. Documentation shall include photographs of all sides of the structure, details of unique or representative construction features, and any history of the structure known to, or reasonably obtainable by, the applicant.

6. If the community development director cannot determine whether the building proposed for demolition was originally constructed more than 50 years prior to application for a demolition permit based on permitting files or other provided information, the proposed demolition will be subject to the Historic District Demolition process described in Section 17.52.660(B).

SECTION 6 SCOPE

Except as set forth in this ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 7 SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

SECTION 8 NO MANDATORY DUTY

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards

Docusign Envelope ID: 4ABA1716-84E9-4E8D-B915-31C57FFDFBF3

persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 9 EFFECTIVE DATE

This ordinance shall become effective on January 1, 2026, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on October 14, 2025 and the second reading occurred at the regular meeting of the City Council on October 28, 2025.

On a motion by Councilmember Kozlowski seconded by Councilmember Leary, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 28th day of October, 2025, by the following roll-call vote:

AYES: Councilmember(s): Raithel, Rohrbough, Kozlowski, Leary, Aquino
NOES: Councilmember(s): None
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

Sarah Aquino
Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle
Christa Freemantle, CITY CLERK