

RESOLUTION NO. 2017-033

A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS APPROVE ZONE AMENDMENT 17-002 (ACCESSORY DWELLING UNITS)

WHEREAS, the Shasta County General Plan Housing Element sets forth policies and programs intended to remove constraints and to promote the development of additional affordable housing and special needs housing within the County; and

WHEREAS, as a means of addressing statewide housing crisis that particularly impacts lower and middle income households, the State enacted Senate Bill (SB) 1069 and Assembly Bill (AB) 2299 (new State laws) in September 2016, which amended Government Code section 65852.2, adding requirements for local agencies to reduce regulatory constraints and encourage construction of accessory dwelling units and to facilitate infill housing; and

WHEREAS, under the new State laws, the County is required to approve accessory dwelling units in residential districts as a ministerial action as an accessory residential use; and

WHEREAS, the County may adopt an ordinance establishing where in the unincorporated County accessory dwelling units shall be allowed, and establishing development standards for accessory dwelling units to protect public health, safety and to ensure compatibility with structures and uses on the same lot and in the neighborhood; and

WHEREAS, the adoption of the proposed amendment to Chapter 17.88 Article II (Special Uses –Uses Permitted with a Residence or in Selected Residential Districts) of the Shasta County Zoning Ordinance to add Section 17.88.132 (Accessory Dwelling Units) is necessary to achieve consistency with the General Plan Housing Element and ensure compliance with new State laws by allowing accessory dwelling units on existing residential lots which allows property owners in Shasta County to take advantage of existing infrastructure and services, reduce costs associated with purchasing and developing new land for housing; and

WHEREAS, under the new State laws, the proposed amendments shall not be considered to allow for, or encourage more development than is already anticipated under the County's existing General Plan, or otherwise allow for or promote physical changes in the environment and, therefore, it can be seen with certainty that there is no possibility that the proposed amendments may have a significant effect on the environment; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held two duly noticed public hearings on July 13, 2017, and August 10, 2017, at which time all interested persons were given an opportunity to be heard and all written and oral comments were considered along with a report from the Planning Division.; and

NOW THEREFORE BE IT RESOLVED that the Shasta County Planning Commission make the following findings:

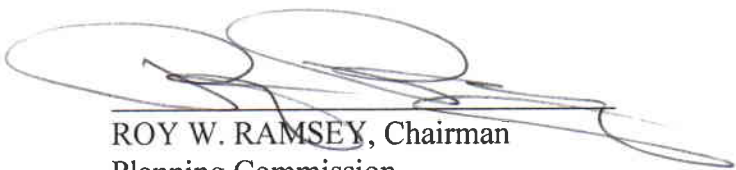
1. Adoption of the Ordinance, including its amendments to reduce barriers to constructing accessory dwelling units, is a necessary and appropriate measure to increase the number of such units that are affordable by design, without the increased administrative burden that would otherwise be imposed by the requirement for long-term affordability restriction contract, and to achieve compliance with SB 1069 and AB 2299.

2. Adoption of the Ordinance, including its amendments to revise and add definitions of terms, is a necessary and appropriate means of implementing State laws set forth in SB 1069, AB 2299, AB 2406, Government Code section 65852.2 and in Health and Safety Code section 1502.
3. Adoption of the ordinance will not be subject to the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080.17, which provides, in pertinent part, that CEQA does not apply to adoption of an ordinance to implement the provisions of Government Code section 65852.2, and on that basis adoption of the ordinance is exempt from CEQA. Additionally, the County finds that the adoption of this ordinance is exempt from CEQA under CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Shasta County Board of Supervisors adopt the proposed amendments to Title 17 of the Shasta County Code.


DULY PASSED this 10th day of August, 2017, by the following vote:

AYES: RAMSEY, MACLEAN, KERNS, WALLNER
NOES:
ABSENT: CHAPIN
ABSTAIN:
RECUSE:



ROY W. RAMSEY, Chairman
Planning Commission
County of Shasta, State of California

ATTEST:



RICHARD W. SIMON, Secretary
Planning Commission
County of Shasta, State of California