

## **RESOLUTION NO. 2018-022**

### **A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS APPROVE GENERAL PLAN AMENDMENT GPA13-003 (COUNTY OF SHASTA)**

WHEREAS, the State of California requires all local jurisdictions to adopt a Housing Element and to revise this document as appropriate, but not less than, every five years as one of seven mandated elements required in the General Plan; and

WHEREAS, the Shasta County General Plan establishes goals and policies that recognize the importance of housing and so the County has prepared a draft 2014-2019 Housing Element in accordance with the requirements of State housing element law (Government Code sections 65580 *et seq.*); and

WHEREAS, the 2014-2019 Housing Element has been prepared, consisting of General Plan Amendment GPA13-003, and contains goals, policies, programs, and quantified objectives to meet projected housing needs to comply with the California Government Code Sections 66580-65589.8; and

WHEREAS, as part of the state housing law the legislature found, among other findings, that (1) the availability of housing is of vital statewide importance, (2) local governments, such as Shasta County, have the responsibility to facilitate the improvement and development of housing adequate to meet the needs of all economic segments of the community, (3) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels is essential to achieving the state's housing goals; and

WHEREAS, the intent of the state's housing law, among others, is to (1) assure that the County recognizes its responsibility to contribute to attaining the state's housing goal, (2) assure that the County prepares and implements a local Housing Element as part of its General Plan, (3) recognize that the County is best capable of determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state (Government Code section 65581); and

WHEREAS, on May 11, 2017, the Planning Commission held a noticed public workshop to receive comments on a draft of the 2014-2019 Housing Element which was submitted to the Department of Housing and Community Development for review on May 17, 2017; and

WHEREAS, based on the comments received from the Department of Housing and Community Development on July 18, 2017, the draft 2014-2019 Housing Element was extensively revised and the County initiated amendments to the General Plan and Zoning Plan deemed necessary to comply with State housing law; and

WHEREAS, on October 11, 2017, the Planning Commission held a noticed public hearing on proposed amendments to the Zoning Plan Z17-003 required to comply with State housing law and receive public comment and continued that hearing to a later date upon the determination that further amendments were needed; and

WHEREAS, in January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its Housing Element into compliance with State Law and meet its unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development, resulting in a judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions, including the rezoning of land to the default density, that must be completed by the County within a defined timeline; and

WHEREAS, on February 8, 2018, May 10, 2018 and June 14, 2018, the Planning Commission held noticed public workshops on proposed housing element related amendments to the Zoning Plan (Z17-003) and the General Plan (GPA18-001); and

WHEREAS, a noticed 30-day review of the Draft Housing Element occurred from July 2, 2018 to July 31, 2018; and

WHEREAS, on July 12, 2018, the Planning Commission held a noticed public workshop on the revised Draft 2014-2019 Housing Element; and

WHEREAS, on July 17, 2018, the Board of Supervisors held a noticed public hearing on the recommended housing related text amendments and adopted a resolution pursuant to General Plan Amendment GPA18-001 and enacted an ordinance pursuant to Zone Amendment Z17-003; and

WHEREAS, on July 24, 2018, the Board of Supervisors, held a noticed public workshop to receive an update from the Planning Division staff and accept public comment on the revised draft 2014-2019 Housing Element; and

WHEREAS, on August 9, 2018, the Planning Commission held a noticed public hearing to consider formal public comments on the Housing Element update process and a recommendation to the Board of Supervisors to adopt the 2014-2019 Housing Element as revised based on the comments and guidance from the Department of Housing and Community Development and continued that public hearing to a Special Meeting on August 23, 2018; and

WHEREAS, the Planning Commission held a public hearing at the continued Special Meeting on August 23, 2018 and is recommending a change to GPA13-003 to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the 2014-2019 Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle; and

WHEREAS, GPA13-003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government Code section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement; and

WHEREAS, in accordance with the provisions of Government Code section 65759, the County has prepared an initial study with content that substantially conforms to the required content of an initial study as set forth in subdivision (c) of Section 15080 of Title 14 of the California Code of Regulations.

NOW, THEREFORE BE IT RESOLVED by the Shasta County Planning Commission:

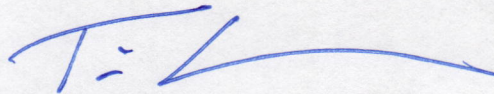
1. The foregoing recitals are true and correct and incorporated herein.
2. The Planning Commission makes the following findings with regard to General Plan Amendment GPA13-003:
  - A. State housing law, as codified in Government Code section 65580 et seq., requires that Shasta County assist in attaining the state's housing goal by, among other actions: (a) facilitating the improvement and development of housing adequate to meet the needs of all economic segments of the community, (b) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels, (c) preparing and implementing a local Housing Element as part of its General Plan, (d) determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state.
  - B. In accordance with Government Code 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is designated a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state.
  - C. GPA13-003 is a necessary action to bring the County General Plan and the mandatory Housing Element of the Plan into compliance with State housing law, the prior adopted Shasta County Housing Element and the Stipulated Judgement rendered by Shasta County Superior Court.
  - D. GPA13-003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government Code section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement.



- E. In accordance with the provisions of Government Code section 65759, the County has prepared an initial study with content that substantially conforms to the required content of an initial study as set forth in subdivision (c) of Section 15080 of Title 14 of the California Code of Regulations.
  - F. The proposed 2014-2019 Housing Element, as amended to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the 2014-2019 Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle, is consistent with Government Code Sections 65580-65589.8; and
  - G. The proposed 2014-2019 Housing Element, as amended to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the 2014-2019 Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle, is consistent with the objectives and policies in the Community Development Group, Chapter 7.0 et seq., and with all other elements and the objectives and policies of the Shasta County General Plan.
3. The Planning Commission recommends that the Shasta County Board of Supervisors take the following actions with regard to GPA13-003:
- A. Conduct a public hearing.
  - B. Close the public hearing.
  - C. Find GPA13-003 is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code Section 65759, (CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement).
  - D. Adopt a resolution approving the Shasta County 2014-2019 Housing Element, as amended.

DULY PASSED this 23<sup>rd</sup> day of August, 2018, by the following vote:

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

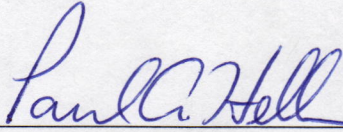


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TIM MACLEAN, Chairman  
Planning Commission  
County of Shasta, State of California



ATTEST:



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PAUL A. HELLMAN, Secretary  
Planning Commission  
County of Shasta, State of California