

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA FINDING THE PROPOSED AMENDMENT TO THE SHASTA COUNTY GENERAL PLAN, DRAFT 2014-2019 SHASTA COUNTY HOUSING ELEMENT UPDATE, GENERAL PLAN AMENDMENT GPA13-003, SUBSTANTIALLY COMPLIES WITH STATE HOUSING LAW AND DIRECTING THE DEPARTMENT OF RESOURCE MANAGEMENT TO SUBMIT THE DRAFT 2014-2019 SHASTA COUNTY HOUSING ELEMENT UPDATE TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR REVIEW AND COMMENT

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 of a jurisdiction's 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 the Draft 2014-2019 Shasta County Housing Element Update (Housing Element) in accordance with the requirements of State housing element law (Government Code sections 65580 *et seq.*); and

WHEREAS, the 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 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 the Housing Element which was submitted to the Department of Housing and Community Development (HCD) for review on May 17, 2017; and

WHEREAS, based on the comments received from HCD on July 18, 2017, the Housing Element was extensively revised and the County initiated amendments to the General Plan Land Use Maps and Zoning Maps deemed necessary to comply with State housing law; 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 Needs Allocation (RHNA) assigned by HCD, resulting in a judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment 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, a noticed 30-day review of the 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 Housing Element; and

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

WHEREAS, on August 9, 2018, the Planning Commission held a duly noticed public hearing to consider formal public comments on the Housing Element and a recommendation to the Board of Supervisors to approve the Housing Element as revised based on the comments and guidance from HCD 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 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 judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment 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 judgment; 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 which determined that there would be no significant environmental effects that result from implementation of the Housing Element.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors makes the following findings with regard to 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 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 Shasta County General Plan and the mandatory housing element into compliance with State housing law, the 2009-2014 Shasta County Housing Element, and the Stipulation for Judgment rendered by the Shasta County Superior Court.
- D. GPA13-003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment 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 judgment.
- 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 which has determined that implementation of the Housing Element will not have a significant effect on the environment.
- F. The proposed Housing Element, as amended to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle, substantially complies with the requirements of Government Code Sections 65580-65589.8; and

- G. The proposed Housing Element, as amended to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the 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.

BE IT FURTHER RESOLVED that the Shasta County Board of Supervisors authorizes the Director of Resource Management to make minor grammatical and format changes to the Housing Element, as may be necessary prior to printing, which would not change or affect adopted goals, objectives, policies, or programs, and directs that the Housing Element be sent to HCD for their review and comment pursuant to Government Code section 65754(a).

DULY PASSED AND ADOPTED this 11th day of September, 2018 by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy