

RESOLUTION # 2018-8

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF MODOC
ADOPTING GENERAL PLAN AMENDMENT GPA 2017-14; A COUNTY-WIDE
GENERAL PLAN AMENDMENT INCLUDING THE 2014-19 HOUSING ELEMENT
AND RELATED OTHER GENERAL PLAN AMENDMENTS IN ACCORDANCE
WITH STATE HOUSING LAW.**

WHEREAS, the Housing Element is one of seven state mandated elements required in the General Plan; and

WHEREAS, the County's General Plan establishes goals and polices that recognize the importance housing within the County of Modoc; and

WHEREAS, to meet various programs identified in the 2009-14 Housing Element and address various state housing laws, the County of Modoc updated the Zoning Code (Chapter 18 of the County of Modoc Code of Regulations) on December 12, 2017, which included:

- A. Program 2.3- Compliance with requirements for secondary housing unit requirements.
- B. Program 3.3- Compliance with requirements for emergency housing.
- C. Program 12.1-Eliminate constraints to the production of affordable housing.
- D. Program 12.2-Compliance with Reasonable Accommodation.
- E. Program 12.3-Compliance with requirements for supportive and transitional housing.

WHEREAS, the 2014-19 Housing Element contains goals, policies, programs, and quantified objectives to meet existing and projected housing needs as required by the California Government Code including the Regional Housing Needs Allocation issued by the State of California; and

WHEREAS, pursuant to California Housing Law, concurrently with updating the Housing Element for the 2014-19 period, the Land Use, Open Space, Conservation and Safety Elements to comply with AB 162 (flood hazards) and SB 1241 (fire hazards) and SB 379 (climate adaption), as shown in Exhibit B, attached hereto and incorporated by reference; and

WHEREAS, in accordance California Government Code Section 655300.5, General Plan Amendment GPA 2017-14 results in creating a Housing Element that is internally consistent with the General Plan; and

WHEREAS, to comply with other provisions of State General Plan law, a number of other amendments are being made to the General Plan concurrently with this 2014-19 update of the Housing Element requirements such as, revisions to the Land Use, Open Space and Conservation and Safety Elements to comply with AB 162 (flood hazards) and SB 1241 (fire hazards) and SB 379 (climate adaption); and

WHEREAS, General Plan Amendment GPA 2017-14, consists of the 2014-19 Housing Element (Exhibit A) and Other Related Amendments to the General Plan (Exhibit B); and

WHEREAS, the proposed Amendments to the General Plan for General Plan Amendment GPA 2017-14 are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) (3) of the CEQA Guidelines; and

WHEREAS, a Preliminary Draft of the 2014-19 Housing Element was submitted for review by the California Department of Housing and Community Development (HCD) on October 30, 2017, and HCD issued a letter to the County on January 5, 2018, indicating that the draft complies with State housing element law (Article 10.6 of the Government Code) when adopted and submitted to HCD pursuant to Government Code Section 65585 (g); and

WHEREAS, on April 5, August 22, and October 24, 2017, the County took public testimony during a public workshops with the Planning Commission and the Board of Supervisors, and collaborated with County staff in their joint review of the County of Modoc Housing Element, Other General Plan Sections and the related Zoning Ordinance Amendment Program; and

WHEREAS, during a duly noticed public meeting held on January 24, 2018, the Planning Commission adopted Resolution No. PC 2018-01, recommending to the Board of Supervisors approval of General Plan Amendment GPA 2017-14 concerning proposed amendments to the Housing Element Update and Related Amendments to the General Plan; and

WHEREAS, the Board of Supervisors duly called, advertised the opportunity to submit input, and conducted on February 27, 2018, a Public Hearing required by law concerning proposed amendments to the Housing Element Update and Related Amendments to the General Plan, closed the public hearing and continued review of this matter to March 13, 2018; and

WHEREAS, the Board of Supervisors duly called, advertised the opportunity to submit input, and conducted on March 13, 2018, a Public Hearing required by law concerning proposed amendments to the Housing Element Update and Related Amendments to the General Plan; and

WHEREAS, the Board of Supervisors considered public testimony, Planning Commission and staff recommendations regarding amendments to the Housing Element Update and Related

Amendments to the General Plan during their March 13, 2018, meeting.

NOW, THEREFORE, BE IT RESOLVED, that the County of Modoc Board of Supervisors hereby finds, determines, orders and hereby declares as follows:

FINDINGS OF FACT

1. Pursuant to Section 15061(b)(3) of the CEQA Guidelines, General Plan Amendment GPA 2017-14, including the 2014-19 Housing Element, is a policy document that with certainty, will not have a significant effect on the environment.
2. There is no substantial evidence that there are unusual circumstances resulting in significant impacts from the project which threaten the environment pursuant to Section 15300.2 of the State CEQA Guidelines.
3. The County hereby adopts a Notice of Exemption for this action since there has been no change in the Environmental Baseline since the previous housing element was adopted and policies in the plan will have no foreseeable environmental impact.
4. Together with concurrent amendments to the General Plan, the 2014-19 Housing Element is consistent with, and furthers the goals, objectives and policies of the 2008 General Plan (as amended to March 13, 2018).
5. General Plan Amendment GPA 2017-14, will not be detrimental to the public interest, health, safety or welfare of the population of the County.
6. In accordance with California Government Code Section 65300.5 of the Government Code, the 2014-19 Housing Element is internally consistent among the various other elements of the General Plan.
7. The 2014-19 Housing Element includes programs which constitute the County's contribution to the attainment of housing affordable to all income categories and special needs housing opportunities.
8. The 2014-19 Housing Element complies with Article 10.6 commencing with Section 65580 of Chapter 3 of the California Government Code and regional housing needs as determined by the California State Department of Housing and Community Development.
9. The County hereby adopts General Plan Amendment GPA 2017-14 (Exhibit A), including the 2014-19 Housing Element and related amendments to the General Plan (Exhibit B), and incorporates these changes into the County of Modoc General Plan.
10. The County authorizes staff to take such further action as required for approval General Plan Amendment GPA 2017-14 (including the 2014-19 Housing Element) by the California Department of Housing and Community Development and subject to any minor, conforming and technical and clarifying changes approved by the Planning Director.

PASSED AND ADOPTED by the Board of Supervisors of the County of Modoc, State of California, on the 13th day of March, 2018 by the following vote:

Motion Approved:

RESULT: APPROVED [UNANIMOUS]

MOVER: Geri Byrne, Supervisor District V

SECONDER: Kathie Rhoads, Supervisor District III

AYES: Patricia Cullins, Supervisor District II, Kathie Rhoads, Supervisor District III, Elizabeth Cavasso, Supervisor District IV, Geri Byrne, Supervisor District V

ABSENT: David Allan, Supervisor District I



BOARD OF SUPERVISORS
OF THE COUNTY OF MODOC

Patricia Cullins

Patricia Cullins, Chair
Modoc County Board of Supervisors

ATTEST:

Tiffany Martinez

Tiffany Martinez
Deputy Clerk of the Board