

PLANNING COMMISSION
RESOLUTION NO. 2016-21

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN
AMENDMENT TO THE GENERAL PLAN TO ADOPT THE 2015 HOUSING
ELEMENT (CITY OF MODESTO)

WHEREAS, Government Code Section 65300 et. seq. requires the legislative body of each city and county to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries which in the planning agency's judgment bears relation to its planning; and

WHEREAS, On October 14, 2008, by Resolution No. 2008-582, City Council made certain findings concerning mitigation measures, made certain findings concerning alternatives, adopted a Statement of Overriding Considerations, and recertified the Master EIR for an amendment to the General Plan (SCH No. 2007072023); and

WHEREAS, Government Code Section 65358 permits the amendment of the mandatory elements of a general plan no more often than four times during any calendar year; and

WHEREAS, the State of California requires each city to include in its General Plan a Housing Element, which must be updated every eight years (Government Code Section 65580 et. seq.); and

WHEREAS, said Housing Element must demonstrate that a city has accommodated a certain number of dwelling units to house people of different income levels; and

WHEREAS, staff transmitted the revised Housing Element to the Department of Housing and Community Development on December 10, 2015; and

WHEREAS, the City of Modesto received a comment letter from the Department of Housing and Community Development on February 9, 2016, identifying needed revisions to the Housing Element; and

WHEREAS, a public hearing was held by the Planning Commission on March 21, 2016, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the Planning Commission recommended City Council approve a resolution (Resolution 2016-07) adopting an Initial Study, Environmental Assessment No. EA/C&ED 2016-01, which concluded that the potential environmental effects of the proposed specific plan amendment have been adequately addressed within the context of the previously-certified Master EIR (SCH No. 2007072023), Tivoli Specific Plan EIR (SCH #2005072125) and Woodglen Specific Plan EIR (SCH #2007042087), and that, pursuant to Section 15182 of the CEQA Guidelines, Section 21166 of the Public Resources Code, no new environmental review is required; and

WHEREAS, the Planning Commission also recommended City Council approve an amendment to the General Plan (Resolution 2016-08) to adopt the 2015 Housing Element; and

WHEREAS, a public hearing was held by the City Council on April 12, 2016, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the City Council adopted an Initial Study, Environmental Assessment No. EA/C&ED 2016-01 (Resolution 2016-154), which concluded that the potential environmental effects of the proposed specific plan amendment have been adequately addressed within the context of the previously-certified Master EIR (SCH No. 2007072023), Tivoli Specific Plan EIR (SCH #2005072125) and Woodglen Specific Plan EIR (SCH #2007042087), and that, pursuant to Section 15182 of the CEQA Guidelines, Section 21166 of the Public Resources Code, no new environmental review is required; and

WHEREAS, the City Council also approved an amendment to the General Plan (Resolution 2016-155) to adopt the 2015 Housing Element; and

WHEREAS, staff transmitted the revised Housing Element to the Department of Housing and Community Development on September 1, 2016; and

WHEREAS, the City of Modesto received a letter from the Department of Housing and Community Development on November 1, 2016, indicating that the revised 2015 Housing Element meets the statutory requirements and will comply with State law when the revisions are adopted and submitted to the State; and

WHEREAS, a public hearing was held by the Planning Commission on November 21, 2016, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that it hereby finds and determines as follows:

1. The Planning Commission finds that the attached 2015 Housing Element is consistent with the Modesto General Plan and recommends its approval.
2. The Planning Commission hereby recommends to the City Council that it adopt the 2015 Housing Element for the Modesto General Plan to replace the existing Housing Element of the Modesto General Plan, for the following reasons:
 - a. The State Legislature has mandated that all cities and counties include an updated Housing Element in their adopted local General Plans (Section 65580-65589.8); and
 - b. The 2015 Housing Element guides residential development and preservation in a manner that supports the overall economic and social values of the community; and
 - c. The 2015 Housing Element is in the interest of the general welfare of the Modesto residents by adopting a comprehensive housing plan consisting of housing goals, policies, and programs to provide affordable housing opportunities to the citizens.

BE IT FURTHER RESOLVED by the Planning Commission that it hereby recommends to the City Council approval of an amendment to the Modesto General Plan to adopt the 2015 Housing Element as described in Exhibit "A," attached hereto and incorporated herein by reference.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on November 21, 2016, by Carmen Morad, who moved its adoption, which motion was seconded by Amin Vohra, and carried by the following vote:

Ayes: Escutia-Braaton, Lucas, Morad, Pollard, Smith, Vohra

Noes: None

Absent: Carter

Recused: None

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD

Patrick Kelly, Secretary

Attachment (Exhibit "A")

<http://www.modestogov.com/documentcenter/view/1452>