

PLANNING COMMISSION
RESOLUTION NO. 2019-22

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO TITLE 10 OF MODESTO MUNICIPAL CODE (ZONING REGULATIONS) TO AMEND SECTIONS 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.106, 10-4.110 AND ADD SECTIONS 10-4.114 10-4.115. (CITY INITIATED)

WHEREAS, the State of California determined that in the last decade housing production did not keep pace with demand resulting in the lack of housing and in particular lack of affordable housing; and

WHEREAS, in 2017 changes to state law made it easier to provide and develop accessory dwelling units that will contribute to the affordable housing supply; and

WHEREAS, this code amendment will bring the City of Modesto's Zoning Regulations consistent with state law regarding accessory dwelling units; and

WHEREAS, the proposed code amendment also proposes some change to regulations on accessory buildings and second story dwelling units; and

WHEREAS, On April 3, 2019, this code amendment was presented to the City Council Economic and Development Committee and was forwarded to the Planning Commission for recommendation to the City Council; and

WHEREAS, a public hearing was held by the Planning Commission on June 3, 2019, in the Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the proposed code amendment that addresses regulations for **accessory dwelling units, accessory buildings and second story units** is exempt from CEQA pursuant to CEQA Guidelines Section 15303 of the State CEQA Guidelines that exempts construction of small structures.

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

1. The requested change will not be detrimental to the public health, safety, or welfare because providing more housing and especially affordable housing will benefit the community.
2. The requested change will result in an orderly planned use of land because the provision on the size of accessory dwelling unit and limit of one accessory dwelling unit in the single family zone will maintain the single family character.
3. The requested change is in accordance with the community's objectives as set forth in the General Plan and any applicable specific plan(s) because the proposed code amendment will reduce standards for the development of accessory dwelling units and will help provide more affordable housing consistent with the goals of the Housing Element.

BE IT FURTHER RESOLVED by the Planning Commission that it recommends to the City Council that the amendment to Title 10 of Modesto Municipal Code (Zoning Regulations) to amend Sections 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.106, 10-4.110 and add Sections 10-4.114 10-4.115 as shown in Exhibit A, be approved.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on June 3, 2019, by Smith, who moved its adoption, which motion was seconded by Escutia-Braaton and carried by the following vote:

Ayes:	Birring, Escutia-Braaton, Lucas, Smith, Vohra
Noes:	Pollard
Absent:	Morad
Recused:	None

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

Original, signed copy on file in CEDD

Steve Mitchell, Secretary