

PLANNING COMMISSION
RESOLUTION NO. 2020-06

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO TITLE 10 OF THE MODESTO MUNICIPAL CODE (ZONING REGULATIONS) TO AMEND SECTIONS 10-3.101, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.112, 10-4.114, AND 10-4.115, AND ADD SECTION 10-4.116. (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 2019 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 make the City of Modesto's Zoning Regulations consistent with State law regarding accessory dwelling units; and

WHEREAS, a public hearing was held by the Planning Commission on June 1, 2020, in the Chambers, 1010 Tenth Street, Modesto, California, in accordance with Executive Order N-29-20, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the public hearing was continued to July 6, 2020 to allow staff time to address comments received; and

WHEREAS, an incorrect redline version of the proposed code amendment was provided with the staff report for the July 6, 2020 meeting; and

WHEREAS, the public hearing was continued to July 20, 2020 to insure the Planning Commission and the public are provided the correct attachments to the staff report; and

WHEREAS, a public hearing was held by the Planning Commission on July 20, 2020, in the Chambers, 1010 Tenth Street, Modesto, California, in accordance with Executive Order N-29-20, 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** 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 of development standards will help preserve privacy and light and air in residential areas.
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 10-3.101, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.112, 10-4.114, and 10-4.115, and add Section 10-4.116 as shown in Exhibit A, be approved.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on July 20, 2020, by Shanks, who moved its adoption, which motion was seconded by Vohra and carried by the following vote:

Ayes: Escutia-Braaton, Morad, Pollard, Shanks, Vohra, Biring
Noes: None
Absent: Smith
Recused: None

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

Original, signed copy on file in CEDD
Steve Mitchell, Secretary