

CITY OF LOYALTON

CITY COUNCIL STAFF REPORT

MEETING OF: May 18, 2021

Subject: Housing Element/Zoning Code Update ZOA
2021-01

From: Kathy LeBlanc, City Clerk
Gary Price, Contract Planner



- Recommended Action:**
1. Conduct public hearing and consider public comments.
 2. Determine that this action to amend the Zoning Ordinance is exempt from environmental review.
 3. Determine that this action is consistent with the General Plan.
 4. Waive first reading and adopt Ordinance No. ____2021, an amendment to Chapter 17 of the Loyalton Municipal Code repealing and replacing the Zoning Ordinance.

The public, and/or Councilmembers may review the document from the City’s Website at:

<https://www.cityofloyalton.org/>

BACKGROUND: The Zoning Code/Ordinance is a chapter of the City’s Municipal Code that regulates the development of buildings, activities, uses, and signs. It affects how the City looks and how projects work now and in the future. The primary purpose of this update is to bring the zoning regulations into conformance with current State Housing laws. Going through the entire document, we made a number of changes to provide consistency throughout and to provide more clarity. Consequently, there are a lot of changes being proposed that exceed simply bringing it into compliance with State regulations resulting in a set of regulations that we find easier to work with. These amendments are also required to implement the 2019-24 Housing Element, adopted last month. Due to the complexity of the Zoning Code, and the number of changes being made to these regulations, amendments are being proposed throughout the whole document. So, attached for reference is the current document with proposed changes being made to it in Track Changes (in red and strike-out format).

DISCUSSION: A number of State housing laws, too many to list, have been created over the last few years that apply to the City. To comply with these laws, a number of amendments are

being made to address a statewide goal of producing more housing, particularly for lower-income housing, such as requirements or provisions to:

- Replace secondary unit regulations with ADU (Accessory Dwelling Unit) requirements.
- Relax development standards and streamline review of new housing development, particularly for lower-income housing.
- Address new types of housing for lower-income families, such as low-barrier navigations centers.
- Added, revised and clarified terms/definitions.

GENERAL PLAN CONSISTENCY: There are a number of programs in the recently adopted General Plan, Housing Element, which provides for amending the Zoning Code in compliance with many statutes in 2021. So all of the proposed amendments are consistent with the General Plan. Included in the Council’s motion to adopt Zoning Ordinance Amendment ZOA 2021-01, the Council should determine that the project is consistent with the General Plan.

LEGAL REVIEW: The City Attorney reviewed the proposed ordinance amendments and has indicated that they are legally correct.

ENVIRONMENTAL DETERMINATION: Adoption of these code amendments are exempt from environmental review under the “Common Sense Rule” of the CEQA Guidelines Section 15061 (b) (3) that this is not a project that would result in a direct impact on the environment. Included in the Council’s motion to adopt Zoning Ordinance Amendment ZOA 2021-01, the Council should determine that the project is exempt from environmental review.

ALTERNATIVES: The City Council should open and close the public hearing, consider the staff/consultant team’s recommendation and public comments, and then either adopt this first reading of the proposed zoning ordinance amendment or continue this item with specific direction. Should the Council continue this matter, it should keep the public hearing open and continue to the June meeting (to avoid further legal noticing).

QUESTIONS/COMMENTS: Please feel welcome to contact the City’s planning consultant, Gary Price, at (530) 218-1059 or gary@plannerprice.com with any questions regarding the draft document before the meeting. It is always good to provide staff the opportunity to address questions before the meeting to allow time to research answers and possibly present them for the understanding of the entire council at the meeting.

ATTACHMENTS:

1. CEQA Notice of Exemption
2. Ordinance No. 2021-01, Zoning Ordinance Amendment ZOA 2021--01

NOTICE OF EXEMPTION

TO: **×** **Office of Planning and Research** **FROM: City of Loyalton**
 1400 Tenth Street **P.O. Box 128**
 Sacramento, CA 95814 **Loyalton, CA 96118**

× **Sierra County Clerk/Recorder's Office**
 Environmental Filings
 100 Courthouse Sq.
 Downieville, CA 95936

Project Title: Zoning Ordinance Amendment ZOA 2021-01.
Project Address: 605 School Street, Loyalton, CA 96118
Project Location – City: City of Loyalton
Project Location – County: Sierra

Project Description: Update of Chapter 17, City of Loyalton Municipal Code, Zoning Regulations.

Name of Public Agency Approving Project: City of Loyalton

Name of Person or Agency Carrying Out Project: City of Loyalton

Exempt Status: (Check One)

- _____ Ministerial (Section 21080(b)(1); 15268);
- _____ Declared Emergency (Section 21080(b)(3); 15269(a));
- _____ Emergency Project (Section 21080(b)(4); 15269(b)(c));
- X General Rule Exception (14 CCR 15061(b)(3))
- _____ Categorical Exemption. Type and section number:
- _____ Statutory Exemptions. State code number:

Reasons why project is exempt: Zoning Ordinance Amendment ZOA 2021-01 is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. None of these changes have the potential to adversely affect the physical environmental, as they merely require adherence to state law.

Lead Agency Contact Person: Kathy Le Blanc **Number:** (530) 993-6750

Signature & Title: _____ **Date:** _____

× Signed by Lead Agency Signed by Applicant **Date received for filing:** _____

