

RESOLUTION NO. 19-04

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEBASTOPOL  
RECOMMENDING THE CITY COUNCIL ADOPT  
AMENDMENTS TO CHAPTER 17.220 ("ACCESSORY DWELLING UNITS")  
OF THE SEBASTOPOL MUNICIPAL CODE

WHEREAS, the City of Sebastopol completed a comprehensive General Plan update with adoption of a new General Plan on November 15, 2016, and adopted its Housing Element update on March 30, 2015; and

WHEREAS, the Housing Element encourages development of Accessory Dwelling Units as a way to provide additional housing within the City; and

WHEREAS, on March 21, 2017, in response to state legislation passed in 2016, the City Council of the City of Sebastopol adopted substantial amendments to the City's ADU regulations to comply state legislation adopted at that time; and

WHEREAS, on November 18, 2018, the City Council of the City of Sebastopol adopted minor amendments to the ADU ordinance, and added provisions for the development of junior accessory dwelling units ("JADUs"); and

WHEREAS, the State of California has established that a local agency may, by ordinance, provide for the creation of accessory dwelling units in single family and multi-family residential zones and that ordinances shall designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted; and

WHEREAS, State laws related to the review and approval of ADUs apply whether or not a local agency has adopted a local ordinance; and

WHEREAS, the State of California has adopted several legislative changes in 2019 intended to increase the supply of ADUs by limiting a local jurisdiction's ability to impose certain standards, review processes, and fees, as codified in California Government Code Section 65852.2 and 65852.22; and

WHEREAS, on November 12, 2019, the Sebastopol Planning Commission held a duly noticed public hearing, received the staff report and received comments from the public and interested parties; and

WHEREAS, the proposed Zoning Ordinance amendments comply with the legislative amendments made in 2016, 2017 and 2019, to State Law Section 65852.2 and 65852.22 which establish standards for the development of accessory dwelling units and junior accessory dwelling units so as to increase the supply of smaller and more affordable

housing while ensuring that they remain compatible with the existing neighborhood; and

WHEREAS, the amendments are exempt from the California Environmental Quality Act (CEQA) under statutory exemption 15282(h) since the proposed ordinance implements the provisions of Government Code Section 65852.2; and

WHEREAS, based on the record, the Planning Commission finds that the Zoning Ordinance amendments are consistent with and facilitates the Housing Element and the General Plan; and

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY ADOPT THIS RESOLUTION recommending the City Council adopt the proposed amendments to Chapter 17.220 ("Accessory Dwelling Units").

Approved on November 12, 2019 by the following vote:

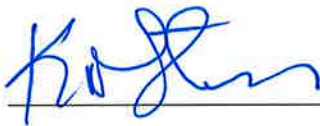
AYES: Chair Wilson, Vice Chair Doyle, Commissioners Fritz, Glaser, Kelley, Oetinger

NOES: None

ABSTAIN: None

ABSENT: Commissioners Douch, Fernandez

Certified: \_\_\_\_\_



Kari Svanstrom, Planning Director