



PLANNING DEPARTMENT COUNTY OF TEHAMA

STAFF REPORT

DATE: March 15, 2018

TO: Tehama County Planning Commission

FROM: Kristen Maze, Director of Planning

SUBJECT: **WORKSHOP/PUBLIC HEARING TO CONSIDER RECOMMENDING THE APPROVAL OF THE TEHAMA COUNTY ZONING CODE CLEAN-UP AND CLARIFICATION; CHAPTER 17.08-GENERAL PROVISIONS CHAPTER TEXT AMENDMENTS ORDINANCE REZONE NO. 17-05 TO THE BOARD OF SUPERVISORS FOR ADOPTION**

BOARD OF SUPERVISORS DIRECTION AND RESOLUTION OF INTENTION:

At the October 31, 2017 Board of Supervisors meeting, the Board of Supervisors voted 5:0 to adopt Resolution 2017-106 directing the Planning Department to commence with the initiation of text amendments to the Tehama County Zoning Ordinance that will clean-up and clarify various portions of the code that are unclear, obsolete, or inaccurate.

SUMMARY:

The Zoning Code establishes processes, requirements, standards and conditions for permitted development, as well as conditionally permitted development, both of which promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare. The County consistently receives inquiries regarding land uses addressed within the Tehama County Code. Some members of the public have expressed frustration and/or confusion about certain unclear provisions within the Tehama County Zoning Code. For this reason, the Board of Supervisors directed the Planning Department to amend the zoning ordinance and clean-up and clarify various portions of the code that are unclear, obsolete, or inaccurate. The proposed text amendments will streamline the day-to-day administration of the zoning ordinance by providing clear and concise language and standards so that the Planning Departments staff and the public can better understand the processes and requirements established in the Tehama County zoning code. Easy to read and understand language in the zoning code will lead to a more efficient, effective and consistent operation within the Planning Department. The clarification of contradictory statements in the zoning code will also lead to orderly development in the County, which is an objective and guiding principal of the 2009-2029 General Plan Update.

DISCUSSION:

One of the primary tools for implementing the Tehama County General Plan is the zoning ordinance. A zoning ordinance regulates land use in a jurisdiction by dividing the community into specific districts or “zones”. In contrast to the long- term outlook of the general plan, zoning classifies the specific, immediate uses of land. The success of a general plan, and in particular the land use element, rests in part upon the effectiveness of a consistent zoning ordinance in translating the long-term objectives and policies contained in the General Plan into everyday decisions. This day-to-day obligation is based on established processes, requirements, standards and conditions for permitted development, as well as conditionally permitted development, both of which promote and protect the natural resource, public health, safety, peace, morals, comfort, convenience and general welfare throughout the unincorporated areas of Tehama County. In order to achieve this day-to-day objective, the Zoning Code needs to be clear and concise language so that both the Planning Departments staff and the public understand the processes and requirements put forth in the code. Furthermore the zoning text establishes procedures for considering projects, standards for minimum lot size, building height and setback limits, and other development parameters within each land use zone. Therefore, as indicated in General Plan Economic Development Element Implementation Measure ED-3.4c it is important to periodically review the Zoning Ordinance, which means that text amendments may be necessary from time to time.

PROPOSED AMENDMENTS:

The purpose and intent of the requested countywide ordinance (Rezone #17-05) is to clean-up and clarify various portions of Chapter 17.08 General Provisions that are unclear, obsolete, or inaccurate. This project includes the proposed modification of subsections within the Chapter such as 17.08.020- Building site, areas and easements was revamped, 17.080.030- Yards for clarification, 17.08.050-Second Family dwellings in Single Family Zoned areas due to state requirements, and the repeal of sections 17.08.060-Interim and expired Ordinance, and 17.08.070 Interim and expired Ordinance (See Attachment B- Proposed text amendments in an Ordinance format).

ENVIRONMENTAL ASSESSMENT:

The proposed amendments to the Tehama County zoning code (Rezone No. 17-05) are consistent with various policies and implementation measures of the Tehama County General Plan (2009-2029). Zoning is one of the primary means of implementing a general plan. In contrast to the long- term outlook of the general plan, zoning classifies the specific, immediate uses of land. The implementation of these text zoning amendments ensures consistency of the zoning code with the direction and intent of the General Plan. Therefore, the Zoning Code Clean-up and Clarification of the General Provisions Chapter can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3); the activity is not subject to CEQA.

PUBLIC NOTICE:

A public hearing notice to address the proposed ordinance changes to the General Provisions Chapter (17.08) at a workshop/public hearing was published in the Daily News on March 3, 2018.

RECOMMENDATION:

Staff recommends the Planning Commission taking the following actions:

- A. Request to recommend the Board of Supervisors approved the CEQA Exemption pursuant to CEQA Guidelines §15061(b)(3) and adopt the Findings relative to CEQA as contained in Attachment “C” of the Staff Report;**
- B. Request to recommend the Board of Supervisors adopt the Findings relative to the Project (Rezone No. 17-05) as contained in Attachment “C” of the Staff Report;**
- C. Request to recommend the Board of Supervisors adopt the Ordinance contained in Attachment “B” of the Staff Report and approve Rezone #17-05; Tehama County Zoning Code Clean-up and Clarification-General Provisions Chapter Text Amendments**

ATTACHMENTS

- Attachment A Board of Supervisors Resolution of Intention No. 2017-106; Zoning Code Clean-up and Clarification**
- Attachment B Ordinance (Rezone No. 17-05); Tehama County Zoning Code Chapter 17.08- General Provisions**
- Attachment C Findings**