

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: April 19, 2016	TYPE OF AGENDA ITEM: <input type="checkbox"/> Regular <input checked="" type="checkbox"/> Timed <input type="checkbox"/> Consent
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DEPARTMENT: Planning Dept.
APPROVING PARTY: Tim Beals
PHONE NUMBER: 530-289-3251

AGENDA ITEM: Conduct public hearing on a County Initiated Zone Amendment to amend Sierra County Zoning Code pursuant to Senate Bill 2 (Cedillo, 2007) pertaining to Emergency Shelters, Transitional Housing, and Supportive Housing needs; adoption of resolution approving amendments to Sierra County Zoning Code Chapters 15.08 and 15.10 and CEQA exemption; and first reading and/or adoption of an ordinance to amend Sierra County Code Chapter 15.08 to add definitions, and add subsection .050 to Chapter 15.10 pertaining to policies on Emergency Shelters, Transitional Housing, and Supportive Housing needs.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other
Draft Resolution, Draft Ordinance, PC Resolution 2016-02

BACKGROUND INFORMATION: The Planning Commission held a public hearing on March 10, 2016 and adopted Resolution No. 2016-02, recommending approval of the proposed zoning amendments to the BOS. The BOS on March 23, 2016 set the public hearing for this date and time.

FUNDING SOURCE: N/A
GENERAL FUND IMPACT: No Additional General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

ARE ADDITIONAL PERSONNEL REQUIRED? <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	IS THIS ITEM ALLOCATED IN THE BUDGET? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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SPACE BELOW FOR CLERK'S USE

BOARD ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2016- _____ Agreement 2016- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD

DATE

**BOARD OF SUPERVISORS
COUNTY OF SIERRA
STATE OF CALIFORNIA**

RESOLUTION NO. 2016-____

**IN THE MATTER OF APPROVING
AN AMENDMENT TO SIERRA COUNTY ZONING CODE
PERTAINING TO EMERGENCY SHELTERS, TRANSITIONAL HOUSING,
SUPPORTIVE HOUSING AND CEQA EXEMPTION**

WHEREAS, the Sierra County Planning Commission on March 10, 2016 conducted a duly noticed public hearing pertaining to proposed amendments to the Sierra County Code Section 15.08 to add certain definitions pertaining to emergency shelters, transitional housing, and supportive housing; and, after carefully considering the staff recommendations and public comments and testimony, the Planning Commission adopted Resolution #2016-02 recommending approval to the Board of Supervisors; and,

WHEREAS, on April 19, 2016 the Sierra County Board of Supervisors conducted a duly noticed public hearing, received comments and testimony on the proposed zone amendments, and closed the public hearing on April 19, 2016; and,

WHEREAS, based upon the Record of Proceedings from the Board of Supervisors public hearing *including the Planning Commission Administrative Record*, the Board of Supervisors accepts and adopts the findings contained within this resolution and similarly finds that the project is exempt from CEQA, and that it is appropriate to approve the proposed zone amendments and adopt a corresponding ordinance to amend Sierra County Zoning Code Chapter 15.08 and 15.10 pertaining to emergency shelters, transitional housing, and supportive housing

NOW THEREFORE BE IT RESOLVED BY THE SIERRA COUNTY BOARD OF SUPERVISORS, which based upon the record of proceedings for the April 19, 2016 public hearing the Board of Supervisors hereby takes the following actions:

1. Finds that the proposed amendments are exempt under CEQA Guidelines § 15061(b)(3), and directs the filing of a Notice of Exemption.
2. Approves the Planning Commission’s recommendation to adopt an ordinance adding the following definitions to the Sierra County Zoning Code adding Chapter 15.08:
 - **“Emergency Shelter”** shall mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person, where no individual or household may be denied emergency shelter because of an inability to pay.

- **“Supportive housing”** shall mean housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
 - **"Target population"** shall mean persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.
 - **“Transitional housing”** shall mean rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months from the beginning of the assistance.
3. Approves the Planning Commissioners recommendation to adopt an ordinance adding sub-section .050 to Chapter 15.10 of the Sierra County Zoning Code on Specific Land Use Requirements and Standards, to read as follows:

15.10.050 Emergency Shelters, Transitional Housing and Supportive Housing

Emergency shelters, transitional housing and supportive housing units are considered residential uses and shall be allowed without discretionary review within community areas designated in the Sierra County General Plan in any zone allowing residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

ADOPTED BY THE BOARD OF SUPERVISORS of the County of Sierra on the 19th day of April, 2016 by the following vote:

AYES: Supervisors
NOES:
ABSTAIN:
ABSENT:

COUNTY OF SIERRA

Lee Adams, Chairman
Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Heather Foster
Clerk of the Board

Christian Curtis
County Counsel

**BOARD OF SUPERVISORS
COUTNY OF SIERRA
STATE OF CALIRORNIA**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SIERRA COUNTY CODE
SECTIONS 15.08 AND 15.10
PERTAINING TO EMERGENCY SHELTERS, TRANSITIONAL HOUSING
AND SUPPORTIVE HOUSING**

THE BOARD OF SUPERVISORS OF THE COUNTY OF SEIRRA ORDAINS as follows:

Ordinance Section One:

Sierra County Code Chapter 15.08 Definitions is hereby amended to add definitions as follows:

- 15.08.265 Emergency Shelters:** Emergency Shelter shall mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person, where no individual or household may be denied emergency shelter because of an inability to pay.
- 15.08.621 Supportive Housing:** Supportive housing shall mean housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
- 15.08.626 Target Population:** Target Population shall mean persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.
- 15.08.635 Transitional Housing:** Transitional Housing shall mean rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months from the beginning of the assistance.

ORDINANCE SECTION TWO:

Add Sub-Section .050 to Chapter 15.10-Specific Land Use Requirements to read as follows:

15.10.050 Emergency Shelters, Transitional Housing and Supportive Housing

Emergency shelters, transitional housing and supportive housing units are considered residential uses and shall be allowed without discretionary review within community areas designated in the Sierra County General Plan in any zone allowing residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

ADOPTED BY THE BOARD OF SUPERVISORS of the County of Sierra on the 19th day of April, 2016 by the following vote:

AYES: Supervisors
NOES:
ABSTAIN:
ABSENT:

COUNTY OF SIERRA

Lee Adams, Chairman
Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Heather Foster
Clerk of the Board

Christian Curtis
County Counsel

**PLANNING COMMISSION
COUNTY OF SIERRA
STATE OF CALIFORNIA**

RESOLUTION # 2016-02

**IN THE MATTER OF RECOMMENDING APPROVAL
TO THE BOARD OF SUPERVISORS
FOR A PROPOSED AMENDMENT TO SIERRA COUNTY ZONING CODE
PERTAINING TO
EMERGENCY SHELTERS, TRANSITIONAL HOUSING AND SUPPORTIVE HOUSING**

WHEREAS, Senate Bill No. 2 (Cedillo, 2007) was enacted and amends State Housing Law to require General Plan Housing Elements to address specific special housing needs, and to implement zoning ordinances to identify zones where emergency shelters area allowed as a permitted use by right; and to classify transitional housing and supportive housing as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone; and,

WHEREAS, on March 10, 2016 the Planning Commission held a duly noticed public hearing on the proposed amendments to the Sierra County Zoning Code to address these special housing needs; and,

WHEREAS, the Planning Commission determined that the proposed amendments to the Sierra County Zoning Code recommended by Planning Department staff and set forth herein below are appropriate; and has found the proposed amendments to be consistent with State law, the Sierra County General Plan, the Sierra County Zoning Code and all other applicable state and local regulations; and,

WHEREAS, the Sierra County Planning Commission determined that the proposed addition to the Sierra County Zoning Code is exempt from further environmental review under California Environmental Quality Act (CEQA) Guidelines, Cal. Code of Regulations § 15061[b][3]; and,

WHEREAS, pursuant to Sierra County Code section 15.32.040, the Sierra County Planning Commission must now make a report of its findings and recommendations with respect to the proposed amendment to the Sierra County Zone Code § 15.10.050 to the Board of Supervisors for final action.

NOW THEREFORE BE IT RESOLVED BY SIERRA COUNTY PLANNING COMMISSION that upon the record of proceedings from the March 10, 2016 public hearing, the Planning Commission hereby recommends that the Board of Supervisors:

1. Find that the proposed Zone Amendment is exempt under California Environmental Quality Act (CEQA) Section 15061[b][3]; and,
2. Adopt an ordinance approving the following amendments to the Sierra County Zoning Code:
 - a. Add the following definitions to chapter 15.08 of the Sierra County Zoning Code:
 - b.
 - **“Emergency Shelter”** shall mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person, where no individual or household may be denied emergency shelter because of an inability to pay.
 - **“Supportive housing”** shall mean housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite services

that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

- **"Target population"** shall mean persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.
 - **"Transitional housing"** shall mean rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months from the beginning of the assistance.
- c. Add sub-section .050 to Chapter 15.10 – Specific Land Use Requirements and Standards to read as follows:

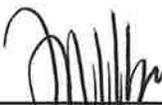
15.10.050 Emergency shelters, transitional housing and supportive housing

Emergency shelters, transitional housing and supportive housing units are considered residential uses and shall be allowed without discretionary review within community areas designated in the Sierra County General Plan in any zone allowing residential uses, subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone.

ADOPTED BY THE Sierra County Planning Commission on the 10th day of March, 2016 by the following vote:

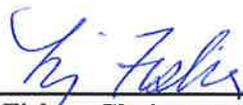
AYES:	Commissioners Fisher, Eldred, Christensen
NOES:	Commissioners Cammack, Devore
ABSTAINED:	None
ABSENT:	None

ATTEST:



**Tim Beals, Planning Director &
Planning Commission Secretary**

COUNTY OF SIERRA



**Liz Fisher, Chairman
Planning Commission**