

RESOLUTION NO. 2852-2020

**PLANNING COMMISSION, CITY OF SOUTH SAN FRANCISCO
STATE OF CALIFORNIA**

**RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN
ORDINANCE AMENDING TITLE 20 (ZONING) OF THE SOUTH SAN FRANCISCO
MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS.**

WHEREAS, the City of South San Francisco (“City”) regulates the development of Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) through definitions and zoning regulations under South San Francisco Municipal Code Title 20, including specifically Chapter 20.350, Section 20.350.035; and

WHEREAS, the Title 20 ADU and JADU regulations aim to conform with California state law standards for regulating such units and its intent to reduce governmental barriers and to increase the supply of smaller and affordable housing; and

WHEREAS, In 2019, Governor Gavin Newsom signed into law Assembly Bill 881 (Bloom, Chapter 659, Statutes of 2019), Assembly Bill 68 (Ting, Chapter 655, Statutes of 2019) and Senate Bill 13 (Wieckowski, Chapter 653, Statutes of 2019), which all became effective on January 1, 2020; and

WHEREAS, the newly amended Government Code section 65852.2 provides that any existing local ADU ordinance failing to meet the requirements of the new state law shall be null and void unless and until the local agency adopts a new ordinance complying with newly amended state law; and

WHEREAS, the City desires to continue enforce its existing ADU and JADU regulations, and thus it would be necessary to amend Title 20 regulations to conform with newly amended Government Code sections 65852.2 and 65852.22; and

WHEREAS, the amendments to the City’s Zoning Code do not propose any changes to City policies or regulations that would result in a direct or indirect physical environmental impact, and would implement the requirements of Government Code Sections 65852.1 and 65852.2; and

WHEREAS, on April 16, 2020, the South San Francisco Planning Commission held a duly noticed public hearing to review the proposed draft ordinance, at which time all interested parties were given an opportunity to be heard; and

WHEREAS, the Planning Commission recommends that the City Council adopt the draft ordinance to Section 20.350.035 (Accessory Dwelling Units) and other related land use definitions and zoning regulations of the South San Francisco Municipal Code applicable to ADUs and JADUs.

NOW, THEREFORE, BE IT RESOLVED that based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. (“CEQA”) and the CEQA Guidelines, 14 California Code of Regulations

§15000, et seq.; the South San Francisco General Plan and General Plan EIR, including all amendments and updates thereto; the South San Francisco Municipal Code; the draft Zoning Text Amendments prepared by City staff; all reports, minutes, and public testimony submitted as part of the Planning Commission's duly noticed April 16, 2020 meeting and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2) ("Record"), the Planning Commission of the City of South San Francisco hereby finds as follows:

SECTION 1 FINDINGS

I. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. The proposed Ordinance, attached hereto as **Exhibit A**, is incorporated by reference and made a part of this Resolution, as if set forth fully herein.
3. The Record for these proceedings, and upon which this Resolution is based, includes without limitation, Federal and State law; the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. ("CEQA")) and the CEQA Guidelines (14 California Code of Regulations § 15000, et seq.); the South San Francisco General Plan and General Plan EIR, including all amendments and updates thereto; the South San Francisco Municipal Code; all reports, minutes, and public testimony submitted as part of the Planning Commission's duly noticed April 16, 2020 meeting and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2).
4. The documents and other material constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of Chief Planner, Sailesh Mehra.

II. CEQA Findings

1. The Planning Commission hereby finds and determines that the adoption of this ordinance is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 21080.17 of the Public Resources Code and Section 15282(h) of the CEQA Guidelines because it is an accessory dwelling unit ordinance that is implementing the provisions of Government Code Sections 65852.1 and 65852.

III. Zoning Text Amendment Findings

1. The proposed Zoning Text Amendment is consistent with the adopted General Plan because the Zoning Amendment will reinforce the General Plan policies, is consistent with the relevant specific plans, and is consistent with the City's overall vision for providing a diversity of housing types responsive to household size, income, and age needs. None of the new or revised requirements for accessory dwelling units and junior accessory dwelling units will conflict with or impede achievement of any of the goals, policies, or land use designations established in the General Plan.

2. The Zoning Text Amendment would encourage the creation of accessory dwelling units and junior accessory dwelling units on residentially zoned properties to provide opportunities for affordable housing stock. The zoning districts where accessory dwelling units and junior accessory dwelling units are permitted are generally suitable in terms of access, size of parcel, relationship to similar or related uses, and other considerations as deemed relevant by the Planning Commission and City Council because the proposed uses are consistent with General Plan policies, specifically those policies which promote developing a diverse housing stock.
3. The proposed revisions and additions to the accessory dwelling unit regulations will not be detrimental to the use of land in any adjacent zone because the Amendment will refine existing performance standards and introduce new standards for accessory dwelling units to ensure that any future accessory dwelling units are compatible with surrounding residential uses.

SECTION 2 RECOMMENDATION

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of South San Francisco hereby makes the findings contained in this Resolution, and recommends that the South San Francisco City Council adopt an Ordinance amending South San Francisco Municipal Code Title 20 (Zoning), attached as Exhibit A.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

* * * * *

I hereby certify that the foregoing resolution was adopted by the Planning Commission of the City of South San Francisco at a regular meeting held on the 16th day of April, 2020 by the following vote:

* * * * *

I hereby certify that the foregoing resolution was adopted by the Planning Commission of the City of South San Francisco at a regular meeting held on the 16th day of April, 2020 by the following vote:

AYES: Chair Murphy, Vice-Chair Wong, Commissioner Faria, Commissioner Shihadeh, Commissioner Evans, Commissioner Bernardo

NOES:

ABSTENTIONS:

ABSENT:

RECUSE: Commissioner Tzang

Attest /s/Sailesh Mehra
Secretary to the Planning Commission