

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # \*D-2

Urgent

Routine

AGENDA DATE April 6, 2010

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Set a Public Hearing on April 20, 2010 at 6:35 p.m. to Consider Planning Commission's Recommendation for Approval of General Plan Amendment No. 2009-04, Housing Element

STAFF RECOMMENDATIONS:

1. Set a public hearing on April 20, 2010 at 6:35 p.m. to consider Planning Commission's recommendation for approval of General Plan Amendment No. 2009-04, Housing Element Update, adoption of an update of the Housing Element of the Stanislaus County General Plan. The changes are to State of California Department of Housing and Community Development (HCD) guidelines for context of a housing element.
2. Authorize the Clerk of the Board to publish notice of hearing as required by law.

FISCAL IMPACT:

There are no fiscal impacts associated with setting the public hearing. Impacts associated with the General Plan Amendment will be evaluated and will be included in the subsequent report for the public hearing.

BOARD ACTION AS FOLLOWS:

No. 2010-193

On motion of Supervisor O'Brien, Seconded by Supervisor DeMartini  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Set a Public Hearing for April 20, 2010 at 6:35p.m. to Consider Planning Commission's Recommendation for Approval of General Plan Amendment Application No. 2009-04, Housing Element.

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## **DISCUSSION:**

The current Housing Element of the Stanislaus County General Plan was adopted by the Board of Supervisors in 2003. It is one of the State-mandated elements of any General Plan. As such, it must comply with State standards and also be internally consistent with other elements of the entire General Plan. The Housing Element is also unique in that it is the only element that is reviewed by the State and must be updated every five years. The purpose of the Housing Element is to:

- Assess housing needs of existing and future residents;
- Propose specific goals and implementation measures to meet housing needs; and
- Comply with the requirements of State law.

The Draft Housing Element Update must also respond to the Regional Housing Needs Allocation (RHNA), as proposed by the State Housing and Community Development Department (HCD) and the Stanislaus Council of Governments (StanCOG).

The overall housing numbers are determined by HCD based on their estimates of forecasted growth in households in the County. In 2007, HCD proposed that all of Stanislaus County would require 25,602 units for the 7-year period from January 2007 through June 2014. In 2007, StanCOG, with input from the Planning Directors from each of the nine cities and the County, distributed the required allocation among the ten jurisdictions. Based on those allocations, unincorporated Stanislaus County was required to provide adequate entitlement for 5,568 units.

It is important to note that the RHNA is a *planning target, not a development quota*. While State law requires cities and counties to demonstrate that their land use plans and regulations could accommodate the type and amount of housing identified in the RHNA, the law does not require that sites identified in the Housing Element as suitable for affordable housing be developed for that purpose. The law recognizes that cities and counties do not build housing, and development depends on many factors including property owner desires, interested builders, available financing, and prevailing market forces.

To determine whether the County has adequate sites with realistic capacity for development to commensurate with the RHNA, an analysis of vacant and underutilized parcels was conducted. The analysis included a review of recent development trends and a thorough review of potential development sites. The most significant aspect of this analysis deals with the capacity for new lower-income units.

Based on current allowable densities, as well as planned programs and projects to be implemented during the Housing Element period, the County can accommodate this allocation, and in fact has a dwelling unit capacity of 6,398 units.

The Housing Element must also show that there is capacity within its residentially-zoned land categories that could respond to development for the very low- and low-income population.

Stanislaus County greatly increased its opportunities for housing affordable to lower income households with the adoption of the Salida Community Plan in 2007. The Plan contains 244 acres of land designated for medium density and medium-high density residential, which has the potential of accommodating as many as 2,246 units. Unique to Stanislaus County, the Salida Community Plan was designed to allow housing product types such as small-lot single-family dwellings, duets, row-houses, townhouses, condominiums, and apartments.

In addition, Stanislaus County has two other primary means to accommodate the development of housing affordable to targeted income households. One is through traditional higher density general plan and zoning designations, such as R-2, R-3, or within specific plan areas, which allow a maximum density of 14-25 units per acre.

Another traditionally significant resource for housing for lower income households is single-family residential zones within targeted income unincorporated areas of the County. Second units may be constructed by right as long as they meet the specific criteria. In addition, in single-family zones designated for agricultural uses or as urban transition, mobile homes and manufactured homes are permitted by right in lieu of any single-family permitted dwelling, which presents a more affordable housing option. Lastly, because many of the County's unincorporated communities are within the Redevelopment Project Area, added funding is specifically allocated to increase the supply of affordable housing, typically through new construction, rehabilitation, and affordability covenants.

Demonstrating an adequate inventory of potential residential development sites to commensurate with the RHNA is one of the most noteworthy issues related to the Housing Element. The Draft Element also proposes to continue implementing projects and programs designed to assist in the creation and strengthening of affordable housing. Goals, policies and Implementation measures are also included.

The Housing Element update process also requires the jurisdiction to solicit comments from the general public during a 30-day period, as well as a 60-day review period for the State Housing and Community Development Department. On March 18, 2010, after the initial public and HCD review periods, the Planning Commission held a public hearing and unanimously recommended the Board of Supervisors approve the request.

Approval to Set a Public Hearing for April 20, 2010 at 6:35 p.m. to Consider Planning Commission's Recommendation for Approval of General Plan Amendment Application No. 2009-04, Housing Element  
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This item simply sets the date and time for a hearing on the matter before the Board of Supervisors.

**POLICY ISSUES:**

The Board should determine if setting a hearing for this proposed General Plan Amendment furthers the goals of efficient delivery of public services, and a strong local economy.

**STAFFING IMPACT:**

There are no staffing impacts associated with this item.

**CONTACT PERSON:**

Kirk Ford, Director. Telephone: (209) 525-6330

**ATTACHMENTS:**

1. Draft Housing Element - Available from the Clerk and on the web at:  
<http://www.stancounty.com/planning>



CLERK OF THE BOARD OF SUPERVISORS

*Christine Ferraro Tallman*

1010 Tenth Street, Suite 6700, Modesto, CA 95354  
Phone: 209.525.4494 Fax: 209.525.4420

**NOTICE OF PUBLIC HEARING  
GENERAL PLAN AMENDMENT APPLICATION NO. 2009-04  
HOUSING ELEMENT UPDATE**

NOTICE IS HEREBY GIVEN that on April 20, 2010, at 6:35 p.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider approving the adoption of an update of the Housing Element of the Stanislaus County General Plan. The changes are to State of California Department of Housing and Community Development (HCD) Guidelines for context of a Housing Element. The 2009 Housing Element represents a modification to existing policies and implementation programs in the 2003 Housing Element. No specific housing projects are approved as a part of the Housing Element adoption. A CEQA Negative Declaration will be considered.

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the above application is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board. For further information call (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: April 6, 2010

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of  
the Board of Supervisors  
of the County of Stanislaus,  
State of California.

BY:

\_\_\_\_\_  
Elizabeth A. King, Assistant Clerk

**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

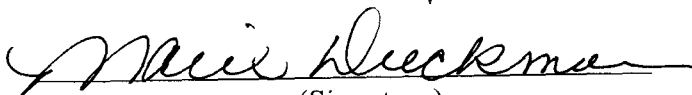
**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of **THE MODESTO BEE**, which has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, under the date of **February 25, 1951, Action No. 46453**. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

**APRIL 10, 2010**

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at **MODESTO**, California on

**APRIL 10, 2010**

  
(Signature)

**NOTICE OF PUBLIC HEARING  
FOR GENERAL PLAN AMENDMENT  
APPLICATION NO. 2009-04  
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Supervisors of the County of Stanislaus,  
State of California

BY: Elizabeth A. King, Assistant Clerk

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BOARD OF SUPERVISORS  
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