

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

DEPT: Planning and Community Development *AF*

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE July 24, 2012

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing for August 28, 2012, at 9:05 a.m. to Consider Planning Commission's Recommendation for Approval of General Plan Amendment Application No. 2009-04, Housing Element Update

STAFF RECOMMENDATIONS:

1. Set a public hearing on August 28, 2012, at 9:05 a.m. to consider Planning Commission's recommendation for approval of General Plan Amendment No. 2009-04, Housing Element Update.
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. 2012-391

On motion of Supervisor Chiesa, Seconded by Supervisor De Martini
and approved by the following vote,

Ayes: Supervisors: Chiesa, Withrow, Monteith, De Martini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

The Housing Element Update for 2009 to 2014 was adopted by the Board of Supervisors on April 20, 2010, pending approval by the California Department of Housing and Community Development (HCD). The adopted document was sent to HCD for review and due to their request for additional data, the document was amended. The amended Housing Element was presented to the Stanislaus County Planning Commission on June 21, 2012.

The current Housing Element of the Stanislaus County General Plan was adopted by the Board of Supervisors in 2010. 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.

Since the adoption of the Housing Element in 2010, there have been many changes to the document at the request of HCD. The basic framework of the document has not been altered. The primary changes requested by HCD have been to further substantiate and solidify (with information, statistics, and expanded or new programs), the statements made in the adopted element that Stanislaus County has the ability to accommodate its share of the Regional Housing Needs Assessment (RHNA) numbers for all income levels, and has adequate programs to facilitate their production.

A description of the primary areas of HCD's comments, are outlined below:

Zoning for Lower Income Households - HCD requested additional analysis to demonstrate the adequacy of zoning and densities to encourage and facilitate the development of housing affordable to lower income households.

Large Sites (Salida Community Plan) - HCD requested further description of how the large sites in the Salida Community Plan would be affordable to lower income households.

Emergency Shelters - HCD requested further documentation that Stanislaus County has the capacity to accommodate emergency shelters.

Non-Vacant and Small Sites - HCD required further analysis of the non-vacant and small sites that were being counted to meet a portion of the County's regional housing need.

Land Use Controls (Measure E) - HCD requested further analysis of the effect of Measure E of limiting the supply of land for residential development or the impact on other land use policies.

Fees and Exactions - HCD requested that additional analysis be provided on the impacts of fees and exactions, specifically the County's fee percentage compared to the total development costs of single-family and multifamily housing.

Approval to Set a Public Hearing for August 28, 2012, at 9:05 a.m. to Consider Planning Commission's Recommendation for Approval of General Plan Amendment Application No. 2009-04, Housing Element Update
Page 3

Programs - HCD requested that the following programs be added or modified: *Program 2-6* (Farm Worker Housing in Agricultural Zones); *Program 2-7* (State and Federal Housing Programs for Farm Workers); *Program 4-8* (Transitional and Supportive Housing); *Program 4-10* (Areas with New Infrastructure Capacity); and *Program 5-7* (Reasonable Accommodation).

A revised draft Housing Element incorporating the responses summarized above was referred to HCD for review and approval on February 9, 2012. HCD has since notified Stanislaus County in a letter dated April 4, 2012, that the revised element will now comply with the State Housing Element law once the revisions are adopted.

On June 23, 2012, after the initial public hearing and HCD review periods, the Planning Commission held a public hearing and unanimously recommended the Board of Supervisors approve the request. A copy of the revised Housing Element is available from the Clerk and on the website at: <http://www.stancounty.com/planning>

This item simply sets the date and time for a hearing on the matter before the Board of Supervisors.

POLICY ISSUES:

The setting of a public hearing for this proposed General Plan Amendment furthers the goals of Efficient Delivery of Public Services and A Strong Local Economy by ensuring that the Housing Element complies with State requirements.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Angels Freitas, Interim Planning and Community Development Director.
Telephone: (209) 525-6330



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 FOR
GENERAL PLAN AMENDMENT APPLICATION NO. 2009-04
HOUSING ELEMENT UPDATE**

NOTICE IS HEREBY GIVEN that on August 28, 2012, at 9:05 a.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 update consists of revisions needed for State of California Department of Housing and Community Development (HCD) certification. No specific housing projects are approved as a part of the Housing Element adoption. APN: Countywide. This project is Exempt from CEQA. All documents are available for review at 1010 10th Street, Suite 3400, Modesto and online at www.stancounty.com/planning/

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: July 24, 2012

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

BY:

Elizabeth A. King, Assistant Clerk

E

**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:

AUGUST 18, 2012

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

AUGUST 18, 2012

A handwritten signature in black ink that reads "Marilyn Gonzalez". The signature is written in a cursive, flowing style.

(Signature)

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

NOTICE IS HEREBY GIVEN that on August 28, 2012, at 9:05 a.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 update consists of revisions needed for State of California Department of Housing and Community Development (HCD) certification. No specific housing projects are approved as a part of the Housing Element adoption. APN: Countywide. This project is Exempt from CEQA. All documents are available for review at 1010 10th Street, Suite 3400, Modesto and online at www.stancounty.com/planning/.

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: July 24, 2012

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

BY: Elizabeth A. King, Assistant Clerk