

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

March 3, 2016

- I. **ROLL CALL:** Meeting called to order at 6:00 p.m.  
Present: Chair Ron Peterson, Katherine Borges, Steve Boyd, Kenneth Buehner, Marc Etchebarne, Richard Gibson, Scott Hicks, Tom Orvis, Bobby Yamamoto
- Absent: None
- Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Kristin Doud, Associate Planner; Thomas E. Boze, Assistant County Counsel; Jennifer Akin, Planning Commission Clerk

II. **PLEDGE OF ALLEGIANCE**

III. **CITIZEN'S FORUM** - No one spoke.

IV. **APPROVAL OF MINUTES**

A. February 18, 2016

Orvis/Hicks (7/0) **APPROVED.**  
Commissioners Boyd & Peterson abstained.

V. **CORRESPONDENCE**

Director Freitas informed the Commissioners of one item of correspondence placed before them this evening:

- A. Addendum dated March 3, 2016, from the Stanislaus County Planning and Community Development Department regarding Non-Consent Item VII-A – General Plan Amendment Application No. PLN2014-0104 - 2015-2023 Housing Element Update.

VI. **CONFLICT OF INTEREST**

VII. **PUBLIC HEARINGS (\* - Consent Items)**

\* **CONSENT ITEMS** – None

**NON-CONSENT ITEMS**

- A. **GENERAL PLAN AMENDMENT APPLICATION NO. PLN2014-0104 – 2015-2023 HOUSING ELEMENT UPDATE** – An update and amendment to the Housing Element of the Stanislaus County General Plan, which includes goals, policies, objectives and programs, covering the years 2015-2023, to further

opportunities for housing to households in the unincorporated areas of Stanislaus County. A public hearing was held on November 19, 2015, by the Planning Commission, where the Planning Commission recommended approval of the proposed 2015-2023 Housing Element of the Stanislaus County General Plan to the Board of Supervisors. Minor changes were made to the draft update, incorporating comments received by the California Department of Housing and Community Development (HCD), during their 60-day review period, and the item is now being brought back to the Planning Commission for reconsideration. No development project is proposed as part of the Housing Element Update.

Staff Report: Kristin Doud, Associate Planner, Recommends **APPROVAL**.  
Public hearing opened.

**OPPOSITION:** Marisol Aguilar, Attorney, California Rural Legal Assistance, Inc.

**FAVOR:** No one spoke.

Public hearing closed.

Orvis/Boyd (9/0) **APPROVED THE STAFF RECOMMENDATIONS TO THE BOARD OF SUPERVISORS, AS PROVIDED IN THE MARCH 3, 2016, PLANNING COMMISSION MEMO, WITH THE FOLLOWING AMENDMENT TO PAGE 87 OF THE STAFF MEMO AND INCORPORATING THE REVISIONS AS OUTLINED IN THE ADDENDUM TO THE MARCH 3, 2016, PLANNING COMMISSION MEMO:**

**Page 87, Line Numbers 19 & 20 of the Draft Housing Element 2015-2023 (Exhibit 4 of the March 3, 2016 Planning Commission Memo) was amended to read as follows:**

“... county’s residents. With the knowledge that this area has the opportunity to accommodate ~~the bulk of~~ Stanislaus County’s identified need for lower-income housing, the County will continue to ...”

#### **1-8 – HOUSING FOR SPECIAL NEEDS POPULATIONS**

Continue to support countywide efforts to increase the inventory of affordable and accessible housing for special needs populations including seniors, persons with disabilities, families with female heads of household, large families, farmworkers, homeless and other residents with special needs.

Responsible Departments: Planning Department, Planning Commission, Board of Supervisors

Funding: CDBG, HOME, CalHOME

Time Frame: Identify projects annually, based on available funding. Report annually on accomplishments under this program in the Housing Element annual report.

Objective: 24 ELI, VLI, and LI senior households

## **2-6 – STATE AND FEDERAL HOUSING PROGRAMS FOR FARMWORKERS**

Continue to assist the Housing Authority of the County of Stanislaus in its administration of **S**tate and **F**ederal housing programs for farmworker housing, and support their funding applications for farmworker housing, such as HCD's Joe Serna Grant. **The County will outreach to developers and the agriculture industry to identify any constraints and solutions to the development of farmworker housing and to identify partnership opportunities.**

Responsible Department: Planning Department

Funding: Farmworker housing funding sources

Time Frame: Annually, and as funding opportunities are identified. Report annually on accomplishments under this program in the Housing Element annual report. **The County will outreach to developers and the agriculture industry to identify any constraints and solutions to the development of farmworker housing and to identify partnership opportunities within three years of adoption of the Housing Element.**

Objective: Rehabilitate or construct 30 ELI and VLI units

## **3-2 – HOME REHABILITATION PROGRAM**

Continue to assist income-eligible households, **including affordable housing rental units**, with housing rehabilitation needs. The program is designed to respond to housing needs such as leaking roofs, fire damage, accessibility retrofits, and other health and safety related housing needs. **The County will consider proactive approaches to housing rehabilitation, including developing criteria to identify households and neighborhoods of highest need, such as lower income renter households.**

Responsible Department: Planning Department

Funding: HOME, CalHOME, and other awarded and available funding

Time Frame: Identify projects annually, based on available funding. **The County will consider proactive approaches to housing rehabilitation, including developing criteria to identify households and neighborhoods of highest need, such as lower income renter households, within three years of adoption of the Housing Element.** Report annually on accomplishments under this program in the Housing Element annual report.

Objective: 30 ELI, VLI, and LI households

## **4-6 – EXTREMELY LOW-INCOME HOUSING**

This program will seek to encourage, expand, and assist the types of housing that meet the needs of extremely-low income households and individuals, such as supportive housing, **rental assistance programs**, multifamily housing, and

single-room occupancy (SRO) units, as well as supportive programs. The County will amend the Zoning Ordinance to permit and define SRO units in at least one zone with or without discretionary review. Funding assistance and/or financial incentives and concessions will be added and/or revised to include extremely low-income households as appropriate. **Emergency Solutions Grant (ESG) funds will continue to be utilized to provide rental assistance to extremely low-income households at-risk of becoming homeless. Staff will outreach to developers to identify potential affordable housing opportunities for existing or new extremely low-income units on an annual basis.**

Responsible Agency: Planning Department

Funding: HOME, ESG, Department Revenue, other awarded and available funding

Time Frame: Amend Zoning Ordinance to permit SROs within two years of the adoption of the Housing Element. Review development projects for potential density bonuses upon request. Identify funding for extremely low-income rehab and rental assistance projects annually, based on available funding. Report annually on accomplishments under this program in the Housing Element annual report. **Continue to utilize annual Emergency Solutions Grant funds (ESG) to provide rental assistance to extremely low-income households at-risk of becoming homeless. Outreach to developers to identify potential affordable housing opportunities for existing or new extremely low-income units on an annual basis.**

Objective: ~~15~~ **24** ELI units

#### **4-8 – EMERGENCY SHELTER CAPACITY MONITORING**

The Zoning Ordinance allows development of emergency shelters without discretionary review in the H-1 and C-2 zones outside of spheres of influence with a limit of 10 beds per zone, for a total of 20 beds between the two zones. The County will ~~monitor areas~~ **evaluate zoning districts** where emergency shelters are allowed by right to determine if the identified limits pose constraints to addressing the homeless needs in the County. If a future point-in-time count for the unincorporated County shows an increase in the number of unsheltered persons, then a re-evaluation of the 20 bed overall maximum will be conducted. **If the current cap on the number of beds is determined to be a constraint to ensuring the encouragement of emergency shelter developers, the Ordinance will be reviewed and amended as appropriate.** If it is determined through monitoring that the maximum of 10 beds per zone hinders feasibility of shelter development, the 10 bed per shelter maximum will be re-evaluated. If constraints are identified, the County will re-evaluate the bed caps and update the Zoning Ordinance to meet the homeless needs in the County.

Responsible Department: Planning Department, Planning Commission, Board of Supervisors

Funding: Department revenue

Time Frame: Monitoring will be ongoing and when new point-in-time homeless counts are available. Re-evaluation will occur annually. If constraints are identified during annual reevaluation, Zoning Ordinance updates will be completed within one year of the re-evaluation.

Objective: Continue to address current homeless needs in the County.

**Revised Exhibit 1 – Findings and Actions Required for Project Approval were revised to read as follows:**

**Findings and Actions Required for Project Approval**

The Planning Commission recommends that the Board of Supervisors:

1. Find the project is generally exempt for the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) and order the filing of a Notice of Exemption with the Stanislaus County Clerk-Recorder pursuant to CEQA Guidelines Section 15062;
2. Find that there is no substantial evidence the project will have a significant effect on the environment and that the General Exemption reflects Stanislaus County's independent judgement and analysis;
3. Find That:
  - A. The General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses; and
  - B. The County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service;
4. **Find that the guidelines adopted by the California Department of Housing and Community Development, pursuant to Section 50459 of the CA Health and Safety Code, have been considered;**
5. **Find that the findings, as required by Section 50459 of the CA Health and Safety Code, made by the California Department of Housing and Community Development, in their January 12, 2016, letter, have been considered;**
6. **Find that public comments made by the California Rural Legal Assistance, Inc. and subsequent comments received from the California Department of Housing and Community Development have been considered and incorporated into the 2015-2023 Housing Element, where appropriate; and**
- 4.7. Approve General Plan Amendment No. PLN2014-0104 – 2015-2023 Housing Element Update.

**VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)**

**IX. REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

March 1, 2016: Appeal of Planning Commission's Approval of Use Permit Application No. 2015-0023 - Verizon Wireless – Moffet Road, Scheduled for Public Hearing, was withdrawn by the Appellant.

**MISCELLANEOUS & ON THE HORIZON**

Planning Commission

March 17, 2016: Use Permit Application PLN2015-0087 – Artificial Turf & Landscaping Co, in the Modesto area. Applicant is Jim Lawrence, Artificial Turf & Landscaping Co. Owners are Daniel and Ann Marie Keane.

Use Permit Application PLN2015-0086 – Rumble Ag Service, Inc., in the Salida area. Applicant is Dan Rumble, Rumble Ag Service, Inc. Owners are Darin & Sandra Beachler.

April 7, 2016: Use Permit Application PLN2015-0114 – G & G Transportation in the Turlock area. Applicant is Gary Gomes, G & G Transportation. Owners are Jill, Michael & Scott Bradley and Denise Soares.

Rezone & Parcel Map Application PLN2015-0027 – Valley BMW-Kia in the Modesto area. Applicant/Owner is B.E. Fitzpatrick Development, Inc.

Director Freitas thanked Commissioners Buehner, Borges and Yamamoto for attending the 39<sup>th</sup> Annual Planning Commissioners' Workshop, Saturday, February 27, 2016.

**X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN**

**XI. ADJOURNMENT**

The meeting was adjourned at 6:48 p.m.

Signature on file.  
Angela Freitas, Secretary

(The above is a summary of the minutes of the Planning Commission. Complete tape(s) of the meeting are available from the Planning Department.)