



California Rural Legal Assistance, Inc.
Rural Roots, Justice for All

Stanislaus County Planning Commission
1010 10th St.
Modesto, CA 95354



October 16, 2025

Re: Agenda Item 7B: General Plan Amendment Application No. PLN2022-0045 – Sixth Cycle Housing Element Update

Members of the Planning Commission:

California Rural Legal Assistance, Inc. (“CRLA”) submits these comments on Agenda Item 7B regarding Stanislaus County’s Proposed 6th Cycle Housing Element. We acknowledge and appreciate the recent changes and improvements the County has made to the Housing Element and the County’s willingness to engage in continuing discussions with us regarding ways to improve it. We submit these comments to highlight the need for additional revisions to ensure the Housing Element’s compliance with state law, including the duty to Affirmatively Further Fair Housing.¹ The duty to affirmatively further fair housing requires the County to, among other things, take active steps to combat its existing and historical patterns of segregation.

I. The Sites Inventory’s Distribution of Lower Income Housing Units Will Increase, Rather than Combat, the County’s Overall Level of Segregation.

As we have noted in previous comments, **the County’s most updated Sites Inventory disproportionately sites a vast majority (81%) of its low- and very low-income housing in the County’s Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) and areas of high segregation and poverty, while the majority of the County’s Racially Concentrated Areas of Affluence (RCAAs) and high and highest resource areas received no low- or very low-income allocation. The concentration of low and very low-income housing units is highest in the R/ECAP of Bret Harte, which alone has received 45.7% of the County’s total low and very low-income housing unit allocation** in five heavily concentrated parcels on the outer edge of the neighborhood. The impact of this rezoning scheme will be to exacerbate existing patterns of segregation, which will in turn increase the level of housing burdens on low income residents, households, and families across the county.

¹ Cal Gov. Code section 8899.50



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We have appreciated the County's willingness to discuss and consider the possibility of rezoning additional sites in higher income areas such as Denair in order to reduce the segregatory effect of the Sites Inventory. We look forward to continuing conversations with County staff to determine if additional sites may be rezoned in the future, and we appreciate their collaboration with us to identify these sites. However, we recognize that there is a limit to the number of sites that could possibly be rezoned in higher resource areas, given constraints such as water and wastewater infrastructure availability, local community plan policies, and access to resources.

In light of this reality, and given the County's duty to affirmatively combat segregation and further fair housing, it is critically important for the County to include as many helpful programs and policies in its Housing Plan as possible to ensure that affordable housing can be developed in higher resource areas and that lower resource areas where a large amount of higher density housing has been located receive resources and services necessary for their residents to thrive. The County has taken steps toward including additional policies to this effect, but more policies and programs are needed to effectively combat patterns of segregation.

II. In Order to Affirmatively Further Fair Housing, the County Must Further Revise its Housing Plan to Include Programs that will Reduce Constraints on Affordable Housing Development in Higher Resource Areas and Encourage Resource Access and Community Development in Lower Resource Areas.

We commend the County for making some significant positive changes and additions to the Housing Plan in its most recent drafts of the Housing Element. The additional language and actions are steps in the direction of ensuring that the Housing Element will effectively affirmatively further fair housing and support County residents facing the most severe housing insecurity and housing burdens. To adequately counteract the Sites Inventory's segregatory effect, however, more revisions are needed. We provide the following recommendations additional actions and programs to ensure tangible benefits to households in the County within the planning period.

A. The County Should Add an Action to Review and Update Outdated Community Plans in Order to Accommodate Future Affordable Housing Development in Higher Resource Areas.

One constraint the County identified on its ability to rezone additional parcels in Denair is the existence of policies in Denair's Community Plan requiring higher density housing to be within a certain range of Denair's downtown area. However, Denair's Community Plan was last adopted in 1998, and many of the other Community Plans in the County were also adopted two



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or more decades ago. These Community Plans are out of date and do not reflect the current priorities or current or future needs of residents in the County. Insofar as these Community Plans serve as constraints to future affordable housing development, the County must consider reviewing and revising these Community Plans to help meet the housing needs of its current and future residents.

To address this constraint and increase the likelihood of future affordable housing development, the County should consider adding the following action to its Housing Plan:

By the end of 2026, review and update all community plans (including community plans for Denair, Salida, and Del Rio) to eliminate constraints to affordable housing development. Constraints to evaluate and remove may include but are not limited to policies dictating where affordable housing may be sited and subjective design requirements.

B. To Combat the Segregatory Impact of Disproportionately Siting High Density Housing in the County's Lower Resource Communities, the County Should Implement a Policy to Develop Community Plans for Lower Resource and R/ECAP Communities such as Bret Harte, Rouse Colorado, Spencer Marshall, and Bystrom.

Many of the communities with existing community plans are in areas of high resource. However, many of the communities in areas of high segregation, low resource, and R/ECAPs do not have community plans. While outdated Community Plans may serve as constraints on affordable housing development, Community Plans reflecting community priorities can also be effective tools to guide local development in a positive way and bring key resources to neighborhoods. Creating Community Plans for the R/ECAP and low resource neighborhoods that have received a disproportionate share of the County's low and very low income RHNA would represent a tangible step toward combating the segregatory effect of the Sites Inventory.

To achieve this, the County should include an action in its Housing Plan that includes the following commitments:

- By the end of 2026, evaluate the County's R/ECAP and low resource/high segregation and poverty designated areas to identify areas that could benefit from Community Plans. Communities to evaluate include but are not limited to Bret Harte/South Modesto, Rouse Colorado, Spencer Marshall, Bystrom, Airport, and Empire.
- By the end of 2027, develop Community Plans for the identified areas, utilizing an engagement strategy that involves local residents, community stakeholders, and local organizations to identify community priorities and provide feedback on proposed policies.



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- By July 2028, present the final drafts of these Community Plans to the Board of Supervisors for adoption.

C. To Address the Lack of Available Infrastructure in High Resource Areas, the County Should Implement a Policy to Identify Planned Infrastructure Developments Throughout the Planning Period and Rezone Nearby Sites for Higher Densities Where Possible.

One significant constraint the County identified that prevents the development of higher density housing in many of the County's higher resource areas is the lack of available water and wastewater infrastructure. While it is important to ensure that higher density housing developments have access to adequate water and wastewater infrastructure, this constraint significantly hinders the possibility of developing affordable housing in higher resource areas of the County, which in turn exacerbates existing patterns of segregation. In order to combat segregation and counter these infrastructure constraints, the County should include in the Housing Plan an action that establishes the following infrastructure development identification and evaluation process:

On a continuous basis throughout the planning period, identify and evaluate planned private and public infrastructure development in medium, high, and highest resource areas throughout the planning period to locate nearby and connected sites that could be rezoned for higher density housing once this infrastructure is in place. Rezone for higher density in these areas where possible.

D. The County Should Implement a Policy Committing to Evaluating and Implementing Overlay Districts in Higher Resource Areas to Incentivize the Development of Affordable Multifamily Housing.

While the County may not use overlay districts to accommodate its RHNA allocation², overlay districts are one method that can be used to incentivize and make more feasible the development of affordable housing in residential areas. While many areas of the County with higher resources may not currently have the infrastructure available for affordable housing development, an overlay district in these areas would incentivize affordable housing development in the event that infrastructure development occurs that would make it possible. An action to this effect should be created in tandem with the infrastructure development monitoring

² New Commune DTLA LLC et al. v. City of Redondo Beach et al.
<https://www4.courts.ca.gov/opinions/documents/B336042.PDF>



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action described above in order to help realize the potential for affordable housing development during the planning period if and when infrastructure becomes available.

III. Conclusion

We appreciate the County's consideration of our recommendations. We submit these comments in the hope that we can continue our conversations with the County to ensure that the Housing Element adequately and effectively serves the needs of the County's low income and disadvantaged households and families.

Respectfully,

Nick Jensen

California Rural Legal Assistance, Inc.