

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: June 26, 2008
Item No.: Addendum
Staff: Shawna Purvines

FILE NUMBER: A07-0004

APPLICANT: El Dorado County

REQUEST: Amendment to General Plan; Housing Element Update

ENVIRONMENTAL DOCUMENT: Initial Study/Negative Declaration

SUMMARY RECOMMENDATION: Forward recommendation to Board of Supervisors to adopt the proposed amendment.

BACKGROUND

On April 1, 2008 the Board of Supervisors accepted the draft 2008-2013 Housing Element Update for submittal to the California Department of Housing and Community Development (HCD) for their review. On June 2, 2008 HCD sent a letter that stated the Element adequately addressed many statutory requirements; however revisions would be necessary to bring it into compliance with State law.

Section 65588(e) (3) of the Government Code requires all jurisdictions within the Sacramento Area Council of Governments (SACOG) to adopt a revised Housing Element By June 30, 2008. This is scheduled for action by the Board of Supervisors on July 1, 2008 in order to meet as closely as possible the timeline established by this code. The County was delayed in starting the update process due to revisions made to the Regional Housing Needs Assessment (RHNA), which did not become official until February 2008. However, the Legislature refused to extend the deadline for submittal and adoption of the updated element from the June 2008 date, therefore, six to nine months of work has been compressed into three months.

STAFF ANALYSIS

The Housing Element is a comprehensive report by the County of El Dorado describing the housing needs of the unincorporated area and how County plans, policies, programs and regulations facilitate the development, improvement and preservation of housing for all economic segments of the community. The Housing Element is one of the seven General Plan Elements mandated by the State of California, as required in Sections 65580 to 65589.8 of the Government Code. State law requires that the Housing Element consist of “an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement and development of housing.”

The Housing Element sets forth the County's strategy for enhancing and preserving the housing stock, for expanding housing opportunities for various economics segments, and along with the Land Use Element, provides policy guidance for decision-making related to housing. The Housing Element also provides the implementation strategies for effectively addressing the housing needs of the unincorporated area during the 2008-2013 planning period.

Each jurisdiction is required by State law to ensure that sufficient land with appropriate zoning is available to accommodate its fair share of the region’s future housing needs for all income groups for the 2006-2013 planning period. SACOG is the agency tasked with identifying housing needs for each jurisdiction, consistent with state-approved regional forecast totals. SACOG has determined that the new housing need for the El Dorado County unincorporated area is 8,044 additional housing units for this planning period. This need is allocated to income categories as shown in Table 1. The Housing Element identifies sufficient vacant and/or underutilized land with appropriate zoning to accommodate this growth need. No changes to the General Plan Land Use Element or zoning that would increase either total development capacity or the rate of development are anticipated in connection with this Housing Element update.

Table 1
Regional Housing Growth Needs 2006 - 2013
Unincorporated El Dorado County

Very Low	Low	Moderate	Above Mod	Total
2,413	1,596	1,512	2,523	8,044
30%	20%	19%	31%	100%

Source: SACOG 2007

The revision is an update to the element, not a comprehensive rewrite. The major changes are centered on the revised allocations based on the RHNA, an update of the inventory using the general plan land use designation rather than zoning as was done in 2004, and a review of the success in meeting the goals and objectives of the previously adopted element. Additionally, the goals, policies, and implementation measures have been updated to reflect changes in state law between

2004 and today. These are contained in Sections 2, Appendix B, Appendix A, and Section 5, respectively.

ENVIRONMENTAL REVIEW

Pursuant to Public Resources Code 21083.3 and State CEQA Guidelines Section 15177, the County has determined that the Housing Element update is within the scope of the General Plan EIR adopted July 2004 and two Supplemental EIR's (SEIR) adopted August 22, 2006 and July 10, 2007 as part of the Traffic Impact Fee program and General Plan Floor Area Ratio amendment. Therefore, the initial study only looked at issues specific and unique to the Housing Element Amendment and current setting conditions, and does not re-evaluate issues adequately addressed in the previous General Plan EIR or SEIR. A Negative Declaration was prepared since no significant impacts were identified.

FISCAL IMPACT AND CERTIFICATION OF ELEMENT

Should the Housing Element not be adopted as required, the County would not be eligible to apply for certain funding opportunities including applications due in July for the Community Development Block Grant programs worth a potential \$140,000 to county Economic Development and Housing programs. Staff has already begun to work with HCD to begin addressing comments and recommended revisions to the Element. Staff is pursuing a finding by HCD of substantial compliance within the next couple of months. Should this not be achieved the County is in danger of losing upwards of \$6.0 million in funding opportunities by September. Staff will bring back to the Board any proposed amendments to the Element for discussion prior to sending for formal review to HCD. Staff anticipates a finding of Substantial Compliance by August and a final Certification by year end.

RECOMMENDATION

Based on the Findings Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to:

1. Adopt the Negative Declaration based on Attachment 2; Initial Study/Negative Declaration, and
2. Approve a Resolution to adopt the 2008-2013 General Plan Housing Element update based on Findings in Attachment 1.

SUPPORT INFORMATION

Attachments:

- Attachment 1Findings
- Attachment 2Initial Study/Negative Declaration
- Attachment 3Draft Resolution amending the General Plan
- Attachment 4Comment letter from the State Department of Housing
and Community Development
- Attachment 5Minutes from the June 26, 2008 Planning Commission
meetings. (*Will be provided at BOS Hearing*)

ATTACHMENT 1 FINDINGS FOR APPROVAL

File Number A08-0005

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

1. The Housing Element was prepared in accordance with California Government Code Sections 65580-65589.8 and reviewed by the State Department of Housing and Community Development to ensure compliance with State law. An Initial Study was completed per the requirements of CEQA and the County's CEQA Guidelines. The Planning Commission has considered the Negative Declaration and finds, based on the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Negative Declaration reflects the County's independent judgment and analysis.
2. The proposed amendment is deemed to be in the public interest. Availability of housing is a vital issue of local and statewide importance. The Housing Element makes adequate provisions for the existing and projected housing needs for all economic segments of the community. The housing element also is in the public interest since it addresses regional housing needs.
3. The proposed General Plan amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected. Implementation of some programs identified in the Housing Element may require an amendment to other Elements of the General Plan to ensure internal consistency. The 2008-2013 Housing Element replaces the 2004-2008 Housing Element in the General Plan. Most of the policies, programs, and objectives are similar in both elements.
4. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare. It is intended to promote the housing needs of the community, including safe housing conditions and vital neighborhoods.