

**EL DORADO COUNTY COMMUNITY DEVELOPMENT
AGENCY**



**PLANNING COMMISSION
STAFF REPORT**

Agenda of: October 10, 2013

Item No.: 9

Staff: Shawna Purvines

GENERAL PLAN AMENDMENT

FILE NUMBER: A13-0007/2013-2021 Housing Element

APPLICANT: El Dorado County

REQUEST: Amendment to General Plan to incorporate the 2013-2021 Housing Element Update

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION: Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2. Approve General Plan Amendment A13-0007 amending the General Plan to incorporate the 2013-2021 Housing Element Update based on Findings in Attachment 1.

BACKGROUND

On March 25, 2013, the Board of Supervisors accepted the draft 2013-2021 Housing Element Update for submittal to the California Department of Housing and Community Development (HCD) for their review. Staff submitted the draft Element to HCD for their review on April 2, 2013. HCD sent a letter to the County on May 30, 2013, stating that the revised draft element meets the statutory requirements of State Housing Element law (Exhibit B).

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 October 31, 2013. This is scheduled for action by the Board of Supervisors on October 22, 2013, in order to meet as closely as possible the timeline established by this code.

PUBLIC PARTICIPATION

Opportunities for residents to provide input on housing issues and recommend strategies are critical to the development of appropriate and effective housing programs. In order to facilitate this process and ensure the broadest range of input, six public workshops were held in March 2012 in South Lake Tahoe, Placerville, Cool, El Dorado Hills, Cameron Park, and Somerset. Verbal comments were recorded at the meetings, and written comment was also received. In addition, the County's web site provided status updates for the Housing Element project, invited users to receive e-mail updates and comment on the draft, and provided information on the Housing Element process, location of meetings, and copies of draft documents. The County also developed an on-line public comment form to allow for public participation throughout the process.

Next, the County's Chief Administrator's Office through the Community Economic Development Advisory Committee (CEDAC) coordinated three public meetings in Placerville between December 2012 and February 2013 to involve a wide variety of interested groups and individuals in the process to articulate housing issues, take stock of the County's resources and opportunities, and engage in a meaningful discussion about El Dorado County's priorities. Interested parties that took part in these meetings include representatives from the League of Women Voter's Affordable Housing Coalition, the El Dorado County Association of Realtors, Mercy Housing California, El Dorado County Farm Bureau, the El Dorado County Health and Human Services Agency Social Services and Mental Health Departments, Foster Parent Association, local Chambers of Commerce, developers, and low-to moderate-income residents of the county. All of the input received at the workshops and at the hearings has been considered and incorporated into the Housing Element, if appropriate. All major comments and questions have been addressed in the Frequently Asked Questions section of the Housing Element website

(www.edcgov.us/Government/Planning/General_Plan_Housing_Element.aspx)

Finally, staff has presented monthly progress reports on the Housing Element Update process at regular meetings of the Board of Supervisors since the project began in January 2012. Planning Commission and Board of Supervisors workshops were held in March 2013. On Monday, March 25, 2013, the El Dorado County Board of Supervisors authorized staff to release the Draft 2013 Housing Element of the El Dorado County General Plan to HCD for their review pursuant to state law and open a 60-day public review period. The Draft 2013 Housing Element Update and related materials were posted for public review on the County Housing Element website sited above April 1, 2013. No public comments were received since the draft Element was posted.

STAFF ANALYSIS

The Housing Element is a comprehensive report by El Dorado County describing the housing needs of the unincorporated area and how the County's 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 implementation strategies for effectively addressing the housing needs of the unincorporated area during the 2013-2021 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 2013-2021 planning period. SACOG is the agency tasked with identifying housing needs for each jurisdiction, consistent with State-approved regional forecast totals. On September 20, 2012, the SACOG Board unanimously approved the 2013-21 Regional Housing Needs Allocation (RHNA), a state requirement to determine the number of housing units cities and counties must plan for in their Housing Element Updates. Through this process, SACOG determined that the new housing need for the El Dorado County unincorporated West Slope area is 3,948 additional housing units for this planning period, and the new housing need for the unincorporated East Slope/Tahoe Basin is 480 additional housing units. 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. Therefore, no changes are needed to the General Plan Land Use Element to increase total development capacity or the rate of development for this Housing Element Update.

Table 1
Regional Housing Growth Needs 2013-2021
Unincorporated El Dorado County
West Slope

Very Low	Low	Moderate	Above Mod	Total
954	669	734	1,591	3,948
24%	17%	19%	40%	100%

Unincorporated El Dorado County
Tahoe Basin

Very Low	Low	Moderate	Above Mod	Total
132	93	89	166	480
28%	19%	19%	35%	100%

Source: SACOG 20, 2012

Because the Tahoe Basin is subject to federal law and to the land use authority of the Tahoe Regional Planning Agency (TRPA), the local governments in Placer and El Dorado Counties have no land use authority to manage growth rates. Therefore, SACOG has no authority to determine the number of overall number of units allocated to the areas in the Tahoe Basin. Rather, SACOG worked with

TRPA for its housing projections. TRPA was simultaneously in the process of developing its Regional Transportation Plan, and SACOG utilized TRPA's overall growth projections for the RHNA. However, SACOG did apply the same income category distribution methodology to the overall number of units assigned to these jurisdictions.

PROPOSED REVISIONS

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 vacant land, 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 2008 and today. These are contained in Sections 2, Appendix B, Appendix A, and Section 5, respectively.

As part of the review process, HCD provided technical assistance to staff to ensure that the Draft Housing Element Update complies with State law. HCD called staff in May to say that the Element adequately addressed many statutory requirements; however revisions would be necessary to bring it into compliance with State law. As a result, the proposed revisions to the public draft Housing Element Update include the following:

1. Section 2 – Housing Assessment and Needs.
 - a. Provide further analysis of tenure for extremely-low income households. The U.S. Census Bureau defines tenure as the distinction between owner-occupied and renter-occupied housing units. Additional data is presented.
2. Section 3 – Housing Constraints.
 - a. In order to implement SB2 requirements and as part of the Zoning Ordinance Update, Measure HO-2013-40 would require the County to ensure that the permit processing procedures for transitional and supportive housing do not conflict with Government Code Section 65583 which requires that transitional and supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.

Staff submitted these proposed draft revisions to HCD on May 29, 2013. HCD sent a letter to the County on May 30, 2013, stating that the revised draft element meets the statutory requirements of State Housing Element law (Exhibit B). As a result, the element will comply with State Housing Element law (Article 10.6 of the Government Code) when these revisions are adopted and submitted to HCD, pursuant to Government Code Section 65585(g).

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.

RATIONALE FOR RECOMMENDATION

Staff has revised the draft Element to address HCD comments and recommended revisions and, upon adoption by the Board, will secure final finding by HCD of substantial compliance with the State Housing Element law. Staff anticipates a finding of Substantial Compliance by December and a final Certification by the beginning of next year.

The State of California has determined that housing is of vital importance to the economic, environmental, and social quality of life in California . As a result the state imposes consequences for failure to timely adopt and obtain certification of the Housing Element. For example, should the Housing Element not be adopted as required, the County would not be eligible to apply for upwards of \$6.0 million in funding opportunities for various housing, recreation and transportation funds.

In addition, the state provides incentives for timely adoption and certification of the Housing Element. If the County adopts this updated Housing Element by October 31, 2013, the County would avoid the risk of being required to update its Housing Element every four years instead of every eight years per Government Code Section 65588(e)(4). Such a requirement would double the County's workload and cost relative to future Housing Element Updates.

SUPPORT INFORMATION

Attachments:

Attachment 1	Findings
Exhibit A	Draft Resolution amending the General Plan
Exhibit B	California Department of Housing and Community Development Letter; May 30, 2013
Exhibit C	Proposed Negative Declaration and Initial Study

ATTACHMENT 1

FINDINGS FOR APPROVAL

General Plan Amendment A13-0007/2013-2021 Housing Element Planning Commission/October 10, 2013

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:

1.0 CEQA FINDINGS

- 1.1 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.
- 1.2 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.
- 1.3 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 2013-2021 Housing Element replaces the 2008-2013 Housing Element in the General Plan. Most of the policies, programs, and objectives are similar in both elements.
- 1.4 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.