



City of Yuba City
Planning Division Agenda Report
Planning Commission Meeting

July 22, 2009

DATE: July 16, 2009
TO: Yuba City Planning Commission
FROM: Community Development Department
SUBJECT: Agenda Report – Meeting of July 22, 2009

- 1. COMMISSION CONSIDERATION: REQUEST FOR EXTENSION OF PREVIOUSLY-APPROVED DEVELOPMENT PLAN #DP 07-05 FOR A 40,000 SQUARE FOOT CHRYSLER, JEEP AND DODGE AUTOMOTIVE DEALERSHIP LOCATED AT THE SOUTHWEST CORNER OF HARTER PARKWAY AND HIGHWAY 20; ASSESSOR’S PARCEL NUMBER: 63-010-101, 102, 103; APPLICANT: JOHN L. SULLIVAN FAMILY LIMITED PARTNERSHIP; PROPERTY OWNERS: ROY LANZA AND JASWANT BAINS.**

Background:

On August 22, 2007, the Planning Commission approved the Development Plan for the above-referenced project. Section 8-5.7105 of the Yuba City Municipal Code states that approved Development Plans shall expire if construction has not substantially commenced within two years of the date of the approval. Section 8-5.7106 of the Yuba City Municipal Code states that the body that originally considered the application may grant a two-year extension of time if the applicant has made a written request for an extension prior to the expiration date of the permit and if it is determined that conditions have not changed to the extent that would warrant denial of the extension. No public hearing is required to grant an extension of time.

Staff Analysis:

On July 3, 2009, the applicant, John L. Sullivan, submitted a request for a two-year extension of #DP 07-05 because of the current economic conditions coupled with the franchisor’s recent bankruptcy. Conditions placed on the project have not changed.

Recommended Action:

Staff recommends that the Planning Commission extend its approval of Development Plan #DP 07-05 for two years.

2. PUBLIC HEARING: GENERAL PLAN AMENDMENT 09-02: HOUSING ELEMENT UPDATE; APPLICANT: CITY OF YUBA CITY.

Project Description:

The proposed General Plan Amendment represents the 2008 update to the City's Housing Element which is a statement by the City of Yuba City of its current and future housing needs. The Housing Element has been prepared to meet the requirements of state law (Section 65580 – 65589.8 of the California Government Code) and community objectives as stated in the General Plan. The Housing Element also addresses the needs of special population groups as defined under state law (Section 65583 of the California Government Code), including equal housing opportunity, housing rehabilitation, and housing subsidies for owners and renters.

Background:

The Housing Element is one of the seven State mandated elements of a City's General Plan. State law requires that the Housing Element be updated every five years and that the California Department of Housing and Community Development (HCD) make findings and the City considers those findings prior to adopting the Housing Element. The purpose of the Housing Element is to establish specific goals, policies and objectives related to the provision of housing for all economic segments of the community and to adopt an action plan toward this end. Government Code Section 65583 mandates that the Housing Element generally contains the following components:

- **Needs Assessment:** An assessment of housing needs, including analysis of population and employment trends, household characteristics, documentation of projections, and quantification of the locality's existing and projected housing needs for all income levels;
- **Resources and Constraints Analysis:** An inventory of resources and constraints including an inventory of land suitable for residential development, the identification of zone(s) where emergency shelters are permitted, an analysis of potential governmental and non-governmental constraints on housing development;
- **Review of Past Performance:** Review effectiveness of the past Housing Element's policy program relative to the maintenance, preservation, improvement and development of housing. The last Housing Element covered the period of 2002-2007.
- **Policy Program:** A five year housing program and schedule for implementing the policies and achieving the goals and objectives identified in the Housing Element.

Another key component required with the Housing Element Update is public outreach and participation. To encourage public participation by all segments of the community in the development of the Housing Element, the City conducted a public meeting on November 19, 2007, followed by a City Council public workshop held on December 17, 2007. For both meetings, the meeting was publicly noticed in the Appeal-Democrat newspaper, along with e-mail notification and direct U.S. mail notification was sent to all local and regional non-profit

organizations, government agencies, faith based organizations, including those organizations involved in the Yuba/Sutter Homeless Consortium. In addition to these public meetings, the City also released the Draft Housing Element Update for public review and comment between March 14, 2008 and May 14, 2008. All comments received as a result of the City's efforts to encourage public participation in the 2008-2013 Housing Element were incorporated into the appropriate sections of the Housing Element. The comment letters received are included as Attachment 1.

In compliance with State law, the proposed 2008 Housing Element Update has been submitted to HCD for their review and comment. The 2008 Housing Element Update was first submitted to HCD on March 13, 2008 for their formal 60-day comment period. On May 12, 2008, HCD provided a detailed list of comments and recommended changes needed to bring the Draft Housing Element into compliance with State law. Staff incorporated those comments and changes where necessary and resubmitted the revised document back to HCD for their second review. HCD next notified the City on March 5, 2009 that several minor changes were still necessary to make the required findings for compliance. Staff made those final changes and resubmitted back to HCD on April 29, 2009, whereupon HCD provided the City with an endorsement letter indicating that the revised document complied with State law (see Attachment 2). Following the Planning Commission's action on the 2008 Housing Element Update, the document will then be forwarded to the City Council for formal adoption of the Housing Element. Once adopted, the 2008 Housing Element Update will once again be submitted to HCD for final approval and acceptance. This action will allow the City to apply for future State and Federal funds (i.e. HOME Grant) that are necessary to continue supporting the City's first time homebuyer and owner occupied rehabilitation programs.

Analysis:

In accordance with state law, the Housing Element has been updated to be consistent and compatible with other General Plan elements. The principles of the General Plan focus on generating and preserving a mix of housing types in all neighborhoods to ensure that Yuba City remains affordable to all economic segments of the community.

Since the 2002-2007 Housing Element, the City has experienced significant residential and non-residential growth. However, the growth experienced in the first part of the decade has slowed substantially as a result of the decline in the housing market. The 2008-2013 Housing Element Update utilizes the 2000 U.S. Census data, as well as State of California Department of Finance estimates and Sacramento Area Council of Government (SACOG) projections and current market trends to determine current and future housing needs and develop policies, goals and objectives.

The updated Housing Element covers the period of 2008-2013 corresponding with the Sacramento Area Council of Government's (SACOG) 2006-2013 Regional Housing Needs Plan (RHNP) adopted by the Board of Directors on February 21, 2008. As part of the RHNP, SACOG is responsible for distributing to each City within the region its fair share of the State mandated Regional Housing Need Allocation (RHNA) which represents the total number of affordable housing units that must be planned for within the SACOG region. The City of Yuba City was assigned a portion of the regional housing need for a total of 4,740 new housing units as follows:

SACOG's Regional Housing Needs Determination, 2006-2013

Jurisdiction	Total Affordable Need	Income Category Distribution				Total Housing Need
		Very Low	Low	Moderate	Above Moderate	
Yuba City	2,720	900	718	1,102	2,020	4,740*
Percentage of Housing Need		23%	17.1%	18.9%	41%	100%
Percentage of Affordable Housing Need	100%	33.1%	26.40%	40.50%		

The City's share of the regional housing need will be met through the identification of available vacant residential sites that are suitable and appropriately zoned. Table 4.2-1 in the attached 2008 Housing Element Update (Exhibit B) lists the number of individual vacant residential sites by zone and general plan designation in the City. There are approximately 670 acres of vacant residential land at various planned densities within the city limits and approximately 2,797 vacant residential acres in the Sphere of Influence (including the Lincoln East Specific Plan – "LESP"). Through the policies of the General Plan and the LESP, the City can comply with its allocated share of the RHNA numbers.

Other highlights of the General Plan Amendment GP 09-02 for the 2008 Housing Element Update include:

- The 2008 Housing Element Update presents numerical goals, potential housing sites and related City policies that support creation, rehabilitation and retention of housing units.
- The 2008 Housing Element Update includes goals and programs that promote density, infill development, quality affordable housing for a variety of special need groups, and reasonable accommodation for persons with disabilities.
- The policies and programs of the 2008 Housing Element Update have been streamlined and made more efficient to provide the City with an effective document tool for the development of affordable housing.

As proposed, the 2008 Housing Element complies with all mandatory requirements of the Government Code and is consistent with the policies and objectives of the City's General Plan.

Section 8-8 of the Yuba City Municipal Code specifies that a member of the public may initiate a General Plan amendment. The Municipal Code requires the Planning Commission to forward its recommendation and findings to the City Council for action. The Municipal Code does not contain any required findings for a General Plan amendment. However, Section 65358 of the California Government Code states that a City may amend its General Plan if it deems the amendment to be in the public interest. In the case of General Plan amendment GP 09-02, staff reasons that the proposal is in the public interest because the 2008 Housing Element provides

direction for the City to provide quality housing for all segments of the community. The proposed amendment to the Housing Element of the General Plan does not conflict with any other elements of the General Plan. Therefore, staff recommends that the Planning Commission make the following finding:

General Plan Amendment GP 09-02 to adopt the 2008 Housing Element Update is in the public interest.

Environmental:

A Negative Declaration (Exhibit A) was prepared for the project and is attached for Commission review and consideration. The Housing Element is a planning document and does not provide entitlements for any project. All projects undertaken in the course of implementing the policies and programs contained in the 2008-2013 City of Yuba City Housing Element will require separate environmental review in accordance CEQA Guidelines. Staff therefore, requests that the Planning Commission recommend that the City Council adopt the attached Negative Declaration for the General Plan Amendment for the 2008 Housing Element Update.

Recommended Actions:

The Planning Division recommends that the Planning Commission take the following actions:

- A. Recommend that the City Council adopt the Negative Declaration for the 2008 Housing Element as shown in Exhibit A.
- B. Recommend that the City Council adopt the finding of fact that General Plan Amendment GP 09-02 for the adoption of the 2008 Housing Element Update is in the public interest.
- C. Recommend that the City Council adopt the 2008 Housing Element Update as shown in Exhibit B.