

May 29, 2002

To: Sutter County Planning Commission

Re: Agenda Item #17: Public hearing on General Plan Amendment #02-01 to amend the Housing Element of the General Plan for the 2002-2007 planning period, mandated by State housing law; applicant - County of Sutter (Location: Countywide)

Current Proposal

A. Project Description:

This General Plan amendment would revise the Housing Element of the General Plan pursuant to the requirements of Government Code sections 65580-65589.8. The project is a policy document, the state-mandated Third Revision of the Housing Element, and is an amendment to the 1992 Housing Element and the 1996 Technical Update of the 1992 Housing Element.

B. Environmental Consideration:

The scope of this revision is covered by previous environmental analyses in the certified *County of Sutter General Plan* EIR, a Program EIR relied upon as the first-tier CEQA document. Therefore, the Initial Study prepared for this project, in accordance with the California Environmental Quality Act and the CEQA Guidelines, analyzed only those impacts not addressed in the General Plan EIR. The study revealed that the project could not have a significant effect on the environment. Therefore, should the Commission recommend approval of this project, staff recommends that the Commission recommend that the Board of Supervisors adopt the attached Negative Declaration.

Staff Comments

A. Environmental Health:

The Environmental Health Division responded with no comments.

B. Public Works:

The Public Works Department responded with no comments.

C. Sheriff/Coroner:

The Office of the Sheriff/Coroner responded with no anticipated impact to services provided by their department.

D. County Counsel:

The Office of the County Counsel responded with comments that the Housing Element revision was approved as to legal form.

E. Planning:

California State law requires each local government to revise the Housing Element of its General Plan not less than every five years. Government Code section 65588(e)(3) established June 30, 2002 as the deadline for Sutter County to submit the adopted revision. Thus, the planning period covered by this revision is from July 1, 2002 to June 30, 2007.

Because the County's previous Housing Element has been deemed in compliance with state housing law by the Department of Housing and Community Development (HCD), this revision is considered by HCD as an amendment to the previous element. Amendments to the previous element include incorporation of Sutter County's share of SACOG's most recent Regional Housing Needs Plan allocations, updates of certain population, employment, and housing stock data and projections, and minor revisions to housing policy programs, especially those concerning annexations of the unincorporated area's residentially-zoned lands.

As an amendment to a compliant Housing Element, the draft revision was subject to a 60-day review period by HCD staff, during which time the draft was also distributed to third-party reviewers and made available for public comment at the Community Services Department Public Counter and on the Sutter County website. The 60-day HCD review period expired on May 13, 2002. As of the writing of this report, comments have been provided by HCD, California Rural Legal Assistance, Inc., and the State Employment Development Department. The 30-day comment period required by CEQA on the proposed Negative Declaration expires on May 29, 2002. As of the writing of this report, no comments have been provided on the Negative Declaration. Staff will incorporate pertinent comments into the revision.

Following the Planning Commission public hearing, the Board of Supervisors will conduct a public hearing, including review of comments provided by the Planning Commission, and are anticipated to adopt the revised Housing Element. Comments provided by the Board of Supervisors, the general public, and agency reviewers during this final public hearing will be incorporated into the element. The adopted element will then be submitted to HCD for a 90-day comment period before the agency certifies the element as compliant with state housing law.

General Plan Analysis

Staff analysis and initial HCD review of the draft element have determined that the revision is consistent with the General Plan. No amendments to the General Plan Land Use Element are involved in the Housing Element revision or will be required during the five-year planning period.

Rezoning Analysis

No rezoning of any parcels is proposed by the draft element, nor will any rezoning be required during the five-year planning period.

Recommended Findings

Based on the information contained in the staff report and/or testimony received at the public hearing, the Planning Commission finds:

- A. In accordance with the California Environmental Quality Act and the Guidelines, and Initial Study was prepared to analyze the potential impacts of the proposed General Plan amendment. The study revealed that the project, as proposed, would not have a significant impact on the environment, and no comments have been received that demonstrate the project will have a significant effect on the environment. Therefore, the proposed Negative Declaration attached to this staff report is appropriate.
- B. The Planning Commission has independently reviewed, analyzed and considered the Initial Study and Negative Declaration prior to making its decision on the project and finds that the Negative Declaration reflects the independent judgment of the County of Sutter.
- C. The proposed residential uses of the subject zoning districts comply with the applicable requirements of the Sutter County General Plan and Zoning Ordinance.
- D. This project serves to carry out General Plan Implementation 1.1 and thus is consistent with the General Plan as required by State planning and zoning law.

Recommended Action:

- A. Make the findings as recommended by staff.
- B. Recommend the Board of Supervisors adopt the proposed Negative Declaration attached to this report.

- C. Recommend the Board of Supervisors approve General Plan Amendment #02-01 revising the Housing Element.

Sincerely,

THOMAS A. LAST
PLANNING DIVISION CHIEF

William J. Caplinger
Assistant Planner

Attachments: Exhibit A - County of Sutter General Plan 2015 Draft Housing Element
Exhibit B - Vacant Sites with Potential for Development between 2002-2007
(Live Oak Area)
Exhibit C - Vacant Sites with Potential for Development between 2002-2007
(Yuba City Area)
Exhibit D - Negative Declaration and Initial Study

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