

# The County of Yuba

## Community Development and Services Agency

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**TO:** Board of Supervisors

**FROM:** Community Development and Services Agency, Kevin Perkins

**SUBJECT:** Community Development and Services Agency: Adopt Resolution adopting the Addendum to the Yuba County General Plan Environmental Impact Report, the 2021-2029 General Plan Housing Element Update, and the 2021 Safety Element Update

**DATE:** September 7, 2021

**NUMBER:** 464/2021

### *Recommendation*

Adopt Resolution adopting the Addendum to the Yuba County General Plan Environmental Impact Report, the 2021-2029 General Plan Housing Element Update, and the 2021 Safety Element Update.

### *Background/Discussion – Housing Element Update*

Every eight years the State requires that each jurisdiction update its housing element to address future housing needs. The Department of Housing and Community Development (HCD) is the agency responsible for tracking and determining compliance with state housing laws. This includes the need to address the Regional Housing Needs Assessment (RHNA), a portion of state housing laws that require the County to plan for future housing development to ensure that all residents of the county have access to adequate housing. The current 2021-2029 planning cycle is referred to by HCD as the Cycle 6 RHNA.

On January 14, 2014, the Housing Element (5<sup>th</sup> Cycle RHNA) was adopted by the Yuba County Board of Supervisors per Resolution Number 2014-03. This previous housing element covers the period from October 31, 2013 to October 31, 2021. The new Housing Element (2021-2029 6<sup>th</sup> Cycle RHNA) covers the period from May 15, 2021, through May 15, 2029.

While California SB 375 sets a statutory due date for local jurisdiction adoption of the 2021-2029 Housing Element of May 15, 2021, there is also a 120-day grace period. Should a jurisdiction fail to adopt its housing element before the end of the grace period, it will be required to move to a five-year planning cycle and may have reduced eligibility for state grant funds. The County anticipates that the

Housing Element Update (2021-2029) will meet the statutory requirement to remain within the eight-year planning cycle. To be found in compliance with this grace period, a local government must:

- Have submitted a draft housing element to HCD
- HCD must have issued findings; and
- The local government must have considered the findings prior to adoption of the housing element.

To remain on an eight-year planning cycle, the County must adopt its housing element within 120 calendar days from the statutory due date of May 15, 2021 for Sacramento Area Council of Governments (SACOG) localities, or September 10, 2021. This situation has necessitated the holding of a Special Session of the Board of Supervisors to consider adoption of the Housing Element within the 120-day grace period.

To begin the update process, in July 2020, the County issued a Request for Proposal (RFP) seeking a qualified consultant to help prepare an update to the County's Housing Element and Safety Element, consistent with current state housing law. On September 11, 2020 the County selected Placeworks as its consultant. The Local Early Action Planning Grant Program (LEAP), an HCD program to local jurisdictions to update their planning documents and implement process improvements to facilitate the acceleration of housing production, funded this effort.

As part of the update process, the consultant has completed a review of demographics, population, and housing to reflect current conditions, and complete an adequate site analysis for the 2021-2029 6<sup>th</sup> Cycle RHNA. The 6<sup>th</sup> Cycle RHNA is established by HCD and the Sacramento Area Council of Governments (SACOG), with input from local jurisdictions, to determine the methodology for the allocation of housing units for the planning period. It was adopted in March 2020. The complete SACOG Regional Housing Needs Plan can be found at: [https://www.sacog.org/sites/main/files/file-attachments/proposed\\_rhna\\_plan\\_2020-1-27\\_0.pdf?1588205260](https://www.sacog.org/sites/main/files/file-attachments/proposed_rhna_plan_2020-1-27_0.pdf?1588205260) The 6<sup>th</sup> Cycle Methodology developed by SACOG allocates a total of 2,887 units to the Yuba County Unincorporated area, of which 995 units are allocated to low and very-low income categories. Table 1 identifies Yuba County's allocation by income category.

**Table 1**  
**6<sup>th</sup> Cycle RHNA Allocation by Income Category**

Income Category	% of Median Family Income (MFI)	Income Range*		RHNA Allocation (Housing Units)
		Min.	Max.	
Very-Low Income	0 – 50%	\$0	\$46,150	621
Low Income	51 – 80%	\$39,150	\$73,800	374
Moderate Income	81 – 120%	\$63,000	\$118,800	561
		\$118,800	>\$118,800	1,331
Total:				2,887

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\*Income range is based on the 2020 HUD Median Family Income (MFI) for Yuba County of \$75,000. Maximum values based up to 8 persons in a household.

Based on existing land inventory capacity, the County has sufficient sites to address its 6<sup>th</sup> Cycle RHNA. The housing sites analysis concluded that the County is able to accommodate its share of regional housing needs with vacant land. This assumes development at 80 percent of the maximum allowable density on all parcels identified. For sites with mixed-zoning, 50 percent of each site was analyzed at 80 percent of maximum density allowed. These assumptions were used in the last three RHNA cycles. The land use inventory and the County's estimate of residential development potential are based on the following assumptions:

- Undeveloped or underdeveloped properties will develop at approximately 80 percent of maximum density.
- Only properties with sufficient infrastructure (water and sewer) available are considered for affordable housing development.
- Accessory dwelling units, while permissible in residential zones, are not considered in the potential unit estimates for the vacant land inventory because the County has not permitted a large number of ADUs to date. However, any ADUs permitted will be counted towards the RHNA during the RHNA projection period.

Public participation is an important part of the housing element update process. On December 16, 2020, County staff and the consultant held the public workshop as a teleconference via Zoom, in compliance with California Executive Orders N-25-20 and N-29-20. At the meeting, the consultant provided an overview on housing elements and the process for the 2021-2029 update. In addition, the public was invited to ask questions during an open forum.

The April 21, 2021 Planning Commission served as the Housing Element Update Public Draft Workshop. After this meeting, all comments from the workshop and the previous session on 12-16-20 were included with the Housing Element Update Public Draft submitted to HCD on June 25, 2021.

HCD had 60 days to review the public draft. In a letter dated August 9, 2021, HCD determined that the Revised Draft Housing Element, incorporating the revision submitted, meets the statutory requirements described in HCD's June 2021 review. The housing element will comply with state housing element law (Article 10.6 of the Government Code) when it is adopted, submitted to and approved by HCD, in accordance with Government Code Section 65585, subdivision (g). Upon adoption of the housing element, the County must submit an electronic version of the sites inventory with its adopted housing element to HCD.

HCD established a series of modifications to existing policies, and the establishment of new policies during the 2021-2029 Housing Element Update project, in order to bring the housing element into compliance with changes in state law that have occurred since the adoption of the 2013-2021 Housing

Element, as well as HCD policy. A list of the new and modified policies has been included in the Addendum to the General Plan Environmental Impact Report. All changes to the 2021-2029 Housing Element were initiated by changes in state law; County staff did not initiate any changes to the policies and procedures contained within the Adoption Draft of the Housing Element. After reconciling all comments/issues received by HCD, the County staff are requesting a hearing with the Board of Supervisors for final housing element approval.

*Background/Discussion - Safety Element Update*

The Safety Element describes the County's goals, policies, and actions to minimize the hazards to public health and safety in around Yuba County. It identifies the natural and human-caused hazards that affect existing and future development and provides guidelines for protecting residents, employees, visitors, and other community members from injury and death. It describes present and expected future conditions and sets policies and standards for improved public safety.

The Safety Element also seeks to minimize physical harm to the buildings and infrastructure in and around Yuba County and to reduce damage to local economic systems, community services, and ecosystems. The goals, policies, and actions in the element ensure that public health and safety are considered in the County's decisions related to the provision of services, proposed plans, development projects, and public investments.

Topics of coverage included in the 2021 Safety Element include flooding and dam inundation, fire risk, water quality, airport operations, air quality and greenhouse gases, hazardous materials, geologic and soil stability hazards, emergency preparedness, response, and evacuation, noise, healthy communities, severe weather, drought, agricultural and forestry pests and diseases, epidemics and disease, and climate resiliency.

In conjunction with the Local Hazard Mitigation Plan (LHMP), the Safety Element establishes policies to minimize the impact of natural and manmade disasters. A new iteration of the LHMP is currently in the process of being drafted by County staff, after being approved by the Yuba County Board of Supervisors in 2016 by Resolution 2016-134, and the Safety Element incorporates it by reference. These two policy documents ensure that disaster preparedness activities undertaken by the County comply with state and federal law.

The Safety Element also includes a Vulnerability Assessment, which cites risks such as those posed by electric transmission and corresponding public safety power shutoff events, vulnerability of hydroelectric power generation to drought conditions, and severe weather affecting local electric grids. Agriculture, a critical industry in the county, is also cited as being vulnerable to drought, flooding, extreme heat, and severe weather. The Vulnerability Assessment also cites risks to communications facilities, damage to which may decrease the ability of the County and special districts to respond in emergencies.

As part of their analysis of the Safety Element, PlaceWorks conducted a review of wildfire risk within the county. Much of Loma Rica, Smartsville, Dobbins, and Challenge-Brownsville fall within the fire hazard severity zones. Table 2, Acres in Fire Hazard Severity Zones by Zoning District, provides an overview of the land uses that are most vulnerable to wildfire events. For example, 81% of land zoned Rural Residential is located in either Very High or High Fire Hazard Severity Zones.

**Table 2**  
**Acres in Fire Hazard Severity Zones by Zoning District**

Zoning District	Very High		High		Moderate	
	Acres	Percent	Acres	Percent	Acres	Percent
AE (Exclusive Agricultural)	33,874	23%	3,386	16%	12,461	27%
AI (Agricultural/Industrial)	199	< 1%	0	0%	0	0%
AR (Agricultural/Rural Residential)	24,724	17%	2,935	14%	3,709	8%
EX (Extractive)	567	< 1%	27	< 1%	7,107	16%
NMX (Neighborhood Mixed Use)	1	< 1%	19	< 1%	0	0%
PD (Planned Development)	1,222	1%	0	0%	0	0%
PF (Public Facilities)	199	< 1%	71	< 1%	1,657	4%
RC (Rural Commercial)	967	1%	163	1%	254	1%
RE (Residential Estate)	984	1%	29	< 1%	50	< 1%
RPR (Resource Preservation and Recreation)	22,577	15%	1,877	9%	12,105	27%
RR (Rural Residential)	34,480	23%	11,960	58%	8,148	18%
SE (Sports and Entertainment)	0	0%	0	0%	0	0%
TP (Timberland Preservation)	28,620	19%	172	1%	0	0%
Total	148,414	100%	20,639	100%	45,491	100%

Land in the Federal Responsibility Areas (predominantly RPR and PF zoning designations) are included. Zoning districts not included in this table do not cover any land in the fire hazard severity zones.

The 2021 Safety Element Update has been reviewed by CAL FIRE staff, and has been referred to the Board of Forestry and Fire Protection for approval. The 2021 Safety Element Update was originally scheduled to be considered by the Board of Forestry and Fire Protection at a meeting in August. The August meeting of the Board of Forestry and Fire Protection was postponed, and the 2021 Safety Element Update has been rescheduled to be considered on September 21.

CAL FIRE staff has indicated that the 2021 Safety Element Update does not contain any unaddressed recommendations for edits, and as such the approval process by the Board of Forestry and Fire Protection is anticipated to be routine. All edits to the 2021 Safety Element were initiated by changes to state law in conjunction with CAL FIRE policy; County staff has not initiated any changes.

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*Environmental Review*

The County’s contractor for the 2021-2029 Housing Element Update and 2021 Safety Element Update, Placeworks, prepared an addendum to the previously adopted Environmental Impact Report (EIR) for the General Plan (State Clearinghouse Number 2010062054) for the project in accordance with the California Environmental Quality Act of 1970 (CEQA). Implementation of the 2021-2029 Housing Element will have no significant effect on the environment. This addendum to the General Plan EIR is for the 2021-2029 Housing Element, as well as the Safety Element of the General Plan. The text of all edits to existing policies, as well as new policies for both the 2021-2029 Housing Element Update and the 2021 Safety Element Update are included in the Addendum to the General Plan EIR.

*Fiscal Impact*

There will be no fiscal impact to the General Fund by the project.

General Fund -	None
Non-General Fund -	\$173,920.00
Source of Funds -	\$150,000.00 in LEAP grant funds; \$23,920.00 in Senate Bill 2 funds

*Attachments*

- 464/2020 Resolution Adopting Addendum to General Plan EIR, 2021-2029 Housing Element, and 2021 Safety Element
- 464/2020 Adoption Draft 2021-2029 Housing Element
- 464/2020 Adoption Draft 2021 Safety Element
- 464/2020 Addendum to the General Plan EIR