

Butte County General Plan 2030
Board of Supervisors/Planning Commission Joint Study Session
August 25, 2009
Butte County Board of Supervisors Chambers, Oroville, CA
Housing Element (Meeting Series #6-3/4B)
Meeting Summary

The Butte County Board of Supervisors and Planning Commission held a joint study session on Tuesday, August 25, 2009, the last meeting in Meeting Series #6 (Housing Element Update). The meeting was held at the Butte County Board of Supervisors Chambers in Oroville. All five Planning Commissioners were present, including Chair Marin and Commissioners Becker, Moore, Nelson, and Wilson. All Supervisors were also present, including Chair Connelly and Supervisors Dolan, Kirk, Lambert, and Yamaguchi.

Tim Snellings, Director, Butte County Development Services, opened the meeting and welcomed the participants. Matt Kowta, Bay Area Economics, provided an overview of the Housing Element update process, summarized the comments on the Draft Housing Element from the Department of Housing and Community Development (HCD), and summarized the changes to the Draft Housing Element in response to HCD's comments.

Supervisor Dolan asked about density bonuses in the Housing Element. The density bonus program included in the Draft Housing Element is consistent with State law; the County does not offer a density bonus program beyond what is required by State law. Supervisor Dolan also asked where the County owns surplus government sites, which are mention in Actions H-A1.3 and H-A2.3, since the majority of the County facilities are privately owned and leased. Mr. Snellings responded that the County may own surplus sites in the future, and Supervisor Dolan confirmed that no change is needed.

Commissioner Nelson asked for clarification about how the Housing Element will conform to General Plan 2030. Mr. Kowta responded that the purpose of this meeting is to adopt the Housing Element prior to the August 31 deadline established by HCD. The Housing Element update has involved a public and technical process that is based on the existing General Plan. Changes to the land use map in General Plan 2030 will translate into changes in the Housing Element, but it is not expected that significant changes to the Housing Element's policies and programs will occur due to the public process that has already occurred for this update.

One member of the public commented on the Draft Housing Element: Moe West of Paradise. Mr. West's company includes a low-income housing division, and they have produced over 377 low-income housing units with subsidized housing benefits over the last 25 years. Out of those 377 units, 200 units are now market rate because there were increased costs, and investors sought a larger return on their investment. Without public assistance, they could not remain affordable, and the cost to replace those affordable units now is much higher than when they were originally constructed. Mr. West suggested that the County should provide financial assistance to remedy this situation. In addition, Mr. West noted that a recent court case decision found inclusionary zoning to be invalid due to conflicts with other State laws. (For more information, see *Palmer/Sixth Street Properties, L.P., et al., v. City of Los Angeles*.)

Supervisor Yamaguchi asked Mr. West what would be his solution to avoid losing the affordable units that his company has developed. Mr. West responded that ideally the County should provide financial assistance to support the company's efforts, possibly through block grant funds, and that the County should at least recognize the public benefit that his company has provided. In particular, the company could use financial assistance for building repairs. There is a gap between the public and private sector that should be closed.

Commissioner Nelson asked Mr. West whether he sees a need for affordable units in unincorporated areas, and whether he would be able to find investors for such development. Mr. West responded that there are limited sites available for affordable housing in the unincorporated area due to infrastructure limitations, and he is not aware of any particular sites at the moment.

Supervisor Yamaguchi asked Mr. West if he has thought of any other tools that the County could use to address the issues he raised. Mr. West responded that it is a difficult situation, and in today's market, the development fees make private development of affordable units very difficult. The County will need to be innovative in order to encourage private development of affordable housing.

The Planning Commission convened their meeting, and unanimously passed a motion to recommend adoption of the revised Housing Element, with minor amendments as recommended by staff, and Negative Declaration. The minor amendments recommended by staff and included in this motion are to the second and third sentences in Action H-A1.3, as follows: "The information will be disseminated by the Development Services Department when developers inquire about opportunities to build housing in the Unincorporated Area. In addition, the County shall offer density bonuses, assist interested developers in acquiring surplus government land suitable for multifamily development, and expedite permit processing, ~~and waive planning fees~~ for housing units affordable to lower-income households." The Planning Commission then adjourned.

The Board of Supervisors convened their meeting. Mr. Snellings reported the motion of the Planning Commission. The Board of Supervisors unanimously passed a motion amending the General Plan and adopting the revised Housing Element, with the minor amendments recommended by staff and the Planning Commission described above, and Negative Declaration. Board of Supervisors then adjourned.