

**AGENDA**  
**NEWMAN PLANNING COMMISSION**  
**REGULAR MEETING OF AUGUST 19, 2010**  
**CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET**

1. Call To Order.
2. Pledge Of Allegiance.
3. Roll Call.
4. Approval Of The Agenda.
5. Approval Of Minutes From The April 15, 2010 Meeting.
6. Items From The Public.
7. New Business
  - a. Public Hearing
    - General Plan Amendment No. 09-01, Housing Element Update
    - Applicant: City Of Newman
    - Description: Formal Approval Of General Plan Amendment No. 09-01 (Revised Housing Element) And Recommendation To The City Council.
    - Location: City Of Newman City Limits
8. Items From Commissioners.
9. Items From Director And Staff.
10. Adjournment.

**MINUTES**  
**NEWMAN PLANNING COMMISSION**  
**REGULAR MEETING OF APRIL 15, 2010**  
**CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET**

1. **Call To Order** - 7:00 P.M.
2. **Pledge Of Allegiance.**
3. **Roll Call Present:** Allan, Maurer And Sloan.  
**Absent:** Applegate And Alves.
4. **Approval Of The Agenda.**

**ACTION:** On Motion By Allan Seconded By Sloan And Unanimously Carried, The Agenda Was Approved.

5. **Approval Of Minutes From The March 18, 2010 Meeting.**

**ACTION:** On Motion By Allan Seconded By Sloan And Unanimously Carried, The Minutes From The March 18, 2010 Meeting Were Approved.

6. **Items From The Public** - None.
7. **New Business**

- a. **Amend Site Plan Review No. 07-01**

**Applicant:** Corporation For Better Housing

**Description:** Amend An Approved Site Plan Review For A 68 Unit Apartment Project.

**Location:** At The Terminus Of "M" Street, Approximately 150 Feet North Of Kern Street, More Specifically Described As Assessor's Parcel Number (APN) 128-020-011.

Assistant Planner Ocasio Reviewed And Presented Site Plan Review No. 07-01.

Tim Miller, Miller Planning And Design, Sonora, CA, Stated That The Size Of Units And The Construction Cost Have A Direct Correlation To The Affordability Of Housing Units. Miller Noted That The California Department Of Housing And Community Development And The State Legislature Have Both Determined That Minimum Floor Area Requirements Should Be Considered And Reviewed By Cities When Trying To Deliver Affordable Housing. Miller Commented That The City's General Plan Emphasizes The Goal Of Providing Affordable Housing But That It Does Not State That Minimum Floor Area Requirements Or Unit Size Are Important To Providing Quality Developments. Miller Pointed Out That The City's Housing Element States That The City's Policies, Regulations And Procedures Should Not Add To The Cost Of Housing. Miller Mentioned That Minimum Floor Area Requirements Have Been Identified As An Issue That Affects The Ability To Deliver Affordable Housing For Many Years. Miller Declared That These Limits Can Become Exclusionary And Potentially Prohibits Certain Types Of Developments. Miller Remarked That The Project In Question Meets All Other City Standards And That The Proposed Changes Would Not Be Apparent To The Public. Miller Clarified That The Applicant Would Be Legally Entitled To The Proposed Changes Through The Density Bonus Process, If They Had Chosen To Build More Units.

Ben Lingo, Project Manager, Corporation For Better Housing, Pointed Out That This Development Is Funded Through Tax Credits Via A Competitive Process And Therefore, Will Be Built Regardless Of The Meeting's Outcome. Lingo Noted That The Economy Is Much Different Now Than When The Project Was Originally Approved. Lingo Stated That His Company Strives To Achieve A Goal Of Providing Affordable Livable Units And Hopes To Deliver The Best Affordable Housing In The Area. Lingo Indicated That The Proposed Changes Would Save Approximately \$200,000.00. Lingo Reviewed The Proposed Changes To The One Bedroom And Explained That He Was Not Initially A Fan Of The Proposed Changes Until He Actually Walked One Of The More Open Floor Plans. Lingo Concluded That The Goal Is To Maintain Integrity Of What Was Originally Proposed.

**ACTION:** On Motion By Allan Seconded By Maurer And Carried By The Following Roll Call Vote, Site Plan Review No. 07-01 Amendment Was Approved To Allow Reconfiguration Of The Two Bedroom Units But Denied The Reconfiguration Of The One Bedroom Units. AYES: Allan, Maurer, NOES: Sloan, ABSENT: Applegate And Alves, NOT PARTICIPATING: None

#### **8. Items From Commissioners.**

Commissioner Allan Asked About The Dip In The Road At Intersection Of Merced And "S" Streets For A Second Time. Allan Noted That Many People Who Have Received The Letters Regarding The RDA Plan Update Think That The Process Is Raising Their Taxes Even Though It Will Not.

Commissioner Maurer Inquired About The Status Of The Odd Fellows And Patchett Buildings Renovations And Also Asked When The Plaza Bids Were Due.

Commissioner Sloan Asked For A Status Update On The Marty's Inn Conditional Use Permit.

#### **9. Items From Director And Staff.**

City Manager Holland Informed The Commission That The City Would Be Hosting A Meeting Regarding The Downtown Plaza Meeting On April 20, 2010 In Council Chambers.

Assistant Planner Ocasio Reported That The Marty's Inn Management Was Working With CalTrans In An Effort To Comply With Their Use Permit Requirements.

#### **10. Adjournment.**

**ACTION:** On Motion By Allan Seconded By Sloan And Unanimously Carried, The Meeting Was Adjourned At 8:05 P.M.

**CITY OF NEWMAN  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**PLANNING COMMISSION MEETING DATE:** August 19, 2010

**AGENDA ITEM:** 7.a.

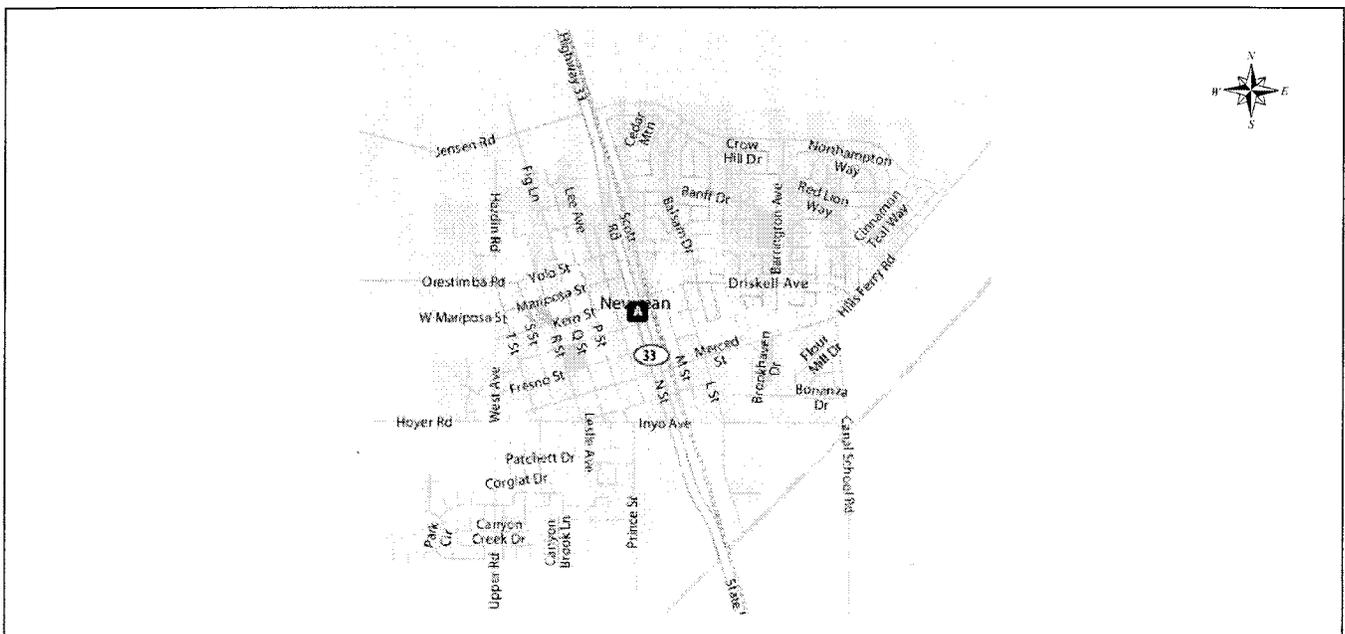
<b>GPA</b>	<b>No. 09-01</b>
<b>Applicant:</b>	<b>City of Newman</b>
<b>CEQA :</b>	<b>No further assessment required.</b>

**REQUEST:**

Formal re-approval of General Plan Amendment #09-01 (Revised Housing Element) and recommendation to the City Council.

**ENVIRONMENTAL ASSESSMENT:**

A preliminary review of this project was undertaken, and it was concluded that the action being considered—adoption of the *Newman 2030 General Plan Housing Element*—has no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. The inventory of vacant and available sites contains no new housing sites, no rezoning of property is contemplated, there was no change in housing policy that could result in a physical change either directly or indirectly, and none of the new or modified housing programs have the potential to result in a physical change either directly or indirectly. Therefore the action being contemplated does not fall under the definition of a “Project” as defined in CEQA Guidelines Section 15378. Accordingly, no further assessment will be undertaken.



**BACKGROUND:**

State law requires each city and county to adopt a general plan containing at least seven elements including housing. In December 2003, the City of Newman adopted an updated Housing Element and in April 2007 the City adopted its updated general plan. Unlike the other mandatory general plan elements, the housing element is required to be updated every five years.

The draft Housing Element update was presented to the Commission for review and comment on March 19, 2009. All comments received were reviewed and addressed/identified in the document. On April 16, 2009, the Planning Commission held a Housing Element workshop to discuss the update, comments received and legal requirements. On May 21, 2009; the Planning Commission conceptually approved the draft Housing Element document and recommended said document to Council. On May 26, 2009; the City Council conceptually approved of General Plan Amendment #09-01 for the purpose of HCD review.

On August 13, 2009; the City received comments from HCD regarding its draft Housing Element submittal. During August/September 2009, Coastplans and City staff reviewed said comments, prepared a formal response to HCD and revised the draft Housing Element document.

The revised draft Housing Element update was presented to the Commission for review on October 15, 2009; the Planning Commission formally approved General Plan Amendment #09-01 and recommended approval of said General Plan Amendment to the Council For the Purpose Of HCD Submittal. On October 27, 2009, the City Council formally approved General Plan Amendment #09-01 for the purpose of HCD submittal.

Upon approval, staff submitted the final Housing Element document to HCD. On December 10, 2009; the City received additional comments from HCD regarding its draft Housing Element submittal. Coastplans and City staff reviewed said comments, prepared a formal final response to HCD, revised the draft Housing Element document and submitted it to HCD for review and approval.

On June 16, 2010; the City received notification of HCD's formal acceptance of the Housing Element document.

**PROJECT ANALYSIS:**

Housing element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. Housing elements are subject to detailed statutory requirements and in general, a housing element must at least include the following components:

- |    |                                       |    |                       |
|----|---------------------------------------|----|-----------------------|
| 1. | A Housing Needs Assessment            | 4. | Housing Programs      |
| 2. | A Sites Inventory and Analysis        | 5. | Quantified Objectives |
| 3. | An Analysis of Constraints on Housing |    |                       |

Housing element law also requires the Department of Housing and Community Development (HCD) to review local housing elements for compliance with State law. To meet these requirements, the attached revised draft Housing Element includes the following:

- |    |  |    |  |
|----|--|----|--|
| 1. | Progress Since Last Housing Element Update | 4. | Employment and Income Data                   |
| 2. | Population Profile                         | 5. | Affordability, Housing Costs and Overpayment |
| 3. | Housing Stock Characteristics              | 6. | Housing Needs                                |

- |     |  |     |  |
|-----|--|-----|--|
| 7.  | Availability of Services and Land            | 12. | Publicly Owned Surplus Land                      |
| 8.  | Governmental and Nongovernmental Constraints | 13. | Energy Conservation Opportunities                |
| 9.  | Housing Programs                             | 14. | Public Participation                             |
| 10. | RDA Funds                                    | 15. | Housing Goals, Policies, Programs and Objectives |
| 11. | Analysis of Existing Assisted Housing        |     |  |

In response to comments received by HCD in December 2009 the following revisions were made to the draft Housing Element and accepted by HCD:

1. The revision of Table II-21 (Vacant and Available Sites)
2. The revision of Page H-63 (Manufactured Housing)
3. The revision of Page H-74 (Local Efforts To Accommodate Disabled Persons)
4. The addition of Program H-22 (Manufactured Housing by Right)
5. The addition of Program H-23 (2<sup>nd</sup> Unit Ordinance)

Public Comment

A Public Notice was published on August 5, 2010. As of this date (8-9-10), no comments have been received.

**CONCLUSION:**

Given that the Housing Element document had to be revised after the Commission's first approval, staff recommends that the Commission formally re-approve General Plan Amendment #09-01 and recommend re-approval of said General Plan Amendment to the Council.

**ATTACHMENTS:**

1. Exhibit A - HCD Acceptance Letter

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

1800 Third Street, Suite 430  
P. O. Box 952055  
Sacramento, CA 94222-2055  
(916) 327-3177 / FAX (916) 327-2843  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



June 18, 2010

Mr. Michael E. Holland  
City Manager  
City of Newman  
1162 Main Street  
Newman, CA 95360

Dear Mr. Holland:

**RE: Review of the City of Newman's Adopted Housing Element**

Thank you for submitting Newman's housing element, adopted October 27, 2009 and received for review on March 18, 2010. The Department is required to review adopted housing elements and report the findings to the locality pursuant to Government Code Section 65585(h).

The adopted element addresses the statutory requirements described in the Department's December 10, 2009 review. As a result, the Department is pleased to find the element in compliance with State housing element law (Article 10.6 of the Government Code). The finding of compliance is based on the City's commitment to implement Program H-1 to rezone 6.8 acres to R-3 to address the unaccommodated need from the previous planning period by August 31, 2010. As referenced in the program, a minimum density of 20 units per acre must be established for the rezoned sites. The City should submit information reporting completion of the rezoning to demonstrate compliance with Government Code Section 65584.09 and 65583(c)(1) (AB 1233) which requires rezones to address the unaccommodated need to be complete within the first year of the 2009-2014 planning period (August 31, 2010). Please see the highlighted section of the enclosed technical assistance memo.

In addition, compliance is based on the City's commitment to implement Program H-7 to adopt a reasonable accommodation procedure and to evaluate and modify the definition of family (e.g., "reasonable number of persons occupying a dwelling") in the zoning code. Please see the enclosed sample definition of family for your consideration.

We are pleased to report Newman now meets specific requirements for several State funding programs designed to reward local governments for compliance with State housing element law. For example, the Housing Related Parks Program, authorized by Proposition 1C, Local Housing Trust Fund and the Building Equity and Growth in Neighborhoods (BEGIN) Programs include housing element compliance either as a threshold or competitive factor in rating and ranking applications. More specific information about these and other programs is available on the Department's website at [http://www.hcd.ca.gov/hpd/hrc/plan/ha/iban\\_grant\\_hcomp1011708.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/ha/iban_grant_hcomp1011708.pdf).

Mr. Michael E. Holland  
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In particular, the Housing Related Parks (HRP) Program, authorized by Proposition 1C, is an innovative new program rewarding local governments for the approval of housing for lower-income households and provides grant funds to eligible local governments for every qualifying housing start, beginning calendar year 2010. More specific information about the HRP Program is available on the Department's website at <http://www.hcd.ca.gov/pd/hrp/>.

The Department wishes Newman success in implementing the housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code Section 65400 and receiving information about completion of rezoning. If the Department can provide assistance in implementing any housing and land-use strategies, please contact Mario Angel, of our staff, at (916) 445-3485.



Cathy E. Creswell  
Deputy Director

Enclosures

cc: Stephanie Ocasio, Assistant Planner, City of Newman  
Martin Carver, Consultant, Coastplans