

**CITY OF CERES
PLANNING COMMISSION
MINUTES**

December 21, 2015

MEETING CALLED TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Smith.

ROLL CALL:

PRESENT: Commissioners: Condit, Del Nero, Molina, Chairperson Smith

ABSENT: Commissioner Kachel

ALSO PRESENT: Director of Community Development Tom Westbrook,
City Manager Toby Wells, Director of Engineering
Services/City Engineer Daryl Jordan, Associate Planner
James Michaels, City Attorney Nubia Goldstein,
Secretary/Deputy City Clerk Ann Montgomery

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

ACTION: It was moved by Commissioner Molina; seconded by Commissioner Condit to elect Commissioner Kachel as the Chairperson and Commissioner Del Nero as the Vice Chairperson of the Planning Commission for 2016. Motion passed by the following vote:

AYES: Commissioners Condit, Del Nero, Molina, Chairperson Smith

NOES: None

ABSENT: Commissioner Kachel

CONFLICT OF INTEREST DECLARATION:

None

CITIZEN COMMUNICATIONS:

None

CONSENT CALENDAR:

1. Clerk's Report of Posting. The Agenda for the regular meeting of the Planning Commission of December 21, 2015 was posted on December 16, 2015.

2. Approval of Minutes:

- a. November 30, 2015 – Joint City Council – Planning Commission Workshop
- b. November 16, 2015
- c. March 16, 2015

ACTION: It was moved by Commissioner Molina; seconded by Commissioner Del Nero to approve the Consent Calendar items. Motion passed by the following vote:

AYES: Commissioners Condit, Del Nero, Molina, Chairperson Smith

NOES: None

ABSENT: Commissioner Kachel

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

None

PUBLIC HEARING:

3. Consider a Resolution recommending that the City adopt the 2014-2023 Housing Element and 2014-2023 Housing Element Negative Declaration and authorize submittal to the State Department of Housing and Community Development (HCD) for certification.

Director of Community Development, Tom Westbrook introduced Mark Niskanen, Senior Planner with J.B. Anderson Land Use Planning, who provided a brief power point presentation explaining the Housing Element.

Commission Questions:

- Chairperson Smith asked for clarification if this “allows” or “requires” the City to provide the availability to accommodate the regional housing needs.

Mr. Niskanen clarified that it allows the City to amend the WLSP to allow for a minimum density for the High Density Residential II land use for 20 units per the acre, minimum. The current land use density is 18 units to the acre, and the reason to amend this is to accommodate the City’s regional housing needs for the lower income categories, without having to annex additional territories to the City. The net effect is about 53 units.

- Commissioner Condit inquired what would happen if the City remained at 18 units; would we still meet the requirements.

Mr. Niskanen explained the City would not, and would have to seek additional sites, and potentially have to annex additional territory.

Mr. Westbrook further explained with this item, the City’s zoning code and the highest density allows for 12-25 dwelling units per acre. This requirement has a zoning designation that has a requirement of 20 units as a minimum. This land use designation within the WLSP was at 18 and could easily be adjusted, noting just the 2 unit increase. Right now, as it exists in that West Landing area, someone could develop to the minimum density in this designation to 18 units per acre, so it’s a marginal difference.

- Commissioner Condit stated he'd like to address the Housing Conditions in Section 1.
 - Asked for verification/explanation that the last survey completed by the City of Ceres was in 1990.
Mr. Niskanen verified that was correct, explaining those surveys are frequently done every 15-20 years in many jurisdictions and this is the most current data that we have.
 - Asked for verification that regarding the statement about extremely low income housing; above 80% of these housing units have housing problems.
Mr. Niskanen confirmed that is correct and explained that when a housing condition survey is done, it's determined which houses need the most help. That isn't necessarily directly related to income level; just simply housing conditions. This leads to the next step, which is potential funding opportunities such as grants, loans, to do rehabilitation type projects.
 - Asked how much code inspection occurs in these units.
Mr. Westbrook explained that we are called to someone's house for someone who has requested a building permit, so there would be a code inspection; or, if there is a property maintenance issue or complaint, a code enforcement officer would go out, but generally we don't seek them out.
 - Referring to the diagram 1-16; asked for verification that is our current number of housing units.
Mr. Niskanen confirmed, explaining that the source of a lot of the data was provided by the State.
 - Inquired if we add up all the low income housing, that's approximately 6,600.
Mr. Niskanen explained that the table shows the amount of households that are included in part of the lower income category; this is the amount in which they overpay for rent or mortgage, which doesn't necessarily mean they are low income.
 - Asked if there is overlap there, in the numbers.
Mr. Niskanen explained the table is overpayment by income category.
 - Asked if we have more lower income units in Ceres than moderate and above-moderate.
Mr. Westbrook further explained that this table just shows the people and the rent they're paying. HUD standards are federal standards, so every city would have a table that would show what percentage of income their population makes and would all have numbers similar to these in the table.
 - Asked what Ceres existing housing stock looks like.
Mr. Niskanen explained the housing stock is shown by type; single-family and multi-family, and referred to Table 1-7.
Commissioner Smith noted that Table 1-7 shows us the number of units, whether occupied or not, and Table 1-8 shows us the vacancies.
 - Inquired why we don't keep track of the income levels in relation to the housing stock.
Mr. Niskanen didn't necessarily have an answer, in terms of what's required by State Housing Law. He doesn't know if there's a data source available to answer that question.
 - Asked how do you determine a low-income house?
Mr. Niskanen responded it's based strictly on income of the person(s) living in the home at that time.

Mr. Westbrook interjected with explaining that projects that have low-income housing associated with them, it doesn't matter if his next door neighbor lives in his subdivision, based upon their income category, they may be considered lower income versus his, which is moderate. There's no way for us to know that. We do have projects that have been developed in the past that do have some lower affordability requirements. He further explained that this document is provided to us by the California Department of Finance, which just shows overall housing stock within the City.

Commissioner Smith noted that the City does not collect and maintain that data. The data comes from a variety of sources; whether it be HUD that oversees the low-income program or the Department of Finance that maintains records about the income levels of people in various cities.

Commissioner Condit thinks that it would be good for the City to know how many houses we actually have that are low-income units and how many are moderate and above-moderate.

Mr. Niskanen clarified that Commissioner Condit is trying to connect housing stock and income levels. He thinks that is difficult to do, as the State doesn't provide that data.

- Commissioner Condit asked why the State doesn't provide that data. Commissioner Smith explained that we have a variety of sources that are providing this information. The Department of Finance provides the financial information and they are not the keepers of housing information, so they are not connecting. It is a good question for the future, but there would be some privacy issues.
- Inquired how many affordable homes are there in the City of Ceres, purchased with some type of financial assistance, such as grants, rehabilitation or first time homebuyer loans. Mr. Westbrook noted that information could be generated and remarked that at least 100 in the course of the last 10-15 years.
- Would like to know how affordable Ceres is to live in. Commissioner Smith replied that we know how affordable Ceres is to live in, with the statistics that we have and with living here, we know where it's cheaper and not cheaper. She understands what Commissioner Condit is asking, but it sounds like a very costly endeavor.
- Referenced the figures that Mr. Westbrook sent him earlier today. Mr. Westbrook explained that the first category was what the residents of Ceres earn and the second set of numbers he referred to from HUD, the federal requirements, are just income classifications. Chairperson Smith asked Commissioner Condit if he was of the opinion, that if we had more detailed specifics, that we'd see a more different picture than from the information we're receiving from HUD and the Department of Finance. Commissioner Condit believes we would, noting the statistics. Mr. Westbrook explained, referring to the income levels and the HUD requirements; if you extrapolate, they don't match exactly.
- Land Use outside city limits; inquired if we're taking this into account, at a maximum density, the available land in the sphere of influence could support 7,854 units.

Mr. Niskanen explained that the land that we contemplated is part of our vacant sites inventory in order to achieve the regional housing needs with all the city limits. The intent there is to avoid having to annex additional territory.

- Asked what the purpose of putting in the available land outside the city limits. Mr. Niskanen explained, to give a general snapshot of what the City has in their inventory.

Mr. Westbrook added that a lot of communities don't have the availability of land within their existing limits to meet RHNA numbers, and so they do have to either annex land into their jurisdiction or rezone properties within their jurisdiction. What this shows is that the City of Ceres is in a very good position, where we don't have to do either of those things.

- Asked for clarification that the City has 15 wells which run off of the sub-basin.

Mr. Westbrook confirmed that is correct.

- Inquired how often the water is tested.

Mr. Westbrook noted the water is tested every week and then at the peak season, the tanks are refilled every day.

- Asked for clarification that ¼ of our sewage is done through the City of Modesto.

Mr. Westbrook explained that there is a portion north of Hatch, west of Moffett that is treated at the City of Modesto. There is portion of the City that gets treated at our Treatment Plant, but then gets shipped to the City of Turlock, to their regional Wastewater Treatment Plant for disposal. It's for efficiency and also the Water Quality Control Board likes to have regional locations instead of having multiple wastewater treatment facilities. Their goal is to consolidate.

- Police & Fire – Commissioner Condit noted that there is a goal to add 20 officers, and inquired if that is at our current population; if we are going to maybe halfway meet the housing needs, do we have a projection of how many officers we would need.

Mr. Westbrook noted they generally keep the same ratio; the goal is to have 1.5 police officers per 1,000.

Mr. Niskanen added the staffing ratio of firefighters is .66 per 1,000.

- Inquired about schools; allow increase in growth.

Mr. Westbrook explained that the schools have been fairly aggressive over the past 10 years in terms of their expansion. When you talk with Dr. Siegel and his executive staff, it seems their enrollment seems to be increasing year after year, which is interesting, because we're not building anything. What's happening, is there are a lot of inter-district transfers. Just this year, Modesto City Schools lost 400 students and Ceres Unified School District gained 400 students.

Chairperson Smith noted that the School District does their own planning.

Mr. Westbrook added that the City and the School District have a very good working relationship and have had for a very long time. The Superintendent and City Manager meet a couple times per year, as does the City Council and School Board.

- Asked why the City does not have a Growth Management Policy in the Housing Element.

Mr. Niskanen explained that it's a City Council policy direction.

- Inquired if we might suggest they put a Growth Management Policy in.

Mr. Westbrook explained that through the Housing Element, it isn't necessary; however, through the General Plan Update effort; that would be an appropriate location to include it.

- Commissioner Condit continued his questions, with an item in Section 2:
 - Infill Inventory Sites; asked if we have a program to create infill before we start another Specific Plan or another residential development elsewhere.
Mr. Westbrook noted that those sites are already identified in the Housing Element.
 - Inquired if we have a specific policy stating we have to develop a certain amount of our infill.
Mr. Westbrook stated that we do not.
- Commissioner Condit returned to Section 1:
 - Policy 1.3 –
Mr. Niskanen remarked that prior to Commissioner Condit asking his questions, he wanted to note that these policies remain unchanged. These are policies that were previously adopted by the Commission and City Council as part of the previous Housing Element effort.
 - “The City shall continue to expeditiously process residential development proposals to conform to General Plan policies and City regulations.”
Commissioner Condit remarked that we're changing our General Plan right now; and asked what if some of the policies don't correlate; would it just be an automatic turnover between the Housing Element and General Plan.
Mr. Niskanen noted that the Housing Element is an element of the City's General Plan, and it's through that General Plan Update process, this Housing Element document would be incorporated into that General Plan document.
 - Policy 1.5 –
“The City shall plan a full range of housing types, in relation to employment centers in Ceres, transportation and commercial services.”
Commissioner Condit asked is that related to, we're going to have this many housing types for how many jobs we have.
Mr. Niskanen confirmed, noting that City has done a good job. If you look at the land use diagram of the West Landing Specific Plan, you will see a pretty good mix of land uses in that plan area that contemplate both commercial and a various range of residential land uses.
 - Inquired about the smaller minimum lot sizes, if that was the 18-20. (Program 1.6)
Mr. Niskanen explained that was a carryover from the previous Housing Element.
 - Asked if we could change that.
Mr. Westbrook noted that the City did adopt some small lot design guidelines back in 2006/07.
 - Inquired that in order to change this, it would have to go to City Council.
Mr. Niskanen commented that it would require an amendment to the zoning code, so it would have to go through the Planning Commission and the City Council.
Mr. Westbrook added that the minimum lot size for these two designations; the R-3 and the R-2 are 6,000 today. Dropping it down to 5,000 provides for opportunities to have different multi-family products and get a higher density.
 - Program 1.7 – inquired if the annual Housing Element report has happened.
Mr. Westbrook noted that it has not, and it's been a number of years.

- Inquired about the Downtown Specific Plan; it reduces parking standards in downtown.

Mr. Niskanen remarked that's correct.

Mr. Westbrook explained that it provides opportunities, especially for an infill site or underutilized site. Normally, when you have a commercial property or a large apartment complex, whatever the required parking is, you have to provide that on your site. This is allowing, the fact that there is on-street parking and seeing if there are some allowances to perhaps have some of the spaces on the street be included in the total number of required parking spaces.

Commissioner Condit stated this would be a good thing to add, so if we explode economically, there'll be a place to park.

Mr. Westbrook added that one big benefit that the City has is we have control over 80 parking spots just outside of the Community Center.

- Program 2.5 – to pursue State and Federal funding – Inquired if we have a program to ween ourselves off of state and federal funding.

Mr. Westbrook noted this is not included in this Housing Element. Unfortunately we've applied for some in the past and haven't received any. And, there's really not a lot of money coming out from the State for affordable housing projects at this time, especially since the redevelopment funds were taken away in 2011.

- Goal 4 – Policy 4.0 – “The City shall encourage private reinvestment in older residential neighborhoods and private rehabilitation of housing.” Commissioner Condit asked if we have any City reinvestment in older neighborhoods.

Mr. Westbrook explained that to the surface improvements and water and sewer lines; that answer is yes.

- Asked if we have we done façade improvements.

Mr. Westbrook noted that private owners have.

- Commissioner Molina asked when do some of these policies get changed, or when will we have an option of adding or adjusting those policies.

Mr. Westbrook explained that, as Mr. Niskanen stated, a lot of the policies are ongoing. There are two things that we need to do between this planning period and the next one:

- Having a minimum classification for the 20 units
- The policy and procedure for the sewer and water

- Commissioner Molina inquired as we forward this to the City Council, there are some policies and some items that are carried over from previous decision makers. He wants to be confident if the State came in and did an audit, or in any legal aspect, we are covered.

Mr. Westbrook confirmed that we are covered.

The public hearing was opened at 7:07 P.M.

There being no public comments, the public hearing was closed at 7:07 P.M.

ACTION: It was moved by Commissioner Molina; seconded by Commissioner Del Nero to adopt PC Resolution 15-27. Motion passed by the following vote:

AYES: Commissioners Del Nero, Molina, Chairperson Smith
NOES: Commissioner Condit
ABSENT: Commission Kachel

NEW BUSINESS:

None

PUBLIC MEETING(S):

None

UNFINISHED BUSINESS:

None

MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

None

REPORTS:

Director of Community Development, Tom Westbrook:

- Wished a belated happy birthday to Commissioner Condit. He turned 20 years old last Friday and spent a portion of his birthday at the Ceres Chamber Mixer.
- Upcoming County Planning Directors Workshop on Saturday, February 27th, with guest speaker, Mike Durkee, expert on Subdivision Map Act law. There will also be discussion on CEQA and Planning & Zoning law.

ADJOURNMENT:

The Commission adjourned at 7:12 p.m. to the next regularly scheduled meeting of Monday, January 4, 2016.

APPROVED:



Laurie Smith, Chairperson

ATTEST:


Tom Westbrook, Secretary