

February 22, 2019

Placer County Planning Commission  
3091 County Center Drive, Suite 190  
Auburn, Ca. 95603

Re: Sunset Area Plan & Placer Ranch Draft Environmental Impact Report

Dear Planning Commission Members:

On behalf of our clients, thank you for this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Sunset Area Plan/Placer Ranch Specific Plan (SAP/PRSP).

Legal Services of Northern California is the non-profit corporation providing free civil legal aid for low-income residents of Placer County. As a result of our caseload demand in Placer County, we have come to recognize that the lack of affordable housing has created a housing crisis for our clients. In addition, it negatively impacts our community in many ways. These comments will focus on the affordable housing aspects discussed in Section 4.12 of the DEIR.

**1. The DEIR should specify that compliance with the County's housing policies is a required mitigation measure.**

The population and housing sections in most specific plan EIRs approved by the County used the County housing policies as a mitigation measure to reduce the potential impact of the project to less than significant. The PRSP DEIR proposes to adhere to County housing policies, and concludes at Impact 4.12-2 that because of this consistency the project impact would be less than significant. For purposes of consistency with the County's past practices the PRSP DEIR should incorporate the County policies as mitigation measures.

**2. The need for affordable housing should be recognized and address in the DEIR.**

The plan acknowledges that the County is obligated to provide enough land to meet the SACOG fair share housing allocation of 5,031 units. However, it fails to specify that 3,258 of these units should

be affordable to very low, low, and moderate-income households, and that only 193 units have been built in these income categories during this planning period. As a result, it is imperative that the PRSP make specific provisions for the commitment to develop affordable housing.

At page 4-12-11, the DEIR states that in the PRSP area, 10 percent of housing would be affordable as required by the County's Housing Element, and that the additional 8,094 proposed units would likely meet the County's RHNA allocation. However, without specificity, there can be no guarantee that the plan will meet the RHNA allocation for *affordable housing* or comply with the Housing Element. On its face, compliance with the Housing Element would produce 809 affordable units in the SAP (10% of the total), which would not meet the RHNA allocation for affordable housing, nor would it meet the actual need for affordable housing. Regardless, the 10% contribution would be significant and the project should commit to the actual construction of the affordable units.

**3. Location of Affordable Housing in the project should be identified.**

The DIER must specifically state the anticipated location and timing for the affordable housing development. The decisions regarding these specifics must be stated in the current DEIR and not deferred to a later date.

As referenced in the DEIR (p. 4-12-7), the Housing Element requires that the affordable housing be constructed on-site and dispersed throughout the project to the extent possible. The DEIR does not specify the location of the affordable units. In addition, the DEIR should indicate the location of proposed affordable housing in relation to the disposal site (WRSL), flood plains areas, and infrastructure and transit sites. The plan does not identify the location of the infrastructure and transit sites. This information is critical, because the proximity to these sites will play a critical role in determining whether the affordable housing will meet the governmental requirements to qualify for supportive funding, which will determine whether the affordable housing is built and the level of affordability.

Impact 4.3-6 at Table 2-1 of the Executive Summary identifies that the project will create objectionable odors affecting a substantial number of people. The project proposes an amendment to the County General Plan Policy 4.G.11 which reduces the 1-mile buffer for residential uses around the WRSL to 2000 feet, and subject to approval, to 1000 feet. The record shows that the County Air Quality Agency has already received approximately 300 complaints about the odor from the WRSL, and the summary concludes that there will be an increase in complaints from new residents. This is a significant environmental impact that should be mitigated. In addition, location of the proposed affordable housing should be identified to insure that it would be dispersed throughout the project area and not concentrated near the WRSL. Concentration of housing near the WRSL would affect the ability of affordable projects to qualify for funding and would constitute environmental discrimination by requiring affordable residents to bear the brunt of this significant impact.

**4. Timing of the affordable housing development must be specified.**

The Housing Element at Police B-6 requires that affordable housing must be developed in a timely manner with the market-rate units in the project to avoid delaying the construction of the affordable units to the end of the project. The DEIR must specify the time frame for the construction of the

affordable units to comply with this policy. Failure to do so could result in the delay of the affordable units, which could in turn result in a barrier to construction due financial obstacles and neighborhood opposition, including litigation, from the residents of the market rate units.

**5. The jobs to housing ratio should be analyzed.**

The jobs to housing ratio discussed at Impact 4.12-1 concludes that the buildout of the SAP and PRSP areas would result in 55,760 new jobs, and that the projects will add more than seven jobs for each dwelling unit. The DEIR concludes that this will improve the jobs-to-housing ratio in Placer County. However, the DEIR does not analyze whether the salaries from the newly created jobs would be sufficient to allow the workers to afford the housing created in the project. Without this analysis, one cannot determine whether the project improves the jobs-to-housing balance, or merely creates another community where workers are required to commute into the project area, because they cannot afford to live there.

**6. Density Bonus obligations must be specific and explained.**

The Specific Plan for this project included a density bonus granted by Placer County. However, the DEIR does not spell out the developer's obligations, especially with respect to affordable housing, stemming from the density bonus. These specifics need to be spelled out.

Please take these comments into consideration. If this project is properly planned and implemented, it holds the potential to provide many positive contributions to Placer County, especially by helping to mitigate our affordable housing crisis. Thank you for this opportunity to comment on this project.

Sincerely,

W. H. Whitaker  
Managing Attorney