

From: [Kelly McCaughna](#)
To: [Megan Wood](#)
Subject: FW: [EXTERNAL] Placer County's Draft Housing Element - HE-42
Date: Thursday, May 6, 2021 10:55:14 AM
Attachments: [image001.png](#)

Hi Megan. Following is a comment received regarding the Placer County Housing Element for May 11th.

Thanks,
Kelly

Kelly McCaughna

District Aide
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From: hollyjesq@aol.com <hollyjesq@aol.com>
Sent: Wednesday, May 5, 2021 12:03 PM
To: Shawna Purvines <SPurvines@placer.ca.gov>; Steve Pedretti <SPedretti@placer.ca.gov>; Bonnie Gore <BonnieGore@placer.ca.gov>; Jim Holmes <JHolmes@placer.ca.gov>; Robert Weygandt <RWeygandt@placer.ca.gov>; Cindy Gustafson <cindygustafson@placer.ca.gov>; Suzanne Jones <SuzanneJones@placer.ca.gov>
Subject: [EXTERNAL] Placer County's Draft Housing Element - HE-42

Dear Board of Supervisors,

It is my understanding that before you on or about May 11, 2021 will be the proposal to Adopt County of Placer's Draft Housing Element. While I have not had a chance to review all of the elements within this program, there is one area that I would like to call your attention to, which is **HE-42** within Chapter 5: Housing Goals, Policies, and Programs. It is to add a *new* program per HCD conditional approval; The current proposal is the following:

"The County shall amend the zoning code to treat all residential care homes as family homes, consistent with Health and Safety Codes, and to allow residential care homes with **seven** or more clients with approval of a minor use permit in single family residential districts." [Emphasis added.]

When asked as to the authority for this amendment, the referral was to California Civil Code section 51. California Civil Code section 51 (the Unruh Civil Rights Act) provides that all persons within California shall be free and equal, entitled to full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever; to not construe any right or privilege; not requiring any construction, alteration, repair, or modification of any kind whatsoever not otherwise

required by law; and that any violation of the federal Americans with Disabilities Act of 1990 is also a violation of this Act. Essentially, all persons are to be treated equally. However, there is no provision authorizing or requiring the establishment of *seven or more* residential care homes *in single family residential districts*.

Instead of the the above proposal, consider language similar to the following:

Placer County shall promote equal treatment of all persons within California, and shall promote the equal treatment of group homes.

Single family residential districts need to have the protection that its nature and use will be comparable. Whether homes with seven or more is appropriate in single family districts needs to be further vetted by analysis of data and involvement of our community. If needed, more specific language could be added based upon perhaps a zoning text amendment, should the analysis render that modification appropriate. Analyze the data, such as if any of the other counties that might have utilized a 7 or more number, if those counties are similar in size, use, etc. to Placer County. The use of 7 or more clients (which could rise to **any** number) has not been fully vetted or disseminated for public input in Placer County. A facility with seven or more, rising to even higher numbers, more likely should be in commercial zoning, which could accommodate parking, traffic and other infrastructure needs. You could always amend the language at a later date. Further, if there is to be an amendment, then modify it to allow residential care homes with ***six or less*** in single family residential districts, **which are commensurate with the residential district**.

Thank you in advance for your consideration in this matter.

Holly Johnson

From: [Shawna Purvines](#)
To: [Megan Wood](#)
Subject: FW: [EXTERNAL] Agenda Items 8 and 14 - May 11 Board of Supervisors Meeting
Date: Monday, May 10, 2021 12:07:37 PM

From: Defend Granite Bay - A Community Association <defendgb@gmail.com>

Sent: Monday, May 10, 2021 11:56 AM

To: Bonnie Gore <BonnieGore@placer.ca.gov>; Robert Weygandt <RWeygand@placer.ca.gov>; Jim Holmes <JHolmes@placer.ca.gov>; Suzanne Jones <SuzanneJones@placer.ca.gov>; Cindy Gustafson <cindygustafson@placer.ca.gov>

Cc: Shawna Purvines <SPurvines@placer.ca.gov>; GBCA <gbca@granitebay.com>; Alliance For Environmental Leadership <Allianceforenviroleadership@gmail.com>; Michael Spelis <MichaelSpelis@placer.ca.gov>

Subject: [EXTERNAL] Agenda Items 8 and 14 - May 11 Board of Supervisors Meeting

Supervisors Gore, Weygandt, Holmes, Jones and Gustafson,

Please accept Defend Granite Bay comments on the following agenda items:

8. **COMMUNITY DEVELOPMENT RESOURCE AGENCY**

A. [Placer County 2021 Housing Element Update General Plan Amendment \(PLN20-00111\), Addendum to Previously Adopted Negative Declaration](#)

Policy HE-42 Group homes

We request that the policy be crafted in more general terms while meeting State requirements. i.e.

"Placer County shall promote equal treatment of all persons within California, and shall promote the equal treatment of group homes."

Specific language regarding 7+ is a distraction and more appropriately addressed within the zoning text amendments. Having Conditional and Minor Use permits within Policy language creates potential internal plan conflicts with zoning texts.

County staff has stated that an alternative policy has been crafted.

We request that the language be provided for your and for community review.

14. **COMMUNITY DEVELOPMENT RESOURCE AGENCY**

A. [Baseline Commercial Center - General Plan Amendment - Rezone, Tentative Parcel Map, Conditional Use Permit and Minor Boundary Line Adjustment \(PLN20-00103\), Mitigated Negative Declaration](#)

Significant public opposition was completely ignored and their concerns went unheard. Area residents have started a GoFundMe site to raise funds for a legal challenge. As responsible stewards of the County and to reduce the likelihood of yet another legal challenge, this Board should request a continuance until their concerns and issues are more fully understood.

<https://fox40.com/news/residents-in-placer-county-gearing-up-to-oppose-commercial-project/>



To: Placer County Board of Supervisors
From: Herb Whitaker, Legal Services of Northern California
Re: Update to Placer County Housing Element
Date: 5/10/2021

Thank you for this opportunity to comment on the proposed update to the Placer County Housing Element. Legal Services of Northern California urges that this Board approve the Housing Element, because it proposes many policies and programs to promote the development of affordable housing and protection of low-income tenants in Placer County.

Legal Services of Northern California is the non-profit legal aid program providing legal assistance to low income and senior clients in Placer County. Our greatest client demand involves the lack of housing security and cost burden of housing. Every day we consult with vulnerable Placer County residents facing eviction and potential homelessness, because there is no affordable housing for them to relocate.

Placer County is facing an affordable housing crisis.

Placer County is facing a crisis in the lack of affordable housing, and this is having a severe impact on our citizens and economic vitality. According to a recent article in the Sacramento Business Journal (“Sacramento forecast to be No. 1 for housing market growth in 2021”, 12/7/2020), market forecasts predict that the Sacramento area, including Placer County, is on track to be the number one housing market in the country in 2021. Yet, this housing boom is missing our vulnerable Placer County residents. A more recent article from the Sacramento Bee shows that in Placer County the private market has done an outstanding job of producing huge numbers of single family housing for above moderate income buyers who are moving in from out of the county, while leaving the Placer County residents out in the cold. (“Placer County isn’t building enough affordable housing. Why that’s bad for the economy”, *Sacramento Bee*, 4/15/2021, updated 4/26/2021) The article states:

“A popular relocation locale for Bay Area and Sacramento workers and retirees, Placer was among the fastest growing California counties over the past decade. But 84% of the housing built in Placer since 2013 has been aimed at people of above average income. Of the many thousands of housing units built in the last eight years, only 468 affordable units were built. That’s just 14% of what state officials say the county should have constructed....But as housing becomes more expensive and commutes get longer, some community representatives say the county has hit a critical moment that will require a major effort by county leaders - as well as an attitude readjustment by the public - to avoid squeezing out the next generation of workers, including teachers, restaurant workers, caregivers for the elderly and others in service industries.” (Emphasis added)

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Housing Element Group Homes Implementation Measure No. 42 is needed to provide fair and affordable housing.

The updated Housing Element clearly shows the need for affordable housing in Placer County and proposes a number of goals and programs to address this need. We urge the Board to adopt the Element for this reason.

One such implementation measure is HE 42, which provides that the County will amend the zoning code to treat residential care homes as family homes, and allow residential homes with seven or more clients with approval of a minor use permit in single-family residential districts. In our view, this provision is consistent with state law and moves forward to address several of the needs identified in the housing element.

First, this provision would provide for expedited approval of much needed additional affordable housing units with minimum impacts on residential neighborhoods. Second, many of these group homes will be used by specific vulnerable populations, including low income, minority, disabled, and senior residents. Third, because these units assist these special groups and break down the barriers between family residences and non-family residences, they help address the fair housing obligations of the County.

Currently state law provides minimum protections for group homes of six or fewer. Ca. Health and Safety Code § 1566.3 provides in part:

“Whether or not unrelated persons are living together, a residential facility which serves six or fewer persons shall be considered a residential use of property for the purposes of this article. In addition, the residents and operators of such a facility shall be considered a family for the purposes of any law or zoning ordinance which relates to the residential use of property pursuant to this article.

No conditional use permit, zoning variance, or other zoning clearance shall be required of a residential facility which serves six or fewer persons which is not required of a family dwelling of the same type in the same zone.”

This statute was adopted in part to codify the legal standard created by *City of Santa Barbara v. Adamson*, 27 Cal. 3rd 123 (Cal. Sup. Ct. 1980). In that case, the court ruled that the City could not require the twelve residents of a group home to relocate from a single-family zone or seek a conditional use permit or variance, merely because they were not family related. Despite neighborhood opposition, it is discrimination based on family status to say that six unrelated residents should be barred from a single-family zone, or required to obtain a use permit, when a family, which could have ten or twelve members, are allowed to reside without similar permitting requirements.

Placer HE 42 helps to address this barrier to fair housing production. It is one of many positive measure contained in the proposed Housing Element update, and Legal Services of Northern California urges its immediate adoption.