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January 28, 2009

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Jeff Smith, Chairman  
 Humboldt County Planning Commission  
 Community Development Services Department  
 3015 H Street  
 Eureka, California 95501

Re: Draft Housing Element

Dear Chairman Smith and Commissioners:

The Humboldt Association of REALTORS® continues its review of the draft Housing Element and would appreciate your consideration of the following comments.

**Voting Charts:**

The "Plan Alternatives Comparison Chart" or voting chart, posted on the county's website is different from the one handed out at the January 8, 2008 Planning Commission meeting in one significant way. An Alternative A option in H-S1 has been added to the website version. It is very difficult to review and analyze inconsistently presented information. In H-S1, "Housing Program Implementation" (page 8-9, hand-out version), item #3, "117 Alternative Owner Builder (AOB) units" has been eliminated in Alternative A (as shown in italics below, page 8-8, website version).

	B	C	H-S1. <b>Housing Program Implementation.</b> The County shall implement a Housing Program consistent with this Plan to facilitate the permitting and construction by the year 2014 of: 1) 1,372 single family units 2) 128 multi-family units 3) 117 Alternative Owner Builder (AOB) units 4) 169 second units	
A			H-S1. <i>Housing Program Implementation.</i> The County shall implement a Housing Program consistent with this Plan to facilitate the permitting and construction by the year 2014 of: 1) 1,389 single family units 2) 228 multi-family units 3) 169 second units	Eliminates standard for rural housing and increases multi-family units

Subsequent addition of information to a previously released public document makes for an untrustworthy process. The example above is of particular importance. Alternative A (as shown in the website version voting chart only) eliminates AOBs. We do not support this. AOBs are an important part of the housing stock and must be included in the draft Housing Element.

**Multi-Family:**

- Forcing properties to be up-zoned to multi-family is not supported; allow multi-family zoning but don't require it. Allow property owners a range of choices as to what they can do with their property. This can be accomplished in part by principally permitting zoning for multi-family housing in designated areas but it would be listed as just one type of land use among others. Employ zoning which allows owners options, which allows other land use choices, versus a zoning which requires only multi-family use.
- A requirement that multi-family zoning be established at a minimum of 16 units per acre needs to be relaxed in order to allow owners flexibility as to how they may use their land. Use of zoning which allows a full range of land density is promoted.
- Specific multi-family sites are not identified. The public needs to know where these sites are proposed and should be informed through a public hearing process.
- There must be notice to land owners where change of zoning to multi-family use is being contemplated.
- Create incentives for multi-family development by relaxing development standards

**Mixed Housing:**

- Policies 1.2b – 4.1b; we support these policies as a positive mechanism instead of inclusionary zoning.

**Inclusionary Zoning:**

- We do not support inclusionary zoning. Various goals, policies, standards and implementation measures promoting it are presented in the draft. It should be eliminated from consideration. Among several reasons, it is contrary to Goal H-G7 ("Minimize Governmental Constraints"). The state Housing and Community Development Department (HCD) identifies inclusionary zoning as a government constraint. Additionally, we have previously submitted multiple letters and documentation to planning staff with copies sent to the Supervisors and your Planning Commission

listing the problems and negatives of inclusionary zoning. Also, it is our understanding that the Board of Supervisors previously directed planning staff to consider inclusionary zoning as an alternative only. Its appearance in Alternative B, the “main” Alternative, is inappropriate as it gives the impression that it is being promoted as a decree rather than an alternative.

**Mid-Point Density:**

- Using a mid-point density criteria has been a staff decision. As we understand it, this is a local decision and not a state mandate. However, it is a public policy matter and as such should go through a public hearing process (H-P5, page 8-9). Otherwise let zoning and state codes dictate density range and not local policy.

**Land Inventory:**

- How can review of the Housing Element be undertaken when the land inventory numbers may change either as a result of the Find Our Lots (FOL) input and/or release of RHNA numbers (Table 8-4, page 8-6)?

**Tables:**

- Table 8-4, page 8-6, “Residential Land Inventory Summary”, should have a final column added to show a net “potential units” figure (the current net figure of “6502 units” is shown only in the text).
- Table 8-6, page 8-8, “Inventory of Emergency Shelter and Transitional Housing Sites”, should have a map to show where the sites are proposed.

**Loss of Commercial/Industrial Acreage:**

- It is proposed that 53+ acres of commercial and industrial acreage be made available for emergency shelter and transitional housing sites. There should be no net loss of commercial/industrial acreage, therefore, commercial/industrial acreage should be increased by 53 new acres to account for the emergency/transitional housing sites (Table 8-6, Page 8-8).

**2nd Units:**

- We promote construction of 2nd units. They should be principally permitted. Relaxation of development standards, details of which we have presented previously under separate cover, should be included.
- We support H-S8 (page 8-10), “Incentives for Residential Development...” with the qualifier that incentives should apply county-wide and not just in the proposed Housing Opportunity Zones”.

Jeff Smith, Chairman

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**Low Income Housing Deficit:**

- How is the “very low” and “other low” income unit deficit (435 total units, Table 8-1, page 8-3) being accounted for? There is confusion as to whether this must be carried forward to the new Housing Element. If it does, has it?

**“Housing Opportunity Zones”**

- We do not support policy, H-P2, page 8-9, which states “the County shall adopt polices, standards and programs to stimulate residential and infrastructure development within Board adopted ‘Housing Opportunity Zones’ ”. The County should adopt polices, standards and programs to stimulate residential and infrastructure county-wide to address the housing needs of all income levels *in all areas*.

The Association is making every effort to review the Housing Element voting chart as quickly as possible, however, given it is a lengthy document, we have not been able to complete this review prior to the Planning Commission’s January 29 meeting. We will continue our review and reserve the right to submit additional comment on the voting chart.

Sincerely,



Victoria Copeland  
Co-chair General Plan Subcommittee



Debbie Provolt  
Co-chair General Plan  
Subcommittee

cc: Kirk Girard, Director  
Michael Richardson, Planner  
Humboldt County Board of Supervisors