



BLUE LAKE PLANNING COMMISSION SPECIAL MEETING AGENDA

Monday, June 7, 2021

7:00 P.M.

Community Center - 111 Greenwood Road
(Skinner Store Building behind City Hall)

LOCATION: In accordance with the Governor's Executive Orders N-25-20 and N-29-20, the Planning Commission of the City of Blue Lake shall conduct the Planning Commission Meeting by teleconference via Zoom. Public input can be given to the Commission by emailing cityclerk@bluelake.ca.gov until 4:30 p.m. on Monday June 7, 2021.

Public input will be facilitated by Zoom at the following meeting link:

Join Zoom Meeting

<https://us02web.zoom.us/j/88632156610?pwd=ODRNbVIEcUVhaDg3aHliekpZNHN3dz09>

Meeting ID: 886 3215 6610

Passcode: 126491

Dial by your location

+1 408 638 0968 US (San Jose)

1. **Approval of Minutes: March 15, 2021 and March 29, 2021 Special Meeting**
2. **Public Input** – *The Public is invited to present petitions, make announcements, or provide other information to the Planning Commission that is relevant to the scope of authority of the City of Blue Lake that is not on the Agenda. The Planning Commission may provide up to 15 minutes for this public input session. To assure that each individual presentation is heard, the Planning Commission may uniformly impose time limitations of 3 minutes to each individual presentation. The public will be given the opportunity to address items that are on the agenda at the time the Planning Commission takes up each specific agenda item.*

3. **Approval of Agenda**

Discussion / Action:

4. **Planning Commission Action: #025-101-023/2016 Extension of Planning Commission Tentative Parcel Map approval for Casey and Stacia Eliason for a Minor Subdivision of parcel 025-101-023 (no address assigned) to create three new lots.**
5. **Planning Commission Discussion: General Plan Housing Element Update.**
6. **Public Hearing Continued/Planning Commission Discussion: Amendment of Title 17 (Zoning) of the Municipal Code to add Section 17.20.070 (Residential High Density or RHD Combining Zone) that would create a new combining zone that is intended to be combined with principal zones that allow multi-family residential uses for the purpose of facilitating multi-family housing for a variety of income levels. The RHD combining zone is proposed to comply with State**

housing policy, which requires the City to have a zone that allows a density of 16 dwelling units per acre without any discretionary review (i.e., principally permitted or allowed by right).

- 7. Miscellaneous Planner Items.**
- 8. Upcoming Planning Commission Meetings for the next 3 months will be on June 21st, July 19th, and August 16th.**
- 9. Adjournment by 9:00 pm unless extended by the Planning Commission.**

A request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting, by contacting City Manager Amanda Mager, (707) 668-5655, at least 24 hours prior to the commencement of the meeting.

**City of Blue Lake
Draft Planning Commission Minutes
March 15, 2021**

The Blue Lake Planning Commission Meeting was called to order at 7:06 p.m.

Commissioners Present: Earl Eddy, Richard Platz, Matthew Schang, and Robert Chapman

Commissioners Absent: Cort Pryor

Staff Present: City Manager Amanda Manager, City Planner Garrison Rees, and Planning Commission Secretary Cheryl Turner

Staff Absent: None

Public Present: Kate Martin, Alia Brookshire, Gunner Bowman, Kash Boodjeh, Mark Schaeffer, and Steve Wright

- 1. Approval of Minutes:** February 15, 2021
 - a. Continued to April 19, 2021 meeting
- 2. Public Input on Non-Agenda Items**
 - a. None received.
- 3. Approval of the Agenda**
 - a. Motion (Chapman, Schang) to approve agenda as modified.
 - b. Motion passed unanimously (4-0).

Discussion/ Action:

- 4. Public Hearing/Planning Commission Discussion: #025-091-020/2021 Site Plan Approval application for Kate Martin to allow an outdoor seating area for the Logger Bar. The seating area would be partially on the applicant's property and partially in the public right-of-way along H Street. To provide a level surface for the outdoor seating area, an elevated deck structure is proposed to be constructed from the front wall of the structure to approximately 13 feet into the public right-of-way. The seating area would be accessed from the building and railing and fencing would surround the area to prevent access from the street. A mixture of tables with chairs and standing tables are proposed in the seating area. An elevated walkway may also be proposed in the future to connect the new deck with the existing deck at the rear of the structure. This project is categorically exempt from CEQA per §15303 (Class 3) and §15332 (Class 32) of the CEQA Guidelines exempting the construction and location of limited numbers of new, small facilities or structures and projects characterized as infill development.**
 - a. Commissioner Chapman recused himself because he is closely related to the applicant.
 - b. Planner Rees explained that a Planning Commission decision on this Site Plan Ap-

proval application is proposed to be continued to a Special Meeting to allow time for the City departments to complete their review of the project. He explained that the applicant's proposal is to install an outdoor seating area in front of the Logger Bar along H Street. He presented the Commissioners a summary of the Staff Report.

- c. Planner Rees stated that the proposed project is determined to be categorically exempt per CEQA Guidelines Section 15303 (Class 3) and Section 15332 (Class 32) exempting the construction and location of limited number of new, small facilities or structures and projects characterized as infill development.
- d. Planner Rees described the proposed project as being consistent with the General Plan and the purposes of the Commercial (C) designation, and with the Zoning Code and the purposes of the Retail Commercial (RC) zone.
- e. Planner Rees explained that the Logger Bar has been in business over 100 years and is legal non-conforming (grandfathered) for several requirements in the City's Municipal Code. He further explained that the outdoor seating area to the Logger Bar would be subject to the regulations currently in effect today and would not fall under the legal non-conforming status of the existing Logger Bar building or use. This includes complying with the performance stands in the RC zone, including the standards for noise.
- f. Planner Rees explained that the project was sent out for referral to the City Manager, City Attorney, Public Works Department, Building Official, City Engineer, and Volunteer Fire District, but not all departments or agencies were able to complete their review in time for the March 15th Planning Commission meeting. For this reason, staff is recommending that the item be continued to a special meeting to allow time for staff review of the project to be completed.
- g. The Commissioners discussed the timing of the project with the applicant and whether the City Council needed to take action on the right-of-way and parking prior to the Planning Commission's special meeting on this site plan approval.
- h. Planner Rees explained that the City Council has agreed to the proposal in concept and has directed staff to work with the applicant on the Site Plan Approval application.
- i. The public hearing was continued and Planner Rees will survey the Commissioners to determine a future date for a special meeting.

5. Planning Commission Action: #025-121-003, -034/2018 Lot Line Adjustment for Mark Schaeffer and Patricia Strobel to add an approximately 9,000 s.f. portion of parcel 025-121-048 (411 Chartin Rd) to parcel 025-121-050 (403 Chartin Rd). Resulting lot sizes will be approximately 13,510 s.f. (025-121-048) and 31,580 s.f. (025-121-050). This project is categorically exempt from CEQA per §15305 (Class 5) of the CEQA Guidelines exempting minor alterations in land use limitations including lot line adjustments.

- a. Planner Rees presented the Commissioners a summary of the Staff Report. Planner Rees explained that the applicants are seeking a Lot Line Adjustment (LLA).
- b. Planner Rees explained that the application was originally filed in 2018 but was on hold to allow the City and the applicants time to address issues related to loans provided to Ms. Strobel through the City's Housing Rehabilitation Loan Program. He further explained that the primary consideration was whether the Strobel property

- would have enough remaining value after the proposed LLA to ensure the City's loans remained adequately secured. At the February 9, 2021 City Council meeting, the Council voted to conditionally approve a partial release and reconveyance so that the City's security interest over the Strobel property would be reduced to only the portion that would be retained by Ms. Strobel after completion of the LLA.
- c. Planner Rees stated that the proposed project is determined to be categorically exempt per CEQA Guidelines Section 15305 (Class 5) exempting minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including minor lot line adjustments. The applicants' project has met all the criteria and conditions for the exemption.
 - d. Planner Rees explained that the project was sent out for referral to the City Manager, Public Works Department, Building Inspector, City Engineer, and Volunteer Fire District. Planner Rees explained that the comments from the departments and agencies are either addressed in the Staff Report or included as conditions of approval for the project.
 - e. Planner Rees described the proposed project as being consistent with the General Plan and the purposes of the Moderate Low Density Residential (MD) designation, and with the Zoning Code and the purposes of the Planned Development Residential (PMD) zone.
 - f. Planner Rees stated that the Municipal Code Section 16.20.030 (Lot Line Adjustments) contains the requirements for preparing, reviewing, and recording of lot line adjustments. The City Engineer/Surveyor has determined that the proposed Lot Line Adjustment is generally consistent and accurately represented, and added a condition of approval requiring the applicants to provide current title reports for the two parcels with 30 days of recording the LLA documents.
 - g. The recommendation of City Staff is to approve the project application with the recommended conditions of approval and make the findings that the project is consistent with the City's General Plan and Municipal Code.
 - h. Motion (Platz, Chapman) to approve Resolution 1-2021 Approving Schaeffer-Strobel Application for a Lot Line Adjustment.
 - i. Motion passed (4-0).

6. Planning Commission Action: #025-036-003, -006/2018 Extension of Planning Commission Tentative Parcel Map approval for Steven M. Wright for a Minor Subdivision of parcels 025-036-003 (840 Railroad Avenue) and 025-036-006 (830 Railroad Avenue) to create two new lots.

- a. Planner Rees presented the Commissioners a summary of the Staff Report. Planner Rees explained that at the April 15, 2019 Planning Commission meeting, the Commission approved a Tentative Parcel Map (TPM) for the applicant.
- b. Planner Rees stated that per Municipal Code Section 16.20.010.I.1, approval of a TPM expires within 24 months. Municipal Code Section 16.20.010.I.2.a allows the subdivider to request an extension of the expiration date of the TPM, not to exceed three years.
- c. Planner Rees explained that the Staff is recommending a one-year extension for the TPM approval to allow the applicant and reviewing agencies sufficient time to finalize,

- review, and record the Parcel Map for the subdivision.
- d. Motion (Chapman, Schang) to approve the Tentative Parcel Map approval extension request for a period of one year.
 - e. Motion passed (4-0).

7. Planning Commission Action: #025-036-003, -006/2018 Review of Parcel Map for Steven M. Wright for a Minor Subdivision of parcels 025-036-003 (840 Railroad Avenue) and 025-036-006 (830 Railroad Avenue) to create two new lots.

- a. Planner Rees presented the Commissioners a summary of the Staff Report. Planner Rees explained that at the April 15, 2019 Planning Commission meeting, the Commission approved a Tentative Parcel Map (TPM) for a minor subdivision to create two new lots.
- b. Planner Rees explained that per Municipal Code Section 16.28.080, the Planning Commission shall examine the Parcel Map to determine whether the Parcel Map conforms with the Tentative Map and with all changes permitted and all requirements imposed as a condition to its acceptance.
- c. Planner Rees stated that City Staff have reviewed the Parcel Map prepared by the applicant and recommend that the Planning Commission approve the Parcel Map for the Minor Subdivision for Steven M. Wright.
- d. Commissioner Chapman identified a typo on the map for Detail 'B', which had incorrect parcel numbers. The Commission requested for the change to be made prior to recording of the map.
- e. Motion (Platz, Chapman) to approve the Parcel Map for the Minor Subdivision for Steven M. Wright.
- f. Motion passed (4-0).

8. Public Hearing Continued/Planning Commission Discussion: Amendment of Title 17 (Zoning) of the Municipal Code to add Section 17.20.070 (Residential High Density or RHD Combining Zone) that would create a new combining zone that is intended to be combined with principal zones that allow multi-family residential uses for the purpose of facilitating multi-family housing for a variety of income levels. The RHD combining zone is proposed to comply with State housing policy, which requires the City to have a zone that allows a density of 16 dwelling units per acre without any discretionary review (i.e., principally permitted or allowed by right).

- a. Planner Rees presented the Commissioners a summary of the Staff Report. He explained that at the January 18 and February 15, 2021 meeting, the Planning Commission reviewed the proposed draft combining zone (Residential High-Density or RHD) that is being considered to address the state requirement to have a zone that allows high density residential development without discretionary review.
- b. Planner Rees reported that the Department of Housing and Community Development (HCD) has reviewed the draft combining zone and requested a few revisions related to the density requirements of the zone.
- c. Planner Rees stated that City Staff recommends that the Planning Commission receive the staff report, provide direction to staff on any additional revisions to the proposed

combining zone, and continue a public hearing and the opportunity for public comment to April 19, 2021.

- d. The Commissioners discussed clarifying the language and explaining the intent of the combining zone. Planner Rees will make the revisions and bring them before the Planning Commission at their next meeting.

9. Planning Commission Discussion: Consideration of development standards for applying the Opportunity (O) zone outside of the Powers Creek District.

- a. Planner Rees reminded the Commissioners that this item was discussed at the February 15, 2021 Planning Commission meeting and that the City Council has directed staff to work with the Planning Commission on recommendations for development standards for applying the Opportunity (O) zone outside of the Powers Creek District. Planner Rees noted that some of the development standards in the O zone are specific to different portions of the Powers Creek District.
- b. Planner Rees explained that staff has identified two properties (APNs 025-141-007 and 025-091-028) that could potentially be appropriate for application of the O zone. If this were to occur there would need to be some development standards specific to these properties such as maximum building height, and trail and creek/wetland setbacks.
- c. Planner Rees requested the Planning Commission consider which properties to apply the O zone and what the development standards will be for those properties.
- d. The Commissioners agreed that height and setbacks for creeks and wetlands are the main issues. Planner Rees will revise language and continue item to the next Planning Commission meeting.

10. Miscellaneous Planner Items

- a. Planner Rees updated the Commissioners on the potential mixed-use project that the City is considering working with Danco Communities on in the Powers Creek District. This would potentially be an affordable housing project that would be partially financed through the use of tax credits.
- b. City Manager Mager added that Danco Communities has significant experience with developing affordable housing using this type of funding strategy.

11. Upcoming Planning Commission Meetings for the next 3 months will be on April 19th, May 17th, and June 21st, 2021.

- a. The Commissioners indicated that they would be available for the meetings in the next 3 months.

12. Adjournment by 9:00 pm unless extended by the Planning Commission.

- a. Motion (Platz, Chapman) to adjourn.
- b. Motion passed unanimously (4-0).
- c. Meeting adjourned at 8:27 p.m.

**City of Blue Lake
Draft Planning Commission Special Meeting Minutes
March 29, 2021**

The Blue Lake Planning Commission Meeting was called to order at 7:02 p.m.

Commissioners Present: Earl Eddy, Richard Platz, Cort Pryor, Matthew Schang, and Robert Chapman

Commissioners Absent: None

Staff Present: City Manager Amanda Manager and City Planner Garrison Rees

Staff Absent: Planning Commission Secretary Cheryl Turner

Public Present: Kate Martin and Kash Boodjeh

- 1. Approval of Minutes:** February 15, 2021
 - a. Motion (Chapman, Platz) to approve minutes as written.
 - b. Motion passed unanimously (5-0)

- 2. Public Input on Non-Agenda Items**
 - a. None received.

- 3. Approval of the Agenda**
 - a. Motion (Platz, Pryor) to approve agenda as modified.
 - b. Motion passed unanimously (5-0).

Discussion/ Action:

- 5. Planning Commission Action: #025-091-020/2021 Site Plan Approval application for Kate Martin to allow an approximately 460 s.f. outdoor seating area for the Logger Bar. The seating area would be partially on the applicant's property and partially in the public right-of-way along H Street. To provide a level surface for the outdoor seating area, an elevated deck structure is proposed to be constructed from the front wall of the structure to approximately 13 feet into the public right-of-way. The seating area would be accessed from the building and railing and fencing would surround the area to prevent access from the street (except for emergency access). A mixture of tables with chairs and standing tables are proposed in the seating area. The project also proposes the installation of four posts to support the roof of the structure, two of which would be constructed in the public right-of-way. An elevated walkway may also be proposed in the future to connect the new deck with the existing deck at the rear of the structure. This project is categorically exempt from CEQA per §15303 (Class 3) and §15332 (Class 32) of the CEQA Guidelines exempting the construction and location of limited numbers of new, small facilities or structures and projects characterized as in-fill development.**

- a. Commissioner Chapman recused himself and signed off the Zoom meeting.
- b. Planner Rees presented the staff report to the Planning Commission for the proposal for an outdoor seating area at the Logger Bar. Planner Rees explained that the applicant has provided revised plans and additional information to the Fire District and city departments since the March 15th Planning Commission meeting. Planner Rees stated that the department comments have either been addressed by the applicant or included as condition of approval. Planner Rees identified which conditions of approval have been modified or added since the last meeting. Planner Rees presented Resolution 2-2021 to the Commission, which contains the findings for approval of the Site Plan Approval application. Planner Rees concluded that after the Site Plan Approval from the Planning Commission, the applicant will need to obtain an encroachment permit from the City Council for use of the public right-of-way for the project.
- c. The Commissioners discussed the proposal and expressed support for the project.
- d. The Commissioners inquired about the emergency access off of the proposed deck area and the estimated occupancy.
- e. Chair Eddy opened the item up for public comment.
- f. Kash Boodjeh described the history of the Logger Bar and issues with the original survey for the City of Blue Lake. Mr. Boodjeh described some of the reasoning for the proposed outdoor seating area design and answered some of the Commissioners questions. Mr. Boodjeh concluded by encouraging the Commission and City Staff to work with Ms. Martin to allow the project to happen.
- g. Kate Martin, the applicant, described the need for the project and answered some of the Commissioners questions. Ms. Martin expressed concern about some of the conditions that the City Attorney recommended for issuance of the encroachment permit.
- h. Planner Rees explained that the encroachment permit will be reviewed and approved by the City Council and the concerns expressed about the proposed conditions can be discussed with the City Attorney prior to the Council reviewing the application. Planner Rees explained that the only decision before the Planning Commission at this meeting is whether to approve the Site Plan Approval application.
- i. Manager Mager explained some of the reasoning for the conditions recommended by the City Attorney for the encroachment permit.
- j. Ms. Martin reiterated her concerns about the proposed conditions of the encroachment permit and expressed concern about whether the project would be feasible.
- k. Chair Eddy closed the opportunity for public comment.
- l. Motion (Platz/Schang) to approve Resolution No. 2-2021, Resolution of the Planning Commission of the City of Blue Lake approving a Site Plan Approval application for Kathleen (Kate) Martin to allow a 460 square foot outdoor seating area.
- m. Motion passed (4-0).

6. Miscellaneous Planner Items

- a. None.

7. Upcoming Planning Commission Meetings for the next 3 months will be on April 19th, May 17th, and June 21st, 2021.

- a. The Commissioners indicated that they would be available for the meetings in the next 3 months.

8. Adjournment by 9:00 pm unless extended by the Planning Commission.

- a. Motion (Platz, Eddy) to adjourn.
- b. Motion passed unanimously (5-0).
- c. Meeting adjourned at 7:43 p.m.



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

DATE: June 4, 2021

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

RE: Item 4: Extension of Approval for Eliason Tentative Parcel Map

At the June 10, 2019 Planning Commission meeting, the Commission approved a Tentative Parcel Map (TPM) for Casey and Stacia Eliason for a Minor Subdivision of parcel 025-101-023 (no address assigned) to create three new lots (see attached Resolution 6-2019). Per Municipal Code Section 16.20.010.I.1, approval of a TPM expires within 24 months. For this project, that means that the TPM expires on or around June 10, 2021. Municipal Code Section 16.20.010.I.2.a allows the subdivider to request an extension of the expiration date of the TPM. The applicant requested an extension on May 20, 2021. Per Municipal Code Section 16.20.010.I.2.b, the Planning Commission shall review the request and may extend the approved TPM for a period or periods not exceeding a total of three years. For this project, the applicant is currently working on preparation of improvement plans for the subdivision and anticipates preparing the Parcel Map later this year. For this reason, it is recommended that the Planning Commission approve a one-year extension for the TPM approval. This will allow the applicant sufficient time to enter into a Subdivision Improvement Agreement with the City and prepare the Parcel Map.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Receive a staff report concerning the extension of the Tentative Parcel Map approval for the Minor Subdivision for Casey and Stacia Eliason.
- 2) Open the item for public comment.
- 3) Close the opportunity for public comment.
- 4) Approve the Tentative Parcel Map approval extension request for a period of 1 year.

RESOLUTION NO. 6-2019

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BLUE LAKE APPROVING A MINOR SUBDIVISION, CONDITIONAL USE PERMIT, AND SITE PLAN APPROVAL APPLICATION FOR CASEY & STACIA ELIASON

WHEREAS, Casey & Stacia Eliason filed an application dated July 12, 2016 for the approval of a tentative parcel map for a Minor Subdivision in the Planned Development Residential (PD-R) Zone between Greenwood Road and South Railroad Avenue that will create four (4) parcels from an existing parcel commonly known as AP# 025-101-023 (No Address Assigned). The applicant also applied for a Conditional Use Permit, which includes Site Plan Approval, to allow multi-family dwellings in the PD-R Zone. Application materials include, but are not limited to, the Tentative Parcel Map (dated 6/5/19) and Site Plan (dated 6/5/19);

WHEREAS, City Planning staff has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing City departments and agencies for site inspections, comments and recommendations; and

WHEREAS, the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA). A proposed Mitigated Negative Declaration has been prepared with respect to said project and notice has been sent to the State Clearinghouse, responsible and trustee agencies, and posted for public review for a period of 30 days as required by the CEQA Guidelines; and

WHEREAS, after due notice of public hearing, the matter came on regularly for hearing before the Blue Lake Planning Commission on April 15, 2019 and was continued to a Special Meeting on June 10, 2019; and

WHEREAS, at said public hearings, due consideration was given to the proposed Mitigated Negative Declaration, the environmental effect of the project, and any changes connected therewith; and

WHEREAS, at said public hearings, due consideration was given to all objections to said project, and the Planning Commission believes that the Minor Subdivision, Conditional Use Permit, and Site Plan Approval applications should be granted subject to certain conditions hereinafter set forth;

NOW, THEREFORE, be it resolved by the Planning Commission of the City of Blue Lake as follows:

1. The Planning Commission finds on the basis of the Initial Study and all comments received, that the proposed Minor Subdivision and future residential development would have potential significant effects on the environment, which, with the inclusion of specific mitigation measures, will be rendered less than significant. Accordingly a Mitigated Negative Declaration is adopted pursuant to the CEQA Guidelines.

RESOLUTION NO. 6-2019

2. The Planning Commission finds, in accordance with Section 16.20.010(G) of Title 16 (Subdivision) of the Blue Lake Municipal Code and Government Code section 66474, as follows:

A. The proposed map is consistent with applicable general and specific plans as specified in Government Code Section 65451.

B. The design or improvements required of the proposed subdivision is consistent with applicable Plan, Zoning Ordinances and/or Specific Plans of the City of Blue Lake.

C. The site is physically suitable for the type and density of development.

D. As a result of a public hearing on the environmental issues of the project, the design of the subdivision or the proposed improvements, as conditioned and mitigated, are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Development of the site will be in accordance with current federal, state, and local environmental laws.

E. No public health problems have been identified as a result of the design of the subdivision or types of improvements proposed.

F. Neither the design of the subdivision nor the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision as provided in Government Code Section 66474.

G. Discharge of waste from the proposed project into the existing community sewer system will conform to requirements by the California Regional Quality Control Board, Northcoast Region.

3. The Planning Commissions finds that the proposed subdivision, as conditioned, mitigated, and approved, is in substantial conformance with Title 16 (Subdivision) of the Blue Lake Municipal Code and the Subdivision Map Act.

4. Per Section 17.28.030(F) of the Blue Lake Municipal Code, the Planning Commission finds as follows:

A. That the proposed location of the conditional use is in accord with the objectives of Section 17.28.030(A) and the purposes of the zone in which the site is located.

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

5. Per Section 17.16.080(D)(4)(b) of the Blue Lake Municipal Code, the Planning Commission finds as follows:

RESOLUTION NO. 6-2019

A. The combination of dwelling types, lot sizes, and uses in the planned development will complement each other and will harmonize with existing and proposed land uses in the vicinity.

B. The development standards will produce an environment of sustained desirability and stability, harmonious with the character of the surrounding area and consistent with the objectives of the Blue Lake General Plan and other applicable plans or policies adopted by the City Council.

6. Except as otherwise herein provided, the findings of the Staff Report prepared by the City Planner and dated April 12, 2019 and updated June 7, 2019, is hereby adopted as the finding of the Planning Commission.

7. The Planning Commission of the City of Blue Lake hereby approves the Minor Subdivision, Conditional Use Permit, and Site Plan Approval applications for Casey & Stacia Eliason, subject to the conditions set forth in Exhibit "A", attached hereto and made a part hereof, as set forth in the Tentative Parcel Map (dated 6/5/19), which is marked as Exhibit "B", attached hereto and made a part hereof, and as set forth in the Site Plan (dated 6/5/19), which is marked as Exhibit "C", attached hereto and made a part hereof.

INTRODUCED, PASSED, AND ADOPTED this 10th day of June 2019, by the following vote:

AYES: *Eddy, Schang, Pryor*

NAYS: *None*

ABSENT: *Platz*

ABSTAIN: *Chapman*


Chairman, Planning Commission,
City of Blue Lake

ATTEST:


Secretary, Planning Commission

EXHIBIT "A"
To Resolution 6-2019

Permit Conditions

1. GENERAL

- a. Applicant shall reimburse the City for all fees involved in processing this application, prior to issuance of the building permit. Applicant shall reimburse the City for all fees involved in ensuring compliance with the project's conditions of approval, prior to issuance of the certificate of occupancy for the each phase of the project.
- b. Applicant shall pay all other fees required for a subdivision application according to the City's current fee schedule prior to recording of the Parcel Map. This includes, but is not limited to, the parkland and recreational facilities fee for each additional parcel created and the drainage facilities improvement fee for each additional parcel created.
- c. Approval is for the project as illustrated on the revised Site Plan (dated 6/5/19), as illustrated on the revised Tentative Parcel Map (dated 6/5/19), and as illustrated on the Landscape Plans (dated Sept. 2017) that are attached to the Staff Report.
- d. The applicant must comply with all requirements of the City's Municipal Code, including but not limited to, Title 16 (Subdivisions) and Title 17 (Zoning).
- e. The applicant must meet all requirements of the various City Departments including, but not limited to, the City Manager, Public Works Department, City Engineer, Building Department, and Planning Department.
- f. The applicant must meet all requirements of the City Engineer, including those identified in the following documents:
 - November 14, 2018 E-mail from the City Engineer
 - May 4, 2017 Memorandum from the City Engineer
 - May 17, 2016 E-mail to Manhard Consulting from the City Engineer
 - October 21, 2016 Technical Memorandum from the City Engineer
- g. The applicant must meet all requirements of and obtain all required permits from the Building Department for construction of the proposed residential development.
- h. The applicant must meet all requirements of the City Attorney, including those identified in the Memorandum dated Feb. 24, 2017, which outlined the process for a Minor Subdivision application as detailed in Title 16 (Subdivisions) of the Blue Lake Municipal Code.
- i. The applicant must meet all requirements of the Blue Lake Fire Protection District, including those identified in the December 13, 2016 letter from the District.

EXHIBIT "A"
To Resolution 6-2019

- j. Prior to recording of the Parcel Map, the applicant shall grant the City authority to enforce "No Parking" on the private access road and emergency vehicle turnaround that will be constructed to service Proposed Parcels 1, 2, and 3.
- k. The applicant shall comply with all requirements of applicable utility providers, including those identified in the November 7, 2016 letter from Pacific Gas & Electric.
- l. The applicant must meet all requirements of state and federal agencies including, but not limited to, the California Department of Fish and Wildlife, the North Coast Regional Water Quality Control Board, the North Coast Unified Air Quality Management District, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service.
- m. The applicant shall provide the City of Blue Lake with all permits, notices, filings, etc. required from other local, state, or federal agencies for the project.
- n. Prior to the issuance of an encroachment permit, grading permit, and/or building permit for each phase of the project (e.g., construction of infrastructure improvements or construction of residential buildings on each parcel), the applicant shall submit a description of the proposed phase and the construction schedule to the City and the owners or tenants of properties contiguous to the project site. The applicant should coordinate the timing of construction activities with the City and surrounding neighbors to minimize potential impacts.

2. MAPPING

- a. The applicant shall cause to be filed a parcel map showing monumentation of all property corners to the satisfaction of the City Engineer in compliance with Section 16.20.020 (Parcel Maps) of Title 16 (Subdivisions) of the Blue Lake Municipal Code. Subdivision map checking fees shall be paid in full at the time the Parcel Map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County Recorder for filing. The Parcel Map must be prepared by a Land Surveyor licensed by the State of California, or by a Civil Engineer registered by the State of California who is authorized to practice land surveying. The applicant shall submit to the City Engineer three (3) copies of the Parcel Map as filed by the County Recorder.
- b. **Easements:** All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the Parcel Map. Those easements that do not have a metes and bounds description shall be noted on the Parcel Map and shown as to their approximate location.
- c. **Dedications:** The following shall be dedicated on the Parcel Map for Proposed Parcels 1, 2, 3, and 4, or other document as approved by the City Engineer. The City Engineer shall determine whether the easements shall be for public and/or private purposes.

EXHIBIT "A"
To Resolution 6-2019

1. Proposed Parcel 1:

- a. From Greenwood Road to the rear property line of parcel 025-101-022: 30 foot wide easement for ingress, egress, and utilities appurtenant to APN 025-101-022. Proposed easement for same purposes appurtenant to Proposed Parcel 2 and 3.
- b. From the rear property line of parcel 025-101-022 to the western property line of Proposed Parcel 1: 40 foot wide easement for ingress, egress, utilities, and drainage appurtenant to Proposed Parcels 2 and 3.
- c. 25 foot wide reciprocal easement for ingress and egress appurtenant to Proposed Parcels 1 and 2 (12.5 foot wide easement on each parcel).

2. Proposed Parcel 2:

- a. 40 foot wide easement for ingress, egress, utilities, and drainage appurtenant to Proposed Parcels 1 and 3.
- b. 25 foot wide reciprocal easement for ingress and egress appurtenant to Proposed Parcels 1 and 2 (12.5 foot wide easement on each parcel).
- c. 12.5 foot wide easement for ingress and egress appurtenant to Proposed Parcel 3.
- d. Easement for parking appurtenant to Proposed Parcel 3.

3. Proposed Parcel 3:

- a. 40 foot wide easement for ingress, egress, utilities, and drainage appurtenant to Proposed Parcels 1 and 2.
- b. Stormwater Detention Basin easement appurtenant to Proposed Parcels 1 and 2.

4. Proposed Parcel 4:

- a. 20 foot wide utilities easement appurtenant to Proposed Parcel 1, 2, and 3.
- d. **Other Dedications:** The above list of Dedications includes those which are shown on the revised Tentative Parcel Map (dated 6/5/19). Other Dedications may be required which cannot be determined from the Tentative Parcel Map and/or preliminary improvement plans at this time. The need for these additional Dedications may be determined after a review of more complete improvement plans have been submitted to the City.

EXHIBIT "A"
To Resolution 6-2019

- e. **Deed Restrictions:** The following Deed Restrictions shall be required for the proposed project.
 - 1. **Wetland Mitigation Area.** The applicant shall cause to be recorded a Deed Restriction for the Wetland Mitigation Area in the Office of the County Recorder. The Deed Restriction is required to ensure the permanent protection of the Wetland Mitigation Area. The Deed Restriction shall be approved by the City Attorney as to form prior to recording.
 - 2. **Emergency Vehicle Turnaround.** The applicant shall cause to be recorded a Deed Restriction for the Emergency Vehicle Turnaround on Proposed Parcels 2 and 3 in the Office of the County Recorder. The design of the emergency vehicle turnaround shall be approved by the Blue Lake Fire Protection District prior to recording of the Deed Restriction. The Deed Restriction shall be approved by the City Attorney as to form prior to recording.
 - 3. **Open Space/Recreation Areas.** The applicant shall cause to be recorded a Deed Restriction for the Open Space/Recreation area on Proposed Parcel 3 in the Office of the County Recorder. The Deed Restriction shall be approved by the City Attorney as to form prior to recording.
- f. **Other Deed Restrictions:** The above list of Deed Restrictions is based on the information shown on the revised Tentative Parcel Map (dated 6/5/19). Other Deed Restrictions may be required which cannot be determined from the Tentative Parcel Map and/or preliminary improvement plans at this time. The need for these additional Deed Restrictions may be determined after a review of more complete improvement plans have been submitted to the City.

3. IMPROVEMENTS

- a. **Subdivision Improvement Agreement:** After approval of the Tentative Parcel Map and prior to approval of the Parcel Map, the subdivider shall enter into a Subdivision Improvement Agreement with the City in conformance with Section 16.28.090 (Agreement, Bond, and Cash Deposits for Improvements) of Title 16 (Subdivision) of the Blue Lake Municipal Code. The Subdivision Improvement Agreement shall be prepared by the City Attorney, approved by the City Engineer and Planning Commission, and adopted by the City Council. To ensure the subdivision improvements will be constructed, the subdivider shall post 1) a performance bond, instrument of credit, lien on the property, letter of credit, cash or other form of security acceptable to the City Council in the amount of 100% of the total estimated improvements costs; 2) a similar security in the amount of 100% of the labor, materials, and equipment costs; and 3) a similar security in the amount of 10% of the costs of improvements to guarantee workmanship for one year. These security interests shall be approved by the City Attorney as to form, by the City Engineer as to sufficiency, and accepted by the City Council.

EXHIBIT "A"
To Resolution 6-2019

- b. **Construction Improvement Plans:** Construction improvement plans shall be submitted for any required road, parking, drainage, landscaping, utility, and pedestrian improvements. Construction plans must be prepared by a Civil Engineer registered by the State of California. Construction plans shall be on a sheet size of 22" x 34", unless approved otherwise by the City Engineer. The City Engineer will require the submittal of 2 full size (22" x 34") sets and 2 reduced (11" x 17") set of the approved construction plans prior to the start of work.

The construction plans shall show the location of all proposed new utilities and any existing utilities within 10 feet of the improvements. The plans shall be signed approved by the Blue Lake Fire Protection District, utility companies having any facilities within the subdivision, the Public Works Department, and the City Engineer prior to construction authorization. The construction plans shall be tied into an elevation datum approved by the City Engineer.

Engineering plans showing existing and proposed conditions for both the centerline grade and roadway cross section will be necessary to ensure proper drainage. In addition, any existing utilities may need to be adjusted and/or relocated at the expense of the applicant.

Unless otherwise waived by the City Engineer, record drawing ("As-Built") plans shall be submitted for any road, drainage, landscaping, and pedestrian improvements that are constructed as part of this project. Record drawing plans must be prepared by a Civil Engineer registered by the State of California. Once approved by the City Engineer, one (1) set of "wet stamped" record drawings on 22" x 34" mylar sheets shall be filed with the City Engineer.

- c. **Construction Schedule and SWPPP:** Construction of Improvements for this project will not be allowed to occur between October 15 and April 15 without permission of the City Engineer. The applicant will be responsible for compliance with State and federal regulations relating to stormwater management and preparation and implementation of a storm water pollution prevention plan.
- d. **Americans with Disabilities Act:** All pedestrian facilities shall be ADA compliant, as required by State and federal law. This includes, but is not limited to, providing curb ramps at intersections and sidewalks behind driveway aprons (or ADA compliant driveway aprons).
- e. **Private Road:** The new private road section off of Greenwood Road shall provide for a minimum 30-foot right-of-way to include a minimum 4-foot sidewalk/walkway plus a minimum 22-foot paved roadway.

Nothing is intended to prevent the City Engineer from approving alternate typical sections, structural sections, drainage system, and road geometrics based upon sound engineering principals as contained in, but not limited to, City of Blue Lake

EXHIBIT "A"
To Resolution 6-2019

standards, Caltrans Highway Design Manual, Caltrans Traffic Manual, Manual on Uniform Traffic Control Devices, and AASHTO's A Policy of Geometric Design of Highways and Streets.

- f. **Road Name:** The private road section off of Greenwood Road shall be named as approved by the City Manager.
- g. **Traffic Control Devices:** Street name signs, traffic signs, and traffic control devices will need to be placed as required and approved by the City Engineer. This includes, but is not limited to, the stop sign and the push-button activated flashing signage required at the intersection of the private access road and Greenwood Road (see Mitigation Measure Trans-2).
- h. **Traffic Safety Measure:** The applicant shall install a traffic safety improvement along the southern edge of the private road that accesses to Greenwood Road. The improvement shall be installed along the property line that is shared with parcel 025-101-023 (435 Greenwood Road) to minimize the potential for collision damage to the residence located on parcel 025-101-023. The improvement may include a raised curb, bollards, or other equally effective measures. The proposed traffic safety improvement shall be reviewed and approved by the City Engineer.
- i. **Driveways:** Any new access from the City road will require encroachment permits from the City Public Works Department. The location of existing and proposed driveway aprons (access openings) shall be shown on the construction plans. The proposed accesses will be evaluated after application is received.
- j. **Structural Section:** The proposed private road shall be constructed to a structural section recommended in the soils report and as approved by the City Engineer. The structural section shall include a minimum of 0.2 foot of Caltrans Type B asphalt concrete over 0.67 foot of Caltrans Class 2 aggregate base. If required by the City Engineer, the structural sections of all roads shall be determined by Caltrans R-Value method using a Traffic Index approved by the City Engineer. Based upon soil conditions, the City Engineer may also require a geotextile fabric to be placed on top of the subgrade. When paving against existing paved surfaces, a saw cut will be required to ensure a uniform joint. The location of the saw cut shall be approved by the City Engineer based upon the condition of the existing road surface.
- k. **Utilities:** The proposed improvements shall require the undergrounding or relocation of existing facilities at the expense of the applicant. Undergrounding of existing facilities or construction of new facilities shall be completed prior to constructing the structural section for the roadway. All laterals shall be extended onto each lot and marked in a manner that they will be easily located at the time of individual hookups. A letter of completion of all work from each involved utility company shall be submitted prior to construction of the roadway structural section.

EXHIBIT "A"
To Resolution 6-2019

Water and sewer utility connection locations and meter locations must be reviewed and approved by the City Engineer.

- l. **Signage:** The applicant shall obtain a Sign Permit from City Staff for any new signage, per Section 17.24.120 (Signs) of the Blue Lake Municipal Code.
- m. **Other improvements:** Other on-site and/or off-site improvements may be required which cannot be determined from the Tentative Parcel Map and/or preliminary improvement plans at this time. These improvements may be determined after a review of more complete improvement plans and profiles have been submitted to the City.
- n. **Encroachment Permit:** An encroachment permit is required for all work within the right-of-way of a City road.

4. DRAINAGE

- a. The applicant shall be responsible to correct any involved drainage problems to the satisfaction of the City Engineer. This condition does not affect any obligations of the City related to maintenance of the 10-foot wide storm drain easement (Document No. 2000-24374-4) that runs along the northern boundary of Proposed Parcels 1, 2, 3, and 4.
- b. As identified in the Preliminary Stormwater Management Report prepared by Manhard Consulting (received 5/8/18), the on-site management of stormwater runoff is proposed through a variety of site design measures consistent with the Humboldt County LID Stormwater Manual. Prior to the recording of the Parcel Map, the applicant must submit a complete hydraulic report and stormwater management plan for approval by the City Engineer. The applicant will be required to provide an engineering report documenting that the drainage facilities will have adequate capacity to percolate all stormwater from the proposed development.

Prior to the issuance of the Certificates of Occupancy by the Building Department, the applicant shall meet the requirements of the City Engineer for the proposed onsite stormwater management facilities.

5. GRADING

- a. All grading activity shall occur in accordance with the requirements of Chapter 15.12 (Grading, Erosion, and Sediment Control) of Title 15 (Buildings and Construction) of the Blue Lake Municipal Code.
- b. The proposed project would result in over one acre of disturbance and shall comply with the provisions of the State Water Resources Control Board Construction General Permit (CGP).

EXHIBIT "A"
To Resolution 6-2019

6. MAINTENANCE

- a. The improvements for drainage and the private road and private driveway to be constructed as part of this project will not be maintained by the City of Blue Lake. The applicant must provide a permanent maintenance plan acceptable to the City Engineer for all improvements, including, but not limited to, the following: roads, stormwater drainage systems (e.g., pipes, drainage inlets, bioswales, rain/rock gardens, detention basin, etc.), pedestrian facilities, and landscaped areas. An engineer's estimate for the cost of the yearly maintenance must be approved by the City Engineer, Maintenance shall be provided by a maintenance association, district, or other means as approved by the City Engineer (also see Mitigation Measure HYDRO-1).
- b. Any agreements regarding the maintenance of the facilities between the applicant and a maintenance association may be required to be approved by the City Attorney, Public Works Department, and City Engineer.

7. DEVELOPMENT PLAN

A Development Plan shall be required as a condition of approval of the Parcel Map. All relevant information regarding the conditional approval of this project shall be placed on the Development Plan so that subsequent purchasers may be aware of limitations of the use and development of Proposed Parcels 1, 2, 3, and 4. The following information is required for the Development Plan:

- a. The Development Plan shall be legibly drawn to a convenient scale on 24" x 36" mylar, in black ink, unless otherwise approved by the City Engineer.
- b. The Development Plan shall include all encumbrances of record as shown on a current Title Report as well as those created on the Parcel Map.
- c. The Development Plan shall show the onsite wetlands as delineated in the Delineation of Waters of the United States report (NRM, Sept. 23, 2015) and the Wetland Mitigation and Monitoring Plan (NRM, Feb. 5, 2018). The Development Plan shall also show the Wetland Mitigation Area as illustrated in the Wetland Mitigation and Monitoring Plan (NRM, Feb. 5, 2018).
- d. The Development Plan shall show the proposed Open Space/Recreation area on Proposed Parcel 3.
- e. The Development Plan shall show the emergency vehicle turnaround on Proposed Parcels 2 and 3.
- f. A statement that all parking for the parcels created will be required to be provided onsite (i.e., off-street). The Development Plan shall show the proposed parking for each lot created.

EXHIBIT "A"
To Resolution 6-2019

- g. The Development Plan shall include the following to the satisfaction of the City Engineer:
1. When roads or stormwater drainage facilities are not to be maintained by the City, then clearly state next to the facility "NOT CITY MAINTAINED."
 2. Reference the soils report prepared for the project. Any specific grading requirements shall be included on the Plan.
 3. Include a statement referencing the Improvement Plans by name, author, and date, and that they are on file with the City.
 4. The applicant shall cause a "Notice of Development Plan" to be recorded in the office of the County Recorder. The "Notice of Development Plan" shall be approved by the City Attorney as to form prior to recording.
 5. The Development Plan shall be signed off by the City Engineer and City Planner prior to official filing.

8. **MITIGATION MEASURES**

The following conditions of approval include the mitigation measures from the Initial Study-Mitigation Negative Declaration (SCH#: 2018072057) that was prepared for the proposed project.

- a. **Mitigation Measure BIO-1: Construction in wetland areas.** The project shall limit construction that will fill or otherwise impact the on-site wetland to the dry season (generally April-October) to avoid impacts to northern red-legged frogs and other amphibians that may be breeding, foraging, or dispersing through the habitat.
- b. **Mitigation Measure BIO-2: Nesting Bird Avoidance.** Tree removal and vegetation clearing (including brush clearing) associated with the Project should be conducted outside of the bird nesting season (generally considered to be March 1-August 15). If work must be conducted during the bird-nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW, until the nests have fledged or failed.
- c. **Mitigation Measure BIO-3: Wetland Mitigation.** The project wetland mitigation shall be in-kind and shall primarily include the creation of 0.138 acres (approx. 6,000 square feet) of new 3-parameter jurisdictional wetland on site. The western boundary of Wetland A will be excavated, creating a new depressional wetland area; this area

EXHIBIT "A"
To Resolution 6-2019

will then be planted with native wetland vegetation. The mitigation work plan, planting plan, performance standards, success criteria, and monitoring plan are detailed in the Wetland Mitigation and Monitoring Plan (NRM, Feb. 5, 2018). The mitigation wetland shall be established and monitored in accordance with the Wetland Mitigation and Monitoring Plan.

- d. **Mitigation Measure CUL-1: Inadvertent Discovery of Cultural Resources.** If potential cultural resources, such as chipped or ground stone, historic debris, building foundations, or bones, are encountered as a result of ground-disturbing activity associated with the project, the construction contractor shall halt work in the vicinity of the find (within 100 feet) and contact the City of Blue Lake and Tribal Historic Preservation Officers (THPOs) for the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, and Wiyot Tribe. A qualified archaeologist shall be contacted to evaluate the finds and to make recommendations that shall be implemented. Prehistoric materials could include obsidian and chert or formal tools, grinding implements, (e.g., pestles, handstones, bowl mortars, slabs), locally darkened midden, deposits of shell, faunal remains, and human burials. Historic materials could include ceramics/pottery, glass, metal, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, and trails/roads. If such materials are encountered during construction, a qualified archaeologist shall be present during subsequent surface and subsurface activities in the vicinity of the sensitive materials as determined necessary by the archaeologist and Wiyot area Tribes. With respect to these areas of sensitive materials:
1. If cultural materials are discovered, the archaeologist shall assess the discovery to determine if it constitutes either a unique archaeological resource or a historical resource for purposes of CEQA (CCR Title 14 §15064.5[a]).
 2. If the archaeologist determines that the materials do not constitute either a unique archaeological resource or a historical resource, their presence shall be noted but need not be considered further (CCR Title 14 §15064.5[c] [3]).
 3. If the archaeologist determines: (a) that the materials do constitute a unique archaeological resource or historical resource; and, (b) they are subject to substantial adverse change as defined in CCR Title 14 §15064.5[b], the archaeologist shall provide recommendations to the City and Wiyot area Tribes for appropriate treatment which, among other options, may include preservation in place or archaeological data recovery. Preservation in place is preferred, if it is feasible.
- e. **Mitigation Measure CUL-2: Human Remains.** If potential human remains are encountered, the construction contractor shall halt work in the vicinity (within 100 feet) of the find and contact the City of Blue Lake. The project applicant and/or contractor shall be required to contact the Humboldt County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines the remains are Native American, the coroner

EXHIBIT "A"
To Resolution 6-2019

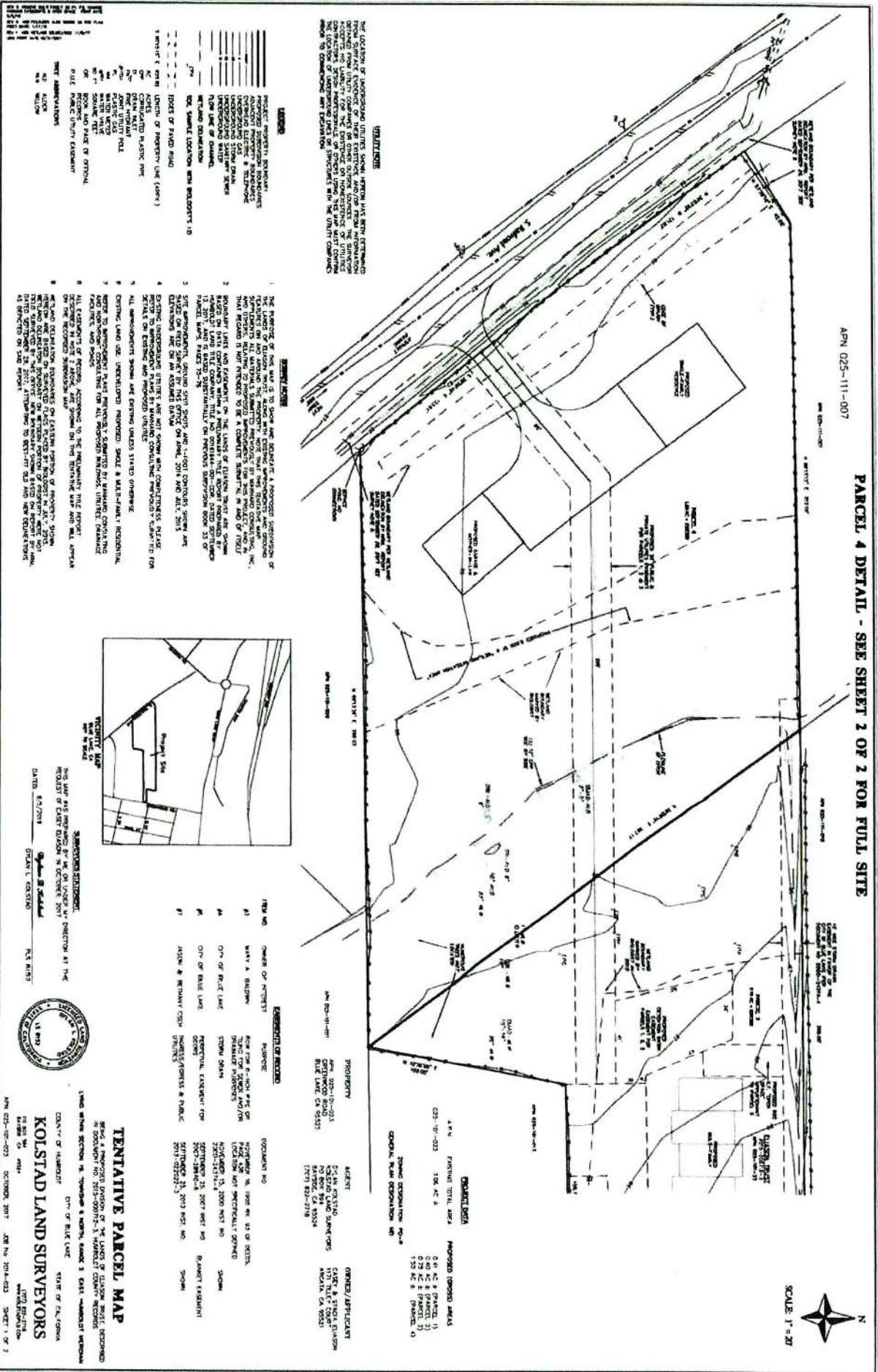
would contact the Native American Heritage Commission (NAHC). As provided in Public Resources Code Section 5097.98, the NAHC would identify the person or persons believed to be most likely descended from the deceased Native American. The most likely descendent makes recommendations for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

- f. **Mitigation Measure HYDRO-1: Stormwater Facility Maintenance.** Stormwater facility operation and maintenance shall include periodic inspection and maintenance of the vegetated swales and detention areas to ensure proper operation. Persons responsible for performing and funding this shall be identified with contact information provided to the City prior to the issuance of building permits and within 30 days of all ownership changes.
- g. **Mitigation Measure NOISE-1: Construction Hours.** Construction activities shall be restricted to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday, and between the hours of 9:00 a.m. and 5:00 p.m. on Saturdays. Construction activity will not occur on Sundays or holidays.
- h. **Mitigation Measure NOISE-2: Construction equipment.** Construction equipment shall be well maintained and used judiciously to be as quiet as practical. The following measures, when applicable, shall be implemented by the contractor to reduce noise from construction activities:
 - 1. All internal combustion engine-driven equipment shall be equipped with mufflers that are in good condition and appropriate for the equipment.
 - 2. "Quiet" models of air compressors and other stationary noise sources shall be used, where technology exists.
 - 3. Stationary noise-generating equipment shall be located as far as feasible from sensitive receptors.
 - 4. Unnecessary idling of internal combustion engines shall be prohibited.
 - 5. Staging areas and construction material storage areas shall be located as far away as possible from adjacent sensitive land uses.
 - 6. Construction-related traffic shall be routed along major roadways and as far as feasible from sensitive receptors.
- i. **Mitigation Measure TRANS-1: Curb painting.** The project shall include painting the curb red north and south of the Greenwood Road entryway (twenty feet in both directions). The curb must be painted in coordination with the City prior to issuance of the certificate of occupancy for the first phase of the project.

EXHIBIT "A"
To Resolution 6-2019

- j. **Mitigation Measure TRANS-2: Traffic Signage.** The project shall include installation of a stop sign and some form of push-button activated flashing signage facing vehicles exiting the project site. (Example signage is shown below, however actual sign(s) may vary as long as it can be activated by someone crossing from either side of the project site driveway). The signage shall be installed prior to issuance of the certificate of occupancy for the first phase of the project.

**EXHIBIT "B"
To Resolution 6-2019**



TENTATIVE PARCEL MAP

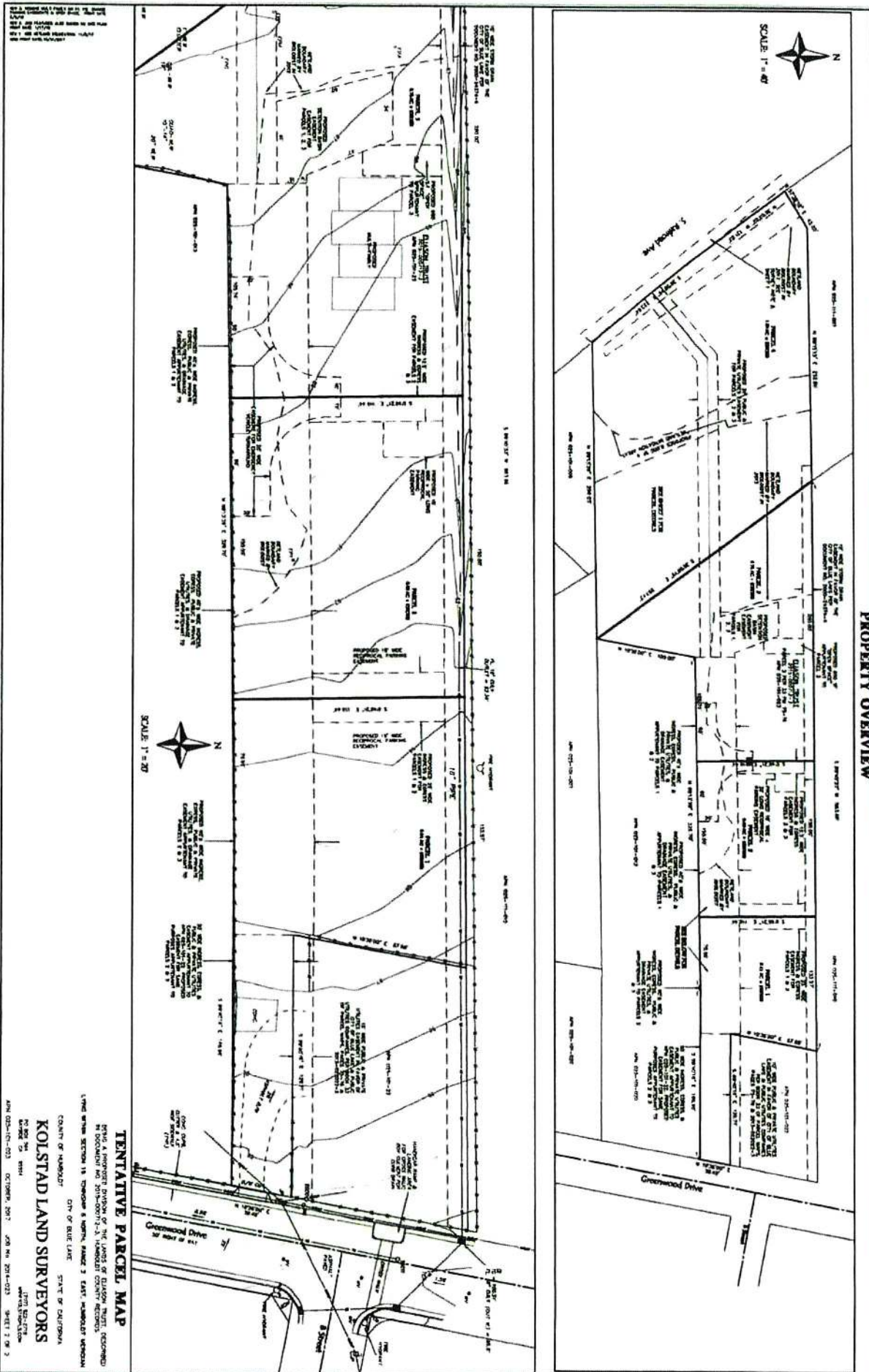
SPRINKLER PROVISIONS OF THE LAWS OF CALIFORNIA, AS AMENDED AND SUPPLEMENTED BY ANY LOCAL ORDINANCES, APPLICABLE TO THIS MAP, SHALL BE CONSIDERED AS PART OF THIS MAP. THE DESIGNER HAS CONDUCTED VISUAL VERIFICATION OF THE EXISTING RECORDS AND THE FIELD SURVEY. THE DESIGNER HAS CONDUCTED VISUAL VERIFICATION OF THE EXISTING RECORDS AND THE FIELD SURVEY. THE DESIGNER HAS CONDUCTED VISUAL VERIFICATION OF THE EXISTING RECORDS AND THE FIELD SURVEY.

KOLSTAD LAND SURVEYORS
1727 85th St
San Francisco, CA 94116
(415) 694-9444

DATE: 07/2019
DRAWN BY: [Name]
SCALE: AS SHOWN

PROPOSED PARCEL MAP DATA:
PROPOSED PARCEL TOTAL AREA: 120.00 AC. ±
PROPOSED PARCEL AREA: 120.00 AC. ±
PROPOSED PARCEL AREA: 120.00 AC. ±
PROPOSED PARCEL AREA: 120.00 AC. ±

EXHIBIT "B" To Resolution 6-2019



KOLSTAD LAND SURVEYORS
JENNIFER KOLSTAD, Surveyor
JAMES KOLSTAD, Surveyor
JULIA KOLSTAD, Surveyor
JAMES KOLSTAD, Surveyor
JENNIFER KOLSTAD, Surveyor
JAMES KOLSTAD, Surveyor
JULIA KOLSTAD, Surveyor

PLANNED PARCEL MAP
NO. 2019-00071-2-A, LAKEWOOD COUNTY RECORDS
LAWD SECTION 19, TOWNSHIP 8 NORTH, RANGE 2 EAST, LAKEWOOD COUNTY, ILLINOIS
CITY OF BLUE LAKE

DATE: 10/20/19
SCALE: 1" = 20'

EXHIBIT "C" To Resolution 6-2019

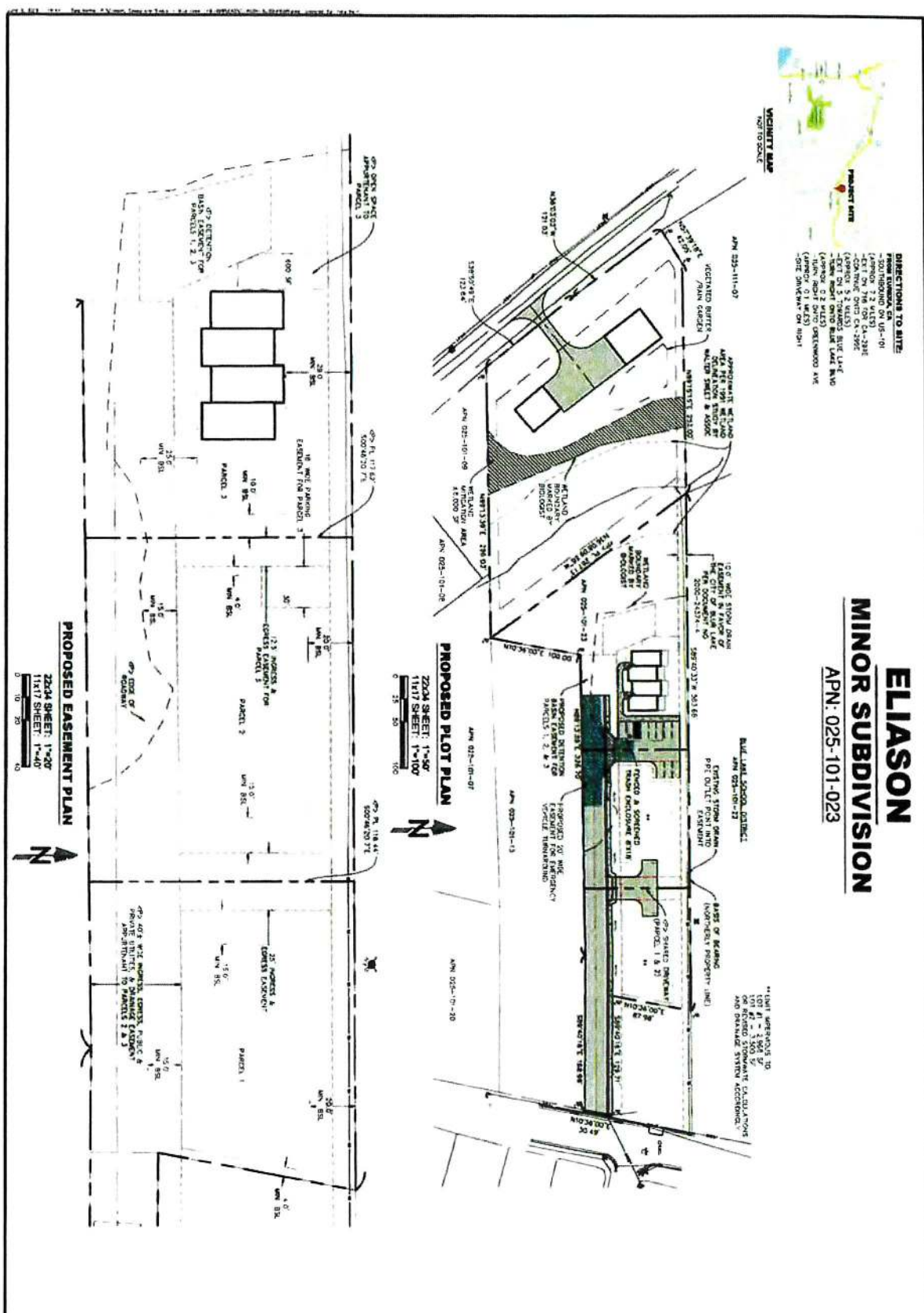


DIRECTIONS TO SITE

- SOUTHBOUND ON US-101
- (APPROX. 2.2 MILES)
- LEFT ON 1ST STREET
- CA TRAC RIGHT CA-2002
- (APPROX. 0.5 MILES)
- LEFT ON 1ST STREET
- (APPROX. 0.2 MILES)
- LEFT ON 1ST STREET
- (APPROX. 0.1 MILES)
- LEFT ON 1ST STREET

ELIASON MINOR SUBDIVISION

APN: 025-101-023



<p>ELIASON MINOR SUBDIVISION APN: 025-101-023 / GREENWOOD RD, BLUE LAKE, CA 95525 REVISED SITE PLAN</p>	<p>NORTHPOINT CONSULTING GROUP, INC. 317 3rd Street, Ste 15 Eureka, CA 95501</p>
---	---



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

DATE: June 4, 2021

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

RE: Item 5: General Plan Housing Element Update

At the joint City Council-Planning Commission meeting on May 11, 2021, City staff explained that the State of California is currently putting pressure on local jurisdictions to comply with State housing policy and aggressively plan for meeting their fair share of the regional housing need. This is occurring through the passing of pro-housing regulations as well as offering grant funding to assist communities in updating their General Plan Housing Elements and Zoning Codes to achieve substantial compliance with current State policy.

The last time the City had its Housing Element certified by the State Department of Housing and Community Development (HCD) was in 2004 and the last time the City adopted an update to the Housing Element was in 2009. In 2014-2015, the Planning Commission and City Staff worked on a draft update to the Housing Element. In 2019, the 2015 draft Housing Element Update was provided to HCD for review and a determination of consistency with State housing policy. Attached to this memo is a letter from HCD (dated Feb. 1, 2019) identifying the deficiencies in the City's draft Housing Element. These comments from HCD provide the road map for the revisions the City needs to make to its Housing Element and Zoning Code to comply with State housing policy. The revisions being requested for the Housing Element include, but are not limited to:

- Conduct new housing conditions survey.
- Provide and analyze current demographic data for the City.
- Document public involvement in Housing Element update process.
- Analyze needed infrastructure improvements to accommodate housing.
- Provide GIS mapping of available sites and analyze development potential.
- Provide thorough analysis of government and non-governmental constraints.

The amendments being requested to the Zoning Code include, but are not limited to:

- Amend code to allow emergency shelters.
- Amend ADU regulations to comply with current State law.
- Amend code to allow transitional and supportive housing.
- Amend code to allow farmworker housing per current State law.
- Amend code to allow manufactured homes in all zones allowing housing.

- Zone adequate sites to allow multi-family housing by right to meet RHNA.

To assist jurisdictions in achieving compliance with State housing policy, HCD has made available grant funds through the Local Early Action Planning program or LEAP. LEAP provides funding to jurisdictions for the preparation and adoption of planning documents, process improvements that accelerate housing production, and to facilitate compliance in implementing the 6th cycle of the regional housing need assessment. The City was awarded \$65,000 from the LEAP program, which must be spent and deliverables completed by September 2023. The scope of work that the City submitted in the LEAP application includes:

- **Housing Element Update**: The first task is to update the City's Housing Element to address the comments from HCD (dated Feb. 2019) on the City's 2015 Draft Housing Element Update.
- **Zoning Code Update**: The second task is to update the City's Zoning Code to implement the updated Housing Element.
- **Develop Stormwater Regulations and Map Stormwater Infrastructure**: The third task will involve the creation of stormwater regulations and the mapping of stormwater infrastructure in the City. This would create standard stormwater regulations for the City similar to what is required by other cities in the County. The mapping of stormwater infrastructure would allow the City to plan for needed stormwater improvements. These tasks would provide greater certainty for development projects concerning the requirements for onsite and offsite stormwater improvements.

This item has been included on the agenda for this meeting to begin the discussion with the Planning Commission about the needed revisions to the City's Housing Element and Zoning to comply with State housing policy. Staff would like to answer any questions the Commission may have and receive some direction from the Commission about the necessary revisions.

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

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



February 1, 2019

Amanda Mager, City Manager
City of Blue Lake
P.O. Box 458
111 Greenwood Ave.
Blue Lake, CA 95525

Dear Amanda Mager:

RE: Review of the City of Blue Lake's 5th Cycle (2014-2019) Draft Housing Element

Thank you for submitting Blue Lake's draft housing element received for review on December 4, 2018. Pursuant to Government Code section 65585, subdivision (b), the Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a telephone conversation on January 22, 2019 with Gary Reese, the city's consultant.

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with state housing element law (Article 10.6 of the Government Code). In particular, the element must include a rezone program to permit year-round emergency shelter(s) without discretionary action and demonstrate that transitional and supportive housing are treated as residential uses. The enclosed Appendix describes these and other revisions needed to comply with state housing element law. In addition, please be aware housing element law and other housing related laws have been changed or added and are effective January 1, 2018. For more information, see HCD's website at <http://www.hcd.ca.gov/policy-research/lhp.shtml>.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, CalTrans Senate Bill (SB) 1 Sustainable Communities grants; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and the upcoming SB 2 Planning grant as well as ongoing SB 2 funding consider housing element compliance and/or annual reporting requirements pursuant to Gov. Code section 65400. Without a compliant housing element, Blue Lake may be ineligible for some funding sources.

HCD appreciates the assistance provided by Gary Reese during the course of our review. We are committed to assisting Blue Lake in addressing all statutory requirements of housing element law. If you have any questions or need additional technical assistance, please contact Fidel Herrera, of our staff, at (916) 263-7441.

Sincerely,

Zachary Olmstead
Deputy Director

Enclosure

APPENDIX CITY OF BLUE LAKE

The following changes would bring Blue Lake's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>. Among other resources, the Housing Element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at <http://www.hcd.ca.gov/community-development/building-blocks/index.shtml> and includes the Government Code addressing state housing element law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

The review requirement is one of the most important features of the element update. The review of past programs should analyze the city's accomplishments over the previous planning period. This information provides the basis for developing a more effective housing program.

A thorough program-by-program review is necessary to evaluate city's performance in addressing housing goals. As part of this analysis, the element should describe the actual results of the prior element's programs, compare those results to the objectives projected or planned, and based on an evaluation of any differences between what was planned versus achieved, provide a description of how the objectives and programs of the updated element incorporate changes resulting from the evaluation. This information and analysis provides the basis for developing a more effective housing program. The element should be revised as follows:

The element must include a program-by-program review including a comparison of prior objectives versus actual results and which programs will be continued, revised, or deleted in the updated housing element. The element provided a summary of the objectives, but did not provide a program-by-program analysis comparing what was projected or planned and what was achieved. For additional information and sample analysis, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/getting-started/review-revise.shtml>.

B. Housing Needs, Resources, and Constraints

1. *Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all*

income levels, including extremely low-income households. (Gov. Code, § 65583, subd. (a)(1).)

While the element quantifies the existing housing needs of extremely low-income (ELI) households, it must still quantify projected ELI housing needs. The projected housing need for ELI households can be calculated by using available census data to determine the number of very low-income households that qualify as ELI households or presume that 50 percent of very low-income households qualify as ELI households. For additional information, see the *Building Blocks* at: <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/extremely-low-income-housing-needs.shtml>.

2. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

The element identifies the age of the housing stock (page 28) and indicates there was a windshield survey conducted in 2001. Since it has been eighteen years since the windshield shield survey was conducted, the element must include analysis of the condition of the existing housing stock and estimate the number of units in need of rehabilitation and replacement. For example, the analysis could include estimates from the code enforcement agency, or information from knowledgeable builders/developers, including non-profit housing developers or organizations. For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/housing-stock-characteristics.shtml>.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

The City of Blue Lake has a 5th planning period cycle regional housing need allocation (RHNA) of 11 housing units, of which 5 are for lower-income households. Additionally, the city has an unaccommodated need of 8 units for lower-income households from the prior planning period. To address this need, the element relies on vacant and non-vacant sites. To demonstrate the adequacy of these sites and strategies to accommodate the city's RHNA, the element must include complete analyses as follows:

Unaccommodated Need from Prior Planning Period: The city has an unaccommodated need from the prior planning period of 8 units for lower-income households. Since more than one year has lapsed since the beginning of the current planning period, the element cannot be found in compliance with housing element law until the required zoning or rezoning is complete and the element is amended to reflect that rezoning. For additional information, see HCD's AB 1233 Memorandum at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>

Suitability of Non-Vacant Sites: The element must also analyze the extent to which existing uses may impede additional residential development and include an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development (Gov. Code, § 65583.2, subd. (g)(1).), particularly site 025-141-007 identified in MU zone. For additional information and sample analysis, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#analysis>.

Map of sites: The element must include a general map of identified sites. In addition, element must include a general plan land use designation (GPLU) in the sites inventory or a statement stating that zoning always matches up per table 16 (page 35). For additional information, see the sites inventory analysis section of the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/inventory-of-land-suitable.shtml>.

Affordability of Sites: The element must identify the anticipated affordability level of the units for each site identified in the sites inventory (Gov. Code, § 65583.2, subd. (c)).

Realistic Capacity Calculation: While the element lists sites by parcel number, size, and zoning the element must also include a calculation of the realistic capacity of each site. For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/inventory-of-land-suitable.shtml>

Infrastructure: While the element describes water and sewer infrastructure, it must also demonstrate sufficient existing or planned dry utilities supply capacity, including the availability and access to distribution facilities to accommodate the city's regional housing need for the planning period (Gov. Code, § 65583.2, subd. (b)). For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#environmental>.

Emergency Shelter: The element does not identify a zone in which emergency shelters are a permitted use (page 32). The element indicates "If determined to be necessary, Blue Lake will enter into a multi-jurisdictional agreement with surrounding jurisdictions such as Arcata, Eureka, or Humboldt County to address this need pursuant to SB 2." Pursuant to Government Code section 65583, subdivision (d) the jurisdictions participating in the multijurisdictional agreement must develop at least one year-round emergency shelter within two years of the beginning of the planning period. That timeframe has passed.

The element must identify a zone(s) where emergency shelters are permitted without a conditional use permit or other discretionary action and with sufficient capacity to accommodate the identified need for shelters. (Gov. Code, § 65583, subd. (a)(4).) If the element cannot demonstrate compliance with the statutory requirements, a program to amend the zoning ordinance to meet the statutory requirements must be completed within one year of the adoption of the housing element. The element must

also describe the characteristics and suitability of the zone(s) for emergency shelters. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/zoning-for-variety-housing-types.shtml> and HCD's SB 2 memo at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/SB2-Memo050708.pdf>

Transitional and Supportive Housing: The element does not adequately address supportive housing and describes the following about transitional housing "*during the effective period of this element the city will review the zoning ordinance and consider inclusion of...transitional housing and ...allow them in appropriate zones if the need arises*" (page 25). Pursuant to Chapter 633, Status of 2007 (SB2), transitional and supportive housing must be permitted as a residential use in all zones and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. The element must demonstrate consistency with these statutory requirements or include a program, as appropriate. For additional information, see the *Building Blocks* at [SB745 Memo](#).

Manufactured Housing: The element specifies that manufactured homes can be built in the PDR zone. However, pursuant to Gov. Code section 65852.3, the siting and permit process for manufactured housing should be regulated in the same manner as a conventional or stick-built structure. Specifically, Gov. Code section 65852.3, subd. (a) requires that, with the exception of architectural requirements, a local government shall only subject manufactured homes to the same development standards to which a conventional single-family residential dwelling on the same lot would be subject, including, but not limited to, building setback standards, side and rear yard requirements, standards for enclosures, access, and vehicle parking, aesthetic requirements and minimum square footage requirements. The element should demonstrate consistency with these requirements or include a program, as appropriate. For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/zoning-for-variety-housing-types.shtml>

Employee Housing Act: The element must demonstrate the zoning is consistent with the Employee Housing Act (Health and Safety Code, § 17000 et seq.), specifically, sections 17021.5 and 17021.6. Section 17021.5 requires employee housing for six or fewer employees to be treated as a single family structure and permitted in the same manner as other dwellings of the same type in the same zone. Section 17021.6 requires employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone. For additional information and sample analysis, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/farmworkers.shtml>.

Small Sites: Sites smaller than a half acre in size are deemed inadequate to accommodate housing for lower-income housing unless it is demonstrated that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower-income housing units as projected for the site or unless the housing element describes other evidence to HCD that the site is adequate to accommodate lower-income housing (Gov. Code, § 65583.2, subd. (c)(2)(A).). For example, a site with a proposed and approved housing development that contains units affordable to lower-income households would be an appropriate site to accommodate housing for lower-income households. (Gov. Code, § 65583.2, subd. (c)(2)(C).).

4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land-use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Gov. Code section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7). Transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. (Gov. Code, § 65583, subd. (a)(5).)*

Fees and Exaction: The element must describe all required fees for single family and multifamily housing development, including planning fees and impact fees, and analyze their impact as potential constraints on housing supply and affordability. For example, the analysis could identify the total amount of fees and their proportion to the development costs for both single family and multifamily housing. For additional information and a sample analysis and tables, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/constraints/fees-and-exactions.shtml>.

CUP for Multifamily (5+ units per structure): The element indicates multifamily development in zones permitting multifamily development requires a Conditional Use Permit (CUP). The element must analyze the CUP process as a potential constraint on housing supply and affordability. The analysis should identify findings of approval for the CUP and their potential impact on development approval certainty, timing, and cost. The element must demonstrate this process is not a constraint or it must include a program to address and remove or mitigate the CUP requirement. For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/constraints/processing-permitting-procedures.shtml>.

Locally Adopted Ordinance: The element must now specifically analyze locally adopted ordinances such as inclusionary ordinances or short-term rental ordinances that directly impact the cost and supply of residential development. The analysis

should demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters (Gov. Code, § 65583, subd. (a)(5).).

Zoning for Lower-Income Households: The element must identify a zone(s) that facilitate development of housing for lower-income households. The city may identify a zone which meets the default density of 15 du/ac or provide analysis of a zone that facilitates the development of affordable housing at lower densities (Gov. Code, § 65583, subd. (c)(3)(A) or (B).).

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Gov. Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Gov. Code section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing. (Gov. Code, § 65583, subd. (a)(6).)*

While the element includes an analysis of non-governmental constraints for land costs and construction cost, it must also include an analysis for availability of financing. The city could consider whether housing financing, including private financing and government assistance programs, is generally available in the community. This analysis could indicate whether mortgage deficient areas or underserved groups exist in the community. For more information to meet this requirement see our Building Blocks Website at: <http://www.hcd.ca.gov/community-development/building-blocks/constraints/nongovernment-constraints.shtml>

Mitigate Non-Governmental Constraints: The element must identify local efforts to address non-governmental constraints that create a gap in the jurisdictions ability to meet RHNA by income category (Gov. Code, § 65583, subd. (a)(6).).

Development Densities: The element must be revised to include analysis of requests to develop housing at densities below those anticipated, and the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need (Gov. Code, § 65583, subd. (a)(6).).

6. *Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)*

The element must quantify the number of persons with developmental disabilities and analyze the special housing needs of persons with developmental disabilities. The term developmental disability refers to a severe and chronic disability attributable to a mental or physical impairment, such as cerebral palsy, epilepsy, or autism that begins before individuals reach adulthood. (Welfare and Institutions Code, § 4512.) The analysis could include the following:

- a quantification of the total number of persons with developmental disabilities;
- a description of the types of developmental disabilities;
- a description of the housing need, including a description of the potential housing problems; and
- a discussion of resources, policies and programs including existing housing and services, for persons with developmental disabilities.

For additional information and a sample analysis, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/people-with-disabilities.shtml>, and for additional information, see the area's local regional center for developmental services at <http://www.dds.ca.gov/RC/RCList.cfm>.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

To address the program requirements of Gov. Code section 65583, subdivision (c) (1-6), and to facilitate implementation, programs should include: (1) a description of the city's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following:

Program 3a Remove Unnecessary Development Constraints must be revised to include a timeframe, responsible agency, financing source and objectives.

Programs 2a and 2b should be reviewed to verify if funding is available for Family Housing Demonstration Program (FHDP) and Senior Citizen Shared Housing Program (SCSHP). If funding for those programs is no longer available then programs 2a and 2b should be revised as appropriate to include available funding sources.

2. *Identify actions that will be taken to make sites available during the planning period*

with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Gov. Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)

As noted in Finding B-3, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the city may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

As noted in Finding B-3, the element does not identify any zone which allows emergency shelters as a permitted use without a conditional use or other discretionary permit. As a result the element must include a program to do so within one year of adopting the housing element. The identified zone(s) must have sufficient capacity to accommodate the identified need for shelters or for at least one emergency shelter, whichever is greater. (Gov. Code, § 65583, subd. (a)(4).) The housing element must also demonstrate the permit processing, development, and management standards for emergency shelters are objective and encourage and facilitate the development of, or conversion to, emergency shelters. In addition, emergency shelters must only be subject to the same development and management standards applicable to residential or commercial development within the same zone except for those standards prescribed by statute. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/zoning-for-variety-housing-types.shtml> and HCD's SB 2 memo at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/SB2-Memo050708.pdf>

The element must include a program to amend the zoning ordinance to permit transitional and supportive housing as a residential use in all zones allowing residential uses and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. (Gov. Code, § 65583, subd. (a)(5).) For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/zoning-for-variety-housing-types.shtml> and HCD's SB 2 memo at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/SB2-Memo050708.pdf>

Replacement Housing Requirements: If the sites inventory identifies sites with existing residential uses, it must identify whether they are affordable to lower-income

households or describe whether the additional residential development on the site requires the demolition of the existing residential use. For non-vacant sites with existing, vacated, or demolished residential uses and occupied by, or subject to an affordability requirement for, lower-income households within the last five years, there must be a replacement housing program for units affordable to lower-income households (Gov. Code, § 65583.2, subd. (g)(3)). Absent a replacement housing program, these sites are not adequate sites to accommodate lower-income households. The replacement housing program has the same requirements as set forth in Gov. Code section. 65915, subdivision (c)(3). The housing element must be revised to include such analysis and a program, if necessary.

As noted in the Finding B-3, the city failed to make adequate sites available to accommodate the regional housing need in the prior planning period, as a result the city must include a program to zone or rezone sites to accommodate the unaccommodated need (Gov. Code, § 65584.09.)

The program must commit to:

- a minimum of 16 units per site;
- a minimum density of 16 units per acre; and
- at least 50 percent of identified shortfall is met on residential only zoned sites or up to 100 percent of the identified shortfall can be met on mixed-use sites if the mixed-use sites allow
 - 100 percent of a development to be residential and
 - requires a minimum of 50 percent of the square footage in a mixed-use development to be residential.
- Sites are zoned to permit owner-occupied and rental multifamily residential use by right for developments in which at least 20 percent of the units are affordable to lower-income households during the planning period.

Based on the results of a complete sites inventory and analysis, programs may need to be added or revised, to address a shortfall of sites and zoning for a variety of housing types. If the element does not identify adequate sites to accommodate the regional housing need for lower-income households, it must include a program(s) to identify sites with appropriate zoning to accommodate the regional housing need within the planning period (Gov. Code, § 65583.2, subd. (h) and (i).). For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/program-requirements/identify-adequate-sites.shtml>.

Sites identified in two or more consecutive planning periods: The element must include a program for vacant sites identified in two or more consecutive planning periods' housing elements or non-vacant sites identified in a prior housing element, that are currently identified to accommodate housing for lower income households. The sites must meet the density requirements for housing for lower income households and the housing element includes a program to allow by right approval for housing developments that include 20 percent or more of its units affordable to lower income households (Gov. Code, § 65583.2, subd. (c).).

3. *The housing element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

Program 3b Residential Second Units should be revised to review and amend zoning code, as appropriate, to reflect current state law for accessory dwelling units.

The element must include a program(s) with specific actions and timelines to assist in the development of housing for extremely low-, very low-, low-, and moderate-income households including special-needs populations. While the element includes some programs to assist lower-income households, it must be revised to include programs assisting ELI households. The program(s) could commit the city to adopting priority processing, granting fee waivers or deferrals, modifying development standards, granting concessions and incentives for housing developments that include units affordable to lower and moderate income households; assisting, supporting or pursuing funding applications; and working with housing developers coordinate and implement a strategy for developing housing affordable to lower and moderate income households. For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/program-requirements/assist-in-development-housing.shtml> and for financial assistance programs, see HCD's website at http://www.hcd.ca.gov/fa/LG_program_directory.pdf.

4. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Finding B-4 the element requires a complete analysis of potential governmental and non-governmental constraints. Depending upon the results of that analysis, the city may need to revise or add programs and address and remove or mitigate any identified constraints.

Program 3c. Revision of R3 zone: Given the importance of promoting multifamily developments in Blue Lake, the program should not merely "consider performance and/or development standards." The program should commit to revising the approval process to eliminate the CUP requirement for multifamily projects in the multifamily zone. The city could also consider expanding the program to eliminate the requirement in the MU zone.

Program to Mitigate Non-Governmental Constraints The element must include a program to identify local efforts that address non-governmental constraints that create a gap in the jurisdictions ability to meet RHNA by income category (Gov. Code, § 65583.2, subd. (c)(3).).

D. Quantified Objectives

Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b)(1 & 2).)

The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over a five-year time period. While the element provided an estimate of the number of new construction by income level, the element did not include the number or units for rehabilitation and conservation/preservation. This requirement could be addressed by utilizing a matrix like the one illustrated below:

Income	New Construction	Rehabilitation	Conservation/ Preservation
Extremely Low-			
Very Low-			
Low-			
Moderate-			
Above Moderate-			
TOTAL			

E. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(8).)

While the element includes a section for public participation (page 3), the element did not meet this requirement. The element must demonstrate that diligent efforts were made to involve all economic segments of the community in the development of the housing element. The element could describe the efforts to circulate the housing element among low- and moderate-income households and organizations that represent them and to involve such groups and persons in the element throughout the process. In addition, the element should summarize the public comments and describe how they were considered and incorporated into the element. For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/getting-started/public-participation.shtml>.

For your information, some other elements of the general plan must be updated on or before the next adoption of the housing element. The safety and conservation elements of the general plan must include analysis and policies regarding fire and flood hazard management. (Gov. Code, § 65302, subd. (g).) Also, the land-use element must address disadvantaged communities (unincorporated island or fringe communities within spheres

of influence areas or isolated long established "legacy" communities) based on available data, including, but not limited to, data and analysis applicable to spheres of influence areas pursuant to Gov.Code section 56430. HCD urges the city to consider these timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/SB244_Technical_Advisory.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.