



BLUE LAKE PLANNING COMMISSION MEETING AGENDA

**Monday, September 19, 2022
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 September 19, 2022.

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

<https://us02web.zoom.us/j/84275204940?pwd=Nk9keENmM3hYaWQzWkYjTndaQ0UrQT09>

Meeting ID: 842 7520 4940

Passcode: 644625

Dial by your location: +1 408 638 0968 US (San Jose)

1. **Approval of Minutes: June 20, 2022**
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 Discussion: General Plan Housing Element Update. Review of comments from the California Department of Housing and Community Development on the Draft General Plan Housing Element Update.**
5. **Planning Commission Discussion: Zoning Code Amendment to allow emergency shelters as a principally permitted use in the Mixed Use (MU) and/or Opportunity (O) zones.**
6. **Miscellaneous Planner Items.**
7. **Upcoming Planning Commission Meetings for the next 3 months will be on October 17th, November 21st, and December 19th, 2022.**
8. **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 Meeting Minutes
June 20, 2022**

The Blue Lake Planning Commission Meeting was called to order at 7:00 p.m.

Commissioners Present: Earl Eddy, Richard Platz, and Matt Schang

Commissioners Absent: Cort Pryor and Robert Chapman

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

Staff Absent: None

Public Present: Kyle Boughton

1. Approval of Minutes: May 23, 2022 Special Meeting

- a. Motion (Schang, Eddy) to approve May 23, 2022 minutes as written.
- b. Motion passed (2-0) with Richard Platz abstaining because he was not present at the May 23, 2022 special meeting.

2. Public Input on Non-Agenda Items

- a. None.

3. Approval of the Agenda

- a. Motion (Schang, Eddy) to approve agenda.
- b. Motion passed (3-0)

Discussion/ Action:

4. Information Only Item: Review of residential or mixed-use development options for 301 Hatchery Road (APN 025-141-007).

- a. Planner Rees presented a summary of the development options presented by the property owner for 301 Hatchery Road. He explained that this information only item has been placed on the agenda so the applicant can obtain input from the Planning Commissioners on the development options.
- b. Planner Rees described the two options provided by the property owners which included: 1) 16 residential units; or 2) 14 residential units and 2 commercial units. Both development options would require a Conditional Use Permit and Site Plan Approval from the Planning Commission.
- c. Commissioner Platz discussed the project previously considered by the Planning Commission for this property. It included a Minor Subdivision to subdivide the property into three lots. The prior property owner opted not to follow through with the project.
- d. Kyle Boughton, property owner, described the project and some of the issues related

to developing the property. He explained that he wanted the Planning Commission's input before incurring any further design expenses. He also explained that he would be requesting a parking waiver for the project.

- e. The Commissioners discussed various issues for the project including unit density, proximity to the Powers Creek District, aesthetics, parking, easements, and setbacks.
- f. City Manager Mager described the higher density properties in Blue Lake and their proximity to the project. She also highlighted that this property connects Downtown to the Powers Creek District.
- g. Planner Rees explained that the City is requiring a variable 25-foot setback from Powers Creek. He also added that the development is consistent with other high-density multi-family development in Downtown Blue Lake.

5. Continued Public Hearing/Planning Commission Discussion: General Plan Housing Element Update.

- a. Planner Rees stated that since the last Planning Commission meeting in May, the Draft Housing Element Update was submitted to the Department of Housing and Community Development (HCD) for a 90-day review period. During HCD's review period, staff will be requesting funding from the Regional Early Action Planning (REAP) grant program for preparation of a CEQA Initial Study for the Housing Element update.

6. Miscellaneous Planner Items

- a. City Manager Mager provided the Planning Commissioners an update on Storyland Studio's draft plan for the RV Park and Motel project. After the plan is finished, the next step will be to find developers for the project. She will continue to update the Planning Commission with more information as it becomes available.
- b. City Manager Mager also updated the Planning Commission on development plans for the Corporation Yard and the progress on the Bike Park development.

7. Upcoming Planning Commission Meetings for the next 3 months will be on July 18th, August 15th, and September 19th, 2022.

- a. Commissioners Eddy and Platz indicated that they may not be available for the July and August meetings.

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

- a. Motion (Platz, Eddy) to adjourn.
- b. Motion passed unanimously (3-0).
- c. Meeting adjourned at 8:05 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: September 16, 2022

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

RE: Item 4 – Planning Commission Discussion: Review of comments from the California Department of Housing and Community Development on the Draft General Plan Housing Element Update

As discussed with the Planning Commission at the June 20, 2022 meeting, City staff submitted the Draft Housing Element Update to the Department of Housing and Community Development (HCD) at the end of May for a 90-day review period. On August 29, 2022, the City received a letter from HCD with comments on the Draft Update (see attached). On September 13, 2022, City staff met with HCD staff to discuss the comments and receive additional direction on the required revisions.

The comments from HCD primarily request revisions to the Draft Update to clarify analysis, include additional data and analysis, and modify or add to the proposed implementation programs. There are also several additional tasks that the City must undertake before the Draft Update will be considered for certification, which includes:

- Conduct a windshield survey of residential units in Blue Lake to determine how many units are in need of rehabilitation and the extent of rehabilitation needed.
- Amend the Zoning Code to allow emergency shelters by right in a zone in the City.
- Conduct further outreach to low- and moderate-income populations in the City.

RECOMMENDATION:

- 1) Receive presentation from City staff on the comments received on the Draft General Plan Housing Element Update.
- 2) Discuss the comments received and requested revisions to the Draft Update.
- 3) Provide direction to City staff on revising the Draft Update to comply with State housing law.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider 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: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

We are committed to assist the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Mashal Ayobi, of our staff, at Mashal.Ayobi@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

Enclosure

Employment: While the element includes data and analysis on employment trends within the City, it should identify who the major employers are in the City as well as clearly state the unemployment rate.

3. *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).)*

Housing Stock Condition: The element identifies the age of the housing stock. However, it 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 a recent windshield survey or sampling, estimates from the code enforcement agency, or information from knowledgeable builders/developers, including nonprofit housing developers or organizations. For additional information, see the *Building Blocks* at <https://www.hcd.ca.gov/housing-stock-characteristics>.

Overpaying Households: While the element quantifies the number of overpaying households, it must still provide an analysis of the data to determine if programs are needed to address issues related to cost burden.

4. *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).)*

Sites Inventory: The City has a regional housing need allocation (RHNA) of 23 housing units, of which 11 are for lower-income households. The element identifies an unaccommodated need from the prior planning period of 11 housing units, 5- lower income units. To address this need, the element relies on vacant sites to meet the RHNA. The element categorizes these sites into green (likely developable), yellow (questionable), and red (not developable). While red category sites appear not to be utilized to meet the RHNA, it is unclear if capacity on yellow sites is anticipated to accommodate the RHNA. The element should also describe what factors are included in the determination of likely developable, questionable, and not developable assumptions associated with each site.

Additionally, sufficient sites must be identified for above-moderate households. The element will have to either revise some moderate assumptions and allocate them toward above moderate-income RHNA, identify additional sites, or rezone.

Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory and details on site development (p. 35), it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The realistic unit potential may rely on established minimum density standards or include analysis

incentivize the production of ADUs. Depending on the analysis, the element must commit to monitor ADU production throughout the course of the planning period and implement additional actions if not meeting target numbers anticipated in the housing element. In addition to monitoring production, this program should also monitor affordability. Additional actions, if necessary, should be taken in a timely manner (e.g., within six months). Finally, if necessary, the degree of additional actions should be in stride with the degree of the gap in production and affordability. For example, if actual production and affordability of ADUs is far from anticipated trends, then rezoning or something similar would be an appropriate action. If actual production and affordability is near anticipated trends, then measures like outreach and marketing might be more appropriate.

Availability of Infrastructure: While the element discusses the wastewater plan, it must clarify the implementation date and whether it will be complete and available for sites identified in the inventory. In addition, the element must add a program to address sewer capacity needs accommodate the RHNA. If the requisite infrastructure capacity is not available upon adoption of the housing element, the housing element must include program actions (e.g., implementation of capital improvement plans, financing through general obligation or special district bonds, etc.) to address infrastructure capacity limitations or shortfalls. The element must also clarify whether there is sufficient water supply to accommodate the RHNA.

Environmental Constraints: While the element describes infrastructure and flooding constraints on page 44, it must identify whether any of the sites in the inventory are impacted and provide analysis or program actions to address the constraints. For example, APNs 025-101-007, 025-101-013, and 025-111-007 have large wetland areas which must be considered in realistic capacity and development potential considerations.

Sites with Zoning for a Variety of Housing Types: While the element includes Table 26 (Housing Types Permitted by Zoning District), it does not describe each of the required housing types. The element must analyze how development standards and processing requirements facilitate development of each of the housing types. In addition:

- *Emergency Shelters:* 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 cannot be found in full compliance until City amends zoning to permit year-round emergency shelters without discretionary action pursuant to Government Code section 65583, subdivision (a)(4)(A). The identified zone(s) must have sufficient capacity to accommodate the need for shelters and meet various other requirements related to site suitability and development standards. The element must 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. The element must demonstrate that emergency shelters are subject to the same development and management standards applicable to

impacts as potential constraints on housing supply and affordability. For example, the analysis should consider processing and approval procedures and time for typical single- and multi-family developments, including type of permit, level of review, approval findings and any discretionary approval procedures. In addition, 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. While program HI-14 adds actions surround the RHD combining zone, it only applies when at least 20 percent of the development is affordable to lower-income households. For additional information and sample analysis, see the Building Blocks at <https://www.hcd.ca.gov/processing-permitting-procedures>.

On/Off-Site Improvements: While the element lists site improvements, it must analyze their impact as potential constraints on housing supply and affordability. For additional information and a sample analysis, see the Building Blocks at <https://www.hcd.ca.gov/codes-and-enforcement-of-onsite-offsite-improvement-standards>.

Codes and Enforcement: While the element describes local amendments to the building code, it must also describe code enforcement process and procedures (i.e., whether it is proactive or complaint based).

Constraints on Housing for Persons with Disabilities: The element shows group homes for seven or more are conditionally permitted in some zones. It must address how non-licensed group home facilities that serve seven or more residences is permitted. Zoning and standards should simply implement a barrier-free definition of family instead of subjecting, potentially persons with disabilities, to special regulations. Zoning code regulations that isolate and regulate various types of housing for persons with disabilities based on the number of people and other factors may pose a constraint on housing choice for persons with disabilities. The element should include specific analysis of these and any other constraints for impacts on housing for persons with disabilities and add or modify programs as appropriate.

6. *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 Government 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 Government Code section 65584... (Gov. Code, § 65583, subd. (a)(6).)*

- *Program HI-6:* the program should be strengthened to address conserving and improving existing housing stock as well as include proactive outreach and definitive timeframes.
- *Program HI-7:* The element states a timeframe that is long past but did not share SB 35 guidelines in the element. The element must be revised to address implementation timing.
- *Program HI-9:* The program should be revised to strengthen implementation by removing terms like ‘consider’.
- *Program HI-10:* This program should include more specific timeframes for implementation of the AFFH program.
- *Program HI-12:* The program should clarify how often outreach will occur during the planning period.

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 Government 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 B4 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 must include a program to provide capacity to accommodate the Regional Housing Need and identify additional sites as needed.

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).)*

HI-16: This program includes priority water service for low-income units but should clarify if sewer services are city-owned. If they are, sewer services should be included in this program as well. If not, the City should inform the sewer provider with a copy of the housing element.

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*

6th cycle, to ensure a beneficial impact within planning period, the program should be revised to include a completion date by the end of 2024.

5. *The Housing Element shall include programs to conserve and improve the condition of the existing affordable housing stock. (Gov. Code, § 65583, subd. (c)(4).)*

The element must include a program to conserve and improve the existing housing stock. Improvement includes physical activities that upgrade the housing stock, such as rehabilitation. Conservation includes both maintenance activity (such as code enforcement in deteriorating buildings), improvements to the housing stock (such as weatherization programs that reduce housing costs), and other actions, policies, and programs that conserve the affordability of housing (such as a mobile home park preservation ordinance). Policies and programs should be tailored to the results of findings under B3 and specific local situations.

6. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent... (Gov. Code, § 65583, subd. (c)(7).)*

The element must include a program which incentivizes and promotes the creation of ADUs that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households.

D. 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)(9).)

While the element includes a general summary of the public participation process, it must also demonstrate 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. The element should also describe whether translation services were available. In addition, the element should also summarize the public comments and describe how they were considered and incorporated into the element. For additional information, see the Building Blocks at <https://www.hcd.ca.gov/public-participation>.



CITY OF BLUE LAKE

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

DATE: September 16, 2022

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

RE: Item 5 – Planning Commission Discussion: Zoning Code Amendment to allow emergency shelters as a principally permitted use in the Mixed Use (MU) and/or Opportunity (O) zones

As discussed with the Planning Commission at the June 20, 2022 meeting, City staff submitted the draft Housing Element Update to the Department of Housing and Community Development (HCD) at the end of May for a 90-day review period. On August 29, 2022, the City received a letter from HCD with comments on the Draft Update.

The comments from HCD state that, prior to the Housing Element Update being considered for certification, the City must amend the Zoning Code to allow emergency shelters by right in a zone in the City. Below is additional information from the HCD website regarding the requirements for emergency shelters (<https://www.hcd.ca.gov/zoning-for-a-variety-of-housing-types>).

Emergency Shelters

Every jurisdiction must identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit (Government Code Section 65583.(a)(4)). The identified zone or zones must include sufficient capacity to accommodate the need for emergency shelters as identified in the housing element, and each jurisdiction must identify a zone or zones to accommodate at least one year-round shelter. Adequate sites can include sites with existing buildings that can be converted to emergency shelters to accommodate the need for emergency shelters.

Shelters may be subject only to development and management standards that apply to residential or commercial development in the same zone. A local government may apply written and objective standards that include all of the following:

- Maximum number of beds.
- Off-street parking based upon demonstrated need.
- Size and location of onsite waiting and intake areas.
- Provision of onsite management.
- Proximity to other shelters.
- Length of stay.

- Lighting.
- Security during hours when the shelter is open.

Draft Housing Element Update

In the Draft Housing Element Update, it identifies the Mixed-Use (MU), Opportunity (O), or Planned Development Residential (PDR) zoning districts as potential locations for the development of emergency shelters. Since the properties in the MU and O zones are located in the Downtown and Powers Creek Districts, these areas are considered to be more suitable for emergency shelters. As indicated above, the City has the ability to apply objective standards to the design and operation of emergency shelters to address potential impacts.

RECOMMENDATION:

- 1) Receive presentation from City staff on the requirements regarding emergency shelters.
- 2) Discuss potential locations and standards for emergency shelters.
- 3) Provide direction to City staff regarding zone(s) to allow emergency shelters and standards for the design and operation of emergency shelters.