



# City of Blue Lake

111 Greenwood Road-P.O. Box 458

Blue Lake, CA 95525

707-668-5655(P) 707-668-5916(F) [www.bluelake.ca.gov](http://www.bluelake.ca.gov)

## PLANNING COMMISSION SPECIAL MEETING AGENDA

Monday, Sept 8, 2025 @ 7:00 P.M.

Skinner Store - 111 Greenwood Road, Blue Lake

**This meeting will be held in person at the location listed above.** The City will provide alternative methods of participation for the convenience of the public. However, the City does not guarantee that there will not be technological issues or interruptions. The public is hereby notified that if there is a technological issue with live video streaming of the meeting, the meeting will continue in person as scheduled. The public may access and participate in the public meeting using one or more of the following methods:

- A) **Zoom:** The meeting will be live streamed via Zoom (details below). The direct Zoom link will also be posted on the City of Blue Lake website (<https://bluelake.ca.gov/>). During the meeting, public comment may be made by using the raise hand feature on Zoom.

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

<https://us02web.zoom.us/j/87433582731?pwd=aszZxEM7HuJZbDbdUldlunpRwgKOoz.1>

Meeting Id: 874 3358 2731 Passcode: 961310

- B) **In-Writing:** Public comments may also be made in advance by submitting written comment via [citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov) or by filing it with the City Clerk at 111 Greenwood Road, Blue Lake, California, 95525. All public comments (via email or mail) must be received by the City Clerk prior to 4:30 p.m. the day of the meeting. Please identify the meeting date and agenda item to which your comment pertains in the subject line. Public comments, so received, will be forwarded to the Planning Commission. Written public comments will not be read aloud during the meeting.

### 1. Approval of Minutes:

- May 19, 2025 Regular 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. **Action:** Vote on Planning Commission Officers - Chair and Vice-Chairperson
5. **Discussion-Public Hearing:** Amendment of Title 17 (Zoning) of the Municipal code to add Section 17.20.070 (Multi Family or MF combining zone) that would create a new combining zone that could be combined with the Residential Multiple-Family (R-3), Mixed-Use (MU), Opportunity (O), and/or Planned Development Residential (PDR) zones for the purpose of allowing multi-family residential uses by-right (principally permitted). This Zoning Code Amendment is proposed to implement Program HI-14 from the City's 6th Cycle Housing Element Update. In order to comply with State Housing Law during the 6<sup>th</sup> Cycle, the MF combining zone must be applied to a single site that is a minimum of 1-acre. Therefore, this action also includes a Zoning Map amendment to apply the MF combining zone to a single site in the City.

When applied, the MF combining zone would require: 1) residential development at a minimum density of 16 dwelling units to a maximum of 20 units per acre, except as may be modified by State Density Bonus Law; 2) a minimum of 50 percent of the square footage in a mixed-use development must be residential; 3) a development cannot be precluded from providing 100 percent residential square footage due to the requirements of the principal zone; 4) if at least 20 percent of the residential units are affordable to lower-income households then the development would be principally permitted and would not require Site Plan Approval by the Planning Commission; and 5) new residential or mixed-use structures or additions/renovations to existing residential or mixed-use structures would be subject to the objective design standards applicable to the principal zone.

The recommended California Environmental Quality Act (CEQA) determination is that the proposed Zoning Code and Zoning Map amendment is exempt from CEQA pursuant to Public Resources Code § 21080.085, which exempts rezoning actions that implement an approved Housing Element.

6. **Miscellaneous Planner Items**
7. **Upcoming regularly scheduled Planning Commission meetings for the next 3**

**months:**

- September 15, 2025
- October 20, 2025
- November 17, 2025

**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 Interim City Manager Jill Duffy, (707) 668-5655, at least 24 hours prior to the commencement of the meeting.



1 City of Blue Lake  
2 Planning Commission Meeting Minutes  
3 May 19, 2025  
4

5 **Call to Order:** Vice Chair Cort Pryor called the meeting to order at 7:09PM

6 Commissioners Present: Vice Chair Cort Pryor, Matthew Schang, Jason Cseh, Matt Issac

7 Commissioners Absent: Chair Elaine Hogan

8 Staff Present: Acting City Manager Dani Burkhart, Deputy Clerk Laura McClenagan City  
9 Planner Garry Rees, SHN, City Engineer Mike Foget, SHN  
10

11 **1. APPROVAL OF THE MINUTES:** January 27, 2025

12 Motion: To approve January 27, 2025 minutes.

13 Motion by: Commissioner Jason Cseh

14 Seconded by: Commissioner Matthew Schang

15 Public Comment:

16 Comment by (Sawatzky) thanked the commission for waiting for him to return.

17 Comment by (Julie Christie) said she could hear the commission and reminds  
18 everyone to project their voices.

19 Motion Summary: Motion Passed unanimously.  
20

21 **2. PUBLIC COMMENT ON NON-AGENDA ITEMS:**

22 -Comment by (Kent Sawatzky) suggested building larger apartments for live-work  
23 spaces and is seeking a partnership between a tiny home business and the Blue Lake  
24 Rancheria to provide discounts and generate city revenue. He also voiced concerns  
25 about the Great Redwood Trail service point.

26 -Comment by (Julie Christi): thanked the commission for holding the meeting despite  
27 recent cancellations, requested it be shared with Access Humboldt, and expressed  
28 interest in continued collaboration with both the commission and the community.

29 -Comment by (Justin Goad) Blue Lake Community News apologizes for not being in  
30 attendance and can't wait to see everyone next month.  
31

32 **3. Approval of the Agenda:**

33 **Motion:** To approve as Presented

34 **Motion by:** Commissioner Jason Cseh

35 **Seconded by:** Commissioner Matthew Schang

36 **Public Comment:** Non received

37 **Motion Summary:** Motion passed unanimously  
38

39 **4. Public Hearing Item:** Planner Garry Rees presents Application #025-171-001/2022.

40 Conditional Use Permit for Baduwa't Watershed Council, Dave Feral (formerly Mad River  
41 Alliance) for the Powers Creek Restoration Project Presentation/Discussion.

42 -Commissioner Cort Pryor disclosed that he has worked with the company working on this  
43 project, however, he has not worked on this project.

44 -Commissioner Matt Issac recused himself as he has property within 500 feet of the project.  
45 -Commissioner Matthew Schang disclosed that his parents own property within 500 feet of  
46 the project.

47 **Public Comment:**

48 -Comment by (Sawatzky): Kent noted concerns regarding the slow-moving creek and  
49 emphasized the importance of maximizing fall to minimize sediment accumulation. The  
50 maintenance of ripples was also mentioned. The commenter pointed out the absence of  
51 external engineering oversight, expressed support for the phased approach, and raised  
52 questions about the storage of gravel, suggesting it should either be utilized in the  
53 project or removed.

54 -Comment by (Lyn Glen): Speaks of the importance of the creek trail and the need for  
55 flood reduction. Commenter also speaks to the history of trees being removed and  
56 worries grading will happen in one phase and then the next phase doesn't. Wants  
57 assurances that the funding will cover the complete project.

58 -Comment by (Rebecca Collins) Agrees with previous commenter as the last time, as  
59 vegetation was removed without permission and never replanted. The commenter wants  
60 to know where the funding is coming from and what will happen 10 years later regarding  
61 maintenance.

62 -Comment by (Corren Gregerson): Lives 2 ½ blocks from where the creek left its bank  
63 last January, and mentioned the city permit that didn't finish and that the creek is ours;  
64 the maintenance is ours to protect private property.

65 Comment by (Al Clark): Mentions that a lot of stuff comes down that creek and chokes it  
66 up. The last flood incident of 5 hours and 4 inches of rain was proof how fast the creek  
67 can back up. Annual maintenance needs to be regularly scheduled.

68 Comment by (Carlotta Clark): request property owners be shown respect in that they  
69 appreciate privacy and want to make sure that after vegetation and trees are removed  
70 the creek is not left that way.

71 Comment by (Becky Thornton): is looking forward to the 3-phase project and having the  
72 creek cleaned up.

73 Comment by (Julie Christie): Thought the Planning Commission turnout was great but  
74 would like to see the discussion tabled as the Chair was not present, that further  
75 discussion needed regarding, partnering with Rancheria who take exceptional measures  
76 to protect the land, the removal of aggregate and use and storage of materials.

77 Comment by (unknown): made clear that fish are not the only thing relying on the creek;  
78 there are bobcats, raccoons and other wildlife.

79  
80 **Motion:** To continue the meeting past 9:00PM

81 **Motion by:** Commissioner Matthew Schang

82 **Seconded by:** Commissioner Jason Cseh

83 **Motion Summary:** Motion passed unanimously

84  
85 Planner Garry Rees explains that a portion of the material will be reused on project and also  
86 confirms that some of the material is not reusable. The unusable portion is proposed to be



stockpiled on City property until uses can be found for the material or removed. It is estimated that up to 40,000 cubic yards may be removed from the creek.  
-City Engineer Mike said unusable excavated material could also go to Kern Construction, but the usable aggregate will be processed onsite and reused in the creek for restoration design features such as riffles.  
Planner Garry Rees said each phase has a 10-year monitoring period and ongoing maintenance would be a community effort long-term.  
Commissioner Jason Cseh expressed funding concerns regarding the relocation of utility lines  
Commissioner Matthew Schang asks for confirmation that approval of the conditional use permit needs to happen before the June grant deadline.  
Applicant Dave Feral mentions community engagement to help with maintenance. Noted that it could be included as curriculum at schools.  
Commissioner Cort Pryor thanked everyone for the dialog and suggested a kiosk to have pre and post restoration drawings placed for the public as education takes us a long way.

**Motion:** Finding that there was not enough time to review and consider the application submittal and continuing the public hearing for the Powers Creek Restoration Project CUP to a special meeting on May 29, 2025.

**Motion by:** Commissioner Jason Cseh

**Seconded by:** Commissioner Matthew Schang

**Motion Summary:** Motion passed unanimously

5. **MISCELLANEOUS PLANNER ITEMS:** None

6. **UPCOMING PLANNING COMMISSION MEETINGS:** for the next 3 months will be June 16, 2025, July 21, 2025, and August 18, 2025. With the addition of the May 29, 2025, Special Meeting of the Planning Commission.

7. **ADJOURNMENT:**

**Motion:** To adjourn the meeting at 9:08 p.m.

**Motion by:** Commissioner Jason Cseh

**Seconded by:** Commissioner Matthew Schang

**Motion Summary:** Motion passed unanimously



# CITY OF BLUE LAKE

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

**Item #:** 5

**Date:** September 8, 2025

**Item Subject:** **Housing Element Implementation Program HI-14 (Rezoning and By Right Procedures)**

**Recommendation:** That the Planning Commission:

1. Receive a presentation from City staff on Housing Element Implementation Program HI-14 (Rezoning and By Right Procedures).
2. Open the public hearing and receive public comment.
3. Close the public hearing.
4. Discuss the text of the proposed combining zone and potential properties that it could be applied to in the City.
5. Ask questions of City staff.
6. Set a future special meeting date to hold a public hearing and make a recommendation to the City Council on the proposed combining zone.

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## **Background**

The City is currently in the process of updating its General Plan Housing Element for the 2019-2027 planning period (6th cycle). The City Council adopted the Housing Element Update on July 22, 2025, but the City must implement one of the programs in the Housing Element Update (Program HI-14) before the element can be found in substantial compliance with State Housing Law. As stated in the recent determination letter (dated August 21, 2025) from the California Department of Housing and Community Development (HCD):

*"The adopted element meets statutory requirements of State Housing Element Law (Gov. Code, § 65580 et seq). The adopted element was found to be substantially the same as the revised draft element that HCD's September 20, 2023 review determined met statutory requirements. However, the housing element cannot be found in substantial compliance until the City has completed necessary rezones as described below. The housing element will substantially comply with State Housing Element Law when all necessary rezoning is adopted, submitted to, and approved by HCD, in accordance with Government Code*



section 65585.

*Generally, pursuant to Government Code section 65584.09, if a city did not make available sites to accommodate the regional housing need allocation (RHNA), then the city shall, within the first year of the planning period of the new element, rezone adequate sites to accommodate the unaccommodated portion of the RHNA from the prior planning period. The City has an unaccommodated need from the prior planning period (Table 21). Since more than a year has lapsed from the beginning of the current planning period, the element cannot be found in compliance until the required rezoning is complete. Specifically, the element cannot be found in compliance until Program HI14 (Rezoning and By Right Procedures) is implemented to meet the unaccommodated need from the 5th cycle RHNA. Once the rezoning has been completed, the City should submit documentation (e.g., resolution, ordinance) to HCD and HCD will review and approve the element in accordance with Government Code section 65585."*

Housing Element Update Program HI-14 proposes the creation of a new combining zone (Multi-Family or MF combining zone) to address the requirements in State Housing Law to have a zone in the City that allows multi-family development without discretionary review (i.e., Conditional Use Permit or Site Plan Approval). Projects that are allowed without discretionary review are also referred to as being allowed by-right or principally permitted. The intent of the MF combining zone is to provide a zoning tool that will allow the City to meet the by-right zoning requirements in State Housing Law on a specific site or sites in the City each Housing Element planning cycle (every 8 years) to ensure there are adequate sites to provide housing for a variety of income levels. During the current planning cycle (6th cycle), the MF combining zone must be applied to a single site that is greater than 1-acre.

For reference, the text of Program HI-14 is provided below.

**HI-14** To ensure that the use permit process for multi-family projects does not impact the timing, cost, or supply of multi-family development, the City will adopt and apply a Combining Zone to sites in the Residential Multiple-Family (R-3), Mixed-use (MU), Opportunity (O), and/or Planned Development Residential (PDR) zones to allow multi-family residential uses by-right at a density of 16 units per acre.

Responsibility: City Council, City Clerk, and Planning Staff.

Time Frame: Adopt the Combining Zone and apply to sites zoned Residential Multiple-Family (R-3), Mixed-use (MU), Opportunity (O), and/or Planned Development Residential (PDR) to allow multi-family residential uses by-right by December 2024. Capacity for at least 11 units (5th cycle RHNA) will meet all by right requirements pursuant to Government Code Section 65583.2, subdivisions (h) and (i).

Funding Source: General Fund and/or Grants.

Adding the MF combining zone to the City's Municipal Code requires amendment of Chapter 17.20 – Regulations for the Combining of Zones and for Open Space Lands. Applying the combining zone to a site in the City requires a Zoning Map Amendment.



Attached to this staff report is the current draft of the MF combining zone (see **Attachment 1**), which has been reviewed and revised by HCD for compliance with State Housing Law. Since adoption of the Housing Element Update by the City Council, HCD has provided technical assistance to the City Planner on the steps required to implement Program HI-14, which is summarized below.

- On August 8, 2025, the City Planner met with HCD to discuss potential sites for the rezoning action prescribed by Program HI-14. Through this discussion, HCD provided guidance on a suitable site for application of the MF combining zone. The potential rezoning site is a City-owned property in the Powers Creek District that is zoned Opportunity (APN 025-201-023). **Attachment 2** to this staff report are two maps showing the existing zoning in the Powers Creek District (Figure 1) and the proposed zoning recommended for the rezoning site (Figure 2).
- On August 12, 2025, HCD emailed the City Planner with a determination that the City's rezoning action (implementation of Program HI-14) would be exempt from the California Environmental Quality Act (CEQA) under Public Resources Code § 21080.085 (see **Attachment 3**). This recent change to CEQA was enacted by SB 131 and exempts rezoning actions that implement an approved Housing Element.

### Next Steps

On July 18, 2025, at the request of HCD, the City Planner submitted a letter outlining their opinion of the quickest possible timeline for the City to achieve substantial compliance with State Housing Law. Table 1 below is from the letter and provides the timeline for the implementation of Program HI-14. Prior to submittal of the timeline by the City Planner, the City Council committed to HCD that the City will complete the actions necessary to achieve substantial compliance with State Housing Law by December 15, 2025.

**Table 1. Implementation of Rezoning Action with CEQA Exemption**

Task	Timeline
Planning Commission recommend adoption and application of Multi-Family (MF) Combining Zone to a site in the City (1 acre or larger)	August 18, 2025 Planning Commission meeting
City Council consider recommendation from Planning Commission and conduct first reading of ordinance	September 9, 2025 City Council meeting
City Council conduct second reading of ordinance	September 23, 2025 City Council meeting
File CEQA Notice of Exemption	File with County Clerk-Recorder's Office by September 25, 2025
Submittal of ordinance to HCD	Submit by September 30, 2025
City of Blue Lake determined to be in substantial compliance with State Housing Law	HCD provide determination by October 2025

As outlined in Table 1, the next step in the process for the implementation of Program HI-14 is for the Planning Commission to hold a public hearing and make a recommendation to

the City Council regarding the content of the proposed MF combining zone and a site for application of the zone. Since Program HI-14 proposes a zoning code amendment that would affect the permitted uses of real property, a public hearing notice must be posted at least 20 days in advance of the meeting where the Planning Commission will make their recommendation to the City Council (Govt Code Section 65854). The public hearing notice posted for this special meeting was only posted 10 days in advance of the meeting. As such, the Planning Commission cannot take action on their recommendation to the City Council at this meeting. For this reason, this item was agendaized as a discussion item with a public hearing.

To stay on track to meet the December 15th deadline for achieving substantial compliance with State Housing Law, it is recommended that the Planning Commission set a special meeting date prior to the regularly scheduled meeting on October 20th. Although the Planning Commission recommendation to the City Council will occur later than estimated in Table 1, it is anticipated that the timeline for the City to achieve substantial compliance will occur prior to the December 15th date proposed to HCD by the City Council.

**ATTACHMENTS:**

1. Draft Multi-Family or MF Combining Zone (dated August 2025)
2. Existing and Proposed Zoning Maps (dated September 2025)
3. Email from HCD regarding CEQA Exemption Determination for Rezoning Action (dated August 12, 2025)



# **Attachment 1**

**Draft Multi-Family or MF Combining Zone**

## **Chapter 17.20 REGULATIONS FOR THE COMBINING OF ZONES AND FOR OPEN SPACE LANDS**

### **17.20.010 General Regulations.**

The regulations set forth in this chapter for each of the Combining Zones shall modify the regulations for the principal zones with which they are combined. All uses and regulations of the principal zone shall apply in the Combined Zone, except insofar as they are modified or augmented by the uses and regulations set forth in the Combining Zone regulations.

### **17.20.020 Planned Development or P-D Zone.**

The purpose of the Planned Unit Development Combining Zone is to allow diversification in the relationships of various buildings, structures, and open spaces in planned building groups and the allowable heights of the buildings and structures, while ensuring substantial compliance to the zoning regulations and other provisions in order that the intent in requiring adequate standards related to the public health, safety, and general welfare, shall be observed without unduly inhibiting the advantages of modern large-scale site planning for residential, commercial, or industrial purposes. A site may be joined together with a combined zone permitting a planned unit development provided that the development complies with the following regulations.

- A. Uses. Any use or combination of uses which are so arranged or designed as to result in an overall development in conformity with the standards, intents and purposes of the Blue Lake General Plan may be permitted with a use permit. A P-D Zone may be combined with any of the R, C, M or A Zones.
- B. Development Plan. Applications for use permits for the development of land in Planned Development Zones shall be accompanied by a plan of the development. Such plan shall include a map or maps and such written material as may be required to show:
  - 1. Topography of the land at five-foot intervals; location of major existing trees and other major natural features.
  - 2. Proposed access, traffic and pedestrian ways.
  - 3. Lot design and easements.
  - 4. Areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, public or quasi-public buildings and other such uses.
  - 5. Areas proposed for commercial uses, loading and off-street parking, multiple and single-family dwellings, and all other uses proposed to be established within the Zone.
  - 6. Proposed location of buildings on the land, including all dimensions necessary to indicate size of structure, setback and yard areas.
  - 7. Proposed landscaping, fencing and screening.



8. Provisions for drainage of surface waters, watercourses and sewage disposal plans.
  9. The application shall be accompanied by a tabulation of the area proposed to be devoted to each land use and a tabulation of the numbers of the various dwelling types proposed and the average net site area per dwelling unit for each dwelling type.
  10. Such other detailed elevations, plans and other information as may be required by the Planning Commission to enable it to evaluate adequately the proposed development and its impact upon the community.
- C. **Conformity.** All uses shall conform to the height, area, width, depth, ground coverage and yard regulations normally required for such uses, except where the overall development will be improved by a deviation from such regulations. In all cases, each structure shall conform to the precise development plan, which shall be made a part of the approved use permit.
- D. **Site Area.** The site shall be at least two acres in area and shall have a frontage of at least 100 feet on a public street.
- E. **Site Area Per Dwelling Unit.** For the purpose of determining the number of dwelling units permitted in a P-D Zone, all street rights-of-way or equivalent private vehicular access ways and all area occupied by nonresidential uses other than community open space occupied by landscaping, natural vegetation or water, and available for the use of all residents of the P-D Zone shall be subtracted, and the remaining area shall be divided by the minimum site area per dwelling unit required in the zone with which the PD Zone is combined. The maximum number of units that would be permitted if the site were not in a PD Zone may be increased by not more than 10%.
- F. **Open Space.** In addition to the usable open space per dwelling unit required in the R-2 Zone and yards requiring adjoining walls with openings, a planned unit development containing dwellings shall include open space occupied by landscaping, natural vegetation or water, and available for the use of all residents of the P-D Zone, equal to not less than 10% of the minimum site area per dwelling unit in the zone with which the P-D Zone is combined times the number of dwelling units in the P-D Zone. The City Planning Commission shall require the appropriate location, development and provision for perpetual maintenance of the open space to serve the needs of residents of a planned unit.
- G. **One-Family Dwelling Sites.** The site of one-family dwelling shall comply with all of the requirements for the R1 Zone except that one-family dwellings with no interior side yards shall be permitted on interior lots not less than 30 feet in width and 2,500 square feet in area, with a basic floor area not exceeding 100% of the site area. The minimum side yard on the street side of a corner lot that is the site of a one-family dwelling with no interior side yard shall be 12 feet, the minimum site width shall be 42 feet, and the basic floor area shall not exceed 75% of the site area.
- H. **Use Permit Required.** No zoning shall be issued for any site in a P-D Zone until a use permit for the entire P-D Zone has been granted in accord with the provisions of Chapter **17.28**.

- I. Development Completion Period. Use permits may specify a development completion period of not more than three years, and provide for reversion to prior zoning classification unless an extension has been granted.
- J. Action by Commission. In taking action, the Commission may deny a permit, may grant a permit as submitted or may grant a permit subject to additional conditions.
- K. Public Hearings. No public hearing need be held, provided that no zoning amendment is required; provided, however, that a hearing may be held by the Commission in any case when it deems such hearing to be necessary in the public interest. Such a public hearing shall be held by publishing notice thereof at least 10 days prior to the hearing in a newspaper of general circulation printed and published in the City of Blue Lake.
- L. Development Subject to Conditions. Any planned unit development, as authorized, shall be subject to all conditions imposed, and shall be excepted from other provisions of this chapter only to the extent specified in the permit.
- M. Appeals. Appeals shall be governed by Section **17.28.050** of this title.
- N. Revocation of Permit. A planned unit development permit may be revoked in any case where the conditions of such permit have not been or are not being complied with, in which case the Commission shall give the permittee notice of intention to revoke such permit at least 10 days prior to review of the permit by the Commission. After conclusion of such review, the Commission may revoke such permit if the Commission finds that a violation in fact exists and has not been remedied prior to such hearing.
- O. Other Regulations.
  - 1. Off-street parking as prescribed in Section **17.24.100**.
  - 2. Off-street loading as prescribed in Section **17.24.110**.
  - 3. Signs as prescribed in Section **17.24.120**.

#### **17.20.030 (Reserved)**

#### **17.20.040 Special Density or D Combining Zone.**

The Special Density or D Combining Zone and subzones thereunder are intended to be combined with any principal zone where density is not specified, or where sound and orderly planning indicate that the density of that zone be modified.

- A. Applicability. The following regulations shall apply in any zone which is combined with the D Combining Zone in lieu of the lot area requirements normally applicable. In no case shall the D Combining Zone be applied so as to allow the creation of lots smaller than the minimum lot size specified by the principal zone.



B. Density.

D-3	One dwelling unit per 3,000 sq. ft. of lot area
D-4	One dwelling unit per 4,000 sq. ft. of lot area
D-5	One dwelling unit per 5,000 sq. ft. of lot area
D-6	One dwelling unit per 6,000 sq. ft. of lot area
D-8	One dwelling unit per 8,000 sq. ft. of lot area
D-10	One dwelling unit per 10,000 sq. ft. of lot area
D-20	One dwelling unit per 20,000 sq. ft. of lot area
D-1 AC	One dwelling unit per acre of lot area
D-2½ AC	One dwelling unit per 2½ acres of lot area
D-5 AC	One dwelling unit per 5 acres of lot area

**17.20.050 Open Space Lands.**

Attached to the ordinance codified in this chapter is a map entitled "Open Space Element," reference to which is made for further particulars, and which areas as set forth thereon shall be known as "Open Space Lands."

- A. In Open Space Lands, no structure shall be erected nor shall vegetation be modified, altered, or destroyed, provided that: (1) upon application to the Planning Commission as provided in Section **17.28.030**, Use Permits, limited development for recreation, trails and picnic area may be permitted; (2) as to that area identified as number three on the map attached hereto, a City hall or any other municipal building shall be permitted without necessity for filing an application to the Planning Commission; (3) upon application to the Planning Commission, as provided in Sections **17.28.030** and **17.28.040**, a permit to engage in the activities mentioned in this section—i.e., erection of structures or modification, alteration or destruction of vegetation—may be granted if in the opinion of the Planning Commission the granting of the permit will not result in unreasonable alteration to the Open Space Lands.
- B. In those areas of Open Space Lands where there are presently existing structures, such as identified as number one and number two on the map attached hereto, nothing in this chapter shall restrict the present use thereof.

**17.20.060 Historic Overlay or H Combining Zone.**

The Historical Overlay or H Combining Zone is intended to be combined with any principal zone for the purpose of the preservation of historical features and character of a neighborhood or area of the City.

- A. Designation of Landmark Sites and Historic Districts.
1. The City Council may by ordinance designate one or more areas containing a number of structures having special character or special historical, architectural, or aesthetic interest or value, and constituting distinct sections of the City, with the Historical Overlay Zone.

2. The Criteria for Designating Historical Zones specified in subsection **L** of this section shall be used as a guide in the evaluation and designation process.
  3. Each designating ordinance shall include a description of the characteristics of the historical area which justify its designation, and a list of any particular features that should be preserved, and shall specify the location and boundaries of the historical area.
  4. The property designated shall be subject to the controls and standards contained in this section. In addition, the property shall be subject to such further controls and standards as the Council finds necessary or desirable, including, but not limited to, façade, setback, and height controls.
  5. The Council may amend or rescind a designation only by ordinance, after Planning Commission and Council hearings as required for original designations.
- B. Initiation of Designation. Designation proceedings may be initiated by written application of the owner or owners of the property or by resolution of the Planning Commission or the City Council.
- C. Procedure. Except as otherwise provided in this section, the proceedings for Historical Overlay or H Zone are the same as for any other zoning of land.
- D. Exclusion from Zone on Showing of Hardship. If any affected property owner presents facts clearly demonstrating to the satisfaction of the Planning Commission or the City Council that inclusion of his or her property in an Historical Overlay or H Zone will work immediate and substantial hardship, the Planning Commission or the City Council may exclude the property from the Historical Overlay or H Zone.
- E. Hearing by Planning Commission.
1. Hearings shall be conducted in conformance with the standards of Section **17.28.010**.
  2. The Commission shall consider the degree of conformity of the proposed designation with the purposes and standards of this title and the General Plan.
- F. Designation by City Council. The City Council shall hold a public hearing as specified in Section **17.28.010(J)** to determine the matter.
- G. Notice of Designation by Council. When an Historical Overlay Zone has been designated by the Council, the City Clerk shall promptly notify the owners of the property included therein.
- H. Design Review Approval. Design review approval as set forth in Section **17.16.120** shall be required for all properties subject to the Historical Overlay Zone. In evaluating applications, the Planning Commission shall consider the Standards for Review set forth in Section **17.16.120**. None of the provisions of this title shall be used to prohibit the installation of solar heating and cooling devices on structures by the applicant; however, such equipment shall be subject to design review procedures.



- I. Showing of Hardship in Cases of Proposed Alterations or Construction. If the applicant presents facts clearly demonstrating to the satisfaction of the Planning Commission that failure to approve his or her application will work immediate and substantial hardship because of conditions peculiar to the particular structure or other feature involved, and not created by an act of the owner, the Commission may approve the application even though it does not meet the standards set forth in either the enabling or designating ordinance. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not justifiable hardships.
- J. Good Repair. The City of Blue Lake encourages all persons in actual charge or possession of property in a designated Historical Overlay Zone to keep the resource in good repair. The City shall provide information to property owners to aid them in obtaining loans and grants for rehabilitation.
- K. Appeals. Appeals from actions of the Planning Commission shall be governed by Section **17.28.050**.
- L. Criteria for Designating Historical Zones.
  - 1. Historical and Cultural Significance.
    - a. Are the structures particularly representative of a distinct historical period, type, style, region, or way of life?
    - b. Are they an example of a type of structure which was once common and is now rare?
    - c. Are the structures of greater age than most of their kind?
    - d. Are the structures connected in any way with someone who was famous, important, or a local personality?
    - e. Are the structures connected with a business or use which was once common but is now rare?
    - f. Is the architect or builder famous or well recognized?
  - 2. Architectural Significance.
    - a. Are construction materials used in an unusual, significant, or effective manner or style?
    - b. Is the overall effect of the design of the structures beautiful, or are its details beautiful or unusual?
    - c. Is the style of the structures unusual for its area, for Blue Lake, for California, or is it unusual for any place?
    - d. Do the structures contain original materials or workmanship which can be valued in themselves?

- e. Is the method of construction employed or the floor plans used ones which are unusual, ingenious, or significant?
  - f. Are the structures especially well-preserved or could they be restored to their former condition?
3. Neighborhood Setting.
- a. Are the structures particularly well-related to their sites or to existing buildings?
  - b. Do they express function or method of construction well?
  - c. Are the structures visible or accessible to the public?
  - d. Is the present setting appropriate (trees, walls, yard, etc.)?
  - e. Is the surrounding land use a significant factor in preservation of the structures?

#### **17.20.070 Multi-Family or MF Zone**

**The Multi-Family or MF Combining Zone is intended to be combined with the Residential Multiple Family (R-3), Mixed-Use (MU), Opportunity (O), and Planned Development Residential (PD-R) zones for the purpose of facilitating multi-family housing for a variety of income levels.**

- A. **Applicability.** The following regulations shall apply in the R-3, MU, O, and PD-R zones, when combined with the MF Combining Zone in lieu of the requirements normally applicable.
- B. **Density.** A minimum of 16 dwelling units per acre (1 unit per 2,723 square feet of lot area) and a maximum of 20 dwelling units per acre (1 unit per 2,178 square feet of lot area), except as may be modified by State Density Bonus Law.
- C. **Percentage of Residential Development.** A minimum of 50 percent of the square footage in a mixed-use development shall be residential. A development shall not be precluded from providing 100 percent residential square footage due to the requirements of the principal zone.
- D. **No Discretionary Review Required.** Residential development in the MF Combining Zone shall be principally permitted and shall not require Site Plan Approval by the Planning Commission when at least 20 percent of the units are affordable to lower-income households.
- E. **Objective Design Standards.** New residential or mixed-use structures or additions/renovations to existing residential or mixed-use structures in the MF Combining Zone shall be subject to the objective design standards applicable to the principal zone.



## **Attachment 2**

### **Existing and Proposed Zoning Maps**



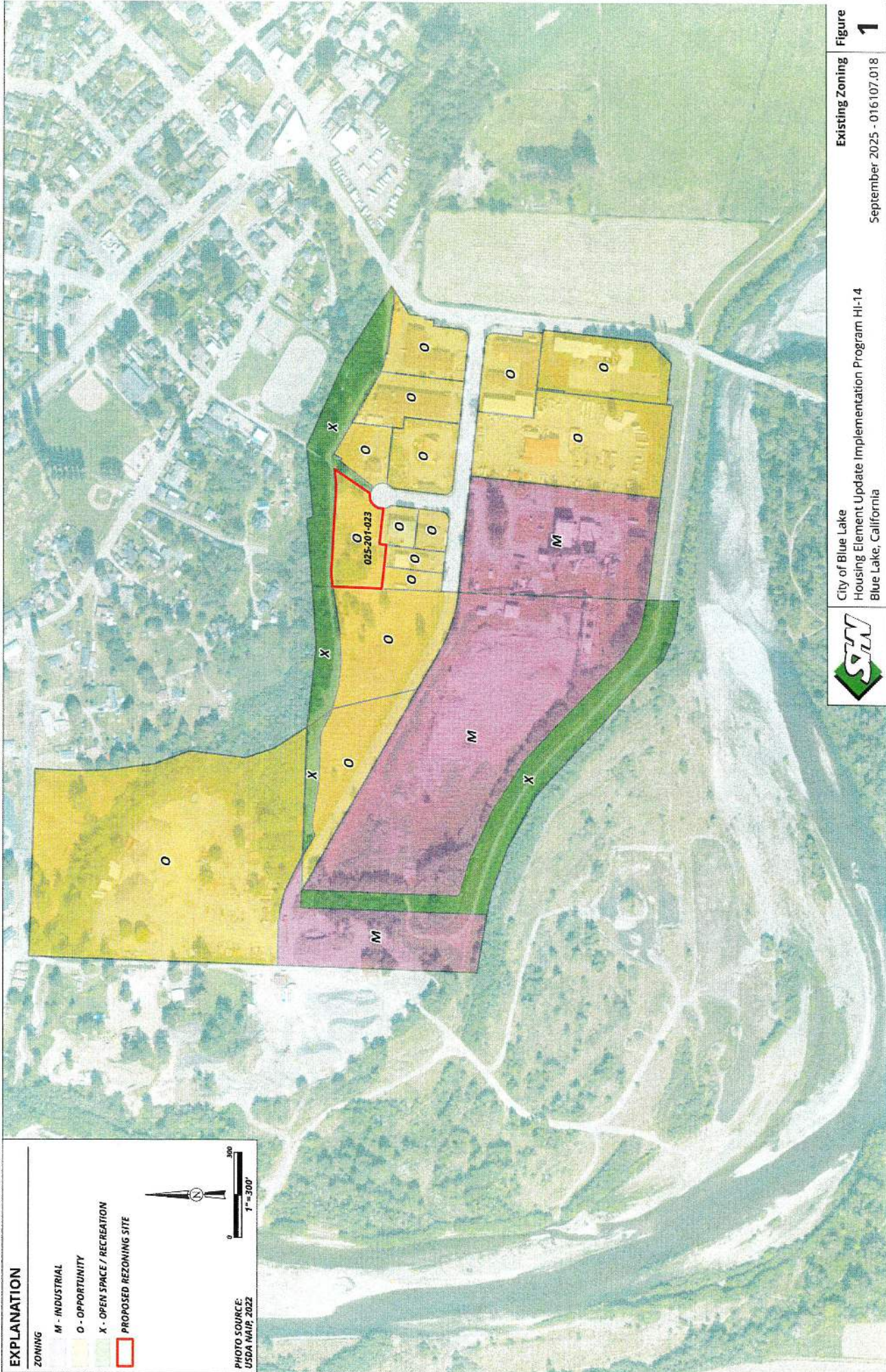
# EXPLANATION

## ZONING

- M - INDUSTRIAL
- O - OPPORTUNITY
- X - OPEN SPACE / RECREATION
- PROPOSED REZONING SITE



PHOTO SOURCE:  
USDA NAIP, 2022



City of Blue Lake  
Housing Element Update Implementation Program HI-1.4  
Blue Lake, California

Existing Zoning

September 2025 - 016107.018

Figure

1



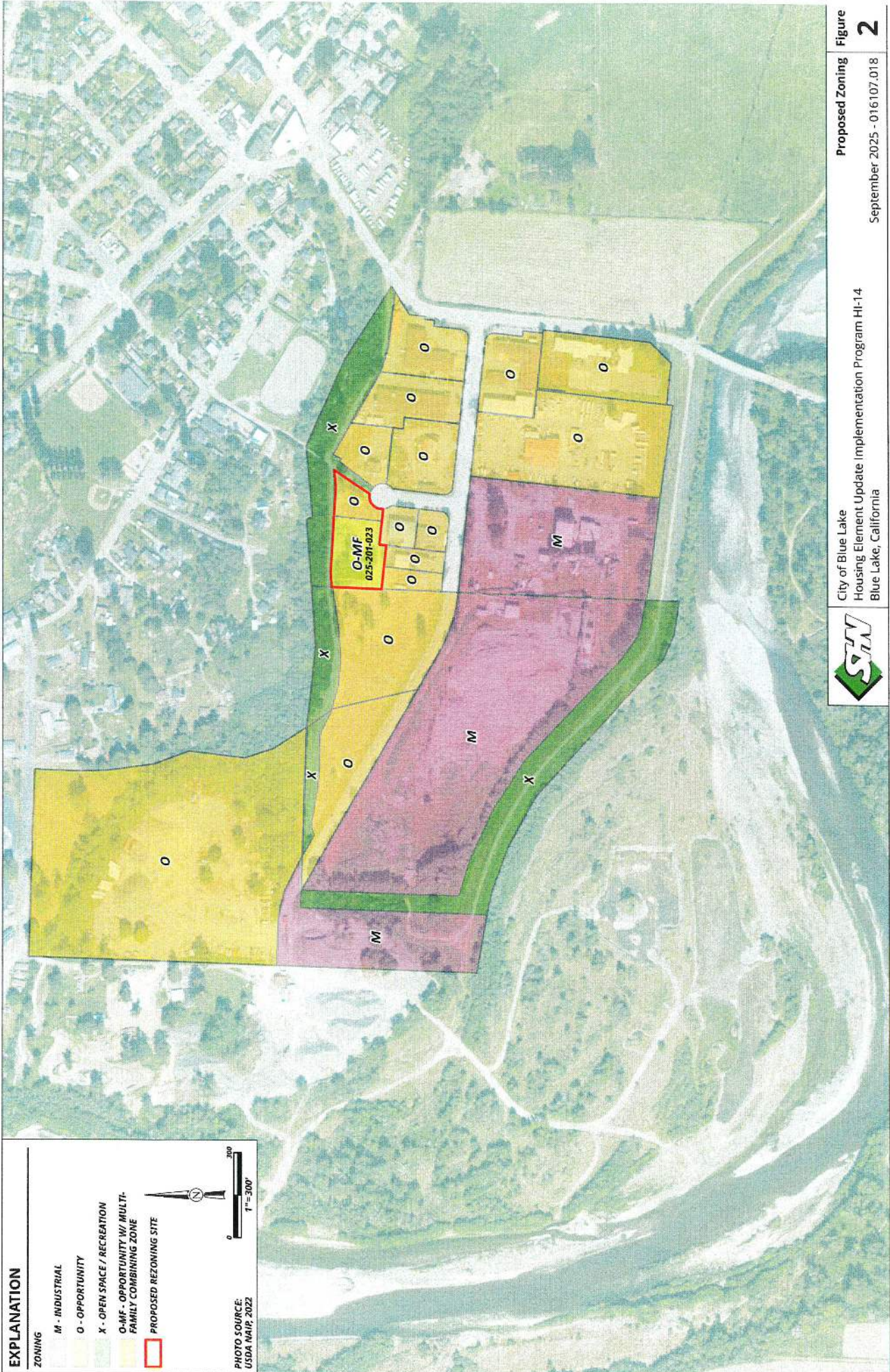
# EXPLANATION

## ZONING

- M - INDUSTRIAL
- O - OPPORTUNITY
- X - OPEN SPACE / RECREATION
- O-MF - OPPORTUNITY W/ MULTI-FAMILY COMBINING ZONE
- PROPOSED REZONING SITE



PHOTO SOURCE:  
USDA NAIP, 2022



City of Blue Lake  
Housing Element Update Implementation Program HI-14  
Blue Lake, California

Proposed Zoning

September 2025 - 016107.018

Figure

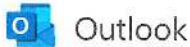
2



## **Attachment 3**

**August 12, 2025 Email from HCD – Determination Regarding the  
Applicability of Public Resources Code § 21080.085 to the City's  
Rezoning Action**





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**RE: Update on CEQA Exemptions for Blue Lake Rezones**

---

**From** O'Connell, Isaac@HCD <Isaac.OConnell@hcd.ca.gov>

**Date** Tue 8/12/2025 2:39 PM

**To** Garry Rees <grees@shn-engr.com>; citymanager@bluelake.ca.gov <citymanager@bluelake.ca.gov>

**Cc** Zisser, David@HCD <David.Zisser@hcd.ca.gov>; Coy, Melinda@HCD <Melinda.Coy@hcd.ca.gov>; Barrie, Junius@HCD <Junius.Barrie@hcd.ca.gov>; Goelzer, Alex@HCD <Alex.Goelzer@hcd.ca.gov>; McDougall, Paul@HCD <Paul.McDougall@hcd.ca.gov>; Herrera, Fidel@HCD <Fidel.Herrera@hcd.ca.gov>

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Hi Garry,

I am writing to confirm that the City of Blue Lake's housing element rezones are exempt under Public Resources Code § 21080.085. Thank you for your patience with this issue and please let me know if you have any questions.

Best,



**Isaac O'Connell**

Housing Data Specialist – Data & Innovation Unit

*Department of Housing and Community Development*

651 Bannon Street, Sacramento, CA 95811

Phone: (916) 584-3109 | Email: [Isaac.OConnell@hcd.ca.gov](mailto:Isaac.OConnell@hcd.ca.gov)



**From:** Garry Rees <grees@shn-engr.com>

**Sent:** Tuesday, August 5, 2025 3:55 PM

**To:** O'Connell, Isaac@HCD <Isaac.OConnell@hcd.ca.gov>; citymanager@bluelake.ca.gov

**Cc:** Zisser, David@HCD <David.Zisser@hcd.ca.gov>; Coy, Melinda@HCD <Melinda.Coy@hcd.ca.gov>; Barrie, Junius@HCD <Junius.Barrie@hcd.ca.gov>; Goelzer, Alex@HCD <Alex.Goelzer@hcd.ca.gov>; McDougall, Paul@HCD <Paul.McDougall@hcd.ca.gov>; Herrera, Fidel@HCD <Fidel.Herrera@hcd.ca.gov>

**Subject:** Re: Update on CEQA Exemptions for Blue Lake Rezones

Thanks Isaac.

**Garry Rees, AICP**

Principal Planner



Civil Engineering, Environmental Services,  
Geosciences, Planning & Permitting, Surveying  
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---

**From:** O'Connell, Isaac@HCD <[Isaac.OConnell@hcd.ca.gov](mailto:Isaac.OConnell@hcd.ca.gov)>  
**Sent:** Tuesday, August 5, 2025 3:30 PM  
**To:** Garry Rees <[grees@shn-engr.com](mailto:grees@shn-engr.com)>; [citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov) <[citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov)>  
**Cc:** Zisser, David@HCD <[David.Zisser@hcd.ca.gov](mailto:David.Zisser@hcd.ca.gov)>; Coy, Melinda@HCD <[Melinda.Coy@hcd.ca.gov](mailto:Melinda.Coy@hcd.ca.gov)>; Barrie, Junius@HCD <[Junius.Barrie@hcd.ca.gov](mailto:Junius.Barrie@hcd.ca.gov)>; Goelzer, Alex@HCD <[Alex.Goelzer@hcd.ca.gov](mailto:Alex.Goelzer@hcd.ca.gov)>; McDougall, Paul@HCD <[Paul.McDougall@hcd.ca.gov](mailto:Paul.McDougall@hcd.ca.gov)>; Herrera, Fidel@HCD <[Fidel.Herrera@hcd.ca.gov](mailto:Fidel.Herrera@hcd.ca.gov)>  
**Subject:** RE: Update on CEQA Exemptions for Blue Lake Rezones

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Just sent out the meeting invite for 10:30 on Friday. See you then!



**Isaac O'Connell**  
Housing Policy Analyst/Rep – Housing Accountability Unit  
Housing Element & Preservation Notice Law  
*Department of Housing and Community Development*  
651 Bannon Street, Suite 400, Sacramento, CA 95811  
Phone: (916) 584-3109 | Email: [Isaac.OConnell@hcd.ca.gov](mailto:Isaac.OConnell@hcd.ca.gov)



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**From:** Garry Rees <[grees@shn-engr.com](mailto:grees@shn-engr.com)>  
**Sent:** Tuesday, August 5, 2025 1:48 PM  
**To:** O'Connell, Isaac@HCD <[Isaac.OConnell@hcd.ca.gov](mailto:Isaac.OConnell@hcd.ca.gov)>; [citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov)  
**Cc:** Zisser, David@HCD <[David.Zisser@hcd.ca.gov](mailto:David.Zisser@hcd.ca.gov)>; Coy, Melinda@HCD <[Melinda.Coy@hcd.ca.gov](mailto:Melinda.Coy@hcd.ca.gov)>; Barrie, Junius@HCD <[Junius.Barrie@hcd.ca.gov](mailto:Junius.Barrie@hcd.ca.gov)>; Goelzer, Alex@HCD <[Alex.Goelzer@hcd.ca.gov](mailto:Alex.Goelzer@hcd.ca.gov)>; McDougall, Paul@HCD <[Paul.McDougall@hcd.ca.gov](mailto:Paul.McDougall@hcd.ca.gov)>; Herrera, Fidel@HCD <[Fidel.Herrera@hcd.ca.gov](mailto:Fidel.Herrera@hcd.ca.gov)>  
**Subject:** Re: Update on CEQA Exemptions for Blue Lake Rezones

Hi Isaac,

Thanks for the update on the CEQA exemption.

To discuss the potential rezoning sites, I am available at both times on Thursday and Friday from 10:30-Noon. Will you be sending out a meeting invite?



Thanks.

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---

**From:** O'Connell, Isaac@HCD <[Isaac.OConnell@hcd.ca.gov](mailto:Isaac.OConnell@hcd.ca.gov)>  
**Sent:** Tuesday, August 5, 2025 1:39 PM  
**To:** Garry Rees <[grees@shn-engr.com](mailto:grees@shn-engr.com)>; [citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov) <[citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov)>  
**Cc:** Zisser, David@HCD <[David.Zisser@hcd.ca.gov](mailto:David.Zisser@hcd.ca.gov)>; Coy, Melinda@HCD <[Melinda.Coy@hcd.ca.gov](mailto:Melinda.Coy@hcd.ca.gov)>;  
 Barrie, Junius@HCD <[Junius.Barrie@hcd.ca.gov](mailto:Junius.Barrie@hcd.ca.gov)>; Goelzer, Alex@HCD <[Alex.Goelzer@hcd.ca.gov](mailto:Alex.Goelzer@hcd.ca.gov)>;  
 McDougall, Paul@HCD <[Paul.McDougall@hcd.ca.gov](mailto:Paul.McDougall@hcd.ca.gov)>; Herrera, Fidel@HCD <[Fidel.Herrera@hcd.ca.gov](mailto:Fidel.Herrera@hcd.ca.gov)>  
**Subject:** RE: Update on CEQA Exemptions for Blue Lake Rezones

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Hello Garry,

Thank you for your email and for revisiting the question of CEQA exemptions for the City's rezones. HCD is in the final stages of discussing this question internally, and we will have a response for you by Friday.

Regarding your request to meet to discuss rezone sites, Alex and I are available at the following times the rest of the week:

- Thursday: 9:15-10am, 2-3pm
- Friday: 9am-12pm

Let us know if there's a 30-minute window that works for you during those times. If there are none, we could also potentially make 3-4pm on Wednesday work.

Best,



**Isaac O'Connell**

Housing Policy Analyst/Rep – Housing Accountability Unit

Housing Element & Preservation Notice Law

*Department of Housing and Community Development*

651 Bannon Street, Suite 400, Sacramento, CA 95811

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[[facebook.com](#)]

---

**From:** Garry Rees <[grees@shn-engr.com](mailto:grees@shn-engr.com)>  
**Sent:** Monday, August 4, 2025 3:38 PM  
**To:** O'Connell, Isaac@HCD <[Isaac.OConnell@hcd.ca.gov](mailto:Isaac.OConnell@hcd.ca.gov)>; [citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov)  
**Cc:** Zisser, David@HCD <[David.Zisser@hcd.ca.gov](mailto:David.Zisser@hcd.ca.gov)>; Coy, Melinda@HCD <[Melinda.Coy@hcd.ca.gov](mailto:Melinda.Coy@hcd.ca.gov)>; Barrie, Junius@HCD <[Junius.Barrie@hcd.ca.gov](mailto:Junius.Barrie@hcd.ca.gov)>; Goelzer, Alex@HCD <[Alex.Goelzer@hcd.ca.gov](mailto:Alex.Goelzer@hcd.ca.gov)>; McDougall, Paul@HCD <[Paul.McDougall@hcd.ca.gov](mailto:Paul.McDougall@hcd.ca.gov)>; Herrera, Fidel@HCD <[Fidel.Herrera@hcd.ca.gov](mailto:Fidel.Herrera@hcd.ca.gov)>  
**Subject:** Re: Update on CEQA Exemptions for Blue Lake Rezones

Hi Isaac,

Now that the Blue Lake City Council has adopted the Housing Element Update, we are moving forward with the rezoning action required to achieve substantial compliance with State Housing

law (Housing Element Implementation Program HI-14). This includes preparing CEQA compliance documentation for the rezoning action. Are there any updates on the applicability of the new CEQA exemption to the City's proposed rezoning action? The last update we received was on July 17th, which stated:

The revisions to the Public Resources Code following AB 130 and SB 131 make the rezones exempt from CEQA, but we are still evaluating the full implications of that change in Code. For now, we advise that the City complete the rezones after HCD issues findings that the City's adopted housing element otherwise meets statutory requirements.

The earliest the rezoning action could be considered by the Planning Commission would be on August 18th. Do you anticipate that a determination will be received in the next few weeks on the applicability of the CEQA exemption to the rezoning action? If not, the City may need to move forward with preparing an Initial Study to meet the deadline proposed by the City Council (Dec. 15th, 2025).

Also, are you and Alex available to meet this week to discuss the suitability of the potential sites for the rezoning action? I want to make sure the potential sites are considered suitable by HCD prior to presenting the options to the Planning Commission. If so, what are some days/times that work best for you all?

Thanks.

**Garry Rees, AICP**

Principal Planner



Civil Engineering, Environmental Services,

Geosciences, Planning & Permitting, Surveying

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---

**From:** O'Connell, Isaac@HCD <[Isaac.OConnell@hcd.ca.gov](mailto:Isaac.OConnell@hcd.ca.gov)>

**Sent:** Thursday, July 17, 2025 3:13 PM

**To:** Garry Rees <[grees@shn-engr.com](mailto:grees@shn-engr.com)>; [citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov) <[citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov)>

**Cc:** Zisser, David@HCD <[David.Zisser@hcd.ca.gov](mailto:David.Zisser@hcd.ca.gov)>; Coy, Melinda@HCD <[Melinda.Coy@hcd.ca.gov](mailto:Melinda.Coy@hcd.ca.gov)>; Barrie, Junius@HCD <[Junius.Barrie@hcd.ca.gov](mailto:Junius.Barrie@hcd.ca.gov)>; Goelzer, Alex@HCD <[Alex.Goelzer@hcd.ca.gov](mailto:Alex.Goelzer@hcd.ca.gov)>; McDougall, Paul@HCD <[Paul.McDougall@hcd.ca.gov](mailto:Paul.McDougall@hcd.ca.gov)>; Herrera, Fidel@HCD <[Fidel.Herrera@hcd.ca.gov](mailto:Fidel.Herrera@hcd.ca.gov)>

**Subject:** Update on CEQA Exemptions for Blue Lake Rezones



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Hi Garry,

Apologies for the delay in getting back to you on the CEQA exemption question. The law is new, so we've had to put the question through a few rounds of review, but here is an update:

The revisions to the Public Resources Code following AB 130 and SB 131 make the rezones exempt from CEQA, but we are still evaluating the full implications of that change in Code. For now, we advise that the City complete the rezones after HCD issues findings that the City's adopted housing element otherwise meets statutory requirements.

Please feel free to give me a call or request a quick meeting with me tomorrow if you have any questions (I am free all day until 4pm). Looking forward to receiving the City's timeline tomorrow as well.

Thanks,



**Isaac O'Connell**

Housing Policy Analyst/Rep – Housing Accountability Unit

Housing Element & Preservation Notice Law

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