

**AGENDA  
CITY OF FERNDALE – HUMBOLDT COUNTY CALIFORNIA – U.S.A.  
REGULAR PLANNING COMMISSION MEETING**

Location:	City Hall 834 Main Street Ferndale CA 95536	Date:	May 1, 2019
		Time:	7:00 pm
		Posted:	April 25, 2019

The City endeavors to be ADA compliant. Should you require assistance with written information or access to the facility please call 786-4224 24 hours prior to the meeting.

- 1.0 Call meeting to order / Flag salute / Roll call
- 2.0 Ceremonial-None
- 3.0 Modifications to the Agenda
- 4.0 Approval of previous minutes
  - 4.1 Minutes of the March 6, 2019 Regular Meeting ..... Page 3
- 5.0 Public Comment
- 6.0 Public Hearing (Note: This is the time for commissioners to report any Ex Parte communications on this agenda item.)
  - 6.1 Resolution 2019-04 Approving a Special Permit for 6-foot Fence at 277 Ocean Avenue ..... Page 6
- 7.0 Business (Note: This is the time for commissioners to report any Ex Parte communications on this agenda item.)
  - 7.1 Discussion on Draft Ordinance 2019-02 Secondary/Accessory Dwelling Units ..... Page 18
  - 7.2 Housing Element Update ..... Page 28
  - 7.3 Select Representative to Serve on Design Review Committee ... Page 64
  - 7.4 Building and Land Use February 28, 2019 – April 24, 2019 ..... Page 66
  - 7.5 Design Review Minutes ..... Page 67
- 8.0 Correspondence ..... Page 76
- 9.0 Commissioner Comments
- 10.0 City Planners and City Clerk’s Staff Reports
- 11.0 Adjournment

**The next regular meeting of the Ferndale Planning Commission will be on  
June 5, 2019 at 7:00 pm.**

## **Section 1: CALL MEETING TO ORDER**

## **Section 2: CEREMONIAL**

## **Section 3: MODIFICATION TO THE AGENDA**

## **Section 4: APPROVAL OF PREVIOUS MINUTES**

**City of Ferndale, Humboldt County, California USA**  
Minutes for Planning Commission Meeting of March 6, 2019

Call to Order —Chair von Frausing-Borch called the Planning Commission Meeting to order at 7:00 pm. Commissioners Jerry Rocha, Paul Gregson, and Kathleen Bullard were present along with City Clerk Kristene Hall. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial – City Clerk Kristene Hall swore in new Planning Commissioner Laura Olsen. Commissioner Olsen took her seat at the dais.

3.0 Modifications to the Agenda – Item 7.2, Discussion on ADU Ordinance, was moved to the end of the business section of the agenda.

4.0 Approval of Previous Minutes – **Motion:** To approve the minutes of the February 6, 2019 Regular Planning Commission Meeting. **(Bullard/Gregson) Unanimous**

5.0 Public Comment-None

6.0 Public Hearing- None

7.0 Business

7.1 Recommend Applicant to Serve on Design Review Committee- City Clerk Kristene Hall explained to the Commissioners that the Design Review Committee has been short a member since October 2018. Hall stated that she had advertised the position and had received one application. The application had come from former Commissioner and Design Review representative Ellin Beltz. **MOTION:** to recommend to the City Council Appointment of Applicant to the Design Review Committee. **(Bullard/von Frausing-Borch) Unanimous**

7.3 Select New Chair and Vice Chair: City Clerk Kristene Hall explained that a new chair and vice chair should be elected every year in March or April. Commissioner Rocha nominated Chair von Frausing-Borch to continue his role as Chair. Planning Commissioners unanimously agreed. Commissioner Olsen nominated Commissioner Rocha to continue as Vice-Chair. **MOTION:** to elect Commissioner von-Frausing-Borch to continue as Chair and Commissioner Rocha to continue as Vice-Chair. **(Olsen/Bullard) Unanimous**

7.4 Appointment of Planning Commissioner to Design Review Committee: City Clerk Kristene Hall explained to the commission that due to former Commissioner Beltz term expiration, a Design Review Representative was needed. Hall stated at this time Commissioner Gregson is a representative and Chair von-Frausing-Borch is an alternate. The Commissioners discussed who was available to take the position. Chair von Frausing-Borch stated he would now be a representative instead of an alternate. Commissioners Bullard and Rocha stated they could be alternates.

7.5 Building and Land Use Permits: Commissioner Rocha commented on the ADU.

7.4 Design Review Minutes- No Comments

7.2 Discussion on Accessory Dwelling Unit Ordinance- City Clerk Kristene Hall stated that the City Planner was not present but she could take any comments and suggestions that the Commissioners had and relay them to her. Commissioner Bullard had questions regarding parcel sizes and square foot allowance of Accessory Dwelling Units. Commissioner Rocha also added to the same question. Commissioner Rocha also brought up parking concerns and suggestions. Commissioner Olsen questioned occupancy concerns. Commissioner Gregson questioned the section on height restrictions and historic properties. A member of the public also had some suggestions and will send the list of suggestions to the City Clerk.

8.0 Correspondence- Commissioner Bullard questioned a letter sent to 277 Ocean Avenue. Staff stated they are currently working on the issue.

9.0 Commissioner Comments- None

10.0 Staff Comments- None

Meeting Adjourned at 8:04 pm

Respectfully Submitted

Kristene Hall  
City Clerk

## **Section 5: PUBLIC COMMENT**

## **Section 6: PUBLIC HEARING**

<b>Meeting Date:</b> May 1, 2019			<b>Agenda Item Number:</b> 6.1			
<b>Agenda Item Title:</b> 277 Ocean Avenue Special Permit						
<b>Presented By:</b> City Planner						
<b>Type of Item:</b>	<input checked="" type="checkbox"/>	<b>Action</b>	<input type="checkbox"/>	Discussion	<input type="checkbox"/>	Information
<b>Action Required:</b>	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>	<b>Voice Vote</b>	<input type="checkbox"/>	Roll Call Vote

**PROJECT DESCRIPTION:** Request for a Special Permit to allow increased fence height to six feet.

**STAFF RECOMMENDATION:** Receive report, take action on item

**SURROUNDING LAND USE AND SETTING:** The subject property is located at 277 Ocean Avenue (APN 031-023-012). The project site is zoned Residential Single Family-Design Review (R1D). The adjacent surrounding lots are all single -family residential lots designated/zoned R1D. Ocean Avenue and Wildcat Avenue intersect directly south of the subject parcel.

This fence has already been constructed and if the Commission deems the fence height appropriate given the physical circumstances of the lot, permission will be granted retroactively. This project was brought to the City’s attention by a neighbor who was concerned about the fence’s height and gates.

**ENVIRONMENTAL REVIEW:** This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed project qualifies for a CEQA Class 3, Section 15303(e) Categorical Exemption from preparation of environmental documents. This exemption allows for the construction and location of limited numbers of new, small facilities or structures including, but not limited accessory structures such as garages, carports and fences.

**APPLICABLE REGULATIONS:** The following sections are from Ferndale’s Zoning Ordinance, 02-02.

§7.07 Exception to Development Standards – Exceptions to Height Standards Residential zones: Any structure, building or any architectural feature of a building may be erected to a height greater than the maximum height limits in Residential Zones provided that a Special Permit is first obtained (Section 12.02). Such excess height, when allowed, will normally be conditioned upon proportional increases in the yards required.

§7.08 Fences, Hedges, Natural or Planted Growth and other Sight Obstructions: (This entire section Amended by Ordinance 05-02 on 5/7/05)

7.08.1 No structure, fence, art object, landscaping or other obstacle, impediment or hindrance shall obscure visibility within the sight visibility triangle for any street corner, alley intersection or driveway exit onto a street. The site visibility triangle includes the vertical area that is between three feet and ten feet above the sidewalk level, or street level if there is no sidewalk. For a corner lot, the horizontal legs of the visibility triangle are 20’

long measured from the intersection of the two abutting property lines; the hypotenuse is drawn from the end points of the two legs. For an alley or driveway intersecting a street, the horizontal legs of the visibility triangle are 5' long measured from the intersection of the two abutting property lines; the hypotenuse is drawn from the end points of the two legs. The Non-Conforming Uses section (Article XII) shall apply to obstructions within the site visibility triangle existing on the effective date of the application of these regulations. Nothing in this Section shall limit the abatement of a public health and safety nuisance.

7.08.2 (This section amended by Ord. 07-01 on 2/12/07) Fences or walls used as a fence, located in the front yard of any lot, or the street side yard of a corner lot shall not exceed four feet in height. (End of section amended by Ordinance 07-01 on 2/12/07)

7.08.3 In addition, no fence, or wall used as a fence, shall exceed a height of six (6) feet on any portion of a City lot. In all situations, hedges or other natural or planted growth shall be maintained so as not to obstruct any public right-of-way.

7.08.4 The height of a fence, or a wall used as a fence, shall be measured from the higher finished grade adjoining the fence or wall. Any fence or wall used as a fence may be erected to a height greater than the maximum height limits described in Sections 7.08.2 and 7.08.3 provided that a Special Permit is first obtained (Section 12.02). (End of entire section Amended by Ordinance 05-02 on 5/7/05)

§12.02 Special permits may be granted by the Planning Commission for any use for which a special permit is permitted or required.

12.02.1 An owner or his agent may file an application for a special permit in the office of the Planning Department. The application shall be made upon a form prescribed by the Planning Department and shall be accompanied by a filing fee set by resolution of the City Council sufficient to cover the cost of handling the application.

12.02.2 Public Hearings are required for special permits.

12.02.3 Notice of the time and place of the hearing shall be given by publication once in a newspaper of general circulation printed and published in the county at least 10 days prior to the hearing, and by posting said notice in conspicuous places close to the property.

12.02.4 At the public hearing the Planning Commission shall hear any person affected by the proposed special permit. The hearing may be continued from time to time, but shall be concluded within 60 days of the commencement.

**ANALYSIS:** As noted above, the Zoning Code does not outline clear provisions for the process of granting a Special Permit or required findings. In the past, applicants have applied for an "Exception to Development Standards" permit for similar projects. The analysis contain in this report draws from these projects and the precedent they have set, for consideration of special permit approval.

The purpose of the Special Permit is for modifying standards related to heights of any structure, building or architectural feature to a height greater than the maximum height limits in Residential zones. The Zoning Ordinance (Z.O.) sets forth procedures allowing exceptions with a special permit in all Residential Zones. The Planning Commission can grant Exception to Development Standards with a

special permit, as listed in Z.O. Section 12.02. Z.O. Section 7.08.4 states that any fence may be erected to a height greater than the maximum height limits provided that a Special Permit is first obtained.

The existing fence was constructed in the last year, and is six feet tall along the south and east property lines. The fencing is subject to Design Review approval, and the applicant has been informed that the fence will have to return to Design Review for approval. Ferndale's Zoning Ordinance states that a fence can be allowed up to six feet in the rear portions of a lot, but cannot extend past four feet "in the front yard of any lot, or the street side yard of a corner lot". The applicant states that he visited the City to discuss the fencing but was not informed he needed a permit of any type to construct it and was not informed that the height would be limited to four feet. The applicant further states that due to the proximity of the parcel to busy roads, a six-foot fence should be allowed to screen the property from noise and glare. For full applicant statement, see Attachment B.

The Zoning Code "Special Permits" section does not outline specific findings that must be made by the Commission in order to approve the permit. Therefore, staff has determined that, given the fact that the argument is one of physical hardship, the same findings used in a variance procedure may be used to determine if this project qualified for a Special Permit. Arguably the most important considerations for the Commission are 1) if being subjected to more noise and glare than surrounding property owners constitutes an unnecessary hardship deserving special considerations; and 2) what the implications of approval may mean for the City in regards to potential precedent.

If the Commission agrees with the following analysis, a motion may be made to approve a special permit, subject to conditions set by the Commission.

=Note: the following ordinance findings criteria have been adapted for this special permit:

1. *Any special permit granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege, inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.*

In the past, the Planning Commission has approved exceptions to development standards for height limitations on various structures including fences under an "Exception to Development Standards" permit process. Therefore, this project is similar and compatible to other fences allowed in similar zones and does not grant special privilege to the applicant in consideration of a special permit for increased fence height not to exceed six feet.

2. *Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning regulations is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

The project site sits at the intersection of Ocean Avenue, 5<sup>th</sup> Street, and the Wildcat Road. Therefore, the property is subject to more noise and glare than surrounding neighbors. Allowing a fence two feet taller will allow the applicants to enjoy a similar level of quiet and privacy as their neighbors.

3. *Any special permit granted will not be contrary to the intent of the zoning regulations or to the public interest, safety, health and welfare.*

The *special permit* in question is for the fence height. Increasing the allowed fence height from four feet to six feet will not change the use of the zone, which will still be for single-family home development. Additionally, increasing the fence height will not significantly affect the public's health, safety, or welfare. The applicant also complied with the City's "sight triangle" provisions to ensure visibility around the corner of 5<sup>th</sup> Street and Ocean Avenue. However, a complaint was received in relation to this fence, as the fence opens outwards into the public right of way, creating visibility issues for pedestrians. It is suggested that the fence design be reconfigured so that the fence doors swing in towards the property instead of outwards towards the street. With this project modification, the project will not be contrary to the public health, safety, or welfare and will not conflict with the intent of the zoning regulations.

4. *Due to special conditions or exceptional characteristics of such property, or its location or surroundings, a literal enforcement of the zoning regulations would result in practical difficulties or unnecessary hardships.*

Being subjected to more noise and glare from the adjacent roadway, than surrounding property owners could be considered an unnecessary hardship. If the Commission agrees, granting a permit to increase the fence height by two feet on the street-facing sides of the property would be an appropriate mitigation for this hardship.

**STAFF RECOMMENDATION:**

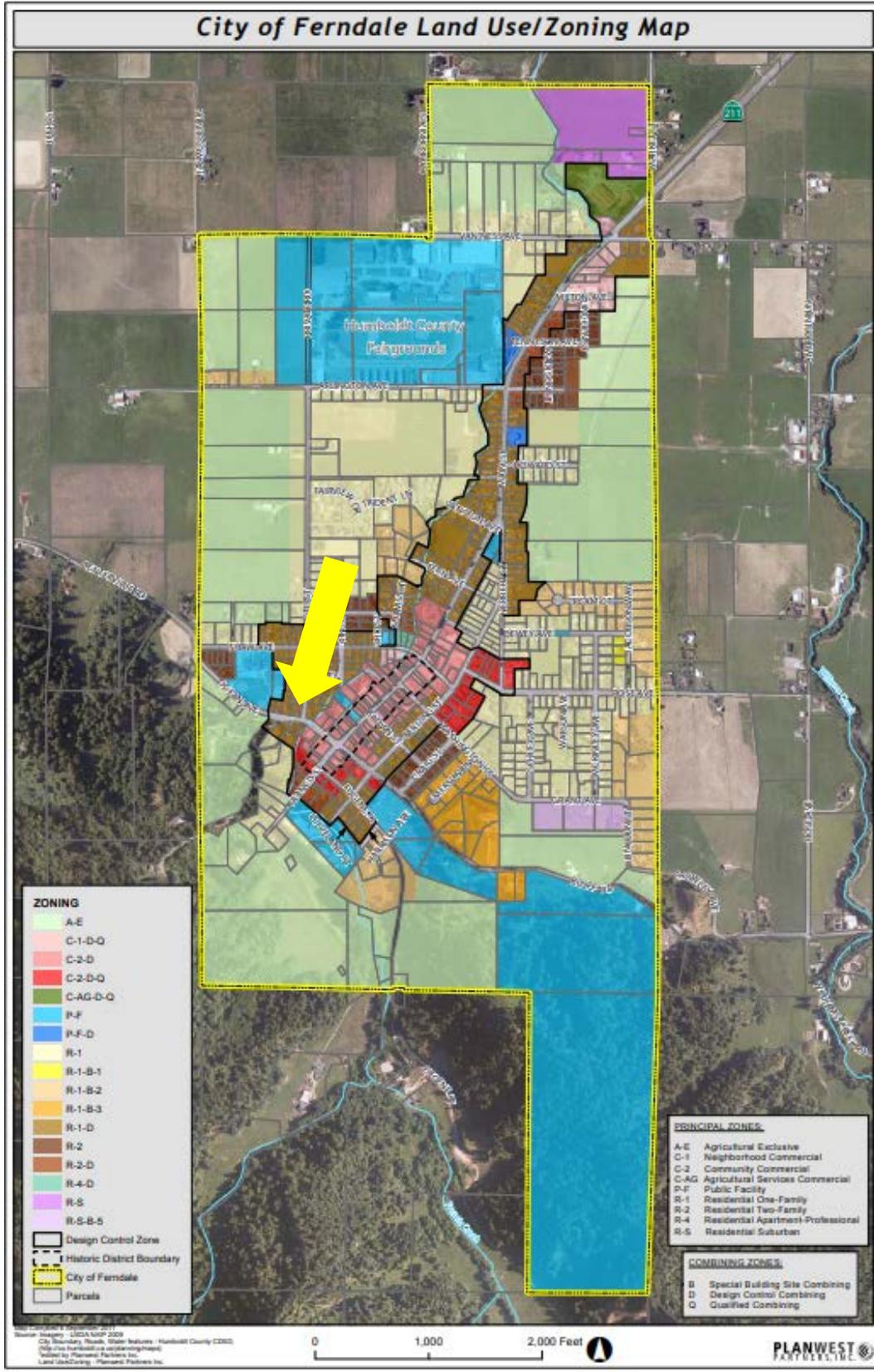
Staff has included findings of fact necessary to take an action on the Special Permit. If the Planning Commission accepts the findings of fact or makes comparable findings, then staff recommends the Planning Commission approve the Special Permit, subject to the conditions of approval listed in Attachment C.

**Recommended Motion:** "Adopt Resolution No. 2019-04 making the required findings of fact, and approve the Special Permit, subject to the conditions of approval listed in Attachment B to allow for a six-foot-tall fence on the south and east facing sides of APN 031-023-012 (277 Ocean Avenue)."

**ATTACHMENTS**

- ATTACHMENT A: SITE MAP AND PHOTOS
- ATTACHMENT B: APPLICANT STATEMENT
- ATTACHMENT C: CONDITIONS OF APPROVAL
- ATTACHMENT D: RESOLUTION

Attachment A





Fence Before



Fence After





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### Attachment B

I require a 6 foot fence in my yard due to car, truck, bus and motorcycle on both 5th and Ocean Avenues, and a visual barrier due to the lights that shine through our living room window at night, especially coming from trucks with large trailers coming off Wildcat Road and turning right onto Ocean Avenue with their high beams on. This includes large trucks carrying gravel making the same right turn, shedding gravel enough that my partner Linda has had to park her car on 5th Avenue instead of Ocean to avoid damage to her car.

And within the last year, neighbor of ours had his Prius totaled when a large truck making the same turn drifted all the across the road and knocked the Prius onto the sidewalk.

I didn't receive clear building process guidance from Town Hall when I went there just as the work on the fence was commencing. The person I spoke to never even mentioned that a permit application, but said we could build the entire fence up to 6 feet, but if there were complaints, we would have to cut a portion of the fence (everything to the left of the right side of the house) down to 4 feet, even providing a rough sketch of what could be done, which I inadvertently left at the Town Hall.

I trust that I will receive all due consideration in this circumstance.

Frost Saufley

## **Attachment C**

### **CONDITIONS OF APPROVAL**

Approval of the Special Permit is conditioned on the following terms and requirements. The violation of any term or requirement of this conditional approval may result in the revocation of the permit(s). Staff recommends Special Standards Permit approval shall be subject to the following conditions:

1. The applicant shall be required to receive Design Review approval of the structure within 60 days of Planning Commission approval before the Special Permit is considered final and approved.
2. The applicant shall re-configure the fence doors to swing inwards towards the interior of the property, instead of outwards towards the public right of way. This change shall be completed within 60 days of Special Permit approval.
3. The effect of this Special Permit is to approve a six-foot-tall fence on the east and south-facing sides of the fence structure at 277 Ocean Avenue. The only fence sections that shall remain six feet tall are along the south and east sides of the lot.
4. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing this Special Permit and/or otherwise owed to the City of Ferndale. All applicable or other required fees shall be paid to the satisfaction of the City of Ferndale before the Special Permit is considered final and approved.

**RESOLUTION NUMBER 2019-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FERNDALE  
MAKING THE REQUIRED FINDINGS FOR APPROVING THE SPECIAL PERMIT FOR A SIX - FOOT TALL  
FENCE AT APN 031-023-012**

**WHEREAS**, Frost Saufley has submitted an application and evidence in support of approving the Special Permit for a six-foot-tall fence; and

**WHEREAS**, the project is exempt from California Environmental Quality Act per Section 15303(e) of Article 19 "Categorical Exemptions;" and

**WHEREAS**, the City has reviewed the submitted application and evidence for conformance with the Zoning Ordinance as required to allow for the Special Permit; and

**WHEREAS**, the staff report includes evidence in support of making all of the required findings for approving the Special Permit, including:

1. The project is similar and compatible to other fences allowed in similar zones and does not grant special privilege to the applicant.
2. Being subjected to more noise and glare than surrounding property owners is an unnecessary hardship.
3. Allowing the property owners to build a fence two feet taller will allow the applicants to enjoy a similar level of quiet and privacy as their neighbors.
4. With the project modification included in the conditions of approval, the project will not be contrary to the public health, safety, or welfare and will not conflict with the intent of the zoning regulations.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Ferndale approves the Special Permit for a six-foot-tall fence on the south and east facing sides of APN 031-023-012, subject to the conditions contained in Attachment B.

**PASSED AND ADOPTED by the Planning Commission of the City of Ferndale this 1st day of May, 2019 by the following vote:**

The motion was made by COMMISSIONER \_\_\_\_\_ and seconded by COMMISSIONER \_\_\_\_\_.

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Jorgen Von Frausing-Borch, Chairman

**Attest:**

\_\_\_\_\_  
Kristene Hall, City Clerk

## **Section 7: BUSINESS**

<b>Meeting Date:</b> May 1, 2019			<b>Agenda Item Number:</b> 7.1		
<b>Agenda Item Title:</b> Draft ADU Ordinance					
<b>Presented By:</b> Delo Freitas, City Planner					
<b>Type of Item:</b>		Action	<b>X</b>	Discussion	Information
<b>Action Required:</b>	<b>X</b>	No Action		Voice Vote	Roll Call Vote

**PROJECT DESCRIPTION:** Draft Accessory Dwelling Unit (ADU) Ordinance

**STAFF RECOMMENDATION:** Receive report; provide direction to staff

**BACKGROUND:** Recent changes to Accessory Dwelling Unit (ADU) law intend to address barriers to housing creation by streamlining permit approval and expanding potential capacity for ADUs. These changes are a response to the California Legislature recognizing the unique ability of ADUs to address California’s urgent housing needs. State legislation that took effect January 1, 2017 requires that the preparation, adoption, amendment and implementation of local ADU ordinances must be carried out consistent with Government Code Section 65852.150.

Any local ADU ordinance that is not in compliance with new legislation is superseded by state regulations, and is essentially rendered null and void until a new ordinance meeting the regulations of the state has been adopted. All newly adopted ADU ordinances must be sent to the California Department of Housing and Community Development (HCD) within 60 days of adoption.

A short-term measure suggested by the Commission would be to adopt an existing ADU Ordinance that has been approved by HCD in the interim as a strategy to protect Ferndale’s historic housing stock. If deemed necessary, an ADU ordinance that is specifically tailored to Ferndale’s unique needs may be drafted as part of the upcoming comprehensive Zoning Code Update.

This item was brought forward at the March Planning Commission meeting, and staff incorporated Commissioner feedback into the attached draft ADU code. Areas requiring additional discussion have been highlighted. Staff will review the attached draft ordinance with the Commission and hopes to receive feedback on further changes.

**ATTACHMENTS:**

Attachment A. Draft ADU Ordinance

Attachment A  
Draft ADU Ordinance

**ORDINANCE NO 2019-02**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FERNDALE, STATE OF CALIFORNIA,  
 AMENDING ZONING ORDINANCE 02-02 SECTION 7.21 ADDING REGULATIONS FOR  
 SECONDARY/ACCESSORY DWELLING UNITS

**Table of Contents**

Article 1 Short Title and Purpose ..... 1  
 Article 2 Statutory Authority ..... 1  
 Article 3 General Provisions..... 1  
 Article 4 Enactment ..... 8

**THE CITY COUNCIL OF THE CITY OF FERNDALE DOES ORDAIN AS FOLLOWS:**

**Article 1 SHORT TITLE AND PURPOSE**

- §1.1 **Short Title:** This Ordinance shall be known and cited as “Amending Zoning Ordinance 02-02 Adding Regulations for Secondary/Accessory Dwelling Units.”
- §1.2 **Purpose:** The purpose of this Ordinance is to establish regulations for Secondary/Accessory dwelling units within the City Limits of Ferndale

**Article 2 STATUTORY AUTHORITY**

- §2.1 The statutory authority for this Ordinance is California Government Code §65000 et seq., §65850(d), §65852.25 et seq., and other applicable State laws.

**Article 3 GENERAL PROVISIONS**

- §3.1 The following changes shall be made to Section 7.21 of Zoning Ordinance 02-02. The section noted shall read as follows:

**7.21 Secondary/Accessory Dwelling Units**

**7.21.1 Purpose and Scope.**

The purpose of this section is to provide regulations for the establishment of accessory dwelling units in compliance with California Government Code Section 65852.2. Said units may be located in residential zone districts where adequate public facilities and services are available. Accessory dwelling units are a potential source of affordable housing and shall not be considered in any calculation of allowable density of the lot upon which they are located, and shall also be deemed consistent with the General Plan and zoning designation of the lot as

provided. Accessory dwelling units shall not be considered a separate dwelling unit for the purpose of subdividing the property into individual condominium or lot ownership.

### **7.21.2 Definitions.**

For the purposes of this section, the following words are defined:

"Accessory dwelling unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

- (A) An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.
- (B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

"Attached" means a wall, floor, or ceiling of an accessory dwelling unit is shared with the primary residence on the property.

"Behind" means an accessory dwelling unit constructed either entirely between the rear of the primary residence and the rear property line, or at the side of the primary residence, and set back from the front plane of the primary residence at least 50 percent of the distance between the front and back planes of the primary residence.

"Buildable pad area" means the level finish grade of the lot not including slopes greater than 30 percent.

"Detached" means an accessory dwelling unit separated from the primary residence or accessed from primary residence by a breezeway.

"Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

"Living area" means the interior habitable area of a dwelling unit including finished basements and attics, but does not include garages or any accessory structure.

"Mature tree" means an otherwise non-protected tree with a diameter-at-breast-height (DBH) of 19 inches or greater.

"Primary residence" means a proposed or existing single-family dwelling constructed on a lot as the main permitted use by the zone on said parcel.

"Tandem parking" means that two or more vehicles are parked on a driveway or in any other location on the lot lined up behind one another.

### 7.21.3 *Applicability.*

- a. Any construction, establishment, alteration, enlargement, or modification of an accessory dwelling unit shall comply with the requirements of this section.
- b. The City Manager or his or her designee shall review and approve, conditionally approve, or deny ministerial permits for accessory dwelling units conforming to the provisions of this section within the time limits specified by Government Code Section 65852.2 or successor provision.

### 7.21.4 *Location standards.*

- a. **Permitted Zones.** Accessory dwelling units are permitted in the following zoning districts:
  - i. One newly constructed accessory dwelling unit or junior accessory dwelling unit may be constructed on any legal parcel in a R1 and R2 zoning district that includes a proposed or existing single-family dwelling.
  - ii. Conversions to an accessory dwelling unit that meet all of the following criteria shall be permitted in all zoning districts that permit single-family residential uses:
    1. The accessory dwelling unit is contained within a legally constructed existing space (i.e., a fully enclosed area, including a garage) of a primary single-family dwelling or structure accessory to a primary single-family dwelling, or on multi-family zoned lots developed with a single-family residence, or similarly zoned lots in the Planned Community (PC) zone.
    2. There is an independent exterior access from the existing residence.
    3. Side and rear setbacks are sufficient for fire safety as determined by the Building Official or Ferndale Volunteer Fire Department at the time of application.
    4. All applicable building and safety codes are met.
    5. Only one accessory dwelling unit will exist on the site.
- b. **Minimum lot area.**
  - i. Conversion of an accessory structure to accessory dwelling unit. None.
  - ii. Newly constructed accessory dwelling unit:
    1. RS and R1 zoning districts. One accessory dwelling unit may be constructed on any legal parcel of 5,000 square feet or more in area.
    2. R2 and R3 zoning districts. One accessory dwelling unit may be constructed on any legal parcel, regardless of lot area.

- c. Accessory dwelling units or junior accessory dwelling units are not permitted on lots developed with condominiums, townhomes, apartments, or similar multi-family developments.
- d. Construction of a primary residence can be in conjunction with the construction of an accessory dwelling unit. The conversion of a guest house, other similar living areas, or other accessory structures into an accessory dwelling unit is permitted, provided the conversion meets the intent and property development standards of this section, and all other applicable requirements.

#### **7.21.5 Development Standards.**

- a. **Newly Constructed Accessory Dwelling Units-Unit Area.**
  - i. Minimum unit area. Accessory dwellings unit shall be no less than 150 square feet in area.
  - ii. Maximum unit area.
    - 1. For parcels 10,000 square feet or less in area: 800 square feet or 50 percent of the proposed or existing primary dwelling living area (i.e., all fully enclosed area, excluding garages and detached structures), whichever is less.
    - 2. For parcels equal to or greater than 10,000 square feet in area: 1,200 square feet or 50 percent of the proposed or existing primary dwelling living area (i.e., all fully enclosed area, excluding garages and detached structures), whichever is less.
- b. **Site planning.** A detached accessory dwelling unit shall be located behind the rear building line of the primary residence, and be clearly subordinate in location and area.
- c. **Setback requirements.** The minimum required setbacks shall comply with Section 7.27 (“Yards”), except that the minimum rear yard setback for a detached ADU shall be no less than 10 feet. A minimum setback of five feet from the side and rear property lines shall be required for an attached accessory dwelling unit that is constructed above an attached garage.
- d. **Building separation.** A minimum building separation of six feet shall be maintained (eave to eave) between the primary residence and a detached accessory dwelling unit.
- e. **Maximum height.** To ensure accessory structures remain subordinate to the primary residence, the highest ridgeline of newly constructed attached accessory dwelling unit may not extend higher than the existing primary residence.

#### **7.21.6 Historic Resources.**

- a. **Historic Districts.**

Accessory dwelling units are prohibited in historic districts (e.g., National Register, Landmark, etc.) unless the accessory dwelling unit is one of the following:

- i. A converted accessory dwelling unit; or
  - ii. A newly constructed accessory dwelling unit that is not visible from the public right-of-way.
- b. Individually Designated Historic Properties.**
- i. Newly constructed accessory dwelling units are prohibited on individually designated historic properties that are listed on the National Register of Historic Places.
  - ii. Converted accessory dwelling units are permitted on individually designated historic properties that are either located on a Local or State Register of Historic Places, provided the location and design of the accessory dwelling unit meets corresponding historical preservation requirements in place at the time the accessory dwelling unit is built, and complies with the requirements of this section including the following:
    - 1. The accessory dwelling unit shall be located behind a primary residence that is determined to be a historic resource.
    - 2. The construction of the accessory dwelling unit shall not result in the removal of any other historically significant accessory structure, including garages, outbuildings, stables or other similar structures.
    - 3. Windows and doors (including garage doors) for historic properties that are original to the structure are required to be retained, unless this requirement prevents creation of the accessory dwelling unit.
    - 4. The accessory dwelling unit shall be designed as to have a distinguishable but compatible architectural style from the historic primary residence or structure, as required by the Secretary of Interior Standards Guidelines for Rehabilitation. New additions and related new construction that are either identical to the historic building or in extreme contrast to it are not compatible.
    - 5. Construction of an accessory dwelling unit shall not result in demolition, alteration or movement of any historic structures and any other on-site features that convey the historic significance of the structure and site.
    - 6. Any "mature tree" shall be replaced at a one-for-one ratio if it is proposed to be removed in order to construct a newly constructed Accessory Dwelling Unit.
    - 7. Newly constructed accessory dwelling units on individually designated historic properties are also subject to Section 7.21.7 (Design Standards for all Newly Constructed Accessory Dwelling Units).

### **7.21.7 Design Standards for all Newly Constructed Accessory Dwelling Units.**

- a. The lot shall retain a single-family appearance by incorporating architectural design elements, building materials and colors of the primary residence with the accessory dwelling unit. However, for properties that are not on Local or State Registers of Historic Places, the primary residence may be modified to match the new accessory dwelling unit. The accessory dwelling unit shall be subject to the following development design standards:
- i. Matching architectural components shall be shared between the primary residence, accessory dwelling unit, and any other accessory structures to provide visual compatibility. These components may include, but are not limited to:
    - 1. Window and door type, style, design and treatment;
    - 2. Roof style, pitch, color, material and texture;
    - 3. Roof overhang and fascia area and width;
    - 4. Attic vents color and style;
    - 5. Exterior finish colors, texture and materials.
  - ii. Windows on second story accessory dwelling units shall be staggered and oriented away from adjacent residences closer than 10 feet to the greatest degree feasible. The location and orientation of balconies or decks shall also be oriented away from adjacent neighbors' backyard and living space windows.

### **7.21.8 Parking and circulation standards.**

- a. **Required parking.** One additional parking space shall be provided on-site for the accessory dwelling unit. The on-site parking space required for the accessory dwelling unit may be provided as covered, uncovered, or as tandem parking on an existing driveway.
- i. **Exception.** No additional parking space is required for an accessory dwelling unit if it meets any of the following conditions:
    - 1. The accessory dwelling unit is located within one-half mile of a public transit stop;
    - 2. The accessory dwelling unit is located within an architecturally and historically significant district;
    - 3. The accessory dwelling unit is contained within legally constructed existing space (i.e., all fully enclosed area, including a garage) of the primary dwelling or accessory structure.
- b. **Replacement parking.** If an existing garage or carport serving as the required parking for the primary dwelling unit is demolished in conjunction with the construction of an accessory dwelling unit, the required replacement parking spaces for the primary residence may be provided as covered, uncovered, or as tandem parking on an existing driveway.

### 7.21.9 *Operational standards.*

- a. **Existing development.** Accessory dwelling units shall only be built when there is an existing single-family residence (e.g., primary residence) on the site. If a site is vacant, an accessory dwelling unit may be constructed at the same time as the primary residence.
- b. **Short-term rental prohibited.** Any rental of an accessory dwelling unit that was legally created on or after January 1, 2018 shall be for a term of no less than 30 days.
- c. **Sale of units.** The sale of an accessory dwelling unit separate from the sale of the single-family residence is prohibited and will be enforced by deed restrictions.
- d. **Recorded covenant.** Prior to issuance of a building permit for the accessory dwelling unit, the owner shall record a covenant in a form approved by the city to notify subsequent owners of the requirements of this Section.

### 7.21.10 **Junior Accessory Dwelling Units.**

- a. In single-family residential zones, a junior accessory dwelling unit is permitted and shall meet all of the following: One junior accessory dwelling unit per residential lot zoned for single-family residences with a single-family residence already built, where no ADU or guest house exists on the lot.
- b. **Owner-Occupancy.** Owner-occupancy is required in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.
- c. A permitted junior accessory dwelling unit shall be constructed within the existing walls of the structure, and include an existing bedroom.
- d. **Separate Entrance.** A separate entrance from the main entrance to the structure is required, with an interior entry to the main living area. A permitted junior accessory dwelling may include a second interior doorway for sound attenuation.
- e. **Kitchen Requirements.** An efficiency kitchen for the junior accessory dwelling unit is required, and shall include:
  - i. A sink with a maximum waste line diameter of 1.5 inches.
  - ii. A cooking facility with appliances that do not require electrical service greater than 120 volts or natural or propane gas.
  - iii. A food preparation counter and storage cabinets.

- f. **Parking.** Additional parking is not required for a junior accessory dwelling unit.
- g. **Connection Fees.** For purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.
- h. **Sale of Units.** The sale of a junior accessory dwelling unit separate from the sale of the single-family residence is prohibited and will be enforced by deed restrictions.
- i) **Recorded covenant.** Prior to issuance of a building permit for the accessory dwelling unit, the owner shall record a covenant in a form approved by the city to notify subsequent owners of the requirements of this Section.

**Article 4 ENACTMENT**

§4.1 **Severability.** If any section, sub-section, paragraph, sentence, or word of this ordinance shall be held to be invalid, either on its face or as applied, the invalidity of such provision shall not affect the other sections, sub-sections, paragraphs, sentences and words of this Ordinance, and the application thereof; and to that end the sections, subsections, paragraphs, sentence and words of this Ordinance shall be deemed to be severable.

§4.2 **Effective Date.** This Ordinance shall become effective 30 days after the date of its enactment.

**PASSED AND ADOPTED on this \_\_\_ day of \_\_\_\_\_ 2019 by the following vote:**

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Attest:

\_\_\_\_\_  
Kristene Hall, City Clerk

\_\_\_\_\_  
Michael Sweeney, Mayor

First Reading:	Amended:	
Second Reading:		
Enacted:		
Amended:		

<b>Meeting Date:</b> May 1, 2019		<b>Agenda Item Number:</b> 7.2			
<b>Agenda Item Title:</b> Housing Element Update					
<b>Presented By:</b> City Planner					
<b>Type of Item:</b>		Action		Discussion	X Information
<b>Action Required:</b>	X	No Action		Voice Vote	Roll Call Vote

**RECOMMENDATION:**

Receive report.

**BACKGROUND:**

At the March Ferndale City Council meeting, the Council authorized funds for the City’s Housing Element Update. The City of Ferndale Housing Element will be updated for its next cycle (2019 – 2027) based on the City of Ferndale’s Regional Housing Needs Allocation (RHNA) and State Housing and Community Development (HCD) requirements. This includes updating Housing Element maps, tables, and graphs with new data and noting progress on existing policies from the 2014 Housing Element. Housing Element goals and policies will be reviewed, accomplishments noted, and implementation actions modified as necessary. The updated Housing Element is due to HCD on August 31, 2019.

**DISCUSSION:**

The Housing Element is one of several required elements of a City’s General Plan. The term “element” refers to the topics that California law requires to be covered in a General Plan (Gov. Code § 65302). The General Plan is more than the legal underpinning for land use decisions; it is a vision about how a community will grow, reflecting community priorities and values while shaping the future. A General Plan is a codified vision for a future of a City, with specifies goals and policies to ensure the vision is carried out.

A General Plan is the perfect space for innovation, reflecting the unique character of each community. The format and content of General Plans can vary between jurisdictions based on the needs and priorities identified during public engagement. Planners must address mandatory elements, but they have discretion to organize general plans by values (core concepts that the community wants to enhance or uphold), themes (overarching issues identified by the community as important), challenges, or goals identified through community engagement.

**The Housing Element of the General Plan**

Providing adequate housing for all residents is a priority for cities and counties throughout California. The housing element implements the declaration of State law that “the availability of housing is a matter of vital statewide importance and the attainment of decent housing and a suitable living environment for all Californians is a priority of the highest order” (Gov. § Code 65580). Housing-element law requires local governments to adequately plan to meet their

existing and projected housing needs, including their share of the RHNA. The RHNA is a projected number of housing units to meet existing and projected needs within a specified time frame (4-8 years) and is determined each cycle by HCD in partnership with the region's authorized Metropolitan Planning Organization (MPO). In Humboldt County, the Humboldt County Association of Governments (HCAOG) works with HCD to determine each jurisdiction's "fair share" of projected housing needs. For the 2019-2027 cycle, it has been determined that Ferndale's share of the RHNA will be 33 units, split between four income types: very low income, low income, moderate income, and above moderate income (see Exhibit B for more information).

The intention of a Housing Element is not to direct jurisdictions to directly construct housing units; instead, it is to ensure that the jurisdictions have laws in place that can realistically allow others to create housing. As such, Government Code Section 65583(a)(3) requires local governments to prepare an inventory of land suitable for residential development as part of the Housing Element, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites. The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period.

Provisions in the Housing Element are more specific and directive than other elements and contain detailed guidance and reviews; additionally, updates to State Law since the last Housing Element Update cycle have made requirements even more stringent in an effort to accelerate housing production and hold cities accountable for addressing housing needs in their communities. The law also provides the Department of Housing and Community Development (HCD) with unique authority over the housing element. All jurisdictions in Humboldt County are currently subject to an 8-year cycle. The next Housing Element Update is proposed to include the following elements with costs spread over two fiscal years (approved scope of work attached):

- Introduction;
- Regulatory Framework;
- Population, Housing Characteristics and Housing Needs;
- Resources and Constraints;
- Review and Revision of Prior Housing Programs; and
- Updated Goals, Policies, and Implementation Programs.

### **Next Steps for Ferndale**

The City of Ferndale must periodically update their General Plan to comply with State law. It is time to consider updates to Ferndale General Plan as six of the seven elements were last updated prior to 1987, due to the burden of cost of updated all elements and performing the required environmental review per the California Environmental Quality Act (CEQA). Staff and Council are currently considering updating the Housing Element and Land Use Element at the same time, as they have a significant amount of overlap and by law are required to be consistent with each other. Staff review of existing Housing and Land Use Elements will be prioritized in the next month, and updated data will be incorporated into the Housing Element

Update draft. Ferndale is required by law to make a diligent effort to include all economic segments of the community (including residents and/or their representatives) in the development and update of the Housing Element; therefore, once the current Elements are reviewed, the next step in the process will be engaging the public and various City Commissions (including Planning Commission) in reviewing past goals and policies and creating new ones. The Draft Housing Element will be brought before the Planning Commission two times at minimum: to review existing goals and policies and ideate new ones, and for a recommendation of adoption by the City Council.

**ATTACHMENTS:**

**EXHIBIT A: Housing Element Scope of Work**

**EXHIBIT B: Final HCAOG RHNA Allocation Report**

## EXHIBIT A - SCOPE OF SERVICES

The City of Ferndale Housing Element will be updated for its next cycle (2019 – 2027) based on the City of Ferndale’s Regional Housing Needs Allocation (RHNA) and State Housing and Community Development (HCD) requirements. This includes updating Housing Element maps, tables, and graphs with new data and noting progress on existing policies from the 2014 Housing Element. Housing Element goals and policies will be reviewed, accomplishments noted, and implementation actions modified as necessary. The scope below and associated budget are for a status quo update to maintain HCD compliance. If the approach broadens to include more diverse housing types and opportunities, or if land use amendments are recommended, a scope amendment may be necessary. The final document will be provided in electronic version in MSWord and PDF formats.

### From HCD:

**Projection Period:** 12/31/2018 - 8/31/2027

**Planning Period:** 8/31/2019 - 8/31/2027

**Housing Element Due Date:** 8/31/2019

### Task 1. Prepare Baseline information

Provide key information required for the update related to issues such as: City accomplishments of goals since the 2015-2019 Housing Element; 2010 or more recent Census data demographics; household income; senior/special needs population; housing characteristics and condition; housing cost; housing constraints; at-risk housing; current description of Housing Authority services; and RHNA progress. Vacant sites, constructed and planned residential development projects, building permits issued, and other similar update information will be developed.

### Task 2. Engage critical stakeholders

Planwest will fulfill HCD’s community engagement requirement by notifying residents, special-needs populations, businesses, and housing providers about the housing element update process and input opportunities. A public meeting will be held to review the policies and programs and give the public an opportunity to bring forward new concerns and strategies. The draft Housing Element will be sent to local interests such as utility providers, tribal entities, and housing providers.

### Task 3. Administrative Draft Housing Element for internal City review

Planwest will prepare an Administrative Draft Housing Element Update for City review and comment. City of Ferndale Housing Element follows the required analysis as set by state law and outlined by the State Office of Housing and Community Development. Required Elements are outlined below. Document structure will be determined during draft preparation.

## Housing Needs

Housing-element law requires local governments to adequately plan to meet their existing and projected housing needs, including their share of the regional housing needs allocation. A complete analysis should include a quantification and a descriptive analysis of the specific needs and resources available to address these needs.

### 1. Existing

- Assisted Housing Developments at Risk of Conversion
- Extremely Low-Income Housing Needs

- Housing Stock Characteristics
  - Overpayment and Overcrowding
  - Population, Employment, and Household Characteristics
- 2. Projected**
- Projected Housing Needs - Regional Housing Needs Allocation
- 3. Special**
- Farmworkers
  - Large Families and Female-Headed Households
  - People Experiencing Homelessness
  - People with Disabilities, Including Developmental Disabilities
  - Seniors

### Site Inventory and Analysis

Government Code Section 65583(a)(3) requires local governments to prepare an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites. The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period.

- Adequate Sites Alternative
- Analysis of Sites and Zoning
- Inventory of Suitable Land
- Opportunities for Energy Conservation
- Zoning for a Variety of Housing Types

### Constraints

The housing element must identify and analyze potential and actual governmental constraints to the maintenance, improvement, or development of housing for all income levels, including housing for people with disabilities. The analysis should identify the specific standards and processes of these constraints and evaluate their impact on the supply and affordability of housing. The analysis should determine whether local, regulatory standards pose an actual constraint and must also demonstrate local efforts to remove constraints that hinder a jurisdiction from meeting its housing needs.

- Building Code Enforcement and Onsite Offsite Improvement Standards
- Constraints for People with Disabilities
- Water, Sewer, Drainage
- Fees and Exactions
- Land-Use Controls
- Non-Governmental Constraints
- Processing and Permitting Procedures

## Program Objectives

Each jurisdiction must identify specific programs in its housing element that will allow it to implement the stated policies and achieve the stated goals and objectives. Programs must include specific action steps the locality will take to implement its policies and achieve its goals and objectives. Programs must also include a specific timeframe for implementation, identify the agencies or officials responsible for implementation, describe the jurisdiction's specific role in implementation, and (whenever possible) identify specific, measurable outcomes.

- Program Overview and Quantified Objectives
- Address and Remove (or Mitigate) Constraints
- Assist in the Development of Housing
- Identify Adequate Sites
- Improve and Conserve the Existing Housing Stock
- Preserve Units at risk of Conversion to Market Rates
- Provide Equal Housing Opportunities

## Other

- Analysis of Consistency with General Plan

### **Task 4. Draft Housing Element for HCD review**

City comments will be incorporated and a draft will be prepared for HCD review. City Staff will coordinate directly with HCD. Planwest staff will assist the City with submittals and coordination with HCD staff. Responding to one round of HCD comments is included in this scope.

### **Task 5. Public Review Draft**

HCD comments will be incorporated into a Public Review Draft. Should HCD comments require city programs and/or procedures actions, Planwest staff will coordinate Planning Commission and City Council public hearing scheduling, noticing and presentations. Local agencies referrals to be provided and a Planwest representative will attend Commission and Council meetings.

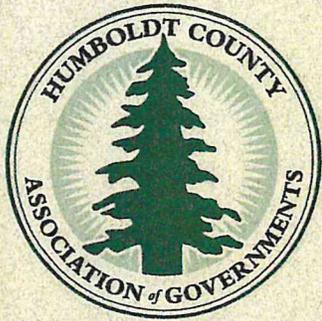
### **Task 6. Final Housing Element**

Final edits based on City Council and public review will be incorporated into the Final Housing Element.

### **Task 7. CEQA Review**

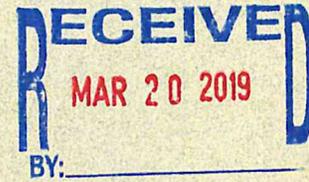
If there are no substantial policy changes that could result in potentially significant environmental impacts, a CEQA Addendum to the Oct. 2011 Negative Declaration may be prepared for this 2019-2027 Housing Element Update (an Addendum was prepared for the 2014 Housing Element Update). However, if land use changes are recommended or other policy modifications could result in potentially significant environmental impacts, an Initial Study would be necessary (requiring a scope/budget amendment).

EXHIBIT B: Final HCAOG RHNA Allocation Report



**HCAOG**  
 Regional Transportation  
 Planning Agency

611 I Street, Suite B  
 Eureka, CA 95501  
 707.444.8208  
 Fax: 707.444.8319  
 www.hcaog.net



March 18, 2019

To: Interested Parties

From: *[Signature]*  
 Marcella Clem, HCAOG Executive Director

**Re: Final RHNA Allocation**

The purpose of this notice is to inform you that there were no appeals or requests for revision filed for this 6<sup>th</sup> Regional Housing Needs Allocation (RHNA) Cycle. Consistent with Government Section Code 65584.05 (c), the allocations, provided below, are officially the final RHNA allocation and is incorporated into the final RHNA Plan.

Jurisdiction	Very Low Income Allocation	Low Income Allocation	Moderate Income Allocation	Above Moderate Allocation	Proposed Total RHNA Allocation
Arcata	142	95	111	262	610
Blue Lake	7	4	5	7	23
Eureka	231	147	172	402	952
Ferndale	9	5	6	13	33
Fortuna	73	46	51	120	290
Rio Dell	12	8	9	22	51
Trinidad	4	4	3	7	18
Unincorporated Area	351	223	256	583	1413
<b>RHNA TARGETS</b>	<b>829</b>	<b>532</b>	<b>613</b>	<b>1416</b>	<b>3390</b>

Adoption of the Final RHNA plan is scheduled for Thursday, March 21, 2019. Please contact me at (707) 444-8208 or [marcella.clem@hcaog.net](mailto:marcella.clem@hcaog.net) with any questions.

# 2019 HUMBOLDT COUNTY REGIONAL HOUSING NEEDS ASSESSMENT PLAN



2018 - 2027

Sixth Housing Element Cycle

Adopted  
March 21, 2019

**HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS**  
Regional Transportation Planning Agency  
Humboldt County Local Transportation Authority  
Service Authority for Freeway Emergencies  
611 I Street, Suite B, Eureka, CA 9550  
[www.hcaog.net](http://www.hcaog.net) 707-444-8208



# Table of Contents

Introduction ..... 1

6<sup>th</sup> RHNA Cycle Allocations..... 1

Allocation Comparisons ..... 2

RHNA Progress ..... 3

State Housing Law ..... 5

Methodology ..... 6

Appendix A ..... 13  
    Final Determination Letter from the State of California Department of Housing and  
    Community Development

Appendix B..... 18  
    Housing Data provided by the State of California Department of Housing and  
    Community Development

## Introduction

The Humboldt County Association of Governments (HCAOG) is a Joint Powers Authority (JPA). Membership includes Humboldt County and the cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell and Trinidad. As directed in State Government Code Section 65584, the Department of Housing and Community Development (HCD) determines the existing and projected housing need for distinct regions in the state. In consultation with HCD, HCAOG is required to adopt a Regional Housing Needs Plan (RHNP) that allocates a share of the regional housing need to each city and county.

HCAOG has prepared this Regional Housing Needs Allocation (RHNA) Plan to fulfill its mandated requirement to allocate by income category, each jurisdiction's "fair share" of projected housing needs for the period of December 31, 2018 through August 31, 2027. This period is the 6<sup>th</sup> RHNA cycle since the requirements began in 1981. Housing allocations are important components of the Housing Element updates of the County and seven cities in Humboldt County.

Cities and Counties are not required to provide housing designated by the RHNA process. The RHNA is a distribution of housing capacity that each city and county must zone for in a planning period. It is not a construction need allocation.

## 6<sup>th</sup> RHNA Cycle Allocations

Development of this plan began with discussions with HCD in June of 2018. HCAOG's received a final RHNA determination in August 27, 2018 (provided in Appendix A). HCAOG staff met with planning representatives on a regular basis from June through December. The HCAOG Board discussed the RHNA process and methodology in monthly meetings beginning in October. HCAOG's methodology was adopted at a public hearing on December 20, 2018.

As indicated in the final determination from HCD, the 8.7-year projection period begins December 31, 2018 and ends August 31, 2027. The allocation is based on the California Department of Finance projections. The state-mandated RHNA process (Government Code Sections 65580 *et seq.*) requires HCAOG to develop a methodology that determines how to divide and allocate an overall allocation that the region receives from the state to local jurisdictions. HCD's housing need determination is as follows:

**HCD Final RHNA Determination for Humboldt County**

Income Category	Percent	Housing Unit Need
Very Low*	24.4%	829
Low	15.7%	532
Moderate	18.1%	613
Above Moderate	41.8%	1,416
<b>Total</b>	<b>100.0%</b>	<b>3,390</b>
*Extremely-Low	12.3%	Included in Very-Low Category

At a noticed public hearing, the HCAOG Board adopted a RHNA methodology at their December 20, 2019 Board meeting. The methodology utilized available population and employment data using equal weighting. The final allocations are summarized as follows:

### Final 2019 Overall RHNA

Jurisdiction	EDD Employment Data	DOF Population (1/1/2018)	Jobs Distribution	Population Distribution	Jobs-Pop 50-50 Split Allocation %	RHNA
Arcata	10,362	18,398	22.5%	13.5%	18.0%	610
Blue Lake	182	1,280	0.4%	0.9%	0.7%	23
Eureka	16,956	26,362	36.8%	19.4%	28.1%	952
Ferndale	422	1,367	0.9%	1.0%	1.0%	33
Fortuna	3,819	12,042	8.3%	8.9%	8.6%	290
Rio Dell	246	3,348	0.5%	2.5%	1.5%	51
Trinidad	387	340	0.8%	0.2%	0.5%	18
Unincorporated Area	13,754	72,865	29.8%	53.6%	41.7%	1,414
<b>Totals</b>	<b>46,128</b>	<b>136,002</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>3,390</b>

### Final 2019 RHNA by Income Category

Jurisdiction	Very Low Income Allocation	Low Income Allocation	Moderate Income Allocation	Above Moderate Allocation	Proposed Total RHNA Allocation
Arcata	142	95	111	262	<b>610</b>
Blue Lake	7	4	5	7	<b>23</b>
Eureka	231	147	172	402	<b>952</b>
Ferndale	9	5	6	13	<b>33</b>
Fortuna	73	46	51	120	<b>290</b>
Rio Dell	12	8	9	22	<b>51</b>
Trinidad	4	4	3	7	<b>18</b>
Unincorporated Area	351	223	256	583	<b>1413</b>
<b>RHNA TARGETS</b>	<b>829</b>	<b>532</b>	<b>613</b>	<b>1416</b>	<b>3390</b>

## Allocation Comparisons

The methodology used by HCD in determining the overall RHNA determination is based on projected population and projected households for Humboldt County. HCD applies additional units to correct for overcrowding, low vacancy rates, and demolition rates. A more detailed explanation is included in HCD's RHNA Determination letter provided in Appendix A.

Of note, although HCD has cited a projected population increase of only 4,978 residents over the next 8.7 years, their methodology calls for the planning of 3,390 housing units in the planning period. HCD's required allocation percentage for Very Low Income and Low Income housing units have not changed since the 5<sup>th</sup> cycle in 2013 and have slightly decreased since the 4<sup>th</sup> cycle in 2009. A comparison of HCAOG's RHNA Determination for the last three cycles are provided below.

### Comparison of HCAOG's RHNA Allocations

RHNA Cycle	Very Low		Low		Moderate		Above Moderate		Total Allocation
	%	Allocation	%	Allocation	%	Allocation	%	Allocation	
4 <sup>th</sup>	24.8%	1175	16.0%	762	17.4%	825	41.8%	1985	4747
5 <sup>th</sup>	24.4%	500	15.7%	320	17.0%	350	42.9%	890	2060
6 <sup>th</sup>	24.4%	829	15.7%	532	18.1%	613	41.8%	1416	3390

The sixth cycle allocation has not significantly increased since the 5<sup>th</sup> cycle allocation on an annualized basis.

### Comparison of RHNA Cycle Planning Periods

RHNA Cycle	Planning Period (PP)	HCD Allocation/PP	Annualized RHNA
Cycle 2	12/31/90-06/30/97	5,984/6.5 years	921/year
Cycle 3	12/31/00-06/30/08	3,975/7.5 years	530/year
Cycle 4	12/31/06-06/30/14	4,747/7.5 years	633/year
Cycle 5	12/31/13-06/30/19	2,060/5.5 years	375/year
Cycle 6	12/31/18-08/31/27	3,390/8.7 years	390/year

## RHNA Progress

HCAOG's RHNA Plan establishes housing development targets for member city and county state-mandated Housing Element Updates. Each of the seven incorporated cities and the County of Humboldt unincorporated area are required to update their Housing Element to accommodate adequate general plan and zoning capacity for their allocation by income. It is up to each local government to plan where and how the allocated housing units will be developed in their communities.

A look all of the housing elements previously submitted by Humboldt's local governments, only minor zoning and land use changes may be required for the cities of Arcata and Eureka. The information provided in the following tables were compiled by reviewing adopted or draft housing elements, in addition information readily available on HCD's website.

### Comparison of RHNA Cycle Planning Periods

Jurisdiction	Year of Housing Element	Previously Reported Residential Housing Inventory	Reported Permits Since 5 <sup>th</sup> RHNA Cycle as of 2017
Arcata	2014 (Adopted)	887	287
Blue Lake	2018 (Draft)	95	No Reports Submitted
Eureka	2014 (Adopted)	1075	104
Ferndale	2014 (Adopted)	256	No Reports Submitted
Fortuna	2018 (Adopted)	807	9
Rio Dell	Due		No Reports Submitted
Trinidad	Due		No Reports Submitted
Humboldt County	2014 (Adopted)	4847	430

All California cities and counties are required by Government Code (Sections 65580-65590) to adopt housing elements as part of their general plans. Two cities in Humboldt County are currently out of compliance. HCD is required to review RHNA plans and housing elements. Agencies found not in compliance at the time of assignment of the new RHNA allocation must accommodate both the current and prior allocations in their update. Housing elements must be revised and updated to reflect their assigned RHNA each cycle. A city or county that does not adopt its housing element within 120 days after the due date (August 31, 2019) will be required to revise its housing element every four years on time, rather than every eight for at least two consecutive revisions (Section 65588(e)(4)). Cities and counties that have not yet adopted a housing element in the current cycle can also not disapprove an affordable housing development that does not comply with the general plan and zoning (Section 65589.5(d)(5)).

Progress made toward RHNA, by income category, since the last RHNA cycle is provided for those agencies that have reported their permit history to HCD, as of 2017. Four out of Humboldt’s eight jurisdictions have reported permit history by income level to HCD.

City of Arcata	Permits	2013 RHNA
Very Low Income	43	85
Low Income	5	56
Moderate Income	218	62
Above Moderate Income	21	160

City of Eureka	Permits	2013 RHNA
Very Low Income	0	145
Low Income	55	96
Moderate Income	8	104
Above Moderate Income	41	264

City of Fortuna	Permits	2013 RHNA
Very Low Income	0	39
Low Income	0	24
Moderate Income	4	27
Above Moderate Income	5	71

County of Humboldt	Permits	2013 RHNA
Very Low Income	31	212
Low Income	43	135
Moderate Income	195	146
Above Moderate Income	161	366

## State Housing Law

State law requires each city and county to adopt a general plan. The housing element is one of the seven mandated elements of the local general plan. Housing element law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The housing elements of all general plans are reviewed by HCD to ensure compliance with State law. The allocation of housing need to a jurisdiction is a key component of the housing element. The State is required to allocate the region's share of the statewide housing need to Councils of Governments (COG) based on Department of Finance population (DOF) projections and regional population forecasts used in preparing regional transportation plans. The region's COG, HCAOG in Humboldt County, is then required to develop a RHNA Plan to describe the region's allocation method and determine a final allocation of housing need to the jurisdictions in the region (Government Code, Sections 65584 et seq). Recently passed Assembly Bills 1771 and 2238, effective January 1, 2019, amended RHNA legislation that will affect the 7<sup>th</sup> RHNA cycle. HCAOG's methodology was approved consistent with legislation of 2018.

State law requires that the final RHNA Plan shall be consistent with the following objectives:

1. Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very low-income households.
2. Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.
3. Promoting an improved intraregional relationship between jobs and housing.
4. Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent decennial United States census.

Consistent with these objectives, the adopted methodology utilized in this plan seeks to increase housing opportunity with a mix of housing types, tenure and affordability in all jurisdictions within the region by allocating units to each jurisdiction in each income category. Each jurisdiction's allocation is trended towards the regional income category average, thus working to improve imbalances in the income distributions within the region. Existing data of income categories for each jurisdiction, compiled by HCD, is provided in Appendix B. Jurisdictions must plan and zone accordingly for different levels of density, thus making different product types available for development. Higher density zoning offers the option of providing more affordable units.

## Methodology

The mandated 60-day Public Notice for the 6th Regional Housing Needs Methodology began on October 14, 2018. The HCAOG Board discussed the methodology at their meeting in October and held a noticed Public Hearing on November 15, 2018. Planning representative coordinated this cycle from June through December 2018. The final methodology was adopted at their December 20, 2018 meeting. All jurisdictions were notified of the draft RHNA on January 1, 2019. There were no appeals submitted during the appeal period.

Consistent with California Government Code Section 65584.04(b), HCAOG surveyed each member jurisdiction to request information regarding the factors listed in California Government Code Section 65584.04(d), provided below. In accordance with the law, HCAOG sought to obtain the survey information in a manner and format that is comparable throughout the region and utilize readily available data to the extent possible. The law also states that none of the information received in response to the survey may be used as a basis for reducing the total housing need established for the region. Two out of the eight jurisdictions in the region (Ferndale and the County) responded to the survey. Discussions with planning staff from jurisdictions in the region emphasized that similar to prior RHNA cycles, the only readily available data comparable throughout the region are population and employment data. The source information for this data used in the methodology alternatives is posted on HCAOG's website and will be provided to anyone upon request.

California Government Code Section 65584.04(d) indicates that the following factors be considered in developing the methodology:

- (1) Each member jurisdiction's existing and projected jobs and housing relationship.

*The City of Ferndale has a high percentage of retirees which supports their comment that a high population does not necessarily indicate that a significant percentage is employed. This situation should be taken into account when considering the jobs/population balance with respect to the final methodology. The County of Humboldt commented that their higher density residential zoning is centered around the more urban areas of the unincorporated areas to plan for improved jobs/housing balances in the future.*

- (2) The opportunities and constraints to development of additional housing in each member jurisdiction, including all of the following:

- (A) Lack of capacity for sewer or water service due to federal or state laws, regulations or regulatory actions, or supply and distribution decisions made by a sewer or water service

provider other than the local jurisdiction that preclude the jurisdiction from providing necessary infrastructure for additional development during the planning period.

*No jurisdiction cited lack of capacity for sewer or water service due to laws or regulations. In discussions, most cities have cited issues with increased capacity, but as stated above, there is no action that would “preclude the jurisdiction from providing necessary infrastructure for additional development.”*

- (B) The availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, and opportunities for infill development and increased residential densities. The council of governments may not limit its consideration of suitable housing sites or land suitable for urban development to existing zoning ordinances and land use restrictions of a locality, but shall consider the potential for increased residential development under alternative zoning ordinances and land use restrictions. The determination of available land suitable for urban development may exclude lands where the Federal Emergency Management Agency (FEMA) or the Department of Water Resources has determined that the flood management infrastructure designed to protect that land is not adequate to avoid the risk of flooding.

*Both the City of Ferndale and the County of Humboldt cited significant limitations due to resource lands and prime agricultural soils. That being said, the high RHNA allocation in 2013 (1,357 more units than the current determination), lends to the fact that Humboldt’s jurisdictions should have available residential land inventories. Of our eight jurisdictions, five are in compliance with HCD regarding their Housing Elements. Of the other three, one has submitted a draft this month and is currently being reviewed.*

- (C) Lands preserved or protected from urban development under existing federal or state programs, or both, designed to protect open space, farmland, environmental habitats, and natural resources on a long-term basis.

*Jurisdictions currently exclude such lands in their housing element’s residential land inventories.*

- (D) County policies to preserve prime agricultural land, as defined pursuant to Section 56064, within an unincorporated area.

*To preserve prime agricultural land, the County’s zoning ordinance and general plan limit the allowed uses and residential densities on prime agricultural land through its Agriculture Exclusive zoning designation. The County also implements a Williamson Act Agricultural Preserve program which keeps prime agricultural land in agricultural use.*

- (3) The distribution of household growth assumed for purposes of a comparable period of regional transportation plans and opportunities to maximize the use of public transportation and existing transportation infrastructure.

*Transit systems serve seven of the region’s eight jurisdictions. Infill development opportunities are along existing transit routes. The response from the City of Ferndale emphasized that their city limit boundary is one square mile, that most goods and services within the City are accessible by walking or biking. Although no adjustments to the methodology based on this factor were included in the methodology, HCAOG recommends that inclusion of this need be considered in all housing element updates.*

- (4) The market demand for housing.

*The City of Ferndale cited a healthy housing market trend. The County of Humboldt indicated that the market demand will continue to encourage less expensive, more affordable homes in areas with full urban services.*

- (5) Agreements between a county and cities in a county to direct growth toward incorporated areas of the county.

*There are no formal agreements offered for the methodology, although Section 66584.07 does allow a transfer between a City and the County between adoption of the final RHNA Plan and the due date of the housing element under certain conditions.*

- (6) The loss of units contained in assisted housing developments, as defined in paragraph (9) of subdivision (a) of Section 65583, that changed to non-low-income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions.

*No jurisdiction submitted information regarding the number of units at risk for the next cycle. Each individual jurisdiction should consider this category of need in their respective housing elements.*

- (7) High-housing cost burdens.

*High-housing cost burdens are a region-wide problem and therefore, no adjustments to the methodology based on this factor were considered.*

- (8) The housing needs of farmworkers.

*As defined by the California Employment Development Department (EDD), regular (year round) farmworkers are those working 150 or more days for the same employer. Seasonal workers are those who work less than 150 days annually for the same employer. Migrant seasonal workers are defined as those who travel more than 50 miles across county lines to obtain agriculture employment. The RHNA Plan concentrates on determining a needed increase in housing available for year round occupancy. It is assumed that seasonal and migrant workers will continue to be housed in non-year round units. No net increase in seasonal or migrant housing is anticipated. Regular farmworker housing has been addressed, in part, in the allocation for very low and low-income housing.*

- (9) The housing needs generated by the presence of a private university or a campus of the California State University or the University of California within any member jurisdiction.

*The City of Arcata accommodates the majority of the student housing needs based on its proximity to Humboldt State University (HSU). No data or statistical information was provided to be incorporated into the RHNA methodology.*

- (10) Any other factors adopted by the council of governments.

*No additional factor has been considered this cycle.*

The HCAOG Board considered three methodology alternatives. Data used to determine the total share to each jurisdiction was developed by the Department of Finance (population projections) and by the Labor Market Information Division of the California Employment Development Department (quarterly workforce indicators). The following table summarizes this data and outcome:

## Alternative 1: Weighting jobs at 40% and population at 60%

Jurisdiction	EDD Employment Data	DOF Population (1/1/2018)	Jobs Distribution	Population Distribution	Jobs-Pop Allocation %	RHNA
Arcata	10,362	18,398	22.5%	13.5%	17.1%	580
Blue Lake	182	1,280	0.4%	0.9%	0.7%	24
Eureka	16,956	26,362	36.8%	19.4%	26.3%	893
Ferndale	422	1,367	0.9%	1.0%	1.0%	33
Fortuna	3,819	12,042	8.3%	8.9%	8.6%	292
Rio Dell	246	3,348	0.5%	2.5%	1.7%	57
Trinidad	387	340	0.8%	0.2%	0.5%	16
Unincorporated Area	13,754	72,865	29.8%	53.6%	44.1%	1,494
<b>Totals</b>	<b>46,128</b>	<b>136,002</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>3,390</b>

## Alternative 2: Weighting jobs at and population at 50%

Jurisdiction	EDD Employment Data	DOF Population (1/1/2018)	Jobs Distribution	Population Distribution	Jobs-Pop Allocation %	RHNA
Arcata	10,362	18,398	22.5%	13.5%	18.0%	610
Blue Lake	182	1,280	0.4%	0.9%	0.7%	23
Eureka	16,956	26,362	36.8%	19.4%	28.1%	952
Ferndale	422	1,367	0.9%	1.0%	1.0%	33
Fortuna	3,819	12,042	8.3%	8.9%	8.6%	290
Rio Dell	246	3,348	0.5%	2.5%	1.5%	51
Trinidad	387	340	0.8%	0.2%	0.5%	18
Unincorporated Area	13,754	72,865	29.8%	53.6%	41.7%	1,414
<b>Totals</b>	<b>46,128</b>	<b>136,002</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>3,390</b>

## Alternative 3: Weighting jobs at 60% and population at 40%

Jurisdiction	EDD Employment Data	DOF Population (1/1/2018)	Jobs Distribution	Population Distribution	Jobs-Pop Allocation %	RHNA
Arcata	10,362	18,398	22.5%	13.5%	18.9%	640
Blue Lake	182	1,280	0.4%	0.9%	0.6%	21
Eureka	16,956	26,362	36.8%	19.4%	29.8%	1011
Ferndale	422	1,367	0.9%	1.0%	1.0%	32
Fortuna	3,819	12,042	8.3%	8.9%	8.5%	288
Rio Dell	246	3,348	0.5%	2.5%	1.3%	44
Trinidad	387	340	0.8%	0.2%	0.6%	20
Unincorporated Area	13,754	72,865	29.8%	53.6%	39.3%	1,333
<b>Totals</b>	<b>46128</b>	<b>136,002</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>3,390</b>

The HCAOG Board fully considered Alternatives 2 and 3 at their November and December meetings. Alternative 2, the methodology utilizing an equal 50/50 jobs/population weighting was adopted as the methodology for the 6<sup>th</sup> RHNA cycle. The following tables show the most recent data of income categories by jurisdiction (Appendix B), with the regional average at the bottom. The adopted methodology takes the differences into consideration in allocation the RHNA by income category to move all jurisdictions towards the regional averages.

<b>Percentage of Households by Income Category by Jurisdiction per 2012-2016 Census</b>					
	Very Low (<50% MHI)	Low (50-80% MHI)	Moderate (80-120% MHI)	Above Moderate (>120% MHI)	TOTAL UNITS
Arcata	36.99%	16.32%	16.57%	30.12%	<b>610</b>
Blue Lake	18.53%	19.27%	13.47%	48.73%	<b>23</b>
Eureka	25.85%	18.36%	18.31%	37.48%	<b>952</b>
Ferndale	21.84%	20.96%	22.76%	34.44%	<b>33</b>
Fortuna	21.32%	15.28%	22.60%	40.79%	<b>290</b>
Rio Dell	27.88%	13.96%	16.47%	41.70%	<b>51</b>
Trinidad	22.25%	8.11%	22.58%	47.06%	<b>18</b>
Unincorporated Area	21.27%	14.51%	17.70%	46.51%	<b>1413</b>
<b>HCD Regional Targets</b>	<b>24.45%</b>	<b>15.69%</b>	<b>18.08%</b>	<b>41.77%</b>	<b>3390</b>

Source: 2012-2016 American Communities Survey Table DP03. Median Household Income (MHI) = \$42,682

The following series of tables show the methodology proposed to bring each city closer to HCD's regional targets. Using the same methodology from the last RHNA cycle, each city's percentage was adjusted by 10% towards the regional target. When the total units ended up less than HCD's regional target, an additional unit was added to the agency with the 2012-16 ACS data farthest away from the regional target. The following examples show the methodology for both Arcata, with the highest percentage of very low income units, and Blue Lake, with the lowest percentage of very low income units in the region:

Arcata:  $36.99\% - (36.99\% - 24.45\%) \times 110\% = 23.20\%$        $23.20\%$  of 610 units = 142 units

Blue Lake:  $18.53\% - (18.53\% - 24.45\%) \times 110\% = 25.04\%$        $25.04\%$  of 23 units = 7 units. A final adjustment of one unit was then added to Blue Lake's very low income category to meet HCD's Very Low Income RHNA target.

VERY LOW					
Jurisdiction	Very Low Income (<50% MHI)	110% Adjustment towards Regional Goal of 24.45%	Income Allocation using adjusted %	Jurisdictional adjustment to meet HCD target	Income Level Allocation
Arcata	36.99%	23.20%	142		142
Blue Lake	18.53%	25.04%	6	+1	7
Eureka	25.85%	24.31%	231		231
Ferndale	21.84%	24.71%	8	+1	9
Fortuna	21.32%	24.76%	72	+1	73
Rio Dell	27.88%	24.11%	12		12
Trinidad	22.25%	24.67%	4		4
Unincorporated Area	21.27%	24.77%	350	+1	351
<b>RHNA TARGETS</b>	<b>829 Units</b>		<b>825</b>	<b>+4</b>	<b>829</b>

LOW					
Jurisdiction	Low Income (50-80% MHI)	110% Adjustment towards Regional Goal of 15.69%	Income Allocation using adjusted %	Jurisdictional adjustment to meet HCD target	Income Level Allocation
Arcata	16.32%	15.63%	95		95
	19.27%	15.34%	4		4
Eureka	18.36%	15.43%	147		147
Ferndale	20.96%	15.17%	5		5
Fortuna	15.28%	15.73%	46		46
Rio Dell	13.96%	15.87%	8		8
Trinidad	8.11%	16.45%	3	+1	4
Unincorporated Area	14.51%	15.81%	223		223
<b>RHNA TARGETS</b>	<b>532 Units</b>		<b>531</b>	<b>+1</b>	<b>532</b>

MODERATE					
Jurisdiction	Moderate (80-120% MHI)	110% Adjustment towards Regional Goal of 18.08%	Income Allocation Using Adjusted %	Jurisdictional adjustment to meet HCD target	Income Level Allocation
Arcata	16.57%	18.24%	111		111
Blue Lake	13.47%	18.55%	4	+1	5
Eureka	18.31%	18.06%	172		172
Ferndale	22.76%	17.62%	6		6
Fortuna	22.60%	17.64%	51		51
Rio Dell	16.47%	18.25%	9		9
Trinidad	22.58%	17.64%	3		3
Unincorporated Area	17.70%	18.13%	256		256

RHNA TARGETS	613 Units		612	+1	613
ABOVE MODERATE INCOME					
Jurisdiction	Above Moderate Income (>120% MHI)	110% Adjustment towards Regional Goal of 41.77%	Income Allocation using adjusted %	Jurisdictional adjustment to meet HCD target	Income Level Allocation
Arcata	30.12%	42.93%	262		<b>262</b>
Blue Lake	48.73%	41.07%	9	-2	<b>7</b>
Eureka	37.48%	42.20%	402		<b>402</b>
Ferndale	34.44%	42.50%	14	-1	<b>13</b>
Fortuna	40.79%	41.87%	121	-1	<b>120</b>
Rio Dell	41.70%	41.77%	21	+1	<b>22</b>
Trinidad	47.06%	41.24%	7		<b>7</b>
Unincorporated Area	46.51%	41.29%	583		<b>583</b>
<b>RHNA TARGETS</b>	<b>1416 Units</b>		<b>1419</b>	<b>-3</b>	<b>1416</b>

The jurisdictional adjustments in the Above Moderate Income table were applied to meet the total RHNA allocations by income category determined by HCD. The following table summarizes proposed 50/50 jobs/population split RHNA allocations by income category for the region:

Jurisdiction	Very Low Income Allocation	Low Income Allocation	Moderate Income Allocation	Above Moderate Allocation	Proposed Total RHNA Allocation
Arcata	142	95	111	262	<b>610</b>
Blue Lake	7	4	5	7	<b>23</b>
Eureka	231	147	172	402	<b>952</b>
Ferndale	9	5	6	13	<b>33</b>
Fortuna	73	46	51	120	<b>290</b>
Rio Dell	12	8	9	22	<b>51</b>
Trinidad	4	4	3	7	<b>18</b>
Unincorporated Area	351	223	256	583	<b>1413</b>
<b>RHNA TARGETS</b>	<b>829</b>	<b>532</b>	<b>613</b>	<b>1416</b>	<b>3390</b>

## **Appendix A**

### **Final Determination Letter from the State of California Department of Housing and Community Development**



August 27, 2018

Ms. Marcella Clem, Executive Director  
Humboldt County Association of Governments  
611 I Street, Suite B  
Eureka, CA 95501

Dear Ms. Clem:

**RE: Final 6<sup>th</sup> Cycle Regional Housing Need Determination**

This letter provides Humboldt County Association of Governments (HCAOG) its Regional Housing Need Assessment (RHNA) for the projection period starting December 31, 2018 and ending August 31, 2027). Pursuant to state housing element law, Government Code section 65584, et seq., the Department of Housing and Community Development (HCD) is required to determine each region's housing need.

The December 2018 projection start date is based on Gov. Code section 65584(e)(6) that specifies December 31 or June 30, whichever date most closely precedes the end date of the current housing element cycle date, that is June 2019 for Humboldt County governments. The August 2027 end date, pursuant to Gov. Code section 65584(e)(3), reflects the end date of local government's new 6<sup>th</sup> cycle 8-year housing element.

In assessing HCAOG's regional housing need, the Department and HCAOG's staff completed a consultation process covering the Department's methodology, data sources, and timeline for both the Department's RHNA Determination and HCAOG's RHNA Plan. The Department also consulted with Mr. Walter Schwarm of the California Department of Finance (DOF) Demographic Research Unit.

Attachment 1 displays minimum RHNA of **3,390** total units among four income categories for HCAOG to distribute among its local governments. Attachment 2 explains methodology applied pursuant to Gov. Code section 65584.01. In finalizing HCAOG's housing need, HCD considered information specified in Gov. Code section 65584.01(c).

The Department, pursuant to Gov. Code section 65584(c), extended HCAOG's 6th cycle regional housing need determination by 60 days to consider updated Department of Finance information and therefore extended the local government's housing element adoption due date to August 31, 2019. The Department received HCAOG's required notification in December 2016 identifying a December 2017 estimated RTP adoption date for HCD to provide its RHNA determination by June 30, 2017. The Department appreciates the cooperation of HCAOG and local governments to submit HCAOG's RHNA plan before December 31, 2018 for HCD approval and for local governments to submit their adopted housing element before August 31, 2019.

Page 2

Pursuant to Gov. Code section 65584(d), the methodology to prepare HCAOG's RHNA plan must be consistent with the following objectives:

- (1) Increasing the housing supply and mix of housing types, tenure, and affordability
- (2) Promoting infill development and socioeconomic equity, protecting environmental and agricultural resources, and encouraging efficient development patterns
- (3) Promoting an improved intraregional relationship between jobs and housing
- (4) Balancing disproportionate household income distributions

Pursuant to Gov. Code section 65584.04(d), to the extent data is available, HCAOG should include the factors listed in Gov. Code section 65584.04(d)(1-10) to develop its RHNA plan, and pursuant to Gov. Code section 65584.04(e), HCAOG must explain in writing how each of these factors was incorporated into the RHNA plan methodology.

The Department commends HCAOG for its leadership in fulfilling its important role in advancing the state's housing, transportation, and environmental goals. The Department especially thanks Marcella Clem for her significant efforts and assistance. The Department looks forward to its continued partnership with HCAOG and its member jurisdictions and assisting HCAOG in its planning efforts to accommodate the region's share of housing need.

If HCD can provide any additional assistance, or if you, or your staff, have any questions, please contact Megan Kirkeby, Assistant Deputy Director for Fair Housing, at (916) 263-7428 or [megan.kirkeby@hcd.ca.gov](mailto:megan.kirkeby@hcd.ca.gov), or Tom Brinkhuis, Housing Policy Analyst at 916-263-6651 or [tom.brinkhuis@hcd.ca.gov](mailto:tom.brinkhuis@hcd.ca.gov).

Sincerely,



Zachary Olmstead  
Deputy Director

Enclosures

## ATTACHMENT 1

## HCD REGIONAL HOUSING NEED DETERMINATION

Humboldt County Association of Governments  
December 31, 2018 through August 31, 2027

<u>Income Category</u>	<u>Percent</u>	<u>Housing Unit Need</u>
Very-Low*	24.4%	829
Low	15.7%	532
Moderate	18.1%	613
Above-Moderate	41.8%	1416
<b>Total</b>	<b>100.0%</b>	<b>3390</b>
* Extremely-Low	12.3%	Included in Very-Low Category

Notes:

Income Distribution:

Income categories are prescribed by California Health and Safety Code (Section 50093, et. seq.). Percents are derived based on Census/ACS reported household income brackets and County median income.

## ATTACHMENT 2

**HCD REGIONAL HOUSING NEED DETERMINATION:  
Humboldt COAG December 31, 2018 – August 31, 2027**

**Methodology**

Humboldt County: December 31, 2018 – August 31, 2027 (8.7 years) HCD Determined Population, Households, & Housing Unit Need				
1.	Population: Population: August 31, 2027 – DOF June 30, 2028 projection adjusted minus 10 months			140,980
2.	- Group Quarters Population: August 31, 2027– DOF June 30, 2028 projection adjusted minus 10 months			-6,090
3.	<b>Household (HH) Population</b>			<b>134,890</b>
	<b>Household Formation Groups</b>	<b>HCD Adjusted DOF Projected HH Population</b>	<b>DOF HH Formation Rates</b>	<b>HCD Adjusted DOF Projected Households</b>
		134,890		59,185
	under 15 years	21,825	n/a	n/a
	15 – 24 years	21,375	20.51%	4,385
	25 – 34 years	15,600	48.24%	7,526
	35 – 44 years	14,365	52.50%	7,542
	45 – 54 years	16,530	56.99%	9,420
	55 – 64 years	13,925	63.07%	8,783
	65 – 74 years	16,750	66.72%	11,176
	75 – 84 years	11,370	69.65%	7,920
	85+	3,150	77.20%	2,433
4.	<b>Projected Households (Occupied Unit Stock)</b>			<b>59,185</b>
5.	+ Vacancy Adjustment (1.55%)			915
6.	+ Overcrowding Adjustment (0.41%)			245
7.	+ Replacement Adjustment (0.35%)			205
8.	- Occupied Units (HHs) estimated January 1, 2019			-57,160
<b>6<sup>th</sup> Cycle Regional Housing Need Assessment (RHNA)</b>				<b>3,390</b>

**Explanation and Data Sources**

- 1-4. Population, Group Quarters, Household Population, & Projected Households: Pursuant to Government Code Section 65584.01, projections were extrapolated from (DOF) projections. Population reflects total persons. Group Quarter Population reflects persons in a dormitory, group home, institute, military, etc. that do not require residential housing. Household Population reflects persons requiring residential housing. Projected Households reflect the propensity of persons, by age groups, to form households at different rates based on Census trends.
5. Vacancy Adjustment: HCD applies a vacancy adjustment (standard 4% maximum to total housing stock) and adjusts the percentage based on the County's current "for rent and sale" vacancy percentage to provide healthy market vacancies to facilitate housing availability and resident mobility. Adjustment is difference between standard 4% vacancy rate and County's current vacancy rate based on the 2012-2016 American Community Survey (ACS) data.
6. Overcrowding Adjustment: In Counties where overcrowding is greater than the U.S. overcrowding rate of 3.34%, HCD applies an adjustment based on the amount the County's overcrowding rate exceeds the U.S. overcrowding rate. Data is from the 2012-2016 ACS.
7. Replacement Adjustment: HCD applies a replacement adjustment up to 5% of total housing stock based on the current 10-year annual average percent of demolitions, applied to length of the projection period. Data is from County local government housing survey reports to DOF.
8. Occupied Units: This figure reflects DOF's estimate of occupied units at the start of the January closest to the projection period start date, per DOF E-5 report.

## **Appendix B**

**Housing Data provided by the State of California Department of Housing and Community Development**

Determination of County's Number/Percentage of Households By Income Category

ACS 2012-2016

Arcata

Income Limits in Each Category:

Max % of Median	Starting	Highest
Extremely low (30%)	-	\$ 12,806
Very Low (50%)	\$ 12,807	\$ 21,343
Low (80%)	\$ 21,344	\$ 34,148
Moderate (120%)	\$ 34,149	\$ 51,222
Above Moderate	\$ 51,223	all else

Median Household Income 42,685

Households in Bracket	Income Brackets		Extreme Low	carryover	Very Low	Low	Moderate	Above Moderate
	\$ -	\$ 10,000						
1,234	\$ -	\$ 10,000	1,234	1	-	-	-	-
807	\$ 10,000	\$ 14,999	453	354	354	-	-	-
929	\$ 15,000	\$ 24,999	-	-	589	340	-	-
897	\$ 25,000	\$ 34,999	-	-	-	821	76	76
1,061	\$ 35,000	\$ 49,999	-	-	-	-	-	1,061
838	\$ 50,000	\$ 74,999	-	-	-	-	-	41
549	\$ 75,000	\$ 99,999	-	-	-	-	-	-
476	\$ 100,000	\$ 149,999	-	-	-	-	-	-
184	\$ 150,000	\$ 199,999	-	-	-	-	-	-
136	\$ 200,000	\$ 999,999	-	-	-	-	-	-
7,111			1,687		2,630	1,160	1,178	2,142
100.00%			23.72%		36.99%	16.32%	16.57%	30.12%

Note: "carryover" column reflects calculation of households (ratio) counted in next income group. Group Income is calculated by multiplying county median income against percentage (50%/80%/120%) representing income category

Source: 2012-2016 American Communities Survey DP03 Data

[http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?\\_afpt=table](http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?_afpt=table)

**Determination of County's Number/Percentage of Households By Income Category**  
**ACS 2012-2016**  
**Blue Lake**

**Income Limits in Each Category:**

Max % of Median	Starting	Highest
Extremely low (30%)	-	\$ 12,806
Very Low (50%)	\$ 12,807	\$ 21,343
Low (80%)	\$ 21,344	\$ 34,148
Moderate (120%)	\$ 34,149	\$ 51,222
Above Moderate	\$ 51,223	all else

Median Household Income **42,685**

Households in Bracket	Income Brackets		Extreme Low	Very Low	carryover	Income Limits in Each Category:			Above Moderate
	\$ -	\$ 10,000				carryover	Low	Moderate	
36	\$ -	\$ 10,000	36	-	1	carryover	carryover	carryover	carryover
26	\$ 10,000	\$ 14,999	15	11	11				
39	\$ 15,000	\$ 24,999	-	25	-	14	14		
83	\$ 25,000	\$ 34,999	-	-	-	76	76	7	
52	\$ 35,000	\$ 49,999	-	-	-	-	-	52	
81	\$ 50,000	\$ 74,999	-	-	-	-	-	4	77
73	\$ 75,000	\$ 99,999	-	-	-	-	-	-	73
63	\$ 100,000	\$ 149,999	-	-	-	-	-	-	63
11	\$ 150,000	\$ 199,999	-	-	-	-	-	-	11
4	\$ 200,000	\$ 999,999	-	-	-	-	-	-	4
468			51	87		90	63		228
100.00%			10.81%	18.53%		19.27%	13.47%		48.73%

Note: "carryover" column reflects calculation of households (ratio) counted in next income group. Group Income is calculated by multiplying county median income against percentage (50%/80%/120%) representing income category

Source: 2012-2016 American Communities Survey DP03 Data

<http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

Determination of County's Number/Percentage of Households By Income Category

ACS 2012-2016

Eureka

Income Limits in Each Category:

Max % of Median	Starting	Highest
Extremely low (30%)	-	\$ 12,806
Very Low (50%)	\$ 12,807	\$ 21,343
Low (80%)	\$ 21,344	\$ 34,148
Moderate (120%)	\$ 34,149	\$ 51,222
Above Moderate	\$ 51,223	all else

Median Household Income 42,685

Households in Bracket	Income Brackets		Extreme Low	carryover	Very Low	carryover	Low	carryover	Moderate	carryover	Above Moderate
	\$ -	\$ 10,000									
657	\$ -	\$ 10,000	657	1	-	-	-	-	-	-	-
1,034	\$ 10,000	\$ 14,999	580	454	454	-	-	-	-	-	-
1,801	\$ 15,000	\$ 24,999	-	-	1,142	-	659	-	-	-	-
1,480	\$ 25,000	\$ 34,999	-	-	-	-	1,354	126	126	-	-
1,786	\$ 35,000	\$ 49,999	-	-	-	-	-	-	1,786	-	-
1,957	\$ 50,000	\$ 74,999	-	-	-	-	-	-	96	1,861	1,861
1,123	\$ 75,000	\$ 99,999	-	-	-	-	-	-	-	-	1,123
794	\$ 100,000	\$ 149,999	-	-	-	-	-	-	-	-	794
126	\$ 150,000	\$ 199,999	-	-	-	-	-	-	-	-	126
204	\$ 200,000	\$ 999,999	-	-	-	-	-	-	-	-	204
10,962			1,237		2,833		2,013		2,008		4,108
100.00%			11.29%		25.85%		18.36%		18.31%		37.48%

Note: "carryover" column reflects calculation of households (ratio) counted in next income group. Group Income is calculated by multiplying county median income against percentage (50%/80%/120%) representing income category

Source: 2012-2016 American Communities Survey DP03 Data

<http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

Determination of County's Number/Percentage of Households By Income Category

ACS 2012-2016

Ferndale

Income Limits in Each Category:

Max % of Median	Starting	Highest
Extremely low (30%)	-	\$ 12,806
Very Low (50%)	\$ 12,807	\$ 21,343
Low (80%)	\$ 21,344	\$ 34,148
Moderate (120%)	\$ 34,149	\$ 51,222
Above Moderate	\$ 51,223	all else

Median Household Income 42,685

Households in Bracket	Income Brackets		Extreme Low	carryover	Very Low	Above Moderate		carryover	Above Moderate
	\$ -	\$ 10,000				carryover	Moderate		
44	\$ -	\$ 10,000	44	1	-	carryover	carryover		
26	\$ 10,000	\$ 14,999	15	11	11				
119	\$ 15,000	\$ 24,999	-	-	75	44			
105	\$ 25,000	\$ 34,999	-	-	-	96	9		
138	\$ 35,000	\$ 49,999	-	-	-	-	138		
95	\$ 50,000	\$ 74,999	-	-	-	-	5	90	90
55	\$ 75,000	\$ 99,999	-	-	-	-	-	-	55
43	\$ 100,000	\$ 149,999	-	-	-	-	-	-	43
14	\$ 150,000	\$ 199,999	-	-	-	-	-	-	14
27	\$ 200,000	\$ 999,999	-	-	-	-	-	-	27
666			59		145	140			229
100.00%			8.80%		21.84%	20.96%			34.44%
									22.76%

Note: "carryover" column reflects calculation of households (ratio) counted in next income group. Group Income is calculated by multiplying county median income against percentage (50%/80%/120%) representing income category

Source: 2012-2016 American Communities Survey DP03 Data

<http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>



Determination of County's Number/Percentage of Households By Income Category

ACS 2012-2016

Rio Dell

Income Limits in Each Category:

Max % of Median	Starting	Highest
Extremely low (30%)	-	\$ 12,806
Very Low (50%)	\$ 12,807	\$ 21,343
Low (80%)	\$ 21,344	\$ 34,148
Moderate (120%)	\$ 34,149	\$ 51,222
Above Moderate	\$ 51,223	all else

Median Household Income 42,685

Households in Bracket	Income Brackets		Extreme Low	Very Low	carryover	carryover	Income Limits in Each Category:					
	\$ -	\$ 10,000					carryover	Low	Moderate	Above Moderate		
92	\$ -	\$ 10,000	92	-	1	-	-	-	-	-	-	-
156	\$ 10,000	\$ 14,999	88	68	68	-	-	-	-	-	-	-
223	\$ 15,000	\$ 24,999	-	141	-	82	82	-	-	-	-	-
124	\$ 25,000	\$ 34,999	-	-	-	113	113	11	11	-	-	-
205	\$ 35,000	\$ 49,999	-	-	-	-	-	-	205	205	-	-
296	\$ 50,000	\$ 74,999	-	-	-	-	-	-	14	14	282	282
197	\$ 75,000	\$ 99,999	-	-	-	-	-	-	-	-	-	197
94	\$ 100,000	\$ 149,999	-	-	-	-	-	-	-	-	-	94
10	\$ 150,000	\$ 199,999	-	-	-	-	-	-	-	-	-	10
0	\$ 200,000	\$ 999,999	-	-	-	-	-	-	-	-	-	-
1,397			180	389			195		230			583
100.00%			12.85%	27.88%			13.96%		16.47%			41.70%

Note: "carryover" column reflects calculation of households (ratio) counted in next income group. Group Income is calculated by multiplying county median income against percentage (50%/80%/120%) representing income category

Source: 2012-2016 American Communities Survey DP03 Data

<http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

Determination of County's Number/Percentage of Households By Income Category

ACS 2012-2016

Trinidad

Income Limits in Each Category:

Max % of Median	Starting	Highest
Extremely Low (30%)	-	\$ 12,806
Very Low (50%)	\$ 12,807	\$ 21,343
Low (80%)	\$ 21,344	\$ 34,148
Moderate (120%)	\$ 34,149	\$ 51,222
Above Moderate	\$ 51,223	all else

Median Household Income 42,685

Households in Bracket	Income Brackets		Extreme Low	carryover	Very Low	Low		carryover	Moderate	Above Moderate
	\$ -	\$ 10,000				carryover	Moderate			
4	\$ -	\$ 10,000	4	1	-	-	-	-	-	-
7	\$ 10,000	\$ 14,999	4	3	3	-	-	-	-	-
23	\$ 15,000	\$ 24,999	-	-	15	8	-	-	-	-
1	\$ 25,000	\$ 34,999	-	-	-	1	0	-	0	-
25	\$ 35,000	\$ 49,999	-	-	-	-	-	-	25	-
18	\$ 50,000	\$ 74,999	-	-	-	-	-	-	1	17
13	\$ 75,000	\$ 99,999	-	-	-	-	-	-	-	13
9	\$ 100,000	\$ 149,999	-	-	-	-	-	-	-	9
3	\$ 150,000	\$ 199,999	-	-	-	-	-	-	-	3
12	\$ 200,000	\$ 999,999	-	-	-	-	-	-	-	12
115			8		26	9			26	54
100.00%			6.89%		22.25%	8.11%			22.58%	47.06%

Note: "carryover" column reflects calculation of households (ratio) counted in next income group. Group Income is calculated by multiplying county median income against percentage (50%/80%/120%) representing income category

Source: 2012-2016 American Communities Survey DP03 Data

<http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

Determination of County's Number/Percentage of Households By Income Category

ACS 2012-2016

Humboldt County

Income Limits in Each Category:

Max % of Median	Starting	Highest
Extremely low (30%)	-	\$ 12,806
Very Low (50%)	\$ 12,807	\$ 21,343
Low (80%)	\$ 21,344	\$ 34,148
Moderate (120%)	\$ 34,149	\$ 51,222
Above Moderate	\$ 51,223	all else

Median Household Income 42,685

Households in Bracket	Income Brackets	Extreme Low	carryover	Very Low	Income Limits in Each Category:			Above Moderate
					carryover	Low	Moderate	
1,926	\$ - \$ 10,000	1,926	1	-	carryover			Above Moderate
1,901	\$ 10,000 \$ 14,999	1,067	834	834				
3,535	\$ 15,000 \$ 24,999	-	-	2,242	1,293			
3,112	\$ 25,000 \$ 34,999	-	-	-	2,847	265		
4,524	\$ 35,000 \$ 49,999	-	-	-	-	4,524		
5,353	\$ 50,000 \$ 74,999	-	-	-	-	262	5,091	5,091
3,330	\$ 75,000 \$ 99,999	-	-	-	-	-	-	3,330
3,027	\$ 100,000 \$ 149,999	-	-	-	-	-	-	3,027
953	\$ 150,000 \$ 199,999	-	-	-	-	-	-	953
867	\$ 200,000 \$ 999,999	-	-	-	-	-	-	867
28,528		2,993		6,069	4,140	5,051		13,268
100.00%		10.49%		21.27%	14.51%	17.70%		46.51%

Note: "carryover" column reflects calculation of households (ratio) counted in next income group. Group Income is calculated by multiplying county median income against percentage (50%/80%/120%) representing income category

Source: 2012-2016 American Communities Survey DP03 Data

[http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?\\_afpt=table](http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?_afpt=table)

Meeting Date:	May 1, 2019	Agenda Item Number	7.3
Agenda Item Title	Appointment of Planning Commissioner to Design Review		
Presented By:	Kristene Hall, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

**RECOMMENDATION:**

Appoint Planning Commissioner for Design Review Meetings.

**BACKGROUND:**

Per Zoning Ordinance 02-02, Section 6.05.4, the Planning Commission appoints two members of the Commission to sit on the Design Review Committee. Commissioner Gregson has resigned his position as Design Review Representative.

**ATTACHMENT:**

Paul Gregson Letter of Resignation

**From:** [Paul Gregson](#)  
**To:** [Kristene Hall](#)  
**Subject:** Resignation from Design Review  
**Date:** Thursday, March 21, 2019 9:26:49 AM

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March 21, 2019

Kristene,

Effective immediately I resign my position as the Planning Commission's representative on the Design Review Committee.

Regards,

Paul

**Business Item 7.4- Building and Land Use Permits**

<i>BUSINESS ITEM</i>		<i>February 28, 2019-April 24, 2019</i>
<i>Building Permits</i>		
B1911	746 Main	Demolition
B1912	876 Arlington	Tank Set
B1913	700 Jacobsen	SFR
B1914	911 Main	Furnace Install
B1915	68 Shaw	Re-Roof
B1916	413 Craig	Tank Set
B1917	510 McKinley	Re-Roof
B1918	746 Main	ADU/Tiny Home
B1919	21 Shaw	Re-Roof
B1920	888 Howard	Re-Roof
B1921	514 Fern	Barn Renovation
B1922	1171 Rose	Electrical
B1923	304 Emerson	Addition
B1924	1168 Main	Addition/Garage

**NOTE: Staff will bring the Building Permit Book to the Planning Commission meetings so that any of the commissioners, or public, can view any permits that have been issued.**

Meeting Date:	May 1, 2019	Agenda Item Number	7.5
Agenda Item Title	Design Review Committee Report & Minutes		
Presented By:	Commissioner Representative Paul Gregson		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

**RECOMMENDATION:**

Receive and file

**BACKGROUND:**

Chairman Von Frausing-Borch and staff have discussed having the two Planning Commissioners that represent the Design Review Committee report on items of interest. This will be an on-going item on the agenda.

**ATTACHMENTS:**

1. Minutes of the 2/28/2019 Design Review Committee
2. Minutes of the 3/07/2019 Design Review Committee
3. Minutes of the 3/14/2019 Design Review Committee
4. Minutes of the 3/21/2019 Design Review Committee
5. Minutes of the 4/4/2019 Design Review Committee

**City of Ferndale, Humboldt County, California USA**  
Design Review Minutes for the 02/28/2019 Agenda - 8:30am meeting

Chair Jeff Farley opened the meeting at 8:33 a.m. Committee Members Paul Gregson, Marc Daniels and Ellin Beltz were present along with City Clerk Kristene Hall.

Modifications to the Agenda: None

Approval of Previous Minutes: **MOTION:** to Approve the minutes of the February 21, 2019 Design Review Meeting. **(Gregson/Daniels) Unanimous**

Public Comments: No Comment

1042 Main Street: The Design Review Committee was presented with a previously submitted application to build a taller fence off the side of the house between the front and back yard. Staff explained this item was on last weeks agenda and the Committee asked for more information. Staff added the applicant was present to explain project. Applicant Mike Woyak presented the proposed 6' x 6" redwood boards that were going to be used to construct the fence. Staff explained the fence would run from the side of the home along Main Street to the garage.

**MOTION:** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to construct a 6' fence using the proposed redwood boards as shown in application.

**(Daniels/Gregson) Unanimous**

1168 Main Street: The Design Review Committee was presented with an application to add two (2) small additions to the residence as well as replace an existing shop/garage with a new 2-car garage. Staff went over the project with the committee. Committee Members were in agreeance that the one small addition on the side of the residence was geometrically imbalanced and would like to discuss options with the owner and/or designer. Committee Members agreed to designate Committee Member Daniels to discuss the project further with DJ Cleek, to help give direction on why the Committee is asking for a different design. Staff will contact Mr. Cleek to set up another Meeting with the committee. No action was taken on this item.

Sign Offs: There were no sign-offs.

Correspondence: Committee Member Daniels questioned the letter sent regarding the fence at 277 Ocean Street.

Committee Member Comments: Committee Member Beltz asked if a letter had been sent out regarding the lighted flagpole at 582 Main Street.

Meeting adjourned at 9:00 am

Respectfully submitted,

Kristene Hall  
City Clerk

**City of Ferndale, Humboldt County, California USA**  
Design Review Minutes for the 03/07/2019 Agenda - 8:30am meeting

Chair Jeff Farley opened the meeting at 8:30 a.m. Committee Members Paul Gregson, Marc Daniels and Jorgen von Frausing-Borch were present along with City Clerk Kristene Hall.

Modifications to the Agenda: None

Approval of Previous Minutes: **MOTION:** to Approve the minutes of the February 28, 2019 Design Review Meeting. **(Gregson/Farley) Unanimous**

Public Comments: No Comment

Committee Member Daniels recused himself due to his project being the sole business item on the agenda.

393 Main Street: The Design Review Committee was presented with an application to add outdoor lighting to the front and rear of the business. Applicant Marc Daniels was present and described the lighting. The lights will be copper gas lamps ran off propane. Committee member von Frausing-Borch stated his concerns on the possibility of vandalism. Borsch suggested putting a lock on the fixture to prevent public from putting objects inside the glass. Committee members all agreed the lights were very nice. **MOTION:** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to place copper gas lamps on the front and rear sides of the business as stated in the proposed application. **(Gregson/von Frausing-Borch) Unanimous**

Marc Daniels joined the Committee again.

Correspondence: None

Committee Member Comments: None

Meeting adjourned at 9:45 am

Respectfully submitted,

Kristene Hall  
City Clerk

**City of Ferndale, Humboldt County, California USA**  
Design Review Minutes for the 03/14/2019 Agenda - 8:30am meeting

Chair Jeff Farley opened the meeting at 8:30 a.m. Committee Members Marc Daniels, and Jorgen von Frausing-Borch were present along with City Clerk Kristene Hall.

Modifications to the Agenda: Item 5.d was pulled from the agenda.

Approval of Previous Minutes: **MOTION:** to Approve the minutes of the March 7, 2019 Design Review Meeting. **(Daniels/von Frausing-Borch) Unanimous**

Public Comments: No Comment

1168 Main Street: The Design Review Committee was presented with an application to add two (2) small additions to the residence as well as replace an existing shop/garage with a new 2-car garage and repaint the residence. Staff explained that this project was on the agenda at the February 28, 2019 Design Review Meeting. At that meeting, the committee stated the small side addition was geometrically imbalanced and would like to discuss options with the architect and/or owner. Applicant architect DJ Cleek was present and discussed the indoor footprint of the residence and why they needed to out the small addition on the side. Committee Member Marc Daniels suggested a corner window on the addition that would bring a more harmonious balance to the outside with the addition. Committee Members agreed the corner window would help. **MOTION:** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to add two (2) small additions, remove and replace garage, and repaint the residence as stated in the proposed application, with the added corner window on the proposed side addition. **(Daniels/Farley) Unanimous**

1226 Main Street: The Design Review Committee was presented with an application to repaint the residence at 1226 Main Street. The committee was in agreeance that the proposed colors would look good. **MOTION:** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to repaint the residence using the proposed colors stated in the application. **(von Frausing-Borch/Daniels) Unanimous**

362 Berding Street: The Design Review Committee was presented with an application to construct a 4ft vinyl fence along the front of the property. The committee discussed this project in detail due to the vinyl material proposed. Committee member Daniels expressed his concerns on allowing vinyl materials to be used. Committee member von Frausing-Borch also stated concerns but stated that this was not a registered historic building nor was it in the historic district. Chair Farley expressed his concerns as well on the use of vinyl material, and did not want to set a precedence. The applicants were present and stated why they had chosen to use vinyl material. **MOTION:** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to construct a 4-foot vinyl fence along the front of the property. **(von Frausing-Borch/Farley) Unanimous**

Correspondence: None

Committee Member Comments: The committee would like to request a study session to go over materials allowed in both Historic and Design Review Areas.

Meeting adjourned at 9:17am

Respectfully submitted,

Kristene Hall  
City Clerk

**City of Ferndale, Humboldt County, California USA**  
Design Review Minutes for the 03/21/2019 Agenda - 8:30am meeting

Chair Jeff Farley opened the meeting at 8:33 a.m. Committee Members Paul Gregson, Marc Daniels, Ellin Beltz, and Jorgen von Frausing-Borch were present along with City Clerk Kristene Hall.

Modifications to the Agenda: None

Approval of Previous Minutes: None

Public Comments: No Comment

614 Main Street: The Design Review Committee was presented with an application to construct a 4ft fence along the front and side of the property. **MOTION:** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to construct a 4-foot fence using materials stated in application. **(Beltz/Gregson) Unanimous**

Correspondence: None

Committee Member Comments: Committee Member Beltz stated she would like to include in the minutes that at the 3/21/2019 City Council Meeting, the City Manager had stated that the proposed "Welcome to Ferndale" sign would need Design Review Approval before it could be placed on the town green here at City Hall.

Meeting adjourned at 8:46am

Respectfully submitted,

Kristene Hall  
City Clerk

**City of Ferndale, Humboldt County, California USA**  
Design Review Minutes for the 04/4/2019 Agenda - 8:30am meeting

Chair Jeff Farley opened the meeting at 8:33 a.m. Committee Members Marc Daniels and Ellin Beltz were present along with City Clerk Kristene Hall.

Modifications to the Agenda: None

Approval of Previous Minutes: **MOTION:** to Approve the minutes of the March 14, 2019 and March 21, 2019 Design Review Meetings. **(Beltz/Daniels) Unanimous**

Public Comments: No Comment

989 Milton Street: The Design Review Committee was presented with an application to replace antennas, add RRUS, build new side mounted antenna frames and move an antenna sector to the west side of the roof. The Committee had no comments. **MOTION:** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to approve the replacement of antennas, addition of RRUS, new side mounted antenna frames and the movement of an antenna sector to west side as described in the application and submitted plans. **(Beltz/Daniels) Unanimous**

1386 Lincoln Street: The Design Review Committee was presented with an application to add a 48" X 72" window in the rear of the building that matched the front window. Committee Member Beltz asked that materials be placed on the description even if using exact materials as existing. Staff will comply. **MOTION:** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to install a 48" X 72" window to the rear of the building that matches the existing front window. **(Beltz/Daniels) Unanimous**

277 Ocean Avenue: The Design Review Committee was presented with an application for a fence that had already been constructed at 277 Ocean Avenue. City Manager Jay Parrish was present to go over the details of the built fence. Staff explained the fence was non-compliant due to being 6' in height. Staff recommended the Committee send the application up to the Planning Commission for a special permit that can be approved if the Planning Commission finds special circumstances are present. Parrish also stated if the 6' fence is approved by the Planning Commission; the fence would then come back to the Design Review Committee for aesthetic approval. The applicant was present and stated he was unaware that he could only have a 4' fence and that his property fell in the Design Review area. Applicant also stated the property was located below the wildcat and the lights and vibrations that come from the traffic coming down the hill is very intrusive. Applicant stated the 6' fence helps with this. Committee Member Beltz stated she had been in that house previously and agreed that the headlights and vibrations are very bad. **MOTION:** to send application to Planning Commission with no charge to the applicant for issuance of a Special Permit to allow for a 6' front fence. **(Beltz/Daniels) Unanimous**

Correspondence: None

Committee Member Comments: None

Meeting adjourned at 8:45am

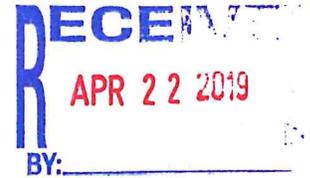
Respectfully submitted,

Kristene Hall  
City Clerk

## **Section 8: CORRESPONDENCE**



**NOTICE OF AVAILABILITY  
DRAFT ENVIRONMENTAL IMPACT REPORT**



**Name of Project:** Humboldt Wind LLC, Humboldt Wind Energy Project

**Project Description:** The proposed project consists of a maximum of 60 wind turbine generators (WTGs) and associated infrastructure with a nameplate generating capacity (theoretical maximum energy generation) of up to 155 MW. The project site represents an approximately 2,218-acre area study corridor within which the WTGs and associated infrastructure would be placed. The project boundaries have been defined based on a 1,000-foot-wide corridor centered on the representative locations of WTGs; a 200-foot-wide corridor centered on project roadways, the electrical collection line, and the generation transmission line (gen-tie); and a 500-foot-wide buffer around proposed staging areas, temporary impact areas, and the project substation. The exact footprint of individual WTGs within the project site would be determined during final engineering design but would generally be placed along Monument and Bear River ridges. Turbine heights could reach up to 600 feet tall, with a rotor diameter of 492 feet.

In addition to the wind turbines and transformers, the project includes ancillary facilities such as temporary staging areas, access roads, 34.5-kilovolt (kV) collection lines (referred to in this EIR as the "collection system"), operations and maintenance (O&M) facility, a substation, a modified utility switchyard, and a 115 kV gen-tie along Shively Ridge.

A portion of the gen-tie would cross the Eel River; this portion would be constructed underground. The project's point of interconnection with the Pacific Gas and Electric Company (PG&E) transmission grid would be PG&E's Bridgeville Substation

The project would include the following components:

- ▶ up to 60 turbines (capable of generating 2–5 MW of electricity each) erected on tubular steel towers set on concrete foundations, as well as the associated turbine pads, temporary staging areas, and transformers;
- ▶ construction of access roads;
- ▶ an up to 25-mile, 115 kV gen-tie, including an underground crossing of the Eel River, following Shively Ridge and ultimately connecting to the existing PG&E transmission system;
- ▶ a project substation located on-site;
- ▶ an underground electrical collection system linking turbines to each other and to the project substation;
- ▶ an underground communication system (fiber optic cable) adjacent to the collection system;
- ▶ a Supervisory Control and Data Acquisition (SCADA) system between each turbine and the substation and between the project substation and the Bridgeville Substation to monitor and control project output and the transmission of energy into the system;

- ▶ an up to 5-acre O&M facility, including an operations building, a parking area, and an outdoor storage area with perimeter fencing;
- ▶ a 10-acre temporary staging area and a construction trailer and parking area located within the O&M facility;
- ▶ a component offloading location at Fields Landing;
- ▶ two temporary bypasses off U.S. 101 (Hookton Overpass and 12th Street Bypass) for transporting oversize loads;
- ▶ up to six permanent meteorological towers;
- ▶ three 5-acre, temporary staging areas distributed throughout the project site, one of which would include one temporary cement batch plant on Monument Ridge; and
- ▶ up to 17 miles of new 24-foot access roads.

**Project Location:** The project site is about 20 miles south of Eureka, roughly 12 miles southeast of the city of Fortuna, and 22 miles north of the community of Garberville, and is bisected by U.S. Highway 101. The town of Scotia is adjacent to the northern edge of the project site.

Assessor Parcel Numbers			
102-132-002-000	205-311-004-000	207-181-019-000	207-221-001-000
102-132-004-000	205-321-006-000	207-182-009-000	207-311-001-000
106-191-010-000	205-321-032-000	207-182-010-000	207-311-002-000
106-191-011-000	205-321-033-000	207-182-011-000	207-311-006-000
106-191-012-000	205-321-034-000	207-183-003-000	209-191-001-000
205-021-005-000	205-331-006-000	207-183-004-000	209-191-002-000
205-021-014-000	205-331-007-000	207-184-004-000	209-191-003-000
205-021-017-000	205-341-006-000	207-184-005-000	209-191-012-000
205-021-019-000	205-341-008-000	207-184-006-000	209-191-013-000
205-021-021-000	205-341-011-000	207-184-007-000	209-201-002-000
205-021-022-000	205-341-013-000	207-184-008-000	209-201-003-000
205-021-023-000	205-341-018-000	207-185-002-000	209-201-007-000
205-021-024-000	205-341-019-000	207-185-003-000	209-201-010-000
205-051-001-000	205-351-012-000	207-186-005-000	209-211-008-000
205-051-003-000	205-351-026-000	207-186-007-000	209-211-009-000
205-051-008-000	205-351-030-000	207-186-009-000	209-211-010-000
205-051-009-000	207-074-016-000	207-202-009-000	211-013-001-000
205-051-010-000	207-074-025-000	207-211-001-000	211-023-002-000
205-051-011-000	207-074-027-000	207-211-002-000	211-461-001-000
205-061-004-000	207-074-028-000	207-212-002-000	211-461-002-000
205-061-007-000	207-124-005-000	207-213-001-000	211-462-004-000
205-061-011-000	207-181-005-000	207-213-002-000	211-471-001-000
205-061-012-000	207-181-016-000	207-213-003-000	211-472-001-000

**List of Significant Environmental Effects:** The Draft EIR identifies significant impacts in the following California Environmental Quality Act (CEQA) environmental issue areas: aesthetics and visual resources, air quality; biological resources; cultural resources; hazards and hazardous materials; hydrology and water quality, noise and vibration; and transportation and circulation,

tribal cultural resources and wildfire. As described in the EIR many of these impacts can be fully mitigated but some cannot, and they would remain significant and unavoidable.

**Lead Agency:** Humboldt County Planning and Building Department

**Direct Comments to:** Humboldt Wind Project Planner

County of Humboldt  
 Planning and Building Department, Planning Division  
 3015 H Street, Eureka, CA 95501  
 CEQAResponses@co.humboldt.ca.us

If comments are provided via e-mail, please include the project title in the subject line, attach comments in Microsoft Word format, and include the commenter's U.S. Postal Service mailing address

**Review Period:** Comments on the DIER will be accepted between April 15, 2019 and June 5, 2019

**Public Hearing:** Humboldt County Planning Commission  
 To be scheduled, Humboldt County Courthouse

**The Draft EIR will be available for review at the following locations during normal business hours and online at <https://humboldt.gov/2408/Humboldt-Wind-Energy-Project>.**

Humboldt County Public Library - Rio Dell  
 Branch  
 715 Wildwood Avenue  
 Rio Dell, CA 95562

Scotia Community Services District  
 400 Church Street  
 Scotia, CA 95565

Humboldt County Public Library - Ferndale  
 807 Main Street  
 Ferndale, CA 95536

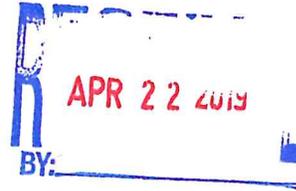
The Multi-Generational Center  
 2280 Newburg Road  
 Fortuna, CA 95540

Humboldt County Library – Eureka  
 1313 3<sup>rd</sup> Street  
 Eureka, CA 95501

County of Humboldt  
 Planning and Building Department  
 3015 H Street  
 Eureka, CA 95501

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
1385 EIGHTH STREET, SUITE 130  
ARCATA, CALIFORNIA 95521-5967  
(707) 826-8950 FAX (707) 826-8960  
[www.coastal.ca.gov](http://www.coastal.ca.gov)



April 19, 2019

**IMPORTANT PUBLIC HEARING NOTICE  
LOCAL COASTAL PROGRAM**

**LCP AMENDMENT NO. LCP-1-HUM-16-0075-2-Part C**

**Humboldt County Cannabis Cultivation - Commercial Cannabis Land Use Ordinance**

**AMENDMENT DESCRIPTION:**

Public hearing and action on request of the County of Humboldt to amend certified implementation plan (IP) to add standards for commercial activities associated with cultivation, processing, manufacturing, distribution, testing, and sale of cannabis.

**HEARING DATE AND LOCATION:**

DATE **5/9/2019**

TIME **9:00 a.m.**

**AGENDA NO: Th7b**

PLACE Oxnard City Council Chambers  
305 West 3rd Street, Oxnard, CA 93030

PHONE (415) 407-3211

**HEARING PROCEDURES:**

This item has been scheduled for a public hearing and vote. People wishing to testify on this matter may appear at the hearing or may present their concerns by letter to the Commission on or before the hearing date.

**AVAILABILITY OF STAFF REPORT:**

A copy of the staff report on this matter will be available no later than 10 days before the hearing on the Coastal Commission's website at [www.coastal.ca.gov/mtgcurr.html](http://www.coastal.ca.gov/mtgcurr.html). Alternatively, you may request a paper copy of the report from Melissa Kraemer, Supervising Planner at the North Coast District Office.

**SUBMISSION OF WRITTEN MATERIALS:**

If you wish to submit written materials for review by the Commission, please observe the following:

- Submit your written materials to the Commission staff no later than 5:00 p.m. on the Friday before the hearing (staff will then distribute your materials to the Commission). Note that materials received after this time will not be distributed to the Commission.

April 19, 2019

## IMPORTANT PUBLIC HEARING NOTICE LOCAL COASTAL PROGRAM

- Mark the agenda number of your item, the application number, your name and your position in favor or opposition to the project on the upper right hand corner of the first page of your submission. If you do not know the agenda number, contact the Commission staff person listed.

- A current list of Commissioners' names and addresses is available on the Coastal Commission's website at <http://www.coastal.ca.gov/roster.html>. If you wish to submit materials directly to Commissioners, we request that you mail the materials so that the Commissioners receive the materials no later than Thursday of the week before the Commission meeting. You must provide Commission staff with a copy of any materials that you provide to Commissioners. Please mail the same materials to all Commissioners, alternates for Commissioners, and the three non-voting members on the Commission with a copy to the Commission staff person listed.

- You are requested to summarize the reasons for your position in no more than two or three pages, if possible.

**Please note:** While you are not prohibited from doing so, you are discouraged from submitting written materials to the Commission on the day of the hearing, unless they are visual aids, as it is more difficult for the Commission to carefully consider late materials. The Commission requests that if you submit written copies of comments to the Commission on the day of the hearing, that you provide 20 copies.

### **ALLOTTED TIME FOR TESTIMONY:**

Oral testimony may be limited to 3 minutes or less for each speaker depending on the number of persons wishing to be heard.

Questions regarding the report or hearing should be directed to Melissa Kraemer, Supervising Planner at the North Coast District Office.

## **Section 9: COMMISSIONER COMMENTS**

## **Section 10: STAFF REPORTS**

## **Section 11: ADJOURNMENT**