

General Plan and Housing Element Questions and Answers

February 1, 2023

How many people attended the workshops in person?

Initially, the events hosted sign-in sheets to collect accurate counts of attendees. There were concerns by attendees that they did not want to sign-in; therefore, we take head counts throughout the events to estimate the number of attendees. Some events were hybrid; therefore, some participants were via Zoom. The estimates are as follows:

Event Title	Number of Participants
Visioning Workshop #1	13
General Plan Open House #1	9
General Plan Open House #2	19
Housing Element Workshop #1	17
Housing Element Workshop #2	23
General Plan Scoping Workshop*	10
Downtown Merchants Meeting #1*	16
Visioning Survey (2/1/2023)	284
Planning Commission Review #1	10
Planning Commission Review #2	14
Planning Commission Review #3	12
City Council Review #1	14
City Council Housing Element Presentation	22
City Council Housing Final Draft Workshop	27
Urban Design Workshop #1	32

*These events did not include a housing activities or questions.

How many questionnaires were submitted?

As of February 1, 2023 there are 284 responses.

Are the demographics of those who completed questionnaires and attended workshops available?

We do not collect demographic information at workshops and events due to public concerned voiced early in the process that they did not feel comfortable giving that information.

Demographics for the survey are available.

How were the stakeholders selected and by whom?

City staff met with numerous individuals from the community to gather input on what types of housing are working for the area and what types of housing are needed. Two rounds of interviews were conducted including five stakeholder interviews in April 2022 and nine interviews in July 2022. Interviews were held with housing developers, property managers, community organizations focused on housing and homelessness, realtors, Tribal housing representatives, and major employers in Yreka.

A long list of potential stakeholders was developed through city staff experience and based on business license holders within the city that are considered one of the following: Major Employer (More than 20 employees), Housing Developer/Builder, Property Manager, Realtor, Homeless Focused, Housing Focused, and Tribal. We then utilized a random selection method in Microsoft Excel to send out the requests for interviews. We interviewed those who responded. We did not get as many in the initial phase so we conducted a second random selection method to get additional contacts.

Where can I obtain a list of the different zones and their definitions?

The City Zoning Map is on the City's website at:

<http://www.ci.yreka.ca.us/DocumentCenter/View/629/Zoning-Map-PDF?bidId=>

All zoning codes and their details are in the online codebook under Title 16:

https://library.municode.com/ca/yreka/codes/code_of_ordinances

What is the purpose of the following programs:

Program HE-1.2.1

This program is included to address comment made by developers/builders that the current city zoning code and processes are too expensive and cumbersome. The current code requires additional permitting steps and requirements that are typically not included in areas where

multifamily is the intended use. For example, High Density Residential zones still require conditional use permits for all high-density development that meets the purpose of the zone.

This program also addresses down zoning in high density residential areas and objective design standards for multifamily housing which meet state mandates on those items.

Program HE-1.3.1

This program is included to address the comments from Developers/Builders and Property Managers that would like more flexible zoning regulations to include housing in commercial areas. This program also addresses the need for ADA residential units on ground floor of commercial buildings that are not allowed currently. ADA units on higher levels require elevators and lifts which present a high construction cost that developers and builders have indicated as a barrier to providing these types of units.

Program HE-1.3.2

The purpose of creating and providing a list of vacant and underutilized properties accomplishes several things that the public, Planning Commission, and City Council have requested:

1. The list was specifically requested by the City Council in August 2022
2. The list will be available to the public for potential developers to utilize for information on potential sites. This will also include financing and housing programs that would incentive developers to create new housing.
3. This list will allow the City Council to set priority areas for development each year. Thus allowing the council and members of the public to weigh in on where development is prioritized for housing in the future.
4. The list serves as a high level analysis on if regulatory tools such as SB 10 are viable within the city.

Program HE—1.3.3

The purpose of this program is to give more opportunities to private property owners during the General Plan and Zoning Code updates. This program would require the City to reach out and collect input from all property owners in the city on what zoning changes they would like to see for their property. The Planning Commission and City Council have the ultimate decision making authority on what zoning designation is assigned to each property but this program increases the level of local control on zoning.

This program would also require the city to offer regulatory options for property owners that would like to develop their properties. This would increase awareness to available housing programs and options.

Program HE-1.3.5

The purpose of the program is to prioritize background studies into the feasibility of a housing impact fee ordinance and inclusionary housing ordinance. These are tools that are utilized by other cities that may be viable options for the City of Yreka to ensure a diverse spread of unit types throughout the city. The Local Government Commission, now CivicWell, developed a factsheet on the process of considering and crafting an inclusionary housing ordinances: https://wclp.org/wp-content/uploads/2018/12/inclusionary-factsheet_v2.pdf

The program does not commit the City to creating and implementing these ordinances. If the background reports find that these are not feasible then the city would not move forward. Including this as a program in the Housing Element would open up the potential for future grants to pay for these feasibility studies. If it is not included, the city may proceed with these studies regardless but would fund them through General Fund Revenues.

Program HE-3.1.1

This program is a state mandated program that ensures that the City will develop an AFFH Plan that shall take actions to address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming areas of concentrated poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair-housing laws for all persons in accordance with state and federal law.

Appendix B outlines the areas within the City that are in need of housing and access to opportunities. Disparities in Access to Opportunity: Defined by the AFFH Final Rule as "substantial and measurable differences in access to educational, transportation, economic, and other opportunities in a community based on protected class related to housing.

Disproportionate Housing Needs generally refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area. For purposes of this definition, categories of housing need are based on such factors as cost burden, severe cost burden, overcrowding, tenure (own vs. rent), homelessness, and substandard housing conditions.

Segregation generally means a condition in which there is a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a type of disability in a particular geographic area when compared to a broader geographic area.

HE-7.3

HE-7.3 is a policy statement that the City is making to commit to Program HE-7.3.1 and other future programs that would support removing regulator barriers to Single-room Occupancy

Units in commercial zones. Single Room Occupancy Hotels (SROs) are typically developed from older hotel buildings as a way to provide affordable housing for low-income residents, seniors, and people moving out of homelessness. SROs usually provide common-area kitchens and bathrooms in lieu of separate facilities for each unit; however a few units may have individual kitchens and bathrooms. Like month-to-month rental apartments, residents may choose to stay temporarily while finding a new home or reside there permanently.

For example, nursing homes and senior living facilities are a combination of single-occupancy units and traditional apartments.

What are the parameters of density bonuses?

Density Bonus Law incentivizes the construction of affordable housing by allowing a developer to add additional housing units to a project beyond the zoned capacity in exchange for a commitment from the developer to include deed-restricted affordable units in the project. For example, the R-1 Low Density Zone allows 6 units maximum per acre. The Density Bonus Law would allow a developer and/or property owner to build at 7 units per acre if one unit is dedicated to low-income tenants or buyers. This law can be for a rental unit or unit for sale.

What is small and large employee housing?

Small employee housing: housing for employees for six or fewer persons in a single-family unit [Yreka Municipal Code Section 16.12.447]

Large Employee Housing: housing for employees consisting of no more than thirty-six beds in a group quarters or twelve units or spaces designed for use by a single-family or household [YMC Section 16.12.445].

Policy HE 2.2 - how will the city advocate and participate in the creation of the Siskiyou Regional Housing Trust Fund? How will this be funded?

The policy and program are kept broad to allow the city to explore what that looks like in the future. The level and type of participation will depend on if the other jurisdictions of Siskiyou County are interested in a Trust Fund model, what the terms and purpose of the Trust Fund is, and what the priorities of the city are at any given time. If the other jurisdictions are not interested in a Housing Trust Fund then the city will need to re-evaluate this program in the future to adjust to that outcome.

Housing Trust Funds can be funded several different ways and depends on the purpose of the Trust Fund and number of participants.

Program HE-2.3.2 - what is adaptive use?

Adaptive reuse is a term that refers to the process of taking an existing structure and updating or adapting it for a new use or purpose.

Program HE-3.2.1 - (2) why would the city get involved in a referral service?

The city is required by state law to provide a referral service for those experiencing or potentially experiencing discrimination.

Program HE-4.2.1 -How will this be enforced? Can developers hire consultants to fulfill this role?

The city is required by state law that there is no net-loss in affordable units funded through programs such as Section 8. The Planning, Building, and Code Enforcement Departments collaborate on the enforcement of this program. The Planning Department would reach out to the property manager to make them aware of the status of the units. If the property owner fails to respond or tries to convert the apartments. The city would issue a cease and desist and notify the state. In collaboration with the state, the city would ensure that the unit remain affordable or work with the property owner to develop new units to ensure no net-loss.

Consultants would most likely be retained to provide legal advice.

Program HE-4.3.1 What are “accepted best practices”?

Housing Conditions surveys are systematic observations made from a moving vehicle or on foot. Either or both can help cities better understand either the community in general or a specific condition or aspect of it.

Windshield surveys are particularly useful when the area you want to observe is large, and the aspects you’re interested in can be seen from the road. A walking survey might be a better choice when you’re seeking to understand things that are harder to see from a moving vehicle.

Windshield and walking surveys can be used to assess general housing or to examine more specific facets of the community’s physical, social, or economic character. Some possibilities:

- The age, nature, and condition of the community’s available housing
- Infrastructure needs – roads, bridges, streetlights, etc.
- The location and condition of public buildings – the city or town hall, courthouse, etc.

The city may include other factors in a housing conditions survey such as parking, landscaping, solar, etc. to understand where there may be areas of the city in need of programming or assistance.

Program HE-5.1.1 - why involve the city - could this be done by another entity/agency?

The city would create or utilize already created education and awareness materials to notify the public, property owners, and developers of programs to promote different housing types, funding for housing units, and other programs. This is already done by the California

Department of Housing and Community Development (HCD), but most members of the public are not aware of this website or resources.

Any ideas on how to make this document easier to understand for the average person?

The field of urban and regional planning is broad and requires documents to be written for a variety of audiences. In the case of the Housing Element, this document requires legal and planning jargon to meet the needs of HCD and is a legally defensible document in court if challenged. This does pose a challenge for members of the public who are not trained in the legal or planning field.

The way that we address the language used in the Housing Element and the average person is to create other documentation to summarize the purpose, outcomes, and input given to the Element. For example, we provide write-ups of all public input that are more accessible, presentations that summarize the content to improve understanding, and address specific questions such as these to help the public understand and contribute to the planning process. We have also created a glossary in the Appendix with a “cheatsheet” of acronyms and terms.

Has the City adopted SB 10? The HE references/cites SB 10, so would it be considered a tacit agreement to implement SB10 when the HE is approved?

Senate Bill 10 is a voluntary bill that allows a city to adopt an ordinance that would allow residential uses as by right in commercial areas at a minimum density of 10 units per acre. The ordinance would also include height, lot dimension, and other zoning standards that the residential uses would need to abide by. SB 10 does not require these units to be held at low-income rates.

The City of Yreka has not discussed nor adopted an ordinance under SB 10. The Housing Element discusses SB10 within the goals, policies, and programs as follows:

Program HE-1.3.2 The City will complete an inventory of sites that are appropriate for residential development and mixed-use development. The inventory will have three major categories:

1. Vacant and underutilized commercial and industrial sites
2. Sites eligible for up-zoning to allow up to 10 dwelling units per parcel pursuant to Government Code Section 65913.5 (SB 10, 2021)
3. Sites that are eligible for ministerial streamlining pursuant to Government Code Section 65913.4 et seq. Evaluation criteria shall prioritize:
 - The proximity to amenities, such as medical, grocery, transit, public recreation facilities, and other essentials.

- Existing infrastructure and its ability to service new residential development
- Geographic areas with reduced flooding and wildfire risk.

The City will consult with the development community including non-profit housing developers to determine other criteria to be used to evaluate vacant and underutilized commercial and industrial sites. Upon completion, the inventory shall be published on the City's website to be readily accessible to the public and development community.

Program HE-1.3.3 The City will offer a voluntary rezoning program as part of the General Plan update. The rezoning program will have two categories for sites identified in the Program HE-1.4.2 inventory:

1. Sites that are vacant and underutilized commercial and industrial properties.
2. Sites eligible for up-zoning to allow up to 10 dwelling units per parcel pursuant to Government Code Section 65913.5 (SB 10, 2021)

The City will engage property owners of identified sites to discuss opportunities to allow by-right multifamily housing. For willing property owners, the City will offer a rezoning program that includes the City underwriting the rezoning costs to amend the land use regulations for volunteered properties to encourage property owner participation.

Program HE-6.1.3 Continue to collaborate with housing providers and community groups who represent persons with disabilities to ensure that special housing needs are addressed for seniors, large families, female-headed households, single-parent households with children, persons with disabilities and developmental disabilities, and homeless individuals and families. The City will seek to meet these special housing needs through a combination of regulatory incentives, zoning standards, new housing construction programs, and supportive services programs. The City will leverage existing available regulatory incentives provided by State law, e.g., density bonus, SB 10 (2021), supportive housing developments, accessory dwelling units, Streamlined Ministerial Approval Process (SB 35), etc. Local regulatory incentives that will be provided with adoption of Programs HE-1.2.1, HE-1.3.1, HE-1.3.1, HE-1.3.3, HE-2.1.1, HE-2.1.2, etc. as discussed above, will also be leverage once local regulations are adopted. In addition, the City may seek funding under the federal Housing Opportunities for Persons with AIDS, California Child Care Facilities Finance Program, and other state and federal programs designated specifically for special needs groups such as seniors, persons with disabilities, and persons at risk for homelessness. (Formerly Program HE.2.1.7)

The first two programs are in place to analyze sites that would benefit from the adoption of SB10 and reach out to the property owners of these sites to see if they would be interested in

that program. The third program lists SB 10 as an option for regulatory incentives to provide housing for persons with disabilities, large families, female-headed households, single-parent households with children and homeless individuals and families.

None of these programs commit the City to adopting a SB 10 ordinance. It would commit the city to analyze sites in the city that could benefit from SB 10, and commits the city to offering a voluntary zoning option for property owners that includes SB 10 as an option. If we do these two programs and find that there are no sites that would benefit and/or the property owners are not interested then we would not recommend moving forward with adopting an optional SB 10 ordinance. If we do find that property owners are interested in SB 10, the item would be brought to the Planning Commission and City Council for consideration.

It should be noted that SB 10 is already superseded by new bills. As of January 1, 2023, SB 6 and AB 2011 are in effect. Here are the summaries of those two pieces of legislation:

Senate Bill 6 – Middle Class Housing Act of 2022

A housing development project shall be deemed an allowable use, subject to discretionary approval, on a parcel that is within a zone where office, retail, or parking are a principally permitted use if the project complies with the requirements below.[1]

- The density for the housing development shall meet or exceed the applicable density deemed appropriate to accommodate housing for lower income households in that jurisdiction.
- The housing development shall be subject to local zoning, parking, design, and other ordinances, local code requirements, and procedures applicable to the processing and permitting of a housing development in a zone that allows for the density described above. If more than one zoning designation allows for the prescribed density, the applicable zoning standards shall be for the closest parcel allowing residential use at that density.
- The project site must be 20 acres or less, and must comply with all other objective local requirements of the parcel, including any applicable or approved sustainable community strategy or alternative plan.
- The project must not be on a site or adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use.
- A “skilled and trained workforce”[2] must be used to construct all work and prevailing wage must be paid.

Assembly Bill 2011

Unlike SB 6, which requires discretionary approval by the municipality, AB 2011 allows for the streamlined, ministerial review of development projects that meet certain criteria and requirements. Although AB 2011 includes additional requirements (such as height, setback, etc.), the most important requirements are listed below.

Additionally, AB 2011 provides for two different types of projects that will allow for streamlined review: (1) 100% affordable housing developments, and (2) mixed-income housing developments along commercial corridors. This only discusses mixed-income housing developments along commercial corridors, as the vast majority of the requirements between the two types are the same, with mixed-income project requirements being slightly more restrictive.

A development proponent may submit an application for a housing development project, which shall be a use by right, if the proposed project is located in a zone where office, retail, or parking is a principally permitted use and the project complies with the requirements below.

- The development shall be a multifamily housing development project.
- The project site must abut a commercial corridor and have a frontage along the commercial corridor of at least 50 feet. A “commercial corridor” is defined as a highway, that is not a freeway, that has a right-of-way of at least 70 and not greater than 150 feet. Highways include streets.
- At least 75% of the perimeter of the site must adjoin parcels that are developed with urban uses. Parcels that are only separated by a street or highway shall be considered to be adjoined.
- The project must not be on a site or adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use.
- A rental housing development shall include either of the following:[3]
 - 8% of the units for very low income households and 5% of the units for extremely low income households
 - 15% of the units for lower income households
- The development proponent shall agree to, and the local government shall ensure, the continued affordability of all included affordable rental units for 55 years. Rents shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.
- None of the housing on the site can be located within 500 feet of a freeway or within 3,200 feet of a facility that actively extracts or refines oil or natural gas.

- The residential density for the development shall meet or exceed the greater of the following:
 - The residential density allowed on the parcel by the local government.
 - For sites less than one acre in size, 30 units per acre.
 - For sites of one acre in size or greater located on a commercial corridor of less than 100 feet in width, 40 units per acre.
 - For sites of one acre in size or greater located on a commercial corridor of 100 feet in width or greater, 60 units per acre.
 - Notwithstanding the requirements above, for sites within one-half mile of a major transit stop, 80 units per acre.
- The project must meet the objective zoning standards of the closest zone in the municipality that allows multifamily residential at the required density. If no zone allows for the required density, then the zoning standards shall be for the zone with the greatest density. The standards shall also be those in effect at the time the development application is submitted to the municipality and may include a requirement that up to one-half of the ground floor of the housing development project be dedicated to retail use.
- Prevailing wage must be included in all contracts for the performance of work.