



Coachella Civic Center, Hearing Room
53-462 Enterprise Way, Coachella, California
(760) 398-3502 ♦ www.coachella.org

AGENDA

OF A REGULAR MEETING
OF THE
CITY OF COACHELLA
PLANNING COMMISSION

January 20, 2021
6:00 PM

1. Pursuant to Executive Order N-29-20, this meeting will be conducted by teleconference and there will be no in-person public access to the meeting location.

Pursuant to Executive Order N-29-20, this meeting will be conducted by teleconference and there will be no in-person public access to the meeting location.

***amended 01/20/2021 *** <https://youtu.be/7rqQWMjzu-o>

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA:

“AT THIS TIME THE COMMISSION MAY ANNOUNCE ANY ITEMS BEING PULLED FROM THE AGENDA OR CONTINUED TO ANOTHER DATE OR REQUEST THE MOVING OF AN ITEM ON THE AGENDA.”

APPROVAL OF THE MINUTES:

1. PC Meeting Minutes for December 16th, 2020.

WRITTEN COMMUNICATIONS:

PUBLIC COMMENTS (NON-AGENDA ITEMS):

“The public may address the Commission on any item of interest to the public that is not on the agenda, but is within the subject matter jurisdiction thereof. Please limit your comments to three (3) minutes.”

REPORTS AND REQUESTS:

NON-HEARING ITEMS:

2. Discussion of the 6th Cycle Housing Element Update to the City's General Plan and presentation of work to date, including the mandatory 5th Cycle Re-zoning efforts.
3. Request for 12-month Time Extension for Conditional Use Permit No. 303 and Architectural Review 18-11 to allow a-new 2,100 square foot retail cannabis business as part of a new 6,900 square foot multi-tenant commercial center located at the northwest corner of Grapefruit Boulevard and 9th Street. *Coachella Green Haus, Applicant.*
4. Update on the Coachella 6th Cycle Housing Element efforts.

PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):

INFORMATIONAL:

ADJOURNMENT:

*Complete Agenda Packets are available for public inspection in the
Planning Department at 53-990 Enterprise Way, Coachella, California, and on the
City's website www.coachella.org.*

THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES

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<https://youtu.be/r-C7q17qgoE>



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MINUTES

OF A REGULAR MEETING
OF THE
CITY OF COACHELLA
PLANNING COMMISSION

December 16, 2020
6:00 PM

PURSUANT TO EXECUTIVE ORDER N-29-20, THIS MEETING WILL BE
CONDUCTED BY TELECONFERENCE AND
THERE WILL BE NO IN-PERSON PUBLIC ACCESS TO THE MEETING LOCATION.

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*** Amended on 12/16/2020, edited the link below for public viewing access. This was the only change
made to the originally published agenda on 12/10/2020

<https://youtu.be/r-C7q17qgoE>

CALL TO ORDER:

The Regular Meeting of the Planning Commission of the City of Coachella was called to order at 6:13 p.m.
virtually by Chair Soliz.

PLEDGE OF ALLEGIANCE:

None.

ROLL CALL:

Present: Commissioner Gonzalez, Commissioner Huazano, Commissioner Navarrete, Vice Chair
Virgen, Chair Soliz.
Absent: None.

APPROVAL OF AGENDA:

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ANOTHER DATE OR REQUEST THE MOVING OF AN ITEM ON THE AGENDA.”

Approved by unanimous voice vote.

APPROVAL OF THE MINUTES:

1. PC Meeting Minute Approvals for September 2nd, 2020, October 7th, 2020 and November 18th,2020.

Motion to approve item 1. PC Meeting Minute Approvals for September 2nd, 2020, October 7th, 2020 and November 18th, 2020.

Made by: Commissioner Gonzalez.

Seconded by: Commissioner Navarrete.

Motion passes by the following vote:

AYES: Commissioner Gonzalez, Commissioner Huazano, Commissioner Navarrete, Vice Chair Virgen, Chair Soliz.

NOES: None.

ABSTAIN: None.

ABSENT: None.

WRITTEN COMMUNICATIONS:

None.

PUBLIC COMMENTS (NON-AGENDA ITEMS):

“The public may address the Commission on any item of interest to the public that is not on the agenda, but is within the subject matter jurisdiction thereof. Please limit your comments to three (3) minutes.”

None.

REPORTS AND REQUESTS:

None.

NON-HEARING ITEMS:

2. Review of Sign Program - Plaza Mi Pueblo (48-975 Grapefruit Boulevard).

Motion to approve non-hearing item 2. PC Meeting Minute Approvals for September 2nd, 2020, October 7th, 2020 and November 18th, 2020.

Made by: Commissioner Gonzalez.

Seconded by: Commissioner Huazano.

Motion passes by the following vote:

AYES: Commissioner Gonzalez, Commissioner Huazano, Commissioner Navarrete, Vice Chair Virgen, Chair Soliz.

NOES: None.

ABSTAIN: None.

ABSENT: None.

PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):

3. Review of Ordinance No. 1171 amending various provisions of the Coachella Municipal Code regarding Interim Outdoor Cannabis Cultivation. City-Initiated.

Public Hearing opened at 6:45pm. By Chair Soliz.
Charles Nelson- Community member and future applicant.
Public Hearing Comments closed at 6:58pm. By Chair Soliz.

4. **Motion to approve Public Hearing item 3.** Review of Ordinance No. 1171 amending various provisions of the Coachella Municipal Code regarding Interim Outdoor Cannabis Cultivation. City-Initiated.

Approved with the following modifications:

1. Minimum acreage reduced from 5 acres to 1 acre.
2. Fence material and landscaped buffer requirements be made more flexible to allow other forms of fencing.

Made by: Commissioner Gonzalez.

Seconded by: Commissioner Huazano.

Motion passes by the following vote:

AYES: Commissioner Gonzalez, Commissioner Huazano, Commissioner Navarrete, Vice Chair Virgen, Chair Soliz.

NOES: None.

ABSTAIN: None.

ABSENT: None.

INFORMATIONAL:

1. Expiration of planning commissioner terms for some commissioners at end of 2020.
2. Round 2 Retail Cannabis.
3. City hall closure for Holiday schedule.
4. Housing Element workshop Jan. and May 2021.

ADJOURNMENT:

Meeting adjourned at 7:10 p.m. by Chair Soliz.

Respectfully Submitted,



Yesenia Becerril
Planning Secretary

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EXHIBIT “A”

SCOPE OF SERVICES

Task 1: Assessment

Task 1.A Evaluation of 2021 Housing Element

LWC will review the City’s current Housing Element and its programs, as well as Annual Housing Element Progress Reports. This review will include:

- An assessment of the City’s progress in meeting its existing Housing Element and RHNA goals
- A summary of the effectiveness of the programs and policies
- A comparison between projected goals with actual accomplishments
- A summary of how these results are important to the revision of the Housing Element
- An evaluation of the compliance of the existing Housing Element with current State housing law and applicable statutes

Task 1.B Type of Housing Allocation (RHNA Target Review)

Working with data generated from SCAG, LWC will prepare a summary memorandum for the City to provide to elected and appointed officials describing the SCAG RHNA methodology and providing information regarding Coachella’s allocation.

Task 1.C Analysis of Designated Disadvantaged Communities

In accordance to SB 244, LWC will identify relevant Disadvantaged Unincorporated Communities (DUCs) within or contiguous to the City’s sphere of influence and determine how Coachella is planning for infrastructure or public service needs deficiencies of the identified DUCs. Any deficiencies constraining housing production will be identified.

Task 1.D Document Review

LWC will review relevant documents to gain insight and understanding of local conditions and the City’s housing progress and priorities. These documents include but are not limited to the 2013 Housing Element Update, 2013 Housing Conditions and Vacant Land Survey, HCD communications, General Plan, Zoning and Subdivision Ordinances, and all housing programs/policies.

Deliverables

- *Evaluation of 2021 Housing Element, to be incorporated into the draft Housing Element*
- *RHNA Review Memo (PDF, Word)*
- *Designated Disadvantaged Communities Analysis*

Task 2: Housing Element Preparation

Task 2.A Housing Needs Assessment

In accordance with Government Code 65583(a), LWC will utilize available U.S. Census data, CA Department of Finance, and City data to analyze and update key population, housing, and employment characteristics to identify the City's specific housing needs and evaluate its housing conditions using State-approved criteria. LWC will establish the nature and extent of housing needs for Coachella including existing and projected housing needs and the housing needs of special groups. This will include an identification of the City's share of RHNA targets by housing type.

Key data characteristics include:

- Demographics (e.g. age, race/ethnicity, employment projections)
- Household type/size, age and income (by race and ethnicity)
- Housing stock characteristics (e.g. type, vacancy, age/condition, and cost/affordability)
- Assessment of overcrowding and cost burden
- Special Needs (e.g. large households, persons with disabilities)

Task 2.B Housing Needs Assessment

In accordance with Government Code 65583.2, LWC will prepare an inventory of land suitable for residential development within the planning period, including vacant sites and sites having the potential for redevelopment. LWC will leverage previous work prepared by the City, such as the vacant land inventory sites from the existing Housing Element. LWC will work closely with staff to develop a parcel-level inventory of sites with near-term residential development potential at appropriate densities. The assessment will also include an analysis of the availability of infrastructure for sites included in the inventory. This task assumes the City has adequate parcel-level GIS data (including APN, existing use, zoning, lot size, and assessor's data) available.

Task 2.C Sites Inventory

In accordance with Government Code 65583(a), LWC will conduct a constraints analysis. This analysis will differentiate between governmental constraints (such as land use, zoning, height, setbacks, and impact fees), non-governmental constraints (such as mortgage lending availability), and environmental constraints to inform decision makers on the most effective and appropriate policies to reduce constraints and facilitate housing production.

Task 2.D Housing Constraints Assessment

In accordance with Government Code 65583(a), LWC will identify housing resources, including programmatic, financial, and physical development opportunities. The analysis will include a review of funding sources for housing development and improvement, regulatory incentives for affordable housing, and opportunities for energy conservation.

Task 2.E Housing Resources Assessment

In accordance with Government Code 65583(b) and (c), LWC will build on the existing Housing Element, public consensus, and the technical analyses performed in Tasks 2.A. to 2.D. to produce an implementation plan that outlines policies and programs that will satisfy the housing goals of the City during the planning period. This plan provides appropriate and feasible steps the City is already taking or will undertake to accommodate its housing need.

Deliverables (to be incorporated into the draft Housing Element in Task 3.A)

- *Housing Needs Assessment*
- *Inventory of Suitable Residential Sites*
- *Housing Constraints Assessment*
- *Housing Resource Assessment*
- *Implementation Plan (Housing Goals and Policies)*

Task 3: Prepare and Finalize Housing Element

Task 3.A Administrative Draft Housing Element

LWC will prepare an Administrative Draft Housing Element in compliance with all applicable State and federal laws, including all supporting documents, by June 2021. LWC assumes City staff will submit a single set of non-conflicting comments for incorporation into the Public Review Draft Housing Element.

Task 3.B Public Review Draft Housing Element

LWC will revise the Administrative Draft Housing Element to incorporate comments from City staff and prepare a Public Review Draft for City staff distribution to HCD, the City Council, the Planning Commission, and the general public by October 2021. LWC assumes City staff will submit a single set of non-conflicting comments for incorporation into the Final Housing Element.

Task 3.C Prepare Final Documents

LWC will revise the Public Review Draft in response to feedback from HCD, the City Council, the Planning Commission, City staff, and the general public and will prepare a Final Housing Element to present to the Planning Commission and City Council for adoption by January 2022. LWC will make any revisions following adoption and submit the Housing Element to HCD for certification.

Task 3.D Coordination with HCD

LWC will assist the City in achieving State certification of the Housing Element after adoption by City Council. LWC will work closely with HCD and the City to ensure that the City meets State requirements and will recommend modifications to the adopted Housing Element, if required, to obtain certification. LWC will communicate with HCD throughout the project and during the review and approval period, ensuring thorough review and appropriate response to comments.

Deliverables:

- *Administrative Draft (One (1) reproducible copy, PDF, Word)*
- *Public Review Draft (One (1) reproducible copy, PDF, Word)*
- *Final Draft Housing Element (Thirty (30) reproducible copies, PDF, Word)*
- *Final Certified Housing Element (PDF, Word)*
- *Coordination and communication with HCD, including review meetings*

Task 4: Project Management and Coordination

Task 4.A Kick-Off Meeting

LWC will prepare for and attend one kick-off meeting with City staff. The meeting will be online via video or teleconference. Meeting objectives include establishing project goals and objectives, clarifying RHNA, SCAG, and HCD processes and requirements, refining the scope and clarifying the roles and responsibilities of all parties involved, identifying major milestones and dates for intermediate deliverables, and establishing communication expectations and coordinate procedures.

Task 4.B Data Collection

LWC will identify and gather key information, reports, maps, and databases, as well as submit a data request to the City for relevant material that has not been previously compiled.

Task 4.C Project Management

LWC will maintain a close working relationship with the City, through open and frequent email, phone, and videoconference communication. LWC will schedule regular conference calls with City staff to provide progress updates, gather feedback, and assure the work is accomplished in an effective and timely manner.

Deliverables

- *List of data needs*
- *Meeting agendas and summary notes with follow-up items*
- *Refined project schedule documenting key milestones and deliverables for the project*

Task 5: Meetings

Task 5.A Community Presentations and Meetings

LWC will lead two (2) public workshops during the development and review of the Housing Element. These events will be held as webinars with presentation material prepared by LWC. City Staff is anticipated to prepare meeting notifications and participate in the meetings to help address community questions. Prior to the meetings, LWC will work with the City to develop an outreach strategy to clarify timing and objectives of the outreach efforts.

Task 5.B Meetings with Planning Commission and City Council

Prior to the adoption of the final Housing Element, LWC will participate in public hearings with both the Planning Commission and City Council to present findings and respond to questions and incorporate recommendations as appropriate. LWC will provide all materials and graphics for these hearings.

Meetings

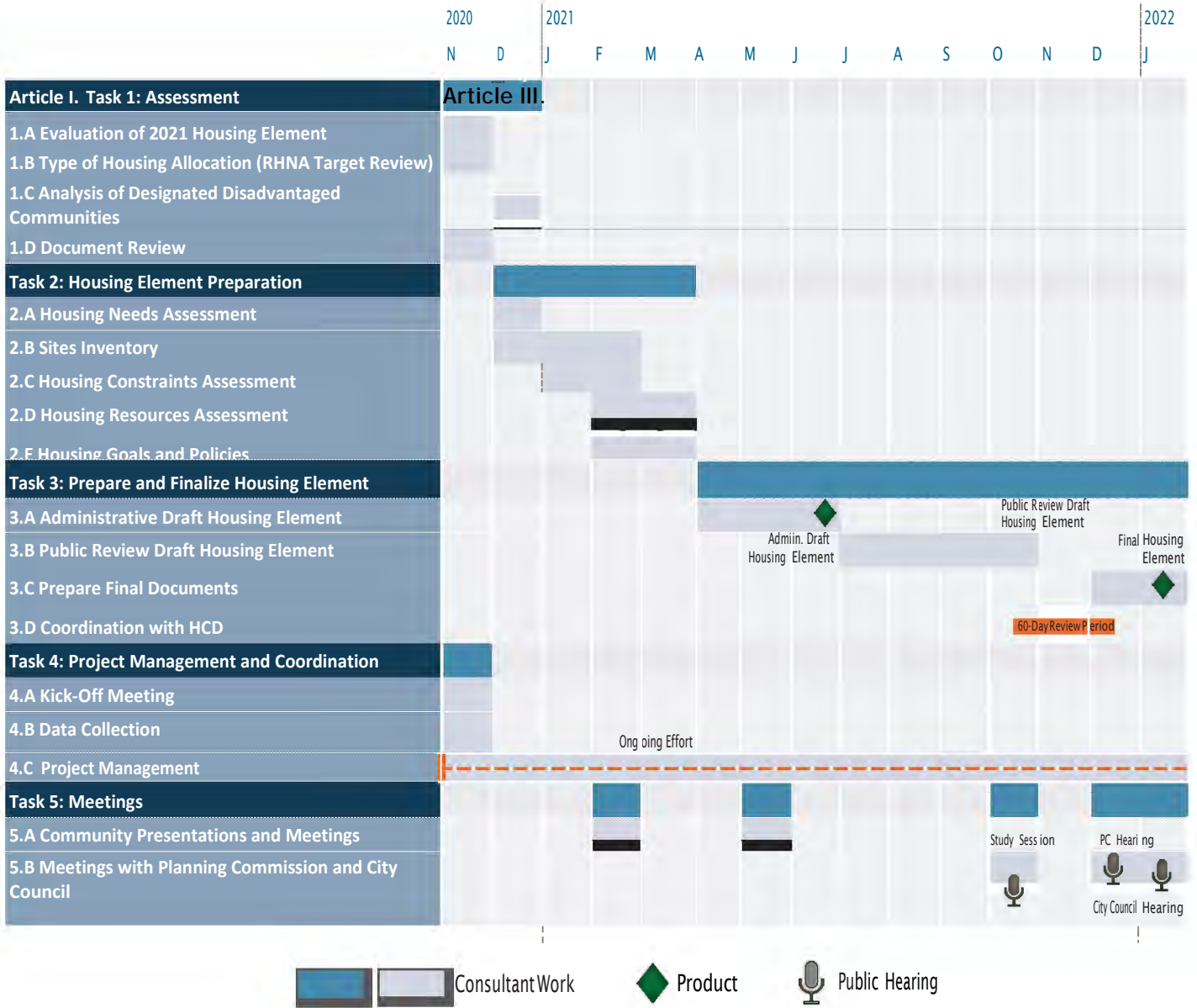
- *One (1) study session with the Planning Commission and City Council*
- *One (1) public hearing with the Planning Commission*
- *One (1) public hearing with the City Council*

Deliverables

- *Meeting agendas, summaries, and presentations for community engagement meetings*
- *Meeting presentation materials for Planning Commission and City Council meetings*

EXHIBIT "B"

SCHEDULE OF SERVICES





STAFF REPORT
1/20/2021

TO: Planning Commission Chair and Commissioners

FROM: Luis Lopez, Development Services Director

SUBJECT: Update on the Coachella 6th Cycle Housing Element efforts.

At the December 16, 2020 meeting, the Planning Commission asked staff to make a presentation and give an update regarding our work efforts on the 6th Cycle Housing Element Update to the City's General Plan. As you know, every eight years, the city and county agencies of the SCAG region are required to update their Housing Elements. Staff will be preparing a PowerPoint slide presentation to provide more detailed information on our work to date, including the mandatory 5th Cycle Re-zoning efforts.

Attached to this staff report is a copy of the Scope of Work and Project Schedule for the consultant contract between the City and Lisa Wise Consulting, Inc. Listed below are the major tasks of the work effort as explained in the Scope of Work.

Task 1.A Evaluation of 2021 Housing Element

Task 1.B Type of Housing Allocation (RHNA Target Review)

Task 1.C Analysis of Designated Disadvantaged Communities

Task 1.D Document Review

Deliverables

- *Evaluation of 2021 Housing Element, to be incorporated into the draft Housing Element*
- *RHNA Review Memo (PDF, Word)*
- *Designated Disadvantaged Communities Analysis*

Task 2.A Housing Needs Assessment

Key data characteristics include:

- Demographics (e.g. age, race/ethnicity, employment projections)
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- Assessment of overcrowding and cost burden
- Special Needs (e.g. large households, persons with disabilities)

Task 2.B Housing Needs Assessment

Task 2.C Sites Inventory

Task 2.D Housing Constraints Assessment

Task 2.E Housing Resources Assessment

Deliverables (to be incorporated into the draft Housing Element in Task 3.A)

- *Housing Needs Assessment*
- *Inventory of Suitable Residential Sites*
- *Housing Constraints Assessment*
- *Housing Resource Assessment*
- *Implementation Plan (Housing Goals and Policies)*

Task 3.A Administrative Draft Housing Element

Task 3.B Public Review Draft Housing Element

Task 3.C Prepare Final Documents

Task 3.D Coordination with HCD

Deliverables:

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- *Final Certified Housing Element (PDF, Word)*
- *Coordination and communication with HCD, including review meetings*

In addition to the above major tasks, the attached project schedule outlines the overall schedule for completion of the above tasks, and the public outreach, public workshops, and public hearings. Staff will be available to answer questions following the presentation.

Attachment: LWC Project Scope and Schedule



STAFF REPORT
1/20/2021

TO: Planning Commission Chair and Commissioners

FROM: Luis Lopez, Development Services Director

SUBJECT: Request for 12-month Time Extension for Conditional Use Permit No. 303 and Architectural Review 18-11 to allow a new 2,100 square foot retail cannabis business as part of a new 6,900 square foot multi-tenant commercial center located at the northwest corner of Grapefruit Boulevard and 9th Street. *Coachella Green Haus, Applicant.*

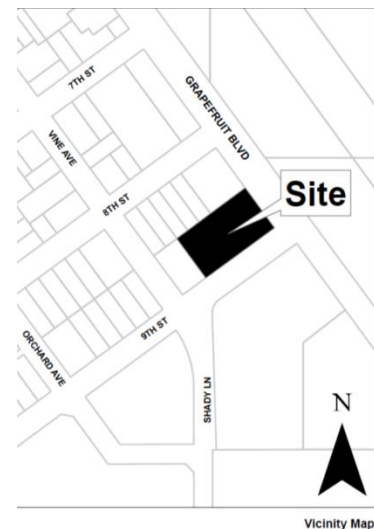
STAFF RECOMMENDATION:

Staff recommends that the Planning Commission review the information contained in this staff report and deny the request for time extension.

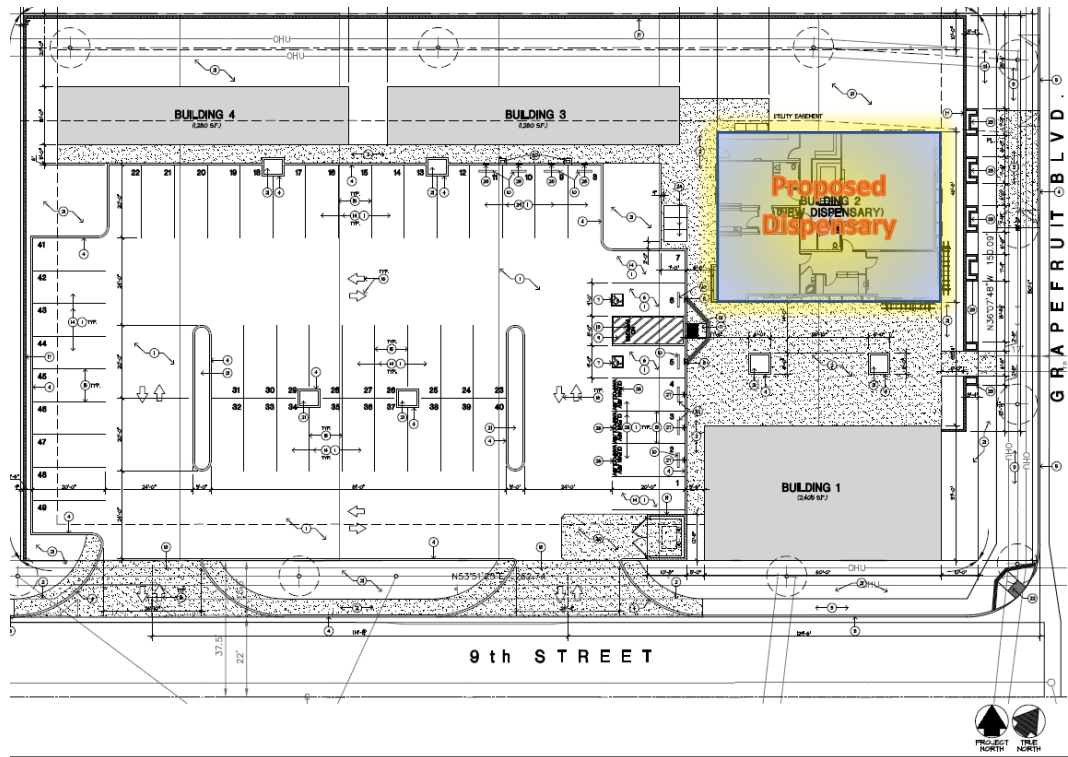
BACKGROUND:

On December 11, 2019 the Planning Commission approved Conditional Use Permit (CUP 303) for the Coachella Green Haus Project which included the construction of a new 2,100 sq. ft. retail cannabis business as part of a new 6,900 square foot multi-tenant commercial center with four (4) buildings including two (2) proposed restaurants, one (1) retail/office building and the retail cannabis business. The overall project includes 45 parking spaces including 2 handicapped stalls.

The project further included an interim use facility to allow a 480 square foot temporary retail cannabis dispensary while the project is under construction. The subject site is a .9-acre vacant parcel at the northwest corner of Grapefruit Blvd and 9th Street (1691 9th Street) as shown in the vicinity map to the right.



The latest site plan layout with revised parking lot is shown below on the “Precise Grading Plan” for the project.

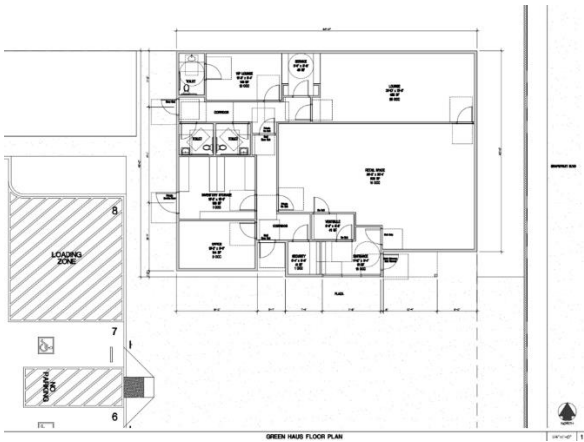


The subject site is a vacant lot with existing curb, gutter and sidewalk improvements as shown in the photographs below.





The floor plan for the proposed dispensary is shown below.



Architectural Review 18-11:

The Planning Commission previously approved Architectural Review (AR 18-11) on April 17, 2019 for the subject property. The Architectural Review approved the Pueblo Viejo Plaza Project that included four buildings including two restaurant pads and two retail/office buildings in four phases totaling 6,900 square feet as seen on the exhibits below:



Artist rendering looking to the northwest

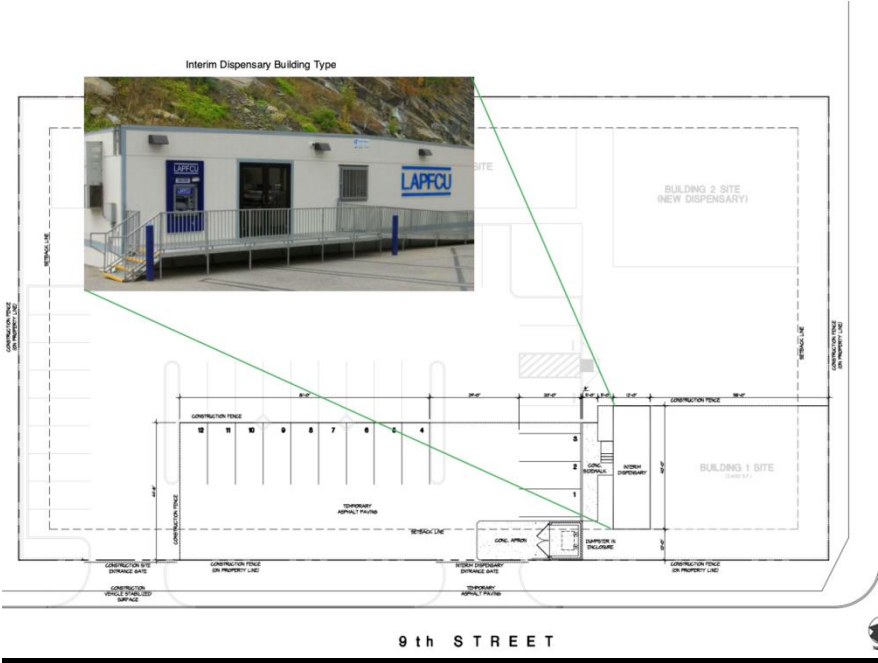


Artist Rendering of Street / Perimeter Landscaping

If the Planning Commission is inclined to grant a 12-month time extension for CUP 303, a 24-

month retro-active time extension for AR 18-11 would also be effectuated making the new expiration date of April 17, 2021. The owners are close to obtaining building permits and once construction is diligently pursued, the AR 18-11 approval will become vested on the property.

The CUP 303 also approved an Interim Use Facility consisting of a 480 square foot modular store (trailer) that would be installed during the first phases of construction, after part of the parking lot is installed, at the southeastern portion of the site. This temporary “retail cannabis store” would operate while the permanent building is under construction as illustrated below.



Request for Time Extension:

The applicant submitted a letter dated December 10, 2020 (attached) requesting a 12-month time extension for CUP 303 which authorized the retail cannabis business, and interim use facility. The applicants state that the time delay in commencing construction activities has been due to Covid-19 pandemic issues. Additionally the applicant letter states that the owners have continued to pursue building permits and that they have invested close to \$100,000 in architectural and engineering design fees. They further state that they intend to obtain a grading permit in the next 30 days.

As of the writing of this staff report, the owners had not yet obtained a grading permit or a building permit for the first phase. The construction drawings have been approved by the Building Division and are ready to issue, upon getting approval of a grading permit for precise grading, and obtaining permits from the Fire Marshal’s Office.

The Planning Commission has discretion to approve time extension requests for approved CUP’s and AR’s where there is a justification for the delay in construction activity, and where the project

continues to be in keeping with City policies and the public interest. Recently, the City Council directed staff to take a hardline approach with the Round #1 Retail Cannabis applicants that have not diligently pursued construction, or licensing of the approved dispensary. The compelling reason for this involves the City's loss of retail cannabis tax based due to the failure of the owners to execute the project.

The Green Haus commercial center had approvals to install an "interim facility" consisting of a modular retail store that would assist the owners in generating revenue in the short-term for themselves and the City. At the City Council public hearings, it was stated that they could open the facility within four months upon getting permits. Unfortunately, after 12 months the owners still do not have permits and will not be able to open a dispensary any time soon, given the State licensing procedures which can take an additional 12 months.

CONCLUSIONS AND RECOMMENDED ACTION:

The applicants have had ample time to obtain permits and pursue construction diligently over the past 14 months. The lack of a retail cannabis business in the City has resulted in lost taxation revenue that could have been generated by the project's interim facility. The justification for construction delays based on the Covid-19 pandemic issues are not sufficient to allow a continued loss of taxation revenue. In fact, retail cannabis businesses have been classified as "essential businesses" by the State of California in enforcing the temporary closures of public assembly and other businesses. As such, there are no Covid-19 restrictions on the sale of cannabis products in retail outlets.

Based on the above discussion, staff recommends that the Planning Commission deny the request for time extension, and allow the applicant to appeal that decision to the City Council. If the City Council upholds the denial, the retail cannabis business would no longer be allowed at this location. Similarly, a new application for Architectural Review 18-11 would need to be pursued.

Attachments: Applicant's Letter



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Task 1.D Document Review

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In addition to the above major tasks, the project schedule attached to this staff report outlines the overall schedule for completion of the above tasks, and the public outreach, public workshops, and public hearings. Staff will be available to answer questions following the presentation.

Finally, there is a memorandum from the consultant attached to this report that explains the Housing Element update process, and the various State laws that the City is subject to with the 6th Cycle Housing Element.

Attachment: LWC Project Scope and Schedule
Consultant Memo

EXHIBIT “A”

SCOPE OF SERVICES

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- Special Needs (e.g. large households, persons with disabilities)

Task 2.B Housing Needs Assessment

In accordance with Government Code 65583.2, LWC will prepare an inventory of land suitable for residential development within the planning period, including vacant sites and sites having the potential for redevelopment. LWC will leverage previous work prepared by the City, such as the vacant land inventory sites from the existing Housing Element. LWC will work closely with staff to develop a parcel-level inventory of sites with near-term residential development potential at appropriate densities. The assessment will also include an analysis of the availability of infrastructure for sites included in the inventory. This task assumes the City has adequate parcel-level GIS data (including APN, existing use, zoning, lot size, and assessor's data) available.

Task 2.C Sites Inventory

In accordance with Government Code 65583(a), LWC will conduct a constraints analysis. This analysis will differentiate between governmental constraints (such as land use, zoning, height, setbacks, and impact fees), non-governmental constraints (such as mortgage lending availability), and environmental constraints to inform decision makers on the most effective and appropriate policies to reduce constraints and facilitate housing production.

Task 2.D Housing Constraints Assessment

In accordance with Government Code 65583(a), LWC will identify housing resources, including programmatic, financial, and physical development opportunities. The analysis will include a review of funding sources for housing development and improvement, regulatory incentives for affordable housing, and opportunities for energy conservation.

Task 2.E Housing Resources Assessment

In accordance with Government Code 65583(b) and (c), LWC will build on the existing Housing Element, public consensus, and the technical analyses performed in Tasks 2.A. to 2.D. to produce an implementation plan that outlines policies and programs that will satisfy the housing goals of the City during the planning period. This plan provides appropriate and feasible steps the City is already taking or will undertake to accommodate its housing need.

Deliverables (to be incorporated into the draft Housing Element in Task 3.A)

- *Housing Needs Assessment*
- *Inventory of Suitable Residential Sites*
- *Housing Constraints Assessment*
- *Housing Resource Assessment*
- *Implementation Plan (Housing Goals and Policies)*

Task 3: Prepare and Finalize Housing Element

Task 3.A Administrative Draft Housing Element

LWC will prepare an Administrative Draft Housing Element in compliance with all applicable State and federal laws, including all supporting documents, by June 2021. LWC assumes City staff will submit a single set of non-conflicting comments for incorporation into the Public Review Draft Housing Element.

Task 3.B Public Review Draft Housing Element

LWC will revise the Administrative Draft Housing Element to incorporate comments from City staff and prepare a Public Review Draft for City staff distribution to HCD, the City Council, the Planning Commission, and the general public by October 2021. LWC assumes City staff will submit a single set of non-conflicting comments for incorporation into the Final Housing Element.

Task 3.C Prepare Final Documents

LWC will revise the Public Review Draft in response to feedback from HCD, the City Council, the Planning Commission, City staff, and the general public and will prepare a Final Housing Element to present to the Planning Commission and City Council for adoption by January 2022. LWC will make any revisions following adoption and submit the Housing Element to HCD for certification.

Task 3.D Coordination with HCD

LWC will assist the City in achieving State certification of the Housing Element after adoption by City Council. LWC will work closely with HCD and the City to ensure that the City meets State requirements and will recommend modifications to the adopted Housing Element, if required, to obtain certification. LWC will communicate with HCD throughout the project and during the review and approval period, ensuring thorough review and appropriate response to comments.

Deliverables:

- *Administrative Draft (One (1) reproducible copy, PDF, Word)*
- *Public Review Draft (One (1) reproducible copy, PDF, Word)*
- *Final Draft Housing Element (Thirty (30) reproducible copies, PDF, Word)*
- *Final Certified Housing Element (PDF, Word)*
- *Coordination and communication with HCD, including review meetings*

Task 4: Project Management and Coordination

Task 4.A Kick-Off Meeting

LWC will prepare for and attend one kick-off meeting with City staff. The meeting will be online via video or teleconference. Meeting objectives include establishing project goals and objectives, clarifying RHNA, SCAG, and HCD processes and requirements, refining the scope and clarifying the roles and responsibilities of all parties involved, identifying major milestones and dates for intermediate deliverables, and establishing communication expectations and coordinate procedures.

Task 4.B Data Collection

LWC will identify and gather key information, reports, maps, and databases, as well as submit a data request to the City for relevant material that has not been previously compiled.

Task 4.C Project Management

LWC will maintain a close working relationship with the City, through open and frequent email, phone, and videoconference communication. LWC will schedule regular conference calls with City staff to provide progress updates, gather feedback, and assure the work is accomplished in an effective and timely manner.

Deliverables

- *List of data needs*
- *Meeting agendas and summary notes with follow-up items*
- *Refined project schedule documenting key milestones and deliverables for the project*

Task 5: Meetings

Task 5.A Community Presentations and Meetings

LWC will lead two (2) public workshops during the development and review of the Housing Element. These events will be held as webinars with presentation material prepared by LWC. City Staff is anticipated to prepare meeting notifications and participate in the meetings to help address community questions. Prior to the meetings, LWC will work with the City to develop an outreach strategy to clarify timing and objectives of the outreach efforts.

Task 5.B Meetings with Planning Commission and City Council

Prior to the adoption of the final Housing Element, LWC will participate in public hearings with both the Planning Commission and City Council to present findings and respond to questions and incorporate recommendations as appropriate. LWC will provide all materials and graphics for these hearings.

Meetings

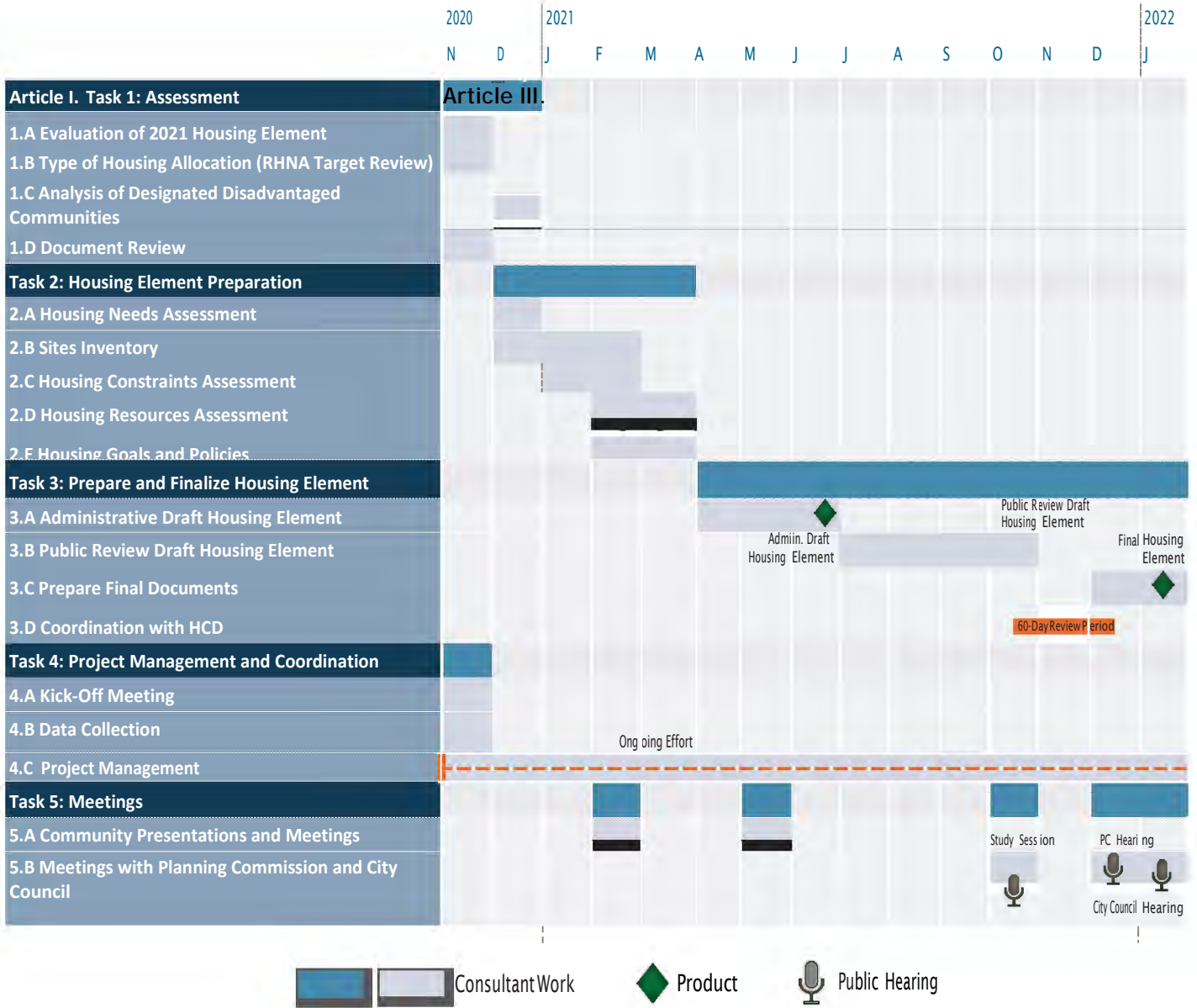
- *One (1) study session with the Planning Commission and City Council*
- *One (1) public hearing with the Planning Commission*
- *One (1) public hearing with the City Council*

Deliverables

- *Meeting agendas, summaries, and presentations for community engagement meetings*
- *Meeting presentation materials for Planning Commission and City Council meetings*

EXHIBIT "B"

SCHEDULE OF SERVICES



MEMO

To: Luis Lopez, Community Development Services Director, City of Coachella
From: Lisa Wise Consulting, Inc.
Date: January 14, 2021
Subject: Summary of HCD Housing Element Approval Process and Requirements

The housing element is the primary tool the State of California uses to ensure local governments are appropriately planning to produce enough housing to meet their allocated regional housing needs. It is a mandatory part of a jurisdiction's General Plan, but differs from other General Plan elements in the following ways:

- **Update Timeline:** The housing element must be updated every eight years for jurisdictions within a metropolitan planning organization (MPO) on a 4-year regional transportation plan (RTP) cycle. If a jurisdiction fails to adopt the housing element within 120 days of the statutory due date, the jurisdiction will be required to comply with two consecutive 4-year housing element update cycles instead of the 8-year cycle.
- **Statutory Requirements and State Certification:** The housing element must be reviewed and approved (i.e., certified) by the California Department of Housing and Community Development (HCD) to ensure compliance with statutory requirements.

Requirements

According to California Government Code Sections 65580-65589, the housing element must include:

- A statement of the community's goals, quantified objectives, and policies to maintain, preserve, improve, and develop housing;
- An assessment of existing and projected housing needs for all income levels;
- An analysis of housing constraints and resources that could impact housing production;
- An inventory of adequate sites that are zoned and available within the planning period to meet the jurisdiction's fair share of regional housing needs across all income levels; and
- A program that provides a schedule of implementable actions to be taken during the planning period to achieve the outlined goals, objectives, and policies.

The housing element must also maintain consistency with the other elements of the General Plan. Furthermore, State law requires that the jurisdiction make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element (Government Code §65583(c)(9)).

New State Laws

The State recently passed new legislation that will impact the 6th cycle housing element update. These laws include, but are not limited to:

AB 1397 Adequate Housing Element Sites (2017): This law strengthens local governments' obligation to identify sites available to meet their RHNA at all income levels.

- Non-vacant sites must have a realistic development potential.
- If non-vacant sites are used to accommodate 50% or more of lower income RHNA, jurisdictions must overcome presumption that existing use is an impediment to development.
- Including previously identified sites to meet lower income RHNA is only allowed if they are rezoned by right and require at least 20% affordable to lower income households.
- If including sites smaller than ½ acre and larger than 10 acres, jurisdictions must demonstrate a history of affordable housing development on similar sites.

SB 166 No Net Loss (2017): This law requires jurisdictions to maintain adequate sites to accommodate its remaining RHNA at all times throughout the housing element planning period. If a jurisdiction approves a development at a lower residential density than assumed in the housing element sites inventory, the jurisdictions must identify additional adequate low-income housing site(s) to accommodate the remaining RHNA, and if necessary, rezone sites within 180 days.

SB 6 Design and Development of the Site Inventory (2019): This law requires the housing element site inventory to be submitted electronically on a standard HCD form.

AB 686 Affirmatively Furthering Fair Housing (AFFH) (2018): This law requires housing elements to demonstrate the local jurisdiction is affirmatively furthering fair housing. Jurisdictions now need to demonstrate compliance with the statute by:

- Analyzing existing fair housing and segregation issues;
- Identifying fair housing goals;
- Developing strategies to implement these goals; and
- Ensuring sites in the inventory are identified in such a way that promotes AFFH.

AB 879 Reporting Requirements and Enforcement (2017): This law requires a deeper analysis of factors that can impact constraints, such as local ordinances, fees, and permitting timelines, as well as strategies to remove them in housing elements and assessed through Annual Planning Reports.

AB 671 ADU Plan (2019): This law requires jurisdictions to provide in their housing elements a plan to incentivize and promote the creation of affordable ADUs.

AB 1763 Enhanced Density Bonus (2019): This law expands State density bonus provisions by allowing 100% affordable projects¹ to receive up to an 80% density bonus and four concessions. If a 100% affordable project is located within ½ mile of a major transit stop, there is no density limit, and the project can receive a height increase of three additional stories or 33 feet. Also, no parking is required for supportive and special needs housing.

AB 2162 Supportive Housing Streamlined Approval (2018): This law allows supportive housing by-right in any zone where multi-family and mixed uses are permitted. It expands CEQA exemption for ministerial approval and includes specific timeframes for approval if certain requirements are met.

AB 72 Housing Element Enforcement (2017): This law allows HCD to review any action or lack of action by a jurisdiction that is inconsistent with its housing element. HCD can revoke housing element compliance and notify the Attorney General.

Approval Process

Once the jurisdiction has drafted their updated housing element, the jurisdiction submits it to HCD. HCD will review the draft housing element to determine if it appropriately accommodates the jurisdiction's RHNA, including the accommodation of housing units across a range of income categories, and all other State requirements. Typically, HCD will review and provide comments on the public draft housing element within 60 days of receipt. Review of the draft housing element is usually facilitated by one or more conference calls with the jurisdiction and any consultants retained by the jurisdiction. If the draft document meets State requirements, HCD will provide a conditional letter of approval, noting the State can approve/certify the housing element if adopted as is. Otherwise, HCD will provide comments that will need to be addressed before adoption and HCD certification. After any necessary changes are made to address HCD's comments, the jurisdiction will formally adopt the housing element and submit the adopted housing element to HCD for certification, which can take up to 90 days (see Figure 1: HCD Housing Element Approval Process on the following page).

If the jurisdiction adopts the housing element without fully satisfying HCD requirements, it will be considered legally noncompliant. This noncompliant status can prevent the jurisdiction from being eligible for certain State funding, making the jurisdiction vulnerable to lawsuits by the Office of the Attorney General, and trigger a new 4-year update timeline for future housing elements.

Timeline

The 6th cycle housing element updates for the Southern California Association of Governments (SCAG) region must be adopted by the local jurisdiction by October 15, 2021. HCD offers a 120-day grace period. If the housing element is adopted during this time, the housing element is considered compliant. Certification occurs following the deadline and does not need to occur within the grace period.

¹ Up to 20% of the total units can be for moderate-income households (Government Code §65915(b)(1)(G)).

Figure 1: HCD Housing Element Approval Process

