



CITY OF HUGHSON
PLANNING COMMISSION MEETING
 City Hall Council Chambers
 7018 Pine Street, Hughson, CA

AGENDA
TUESDAY, MARCH 19, 2013 – 6:00 P.M.

CALL TO ORDER: Chair Jared Costa

ROLL CALL: Chair Jared Costa
 Vice Chair Julie Ann Strain
 Commissioner Karen Minyard
 Commissioner Sanjay Patel
 Commissioner Zachary Davis

FLAG SALUTE: Chair Jared Costa

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Members of the Audience may address the Planning Commission on any item of interest to the public pertaining to the City and may step to the podium, State their name and City of Residence for the record (requirement of Name and City of Residence is optional) and make their presentation. Please limit presentations to five minutes. Since the Planning Commission cannot take action on matters not on the Agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

2. PRESENTATIONS: None.

3. NEW BUSINESS:

- 3.1:** Approval of the Minutes of the regularly scheduled meeting of February 19, 2013 and the Special Joint meeting with the City Council on February 25, 2013.
- 3.2:** Consider the Adoption of Resolution No. PC 2013-01, A Resolution of the Hughson Planning Commission adopting the 2012 Annual General Plan Progress Report, as well as the Annual Progress Report on Implementation of the Housing Element.

4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:

- 4.1: Public Hearing to Consider Conditional Use Permit Application 2013-01, for a Tattoo and Piercing Service Located at 6724 E. Whitmore Avenue, Suite F.

5. INFORMATIONAL ITEMS:

- 5.1: Financial Sustainability Power Point Presentation.
- 5.2: *Hughson wants Stanislaus County to stop border projects*, Modesto Bee Article, published March 12, 2013.

6. CORRESPONDENCE: None.

7. COMMENTS:

- 7.1: Staff Reports and Comments: (Information Only – No Action)

Community Development Director:

City Clerk:

City Attorney:

- 7.2: Commissioner Comments: (Information Only – No Action)

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

UPCOMING EVENTS:

March 23	▪ Lorraine’s Luncheon - “High Tea” @ Samaritan Village- 3pm
March 25	▪ City Council Meeting, Council Chambers, 7:00pm
March 25	▪ Economic Development Committee Meeting, Council Chambers, 5:30pm
March 27	▪ Special Planning Commission Meeting, Council Chambers, 6:00pm
April 8	▪ City Council Meeting, Council Chambers, 7:00pm
April 16	▪ Planning Commission Meeting, Council Chambers, 6:00pm
April 22	▪ City Council Meeting, Council Chambers, 7:00pm

April 27	<ul style="list-style-type: none"> ▪ City-wide Yard Sale Event – ALL DAY
April 27	<ul style="list-style-type: none"> ▪ LOVE Hughson Event, visit www.lovehughson.com
May 4	<ul style="list-style-type: none"> ▪ Annual City-wide “Clean-Up Day”, 7:30am-3:00pm

RULES FOR ADDRESSING PLANNING COMMISSION

Members of the audience who wish to address the Planning Commission are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the City Clerk. **Filling out the card is voluntary.**

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability; as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a Planning Commission meeting, please contact the City Clerk’s office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

AFFIDAVIT OF POSTING

DATE: March 15, 2013 **TIME:** 2:00pm
NAME: Dominique Spinale **TITLE:** Deputy City Clerk

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson Planning Commission shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

General Information: The Hughson Planning Commission meets in the Council Chambers on the third Tuesday of each month at 6:00 p.m., unless otherwise noticed.

PC Agendas: The Planning Commission Agenda is now available for public review at the City’s website at www.hughson.org and City Clerk’s Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk’s Office.

Questions: Contact the Deputy City Clerk at (209) 883-4054

Any documents produced by the City and distributed to a majority of the Planning Commission regarding any item on this Agenda will be made available at the City Clerk’s counter at City Hall located at 7018 Pine Street, Hughson, CA.



CITY OF HUGHSON
PLANNING COMMISSION MEETING
 City Hall Council Chambers
 7018 Pine Street, Hughson, CA

MINUTES
TUESDAY, FEBRUARY 19, 2013 – 6:00 P.M.

CALL TO ORDER: Chair Jared Costa

ROLL CALL:

Present: Chair Jared Costa
 Vice Chair Julie Ann Strain
 Commissioner Karen Minyard

Staff Present: Thom Clark, Community Development Director

FLAG SALUTE: Chair Jared Costa

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

No Public Comments.

2. PRESENTATIONS: None.

3. NEW BUSINESS:

3.1: Approve the Minutes of the regular meeting of January 15, 2013.

Strain/Minyard 3-0 motion passes to approve the Minutes of the January 15 meeting.

3.2: Continue the Review of the Draft City of Hughson Design Manual for Living Streets – Study Session.
 (Continued from September 18 and January 15 meetings)

Director Clark continued reviewing the Design Manual for Living Streets with the Planning Commission. The Commission completed the review of Chapter 11. This chapter discussed streetscape ecosystem design, streetwater management, urban forestry, and street furniture. The Commission also reviewed guidelines for utilities and lighting.

The Planning Commission will continue the review of this manual at a future Planning Commission Meeting.

4. PUBLIC HEARING TO CONSIDER THE FOLLOWING: None.

5. INFORMATIONAL ITEMS: None.

6. CORRESPONDENCE: None.

7. COMMENTS:

7.1: Staff Reports and Comments: (Information Only – No Action)

Community Development Director:

City Clerk:

City Attorney:

7.2: Commissioner Comments: (Information Only – No Action)

The Commissioners discussed various city related events and asked Director Clark about some ongoing city projects.

ADJOURNMENT: This meeting adjourned at approximately 8:00P.M.

JARED COSTA, Chair

DOMINIQUE SPINALE, Deputy City Clerk



CITY OF HUGHSON
SPECIAL JOINT MEETING
CITY COUNCIL & PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA

MINUTES
MONDAY, FEBRUARY 25, 2013 – 7:00 P.M.

CALL TO ORDER: Mayor Matt Beekman

ROLL CALL:

Present:

City Council: Mayor Matt Beekman
Mayor Pro Tem Jeramy Young
Councilmember Jill Silva
Councilmember George Carr
Councilmember Harold Hill

Planning Commission: Jared Costa, Chair
Julie Strain, Vice Chair
Karen Minyard, Commissioner

FLAG SALUTE: Mayor Matt Beekman

INVOCATION: Hughson Ministerial Association

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

No Public Comments.

2. PRESENTATIONS:

2.1: Unmet Transit Needs Assessment, Mike Costa, StanCOG.

Mike Costa provided the City Council and Planning Commission with an informational power point discussing the unmet transit needs assessment and process.

2.2: Valley Vision Stanislaus Public Workshop, Jaylen French, StanCOG.

Kendall Flint with Flint Strategies provided the City Council and Planning Commission with an informational power point discussing the Valley Vision Stanislaus. She also conducted an interactive survey with the Council, Commissioners, and audience.

Ms. Flint provided the results of each survey question with audience and discussed each question with the audience for their feedback.

ADJOURNMENT: This meeting adjourned at 7:45P.M.

JARED COSTA, Chair

DOMINIQUE SPINALE, Deputy City Clerk



PLANNING COMMISSION AGENDA
ITEM NO. 3.2
SECTION 3: NEW BUSINESS

Meeting Date: March 19, 2013
Presented By: Thom Clark, Community Development Director
Subject: 2012 Annual General Plan Progress Report
Enclosures: Yes
Desired Action: Consideration and Adoption of Resolution No. PC 2013-01, A Resolution of the Hughson Planning Commission adopting the 2012 Annual General Plan Progress Report, as well as the Annual Progress Report on Implementation of the Housing Element.

Background:

Pursuant to Government Code Section 65400, the Planning Commission must provide an annual report by April 1 of each year to the City Council, the Office of Planning and Research, and the Department of Housing and Community Development on the progress made toward implementing the General Plan goals and policies during the prior year's reporting period.

Discussion:

Enclosed with this Executive Summary is the aforementioned report for your review and approval.

Recommendation:

Staff recommends the adoption of Resolution No. PC 2013-01, A Resolution of the Hughson Planning Commission Adopting the 2012 Annual General Plan Progress Report as well as the Annual Progress Report on Implementation of the Housing Element.

CITY OF HUGHSON
PLANNING COMMISSION
RESOLUTION NO. PC 2012-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
HUGHSON ADOPTING THE 2012 GENERAL PLAN PROGRESS REPORT AS
WELL AS THE 2012 ANNUAL PROGRESS REPORT ON IMPLEMENTATION
OF THE HOUSING ELEMENT**

WHEREAS, the Hughson is required by Government Code Section 65400 to provide an Annual Progress Report on the General Plan for the preceding year; and

WHEREAS, the Progress Report must be transmitted to the City Council, the Office of Planning and Research, and the Department of Housing and Community Development; and

WHEREAS, the Annual Progress Report must include all of the following: a) the status of the General Plan and progress in its implementation, b.) the progress in meeting its share of the regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing, the degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 as well as the date of the last revision to the general plan; and

WHEREAS, the Planning Commission must also investigate and make recommendations to the City Council regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for the orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient

expenditure of public funds relating to the subjects addressed in the general plan;
and

WHEREAS, the Hughson Planning Commission has reviewed and approved the 2012 Annual Progress Report on the Hughson General Plan, as well as the Annual Progress Report on Implementation of the Housing Element and found them to be accurate and in compliance with the General Plan; and

NOW THEREFORE BE IT RESOLVED that the Hughson Planning Commission does hereby adopt the 2012 Annual Progress Report on the Hughson General Plan, as well as the Annual Progress Report on Implementation of the Housing Element;

PASSED AND ADOPTED by the Hughson Planning Commission at a regular meeting thereof held on March 29, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JARED COSTA, CHAIR

ATTEST:

THOM CLARK, Secretary

ANNUAL PROGRESS REPORT ON THE CITY OF HUGHSON GENERAL PLAN – 2012

INTRODUCTION

The City of Hughson's Planning Commission is required by Government Code Section 65400 to present an annual report to its legislative body (City Council), the Office of Planning and Research (OPR), and the Department of Housing and Community Development (H&CD) by April 1 of each year.

The purpose for the Annual Progress Report is to assess how the General Plan is being implemented in accordance with adopted goals, policies and implementation measures; identify any necessary adjustments or modifications to the General Plan as a means to improve local implementation; provide a clear correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies and implementation measures contained in the General Plan; and to provide information regarding local agency progress in meeting its share of regional housing needs.

The Annual Report must include all of the following: a) the status of the plan and progress in its implementation, b.) the progress in meeting its share of the regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing, the degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 as well as, (c) the date of the last revision to the general plan.

Additionally, the Planning Commission must investigate and make recommendations to the City Council regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for the orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

GENERAL PLAN

Hughson's General Plan was adopted on December 12, 2005. The General Plan contains the seven State-required elements, which are land use, circulation, housing, conservation, open space, noise and safety. The Housing Element was adopted separately in 2004. The State allows the combining of elements or the addition of new elements as long as the required seven elements are present in some fashion. Hughson's General Plan combines the required conservation and open space elements and adds a public services and facilities element. The Hughson General Plan therefore contains the following elements:

1. Land Use; 2. Circulation; 3. Conservation and Open Space; 4. Public Services and Facilities;
5. Safety; 6. Noise and; 7. Housing.

Local governments are required to keep their General Plans current and internally consistent. There is no specific requirement that a local government update its General Plan on a particular timeline, with the exception of the Housing Element, which is required to be updated every five years. Hughson's Housing Element was updated and certified by the State Housing and Community Development Department in 2009.

The following represents the progress the City has made toward implementing the goals and guiding policies of the General Plan during the reporting period. The list is organized to correspond with the elements of the Hughson General Plan.

1. LAND USE

Amendments

There were no amendments to the Land Use Element in 2012.

Progress

- A. On January 17, 2012 the Planning Commission adopted Resolution No. PC 2012-01, approving the Design Review for 7001 Hughson Avenue – property of David and Matt Rossi.
- B. On March 20, 2012 the Planning Commission adopted Resolution No. 2012-02, approving the Design Review for Plan #14 for Kiper Development in Fontana Ranch Estates.

C. On April 17, 2012 the Planning Commission adopted Resolution No. 2012-04, approving the Design Review for the Methodist Church Addition and Remodel located at 2030 Fifth Street.

D. On April 23, 2012, the City Council adopted Resolution No. 2012-19, opposing the time extension for the County approved Santa Fe Crossing project inside Hughson's Sphere of Influence.

E. On September 9, 2012 the City Council adopted Resolution No. 2012-43, adopting Commercial Design Guidelines.

2. **CIRCULATION**

Amendments

There were no amendments to the Circulation Element in 2012.

Progress

A. On May 29, 2012, the City Council adopted Resolution No. 2012-24, awarding the bid for the Pine Street Sidewalk Infill Project.

3. **CONSERVATION AND OPEN SPACE**

Amendments

There were no amendments to the Conservation and Open Space Element in 2012.

Progress

A. On January 9, 2012, the City Council adopted Resolution No. 2012-02, awarding a bid for energy efficient improvements to City facilities pursuant to the Energy Efficiency Community Block Grant (EECBG) program.

B. On April 9, 2012, the City Council approved a professional services agreement with ESA Community Development to develop a Climate Action Plan and Planner's Toolbox Model pursuant to a county-wide grant from the Strategic Growth Council.

C. On April 23, 2012, the City Council adopted Resolution No. 2012-20, approving the EECBG energy efficient improvements to City facilities project and authorized the City Clerk to file a Notice of Completion.

D. On July 9, 2012, the City Council sent a letter of support to the Stanislaus County Local Agency Formation Commission regarding their proposed Agricultural Preservation Policy.

E. On July 23, 2012, the City Council adopted Resolution No. 2012-34, authorizing an additional appropriation to purchase five electric vehicles through the San Joaquin Valley Air Pollution Control District's Public Benefit Grant Program.

D. On October 8, 2012, the City Council adopted Ordinance No. 2012-01, amending the Development Agreement for the Fontana Ranch Estates North Subdivision to sell a half-acre lot back to the developer.

4. **PUBLIC SERVICES AND FACILITIES**

Amendments

There were no amendments to the Public Services and Facilities Element in 2012.

Progress

A. On January 23, 2012 the City Council adopted Resolution No. 2012-05, approving an Industrial Wastewater Discharge Permit to the Dairy Farmers of America milk processing plant located at 2331 Tully Road.

B. On February 27, 2012 the City Council adopted Resolution No. 2012-13, accepting the Wastewater Treatment Plant Expansion and Upgrade Project and authorizing the City Clerk to file a Notice of Completion.

C. On May 14, 2012, the City Council adopted Resolution No. 2012-21, authorizing an additional appropriation to the budget for design of a non-potable water system.

D. On August 13, 2012, the City Council awarded a bid for the Well No. 7 Replacement – Exploratory Test Well Project.

E. On December 10, 2012, the City Council granted permission to install a water well at the River Oaks Ceres Congregation of Jehovah's Witnesses' property located at 1524 Santa Fe Avenue and approximately one-half mile from the nearest water main.

5. SAFETY

Amendments

There were no amendments to the Safety Element in 2012.

Progress

There is nothing to report regarding progress on the Safety Element in 2012.

6. NOISE

Amendments

There were no amendments to the Noise Element in 2012.

Progress

There is nothing to report regarding progress on the Noise Element in 2012.

7. HOUSING

Amendments

There were no amendments to the Housing Element in 2012.

Progress

A. Pursuant to State law, the Stanislaus County Council of Governments is responsible for the development of the Regional Housing Needs Allocation (RHNA) throughout Stanislaus County. Hughson's RHNA for the years 2007 through 2015 is projected to be 282 housing units. Building permits issued for homes in the period from January 2007 and through January 2012 number 133. It is unlikely the city will see the construction of an additional 149 housing units in the next three years.

2012 CITY OF HUGHSON HOUSING ELEMENT ANNUAL PROGRESS REPORT



**Table A2
2012 Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired
pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary



Table A2

**2012 Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported in Table A)**

	Single Family	2 - 4 Units	5+ Units	Second Unit	Mobile Homes	Total
No. of Units Permitted for Moderate						0
No. of Units Permitted for Above Moderate						0

2012 CITY OF HUGHSON HOUSING ELEMENT ANNUAL PROGRESS REPORT



Table B
Regional Housing Needs Allocation Progress
 Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	2013	2014	2015	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Extremely Low	Deed Restricted	33									0	32
	Non-deed restricted		1								1	
Very Low	Deed Restricted	33									0	33
	Non-deed restricted										0	
Low	Deed Restricted	46									0	46
	Non-deed restricted										0	
Moderate	Deed Restricted	54									0	13
	Non-deed restricted				3		22	16			41	
Above Moderate		116	27	16	5	11	12	20			91	25
Total RHNA by COG. Enter allocation number:		282										
Total Units ▶ ▶ ▶			28	16	8	11	34	36			133	
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶												149

Note: units serving extremely low-income households are included in the very low-income permitted unit totals.



**Table C
Program Implementation Status**

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.
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Name of Program	Objective	Timeframe	Status of Program Implementation
Program 1-1-1	The City staff will increase its coordination with California Department of Housing and Community Development (HCD) staff to apply for the funding that is made available through Proposition 1C. For example, in partnership with an interested non-profit developer, apply to the MHP program for the development of low-income housing. Finally, as affordable units are developed, apply for the Workforce Housing Rewards Program.	Apply for funding as it becomes available	Staff continues to search for interested developers to build and maintain affordable housing. In recent years, there has been interest from developers but because of land costs and the lack of sewer capacity, the projects were unable to be affordable. We have just completed an expansion and upgrade of our wastewater plant so that will no longer be a barrier. We partnered with a developer for a 49 unit farm labor project but our HOME application was unsuccessful.
Program 1-1-2	The City of Hughson will complete applications for grants, such as CDBG funds, HOME funds, and other federal and state funds.	Annually, subject to the application cycle	Over the past 6 years the City was successful in obtaining two separate three year grants through the HOME program. These funds are used for the First-Time Homebuyer and Owner-Occupied Rehabilitation Programs as a revolving loan program. We receive CDBG funds as a part of the county consortium.
Program 1-2-1	The Redevelopment Agency will set aside 20 percent of the gross tax increment revenues received from the Redevelopment Area into a low-to-moderate income housing fund for affordable housing activities. These funds will be designated for low-to moderate income housing rehabilitation programs including financing, infrastructure improvements, land acquisitions, and construction.	Sunsetting.	Redevelopment Agencies have been demolished by the State of California. No funds are available from this program.
Program 1-3-1	Provide technical assistance to developers, nonprofit organizations, or other qualified private sector interests in the application and development of projects for federal and state financing.	Ongoing as projects are submitted to planning and building department	In 2011, the City worked with a developer proposing a 49 unit apartment complex on a joint application for a HOME grant but it was not funded. The City continues to work on ways to attract affordable housing developers.
Program 1-4-1	Continue to use HOME funds to assist at least 20 households with the first time homebuyer down payment.	Ongoing, as NOFAs are released	The City does not currently have an open HOME grant to provide down payment assistance. Budget cuts have taken our housing analyst.

2012 CITY OF HUGHSON HOUSING ELEMENT ANNUAL PROGRESS REPORT



Name of Program	Objective	Timeframe	Status of Program Implementation
Program 1-5-1	The City of Hughson currently has an inclusionary requirement in the Redevelopment Project area which covers a large portion of the City. During this planning period (2009-2014) the City will continue to explore the feasibility of an inclusionary zoning program city wide.	Explore inclusionary housing options by 2012	City staff continues to evaluate developing an inclusionary zoning program city-wide. The Redevelopment Project Area has disappeared with the State's dismantling of RDAs.
Program 1-6-1	The City will continue to research and seek out developers to build affordable multifamily housing in Hughson through the Low Income Housing Tax Credit (LIHTC) program	Annually	The City understands the LIHTC program and is continuing to research and locate low-income housing projects and plan for these programs. Program 1-2-1 discusses how the City worked with a developer on an affordable multifamily project.
Program 1-7-1	Offer deferrals or reductions in zone change fees for affordable multifamily projects, in order to have sufficient low cost land available to meet the City's low-and very low-income Regional Housing Needs Allocation	Immediately	The City will evaluate deferring or reducing zone change fees for affordable multifamily projects.
Program 1-7-2	<p>Transitional and supportive housing provides temporary housing, often with supportive services to formerly homeless persons for a period that is typically between six months and two years. The supportive services, such as job training rehabilitation, and counseling, help individuals gain life skills necessary for independent living.</p> <p>Currently, the City permits transitional housing by right in the High Density Residential (R-3) zoning district, and in the General Commercial (C-2) zoning district subject to a conditional use permit. Pursuant to Senate Bill 2, the City must explicitly allow both supportive and transitional housing types in all residential zones. The City currently defines transitional housing in the Zoning code, but will update it Zoning Code to include the definition of supportive housing as defined in the Health and Safety Code Sections 50675.2 and 50675.14. Both transitional and supportive housing types will be allowed as a permitted use subject to only the same restrictions on residential uses contained in the same type of structure.</p>	Immediately	<p>Due to staff shortages, the update to Hughson's Zoning Ordinance to address Program 1-7-2 has not been completed. Program 1-7-2 ensures the City of Hughson will be compliant with SB 2 and Health and Safety Code Sections 50675.2 and 50675.14.</p> <p>There are currently 13 full-time staff in the City.</p>
Program 1-7-3	Assembly Bill 2634 requires the quantification and analysis of existing and projected housing needs to extremely low-income households and requires Housing Elements to	Immediately	Due to staff shortages, the update to Hughson's Zoning Ordinance to address Program 1-7-3 has not been completed. Program 1-7-3 ensures the City of Hughson will

2012 CITY OF HUGHSON HOUSING ELEMENT ANNUAL PROGRESS REPORT



Name of Program	Objective	Timeframe	Status of Program Implementation
	<p>identify zoning to encourage and facilitate supportive housing and single room occupancy units (SROs).</p> <p>Currently, single room occupancy units are included under the definition of “boarding and rooming houses”. To ensure zoning flexibility that allow for the development of SROs, the City will update its Zoning Code to allow for SROs in all zones where boarding and rooming houses are allowed. SROs will continue to be allowed with a conditional use permit in the Multiple Family Residential Zone (R-3) and in the General Commercial Zone (C-2). The conditions for these units will continue to be minimal and will only require review by the Planning Director.</p>		<p>be compliant with AB 2634.</p>
<p>Program 1-7-4</p>	<p>The City will continue to provide a comprehensive listing of the current housing developments in the City which have units reserved for low-income, senior, and disabled households.</p>	<p>Updated annually</p>	<p>The list is available on request. Currently housing available within the city limits is run by the Stanislaus County Housing Authority. The need for a list of housing developments is ongoing and will be continued.</p>
<p>Program 1-7-5</p>	<p>State Law requires group residential facilities of six or fewer persons to be permitted in all residential zones. Currently Residential Care Homes with 6 or fewer persons are permitted with a conditional use permit.</p> <p>The City will revise the current regulations to meet state law requirements. The City will amend the Zoning Code to allow for Residential Care Homes by right in all residential zones and will allow larger group homes of 7 or more persons in the residential zones with a conditional use permit. Additionally, to further comply with SB 520, the City will amend the Zoning Code to define the definition of family as “One or more persons living together in a dwelling unit”.</p>	<p>Immediately</p>	<p>Due to staff shortages, the update to Hughson’s Zoning Ordinance to address Program 1-7-5 has not been addressed. Program 1-7-5 ensures the City of Hughson will be compliant with SB 520.</p>
<p>Program 1-7-6</p>	<p>Farmworker housing is defined in Sections 17021.5 and 17021.6 of the Health and Safety Code as any employee housing consisting of no more than 36 beds in a group quarters, or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use designation. For the purpose of all local ordinances, employee housing shall not be deemed a use that implies</p>	<p>Immediately</p>	<p>Due to staff shortages, no progress has been made on this program. The City will continue its efforts to implement this program.</p>

2012 CITY OF HUGHSON HOUSING ELEMENT ANNUAL PROGRESS REPORT



Name of Program	Objective	Timeframe	Status of Program Implementation
	<p>that the employee housing is an activity that differs in any other way from an agricultural use. No conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. The permitted occupancy in employee housing in an agricultural zone shall include agricultural employees who do not work on the property where the employee housing is located. To comply with Sections 17021.5 and 17021.6 of the Health and Safety Code the City will amend the Zoning Code to allow for farmworker housing in the R-1 zone by right.</p>		
<p>Program 1-8-1</p>	<p>Identify specific incentives, zoning actions, and reporting procedures that can be implemented to encourage and monitor the development of affordable and special needs housing opportunities. Identify the demographics and specific needs of the City's population. Determine the City's role for ensuring the construction of affordable housing projects and financing to developers.</p>	<p>Immediately</p>	<p>Due to staff shortages, no progress has been made on this program. The City will continue its efforts to implement this program.</p>
<p>Program 1-8-2</p>	<p>Continue to permit persons with disabilities of any age to locate in senior citizens independent living facilities that are funded with federal funds according to federal law.</p>	<p>As these types of facilities become available.</p>	<p>No senior independent living facilities that are federally funded are currently available in the City of Hughson. The City will continue to permit persons of any age to locate in senior citizen independent living facilities that are funded with federal funds according to federal law.</p>
<p>Program 1-8-3</p>	<p>Develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and stream line the permit review process. The City will provide information to individuals with disabilities regarding reasonable accommodation policies, practices, and procedures based on the guidelines from the California Housing and Community Development Department (HCD). This information will be available through postings and pamphlets at the City and on the City's website.</p>	<p>Immediately</p>	<p>Due to staff shortages, no progress has been made on this program. At this time, all persons applying for permits are treated equally with regard to the application process. The City will continue to have information available to those who need it.</p>
<p>Program 1-8-1</p>	<p>Identify specific incentives, zoning actions, and reporting procedures that can be implemented to encourage and monitor the development of affordable and special needs</p>	<p>Immediately</p>	<p>Due to staff shortages, no progress has been made on this program. This is a continuing need and it is appropriate for the City to continue its efforts.</p>

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Name of Program	Objective	Timeframe	Status of Program Implementation
	housing opportunities. Identify the demographics and specific needs of the City's population. Determine the City's role for ensuring the construction of affordable housing projects and financing to developers.		
Program 1-9-1	Work with the Housing Authority of Stanislaus county and use all the influence the City has to obtain more Housing Choice Vouchers from the Housing Authority.	Ongoing, as funding becomes available	The City continues to work with the Stanislaus Housing Authority. No vouchers are currently available. However, used vouchers can become available in certain situations such as renters buying a home. The vouchers would be available to people on the waiting list.
Program 1-9-2	Continue to work with the Stanislaus Economic Development and Workforce Alliance (the "Alliance") to provide sufficient detail on employment growth and housing production to ensure affordability to a broad spectrum of City residents.	Ongoing	The City is currently working with the Alliance to track commercial and industrial development in Hughson. These demographics are made available on the City's website as well as in brochures to help attract developers of retail and affordable housing to Hughson.
Program 1-10-1	The City will continue to be responsible for implementing the State's energy conservation standards (e.g., Title 24 Energy Standards). This includes checking of building plans and other written documentation showing compliance and the inspection of construction to ensure that the dwelling units are constructed according to those plans. Applicants for building permits must show compliance with the state's energy conservation requirements at the time building plans are submitted.	Ongoing	The City requires projects to comply with energy conservation standards.
Program 1-10-2	The City will annually ensure that local building codes are consistent with state mandated or recommended green building standards.	Ongoing	The City implements state mandated green building standards.
Program 1-10-3	The City will continue to partner with PG&E to promote energy saving programs such as, the California Alternate Rates for Energy (CARE), the Relief for Energy Assistance through Community Help (REACH) and the Family Electric Rate Assistance (FERA).	Ongoing	The City will continue to coordinate with PG&E to promote energy saving programs.
Program 2-1-1	To preserve affordability, allow developers to "piggyback" or file concurrent applications (i.e., rezones, tentative tract maps, conditional use permits, variance requests, etc.) if consistent with applicable processing requirements.	Ongoing	The City allows filing of concurrent applications.

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Name of Program	Objective	Timeframe	Status of Program Implementation
Program 2-1-2	To preserve affordability, provide incentives (i.e., density bonus units, fee reductions, fee deferral, fast-tracking, etc.) to developers of residential projects who agree to provide the specified percentage of units mandated by state law at a cost affordable to very low and/or low-income households.	Ongoing	The Hughson Zoning Ordinance includes a density bonus provision that provides incentives for the production of housing for very low-income and low-income households.
Program 2-2-1	The City will establish an annual review of the newly adopted citywide Design Guidelines (adopted July 2009) to ensure that they do not create a constraint to the development of multi-family housing in Hughson. The City will commit to amending the guidelines as appropriate to address or mitigate any identified constraints. The intent of the Design Guidelines is to ensure design compatibility with the existing neighborhoods and community and not to add a constraint to the development of multi-family housing in the community. The City will, on an annual basis, review and update as necessary its design review guidelines.	Bi-annually	The Guidelines we used in development of the 49 unit farm worker housing project mentioned above and were not an impediment to the project.
Program 2-3-1	To ensure that the development community (both nonprofit and for-profit) is aware of the housing programs, technical assistance, and funding available, the City will publish and make available, to developers, housing development agencies, and City Residents, the City's Housing Element and updates, Annual Action Plan, Annual Redevelopment Agency Report, and respective notices. Provide and annual funding application workshop for interested agencies and developers.	Annually	The Housing Element is available on the City of Hughson website. Public meetings involving annual reports are held every year before final submissions to the appropriate agencies.
Program 2-4-1	The City will continue to have sufficient capacity to meet the additional housing needs of the City of Hughson based on the construction of the 750,000 – gallon water storage.	Evaluate as part of each Housing Element update	The water tank was constructed primarily to insure proper fire flows. The installation of new Well #8 is complete and will help provide adequate water capacity. The well is also a treatment facility for removing arsenic from the water supply. Design work is currently underway for a new Well #9.
Program 2-5-1	The City will continue to determine the transportations needs of its citizens and services as necessary.	Annually	The City of Hughson works with START, the County's bus system that serves Hughson. The City will continue to evaluate the transportation needs of its citizens.
Program 2-5-2	Apply for funding, such as PTA grant, to aid in the development of a public transportation system for the City.	As funding is available.	No activity has occurred. The City will continue to its effort to implement this program.
Program 3-1-1	The City will provide information regarding vacant land to	Ongoing	The City updates the vacant land inventory for residential

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Name of Program	Objective	Timeframe	Status of Program Implementation
	for-profit and nonprofit developers and other housing providers.		development as part of the Housing Element annual progress report.
Program 3-2-1	To ensure the development of housing that has, to extent possible, a support structure of shopping, services, and jobs within easy access, the City will encourage the development of well planned and designed projects that provides compatible residential, commercial, industrial, institutional, or public uses within a single project or neighborhood.	Ongoing	The General Plan Land Use Policies promotes commercial development integrated with residential neighborhoods with good access for pedestrians and bicyclists and industrial development that will provide jobs for the area.
Program 3-3-1	Monitor the amount of land zoned for both single-family and multifamily development and initiate zone changes as necessary to accommodate affordable housing.	Quarterly	The 2009 Housing Element provides an inventory of 97 acres of land zoned for single family development (R-1) land and 35 acres of land zoned for multiple family development (R-2 and R-3). There is sufficient inventory of residential land and no zone changes are needed.
Program 3-4-1	The City will continue to allow lot consolidation to combine small residential lots into one large lot to accommodate affordable housing production. Provide incentives such as fee waivers and fast tracked timing to developers who provide affordable housing. In addition, where opportunities exist, the City will allow lot consolidation in the low density residential (R-1) and medium density residential (R-2) zones.	Ongoing	The Hughson Zoning Ordinance does not have a lot size requirement in the R-2 and R-3 Zones which would impede consolidation of small residential lots. No lot consolidation projects have been proposed. The City will continue to provide affordability incentives to developers.
Program 3-5-1	Contact landowners within the Sphere of Influence that have land which is appropriate for residential zoning for possible annexation, in order to meet the very low-and low-income housing needs. Initiate annexation and zoning processes on suitable land.	Annually	Currently the City has sufficient vacant land for an affordable project, however should the need arise the City stands ready to initiate processes needed to facilitate an affordable project.
Program 3-6-1	Allow for second units to be constructed with minimal restrictions and in accordance with AB 1866.	As projects are processed through the Planning Department	Hughson's Zoning Ordinance allows for second units in the R-1 Zone provided lot size will accommodate it. The ordinance in effect during our previous Housing Element did not allow for this.
Program 4-1-1	Continue to seek funding for public facilities such as redevelopment agency financing, community facilitated loans and public works grants.	Annually	The City continues to seek infrastructure funding.
Program 4-2-1	Supply energy conservation awareness brochures in all public meeting places.	Ongoing, at all public	The City supplies energy conservation awareness brochures in all public meeting places.

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Name of Program	Objective	Timeframe	Status of Program Implementation
Program 4-3-1	The City will provide technical and financial assistance to all eligible homeowners and residential property owners to rehabilitate existing dwelling units through grants or low interest loans. The City will also continue to apply for and aggressively market CDBG and other housing rehabilitation funds.	Annually, with HCD funding cycle or program income.	See discussion under Program 1-1-2 where the city is using HOME program grants to rehabilitate existing dwelling units. The City will continue to seek CDBG and other housing rehabilitation funds.
Program 4-4-1	Expand rehabilitation program eligibility to include rental properties. Look at annual report to see if this expansion was completed.	Sunsetting	The State has demolished our RDA, eliminating that source of funding for rental property rehabilitation. We currently have no other open rehab grant programs.
Program 5-1-1	Require that all recipients of locally administered housing assistance funds acknowledge their understanding of fair housing and affirm their commitment to the laws.	Ongoing	The City require recipients of locally administered housing assistance funds to acknowledge their understanding of fair housing
Program 5-1-2	Acquire and maintain fair housing materials, including all pertinent resource, posters, and information available through the Department of Fair Employment and Housing (DFEH) and Housing and Urban Development (HUD) to educate on a variety of fair housing issues. Develop informational flyers and brochures in Spanish and in English that highlight (1) disability provisions of both federal and state fair housing laws and (2) familial status discrimination to be distributed at all types of outreach events including health fairs and City-sponsored events. Distribute materials to public locations such as the library and senior center, multifamily housing, and City Hall.	Ongoing	Information on fair housing laws is available at City Hall. The City staff and recipients of locally administered housing assistance funds are informed about fair housing laws.
Program 5-1-3	Continue to refer all housing discrimination referrals to the City Principal Planner who will work with the complainant and refer complaints to the State Fair Employment and Housing Commission.	Ongoing	The City has protocols to deal with events due to housing discrimination.
Program 5-1-4	Conduct regular workshops on the fair housing laws, as they pertain to race, disability, family size, and income discrimination and protection, to educate property owners, managers, and real estate professionals.	Ongoing	No activity has occurred. The City will continue to its effort to conduct workshops on fair housing laws.
Program 6-1-1	The City will continue to support the Housing Authority of the County of Stanislaus to provide housing assistance to very low-, low-, and moderate-income households. The City will maintain membership in the Housing Authority to qualify City	Immediate and ongoing	The City is a member of the Stanislaus Housing and Support Services Collaborative and will continue to work with the Housing Authority.

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Name of Program	Objective	Timeframe	Status of Program Implementation
	residents for the Housing Choice Voucher Program and other existing housing assistance programs administered by the Housing Authority. Provide information on the availability of Housing Authority programs to qualified residents.		
Program 6-2-1	Continue to establish cooperative agreements with a nonprofit housing organization as a support agency to the City.	Immediate and ongoing	The City will continue to work with and maintain agreements with nonprofit agencies.
Program 6-3-1	The City will cooperate with large employers and major commercial and industrial developers to identify and implement development that can balance employment in the City with the housing growth. Develop housing opportunities that are affordable to the incomes of jobs within the City. Consider the effects of new development as proposed. The City will coordinate annual workshop with employers, members of the housing community, and City officials to identify the City's housing and commercial needs.	Annually	No activity has occurred. The City strongly supports development that will create jobs in the community. The City will continue to identify housing and commercial needs.
Program 6-4-1	Monitor the completion and implementation of the goals and policies set by the Housing Element. Continue to update and amend codes and policies as necessary.	Annually	The preparation of the Annual Progress Report helps the City monitor the policies of the Housing Element.



PLANNING COMMISSION AGENDA

ITEM NO. 4.1

SECTION 4: PUBLIC HEARING

Presented By: Thom Clark, Community Development Director
Meeting Date: March 19, 2013
Subject: Public Hearing to Consider a Conditional Use Permit
Application for a Tattoo and Piercing Service Located at 6724
E. Whitmore Avenue, Suite F
Enclosures: Yes
Desired Action: 1. Hold the Public Hearing to Receive Testimony from the
Public and Neighboring Property Owners
2. Approve the Conditional Use Permit with Attached
Conditions of Approval

BACKGROUND AND OVERVIEW:

Mr. John Luis has made application for a tattoo and piercing service at the Marketplace commercial center on Whitmore Ave., west of the BNSF railroad tracks.

Conditional uses are land uses that may be approved under the zoning code but only upon meeting specific conditions. It gives local agencies the opportunity to more closely review individual projects that could negatively affect neighboring land uses. The process can then help develop a set of conditions to minimize the impact before authorizing the development. A conditional use permit is entirely discretionary.

Tattoo and piercing services have not historically been perceived as a desirable use in commercial areas. The reason for this, and I believe the reason a Conditional Use Permit is required under our code, is that until the last decade or so, users of these types of services have been members of gangs and criminals. This is no longer the case. Tattooing is really a mainstream activity now. Customers are no longer the criminal elements in society but rather your every day person on the street or in your neighborhood. Staff has contacted the City of Modesto about these types of uses and their Planning Department indicates that they really do not have issues emanating from them.

CONDITIONS OF APPROVAL

Staff recommends the following conditions of approval:

1. That hours of operation be limited to 9:00 PM in the evening
2. That a business license be secured prior to opening for business
3. That all employees and/or owners who will be tattooing or piercing provide a blood borne pathogen certificate at the time of application for a business license

PUBLIC HEARING

Pursuant to our zoning ordinance, staff has advertised the public hearing in the newspaper and mailed notices to all property owners within 300 feet of the proposed use.

RECOMMENDATION:

1. Hold the Public Hearing to Receive Testimony from the Public and Neighboring Property Owners
2. Approve the Conditional Use Permit with Conditions of Approval

[Print This Article](#)

Posted on Tue, Mar. 12, 2013

Hughson wants Stanislaus County to stop border projects

By [Ken Carlson](mailto:Ken_Carlson@modbee.com)

last updated: March 13, 2013 03:00:13 PM

HUGHSON --]

Hughson, the smallest city in Stanislaus County, is telling county leaders not to approve any development projects near its boundary.

City officials were miffed when county supervisors on Jan. 29 allowed a five-year time extension for Santa Fe Crossing, a 14.25-acre project at the northwest corner of Geer Road and Santa Fe Avenue, about a mile south of Hughson.

The project will include ministorage, a recreational vehicle yard, gas station, convenience store, drive-through coffee shop and other businesses, diverting dollars from the ailing downtown, city officials said.

Hughson had appealed a December decision by the county Planning Commission to grant the extension to the developers.

"It's quintessential hop-scotch development," Mayor Matt Beekman said. "It benefits no one."

Hughson wants the county to follow the county general plan policy to deny projects proposed in unincorporated areas near cities — if those cities are opposed to the development. The 20-year-old policy is designed to prevent unincorporated islands that are hard for cities to later annex because they are built without curbs, sidewalks, drainage, and water and sewer hookups.

In a Feb. 25 resolution sent to the county, Hughson said more development near its border could further pollute the groundwater, harm local businesses and put more traffic on city streets.

As the city grows, a tax-sharing deal with the county won't give Hughson the revenue needed to serve islands that are annexed, said Thom Clark, community development director.

"It's not logical," Clark said. "We believe development should be in the cities."

Beekman, who was appointed to the council in 2009, said there was confusion about Hughson's position on Santa Fe Crossing before the county approved it in January 2008. But city officials contend the county should have respected Hughson's position when almost nothing developed for five years and the extension was requested.

On Jan. 29, Supervisors Dick Monteith and Bill O'Brien voted to deny Hughson's appeal, while Supervisor Jim DeMartini supported it. Supervisors Terry Withrow and Vito Chiesa abstained on conflicts of interest.

At this point, Beekman said, the city wants to make it clear it opposes any and all projects near its border.

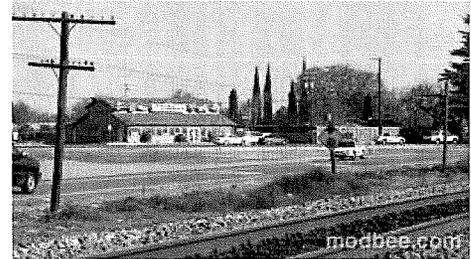
Angela Freitas, county director of planning and community development, said the county remains committed to the policy with regard to projects in city "spheres of influence" or recognized growth areas.

In the case of Santa Fe Crossing, she said, time extensions are not subject to the policy and the developers made a reasonable case that the recession stymied their project, so they deserved an extension. Developers Martin and Mike Ruddy did not return a call seeking comment.

Freitas said the county seeks input from cities when development is proposed near their borders and projects are usually stopped when cities object. That process didn't work perfectly with the plan at Geer and Santa Fe, however.

Hughson at first opposed it and then proponents talked with city officials. Freitas said the county didn't see an objection from Hughson when the project came to decision-makers in 2008.

The county and its cities had a long history of disputes over residential and tax-generating commercial centers, but the relations improved after the county policy was adopted in the early 1990s.



ELIAS FUNEZ/efunez@modbee.com Hughson city officials are up in arms about a recent decision by county supervisors to allow a 14.25 acre commercial project to be located just outside Hughson city limits at Service and Santa Fe, diverting dollars from the ailing downtown. - The Modesto Bee - Elias Funez

George Britton, a former Modesto city manager and staff member from 2001 to 2008, said he doesn't recall many disputes when a project was proposed. "I can't remember a time where the city and county didn't work it out," he said.

Former Oakdale Mayor Pat Kuhn said the county kept with the rules during her years in office, with respect to Oakdale. "The county was pretty amenable to listening to us and respecting our goals as far as managing growth," she said.

Chiesa, the county board chairman whose district includes Hughson, said he understands the city's position. "I would hope that rather than a blanket 'no,' that we will still look at (projects) on a case-by-case basis," he said. "The cities are our partners and we pay attention to what they say."

Hughson, with 6,800 residents and a general fund of \$2 million, is dwarfed by county government, but it appears serious about protecting its territory. Officials are particularly concerned that more septic systems near the city will worsen a problem with nitrates in wells.

"I think the county policy is a good one," Beekman said. "I just hope they follow it."

Bee staff writer Ken Carlson can be reached at kcarlson@modbee.com or (209) 578-2321.

MODESTO CITY COUNCIL WATCH

The Stanislaus County Board of Supervisors took the following action Tuesday:

- Gave approval to apply for a \$650,000 Department of Justice grant to protect victims of sexual assault, domestic violence, dating violence and stalking. The funding would replace a previous grant, helping to fund staffing for three years at the Family Justice Center, district attorney's office and Haven Women's Center. Tom Ciccarelli, executive director of Family Justice Center, said the program served 297 clients last year, providing them with counseling, crisis intervention, housing and legal assistance. About 77 percent of the victims have children.
- Approved stronger vehicle purchase policies
- Approved an easement for AT&T at 1905 Richland Ave. for faster high-speed data service to the county Office of Education's Ceres Community School

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