

# APPROVED HOUSING ELEMENT TASK FORCE MINUTES

### December 19, 2011 5:30 p.m. City Council Conference Room City Hall at 420 Litho Street

1. CALL TO ORDER – 5:34 p.m., all present except as noted

Chair Stan Bair (Planning Commission Rep)
Mike Kelly (City Council Rep)
Susan Cleveland-Knowles (City Resident)
Kim Stoddard (City Resident)
Ray Withy (City Resident)
\*absent

Vice-Chair Joan Cox (Planning Commission Rep) Vacant (City Council Rep) Steve Flahive (City Resident)\* Chris Visher (City Resident)

## 2. PUBLIC COMMENT ON ITEMS NOT ON AGENDA None.

APPROVAL OF MINUTES – December 5, 2011
 Member Kelly made a motion, Vice-Chair Cox seconded, motion passed 7-0.

### 4. GOALS, POLICIES AND IMPLEMENTING PROGRAMS

### Glossary:

HCD: California Department of Housing and Community Development

RHNA: Regional Housing Needs Allocation

ADU: Accessory Dwelling Unit

ABAG: Association of Bay Area Governments

FAR: Floor Area Ratio

**CEQA:** California Environmental Quality Act

**APN:** Assessors Parcel Number

**BCDC:** Bay Conservation and Development Commission

### a. Summary of Workshop 3 Community Input

Consultant Bradley stated that M-Group made a number of adjustments to the language and intent of Implementing Programs based on the feedback heard at the Third Community Workshop. For example, a broader program for parking reduction for housing projects was originally proposed, but this was deemed problematic by the community, and the newer language limits the proposed parking reduction to senior housing projects and to situations where no life or safety threats are created.

There were no public comments for Item 4a.

#### b. Draft Chapter II: Goals, Policies and Implementing Programs

Consultant Bradley stated that the consultants classified the implementing programs as:

- federally /state mandated,
- highly recommended,
- recommended, and
- optional.

These recommendations are based on the goal of getting the Element to a 'certified level'. He asked the Task Force to give consideration to 'optional' programs. He stated that this was a realistic package and was vetted against Sausalito's constraints, and would take more comments from the Task Force and the public to ensure that this is a package that the community supports.

### General comments from the Task Force on the package included:

- To facilitate the use of the document, the goals should be numbered on Page 1, and each goal beginning on Page 9 should be numbered.
- To facilitate the use of the document, the Implementing Programs should be numbered to correspond to the Goals and Policies.

### General comments from the public on the package included:

- Walt Freedman, 20 Marin Ave, asked how the City would be able to manage the
  numerous programs proposed. He also asked what the "loss of community design"
  meant, as stated on a comment letter by Michael Rex on the Community meeting.
  Consultant Bradley stated that he had spoken to Mr. Rex at the Community
  meeting, and it refers to a State mandate that if a site is rezoned as part of the
  Housing Element, the following development must be "by right", (e.g., a use permit
  cannot be requested).
- John Flavin, Prospect Ave, stated that as part of affordable housing, the accounting burden, accountability, and other issues create a significant burden on the developer.

## Comments on specific programs from the Task Force and the public are noted in the table below:

Implementing Program discussed with any clarifications from Consultants	Discussion Points stated by Task Force, Consultants and City Staff	Public Comments	Proposed changes
Goal 1.0: Housing and Ne	ighborhood Assets		
5: Condominium Conversion Regulations (Existing Program – Expanded; Recommended)  Clarifications: • If the proposed development is five or more units, 15% would be made affordable. • Ensure smaller units to contribute proportionately toward affordable housing. • Proportional contributions apply; does not have to be one full unit. • Goal of program is to prevent negative effects on rental market. • Recommended but not highly recommended. • The repository for in-lieu fees is proposed in Program 13 (Trust Fund).	Task Force:  Is this program necessary given the buffer in the sites inventory analysis to meet the RHNA, which demonstrates an abundance of housing stock?  Imposing in-lieu fees on two — four units would impose a hardship on homeowners who wish to convert their units.  Need to consider current economic conditions.  If conversions cause developer/landowner to bump up prices of units, could price people out of the market.  The purpose of the Housing Element is to address housing needs for all economic sectors of community.  City should consider where it wants to encourage development activity and whether it wants to encourage conversion from rental to ownership units.	CJ Spady, 29     Marin Ave, stated that the discussion was originally about "preserving affordable housing acquisition opportunity". She stated that Sausalito has expensive property, and asked the Task Force to consider leaving the existing regulations alone as it was unnecessary for this housing element.      Allison Kilmer, 10 Marin Ave, requested to remove the "two unit reference" from the language, as it would present a hardship for her family.	Make the cut-off 3 units, not 2.     If the property has been owner-occupied for some period of time, it should be exempt from in-lieu fees.     Need to indicate that a nexus study will be done.

<sup>(\*</sup> These members of the community also made other comments on specific programs. These are noted below.)

Goal 2.0: Housing Diversity			
8: Mixed Use Zoning in Commercial Districts (Existing Program – Expanded; Highly Recommended)  Clarifications:  • This is intended to create an image of what mixed use development would look like.	Whether 3 <sup>rd</sup> stories are feasible and how it relates to 32' height restriction.	John Flavin,     Prospect Ave,     stated that three     floors is fairly easy     to accomplish     within 32' height.	• Modify language to state "Requirement s for residential housing on second and third-additional stor(ies) up to the City's restriction of 32' height, with commercial uses at ground level;
9. Non-Traditional Housing Types (Existing Program – Expanded; Optional)	"Flexible zoning regulations" is misleading, the key is about retaining the City's ability to review such projects.     This language is meant to refer to City's ability to provide a Planned Development, as co-housing does not fit in current zoning regulations and this language would create that possibility.		• Rephrase "flexible zoning regulations" in Objectives to clarify intent.
10a. Adoption of Zoning Regulations to Encourage New ADUs (New Program; Required)  Clarifications:  • An ADU is an accessory use to the main residence on a parcel.  • The ADU advisory body is proposed to be the Housing Element Task Force.	<ul> <li>Correction on reduced FAR and Lot Coverage thresholds.</li> <li>Quantified objectives relating to ADUs may not be a good idea as future assessment would be based on the stated numbers.</li> <li>Cautionary approach towards potential parking reductions near transit.</li> <li>This is not a rezoning, but a tool is needed within the zoning ordinance to define how big an ADU should be in Sausalito.</li> <li>Ministerial approval for ADUs is state law.</li> </ul>	Walt Freedman, 20 Marin Ave, and Chuck Donald, 254 Spencer Ave, expressed concerned about parking reductions.	Correct     sentence to     state: "Flexible     development     standards     including     exemption of     ADUs from     percentage of     required floor     area and/or     building     coverage     limits."      Rework     quantified     objectives.

10b. ADU Registration and Amnesty Program (New Program; Required)	<ul> <li>Quantified objectives relating to ADUs may not be a good idea as future assessment would be based on the stated numbers.</li> <li>Concern about language stating that the City will identify additional sites if there is a shortfall in ADUs. This is intended to show HCD that the City is serious about following through.</li> </ul>		• State that City will identify "additional strategies" and not "additional sites". • Refer to these additional strategies in general and not per strategy.
11. Liveaboards and Houseboats (Existing; Required)		Gerry Fait, 100     Locust St, clarified that the liveaboard community was not counted as part of the 2000 Census.	
Goal 3.0: Housing Afforda			
12. Affordable Housing Development Assistance (New Program; Highly Recommended)  Clarifications: • This program helps City to shape and facilitate proposed affordable projects. It is built on past case history.	This type of activity is not frequent, but if an opportunity arises to assist an affordable housing developer, incentives could be provided.  Appears to impose additional layers of bureaucracy. However, a balanced approach is needed to get the Housing Element certified.  Higher density and high density development are not the same.	Allison Kilmer, 10     Marin Ave, stated concerns that     Programs 12, 13, 17 do not seem to serve the people of Sausalito, and do not seem like a balanced approach between developers and homeowners.     Adrianna     Dinihanian, 254     Woodward, felt that Programs 12 & 13     would join the City and developer against the wishes of residents. This document appears to be for the average town in California but not for Sausalito. We should explain to the State that there is no space to develop these extra units.	

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13. Local Affordable	• This puts the City on par with	See Program 12.	
Housing Trust Fund	other cities in the Bay Area.		
(New Program; Highly	Appears to impose additional		
Recommended)	layers of bureaucracy.		
	However, a balanced		
Clarifications	approach is needed to get the		
<ul> <li>This program helps City</li> </ul>	Housing Element certified and		
to shape and facilitate	demonstrate that Sausalito is		
proposed affordable	serious about providing		
projects. It is built on past	affordable housing.		
case history.	<ul> <li>Housing funds are done by</li> </ul>		
	almost all communities in the		
	Bay Area.		
	<ul> <li>A study can be done to</li> </ul>		
	ensure the City knows where		
	the fees would come from,		
	their intended use, and that		
	they are not punitive.		
15 Homobustor		Chuck Donald	
15. Homebuyer Assistance (Existing		<ul> <li>Chuck Donald,</li> <li>254 Spencer Ave,</li> </ul>	
Program – Promote)		asked if home	
Togram = Fromote)		ownership and	
		rental assistance	
		referred to financial	
		assistance, and	
		where the funding	
		would come from.	
		would come nom.	
17. Inclusionary	Appears to impose additional		
Housing Regulations	layers of bureaucracy.		
(New Program;			
Recommended)			
Clarifications:			
<ul> <li>Added based on</li> </ul>			
community feedback			
	mental Constraints (note "Remo		
20. Zoning to Promote	Has not worked in other	• John Flavin,	Hard to
Live/Work (New	cities, became more "live" than	Prospect Ave,	enforce.
Program; Optional)	"work" (e.g., San Francisco).	stated that he has	• More
	• Difficult to enforce.	not seen this	information
	Task Force not opposed to	approach work	needed for
	commercial on ground floor	"live/work" became	support.
	and upper floor residential.	"live" only.	
23. CEQA Exemptions		John Flavin,	
for Infill Projects (New		Prospect Ave,	
Program – Existing		stated that he is	
Practice; Optional)		does not want to	
		see a negative	
		declaration. He did	
		not think there	
		should be a policy	
		for exemptions.	
Cool F.O. Favol Housing	Opportunities and Special Need	e	

No specific comments were made regarding programs under this section.			
Two specific confinents were made regarding programs under this section.			
* Goal 6.0: Environmental	Sustainability		
33. Climate Action Plan (Program in Progress; State Mandate)	Cautious approach toward mandatory language regarding what the Climate Action Plan would require the City's residents and business to do, as studies have not yet been done.		• Modify third paragraph to state "encourage and require, to the extent required by State mandate, the City".
34. Contributions towards Employee Housing (New Program, Optional)	Clarifications made that this is not the same program as live/work.		
Goal 7.0: Community Invo	olvement		
36. Housing Element Monitoring / Annual Report	Extraneous language		• Remove reference to report on progress of ADU amnesty program as it is included in the annual report.
37. Association of Bay Area Governments (ABAG) Housing Needs Process (Existing Program – Expanded; Recommended)	City staff is also monitoring county meetings on sustainability at a distance, but no issues there are predicted to affect the RHNA.		

<sup>\*</sup> At 7.25 pm, after the discussion of programs under Goals 1 through 5, the Task Force took a brief recess. Chair Bair, Member Cleveland-Knowles, and Consultant Bradley left the meeting due to other engagements.

At 7.26 pm, the meeting resumed under the direction of Vice-Chair Cox. The Task Force consented to complete Item 7 first, before returning to Goals 6.0 and 7.0, and then completed Items 5, 6, 8, 9 and 10.

### 5. ANALYSIS OF THE 1995 HOUSING ELEMENT

The Task Force confirmed receipt of the Consultants' memo.

Vice-Chair Cox volunteered to help complete this task; she had comments and annotations to the draft that was circulated some time ago and would work with staff on those specific mark-ups.

#### 6. JANUARY 2012 MEETING DATES

In addition to the January 9, 2012, meeting, the Task Force scheduled a meeting on January 16, 2012. The Planning Commission / City Council Joint Meeting is to be held on either January 24 or January 31, 2012.

The Task Force requested to receive the entire draft of the Housing Element on January 5, 2012 for more time to digest the material.

## 7. STAFF COMMUNICATIONS

### - Oral Update on Woodward Avenue ROW

Associate Planning Schinsing stated that City staff had looked for a company to do the research on the site. The first attempt fell through, and a second researcher has proposed to charge \$10,000. The consultants (M-Group) have confirmed since there is a sufficient buffer for the site inventory, removing the Woodward site would not significantly impact the site inventory and hence staff requested the Task Force to consider discontinuing the research and remove the Woodward site from the sites inventory.

Member Kelly made a motion to not continue the research, and remove the Woodward site from the site inventory. Vice-Chair Cox seconded, motion passed 5-0.

## - Correspondence Received

None.

Associate Planner Schinsing thanked the Task Force for the hard work put in and wished them Happy New Year.

## 8. TASK FORCE MEMBER COMMUNICATIONS None.

#### 9. AGENDA TOPICS FOR NEXT MEETING

Vice-Chair Cox asked to remove the Woodward site from the January 9, 2012 agenda as the site has been removed from consideration altogether.

**ADJOURN** – Next Meeting – January 9, 2012 Member Kelly moved and Vice-Chair Cox seconded a motion to adjourn. The motion passed 5-0 and the meeting was adjourned at 7.52 p.m.

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