

To: Planning Commissioners
From: Dana Dillworth
RE: Housing Element Study Session

Since Study Sessions do not allow comment, please enter this into the record.

Where are the other types of housing considered in this discussion?

Every Housing Element renewal period comes with the discussion of how to add housing stock opportunities, particularly for low to moderate income residents. We have relaxed the secondary unit regulations to the point of missing their numbers in the low-income housing stock inventory chart Table 34. Only 15 possible affordable housing units in ALL of Central Brisbane, that's hard to believe. It's too low. What happened to the in-law unit potential in the totals for this category and why are potentially large projects "To be Determined" and ignored in the calculations? How about an emergency interim use for mobile homes at Sierra Point?

Re: Crocker Park and Southeast Bayshore

In every location that has former industrial uses, the transportation or recycling of toxins or was a fill operation pre-earthquake standards, should be carefully examined for residual toxins from the former uses and the stability of the lands below if you choose to designate them for housing. Some former businesses were violators of the health and safety regulations of the time (Quicksilver,) some have current uses involving toxins, diesel generator fumes, and others were just not regulated. When looking to "place" low and moderate-income housing, you need to be careful of the appearance of Environmental Racism. Low-income families suffer more asthma, cancers, and illnesses because affordable housing is often along freeway interchanges, corridors or contaminated land (Midway Village.) Each of these areas under consideration has this consequence. They will be unstable during an earthquake and may be polluted.

Crocker Park is former marsh. I was at 100 Valley Drive during the Loma Prieta earthquake. You need to have an understanding of liquefaction, of how unsafe landfills are during an earthquake. It needs to be in the discussion of constraints but does not appear on Table 3. Additionally, cell phone towers have been placed in the Park Lane area as they are not allowed in residential areas where sensitive receptors, babies and people with health issues may be exposed to the transmission waves. Consideration of the area should require studies of noise and Electromagnetic waves.

Carry over Requirements? Define your Unit.

How does a town of 1300 units get an RHNA equal to one fifth of it's current housing stock? 20% growth, that's outrageous. And who is doing the math? The language on Table 34 states up to 30 units per acre. If the land is a combined 6.9 acres, it would render 207 units, not the 125 the city calculates.

Environmental Review Required

As has been mentioned in previous meetings, study sessions aside, before amending our General Plan, the City will need to do a full environmental impact analysis of the policies in this document. The environmental impacts need to be considered for noise and vibration, impacts of adjacency to the HCP and the health and welfare of siting housing on potentially toxic fill or unstable landslide areas. It should also be measured with global warming statistics. What may not be a floodplain today may have a different characteristic in the future. You should require soil tests and the proper former use information before making recommendations to the city council.

Planning Commissioners
RE: Housing Element
August 28, 2014

A lot of work has gone into this and much is wonderful, but because I have limited time to speak, I will focus on the issues that also need to be noticed.

Your opening statement about the Housing Element needs to be “in balance with land -use, environmental and the other goals set forth in the General Plan Elements” is true, but it is not been achieved by this document. Especially when you mention that issues of the Potential Building Constraints, which are numerous, will be resolved as part of following the California Building Code (Pg. III-10.) The building code does not supersede the due diligence required of this document and environmental review, not a checklist, of the areas you are considering to rezone.

If it were in balance, you would be passing Renewable Energy, Recreation, Safety and other elements, and Sea-level-Rise Plans concurrently.

Some of the information is understated in terms of Brisbane having met low income housing needs because co-habitation, shared-housing and people not using the permit process are overlooked. There is no mention of the live-aboard units at the Marina. Therefore, stating that we OWE 100's of units of housing as an unmet needs shortfall is an unfair assessment, specious at best, and you shouldn't buy into it. Rephrase our accomplishments, the burden would not be so great. What a bait and switch. Numbers don't matter, then we OWE the speculative number.

Figure HE.1 mentions the Marina considered for re-zoning. There is no mention of that in the earlier sections. What is the status of that... or is that why Appendix E states “Update in Progress?” How can an environmental assessment be made when the inventory isn't shown?

Over the years, I have suggested that you redefine a unit. A family of three can live in a 600 square foot home. So why is the size of a unit still at 1000 square feet?

You mention the Crocker Park Technical Assistance Panel, but it too has never undergone an environmental assessment. You may be putting future residents at grave risk due to the toxic fumes emitted by the existing uses (Trillium Graphics, freight forwarding) and potential for earlier unreported spills and underground storage tanks.

Some historical documents should be included to determine adequacy of this assessment. What businesses were at these properties and in the vicinity? I would hate for the City to have legal issues, wrongful death, because housing looks good on paper but demons lurk underneath in the form of carcinogenic, endocrine disrupting molecules, unsafe for human habitation....OOOPS! It is not a laughing matter that you haven't resolved the cell tower transmission issue. I don't think the State wants people to be housed unsafely to fulfill the policy. Please review these policies and reject the notion that you can change the zoning of a town without adequate environmental review.

Thank you,

Dana Dillworth

From the Environmental Initial Study-

The following assessments are incorrect:

III. Air Quality d.) Sensitive Receptors-

Because there is no prohibition of other uses that don't exist presently.

IV. Biological Resources c.) Clean water, hydrological interruption

Because there IS an impact to hydrology, this is the end of a watershed and frog habitat would be impacted by human habitation.

VI. Geology and Soil Hazards ii) Strong Ground Shaking "Minimum Standards" ...

"with the intent of significantly reducing the likelihood of collapse..." Not adequate review.

VIII. Hazardous Substances c.) There are e-waste recyclers within and adjacent to the site.

The recognition of potential former spills has not been considered here and disruption of the ground without adequate review could impact the school.

d.) Hazardous Sites – no records, and earlier non-reporting users makes this an inadequate assessment.

IX. Hydrology d.) Alter drainage and g.) 100 year flood assessments are inaccurate.

The documents you refer to, from a 20 year-old General Plan, do not address sea-level rise. A proper assessment of the watershed was promised in the 1994 General Plan but not been carried out. This is a former marsh and is still the apex of the Guadalupe Valley Watershed... you don't do a spot geological reports, but need to review the entire watershed.

Do the required environmental assessment by a qualified environmental consultant. If I am incorrect in my assessment, please indicate the Environmental Science Engineering Degrees of the author(s) of this a Initial Study.

Thank you,
Dana Dillworth