

# *City of Brisbane*

## *Agenda Report*

TO: Honorable Mayor and City Council

FROM: Community Development Director via City Manager

SUBJECT: **Draft 2015-2022 Housing Element; General Plan Amendment GPA-1-14 and Negative Declaration; City of Brisbane, applicant; citywide**

DATE: April 2, 2015

### **City Council Goals:**

To preserve and enhance livability and diversity of neighborhoods (Goal #14).

### **Purpose:**

To update the Housing Element (one of the mandatory elements of the City's General Plan) in a timely manner as prescribed by state law.

### **Recommendation:**

That the City Council adopt a Negative Declaration and the 2015-2022 Housing Element, via adoption of Resolution 2015-08.

### **Background:**

On November 20, 2014, the City Council by a vote of 3 ayes to 2 noes authorized submission of the Draft 2015-2022 Housing Element to the California Department of Housing and Community Development (HCD) for review as required by state law. The document was submitted and on January 23, 2015 HCD responded with a letter confirming that the City's draft Housing Element (subject to several minor revisions) complied with the provisions of state housing element law.

The draft Housing Element was revised as requested by HCD and scheduled for formal adoption, necessitating a public hearing before the Planning Commission. The Planning Commission held public hearings on February 26 and March 12, 2015 on the draft 2015-2022 Housing Element as revised to incorporate HCD's recommendations. Additionally, at the February 26, 2015 meeting the Planning Commission was requested to study an alternative configuration of sites to be rezoned to provide adequate housing sites to meet the City's share of the Regional Housing Needs Allocation (RHNA). On March 12, 2015

the Planning Commission by unanimous vote (3-0) approved the draft Housing Element including the RHNA sites included in the draft Housing Element previously approved by the City Council for submission to HCD.

The recommended revised draft Housing Element is now before the City Council for adoption. Note that a vote in favor by at least 3 members of the City Council is required by State law to amend the General Plan. Also note that failure to adopt the Housing Element by May 31, 2015 will result in the City having to revise and update the Housing Element every 4 years, rather than 8 years, and will render the City ineligible to receive regional discretionary transportation funding. Regardless of the date the Housing Element is adopted, the City is still obligated to complete the necessary zoning amendments to accommodate the 2007-2014 RHNA shortfall by January 31, 2016.

### **Discussion:**

The attached previous City Council reports from October/November 2014 outline the requirements of the Housing Element, Housing Element format and content, and detailed discussions of potential RHNA sites. The attached February 26 and March 12 Planning Commission reports and minutes and related correspondence identify HCD-recommended changes to the draft Housing Element as well the Planning Commission's most recent analysis of alternative sites.

### **Environmental Determination:**

An Environmental Initial Study (State Clearinghouse No. 2015012053) has been prepared (attached), which finds that the draft 2015-2022 Housing Element would not have a significant effect on the environment and that a Negative Declaration should be adopted. As detailed in Table F.2 of Appendix F in the draft Housing Element (attached), a number of programs integral to the Housing Element act to pre-mitigate potential impacts. Note that Sections XVII d) and XVII e) have been revised since the preliminary draft Environmental Initial Study was presented to the City Council last year.

San Francisco Water Power Sewer (SFPUC), in its comments on the proposed Negative Declaration (see attached January 16, 2015 letter), explained that it must retain its ability to access its water pipelines which run within a right-of-way running across the rear 60 ft. of 145 Park Lane and then narrowing across the rear of 105-115 and 91-99 Park Lane. Accordingly, SFPUC requested that the proponent of any development project adjacent to or on SFPUC easement areas participate in SFPUC's Project Review process. Note that Program H.D.1.c references public easements among the items to be addressed in the zoning regulations to implement the affordable housing overlays.

The California Department of Transportation (Caltrans), in its comments (see attached February 3, 2015 letter), identified resources to refer to adopting appropriate mitigation measures, including traffic impact fees, for future development projects under the Housing Element.

At its meeting of March 12, 2015, the Planning Commission recommended that the City Council adopt a Negative Declaration for the 2015-2022 Housing Element.

**Fiscal Impact:**

Costs of implementing the Housing Element are generally expected to be absorbed within current operating budgets, as listed in Section VI.1.3. One exception is the planning program to rezone the southeastern Crocker Park sites. Once the Housing Element is adopted, a work program will be prepared for separate City Council review and approval.

**Measure of Success:**


Adoption of the Housing Element in compliance within the state-mandated deadline.

**Attachments:**

1. Draft Resolution 2015-08
2. Planning Commission Resolution GPA-1-14
3. Planning Commission Agenda Reports and Minutes Excerpts for the Meetings of February 26 and March 12, 2015
4. Ray Miller Comment Letter for March 12, 2015 Planning Commission Meeting
5. Staff Email Addressing Ray Miller Comment Letter, with Summary of Approved and Alternative Housing Overlay Sites (Revised 3/11/15) & Figures: Alternatives 1, 2 and 3
6. Housing Leadership Council of San Mateo County February 25, 2015 Letter
7. Draft 2015-2022 Housing Element as Recommended by the Planning Commission March 12, 2015



John A Swiecki, Community Development Director



Clay Holstine, City Manager