



BRISBANE CITY COUNCIL

ACTION MINUTES

DRAFT

SPECIAL MEETING

MONDAY, NOVEMBER 17, 2014

Brisbane City Hall Community Room, 50 Park Place, Brisbane

7:30 p.m. CALL TO ORDER

Mayor Conway called the meeting to order at 7:39 p.m. and led the flag salute.

ROLL CALL

Councilmember's present: Lentz, Liu, Miller, O'Connell, and Mayor Conway
Councilmember's absent: None
Staff present: City Manager Holstine, City Clerk Spediacci, Assistant City Attorney Stricker, Community Development Director Swiecki, Community Development Special Assistant Tune, Senior Planner Johnson

OLD BUSINESS

- A. Consider adopting Resolution No. 2014-40 directing staff to forward the Draft 2015-2022 Housing Element to the California Department of Housing and Community Development (HCD) to review (CONTINUED FROM OCTOBER 2, 2014)**

Mayor Conway stated that the Council would be considering adoption of the Resolution directing staff to forward the Draft 2015-2022 Housing Element to the California HCD and noted this was a continued discussion from the Council meeting of October 2, 2014.

CM Miller proposed having staff give a presentation, then having the Council Housing Element Subcommittee give a report on their review of the various issues, followed by Council questions and clarifications, and then finally Council discussion of the policy issues. Other Councilmembers concurred.

CM Miller made a motion, seconded by CM O'Connell, to adopt the agenda as outlined above. The motion carried unanimously by all present.

Community Development Director Swiecki gave a PowerPoint presentation recapping information presented at the October 2nd Council meeting, including the Housing Element requirements, purpose, background and key changes in this cycle. He then reviewed the Regional Housing Needs Allocation (RHNA) for Brisbane, site criteria, the proposed key policy and program changes, and showed a summary chart of RHNA vs. Zoned Residential Site numbers.

He then reviewed some of the issues that the Council Subcommittee discussed, including "excess" housing capacity, mixed-use versus residential-only to meet RHNA numbers, secondary dwelling units at the Ridge, and the statutory deadlines for adoption.

Councilmembers asked questions of the Assistant City Attorney in regards to penalties for not meeting State deadlines for submittal of the Housing Element and for not completing the rezoning submitted to the State in the last cycle.

Assistant City Attorney Stricker responded in part but proposed to give Council more detailed information in advance of their City Council meeting on the upcoming Thursday night.

Councilmembers asked question of staff relating to the impact of rezoning and downsizing of zoning, requirements of property-owner approval, and affordable housing.

Mr Haugen said he was the property owner of some of the sites proposed to be rezoned and indicated that 145 Valley has been vacant for some time. He asked that the Council let the industry function freely and let the market regulate itself.

Assistant City Attorney Stricker said she had been able to research the Council's earlier questions on what would happen if the City does not rezone as submitted to the State in the last Housing Element. She advised that if the City fails to rezone then the State would have the ability to rezone on behalf of the City.

Community Development Director Swiecki said that the State had granted a one-year grace period for the rezoning from the prior RHNA cycle.

Assistant City Attorney Stricker then reported that there is a 120-day grace period built into the State's deadline for submitting the upcoming Housing Element and that there is not a monetary penalty for a late submittal. She advised that if the City exceeds the 120-grace period then it would be subject to a 4-year cycle for submitting Housing Elements without further 120-day extensions. She also stated that the State has 60 days to review and respond to the draft that the City submits prior to the City's own adoption.

Council Housing Element Subcommittee Members O'Connell and Liu then reported on their meeting with the Planning Commission and on the topics discussed at the Council Subcommittee meeting, including the effects of mixed zoning, the problems associated with secondary units at

the Ridge, discussion of housing policies and programs, and the City's responsibility to provide affordable housing.

CM Liu also referred to a hand-out that she asked staff prepare showing the City's portion of revenues from property tax of the subject parcels being considered for rezoning and the potential revenues from new housing.

Councilmembers discussed the proposed rezoning recommendation and the pros and cons of other ideas for rezoning and asked for clarifications from staff.

After a lengthy discussion on the different possibilities, Councilmembers decided to continue this matter until their meeting on Thursday, November 20th, allowing time for them to also review the proposed housing policies and submit their comments and suggested changes to staff.

ADJOURNMENT

The meeting was adjourned at 10:39 p.m.

Sheri Marie Spediacci
City Clerk

