

CITY OF SANTA ROSA
100 SANTA ROSA AVENUE RM 3
SANTA ROSA, CA 95404

JAN - 2 2015

COMMUNITY DEVELOPMENT
DEPARTMENT

January 2, 2014

To the Honorable Mayor and Members of the City Council,

On November 18, 2014, the City Council passed two resolutions that create an inconsistency between the Land Use Designation Map and the written portion of the General Plan.

City Council Resolutions 28581 and 28582 violate General Plan policies GMA-2 and LUL-E-4.

General Plan Policy GMA-2 states that neighborhoods which are zoned Very Low Density are not interim and are not intended for future development. Therefore, an R-1-6 zoning for 408 Calistoga Road will violate this policy.

Changing the density of this parcel is also inconsistent with standard zoning practice as the other parcels around it are zoned rural residential as shown on the attached zoning map.

Currently, the entire east side of Calistoga Road from Dupont to Monte Verde Drive is zoned Rural Residential, Very Low Density. General Plan Policy LUL-E-4 protects the rural quality of Very Low Density areas. Adding three homes behind the existing house at 408 Calistoga Road will damage the rural quality of the adjacent properties.

City guidelines advise using streets as boundaries between different zones, so there are no land-use conflicts.

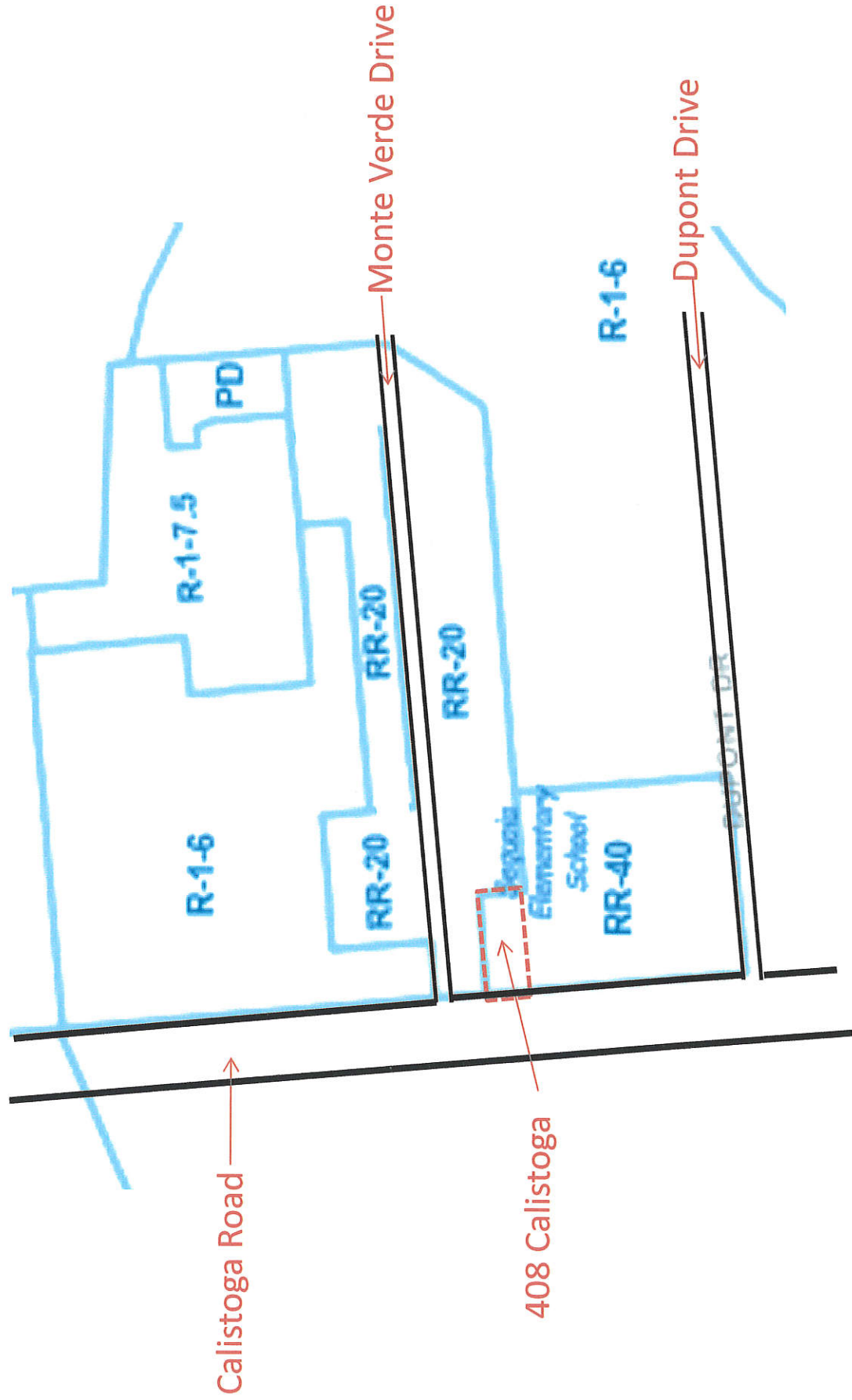
So, I ask that you rescind City Council Resolution 28581 and 28582 and that you reject the applicant's request to re-zone 408 Calistoga Road to R-1-6.

Sincerely,



Lynn Denley-Bussard
5232 Monte Verde Drive

General Plan policy GMA-2 prohibits an R-1-6 zoning in a Very Low Density Neighborhood



Bliss, Sandi

From: Murray, Susie
Sent: Wednesday, December 31, 2014 4:56 PM
To: Dillon, Molly; Hartman, Clare; Regalia, Chuck; Fowler, Caroline; Griffin, Terri
Cc: Bliss, Sandi
Subject: RE: 408 Calistoga Road

FYI

Susie Murray | City Planner

Community Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404
Tel. (707) 543-4348 | Fax (707) 543-3269 | smurray@srcity.org



From: Jeff Komar [<mailto:jeffkomar@gmail.com>]
Sent: Wednesday, December 31, 2014 3:56 PM
To: Schellinger Scott; Ted Hollen; Geoffrey B. Ergo; Murray, Susie; Leslie R. Perry; tdg@sonic.net
Subject: Fwd: 408 Calistoga Road

I'm not sure what this means...

----- Forwarded message -----

From: Coursey, Chris <ccoursey@srcity.org>
Date: Wed, Dec 31, 2014 at 3:09 PM
Subject: 408 Calistoga Road
To: "jeffkomar@gmail.com" <jeffkomar@gmail.com>, "paulebussard@gmail.com" <paulebussard@gmail.com>, "karinev@sbcglobal.net" <karinev@sbcglobal.net>

Ms Villegiante, Mr Bussard and Mr Komar,

Thank you all for the invitations to meet and discuss this issue. Unfortunately, I am not able to schedule time to get together with you before Tuesday's meeting.

I assure you, however, that I have closely read staff reports, including letters from concerned parties, and viewed video of the several council meetings where the project was discussed. As the item before the council next week is a relatively narrow question of approving rezoning, I don't believe there is any new information that can't be conveyed to the entire council at that meeting.

Again, I appreciate your offers to meet, and I apologize that holiday schedules make that impossible with this short notice.

Happy New Year. I'm sure I'll be seeing you all next week.

Chris Coursey
Vice Mayor
City of Santa Rosa

--

Jeff Komar
Managing Member

Real Equity Partners LLC

707 321 2828

jeffkomar@gmail.com

Bliss, Sandi

From: Murray, Susie
Sent: Wednesday, December 31, 2014 4:12 PM
To: Dillon, Molly; Hartman, Clare; Regalia, Chuck; Fowler, Caroline
Cc: Bliss, Sandi; Griffin, Terri
Subject: FW: Message from KMBT_751/January 6, 2015 Public Hearing on the Calistoga Cottages Project
Attachments: SKMBT_75114123116060.pdf

Susie Murray | City Planner

Community Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404
Tel. (707) 543-4348 | Fax (707) 543-3269 | smurray@srcity.org



From: Lourdes Lopez [mailto:Lourdes@pmg-legal.com]
Sent: Wednesday, December 31, 2014 3:25 PM
To: Carlstrom, Erin; Sawyer, John; Combs, Julie; Olivares, Ernesto; Wysocky, Gary; Coursey, Chris; Schwedhelm, Tom; _CityCouncilListPublic; Murray, Susie; Griffin, Terri
Subject: FW: Message from KMBT_751/January 6, 2015 Public Hearing on the Calistoga Cottages Project

Honorable Mayor and City Council Members,

With regard to the January 6, 2015 Public Hearing on the Calistoga Cottages Project, attached is my letter requesting that you not approve the Ordinance allowing the Re-Zoning from RR-40 to R-1-6. Please review my letter and the attached supporting documents for the hearing. Thank you for your consideration.

Lourdes Lopez
Attorney for Paul Bussard &
Lynn Denley-Bussard

Passalacqua, Mazzoni, Gladden,
Lopez & Maraviglia, LLP
1201 Vine Street, Suite 200
Healdsburg, CA 95448
Telephone: (707) 433-3363

From: Copier
Sent: Wednesday, December 31, 2014 4:07 PM
To: Lourdes Lopez
Subject: Message from KMBT_751

THOMAS R. PASSALACQUA
MARK L. GLADDEN
LOURDES LOPEZ*
DANIELE L. MARAVIGLIA
GARRETT M. CIVIAN

LAW OFFICES OF
**PASSALACQUA, MAZZONI, GLADDEN,
LOPEZ & MARAVIGLIA, LLP**
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HEALDSBURG, CALIFORNIA 95448-0455
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FRANCIS M. PASSALACQUA (1910-2005)
JAMES R. MAZZONI, JR. (1932-2010)

FACSIMILE: (707) 433-3606
E MAIL: Lourdes@png-legal.com

*Also licensed to practice in Florida

December 31, 2014

To the Honorable Mayor
and Members of the City Council

Re: January 6, 2015 Public Hearing on the Calistoga Cottages Project
Request to Re-Zone 408 Calistoga Road from RR-40 to R-1-6

Dear Mayor and City Council Members:

With regard to the above referenced project, the proposed Zoning Ordinance is not consistent with the General Plan and is not in the public interest as required by Santa Rosa Zoning Code §20-64.050. This request to Re-Zone from RR-40 (Rural Residential) to R-1-6 (Single Family Residential), is part of companion applications for a General Plan Diagram Amendment from Very Low Density (.2 - 2 units per acre) to Low Density (2-8 units per acre) and a Tentative Parcel Map to subdivide this rural parcel into 4 lots.

My clients, Paul Bussard and Lynn Denley-Bussard, and the Monte Verde Rural Community request that you not approve this Ordinance. Paul Bussard and Lynn Denley-Bussard appealed the June 26, 2014 Planning Commission Decision approving a General Plan Diagram Amendment from Very Low Density to Low Density, Re-Zoning and a Tentative Parcel Map. At the September 16, 2014 public hearing, the City Council granted my clients' appeal and denied the Calistoga Cottages subdivision. However, on September 23, 2014, Council member Wysocky requested that the Council reconsider its decision and the Council voted in favor of the reconsideration.

At the November 18, 2014 Reconsideration hearing, the City Council approved the General Plan Diagram Amendment and the Tentative Parcel Map. On December 2, 2014, the second reading of the Zoning Ordinance failed with a vote of 3 to 3.

At issue, in part, is that the project violates two specific, mandatory General Plan policies, GM-A-2 and LUL-E-4, which provide as follows:

GM-A-2:

“Clarify to project applicants that the **low-intensity General Plan designations are not “interim”** and that the intent of these designations is to accommodate a variety of housing types within the UGB, rather than reserve areas for future development.”

This applies specifically to the rural Very Low Density Residential designation, as rural residential pockets will be retained within Santa Rosa’s UGB to accommodate all lifestyles.”

LUL-E-4:

“**Protect the rural quality of Very Low Density** areas within the Urban Growth Boundary through design and development standards in the Zoning Code, and development review.”

408 Calistoga Road was part of a rural, county island that was created in 1948. For the last 66 years, this distinct neighborhood has been Rural Residential. In 1999, a rural pocket was created when the Monte Verde County Island, including 408 Calistoga Road, was annexed to the City. The rural pocket runs from Calistoga Road east toward St. Francis.

In 1999, the City Council pre-zoned 408 Calistoga Road RR-40 (Rural Residential) and determined that the Very Low Density designation was consistent with the policies contained in the General Plan. (February 2, 1999 Ordinance number 3405). At that time, the City promised the Monte Verde County Island residents that the rural character of the neighborhood will remain.

In 2013, the Developer, Real Equity Partners, bought 408 Calistoga Road which is zoned RR-40 (Rural Residential), with a minimum lot size of 1 acre, and had a land use designation of Very Low Density residential. The Developers’ project seeks to cluster three (3) homes, behind the existing 1950’s home, and onto a part of the Valley Oak grove.

At the June 26, 2014 Planning Commission Hearing, the City emphasized that the project met four (4) General Plan “goals” but ignored the specific General Plan “policies” GM-A-2 and LUL-E-4, which prevent the Amendment to the General Plan and this project.

General Plan Policy LUL-E-4 was added to the Staff Report to the City Council for the September 16, 2014 public hearing but was not discussed. Instead, similar to the Planning Commission hearing, the City Staff chose to emphasize three (3) goals of the General Plan and ignored the specific policies which would not allow the Amendment to the General Plan and this project.

Despite General Plan policy GM-A-2, at the November 18, 2014 Reconsideration public hearing, the City Council approved an Amendment to change the land use designation for 408 Calistoga Road from Very Low Density to Low Density. The City Council did not address GM-A-2 which specifically does not allow the land use designation change for 408 Calistoga Road as Low Intensity General Plan Designations are not “interim” and rural residential pockets will be retained.

Additionally, the proposed Ordinance is not in the public interest since the criteria for a General Plan Amendment was not met by the Developer. City Staff has taken the position that the General Plan Amendment criteria provided for in the General Plan and in the Application has no relevance and is not part of the analysis for the findings that are required by Zoning Code §20-64.050. This position makes no sense and is not supported by the General Plan, the Application and Zoning Code §20-64.020 which states that it is the responsibility of the applicant to provide evidence in support of the findings required for a General Plan Amendment.

The Developer’s Application for a General Plan Amendment does not address: (1) why an Amendment is warranted, (2) describe events which have rendered the General Plan inadequate or unattainable, and (3) describe any studies which have brought policies or portions of the Plan into question. (See General Plan, page 1-11).

A mere recital of the information in the Application in the City Staff Report is not the standard for analysis. The Application has to be reviewed for accuracy and information has to be provided to support the statements contained in the Application.

The findings for a General Plan Amendment require, in part, that the proposed Amendment ensures and maintains internal consistency with the goals and policies of all elements of the General Plan and is not detrimental to the public interest. (Zoning Code §20-64.050).

The Application requirements must be met in order for the City to conclude that the Amendment is consistent with the General Plan and in the public interest.

Here are the questions and responses in the Application:

Question 1: Why do you want a General Plan Amendment?

Response: The City’s encouraged infill development. It’s serviced by transit routes.

Question 2: What changes or events have occurred or what new evidence has arisen since the General Plan was adopted which now warrant a change?

- Response: The need for housing. Infill housing is a method to achieve this.
- Question 3: Have detailed neighborhood plans or other studies revealed the need for a General Plan Amendment?
- Response: Not that we're aware of.
- Question 4: Describe the effect the proposed change will have on the surrounding uses. Describe how the proposed change will affect achievement of the General Plan in this and the surrounding area.
- Response: Impacts to the neighbors are negligible. The site takes its access off Calistoga Road with a minor adjustment to the existing driveway. When compared to surrounding sites by using a current aerial view, this proposal is consistent in terms scope and scale. Infill on this site will provide additional needed housing opportunities.

The failure to analyze and verify the statements in the Application lead to the wrong conclusion that there was a change in the Calistoga area and parcel and a need to change the density designation to provide for housing. The question is not whether there is a need for housing in the abstract but whether there is a need for a change in the land use designation to provide for housing in this particular parcel.

One of the "goals" of the housing element is to meet the housing needs of all Santa Rosa residents. (Goal H-A). "Goals" are defined by the General Plan as broad policy direction; a larger end state the City is hoping to achieve. (General Plan, page 1-10). The City Staff's reference to the goal, H-A in the housing element is not the equivalent of evidence to support a General Plan Amendment. In fact, the evidence shows that there is no need to change the density designation to provide for housing (See July 29, 2014 Housing Element Update, plus City Staff Report).

Further, the evidence shows that nothing has changed in the Calistoga area or the parcel since the 1999 City Council pre-zoned 408 Calistoga Road RR-40 (Rural Residential) and determined that the Very Low Density designation was consistent with the policies contained in the General Plan. (February 2, 1999, Ordinance No. 3405).

The Developer's parcel, 408 Calistoga Road, remains part of the rural pocket created in 1999 when the Monte Verde County Island was annexed to the City, since the same conditions exist today; 1 house on about 1 acre, built in the 1950's, bordering Calistoga Road, providing a buffer for the rural community, with 11 Valley Oak trees on site, and adjacent to an extensive Valley Oak grove.

The same commercial center, public transportation and City services were in existence in 1999. The parcel took its access from Calistoga Road in 1999 when the rural pocket was created by the City.

The Developer makes the bold statement that the project will not impact the rural neighborhood because it takes its access from Calistoga Road. This statement ignores the fact that the Developer's project seeks to cluster three (3) homes, behind the existing home, and onto a part of the Valley Oak grove, which directly impacts the rural community.

As to question number 4 on the Application, "Describe how the proposed change will affect achievement of the General Plan", the City relies on broad "goals" to support an Amendment to the General Plan. However, General Plan "policies" provide more specific direction on how to achieve goals. (General Plan, page 1-10). The "goals" relied on by the City cannot overcome the specific policies, GM-A-2 and LUL-E-4, that prevent the amendment of the General Plan and this project.

Consequently, the proposed Ordinance is not in the public interest since the criteria for a General Plan Amendment was not met by the Developer. The findings required under Zoning Code §20-64.050 for an amendment to the zoning map cannot be met. Besides not being in the public interest or consistent with the General Plan, this site is part of a rural residential pocket and the Developer's project is not compatible with the adjoining land use.

SUMMARY

The City Council cannot make the right decision under the law when critical, key information needed is not provided. The approvals of the project have been marred by the following:

- (1) GM-A-2, a key, specific, General Plan Policy, was never raised or considered by the City Staff. In particular, the Planning Commission's approvals for the project were faulty since City Staff ignored specific General Plan policies, LUL-E-4 and GM-A-2. City Staff will tell you that it considered all the General Plan policies and goals. The record does not support this claim. (See Staff Report for June 26, 2014 Planning Commission Hearing and Staff Presentation; Staff Report for September 16, 2014 City Council Hearing, plus Staff Presentation).

City Staff will tell you that it balanced competing policies. This is not a situation of balancing competing policies as there is a specific General Plan Policy, GM-A-2, that prevents the General Plan Diagram amendment for this project.

- (2) The General Plan Amendment criteria was never analyzed by City Staff. City Staff cannot show that the 408 Calistoga Road parcel has changed since the 1999 pre-zoning and annexation, when the City Council included it in the rural pocket, to warrant an amendment to the General Plan Diagram from Very Low Density to Low Density. City Staff will tell you that the project provides housing where public transportation, utilities, a commercial center, schools and recreation areas are readily available and that the parcel takes its access off of Calistoga Road. However, all these City services were in existence and available in 1999. Similarly, the parcel took its access from Calistoga Road in 1999 when the rural pocket was created by the City Council. **(See attached General Plan, plus Application).**
- (3) Further, the City Staff failed to require that the Developer provide evidence to support its Application for a General Plan Amendment. In fact, the evidence shows that there is no need to change a density designation to provide for housing. **(See July 29, 2014 Housing Element Update, plus Staff Report attached, Pg. 2, No. 6; Pg. 12, No. 2A).**

We are filing a Petition for a Writ of Mandate to void and set aside the General Plan Diagram Amendment and the approval of the Tentative Parcel Map since they are not consistent with the General Plan policies, GM-A-2 and LUL-E-4, and not in the public interest in view of the Developer's failure to meet the General Plan Amendment criteria. Under the City Council's procedures, an Ordinance shall be considered for adoption on second reading. Under the City Charter, no Ordinance shall be passed by the Council on the day of its introduction, nor within 5 days thereafter. The purpose of the waiting period is to give time for consideration and to prevent ill-considered legislation. Please review the above and vote against the Ordinance.

Thank you for your attention to this matter.

Very truly yours,

**PASSALACQUA, MAZZONI, GLADDEN,
LOPEZ & MARAVIGLIA, LLP**



LOURDES LOPEZ

In preparation of the prior general plan, *Santa Rosa 2020*, various background reports were prepared. These reports may be reviewed at the City of Santa Rosa's Department of Community Development.

1-7 CHANGING THE GENERAL PLAN

As the city's premier policy document, the General Plan is not changed without good cause. The City Council, Planning Commission, or staff, in reviewing the General Plan, may find that certain portions should be changed due to circumstances which arise within the community. Amendment of the General Plan may be necessary due to changing policies of the City Council or if it is found through periodic review that certain portions of the Plan are inadequate or do not meet the needs of the community.

The General Plan Land Use Diagram or the text of any element may be amended. General Plan Amendment applications may be filed by individual applicants or may be initiated by the Community Development Director, Planning Commission or City Council. Concurrent processing of General Plan Amendments with other land use applications is permitted.

Applications for General Plan Amendment must address why an amendment is warranted, describe events which have rendered the General Plan inadequate or unattainable, and describe any studies which have brought policies or portions of the plan into question.

The General Plan may be amended three times per year. The Planning Commission shall conduct hearings regarding General Plan Amendment applications in February, June and October of each year. The City Council shall conduct hearings after consideration of the Planning Commission, in March, July and November. To meet this hearing schedule, the following application deadlines are established: February 1 for hearing in June; June 1 for hearing in October; and October 1 for hearing in February. When the first day of the month falls on a weekend, the following Monday is the final day for submittal.



APPLICATION
**GENERAL PLAN
 AMENDMENT**

Please Type or Print

GPAM13-003

File No:	Quadrant NE
Related Files:	
Set:	
DEPARTMENT USE ONLY	

www.srcity.org

LOCATION OF PROJECT (ADDRESS) 408 CALISTOGA RD.	ASSESSOR'S PARCEL NUMBER(S) 153-430-032	ZONING RR 40
NAME OF PROPOSED PROJECT CALISTOGA COTTAGES		GENERAL PLAN DESIGNATION V. Low DEN.
APPLICANT NAME	BUSINESS PHONE () -	FAX () -
APPLICANT ADDRESS	CITY STATE ZIP	EMAIL
APPLICANT REPRESENTATIVE TDG.	BUSINESS PHONE () -	FAX () -
APPLICANT REPRESENTATIVE ADDRESS 3028 3028 3028 AIRWAY DR	CITY STATE ZIP SL CA 95403	EMAIL
PROPERTY OWNER NAME *(SIGNATURE REQUIRED BELOW) REAL EQUITY	BUSINESS PHONE () -	FAX () -
PROPERTY OWNER ADDRESS 1301 FARMERS LN	CITY STATE ZIP SL CA 95405	EMAIL

*In the case of a partnership, all general and limited partners shall be identified. In the case of a corporation, all shareholders owning 10% or more of the stock and all officers and directors shall be identified. Please use the Partnerships & Corporations form.

PROJECT DESCRIPTION – DESCRIBE IN DETAIL YOUR PROPOSED GENERAL PLAN CHANGE – Attach a separate sheet if necessary
SUB THE PROPOSAL IS A GENERAL PLAN CHANGE FROM V. Low DEN. TO Low DEN.

SIZE OF PARCEL SQ FT or .99 ACRES	PROPOSED GENERAL PLAN DESIGNATION Low DEN	PROPOSED ZONING R16
PROPOSED CHANGE TO:	<input checked="" type="checkbox"/> LAND USE GRAPHIC	<input type="checkbox"/> LAND USE TEXT – CHECK ELEMENT BELOW
<input type="checkbox"/> LAND SAFETY ELEMENT	<input type="checkbox"/> CIRCULATION ELEMENT	<input type="checkbox"/> URBAN DESIGN ELEMENT
<input type="checkbox"/> SEISMIC/SAFETY ELEMENT	<input type="checkbox"/> NOISE ELEMENT	<input type="checkbox"/> SCENIC HIGHWAYS ELEMENT
<input type="checkbox"/> OPEN SPACE/CONSERVATION ELEMENT		<input type="checkbox"/> HOUSING ELEMENT
		<input type="checkbox"/> PARK AND RECREATION ELEMENT

AMENDMENT CRITERIA – PROVIDE ON A SEPARATE SHEET RESPONSES TO THE FOLLOWING QUESTIONS:

- Why do you want the General Plan changed?
- What changes or events have occurred or what new evidence has arisen since the General Plan was adopted which now warrant a change?
- Have detailed neighborhood plans or other studies revealed the need for a General Plan Amendment?
- Describe the effect the proposed change will have on the surrounding uses. Describe how the proposed change will affect achievement of the General Plan in this and the surrounding area.

SUBMITTAL INFORMATION – See staff to determine which requirements apply

10 COPIES OF MAP OR MAPS SHOWING THE EXISTING AND SURROUNDING LAND USES, THE EXISTING GENERAL PLAN LAND USE DESIGNATION AND THE PROPOSED CHANGE YOU WANT. PLAN MUST BE EITHER REDUCED TO 11 X 17 OR FOLDED TO 8-1/2 X 14 MAX.

IF YOU WANT THE GENERAL PLAN CHANGED FOR A SPECIFIC PURPOSE OR FUTURE USE, PLEASE SUBMIT A DRAFT DEVELOPMENT PLAN SHOWING THE IMPROVEMENTS YOU WANT TO DEVELOP. **NA.**

FOR A PROPOSED CHANGE IN THE GENERAL PLAN TEXT, SUBMIT IN DRAFT FORM ANY LANGUAGE YOU WANT ADDED, DELETED, SUBSTITUTED, ETC. THIS SHOULD BE TYPED AND SUBMITTED ON 8-1/2 X 11 PAPER. **NA.**

10 COPIES OF SITE ANALYSIS MAP 10 COPIES OF NEIGHBORHOOD CONTEXT MAP

ENVIRONMENTAL ASSESSMENT VICINITY MAP WITH NORTH ARROW INDEMNIFICATION AGREEMENT

PROPERTY OWNER'S CONSENT – I declare under penalty of perjury that I am the owner of said property or have written authority from property owner to file this application. I certify that all of the submitted information is true and correct to the best of my knowledge and belief. I understand that any misrepresentation of submitted data may invalidate and approval of this application.

[Signature] For Real Equity Partners LLC

APPLICATION	RECEIVED BY T. Selge	DATE 10-1-13	FEE RECEIVED \$ 12,434.00	RECEIPT NUMBER R1303480
PUBLIC HEARING	<input type="checkbox"/> REQUIRED <input type="checkbox"/> EXEMPT	DATE	FEE RECEIVED \$	RECEIPT NUMBER
ENVIRONMENTAL REVIEW	<input type="checkbox"/> REQUIRED <input type="checkbox"/> EXEMPT CLASS _____	DATE	FEE RECEIVED \$	RECEIPT NUMBER

Lourdes Lopez

Subject: FW: 408 Calistoga Road - 4 answers to GP amendment submitted June 11, 2014

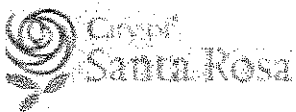
From: "Susie Murray" <SMurray@srcity.org>
To: "Denley-Bussard, Lynn" <ldenley-bussard@comcast.net>
Cc: "Bussard-Gmail, Paul" <paulebussard@gmail.com>
Sent: Thursday, October 30, 2014 8:44:41 AM
Subject: 408 Calistoga Road

Hi Lynn,

When the application was submitted, these responses were not included; they were provided in June. I apologize, there should've been a copy of this in the file. I'll take a look and add it if necessary.

Thank you.

Susie Murray | City Planner
Community Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404
Tel. (707) 543-4348 | Fax (707) 543-3269 | smurray@srcity.org



From: Schellinger Scott [mailto:scott@cswland.com]
Sent: Wednesday, June 11, 2014 7:40 PM
To: Murray, Susie
Subject: Re: 408 Calistoga Road

Applications for a General Plan Amendment must address the following questions:

Question: Why do you want a General Plan Amendment?

Response: The City's encouraged infill development. It's serviced by transit routes.

Question: What changes or events have occurred or what new evidence has arisen since the General Plan was adopted which now warrant a change?

Response: The need for housing. Infill housing is a method to achieve this.

Question: Have detailed neighborhood plans or other studies revealed the need for a General Plan Amendment?

Response: Not that we're aware of.

Question: Describe the effect the proposed change will have on the surrounding uses. Describe how the proposed change will affect achievement of the General Plan in this and the surrounding area.

Response: Impacts to the neighbors are negligible. The site takes its access off Calistoga road with a minor adjustment to the existing driveway. When compared to surrounding sites by using a current aerial view, this proposal is consistent in terms scope and scale. Infill on this site will provide much needed housing opportunities.

Scott Schellinger

CSW Land, LLC
PO Box 921
Santa Rosa, CA 95402
707-921-5030

scott@cswland.com

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: SUMMER 2014 GENERAL PLAN AMENDMENT PACKAGE:
HOUSING ELEMENT UPDATE
STAFF PRESENTER: ERIN MORRIS, SENIOR PLANNER
COMMUNITY DEVELOPMENT
AGENDA ACTION: RESOLUTION

ISSUE

Should the Council approve the Housing Element Update General Plan Amendment?

BACKGROUND

1. Santa Rosa General Plan 2035, including the Housing Element, was adopted on November 3, 2009 and the Housing Element was certified by the State Department of Housing and Community Development (HCD) on March 4, 2010. Certification means that the State found the 2009 Housing Element to be in compliance with State law. The Housing Element was revised with adoption of the North Station Area Specific Plan on September 18, 2012 and recertified on October 25, 2012.
2. The proposed General Plan amendment would update the Housing Element of the General Plan to address housing needs in Santa Rosa from 2015 to 2023. The Housing Element focuses on achieving the goal of safe and affordable housing for all segments of the city's population. It contains a comprehensive assessment of current and projected housing needs and identifies programs and strategies for meeting those needs. It also contains an evaluation of the effectiveness of Santa Rosa's current housing programs, and sets quantified objectives for new housing development (based on regional housing need) by income category and rehabilitation and preservation of existing housing.
3. State law requires every jurisdiction in California to adopt a comprehensive, long-term General Plan to guide its physical development. The Housing Element is one of seven mandated elements of the General Plan. California housing element law requires that each city and county develop local housing programs to meet its "fair share" of existing and future housing needs for all income groups.

4. The Association of Bay Area Governments (ABAG) is responsible for developing and assigning these regional needs, or Regional Housing Needs Allocations (RHNA), to the jurisdictions in the nine county Bay Area region. Santa Rosa's RHNA is 4,662 residential units of which 1,528 must address housing needs for low, very low, and extremely low income households, 759 must address housing needs for moderate income households, and 2,375 must address housing needs for above moderate income households. Consistent with the current RHNA planning period, the proposed Santa Rosa Housing Element is an eight-year plan extending from 2015 to 2023.
5. California Government Code Section 65583(a)(7) requires "an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs." A housing element does not propose development of any residential uses, but serves as a planning document that establishes goals, policies, and objectives relative to the provision of housing needs for all income levels and identifies sites where existing zoning allows residential development.
6. In some jurisdictions, additional land could need to be designated or zoned for residential development to accommodate that jurisdiction's fair share of housing. The City has adequate land zoned for residential development to accommodate the City's RHNA, so no change is needed to the designation or zoning of any land to accommodate Santa Rosa's RHNA.
7. Work on the Housing Element update began in August 2013. Three Community Workshops were held in October 2013, December 2013, and January 2014. The Draft Housing Element has been available for public review and comment since March 5, 2014.
8. For the first time, State HCD has offered a streamlined review process for cities with certified housing elements. The streamlined review process allows cities to utilize the existing housing element as the starting point, recognizing that much of the information in housing elements found to be in compliance with the statute for the previous planning period is still current and/or particular conditions and circumstances have not significantly changed since the last update.
9. The City of Santa Rosa was found eligible for the streamlined process and has utilized it. The current revision process includes new public outreach to ensure public participation in the update. The State's review of the Housing Element was focused on the changes to the certified element and issues raised by members of the public. Santa Rosa has received pre-approval of the Draft Housing Element with a condition that the changes identified in Attachment 2 be made to the final document.
10. The Draft Housing Element document shows changes through a combination of highlighting and tracked changes (underline and strikeout). Section headers for sections in which there was significant change, including the needs assessment

and public outreach discussion, are highlighted in yellow to indicate that much of the data and analysis is new or updated. In sections showing tracked changes, the table heading for updated tables is highlighted. Tables do not show tracked changes.

11. Overview of Draft Housing Element

The Draft Housing Element is divided into seven substantive sections and includes detailed tables in the appendix. Since the Draft Housing Element was released for public review on March 5, 2014, City staff has discussed changes to the Draft with HCD staff that would ensure compliance with State law. In response to these discussions, City staff developed a list of proposed changes to the Draft (Attachment 2) that would ensure that the Housing Element is certified by HCD.

Each of the main sections of the Housing Element is described below with the recommended changes highlighted in each section description.

Housing Needs Analysis (pages 4-2 to 4-27)

This section was fully updated with new, current data about population and housing characteristics, employment and incomes, and housing costs. Most of the data came from the Association of Bay Area Governments (ABAG), which provided every city with a packet of data pre-approved by State HCD. Original main data sources include the 2000 and 2010 US Census and data from the 2007-2011 American Community Survey.

This section includes updated housing affordability and local housing supply analyses, updated information about persons with disabilities, special types of households such as female-headed, large families, and the elderly, and updated data about the local homeless population and analysis of housing needs for homeless people. Information is also provided about farmworker housing needs, and in response to recent state law changes, the Needs analysis includes data and discussion about the housing needs of persons with developmental disabilities.

Proposed Changes

Housing Conditions. HCD requested that the City provide additional information about the age and condition of housing in Santa Rosa. Neighborhood Revitalization Program (NRP) staff provided information about housing conditions in the eight NRP areas, which include Apple Valley, Aston Avenue, Corby/Beechwood, Heidi Place, Olive Corby, South Park, Sunset McMinn, and West Ninth. The City inspects approximately 2,000 units per year as part of NRP. Among units inspected, approximately 20 percent are in need of rehabilitation and, among those, 1 to 2 percent are severely deteriorated.

Proposed text changes to the Draft Housing Element are identified in Attachment 2.

Farmworker Housing Needs. HCD and a local interest group called Sonoma County Housing Advocacy Group requested that the housing element include additional information about farmworkers. It is difficult to obtain data about farmworkers in Santa Rosa because there is no definitive source to determine how many of Sonoma County's farmworkers live or seek housing in Santa Rosa. Staff contacted the Migrant Education program for Santa Rosa, housed in Butte County, and received data on the number of students from migrant families attending school in Santa Rosa which supplements the analysis by providing data about students from migrant families in Santa Rosa schools and related housing needs. Additional information is included in Attachment 2.

Constraints and Resources (pages 4-28 to 4-55)

The major constraints to housing development are analyzed in this section, including infrastructure, development fees, application processing, land use controls, and natural resources. Since adoption of the Housing Element, the City amended the Housing Allocation Plan in 2012 to make fee payment the primary method of compliance, updated the Housing Allocation Plan impact fee in 2013, and adopted a new fee schedule for planning and building services in January 2014 to achieve partial cost recovery. The revised text and tables include current information about these three topics and include updated discussion of the development review process for affordable housing projects.

The zoning discussion was updated to reflect the 2011 changes regarding how homeless shelters, transitional housing, and supportive housing uses are regulated by the Zoning Code. Constraints to housing development such as land costs, construction, and financing were also updated.

The discussion of Affordable Housing Programs, beginning on Page 4-48, was updated to acknowledge the loss of Redevelopment Agency funds to support affordable housing development, to identify remaining funding sources, and to identify potential future sources. On page 4-51, the Real Property Transfer tax is discussed and a new policy identified that the City should consider increasing the amount of money allocated from the transfer tax to affordable housing development.

Preservation of existing housing units restricted for use as affordable housing is described on pages 4-53 to 4-55, including a list of 873 units that are at risk of converting to market rate between 2015 and 2025. City Housing staff is engaged in ongoing communications with the management and owners of these units in an effort to retain the units as restricted affordable housing units.

Regional Housing Needs Allocation (pages 4-56 to 4-57)

This section provides information about Santa Rosa's housing needs allocation from ABAG. Santa Rosa's RHNA is 4,662 residential units of which 1,528 must address housing needs for low, very low, and extremely low income households, 759 must address housing needs for moderate income households, and 2,375 must address housing needs for above moderate income households. The proposed Santa Rosa Housing Element is an eight-year plan extending from 2015 to 2023.

Sites Inventory and Analysis (pages 4-58 to 4-73)

This section discusses the City's inventory of sites that are appropriately zoned, available, and suitable to provide opportunities for housing for all segments of the community. All vacant sites designated for residential land uses are inventoried in the Housing Appendix (pages 4-106 to 4-148) including site size, expected residential unit yield, and whether the sites are zoned consistent with the General Plan.

In this section of the Housing Element, the City must demonstrate that identified sites will allow the RHNA to be met. Table 4-34 (page 4-59) identifies how the City will meet its regional needs allocation by income category. HCD considers sites designated Medium High Density, Transit Village Medium, and Transit Village Mixed Use as the most likely locations for new affordable housing development in Santa Rosa since these sites accommodate residential densities of 30 to 40 units per acre, with no upper limit in the Transit Village Mixed Use designation. The City must demonstrate to HCD that there are enough vacant sites, and/or sites with approved development projects, with the higher density general plan designations and zoned consistent with the General Plan, to provide 1,528 units of housing that could be affordable to extremely low, very low, and low income households.

Figure 4-1 on page 4-65 shows the location of the higher density vacant sites and underutilized sites that could accommodate the units for extremely low, very low, and low income households. For moderate and above moderate income households, the City must demonstrate that lower density sites will provide 3,134 units by 2023. As indicated in Table 4-34, the City has sufficient sites to accommodate these units within the planning period.

This section was also updated to recognize that the City has five Priority Development Areas that are expected to provide opportunities for higher density residential development along transit corridors.

Proposed Changes

Table 4-38 identifies three Medium High Density sites as "not served" by sewer and water. The sites are within 300 feet of existing sewer and water lines, so

they are considered served. The table would be updated to reflect this, and the text on page 69 adjusted to reflect that all Medium High Density sites are served.

Public Participation (pages 4-74 to 4-83)

This section was fully updated to outline the public outreach conducted and public input gathered during development of the Housing Element. As described in greater detail in the Draft Housing Element, the City held three community workshops, conducted an online survey, and held a service-providers roundtable to seek input from a diverse list of groups and individuals. Table 4-39 on page 4-75 identifies the list of groups that were invited to participate. Comments from each meeting and from the online survey are summarized on pages 4-75 to 4-82.

Housing Accomplishments (pages 4-84 to 4-86)

The Housing Accomplishments section of the Draft Housing Element focuses on reviewing the progress toward accomplishing the seven main goals of the Housing Element. The seven goals are as follows:

Goal H-A: Meet the housing needs of all Santa Rosa residents.

Goal H-B: Maintain and rehabilitate, as needed, the existing affordable housing supply within Santa Rosa.

Goal H-C: Expand the supply of housing available to lower-income households.

Goal H-D: Provide housing for households with special needs.

Goal H-E: Promote equal access to housing.

Goal H-F: Remove constraints to very low- and low-income housing production.

Goal H-G: Develop and rehabilitate energy-efficient residential units.

As discussed in this section, much has been accomplished between 2007 and 2014, the planning period addressed in the Housing Element. These accomplishments include adoption of the Downtown Station Area Specific Plan and North Santa Rosa Station Area Specific Plan, and associated rezonings, rezoning of other higher density sites outside of the station areas for consistency with the General Plan, implementation of various city programs to maintain and help renovate existing housing units, and issuance of 706 building permits for housing affordable to very low- and low- income residents.

The Housing Element Appendix, included on pages 4-149 to 4-163, offers a detailed analysis of housing accomplishments since 2007 related to these seven goals and related policies. This information, presented in the form of Table 4-53, identifies quantitative accomplishments where possible and indicates whether each policy is recommended to be deleted, kept, or modified.

Proposed Changes

Staff is recommending that the text on page 85 be updated to clarify that the 706 issued permits includes both units that are deed-restricted for affordability to households within a certain income category, and unrestricted units that were determined to be affordable based on a review of rents and sales prices in comparison to affordability. 456 units were deed-restricted for long-term affordability, and the remaining 250 were unrestricted units. Of the 706 units, 684 received final inspection and 22 were not completed.

Goals and Policies (pages 4-87 to 4-105)

This section has been updated based on the analysis of the goals and policies effectiveness presented in Table 4-53 and reflects public input gathered at the community workshops. The seven goals and associated policies are proposed for revision using strikeout/underline text. In addition, a time frame is identified for each policy. The specified time frames provide a future work program for Community Development staff, particularly in the case of policies that call for additional study of a housing issue.

Many policies are recommended for modification to be consistent with changes to local and State laws since 2007. For example, H-B-2 pertaining to subdivision of mobile home parks was revised to eliminate reference to a local ordinance that was repealed and to reference compliance with State law, which was recently updated to clarify how resident surveys are considered in the conversion process. Policies H-C-1 and H-C-3 pertaining to the Housing Allocation Plan were deleted, since these policies have been implemented, and replaced with modified H-C-2 to reflect the updated Housing Allocation Plan ordinance.

Some policies are recommended for deletion. In some cases, policies are recommended for deletion because they include work items that were completed, such as updating the Housing Allocation Plan, updating the density bonus ordinance, and updating the Zoning Code to address supportive and transitional housing and to allow emergency shelters as a permitted use in the General Commercial (CG) zoning district. Other policies were modified or deleted to recognize the loss of redevelopment funding due to the dissolution of the City's redevelopment agency.

In other cases, several policies regarding a similar topic were consolidated and updated. For example, H-D-14, -15, and -16 pertaining to affordable senior housing were deleted and H-D-13 was updated and renumbered as H-D-11 to comprehensively address housing for seniors.

There are several new policies proposed to address special needs groups, including developmentally disabled persons and young adults including former foster children. New policy H-D-12 encourages the provision of housing for young adults. Another new policy H-D-13 is proposed to ensure that the City of Santa Rosa stays apprised of the potential closing of the Sonoma Developmental Center which provides housing for developmentally disabled persons in Glen Ellen. If the Sonoma Developmental Center closes, there will be a countywide need for housing for current center residents.

Other new policies support establishment of new funding sources for affordable housing, including Policy H-C-14 which requires that the City Monitor and support state and regional efforts to establish a permanent dedicated revenue source for affordable housing development. Policy H-B-9 was revised and renumbered as H-B-7 and includes new direction that the City shall consider increasing the portion of the City's real property transfer tax designated for affordable housing development.

Based on public input, a new policy H-C-15 has been added to support the inclusion of amenities in new affordable housing developments including child care. H-D-10 calls for the City to explore new models for providing temporary housing solutions in response to emerging needs and emergency situations.

Proposed Changes

State HCD has requested that the City include three additional policies, including Policy H-C-16, H-E-3, and H-C-17, and that the City modify Policy H-A-1. New Policy H-C-16 would require that the City evaluate the use of "boomerang" funds, an allocation of increased property tax from former redevelopment project areas, for affordable housing projects and programs. Policy H-E-3 would require that the Zoning Code be updated to amend the definition of "family" to be consistent with State standards. Policy H-C-17 would require the City to evaluate reinstatement of zoning code provisions exempting sites designated Medium Density Residential and Medium High Density Residential from rezoning when affordable housing is proposed. These proposed changes were reviewed by Housing and Planning staff and determined to be acceptable.

The State requested that Policy H-A-1 be modified to reflect that adequate sites for development of a variety of housing types for all income levels should be available throughout the City. This is intended to be supportive of dispersing affordable housing sites in all areas of the City, including northeast Santa Rosa.

Appendix (Pages 4-106 to 4-163)

The appendix includes detailed tables identifying the location and size of vacant parcels by General Plan land use category and whether each site is zoned consistently with the General Plan, located within proximity to transit, and served by sewer and water.

Proposed Changes

Minor corrections are needed to both tables to reflect that three sites in the Medium Density Residential land use designation are incorrectly listed as “not zoned.” These sites would be moved from Table 4-49 to Table 4-48 and the acreage and unit totals adjusted accordingly.

The Housing Accomplishments table would be amended to reflect that from 2007 to 2014, the City issued permits for 706 units affordable to very low- and low-income residents. This figure includes both units that are deed-restricted for affordability to households within a certain income category, and unrestricted units that were determined to be affordable based on a review of rents and sales prices in comparison to affordability. Out of the 706 issued permits, 684 were completed and finalized. Among the 684 completed during this time period, 456 were deed-restricted for long-term affordability.

Lastly, the planning period time frame throughout the document would be changed from “2014 to 2022” to “2015 to 2023,” consistent with direction from HCD.

ANALYSIS

1. Key Issues

Loss of Redevelopment Funds

The loss of redevelopment funding has had a significant impact on City funding of affordable housing projects. This issue has been addressed in the updated Housing Element and it is acknowledged that additional funding sources are needed to ensure that the City continues to support housing development. As discussed in the Goals and Policies section above, potential funding sources include allocating a greater share of the real property transfer tax to affordable housing and exploring use of “boomerang” funds.

Adequacy of Housing Sites

Provision of adequate sites to accommodate housing for all income levels is one of the key issues for certification of the Housing Element by State HCD. Santa Rosa has vacant land planned for new housing, expected to yield 13,080 units overall within the planning period, but the State is especially interested in how the City will facilitate housing for very low and low income households. The City must demonstrate that there are sufficient sites designated and zoned for development at a minimum of 30 units per acre to achieve 1,528 units within the eight-year planning period. This is because the State believes that sites with the higher density land use designations are most likely to be developed with housing affordable to very low and low income families.

The State's streamlined Housing Element update process is beneficial because it allows the City to build on the current Housing Element by continuing to rely on currently identified vacant and underutilized sites to meet the RHNA, recognizing that housing development over the past planning period was stymied by the economic downturn and not by the City's land use policies. The vacant sites identified in Table 4-38 are already designated by the General Plan and zoned to develop at 30 units or more per acre. These sites are expected to yield 1,516 residential units. There are 196 units of approved affordable residential projects, as identified in Table 4-35, that would bring the total number of approved and planned units potentially affordable to very low and low income households to 1,712, which is above the City's RHNA requirement of 1,528 units. Further, there are a number of sites with higher density land use designations and zoning that are developed but underutilized; these sites would potentially yield an additional 829 units.

There have been public comments expressing concern that most of the sites listed in Table 4-38 for future affordable housing development are in west Santa Rosa. Figure 4-1 shows the dispersal of the sites and while there are less sites in east Santa Rosa, there are some sites in east Santa Rosa. Because this is a streamlined Housing Element update, staff found that it was possible to utilize the same sites that were approved in 2009 to meet State requirements. These vacant sites are mostly located in northwest and southwest Santa Rosa.

For future Housing Element updates, especially if the City's RHNA increases, there will be a need to find additional sites throughout the City, including in east Santa Rosa, for higher density residential uses. In response to public comments about this issue, Policy H-A-1 is proposed to be modified to reflect that adequate sites for development of a variety of housing types for all income levels should be available *throughout the City*. This supports further dispersal of affordable housing sites in all areas of the City, including northeast Santa Rosa.

Housing and Services for Homeless People

During the public meetings for the Housing Element update, especially the service provider roundtable, it became clear that services and housing for homeless individuals and families remains a key concern in Santa Rosa. Pages 4-21 through 4-24 provide updated information about the homeless population in Santa Rosa, based on the best available data. As discussed in this section, there are a variety of existing services and programs available to homeless people, but funding and meeting all of the needs remains challenging. Policies H-D-1, H-D-8, and H-D-9 indicate that the City will continue to provide funding and support to groups providing shelter and services to the homeless, and will explore new models for providing temporary housing solutions (Policy H-D-10).

SB 812: Planning for Persons with Developmental Disabilities

Senate Bill (SB) 812 requires that the City include an analysis of the special housing needs of persons with a developmental disability within the community. As discussed on pages 4-17 to 4-18, "developmental disability" means a disability that originates before an individual attains age 18 years, continues or can be expected to continue indefinitely, and constitutes a substantial disability for that individual, which includes mental retardation, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but does not include other conditions that are solely physical in nature.

In order to develop this section of the Housing Element, City staff met with the North Bay Regional Center (NBRC) and received and incorporated data and anecdotal information. The NBRC is one of 21 regional centers in California that provide a point of entry to services for people with developmental disabilities. The NBRC has a field office in Santa Rosa, which provides services to all of Sonoma County. The center is a private, nonprofit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families. Implementation of housing policies H-D-3 and H-D-4 is expected to improve access to housing for developmentally disabled individuals by evaluating and addressing issues of "visitability" and universal design in residential building design. As stated in Policies H-C-4 and H-D-1, the City will support and fund services and developments targeted for developmentally disabled persons and households when funds are available.

While plans and a specific time frame have not yet been finalized, the State is slated to close the Sonoma Developmental Center, which houses more than 400 developmentally disabled people. The closure will result in a need for new housing sites for center residents. Policy H-D-13 directs the City to monitor the potential closing of the Sonoma Developmental Center and work with the NBRC, relevant agencies, other local jurisdictions, and housing and service providers to provide support and assistance.

Other Issues

Housing advocates and members of the development community have expressed similar and different concerns about governmental constraints including development services fees, the provisions of the revised Housing Allocation Plan that make fee payment the primary method of compliance rather than provision of onsite affordable units for new development projects, and the recently revised Housing Allocation Plan impact fee. The Draft Housing Element acknowledges that fees are necessary to provide planning and building services and that the revised fees help recoup a larger portion of the actual costs expended in providing these services. The Housing Allocation Plan and associated Housing Allocation Plan impact fee were recently amended by the City Council. Impact fee payments are anticipated to be especially important to the development of affordable housing given the loss of redevelopment funds.

2. General Plan Consistency

Adoption of the Draft Housing Element would amend the General Plan to include the updated element. The required findings for approval of the General Plan Amendment, followed by a brief staff response, are as follows:

- A. The proposed amendment ensures and maintains internal consistency with the goals and policies of all elements of the General Plan.

Response: The proposed Housing Element update is consistent with the land use chapter and diagram and all other elements of the General Plan. No new sites were designated for higher density housing as part of this Housing Element update. The General Plan will remain internally consistent.

- B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Response: The proposed amendment will ensure that the Housing Element continues to address important housing issues in Santa Rosa, and that the City's policies address emerging needs such as housing for the developmentally disabled.

- C. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land use developments; and

Response: This finding is not that relevant to the proposed General Plan amendment to update the Housing Element, since the changes apply citywide and the proposed update does not involve change to the General Plan land use diagram.

- D. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Response: An Addendum to General Plan 2035 Environmental Impact Report was prepared.

Based on the above analysis, staff concluded that the findings can be made to approve the General Plan amendment.

3. Public Participation

As highlighted in the Public Participation section above, public outreach for the housing element update was comprehensive and resulted in public input about housing issues in Santa Rosa and about existing and new housing policies. All of the organizations and individuals identified in the Draft Housing Element were notified when the draft was released, and written comments were received from Sonoma County Housing Advocacy Group, the Greenbelt Alliance, and the North Bay Association of Realtors. Comments were considered and changes were made to the Draft Housing Element in several cases. In other cases, the comments relate to issues that are already addressed in the housing element.

4. Environmental Review

An addendum to the Santa Rosa General Plan 2035 Environmental Impact Report (EIR) demonstrates that the analysis contained in the EIR adequately addresses the potential physical impacts associated with implementation of the City's Housing Element update and that none of the conditions described in California Environmental Quality Act (CEQA) Guidelines Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The General Plan includes land uses for residential development and the EIR analyzed the potential footprint effects of the development of those units and the demand for services and utilities that the additional population would generate. The EIR analyzed effects related to the location and intensity of the development of approximately 23,770 housing units in the urban growth boundary, which would increase the city's housing supply to a total of 94,840 housing units at build out. The proposed Housing Element update states that there is enough vacant land within the city limits to accommodate new housing units at all affordability levels. Therefore, the housing assumptions in the Housing Element would not exceed the assumptions for residential development in the General Plan EIR and no changes to the EIR would be required.

5. State Certification

The Housing Element is the only element of the General Plan that is required to undergo review and certification from the State of California. Review by State HCD commenced on March 5, 2014. During March and April 2014, Community Development staff had numerous conversations with State HCD about the Draft Housing Element and issues raised during the update process by community members. Based on these meetings, staff developed a list of changes to the Draft Housing Element (Attachment 2).

On May 1, 2014, State HCD provided a letter acknowledging that the Draft Housing Element has been found adequate and in compliance with State law with the changes identified in Attachment 2 incorporated into the final draft. Should the Council adopt the Draft Housing Element as amended by Attachment 2, it would be expected that the Housing Element would be certified within 90 days.

6. Planning Commission Action

On June 12, 2014, the Planning Commission held a public hearing regarding the proposed General Plan Amendment to update the Housing Element. Staff made a presentation, including highlighting two additional minor corrections to the Housing Element including acknowledging that the Social Advocates for Youth housing project is approved on page 4-24 and indicating that Policy H-B-4 is recommended for deletion on page 4-152. Also, staff provided the Planning Commission with a copy of a letter from the North Bay Association of Realtors received June 11, 2014.

Two speakers addressed the Planning Commission, including a representative of the North Bay Association of Realtors and an architect and city resident. The North Bay Association of Realtors was generally supportive of the Housing Element update and expressed support for two of the policies and concern about how other policies would be implemented. Staff explained to the Planning Commission that policies pertaining to energy efficiency were already part of the City's current Housing Element and that details of future programs will be determined at a later time when the programs are developed with additional public input. The Planning Commission discussed the item and adopted a resolution (7-0) recommending that the City Council approve the General Plan Amendment.

RECOMMENDATION

It is recommended by the Department of Community Development that the Council, by resolution, approve the General Plan Amendment to update the Housing Element.

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Attachments:

- Attachment 1 – Draft Housing Element
- Attachment 2 – List of Recommended Changes to the Draft Housing Element
- Attachment 3 – Addendum to Santa Rosa General Plan 2035
- Attachment 4 – Agency Correspondence
- Attachment 5 – Public Correspondence
- Attachment 6 – Planning Commission Minutes June 12, 2014
- Attachment 7 – Planning Commission Resolution 11674
- Attachment 8 - Correspondence