DRAFT
HOUSING ELEMENT TASK FORCE MINUTES
October 25, 2011
5:30 p.m.
City Council Chambers
City Hall at 420 Litho Street

1. **CALL TO ORDER** – *5:40 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)
Vice-Chair Joan Cox (Planning Commission Rep)
Vacant (City Council Rep)
Steve Flahive (City Resident)*
Chris Visher (City Resident)*
** absent*

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

3. **APPROVAL OF MINUTES** – October 8, 2011 and October 10, 2011
Vice-Chair Cox made the following amendments to the October 8, 2011 minutes:
a) For Item 3, add that the Task Force visited the nine candidate sites "in accordance with a previously published timetable".
b) Change the last sentence of Item 3 to "Members of the public were encouraged to submit comments both verbal and written at the October 10, 2011 Task Force meeting."
c) Add to Item 4 that the tour was adjourned at 12.45 pm.

Member Cleveland-Knowles made the correction that the set of comments under her name on the V-5: Butte St site for the October 10, 2011 minutes were comments made by Vice-Chair Cox instead.

Member Withy motioned to approve minutes with corrections made, Member Cleveland-Knowles seconded. Motion passed 6-0.

4. **HOUSING UNIT POTENTIAL FOR 1999-2014 HOUSING ELEMENT PLANNING PERIOD**

Glossary:
HCD: California Department of Housing and Community Development
RHNA: Regional Housing Needs Allocation:
ADU: Accessory Dwelling Unit
ABAG: Association of Bay Area Governments
Task Force: Housing Element Task Force

Consultant Geoff Bradley gave a presentation on the preliminary housing unit potential analyzed by M-Group for the 1999-2014 Housing Element planning period.

The highlights of the presentation included the following:

- **Introduction:**
  Consultant Bradley explained that the State has mandated a balanced approach to look at the provision of housing within the community. As this was a strong theme, he stated that it was important to examine this topic from the residents' viewpoint before considering State requirements.

  M-Group has looked at **five** major categories to solve the puzzle:

Item 3
(11 Pages)

- **Approved/Built Units**;
- **Liveaboards** (This is a customized approach to Sausalito, only two other communities in California have used this approach. It is a legitimate approach and reflects the nature of community.);
- **Accessory Dwelling Units** (This includes new and existing. It has received a lot of attention, as historically they were not allowed. This is an opportunity to evaluate and make it a component of the plan.); and
- **Commercial Zone capacity and Residential Capacity** (This would be considered in detail).

- **M-Group's Approach:**
  M-Group built its analysis on data that had already been collected in the community, and existing housing needs analyses that were already completed by City staff.

- **Unique features of Sausalito that would influence the Housing Element:**
  - Sausalito has the highest percentage of single person households in Marin County (47% of households in Sausalito are of a single person, 30% average in Marin County). California's percentage (24%) is roughly equivalent to that of the nation.
  - With nearly half of the households City with only single person, the strategies concerning liveaboards and ADUs make sense as a foundational strategy to housing half the population. Such a trend may increase over time.
  - Sausalito has more renters (52%) than owners (48%).
  - Sausalito is the only city in Marin County with persons per household of less than 2 (1.95).
  - Nearly 30% of Sausalito residents have special needs (i.e. Farmworkers and persons with disabilities).
  - Ten homeless persons were documented in 2009.

- **Constraints:**
  Sausalito has limited vacant land. Many parcels are small with steep slopes. There are also areas of fill, narrow streets, aging infrastructure, and potentially historic buildings, which are factors that influence development. Lastly, there is abundant vegetation and wildlife.

- **Opportunities:**
  - The City has a high number of marinas for its size, making liveaboards a sustainable form of housing. The marinas and harbors have a strong sense of place that residents wish to protect.
  - The existing zoning of the City allows for compact infill development, which is also being encouraged statewide and region-wide.
  - Regarding Accessory Dwelling Units, M-Group distributed a revised memo to accurately indicate ADU numbers as approved by the Task Force at their August 22, 2011 meeting.

- **Residential and Commercial Infill Sites:**
  M-Group evaluated all sites that were listed as vacant and underutilized in the City's previous Housing sites analysis and approved by the Task Force in April 2011. Consultant Bradley stated that although this exercise does generate a list of parcels, he emphasized that **this is a planning tool to look at what the City already allows in existing zoning districts, meaning these are units that are already planned for**, and use this as part of the basis for planning housing for the community. This analysis may uncover some potential for development that was not originally obvious.

  Consultant Bradley stated that he anticipated questions on how and why these particular sites were picked. He stated that M-Group treated the sites from an analytical standpoint and used objective and stringent criteria to narrow the City's list of sites, as

the sites that are picked to count toward the housing unit potential should have realistic potential for housing development. He listed the screening criteria used, which included eliminating parcels with slopes over 40% (for multi-family and commercial sites), parcels with existing buildings built after 1980, parcels on the City's list of Noteworthy Structures, parcels on the City's list of approved/constructed projects from 1999 - 2011, and parcels that are landlocked or have poor access. For multi-family development potential in R-2 and R-3 zones, the parcel must be able to yield 2 or more additional units to be considered feasible.

- **The concept of Default Density:**
  Consultant Bradley stated that "default density" is a relatively new feature of State law. The default density for Sausalito is ≥20 dwelling units per acre (du/ac) for very low and low income housing, and ≥12 du/ac for moderate income housing. This means that if there were 8 units on a 12,000 square foot lot, the density would be 29 du/ac, which allows units to be counted as very low and low income housing.

- **Preliminary housing unit potential numbers:**
  Consultant Bradley emphasized that the numbers were in draft form as more on-the-ground checking was still required. At the moment, M-Group's analysis yielded 523 units across various strategies:
  - 10% Approved/Built Units (54 units);
  - 18% ADUs (92 units);
  - 22% Liveaboards (114 units);
  - 24% Residential (137 units, already planned for within existing zoning),
  - 26% Commercial (126 units, already planned for within existing zoning).

  Consultant Bradley stated that the strategies would claim credit for approved and built units since 1999, count any new ADUs that would be created by 2014, and use an amnesty program for people to legalize existing ADUs, therefore allowing the City to claim credit for those ADUs. M-Group also used the Liveaboards strategy as recommended by the Task Force, but more research still needs to be done to confirm actual affordability.

- **Reasons for a buffer for the Housing Unit Potential**
  Consultant Bradley stated that while the current estimate of 523 units means a 41% buffer, the goal is not to reach such a high buffer. Although the buffer is high, there is room for refining the numbers, and the buffer does not penalize the City. M-Group recommends a 15 – 20% buffer for submission to HCD. While some may feel that obtaining 372 units (as required by the RHNA) is already difficult, and a buffer increases that difficulty, however **having no buffer could cause the approval from HCD to be conditional on meeting the exact planned numbers**.

  When a Housing Element is certified, the State does not track the actual unit production. The State only requires a jurisdiction to demonstrate that there is sufficient capacity within existing zoning to attain these numbers.

  Consultant Bradley clarified that if the Housing Element is certified and some of the sites identified are not built or approved by the next planning cycle, Sausalito is not penalized and can count these units again to meet the next RHNA.

  Consultant Bradley also stated that if this Housing Element was approved, Sausalito would see only a single allocation of housing units given to the City and not double.

- **Update on list of potential rezone sites:**
  Consultant Bradley reiterated that Sites U1: Valhalla, V1: Sausalito Boulevard and V6: Ebbtide Avenue were removed from further consideration by the Task Force.

M-Group requested a motion from the Task Force to authorize M-Group to move ahead to

refine the sites analysis, arrive at a final number for the housing unit potential that provides a buffer but would not be uncomfortable for the City to approve.

Questions from the Task Force:

- Vice-Chair Cox stated that Page 3 of Item 4a showed that the totals for moderate and above moderate income levels are currently under the numbers requested by HCD. She wanted to clarify that this is acceptable as long as the City meets or exceeds the total RHNA numbers, and that the proposed planned units can also be higher on the very low and low income levels. Consultant Bradley confirmed that it is acceptable to transfer any additional lower income units to the units for higher income levels, but it would not be possible to do it the other way round.

- Vice-Chair Cox also stated that HCD reviewer Melinda Coy had asked for the housing unit potential numbers to be broken down into each cycle, and asked if M-Group had completed that yet. Consultant Bradley responded that the break down has yet to be finalized. As the discussion at this meeting is at a higher level, M-Group is presenting the total numbers to simplify the discussion. He stated that he had checked with Housing Consultant Karen Warner and that he was confident there would be sufficient housing unit potential numbers to cover both cycles.

Public Comments:

- Veronique Stamets, resident, stated that she lived behind the Butte Street site that was being considered for rezoning. She stated that if between 58 and 87 units were to be built on the site, it would be in her backyard. She stated that while she respects that people want to have affordable places to live, she cared about her privacy, and views into bedroom areas would be unacceptable. She stated that this was outrageous and ridiculous, especially with the amount of investment she had made on her property. She also stated that parking would be very difficult on Butte street for the property.

  Chair Bair confirmed that no rezoning is proposed from current zoning and asked the consultant to confirm if the site is being considered going forward. Consultant Bradley indicated under current zoning the site has max unit potential of 17 units, and that would be under the current analysis.

- Joel Paul, 77 Lincoln Drive, stated that he had been a member of the Task Force until April 2011. As indicated in his presentation to the City Council, the City is able to exceed the target number of State-mandated units with ADUs alone, and there is no need for additional strategies. The numbers he presented at that time was 644 ADUs, and the current number of units proposed in the Menu of Options is 492, which is larger than the target figure of 372 units. He also questioned some assumptions in the Menu of Options, including the assumption that only a quarter of the people who expressed a desire to add or legalize ADUs would be counted to do so within the planning time frame, and only one-eighth of the ADU units that people wanted to add would be added in the planning time frame. He anticipates the counter-argument that ADUs are not sufficient to meet state mandates. He stated that the City should need to do nothing more than to meet the ADU numbers as that already meets the state mandate.

- Vicky Nichols, resident, stated that it would seem reasonable that if all the housing unit potential requirements were met by ADUs, there would be resulting parking issues, which would likely not be supported by many residents. She stated that the site at 1751-1757 Bridgeway/160 Filbert already had an approved plan, and asked if it was still being considered. She also observed a note on "special needs groups and farmworkers" in the Powerpoint presentation, and stated that she was unaware of any farmworkers in Sausalito. However, she said that the town has an aged community and asked if that was the intent of the description.

Consultant Bradley stated that he would need to check on the Bridgeway site with his database, and stated that the demographics were obtained from the housing needs analysis previously written by City staff, and that document drew its information from 2000 Census data. He stated that the analysis estimated approximately 400 to 500 farmworkers, with the majority in the older age group.

- Burt Drobnis, resident, asked if M-Group had a response to Mr. Paul's comment whether the State would allow the City to use only ADU numbers to fulfill its RHNA. He stated that at the last meeting, he brought up the possibility that ABAG could legally be considered a private corporation rather than a State agency, and may not have power to require the City to respond to the RHNA, as required by California State Constitution Article 11. He asked if anyone had a response to his former comment.

  Chair Bair stated that a written response had been given. Mr. Drobnis stated that a written response was given with regards to Article 34, which requires a public vote. Consultant Bradley stated that M-Group is of the opinion that a strategy with a 100% reliance on ADUs will not be successful in obtaining certification of the Housing Element, otherwise M-Group would not hesitate to recommend that. He also stated that ABAG is a legitimate government agency consisting of representatives from cities and counties within the Bay Area, and operates within the confines of State law.

  Chair Bair asked Consultant Bradley if he was aware of any agencies that are challenging the legitimacy of ABAG. Consultant Bradley responded that he was not aware of any.

- C.J. Spady, 29 Marin Ave, stated that the audience was interested in finding out why Woodside and Belvedere were able to certify their Housing Elements with just ADUs, but Sausalito could not.

  Consultant Bradley stated that M-Group completed Housing Elements for both Woodside and Belvedere. Those jurisdictions had a heavy reliance on ADUs, but also had very low RHNA numbers. Belvedere's RHNA was 17. M-Group used a combination of vacant sites and a zone change of one parcel to reach the default density, and met the balance with ADUs. He stated that even though the relative numbers were very small, it was still a combined approach. As for the Town of Woodside, the town is geographically very spread out with large parcels, and their RHNA was 41 units. Even so, the solution was not completely based on ADUs.

  Ms. Spady observed that there are 372 units that Sausalito needs to accommodate. She asked Consultant Bradley to explain what the next cycle would look like, assuming that the Housing Element was on track towards certification, Sausalito hypothetically develops 72 units within this planning cycle, leaving 300 planned units undeveloped, and the City needs to accommodate another 100 units for the next cycle.

  Consultant Bradley stated that the primary advantage of having a certified Housing Element is that the City would not be penalized for not producing the planned housing units. If the Housing Element is not certified, the City would then have to demonstrate that it could plan for it, which is why the City was required to plan for RHNA numbers from two cycles. If the Housing Element received certification, it would not matter how many units that the City does not build in that cycle. The City would receive a new allocation for the next cycle, and would only need to respond to that new allocation.

  Member Kelly stated that he was the ABAG liaison and so far the preliminary allocation for Sausalito for the next housing planning cycle (2015-2022) is 90 units.

  Consultant Bradley stated that Sausalito would be able to carry forward to the next cycle any housing units that were counted this time round but not developed.

Ms. Spady asked to confirm that if Sausalito did not certify the Housing Element this round, Sausalito would have 372 plus 90 units to plan for the next round.

Consultant Bradley confirmed that her understanding was correct.

- Walt Freedman, 20 Marin Ave, stated that he understood Belvedere had 17 units allocated to them, while Woodside had 41 units allocated for this planning cycle. He asked how Sausalito ended up with so many units, and if residents could get some information on how it happened.

  Consultant Bradley stated that the formula ABAG uses to calculate housing is made up of the following: 45% of the RHNA is made up of household growth (or an increase in the number of households), existing employment in the community is 22.5%, and employment growth contributes 22.5%. Household growth near transit makes up 5%, and employment growth near transit makes up the last 5%. He stated that those were the five factors used to distribute the housing in the region.

  Vice-Chair Cox stated in response to Mr. Freedman that the RHNA is so high for Sausalito currently because the City did not get its Housing Element certified two cycles ago. If Sausalito had received certification, it would not have to identify 372 housing units now, and could have used undeveloped sites identified in previous cycles to meet the current (2007-2014) requirement for 165. So 207 units (from planning cycle 1999-2006) and 165 units (planning cycle 2007-2014) are combined. Therefore, she reiterated the importance that the City gets its Housing Element approved this time, such that if there are undeveloped identified sites, those could still be counted towards the next cycle. She also stated that this was the reason why the Task Force was working hard to identify on paper a potential for development. Lastly, she emphasized that this did not mean that all the identified sites will be developed; the City is simply required to identify that there is potential for development. She stated that M-Group has helped the Task Force to identify a balanced approach for certification.

- Mary Arnold, 183 Buchanan Dr, stated that she had lived in Sausalito for 24 years. She stated that she wanted to understand better the factors used for removing sites from consideration, in particular "poor access" and "landlocked" sites. She asked what "poor access" would look like, and how that would apply to the Butte Street site. She asked when the RHNA was developed, and whether it was still relevant given the current economic climate. She asked if there was any potential for the state to give Sausalito "amnesty" for not getting the Housing Element from the former cycle approved? Lastly, assuming the identified sites are approved, would there be a disclosure requirement if owners of properties adjacent or contiguous to those sites wished to sell?

  Member Stoddard stated that based on her experience as a real estate agent, there is a disclosure required. Vice-Chair Cox counter-stated that because no rezoning is being recommended for those sites by M-Group, if the Housing Element follows the recommendation, there would be no need for disclosure.

  Consultant Bradley stated that he believed both statements are correct. He emphasized that the process relies on using default density to demonstrate that these sites could be affordable from a planning perspective, but it does not mean that they have to be developed as affordable housing. Hence, he stated that both answers are right. He also stated that nothing from the City's existing zoning precludes a developer from coming forward with an affordable housing project. The ability to build an affordable housing project is within the City's existing zoning regulations.

  Consultant Bradley then clarified that "poor access" was used to refer to certain sites where accessibility would only be achieved over a boardwalk, and the walkway would actually be under water. Hence, even if the parcel could theoretically yield more housing units, they were removed from consideration.

With regards to economic factors, Consultant Bradley stated that unfortunately the system of allocating housing comes from Sacramento (State level) to ABAG (regional level) to the cities (local level), and is divorced from the market. The State's argument is that the State historically underdevelops housing, and State laws is purely concerned about developing housing, regardless of whether the housing market is up or down.

Consultant Bradley also stated that if Sausalito wished to get "amnesty" from the State for not certifying the previous Housing Element, it would require a cooperative effort between the HCD reviewer and the City to get that approach to work. The HCD reviewer assigned to Sausalito had stated that in her experience, 99% of cities seeking to have their Housing Elements certified would get them certified, as the State would work with and cooperate with such cities.

- Allison Kilmer, resident, stated that she lived next to the Woodward site, and stated that there seemed to be a large buffer, and asked if any additional considerations had been made to preserve the site as open spaces so that open spaces and wildlife would not have to suffer.

  Consultant Bradley stated that M-Group was only looking at residential and commercial sites that allow residential development, and did not look at any sites that are zoned Open Space, Public facilities, and so on, that would require rezoning. He stated that the Woodward site is zoned R-2-2.5, even though it currently functions as open space, and would support 9 units under that zoning.

  A member of the audience commented that the parcel was in a right-of-way. Another member of the audience asked when the parcel was rezoned. Consultant Bradley confirmed that the parcel does not have an Assessor's Parcel number, is in a right-of-way, however it does have zoning.

  Vice-Chair Cox stated that more analysis is required from staff, which has not been completed yet and therefore not yet incorporated in M-Group's analysis.

- Jim McCole, a resident and a retired doctor, stated that he had a house on Lincoln Drive. He asked what percentage of the state had a certified Housing Element and what the sanctions were for jurisdictions without a certified Housing Element.

  Consultant Bradley stated that he did not have a statewide percentage memorized, but he has a document from HCD that could be made available after the meeting, which including the number of jurisdictions in compliance, out of compliance, and under review, with regional breakdowns. He stated that his best guess from memory was that most cities in the Bay Area had a certified Housing Element.

  Consultant Bradley also stated that M-Group had recently discussed sanctions with representatives from Think Sausalito. There are 3 categories of actions that the Attorney General could bring against a City. Private and interest groups could sue jurisdictions. Cities usually lose such cases, are required to pay the other party's attorney fees, and must correct perceived deficiencies in their housing plan. A City could also be under court order to rezone particular sites. Consultant Bradley stated that this had happened before, but is a rare situation. The court would take away all jurisdiction from the City to issue any building permits, as building permits are a function of the City's police power, based on its General Plan. Member Kelly added that this situation happened in the Town of Corte Madera.

- Jim Allsopp, 10 Woodward Ave, stated that if the City developed all 523 in this cycle, it would have to start at zero again. He felt that even a 20% buffer seemed to put 20% of the town in danger.

Consultant Bradley replied that theoretically, if the City were to build every unit specified within the Housing Element, there would be no rollover credits. The City would start with a new allocation. He stated that this is extremely rare, and also the pattern of development in Sausalito over the last ten years only resulted in 54 units of housing. He stated that it would require a change in scale that is unprecedented in Sausalito for 523 units to all come to fruition before 2014. He agreed that the 41% buffer was far bigger than it needed to be, but would recommend a buffer of 15% - 20% as a healthy margin.

Chair Bair responded that even with the Housing Element in place, it did not mean that the City was giving up any rights to development control. A developer would still have to apply for a Building Permit.

- Jeff Corm, Spencer Ave, spoke in response to a former comment about amnesty and the calculation of the RHNA formula. He observed that Consultant Bradley had mentioned five criteria. He stated that employment is affected by tourism, and felt that there could be possible exclusion or exception or amnesty issue for Sausalito as the City only has many employees because of tourism. He asked if that would be a possibility.

  Consultant Bradley responded that there is a fairly narrow ability for a jurisdiction to appeal its own RHNA during the draft Housing Element stage, which would be the period of time for such an issue to be brought before ABAG. He also stated that this analysis does not look into tourism.

  Mr. Corm also stated in response to a former comment about property disclosure that he would certainly disclose that he would make such a disclosure as an ethical matter.

- Elaine Kolowich, 266 Woodward Ave, made a formal request for information on the Woodward site. She stated that she lives next to the Woodward property, and had been trying to obtain information from the City over the last 2 weeks, but was unable to get help. She stated that she understood some residents met with M-Group last Thursday. She believed that the Woodward site was zoned OS with the Marina Vista development, and wished to see any old minutes or records rezoning that property.

  Chair Bair confirmed that staff would be looking at more information where available.

- Philip Snead, 172 Spencer Ave, stated that economic factors, such as population growth and jobs, used in the RHNA calculation seemed to require tailoring for each jurisdiction.

  Consultant Bradley stated that the economic factors, in particular household growth, related to how well the economy is doing, how many people were moving in to an area, or natural increases in the population. (Natural increases could include children growing up, moving out, and starting their new families). All these could happen independently due to a booming economy or net migration into the area. He stated that he has found it unproductive to fight the number from a city level, even with full political and staffing support and engagement.

  Member Kelly added that in the coming planning cycle, the County of Marin has debated with ABAG regarding how to classify Marin County. Currently, Marin County is classified as a "metropolitan area", which is the same classification as San Francisco, and hence Sausalito has a higher allocation than if it was considered "suburban".

  Chair Bair asked for clarification from Member Kelly. Consultant Bradley stated Chair Bair was looking at the issue from a micro level and Member Kelly was looking at it from a macro level. Member Kelly reiterated that if Sausalito was classified as a "suburban area", its allocation would drop. He stated that this classification is not finalized for the next planning cycle.

Consultant Bradley responded that even though Sausalito was considered to be in a metropolitan area, if the community's population is less than 25,000 (which applies to Sausalito), the default density goes down to 20 dwelling units per acre (du/ac). The City of Novato, for example, is in the same county, but because is much larger, it has to meet a 30 du/ac threshold for a similar housing analysis.

Mr. Snead said he asked before if the town could qualify for historic stature. Consultant Bradley stated that he had not looked into it.

Chair Bair asked Consultant Bradley if there were any provisions that would allow the town to be designated historic, in order to reduce RHNA numbers. Consultant Bradley responded that there were none.

Mr. Snead also stated that around 2-3 million tourists visit Sausalito every year, and asked if they are considered in the calculations for the housing analysis. Consultant Bradley replied that the tourists are not considered in the calculations.

- Ron Albert, resident, stated that M-Group had mentioned the possible conditional approval of the Housing Element. He wanted to know what the conditions would look like, and what would happen if the City did not meet them. He also stated that he heard many times that there would be no changes in zoning, but thought that accepting ADUs would be a change in zoning. He asked if any of the units would be exempted from or subjected to current parking requirements.

  Consultant Bradley stated that M-Group has done 10 Housing Elements. He stated that this is the first Housing Element he has worked on in Marin County penalized with a double RHNA. All the Housing Elements he has worked on to date have obtained "normal approvals". Housing Consultant Karen Warner, however, has worked on over 100 Housing Elements throughout the State. From his conversations with Consultant Warner and the HCD reviewer Melinda Coy, when a City combines two planning cycles, the approval of its Housing Element would be contingent upon the fulfillment of any action steps described in the Element (for example, the City will rezone certain sites within a year of the adoption of the Housing Element).

  Community Development Director Jeremy Graves stated that HCD for their own reasons could issue a conditional approval of the Housing Element. It is not triggered solely because a Housing Element covers two cycles. For example, if Sausalito's Housing Element proposes to amend its zoning regulations to allow ADUs but does not identify a timeframe for the amendment, then HCD could conditionally approve the Housing Element with a requirement for the ADU amendment to occur within a certain timeframe. He also clarified the talk of "no rezoning" refers to not considering zoning map changes. Changes in the zoning regulations, such as allowing ADUs, will be needed.

  Vice-Chair Cox stated that parking has already been absorbed in some manner for existing ADUs. Hence, the amnesty program to be put together would not have the same parking requirements as the new ADUs to be built, which would make the demonstration of its effectiveness to HCD more difficult.

  Member Cleveland-Knowles added that the Task Force has adopted a moderate approach for new ADUs, including parking exceptions under certain circumstances, such as proximity to transit. While the Task Force has looked at the ordinance language, the assumptions still include some exceptions to parking in order to achieve the number of units proposed under that approach.

- Joel Paul, resident, stated that 80% of towns and cities in the State of California are not in compliance with their Housing Elements. In Marin County, as of last year, half the

cities and towns were not in compliance. He stated that he had not received an answer for why we can't do 492 ADUs. He said the premise underlying your approach is that you have to give them more to show "in good faith", felt that there was no need to enter into negotiation with more than what is "in good faith", meaning there was no need to give more than what the City is asked to give.

Chair Bair stated that he would close the public comment for the evening. Vice-Chair Cox reminded the audience that there would be a public workshop on December 3, 2011.

Vice-Chair Cox moved to encourage M-Group to pursue the strategy as outlined in the staff report (Item 4a). Member Cleveland-Knowles seconded the motion. She stated that while she appreciates comments about the RHNA and methodology, the goal and charge of this Task Force is to meet the requirements of state law and accommodate the 372 units, which is the direction given by the City Council. She wished to commend M-Group for coming up with a balanced approach and recognizing the needs of the community and its characteristics.

Member Cleveland-Knowles also stated to the audience that at previous meetings, many other neighbors had commented that they were not in favor of ADUs and the parking issues that would follow ADUs. She stated that the pyramid graphic presented by the consultants shows that the approach is a broad-based community approach. (The pyramid graphic was part of the presentation by Consultant Bradley and shows the percentage that each strategy contributes to the total number of potential planned housing units.)

The motion passed 6-0.

Member Cleveland-Knowles left the meeting at 7:15 pm.

5. STAFF COMMUNICATIONS

Associate Planner Lilly Schinsing stated that there was an email from a member of the public, Mr. Scott Brauninger, regarding the Sausalito Blvd site. The email had been forwarded to the Task Force under Late Communications, and a hardcopy was distributed to the entire Task Force. She stated that she explained to Mr. Brauninger that the parcel was taken off the list by the Task Force at the last meeting.

Associate Planner Schinsing stated that the next meeting will be in November 21, 2011, and there would be a community workshop on December 3, 2011. For the community workshop, she stated that notices would be sent out the same way for the previous Community Workshops, including flyer inserts in Marin Scope, publishing on the website, email lists and sending out flyers to all the marinas.

Community Development Director Graves stated that there had been discussion about sending postcards to the community, and asked if the Task Force would like to look into that again and work with the Chair to determine its feasibility. Task Force members responded that they would like postcards to be sent out announcing the workshop.

6. TASK FORCE MEMBER COMMUNICATIONS

Vice-Chair Cox stated that she had one communication for Galilee Harbor that was not included in the initial liveaboards analysis, and feels that it could increase the number of liveaboard units for the analysis. She had sent the information to M-Group and would like it to be included in the agenda for the next meeting.

M-Group Consultant Heather Hines stated that M-Group has been in discussion with the San Francisco Bay Conservation and Development Commission (BCDC) to see if Galilee Harbor was discussed in the last Census, and BCDC indicated that it may have been. More research is being done to confirm this.

7. AGENDA TOPICS FOR NEXT MEETING

Vice-Chair Cox stated that she would like to add Galilee to the next agenda. HCD reviewer Coy had said that said the City needs to demonstrate compliance into each cycle, and Vice-Chair Cox asked M-Group to present that at the next meeting.

Member Withy stated that there are still residents who are individually worried about the sites listed for potential rezoning. He stated that it would be helpful if the Task Force could be clear about clearing the list at some point and therefore not requiring them in the strategy at all. He asked Consultant Bradley when the preliminary numbers could be run by the HCD reviewer so that the Task Force could take the remaining sites off the list and not pursue all of them, in order to free up the tension. Consultant Bradley responded that M-Group could confirm this by the next meeting in November.

Member Stoddard asked Consultant Bradley if mentioning the sites in the Housing Element would make it easier for a builder to come in and develop those sites. Consultant Bradley stated that this would not happen, unless the increased awareness of those sites was considered to facilitate development. The process of writing the Housing Element could make those sites more visible. Vice-Chair Cox said those sites would be part of over 50 sites picked out, and were not being singled out for attention.

Consultant Bradley also stated that out of nine sites initially listed for potential rezoning, three had been taken out by Task Force at the last meeting, and three were in another zone, so they were not counted.

Vice-Chair Cox said perhaps the Task Force could make it clear at the next meeting which sites have been moved out from the list of sites considered for rezoning. She also stated that more information would be required from staff regarding the Woodward site, including whether it is dedicated open space.

Member Withy stated that if sites were being moved off the list, it would be important to document the reasons why the Task Force did so, as having the record would prevent having the same problems occur in the next housing planning cycle.

8. ADJOURN

Vice-Chair Cox moved to adjourn the meeting, Chair Bair seconded, motion passed 5-0. The meeting was adjourned at 7.25 pm.

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