



MEMORANDUM

DATE: March 10, 2022
TO: Planning Commission
FROM: Planning Staff *JA KJ*

**SUBJECT: Workshop - 2023-2031 Housing Element Update: Goals, Policies and Programs
And Recap of Sites Selection Workshop**

Tonight's workshop is the fifth in a series leading up to the preparation of the draft update to the Housing Element, which will be presented to the Planning Commission in the Spring of this year. Links to previous workshop materials are provided as attachments. Tonight's workshop will focus on review of the Housing Element's goals and policies. Also provided is a brief follow-up on the discussion of housing sites for rezoning from the January 24th meeting.

Defining Aspirations and Putting Them Into Action: Goals, Policies, and Programs

In the Goals, Policies, and Programs section of the Housing Element, the City distills the analyses of our housing needs, demographics, fair housing considerations, constraints to housing development, and zoning capacity to meet the RHNA into aspirational goals, specific policies, and action programs. These goals, policies, and programs are the City's action plan to ensure that existing housing in Brisbane is properly maintained, preserved, and improved, and that new housing serving all income levels and household backgrounds is developed at the level required by the RHNA within the eight-year Housing Element cycle. (Government Code Sections 65583(b) and 65583(c)).

Consistent with the General Plan as a whole, the goals, policies, and programs of the Housing Element have the following roles:

- Goals: Guiding principles and aspirations; outcomes the City wants to achieve.
- Policies: Specific statements that guide decision-making; a commitment to a particular course of action.
- Programs: Specific actions (projects or services) that implement policies and help achieve the overarching goals.

The 2015-2022 Housing Element contains nine overarching goals, with associated policies, as shown in the lefthand column of the table in Attachment A.

Review of Goals and Policies

Tonight the Commission will consider the goals and policies from the 2015-2022 Housing Element and discuss whether those goals and policies remain appropriate, or if modifications or new goals or policies are warranted. As shown in Attachment A, staff has included some recommended revisions to goals and policies to better align with current State laws and City practice. The recommendations fall into four categories:

- 1) Retain As-is

- 2) Edit - To provide clarity or update status
- 3) Delete – No longer relevant or replaced
- 4) New – To address new State requirements, etc.

Staff will highlight the key recommendations related to the Housing Element goals and policies in our presentation tonight and will invite your discussion and reactions; we do not recommend reviewing each goal and policy in a line-by-line discussion.

Following tonight's review of goals and policies, action programs that implement the goals and policies will be provided in the Draft Housing Element for the Commission's and public review in April. During the January 27th workshop, the Planning Commission reviewed the implementation status of the programs provided in the 2015-2022 Housing Element. Current Housing Element programs are referenced in attachments to the January 27th workshop memo. Also, the 2020 Housing Element Annual Report, which provides annual updates to the City Council and State on implementation of Housing Element action programs, is attached for the Commission's reference.

Recap/Follow-up on RHNA Sites Selection

During the February 24th meeting, the Commission discussed sites selection for meeting the regional housing needs allocation (RHNA) shortfall. Key takeaways of the discussion include:

- The Baylands should be put forward in the draft update to the Housing Element as meeting the RHNA plus the buffer, given its range of 1,800 to 2,200 housing units. This is consistent with the 2018 Measure JJ and the subsequent General Plan amendment.
- The Commission indicated a desire to be able to pivot to additional housing sites as needed, under a worst case of the Baylands Specific Plan not being adopted by the State's deadline to adopt rezoning to accommodate the RHNA shortfall. The Commission expressed interest in sites that are close to Central Brisbane, such as the Parkside extension (Crocker Park) areas that were put forward in Balance Brisbane and potentially expansion beyond those areas, if appropriate.
- The Commission was not in favor of selection of the vacant sites that were put forward through Balance Brisbane.

Staff is reluctant to spend additional time at this juncture evaluating how to accommodate the entire RHNA shortfall on sites other than the Baylands with different densities and/or sites than envisioned in Balance Brisbane or outlined in staff's February 24 memo. First and foremost, Housing Element law requires that the City's program accommodate at least 50 percent of the required lower income RHNA on vacant land. Accordingly, the shortfall cannot be accommodated in Crocker Park areas alone, since these are all developed sites, and would need to include vacant sites. Another significant concern is Brisbane's limited staff capacity and the time and cost required to design, evaluate, and adopt multiple rezoning programs, including environmental review under CEQA; given the tight timelines the City is expected to follow to adopt required rezoning actions, this cannot be underestimated. Another concern is the public sentiment for rezoning all of the shortfall on backup sites, especially given that the Baylands will meet the RHNA requirement. Staff therefore suggests that the Housing Element update progress to the next step of preparation of the draft element with the Baylands identified as the site to meet the

RHNA shortfall and revisiting the topic if and only if the Baylands process does not align with the Housing Element's expectations.

Schedule and Next Steps:

Following tonight's meeting, staff will prepare the draft 2023-2031 Housing Element with the aim of having it published for a 30-day review period starting in mid-April. We would then schedule a public hearing at the Planning Commission in May, in order for the Commission to receive public comment and then provide a recommendation to the City Council for public hearing in June.

Attachments:

- A. Matrix of Housing Element goals and policies with staff recommendations
- B. Workshop Agenda Report, [December 16, 2021](#)
- C. Workshop Agenda Report, [January 27, 2022](#)
- D. Workshop Agenda Report, [February 10, 2022](#)
- E. Workshop Agenda Report, [February 24, 2022](#)
- F. [2020 Housing Element Annual Report](#)

GOALS and POLICIES MATRIX
FOR THE 2023 - 2031 HOUSING ELEMENT UPDATE

22 Existing Goal-Policy-Program (As adopted by CC on 4/2/15)	Retain As-Is	Edit	Delete	New	2023-2031 Goal-Policy-Program (Preliminary Draft)	Notes
Goal H.A Provide housing opportunities for all persons, regardless of age, sex, race, ethnic background, income marital status, disability (including developmental disability), family composition, national origin, or sexual orientation.		X			Goal H.A Provide <u>Affirmatively further fair</u> housing opportunities for all persons, regardless of age, sex, race, ethnic background, income marital status, disability (including developmental disability), family composition, national origin, <u>gender identity</u> or sexual orientation.	
Policy H.A.1 Promote equal housing opportunities.		X			Policy H.A.1 Promote <u>Actively promote and distribute equal-fair</u> housing <u>information and opportunities to all persons residing or working in Brisbane.</u>	
<u>NEW POLICY</u>				X	<u>Policy H.A.2: Protect existing residents from displacement.</u>	
Goal H.B Maintain a diverse population by responding to the housing needs of all individuals and households, especially seniors and those with income constraints or special needs.	X				Goal H.B Maintain a diverse population by responding to the housing needs of all individuals and households, especially seniors and those with income constraints or special needs.	
Policy H.B.1 Require a balance of housing types, sizes (bedrooms), tenure and the inclusion of affordable, senior and special needs dwelling units in multi-family developments.	X				Policy H.B.1 Require a balance of housing types, sizes (bedrooms), tenure and the inclusion of affordable, senior and special needs dwelling units in multi-family developments.	
Policy H.B.2 Retain existing affordable (“at risk”) housing units.		X			Policy H.B.2 Retain <u>Preserve</u> existing affordable (“at risk”) housing units.	
Policy H.B.3 Encourage development of affordable housing specifically designed for seniors and persons with disabilities (including the developmentally disabled) or other special needs.	X				Policy H.B.3 Encourage development of affordable housing specifically designed for seniors and persons with disabilities (including the developmentally disabled) or other special needs.	
Policy H.B.4 Discourage the conversion of existing apartment buildings to condominiums or cooperatives unless it is demonstrated that such conversion would not adversely affect the rental market or that the conversion would provide unique housing opportunities for very-low-, low- and/or moderate-income households, and minimize constraints on construction of new multi-family rental housing.		X			Policy H.B.4 Continue to D discourage the conversion of existing apartment buildings to condominiums or cooperatives unless it is demonstrated that such conversion would not adversely affect the rental market or that the conversion would provide unique housing opportunities for very-low-, low- and/or moderate-income households, and minimize constraints on construction of new multi-family rental housing.	Condominium conversions are included in the BMC 17.30. For minimizing constraints see Goal H.I and Policy H.I.1.

22 Existing Goal-Policy-Program (As adopted by CC on 4/2/15)	Retain As-Is	Edit	Delete	New	2023-2031 Goal-Policy-Program (Preliminary Draft)	Notes
Policy H.B.5 Encourage utilization of the density bonus program to provide housing affordable to extremely-low, very-low- and/or low-income households, including supportive housing for extremely-low income families and larger households.	X				Policy H.B.5 Encourage utilization of the density bonus program to provide housing affordable to extremely-low, very-low- and/or low-income households, including supportive housing for extremely-low income families and larger households.	Draft density bonus ordinance recommended for Council consideration in 2019 by Planning Commission. Staff anticipates Council will review in 2023.
Policy H.B.6 Examine ways in which housing construction costs may be reduced.	X				Policy H.B.6 Examine ways in which housing construction costs may be reduced.	
Policy H.B.7 Seek private and public funding sources for affordable housing construction.	X				Policy H.B.7 Seek private and public funding sources for affordable housing construction.	
Policy H.B.8 Encourage owners of rental housing to participate in the Section 8 rent subsidy program and other rental assistance programs as they become available.		X			Policy H.B.8 Encourage owners of rental housing to participate in the Section 8 <u>Housing Choice Voucher</u> rent subsidy program and other rental assistance programs as they become available.	
Policy H.B.9 Study alternatives to replace the City’s Redevelopment Low and Moderate Income Housing Fund, such as dedicating a portion of the ongoing year-over-year bump to property taxes that will come back to the City from the County equivalent to the 20% tax increment set-aside that had been generated through redevelopment, to provide affordable housing for extremely-low-, very-low-, low- and moderate-income households, including supportive housing for extremely-low income families and larger households, and support affordable housing proposals as opportunities arise and funds become available. Consider potential roles for the City Housing Authority in administering such funds.			X		Policy H.B.9 Study alternatives to replace the City’s Redevelopment Low and Moderate Income Housing Fund, such as dedicating a portion of the ongoing year-over-year bump to property taxes that will come back to the City from the County equivalent to the 20% tax increment set-aside that had been generated through redevelopment, to provide affordable housing for extremely-low-, very-low-, low- and moderate-income households, including supportive housing for extremely-low income families and larger households, and support affordable housing proposals as opportunities arise and funds become available. Consider potential roles for the City Housing Authority in administering such funds.	The ongoing Affordable Housing Strategic Plan is studying how to augment and program the City’s low/moderate income housing fund. Policies will be provided to reflect updated options based on current State law and AHSP direction.
Goal H.C Preserve Brisbane’s residential character by encouraging the maintenance, improvement, and rehabilitation of existing housing.	X				Goal H.C Preserve Brisbane’s residential character by encouraging the maintenance, improvement, and rehabilitation of existing housing.	
Policy H.C.1 Promote rehabilitation of substandard residential structures while maintaining their affordability to very-low-, low- and moderate- income households.		X			Policy H.C.1 Promote rehabilitation of substandard residential structures and while, where feasible while maintaining their affordability to very-low-, low- and moderate-income households.	Ongoing coordination with North County Fire Authority and Building Dept. Note that privately owned structures may not have rent restrictions.

22 Existing Goal-Policy-Program (As adopted by CC on 4/2/15)	Retain As-Is	Edit	Delete	New	2023-2031 Goal-Policy-Program (Preliminary Draft)	Notes
Goal H.D Ensure that new residential development is compatible with existing development and reflects the diversity of the community.	X				Goal H.D Ensure that new residential development is compatible with existing development and reflects the diversity of the community.	
Policy H.D.1 Retain the small town character of existing residential neighborhoods, while allowing for increased housing density appropriate to the multi-family residential districts.	X				Policy H.D.1 Retain the small town character of existing residential neighborhoods, while allowing for increased housing density appropriate to the multi-family residential districts.	
Policy H.D.2 Use zoning as appropriate to establish suitable residential environments while maintaining the long-term viability of surrounding commercial and industrial uses.			X		Policy H.D.2 Use zoning as appropriate to establish suitable residential environments while maintaining the long-term viability of surrounding commercial and industrial uses.	No longer applicable, since residential rezoning will not be in commercial or industrial areas.
<u>NEW POLICY</u>				X	<u>Policy H.D.2 Apply objective design and development standards to new housing development projects.</u>	ODDS project will accomplish this. Council scheduled to consider ordinance in spring 2022.
Goal H.E Encourage compact, in-fill, mixed use and transit oriented development to reduce vehicle miles traveled and greenhouse gas emissions.	X				Goal H.E Encourage compact, in-fill, mixed use and transit-oriented development to reduce vehicle miles traveled and greenhouse gas emissions.	
Policy H.E.1 Encourage housing that supports transit oriented development (TOD) and smart growth to minimize automobile trips, and reduce greenhouse gases.		X			Policy H.E.1 Encourage housing that supports transit oriented development (TOD) and smart growth and <u>incorporate smart growth principles into housing design</u> to minimize automobile trips, and reduce greenhouse gas <u>emissions</u> es.	
Goal H.F Encourage sustainable residential development to conserve resources and improve energy efficiency to reduce housing costs and reduce greenhouse gas emissions.	X				Goal H.F Encourage sustainable residential development to conserve resources and improve energy efficiency to reduce housing costs and reduce greenhouse gas emissions.	
Policy H.F.1 Continue to implement the green building program.		X			Policy H.F.1 Continue to implement <u>Ensure the green building program reflects current best practices and applicable State laws.</u>	
Policy H.F.2 Assist in publicizing energy conservation programs and weatherization services that provide low or no cost energy conservation inspections and assistance		X			Policy H.F.2 Assist in publicizing energy conservation programs and weatherization services that provide low or no cost energy conservation inspections and assistance <u>to homeowners and tenants.</u>	

22 Existing Goal-Policy-Program (As adopted by CC on 4/2/15)	Retain As-Is	Edit	Delete	New	2023-2031 Goal-Policy-Program (Preliminary Draft)	Notes
Policy H.F.3 Publicize water conservation programs and develop local measures to assist very-low-, low- and moderate-income households manage their utility costs	X				Policy H.F.3 Publicize water conservation programs and develop local measures to assist very-low-, low- and moderate-income households manage their utility costs	
Policy H.F.4 Promote sustainable development that addresses affordability through the use of solar sensitive design in new housing development projects	X				Policy H.F.4 Promote sustainable development that addresses affordability through the use of solar sensitive design in new housing development projects	
Goal H.G Encourage housing opportunities that reduce vehicle miles traveled and greenhouse gas emissions.			X		Goal H.G Encourage housing opportunities that reduce vehicle miles traveled and greenhouse gas emissions.	This goal falls within prior Goal H.E.
Policy H.G.1 Participate in regional efforts to reduce greenhouse gas emissions.	X				Policy H.G.1 Participate in regional efforts to reduce greenhouse gas emissions.	Move to Goal H.E. as newly numbered policy.
Goal H.H Ensure that housing development that is not in urbanized areas mitigates the infrastructure cost of development.		X			Goal H.H Ensure that housing development that is not in urbanized areas mitigates the infrastructure cost of development.	Urbanized area has a specific State law definition; revision captures intent. Policies that follow go beyond just infrastructure.
Policy H.H.1 Assure that new development absorbs the cost of mitigating the environmental, social and service impacts it brings to the community	X				Policy H.H.1 Assure that new development absorbs the cost of mitigating the environmental, social and service impacts it brings to the community	
Policy H.H.2 Regulate the development of environmentally sensitive and hazardous lands to assure the mitigation of significant impacts.	X				Policy H.H.2 Regulate the development of environmentally sensitive and hazardous lands to assure the mitigation of significant impacts.	
Goal H.I Avoid unreasonable government constraints to the provision of housing.	X				Goal H.I Avoid unreasonable government constraints to the provision of housing.	
Policy H.I.1 Seek to reduce regulatory constraints on the development of new housing, especially infill housing and housing that adds to the mix of types, size, tenure and affordability.		X			Policy H.I.1 Seek to r Reduce regulatory constraints on the development of new housing, especially infill housing and housing that adds to the mix of types, size, tenure and affordability.	

22 Existing Goal-Policy-Program (As adopted by CC on 4/2/15)	Retain As-Is	Edit	Delete	New	2023-2031 Goal-Policy-Program (Preliminary Draft)	Notes
Policy H.I.2 Identify and seek to remove unnecessary constraints on the provision of housing resulting from the authority of County, Regional, State and Federal agencies.	X				Policy H.I.2 Identify and seek <u>actively promote the removal of</u> unnecessary constraints on the provision of housing resulting from the authority of County, Regional, State and Federal agencies.	
Policy H.I.3 Work with County, Regional, State and Federal agencies to mitigate social equity issues that result in low incomes, another important dimension to the housing affordability problem.			X		Policy H.I.3—Work with County, Regional, State and Federal agencies to mitigate social equity issues that result in low incomes, another important dimension to the housing affordability problem.	This policy had no programs tied to it and is outside of the scope of the Housing Element.