

MINUTES
PLANNING COMMISSION SPECIAL MEETING/WORKSHOP
CITY COUNCIL CHAMBERS
1 CIVIC CENTER DRIVE
SAN MARCOS, CALIFORNIA
THURSDAY, FEBRUARY 21, 2013 - 6:30 PM

CALL TO ORDER

At 6:31 p.m. Chairman Nelson called the special meeting/workshop to order.

ROLL CALL

PRESENT: COMMISSIONERS: FLODINE, JONES, MAAS, MINNERY, NELSON,
NORRIS, SCHAIBLE, KILDOO

ABSENT: CHINN

Also present were: Planning Division Director, Jerry Backoff; Principal Planner, Karen Brindley; Deputy City Attorney, Jim Lough; Office Specialist III, Lisa Kiss

In Audience: Deputy City Engineer, Maryam Babaki; Housing Programs Manager, Harry Williams; Housing Programs Specialist, Beth Nielsen

Backoff: Introduced Project Manager for the City: Karen Brindley; City Consultants: Veronica Tam of Veronica Tam Associates, Project Manager for the Consultant's Team, and Diana Gonzalez with MIG (formerly Hogle-Ireland). Invited public and Commissioners to speak and/or ask questions.

PUBLIC WORKSHOP

**1. City of San Marcos – Study Session
Review the 2013-2021 Draft Housing Element Update**

Presentation (Veronica Tam):

PowerPoint presentation shown. The Housing Element is one of seven state-required elements of the General Plan. It requires the review and certification by CA Dept. of Housing & Community Development. The review is extremely stringent and meticulous. It identifies the existing and future local housing needs in the community for 2013-2021. It identifies constraints to housing development and plans for provision of housing based on the Regional Housing Needs Assessment (RHNA). The housing market is very volatile. Periodic updates are required by state law. There's a statutory deadline and it must be adopted by 4/27/13. If later than 120 days, there is a penalty. Staff is working on a tight timeframe. Certification by the state means it complies with state law. If it doesn't comply, it would convert to a 4-year element and need to be updated in another 4 years. Discussed changes in state law since last update: 1. Housing for persons with developmental disabilities, 2. Rezoning & update schedule, 3. Emergency shelters, transitional and supportive housing (completed), 4. Existing and projected extremely low-

income need, 5. Anti NIMBY and no net loss requirement. Discussed Housing Element content: 1. Needs assessment, 2. Demographic & housing trends, 3. Special needs groups; by law they are: the elderly, disabled, homeless, farm workers, large households (5 or more), single-parent, military and others deemed appropriate for your community (students, if near a college). Discussed constraints: Governmental, Market & Environmental. City does have control over local policies & regulations that it enacts. If those are constraining to housing development, then you're obligated to mitigate to the extent feasible and legally possible. Discussed Resources: Financial & Administrative and Adequate Sites. Housing Plan: Previous Accomplishments, Policies & Programs. State will have 60 days to review and provide comments. City will address comments, and then move on to City Council adoption. Discussed RHNA: City's RHNA is 4,183 units and backdates to 1/1/10, or 2.6% of overall SANDAG region. It's divided into income categories: Very Low is 50% of area medium income, Low is 80%, Moderate is 120%, Above Moderate is beyond 120%. City is responsible to help the region in addressing the needs and share in regional housing needs allocation, not just those generated within San Marcos. RHNA is only a planning goal, not a production goal. There is no obligation for City to build the units. If the market makes it not possible, you don't have to build the units. The only obligation is to make sure your land use policies and zoning provide the capacity for 4,183 units. Discussed AB 2348, "Default Density," 30 du/ac., and how to meet the RHNA. City has credits for approved/built units since 1/1/10. Also looked at proposed development and vacant land in & out of SP areas. City is able to demonstrate that they've already completed quite a bit of construction, have available vacant land and mixed-use sites. Combined, this is more than adequate sites to meet RHNA without changing existing land use policies & land use regulations. (Map shown). Discussed loss of RDA funding, reduced state/federal funding, market conditions. Discussed Goals & Policies (5 categories), and Programs (six categories). Discussed next steps & timeline: Incorporate community and Commission feedback into the Draft Plan. Submit Draft to HCD for 60-day review. Address HCD comments with goal of obtaining substantial compliance, Environmental review (CEQA), Submit revised draft to HCD for certification, then hearings in May or June for City Adoption by 8/27/13. Without state certification compliance status, you're not eligible for state funds.

Backoff: Introduced Housing Programs Manager, Harry Williams and Housing Programs Specialist, Beth Nielsen (in audience). They've assisted with the update and can answer questions regarding programs.

OPEN PUBLIC DISCUSSION

Michael Hunsaker: Indicated he was concerned about preserving quality of life for existing residents. We're talking about high density developments, particularly in the Creekside Area. There's a lot of residential and commercial property around and they depend upon adequate parking. There is discussion in the draft of allowances for reduction of parking. The requirement in Ordinance is probably minimal or sketchy. Spillover parking creates chaos, like what has happened during the construction of San Marcos High. High density and reduced parking will create problems. Concerned the draft doesn't include specification for the reduction values. Any developer or contractor will minimize expenses to make money. Prop R says you have to pay for your infrastructure and parking is one of them. If there's any reduction in parking requirements for any structure, you should make sure there's a one-for-one cost relationship between the costs of the space that is lost in order to build space elsewhere.

City had a consultant look at requirements and they said two spaces per apartment period. City's ordinances allow for reductions. If anyone has been to the Traffic Safety Commission meetings, you've heard about apartment buildings parking issues and vehicles spilling over into neighboring areas. Need to eliminate or minimize in lieu parking requirements in high density area's near residential. Builders should pay for true costs. Consultant figured it costs \$20,000 per space. Maybe 20 years ago. That's not true now. Continued to discuss parking, bonds and costs. The cost of parking is expensive for developers but it should not be a cost to the community and tax payers of the City. Also concerned about too many administrative permits, particularly for agriculture and mass developments. Over 35 beds for agricultural use are excessive. Thought minor amount of space should be DP but it's the other way around.

Lisa Mintzkavus, resident & Vistancia HOA board: Want to address parking and concentration of affordable housing. Indicated they have a graffiti problem, trash accumulating in bio area and have had other damage to their property including two break-ins. Expressed concern about Fitzpatrick townhomes project. Residents near her have drawn a correlation between affordable units and problems in their area. Asked how residents can protect their homes and keep values high, when there are affordable units with crime and parking issues nearby?

Nelson: City doesn't try to concentrate affordable projects in specific areas.

Backoff: City tries to distribute affordable housing throughout every community, not just Richmar. Even San Elijo has affordable units. Several years ago in Richmar there were market-rate housing that didn't care about their properties. More recently, the area has transformed and improved. It's being redone by new non-profit developers who manage the properties. The new affordable is different. They've removed undesirables and multiple families living in one unit. They have a regulatory housing agreement with the City and an obligation to protect the project. Their financed through tax credits, which offer more protection. The new residents are being regulated and it's the best protection the City has. The City is rebuilding what has already been there and putting restrictions on it.

Flodine: Commented that he was also concerned about concentration of affordable housing. It has a long stigma of having negativities. Separation is important. Policy 5.4 provides for that. As they build projects, need to be mindful of this policy.

Mintzkavus: Asked about status of Fitzpatrick project?

Backoff: It's an approved multi-family project and could be built as approved. It was market rate but never built due to the economy. City has also had affordable developers inquiring about it. One proposed a project for work-force housing, income restricted, with minor modifications to amenities. Indicated someone contacted staff today. They would have to pursue tax credits through the state. If successful, the City would have a regulatory agreement regarding management of project and income categories.

Mintzkavus: Asked how they can keep aware of it?

Backoff: The last developer was asked by City to hold a workshop.

Mintzkavus: Commented that she attended workshop.

Backoff: If it were to become an affordable project, staff would suggest another workshop. If its market-rate, would be built as approved.

Mintzkavus: Inquired if it already went through environmental?

Backoff: Yes.

Nelson: Asked if any meetings required if built as market rate?

Backoff: Doesn't have to go through hearing. It's already gone through hearing and is approved, but it makes sense to engage community if type of housing changes. Staff would recommend workshop if changing project.

Nelson: Asked if any would be for sale, or just rentals?

Backoff: It's hard to offer for sale affordable and is more difficult now without redevelopment. Most will be rentals because it's too hard to subsidize. Home ownership is difficult for many.

Nelson: Feels there's more pride when you own.

Backoff: City requires new projects set aside maintenance costs to manage and take care of them.

Flodine: Asked to see site map. Wanted to clarify, Coronado Hills and Twin Oaks Valley won't have 30 du/ac densities.

Backoff: Green and blue are higher intensity areas.

Tam: Even in highest densities used, we didn't assume the max density. Assumed average of 75-80% of the maximum. Some may meet max and others may not.

Nelson: Asked why not consider max?

Tam: Need to be careful because of state law that says, "No net loss." Need to be conservative in estimating capacity.

Backoff: Historically haven't met max.

Tam: Don't want to overstate, need it for next cycle of the RHNA.

Nelson: Asked if a City is ever considered "built-out?" What if you want to move to Del Mar and make \$42,000?

Tam: No such thing under state law. If no capacity, you must rezone and upzone.

Backoff: Addressed Mr. Hunsaker's comment: City wants to have adequate parking and not impact other areas. If project is truly an affordable one, there are fewer cars.

Studies have shown it to be less than two spaces and affordable developers have told City they have spaces leftover. Richmar area is 1.7 spaces units per acre. You can make developer put in market-rate parking, but it hurts overall goal of affordable housing. There are market-rate developments near the university that have had issues. They didn't have a Parking Management Plan which is now required. Some condos have two car garages and people move in with four cars. City can't control that. Mixed-use does warrant reduced parking. City addressed those issues when doing Specific Plans for Creek & University Districts. Believe the number Mr. Hunsaker indicated is more related to parking structures not surface level parking space. Not everyone owns cars in affordable projects. We try to take that into consideration; otherwise the state will tell us we're constraining development.

Brindley: Addressed farm worker housing comment: Misunderstanding of what's in the table. The larger size farm worker housing project of up to 36 beds or 12 units requires a Director's Permit. This is a form of a Conditional Use Permit, but is streamlined. There's no public hearing, but has full notification to surrounding properties to allow for public input. If over 36 beds or more than 12 units, a Major CUP is required with Planning Commission approval. It's consistent with state law and how farm worker housing is regulated consistent with permissions of agricultural uses in A1, A2 & A3 zones and reflected in updated Zoning Ordinance.

Nelson: Asked if City has many?

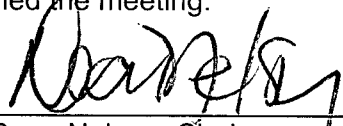
Backoff: In Richmar, off Firebird, done in collaboration with County.

Brindley: 38 units.

CLOSE PUBLIC DISCUSSION

ADJOURNMENT

At 7:27 p.m. Chairman Nelson adjourned the meeting.



Dean Nelson, Chairman
SAN MARCOS PLANNING COMMISSION

ATTEST:



Lisa Kiss, Office Specialist III
SAN MARCOS PLANNING COMMISSION