



HOUSING COMMISSION MEETING MINUTES

Wednesday, October 3, 2012

5:30 p.m.

701 Laurel Street, Menlo Park, CA 94025
Administrative Building Conference Room, First Floor

Vice Chair Van Randall called the meeting to order at 5:35 p.m. in the Administrative Building Conference Room.

ROLL CALL –

Commissioners Present: Sally Cadigan, Carolyn Clarke (arrived at 5:37 pm), Julianna Dodick, Anne Moser, Brigid Van Randall (Vice Chair). Yvonne Murray was absent and did not participate via telephone as originally planned.

Staff Present: Justin Murphy, Community Development Manager, Alex McIntyre, City Manager, Margaret Roberts, City Clerk and Pat Carson, Staff Liaison.

A. PUBLIC COMMENT #1

- Janet Davis – (1) Referred to a Daily News article dated September 26 regarding the wife of a Planning Commissioner and (2) the proposal by John Arrillaga
- Randal South, regarding a Petition that he circulated signed by residents who don't want the current site list

B. REGULAR BUSINESS

B1. Approval of the September 5, 2012 Regular Meeting Minutes

ACTION: Motion and second (Moser/Cadigan) to approve the minutes with edits, passed 5-0-0

B2. Review and comment on the preliminary Draft Housing Element of the General Plan

Justin Murphy had hand-outs available and gave a presentation. ([Power Point](#)) ([Attached Excerpt Minutes](#))

PUBLIC COMMENT

- Janet Davis voiced concern with the impacts to the Las Lomas School District and Rural Lane.
- Randal South spoke regarding Sausalito and the mixed use aspects of the Housing Element.
- Ahmad Sheikholeslami, Menlo Park City School District – asked questions regarding the potential impacts on schools.
- Karl Vonderlinden stated that – Rural Lane is not entirely within the Menlo Park City limits, will the City build in that section?
- Sheri Zaslosky spoke regarding the 900 units which are now 400 units. Ms. Zaslosky asked questions regarding zoning.
- Don Brawner stated the last time the Housing Element was looked at was 1992. Mr. Brawner asked a few more questions and made additional comments.
- Nevada Merriman spoke in support of the Housing Element process in general. She supports equity. It's difficult to consider raising a family in Menlo Park. Suggested the City think long and hard about

accommodating people in all aspects of their life. The Policy related to adopting standards is vague, and the timelines are uncertain. Is there a timeframe for the details and how will the environmental review work?

- Arlene stated the City should give serious consideration to dangers to Rural Lane as well as the intolerable traffic problems. Partially in Stanford and part in Menlo Park.

Justin Murphy answered questions that were raised during Public Comment. The commissioners asked questions and made comments.

ACTION: Motion and second (Moser/Cadigan) approving the Draft Housing Element as presented by staff for City Council to take action along with comments and public input, passed 5-0-0

- B3. Consider recommendation to the Council to drop the prices on two BMR properties: 1382 Hollyburne and 1441 Almanor and sell the homes in the BMR program

Cherise Brandell answered questions after presenting the report. Commission discussion took place. Some questions were raised and answered regarding an annual report and the costs to the City of Menlo Park.

ACTION: Motion and second (Moser/Dodick) to approve the recommendation to drop the prices on two BMR properties, passed 5-0-0.

NOTE: These two items were taken out of order and were addressed prior to B4.

C. REPORTS AND ANNOUNCEMENTS

- C1. Commission Member Reports: None.

C2. An update is tentatively scheduled on December 5, 2012 on the General Plan Information only, no action taken

- B4. Quarterly Report and presentation to the Council on the Housing Commission two-year work plan. Review two-year work plan and consider recommendations for the October 9 Quarterly report to the Council

The report was discussed as presented. Margaret Roberts responded to questions from the commissioners.

ACTION: Motion and second (Van Randall/Moser) to approve Yvonne Murray, Chair to report on the two year work plan accomplishments to the City Council, passed 5-0-0.

D. INFORMATION ITEMS

D1. Proposal for Menlo Park Housing Authority - Randal South gave a presentation. ([PowerPoint](#)) Vice Chair Van Randall along with other members of the commission thanked Mr. South for his presentation and interest in Menlo Park.

E. ADJOURNMENT – the meeting was adjourned at 8:10 pm



**MENLO PARK HOUSING COMMISSION
REGULAR MEETING**

Wednesday, October 3, 2012

5:30 pm

**City Hall Administrative Conference Room
701 Laurel Street, Menlo Park, CA 94025**

Excerpt Minutes: Draft Housing Element of the General Plan

B. REGULAR BUSINESS

B2. Review and comment on the preliminary Draft Housing Element of the General Plan

Development Services Manager Murphy made a PowerPoint presentation on the preliminary Draft Housing Element of the General Plan. He noted it was a work in progress and there were some additional items that needed to be done. He said he would present an overview of the purpose, schedule and requirements of the Housing Element Update and describe some of the approaches to the key policy choices in the Housing Element.

Development Services Manager Murphy said the Housing Element was something the City has needed to comply with for a number of years but now the City was subject to a settlement agreement and court order with a very specific timeline for compliance with the court order related to the Housing Element. Milestones for the settlement agreement included releasing information about the site list in August. He noted that had been supplemented the last week of September. The next milestone is October 31, which is when the City needs to submit its draft Housing Element to the state. He noted that there would be changes from this preliminary draft and the document that what would go to the state at the end of October. He said mid-March was the final deadline for submitting the City's Final Housing Element to the state for certification. He said the City was generally on track with the work program established by the City Council noting the environmental assessment would be a companion to the Housing Element. He said there was a Housing Element Steering Committee and that Housing Commissioners Clark and Moser served on that committee. He said the committee has met five times and potentially would meet a sixth time. He said information has been posted on the City's website as to the requirements of a housing element and the settlement agreement. He said the City was seeking public input and there had been two community workshops held in August, as well as other types of meetings on the matter.

Development Services Manager Murphy said it was important for people to understand the difference among the preliminary Housing Element, the draft Housing Element that would go to the state, and the final Housing Element that would be sent to the state for certification. He noted that near term actions included this Housing Commission

meeting to receive public and commission comment, a Planning Commission meeting on October 15 to do the same, and City Council consideration and deliberation on October 22 and October 23. He said these actions were to prepare the draft Housing Element which had to be submitted to the state by the end of October. He noted that would start a 60-day review period. He said in the meantime work would commence on the environmental assessment associated with the draft Housing Element and concurrently staff would consider consistency issues with the rest of the General Plan including consistency with the changes needed because of the Housing Element, consistency with other state law requirements, and consistency with the age of some of the information in the Plan, noting that three of the Plan's elements were from the 1970s. He said after comments from the state, there would be another series of Housing Commission, Planning Commission, and City Council meetings to finalize the Housing Element.

Development Services Manager Murphy said that the Housing Element was prescribed by state law and needed to address a number of things such as housing needs, land use, resources, and potential constraints to housing and fair housing activities. He said this Housing Element has to contain an evaluation of the previous Housing Element adopted by the City in 1992, an assessment of overall housing needs and special need groups such as lower income households, seniors, persons living with special needs, and the homeless.

Development Services Manager Murphy said one key thing was to identify adequate sites for a variety of housing types noting sites for higher density housing was one of the City's greatest challenges. He said the Housing Element would need to include goals, quantifiable objectives, and a commitment to an action plan. He said higher density per state law for urban cities of Menlo Park's size was a minimum density of 30 dwelling units per acre. He said another key thing was to plan for emergency shelters and that needed to be listed as a permitted use in the zoning code and zoning districts identified where those might be permitted by right.

Development Services Manager Murphy said for the Regional Housing Needs Allocation (RHNA) process for 2007-2014 that the state had identified for the Bay area a need of 214,500 housing units, with San Mateo County needing 15,738 housing units of which Menlo Park's share was 993. He said they also needed to address the 982 housing units from the previous RHNA cycle of 1999 to 2006. He said the total allocation was 1,975 houses. He reviewed information on existing income of City residents, and income of households based on age. He provided information on median home prices in Menlo Park and rental amounts, and other demographics.

Development Services Manager Murphy said the goal of the Housing Element was for it to be written so people could understand it. He said the document defined some of the terms at the beginning. He said the main part of the document described goals, policies, and implementation programs. He said there was a focus on housing affordability opportunities and less on market rate housing which was linked to limited land resources as there was not opportunity for single-family detached residential

subdivisions in Menlo Park. He said there were short term requirements but it was important to have a long-term view. He said the Steering Committee looked at providing a variety of new housing types through various programs the City could pursue such as second units, including both the creation of second units and legalization of any existing second units; a potential for mixed use zoning with short-term and long-term components, and development potential under existing single-family residential zoning. He said they discussed the adopted Specific Plan that established a cap of 680 units and the Plan boundaries along El Camino Real and downtown. He said there were also infill opportunities on existing multi-family residential zoning, and the potential of replacing a single-family residence with two or three units. He said they were also looking at rezoning for higher density housing and incentives for affordable housing.

Development Services Manager Murphy said there was a new table that looked at the previous RHNA for the planning cycle 1999-2006 and staff's calculations as to what the needs were for rezoning. He noted that this requires public consideration and the state's review. He said that some numbers were different from what was previously presented and that reflected an aggressive staff approach to minimize rezoning. He said it was not guaranteed this would be accepted by the state, which was why there was cushioning on some of the numbers. He described how the columns were set up noting the relationship between density and income level. He said they could zone for certain densities but that did not guarantee income levels would be achieved.

Development Services Manager Murphy said that the table looked at the units built for the 1999-2006 RHNA timeframe, which was a total of 91 units and where they were in terms of income levels. He said 11 of the total 91 units were part of the City's Below Market Rate Housing Program requirements related to income and those units were to be available for people of moderate incomes. He said the 80 other units had no income restriction. He said no matter what the density of those units or their selling price were, those units were effectively the average Menlo Park income or above moderate income. He said they also called out second units, which is a key component of the new housing strategy. He said there were two second units during that timeframe and they were looking for credit for one as very low income and the other for low income. He said through state law they were able to look at sites that were available under the existing zoning period of 1999-2006. He said staff had focused on 2006 and based on their analysis, they believed there were 283 units available. He said that was a higher number than some of the initial estimates. He said then they took their RHNA allocation for 1999-2006 and subtotaled it to arrive at the carryover need. He said next they looked at the current RHNA planning period 2007-2014, noting that the City was already five years into that planning period, and looked at units that were built or approved, with a building permit issued, or a discretionary land use entitlement with an expectation that the unit(s) would be built by the 2014 time frame. He said they also looked at second units and the Specific Plan, which has 680 units. He said they tried to allocate based on the densities called for in the Specific Plan with a little bit of cushion, understanding that some of the units may in fact be market rate units even though the densities allowed in the plan could mean that the units would be available for lower income housing. He said there were available sites under existing zoning and those were similar to above

except where something had been built or transitioned in from general category into the Specific Plan. He said that number has been reduced from 283 to 127. He said the adjusted RHNA accounts for both the 1999-2006 timeframe to the current one. He said the adjusted RHNA was 493 total units and they were looking at sites to rezone.

Development Services Manager Murphy reviewed programs that would not need rezoning for higher density housing, which was a direction they took from the Steering Committee to determine all the things that would be best for Menlo Park and what was needed for the rezoning for the high density. He said Program H4D for second units and changes to the current zoning ordinance would provide greater incentives for people to provide second units. He showed a map of lots by size in color of 7,000 or less square feet and larger lots. He said current zoning prohibited second units on lots smaller than 7,000 square feet. He said they were looking at reducing that to 6,000 square feet and 5,000 square feet in certain circumstances. He said under the Amnesty Program, the City would advertise to let people know that if they have an existing secondary dwelling unit that was currently illegal that it could be legalized. He said they were looking at balancing an incentive upfront with code enforcement later should a property owner not bring an illegal secondary dwelling unit forward during the amnesty period.

Responding to a Commissioner question, Development Services Manager Murphy indicated that probably the greatest incentive was a reduction of fees coupled with information that this was possible for a certain period only and that in the future there would be Code Enforcement effects should units continue to be illegally used as second units.

Development Services Manager Murphy said related to the mixed use program there were commercial and office districts in which residential was not allowed. He said they were looking at creating one mixed-use zoning district in the near term and studying certain zoning districts rather than looking at the potential of all commercial zones for mixed use. He said they would look at the possibility of some residential coexisting in the M-2 district but the Steering Committee did not want to impact the economic viability of that zone. He said that would be looked at longer term and would not necessarily be a short term strategy.

Development Services Manager Murphy said they were not looking to amend the Specific Plan but were proposing that an affordable housing overlay zoning could coexist consistently with the Plan. He said under the Plan there were base and bonus densities and most of the public benefit densities would need to be through a development agreement. He said that would not increase the units above 680 but would increase the chances that more of those units would be affordable. He showed a map of the area of the Specific Plan. He said one of the requirements of the settlement agreement that was not part of state law was the need to have a half mile buffer from that area. He said another area of importance were infill areas around the downtown to increase density, noting that in the 1970s the area had been down zoned. He said also the City needed by state law to identify zoning areas for permitted use by right for

homeless facilities. He said staff was suggesting the public facilities district noting that on larger sites, five acres or greater, plus a caveat that the sites needed to be located near bus service that runs seven days per week.

Development Services Manager Murphy said in terms of rezoning that the City cannot rezone down to exactly the unit needed but had to provide some cushion because some of the strategies being looked at such as second units and mixed use were not looked upon favorably by the state. He said there were 15 sites identified for rezoning and those were distributed throughout the City. He said there was a summary of those in the handout. He said there were three sites on the west side, some sites in the greater Linfield Oaks area where there were multiple sites being studied but which were to be narrowed down to 60 units across those sites with Steering Committee direction to focus on unit types that were smaller and not necessarily geared to families. He said sites 11 and 12 were currently owned by Mid-Pen Housing and they were interested in redeveloping sites at a higher density. He said the area where the redevelopment agency previously owned land was proposed for sale for potential housing. He noted site 14 was the post office and 15 was the Haven area, the latter being a land use change from the light industrial M-2.

Development Services Manager Murphy said one key area identified during this process was potential impact on schools. He showed boundary maps of the four elementary school districts, where housing was located that might impact those schools. He said the summary table had been expanded to the six different tables in Appendix "A" of the Housing Element.

Development Services Manager Murphy said that the Planning Commission would consider the draft Housing Element on October 15, and that the Steering Committee would tentatively meet on October 17, with the City Council meeting on October 22 and 23. He said speakers on the 23rd would be limited to new speakers or to new information being presented.

Public Comment: Ms. Janet Davis, Menlo Park, said the impact on Las Lomitas School District would be tremendous. She said that 174 units or children in that district was a lot as the district only has 1,100 children now. She said that was a huge responsibility for that school. She said Rural Lane did not benefit anyone but Stanford, it was in an inappropriate dangerous place for housing and needed to be taken off the list.

Randal South said that during the presentation staff had said mixed use was not viewed favorably by the state, and he asked Development Services Manager Murphy to elaborate. Mr. South said he recently had a phone conference with the Deputy Director of the Housing Department in Sacramento and he had pointed out that Sausalito had used mixed use as a method of reducing density.

City Clerk Roberts noted the meeting was being conducted by Robert's Rules of Order and there would not be discussion among staff, Commission and public during the public comment period. She said public comments would not be answered directly but

would be part of the Commission's consideration after public comment was closed. She said that now was the time for the public to speak and topics would be taken up by the Commission after the public comment period.

Mr. South said in that case he entered his comment that the Deputy Director of the Housing Department in Sacramento said they were actually very supportive of mixed use, and Mr. South had pointed out that Sausalito had used mixed use as a strategic method to reduce their density. He said rather it was done actually to prevent the reduction of density.

A comment was made that there was no flat land in Sausalito. Mr. South said there was not a whole lot.

Mr. Ahmad Sheikholeslami, Menlo Park City School District, said he knew it had been covered previously but he didn't see potential government constraints to housing in this report. He said there had been a number of items listed with potential school impacts but he did not see that list and asked if it was covered in the report. He said it should be.

Development Services Manager Murphy said he was making notes to report out on all the questions.

Mr. Karl Vonderlinden, Stowe Lane, Menlo Park, said Rural Lane was not located entirely within the City of Menlo Park. He asked if the calculations took that into consideration. He asked if they were looking to build in Menlo Park plus the County or whether they intended to build just in that section of Rural Lane that was Menlo Park.

Vice-Chair Van Randall said they were listing all the questions and those would be responded to after public comment closed.

Ms. Cherie Zaslawsky said she was a long time City resident. She asked for clarification on the number of units needed, noting Development Services Manager Murphy had said the City needed to come up with 900 units or 400 units. She said she also assumed that counted the Downtown Specific Plan's 680 units. She said she wanted to be clear about those figures. She said she had a general question. She said all of this zoning being contemplated would mean a drastic alteration of the City's General Plan and would probably lower the quality of life all of the residents. She asked if this radical zoning change, these radical zoning changes, were mandatory when property changes hands. She said in other words, if someone owned a single-family home, a duplex or so forth, and it was in correct zoning, but the zoning was changed to allow for 30 units to the acre or whatever the formula was, when that property was sold, would the new owner or developer have to put in the high density zoning or could they build another single-family home or just leave it and not build. She said to her that was important. She said those were her questions. She said her comment was who was holding the gun to the City's heads that we were even seriously considering destroying our whole system and quality of life in our City. She asked what were our real alternatives. She said she hadn't heard any real alternatives except how we were going

to rearrange the deck chairs on the Titanic. She asked if the City could do better than that.

Vice-Chair Van Randall noted that the questions would be addressed after the public comment period ended.

Mr. Don Brawner, Menlo Park, said it was his understanding that the last time the Housing Element was looked at was 1992 and that supposedly it was to be updated every seven years. He asked where the information was coming down from, who was responsible for updating and telling the Council and the public that this had to be done. He asked whether this was set up by the powers that be to shove this stuff into Menlo Park without any chance except for a lawsuit which he said there were a number of people pursuing. He said they would fight this thing until they were dead. He said that we were destroying Menlo Park, that it was an assault on suburbia, and it was all about Agenda 21. He asked if anyone had heard of Agenda 21. He said he had noticed that Atherton, Portola Valley, Woodside, and Los Altos never had such problems. He asked whether that was because they had better legal representation.

Ms. Nevada Merriman, McKendry Drive, said she was in support of the Housing Element process in general because it was really important to consider equity. She said even the people in this room would have very different needs for housing at different points in our lives. She said it was extremely difficult to consider raising a family in Menlo Park because though she lives here now she was thinking how challenging it would be to actually retire here. She said it was hard to think about where her mother would live if she wanted her to be closer by, and it was even harder to imagine if her kids got old enough to want to live close by to her where they would possibly move. She said there were many people in so many situations. She said she has heard many comments throughout this whole process about people who were no longer able to stay in their homes. She said we really need to think long and hard about how to accommodate people at all different points in their lives and all different points of income. She said she was not sure if this was the time to make comments on the actual draft Housing Element. She said related to the "Policies" section, in "Housing Opportunities Areas," there were several attractive characteristics listed. She said the ability to get financing on certain kinds of projects would be an attractive characteristic to add. She said the policy on adopting standards for an affordable housing overlay zone was really vague and she was not sure how it would work. She said she was not sure if this was one of the sections that were going to be fleshed out. She said it would be great to have more details as the timelines were really unclear, and she was not certain how the environmental review would work. She said she thought those were important things to be clarified. She said she believed that they were still working on removing potential constraints to housing but suggested that if the City could get a timeline on when those details would be available, she would like to comment on them and the process. She said that would be helpful as the details were really important to how everybody living here was going to receive the implementation.

Ms. Arlene Lindblom, Stowe Lane, said her comment was to please give very serious consideration to the use and problems with Rural Lane, the county and the heavy influence that Stanford would have. She said as was mentioned already it would be housing for them rather than for the City of Menlo Park and would create intolerable traffic situations. She said she already hears large trucks at 3 or 4 in the morning.

Mr. Brawner attempted to speak again. City Clerk Margaret Roberts reminded him that each member of the public had one chance to comment.

The Vice-Chair closed the public comment period, and recognized Development Services Manager Murphy, who would address the questions raised by the public.

Development Services Manager Murphy said related to mixed use that his understanding was that historically a number of cities relied on mixed use to meet housing needs, but cities now had to really demonstrate units as a number of cities had claimed mixed use but what was built was commercial and not residential. He said the state looks much more carefully at any programs related to mixed use. He said there would be a mixed use approach but it could not be said the City would meet all of its housing need through mixed use.

Development Services Manager Murphy said in terms of school impacts that there were differences among the governmental constraints analysis versus the environmental assessment and fiscal impact. He said that a school district would not be considered a governmental constraint but the City was analyzing what the impacts of the housing were to the school districts.

Development Services Manager Murphy showed a graphic regarding Rural Lane which showed Alpine Road, the City boundary, a section identified from meetings as having truck traffic and noise impacts, and the golf course for which a buffer was needed. He said if anything were developed here there would need to be annexation as they did not think it was appropriate to just develop a portion of it but should be done in a unified fashion. He said it was being studied as it seemed more appropriate to develop all of the area consistently but that was a longer-term item.

Development Services Manager Murphy said regarding the reduction in the number of units in terms of the number that might need to be rezoned that they had focused in on the state law of what the carryover analysis was and what was allowable under existing zoning. He said one aspect of that as compared to other circumstances was that the most units allowed under existing zoning would need to involve redevelopment so if a single-family residence was demolished there would need to be two units built or a single-family residence and a second dwelling unit added. He said that was not guaranteed to be acceptable which was why they needed this additional buffer. He said in terms of change of ownership the main thing the City needed to do was put the zoning in place but there was no obligation on owners as what they needed to do in terms of redeveloping. He said if someone bought a site identified as a single-family home and they wanted to keep a single-family home, they would keep the single-family

home. He said some of the difficulties in the details of Programs and Policies was they might need to identify minimum densities to prevent an instance where there was a good opportunity site for housing and someone builds two large single family homes instead of an eight-unit development with smaller unit sizes. He said if that was the development potential they were looking at to meet the needs then for the next RHNA planning cycle they would need to carryover the six units not built. He said there probably needed to be discussion on minimum densities, variable densities, or correlating floor area ratios to densities.

Development Services Manager Murphy said the last time the City adopted a Housing Element was 1992 but that had not been certified by the state. He said the City on multiple occasions worked to update its Housing Element in the 1999 to 2006 time frame time. He said the greatest challenges had been identifying the sites and competing priorities in staff resources and the cost in doing things, and there had been a decision to not pursue the update. He said when the next planning cycle came there was discussion about whether to pursue the unit count cumulatively but this was also when the City was doing the work for the Specific Plan. He said whether they did the Housing Element update previously or now that the same difficult decisions had to be made. He said changes to state law in terms of grant funding was also an incentive to update the Housing Element. He said in terms of the City updating its Housing Element that if it did not, there was a potential for a moratorium on all other commercial development.

Development Services Manager Murphy said regarding the affordable housing overlay that more details were needed. He said it would be a zoning ordinance amendment looked at concurrently with the Housing Element update as they thought that was a key strategy for actually getting a certified Housing Element. He said in terms of the governmental housing constraints that would be available the following week with the packet being sent to the Planning Commission.

Commissioner Moser said the City had talked to Las Lomas School District and asked if they had spoken with the Redwood City School District. Development Services Manager Murphy said they had spoken with Ravenswood School District but had not talked with Redwood City School District. He said they recently spoke with the Las Lomas School District Superintendent and asked her to help connect them with the Redwood City School District. Commissioner Moser said that two fairly large sites were in Redwood City. She said staff had met with various groups and asked whether they had had a chance to meet with the churches. Development Services Manager Murphy said not yet but it was on his list. Commissioner Moser said she asks because there were two churches on the list.

Commissioner Cadigan asked about the Amnesty Program and the possible barriers that might be encountered such as legal hurdles but noted she was asking generally as she knew it could be a long discussion. Development Services Manager Murphy said there were a number of issues such as zoning changes but more importantly code

issues such as fire, building and light safety issues that needed to be addressed. He said they would need discussion particularly with the Fire District.

Vice Chair Van Randall asked about the table on page 39 of the presentation. Development Services Manager Murphy said there were no hard fast boundaries but they used major streets in the past as boundaries. He said between Highway 280, Alameda and Junipero Serra was one boundary; from Alameda to Middlefield Road was another boundary that covered downtown; Middlefield Road to Highway 101; and then east of the freeway. He said of the 1,163 units being studied for rezoning, 758 of those units were located east of Highway 101.

Vice Chair Van Randall said if 758 of those units were located east of Highway 101 then the school districts most impacted would be the Ravenswood and Redwood City School Districts. Development Services Manager Murphy said that was correct and noted that there was not a one-to-one correlation because of the boundaries of the two school districts.

Commissioner Clarke asked where the 758 units were, and if that was the light industrial area. Development Services Manager Murphy said sites east of Highway 101 were 11, 12, 13 and 15. It was noted that site 15 had the most units and was a large area.

Vice-Chair Van Randall asked the Commission for comments on the draft Housing Element.

Commissioner Dodick confirmed with staff that there was a cushion because environmental assessment had to occur and that some locations would drop out.

Commissioner Dodick said she wanted environmental defined. She said she hadn't heard services mentioned. She said when they discussed adding more density and people there would be additional burdens on City operated services. Development Services Manager Murphy said that they would do two things. One was an environmental assessment and would be comparable to a draft EIR that would cover 15 topic areas. He said second was a fiscal impact analysis that would look at impacts to the City, key service districts and school districts. He said all of the things that were part of this project would be analyzed with these two studies. He said that there was not enough time to do a full EIR so there had been an exemption given under the settlement agreement from CEQA.

Vice Chair Van Randall asked whether rezoning and redistribution of taxes and revenues would be covered under fiscal impact analysis. Development Services Manager Murphy said it would.

Vice Chair Van Randall said her impression of the public comments was there was a need to clarify for the public as to how and why the City got to where they were today

with the Housing Element. She said a bullet point sheet would be a way to communicate that to the community.

Commissioner Cadigan said a lot of work had to be done and she was glad to see it happen.

ACTION: Motion and second (Moser/Cadigan) to accept the draft Housing Element as presented and recommend that it be forwarded to the City Council for further action knowing that the document was not yet in its final form.

Margaret Robert, City Clerk asked if the motion should include comments. Vice-Chair Van Randall said there should be Commission consensus on comments.

Vice Chair Van Randall said the comments about Rural Lane, the environmental assessment and fiscal impact analysis, and clarity on how we got to where we are today.

Mr. South said mixed-use had been mentioned as a way of reducing density.

Vice-Chair Van Randall said there was a question about that answered and that would be in the record of the meeting. She said the motion was to adopt the draft Housing Element, forward it to City Council for further action acknowledging that it was not yet in its final form, and to study Rural Lane, the environmental assessment and fiscal impact, and provide clarity for the public on how we got to where we are with the Housing Element.

Mayor Kirsten Keith said she would like to include all the comments Development Services Manager Murphy made in response to questions asked.

Development Services Manager Murphy said that would be in the minutes. City Clerk Roberts said they typically do action minutes and therefore they would not be included in the minutes.

Vice Chair Van Randall said she had no objections to adding all of the comments for the Council to consider. She modified that to include the specific questions answered by Development Services Manager Murphy.

Vice Chair Van Randall said they represented the public and they should move the public's comments forward. Development Services Manager Murphy said there was a way to do that separately with more expanded minutes.

Council Member Andy Cohen suggested that Development Services Manager Murphy provide a short summary of his answers and that would provide the context of the questions.

Mayor Kirsten Keith said she particularly would like the questions and the answers provided separately.

There was Commission consensus for minutes to be prepared to capture the comments and answers.

Vice-Chair Van Randall said there was a motion and second on the floor.

ACTION: Motion and second (Moser/Dodick) to accept the draft Housing Element as presented and recommend that it be forwarded to the City Council for further action knowing that the document was not yet in its final form, and to study Rural Lane, the environmental assessment and fiscal impact, and clarification for the public on what led to this Housing Element update and process passed unanimously