

September 10, 2014



Important Information Regarding Sausalito's 2015-2023 Housing Element Update



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What is a Housing Element Update?

The Housing Element is one of the seven mandated elements of a jurisdiction's General Plan, which is the "blueprint" for the community. Housing Element Law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. Sausalito's

Housing Element provides goals, polices, and actions that help the City plan for the housing needs for all segments of the City's population. All communities are required to update their Housing Elements on a state-mandated cycle. Sausalito adopted an updated Housing Element in October 2012 which covers the years 2009-2014. This Housing Element

was certified by the State of California, Department of Housing and Community Development (HCD) in November of 2012 as being in compliance with Housing Element Law. The City is required to update the 2012 Housing Element to cover the years 2015-2023 and adopt an update Housing Element in compliance with State law by January 31, 2015.

What Has Been Done So Far?

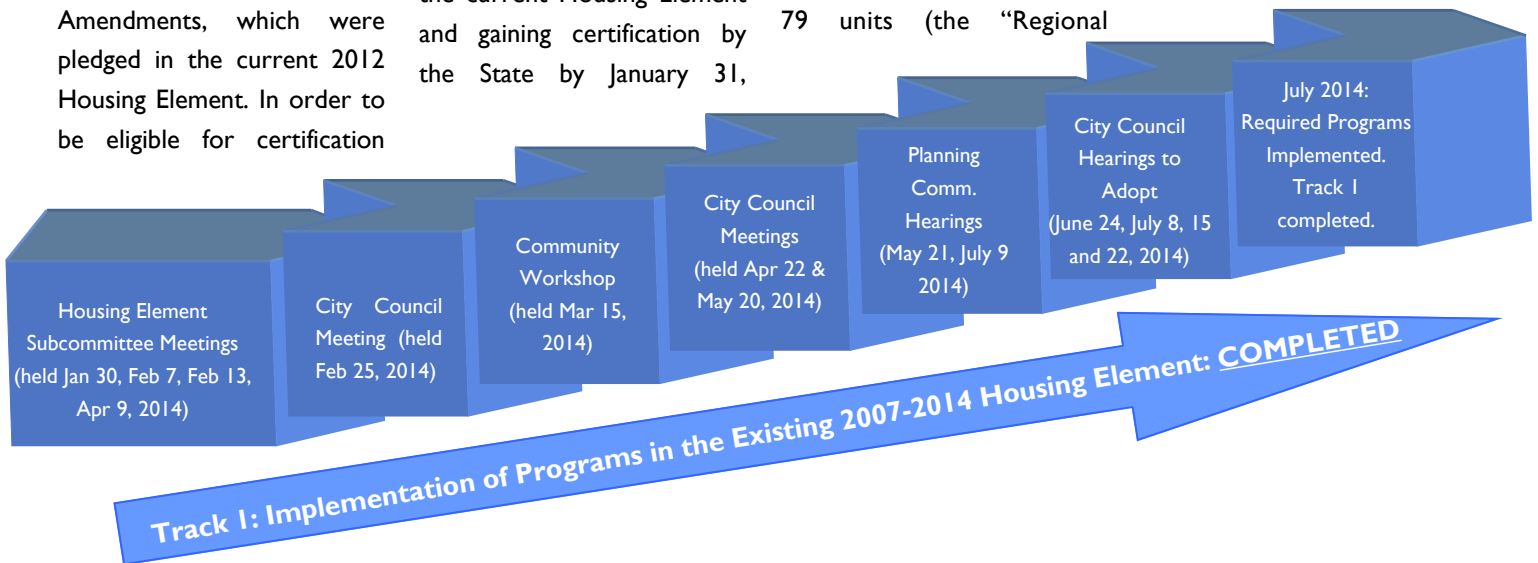
The City started work on implementing and updating the Housing Element in January 2014. The City Council appointed a Housing Element Subcommittee to work with Staff and a consultant to complete two required tracks. The **first track** involved adopting a variety of Zoning Ordinance Amendments, which were pledged in the current 2012 Housing Element. In order to be eligible for certification

from the State for the upcoming Housing Element cycle, the City was obligated to follow through with these program amendments. The first track was completed in July 2014.

The City is now focused on the **second track** (see page 4), which involves updating the current Housing Element and gaining certification by the State by January 31,

2015. The Housing Element must establish goals, policies and programs for the preservation, improvement and development of housing. The State of California mandates the number of new housing units that local jurisdictions must plan for in their Housing Element, with Sausalito required to plan for 79 units (the "Regional

Housing Needs Allocation," or RHNA) during our 2015-2023 Housing Element cycle. While the City is required to plan for this new housing and will continue to follow a low impact strategy including mixed use infill, accessory dwelling units and liveboards, it is not required to actually build the housing.



Frequently Asked Questions

Q: What are the consequences if the City does not adopt an updated Housing Element by January 31, 2015?

A: If the City does not adopt an updated Housing Element and submit it to the California State Department of Housing and Community Development (HCD) by January 31, 2015 there are a number of consequences:

1. The City would not be eligible for an expedited review by HCD ("streamlined review"). For the first time, HCD is offering a focused review of the City's Element which allows the City to only update certain portions of the Element in a redlined format. This reduces costs to the City. It is important to note that the "streamlined review" is only streamlined on HCD's end—the normal process of community participation with community meetings/workshops, public subcommittee meetings, public Planning Commission meetings and public City Council meetings will occur.
2. The City will have missed the mandated deadline imposed by the State of California and therefore our Housing Element will be out of compliance and several things will/can happen:
 - A. The City will have to submit an updated Housing Element to HCD every 4 years, instead of every 8 years, and each update must address the full Regional Housing Needs Allocation (RHNA). This means that the City will have to spend additional time and money updating the Element twice as many times as we would if we adopted an updated Element on time. The City may only go back on to an 8 year cycle after adopting 2 consecutively revised Housing Elements by the required due date.
 - B. The City may be subject to litigation due to not having a compliant Housing Element and in some cases the courts have taken away a City's local land use control (e.g., being able to issue Building Permits) until the City is compliant with Housing Element law.
3. The City will be ineligible for certain grants and funding opportunities.

Q: How does the RHNA get distributed from the State to ABAG to the City?

A: The RHNA is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its Housing Element. As part of this process, HCD identifies the total housing need for the San Francisco Bay Area for an eight-year period (in this cycle, from 2014 to 2023). The Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) must then develop a methodology to distribute this need to local governments in the Bay Area in a manner that is consistent with the development pattern included in the Sustainable Communities Strategy (SCS). Once a local government has received its final RHNA, it must revise its Housing Element to show how it plans to accommodate its portion of the region's housing need. The City is not required to build the units. For the 2015-2023 cycle, Sausalito's RHNA is 79 units. This means that the City needs to show how we have developed opportunities for 79 new units (at varying affordability levels) in Sausalito over the next eight years.

Q: The City had a buffer in its RHNA in the last adopted Housing Element from 2012— how is that being used?

A: The City's RHNA for the 2015-2023 Housing Element Cycle is 79 units. We anticipate that due to the buffer that was put in place in the last Housing Element, the City will be able to show that we can accommodate the 79 units through the programs which are already in our adopted Housing Element. These programs were put in place with the work completed in Track I (see page 1). Therefore, we anticipate that the City will be making only minor updates to the Housing Element by using the goals, policies and programs of the existing Housing Element in the update.

Q: Can Marin City absorb Sausalito's housing needs?

A: The northern City limit of Sausalito is before Gate 6 Road. Marin City is outside of Sausalito's City limits. Marin City is in unincorporated Marin County. Therefore, the County must plan for Marin City's housing needs. Sausalito cannot take credit for housing built or planned in Marin City toward Sausalito's Housing Element.

Frequently Asked Questions

Q: Local control and minimal impact on the community is important— can the City opt out of this update process or any of the Zoning Ordinance amendments?

A: The Housing Update provides the best tool for local control over land use decisions. If the City does not update the Housing Element by the specified timeframe the City will not be in compliance with Housing Element law. It is to the City's advantage to adopt its own regulations which comply with State statutes in order to establish local control over the issues addressed by the State statutes. This allows the City to retain its discretion on certain issues instead of being forced to evaluate a residential development under the State statutes.

Q: How is the Sausalito Housing Element related to the Marin City Priority Development Area (PDA)?

A: Priority Development Areas (PDAs) are areas considered by the local jurisdiction to be well suited to infill development due to their proximity to public transit, jobs, services or other amenities. PDAs are eligible for certain funding opportunities that non-PDA areas are not. Sausalito does not have a PDA and Sausalito's Housing Element is not related to the Marin City PDA.

Q: Were shared units (i.e., renting portions of a home) considered as a strategy?

A: Yes, shared housing was discussed and is included as a program in the Housing Element, but as the state specifies that cities plan for an additional number of units, shared housing does not count towards RHNA, as the number of units on a particular property is not increased.

Q: Will the end result of the Housing Element strategies be rent control?

A: No, HCD would consider rent control as a constraint to housing. Therefore this is not a strategy that would be implemented in a Housing Element update to address the RHNA.

Q: Have there been any traffic studies completed?

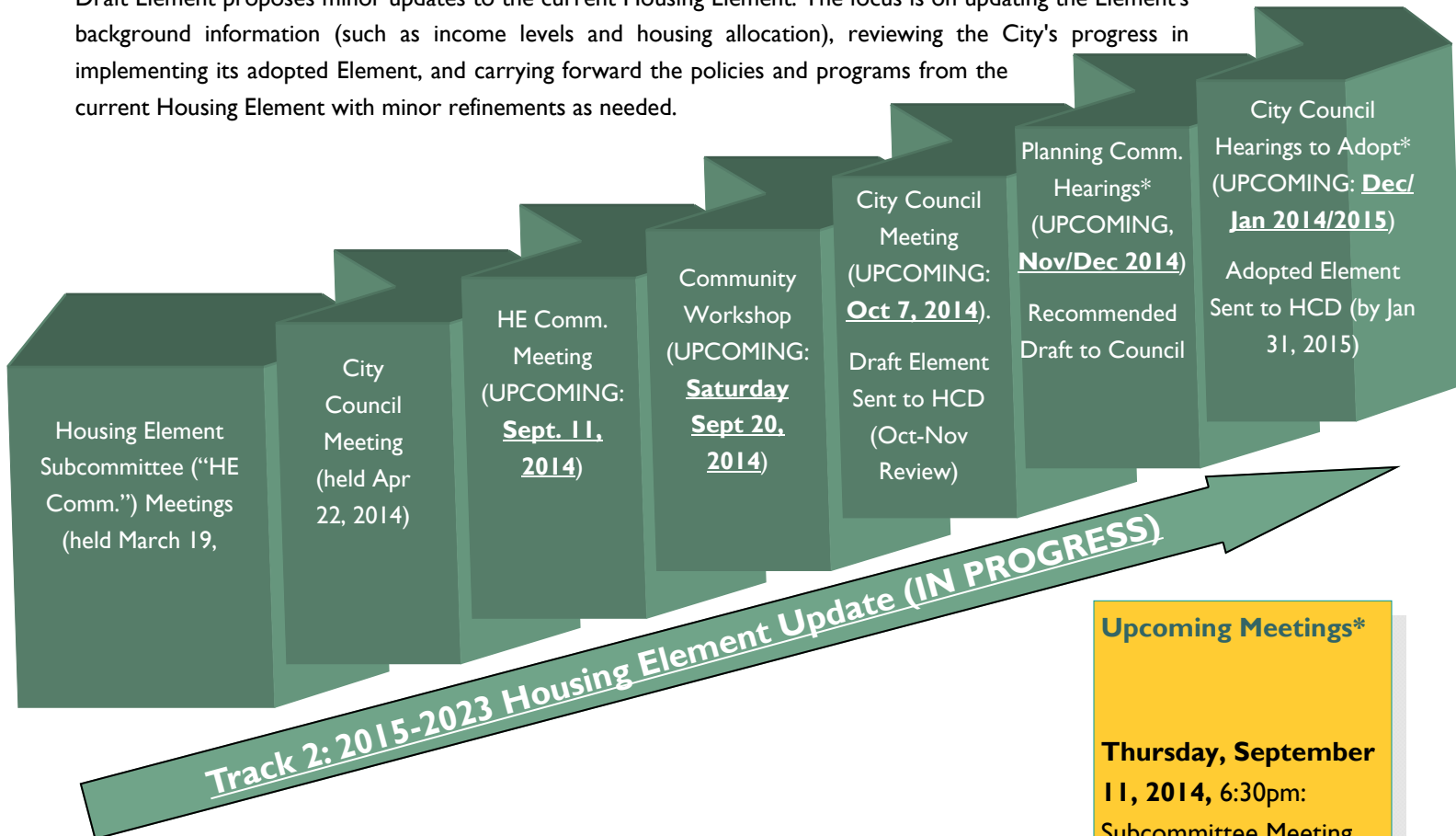
A: Sausalito adopted a Negative Declaration with the last updated Housing Element in 2012. In order to fulfill the RHNA during the last Housing Element update there was no increase in the density on any property, nor was the City considering any actual development project, and therefore traffic studies were not required. If the City receives a project which requires a traffic study, one will be required and evaluated.

Q: What about our Accessory Dwelling Units (ADUs) and liveaboards— can we make them a larger component of our strategy to fulfill the RHNA?

A: ADUs and liveaboards are a component of the Housing Element strategy. ADUs are small ancillary units to a primary unit on a residential property— they are otherwise known as “second units,” “mother-in-law units,” “granny units,” or “in-law units.” Liveaboards are vessels on which boat owners reside as permanent housing. Sometimes ADUs and liveaboards are affordable due to their size (they are limited in size and are usually studio and one bedroom units). HCD has concurred that both ADUs and liveaboards do contribute towards the City's lower income sites requirements, however, satisfying Sausalito's lower income RHNA needs entirely through ADUs and liveaboards would fail to meet statutory requirements for providing sites for a variety of housing types. During the last Housing Element cycle the City attempted to aggressively count ADUs and liveaboards towards the City's RHNA. However, due to the state's requirement to address a multitude of housing types (not just studio and one bedroom units), HCD only accepted a certain number of ADUs and liveaboards towards the RHNA. Looking forward to the upcoming cycle, in order to justify crediting ADUs toward the RHNA, the City must rely on past trends in ADU approval. The City will be looking at permitting trends as the year progresses to decide how many ADUs we can reasonably justify will be constructed through 2023 and apply this number to the RHNA.

Next Steps

In consideration of the comprehensive update of the City's Housing Element completed less than two years ago, the 2015-2023 Draft Element proposes minor updates to the current Housing Element. The focus is on updating the Element's background information (such as income levels and housing allocation), reviewing the City's progress in implementing its adopted Element, and carrying forward the policies and programs from the current Housing Element with minor refinements as needed.



Upcoming Meetings*

Thursday, September 11, 2014, 6:30pm:
Subcommittee Meeting
(Council Chambers)

Saturday, September 20, 2014, 10:30am:
Community Workshop
(Edgewater Room)

Tuesday, October 7, 2014, 7pm: City Council Meeting (Council Chambers)

*All held at City Hall (420 Litho Street, Sausalito)

For More Information and to Get Involved

- Sign up for email updates! Email Lilly with the subject line "Housing Element Notification" LSchinsing@ci.sausalito.ca.us or call at (415) 289-4134
- Attend/Watch Meetings: All Housing Element meetings are livestreamed and achieved online: <http://ci.sausalito.ca.us/index.aspx?page=43>
- Visit Sausalito's Housing Element Website: <http://ci.sausalito.ca.us/index.aspx?page=703>
- Explore California State Housing and Community Development Department Website: <http://www.hcd.ca.gov/hpd/>



Remember to Save the Date for a Community Workshop on Saturday, September 20th at 10:30am in the Edgewater Room, City Hall (lowest level)