



AGENDA

Thursday, June 9, 2016

6:30 P.M.

REGULAR MEETING PLANNING COMMISSION

Council Chambers
211 Hillcrest Avenue
Marina, California

VISION STATEMENT

Marina will grow and mature from a small town bedroom community to a small city which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 - May 2, 2006)**

MISSION STATEMENT

The City Council will provide the leadership in protecting Marina's natural setting while developing the City in a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. **(Resolution No. 2006-112 - May 2, 2006)**

1. CALL TO ORDER 
2. ROLL CALL & ESTABLISHMENT OF QUORUM (Planning Commission Members)
Katherine Biala, David Bielsker, David Burnett, Margaret Davis, Tim Ledesma, Virgil Piper, Adam Urrutia
3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
4. SPECIAL ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR:
Announcements of special events or meeting of interest as information to Board and Public. At this time any person may comment on any item, which is not on the agenda. Please state your name and address for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on the next agenda. Planning Commission members or City staff may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of Four (4) minutes. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the Planning Commission.

5. CONSENT AGENDA: *Background information has been provided to the Planning Commission on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. If discussion is requested by anyone on any item, that item will be removed from the Consent Agenda and placed at the end of Other Action Items if separate action is requested.*
 - a. Minutes for the April 28, 2016 and May 12, 2016 meetings

6. PUBLIC HEARINGS: Time will be set aside during the Public Hearing to receive oral comments on all items listed as Public Hearings. Staff will present the project brought forth for Planning Commission consideration and possible action and answer questions from the Planning Commissioners. The applicant will then have the opportunity to raise any issues. The public will then be invited to approach the podium to provide up to four (4) minutes of public testimony.
 - a. It is recommended that the Planning Commission:
 1. Open a public hearing, receive testimony from the public, and;
 2. Consider adopting Resolution No. 2016- , recommending that the City Council adopt a Negative Declaration of no significant environmental impact for the Interim Updated Housing Element 2015-2023 to the General Plan, and ;
 3. Consider adopting Resolution No. 2016- , recommending that the City Council amend the City of Marina General Plan by adopting an Interim Updated Housing Element 2015-2023) (City-wide);

7. OTHER ACTION ITEMS: *Action listed for each Agenda item is that which is brought forth for Planning Commission consideration and possible action. The Planning Commission may, at its discretion, take action on any items. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*

8. COMMISSIONERS AND STAFF INFORMATIONAL REPORTS:
 - a. City Council, Design Review Board, Tree Committee and other meetings of note.
 - b. Upcoming items scheduled for future meetings.
 - c. Ad Hoc Committee

9. CORRESPONDENCE:
 - a. None

10. ADJOURNMENT

CERTIFICATION

I, Judy Paterson, Administrative Assistant for the City of Marina, do hereby certify that a copy of the foregoing agenda was posted at Marina City Council Chambers bulletin board, 211 Hillcrest Avenue; City Kiosk at the corner of Del Monte Boulevard and Reservation Road; and Monterey County Free Library Marina Branch at 190 Seaside Circle on or before 6:30 p.m. Monday, June 6, 2016.



Judy Paterson, Administrative Assistant II
Planning Services Division
Community Development Department

PLANNING COMMISSION NOTES:

1. The Marina Planning Commission regularly meets at 6:30 P.M. on the second and fourth Thursdays of each month.
2. The Planning Commission follows procedures intended to allow for project applicants and members of the public the fullest possible opportunity to be heard, while enabling the Commission to complete its meetings within a reasonable time.
3. Copies of staff reports are available to the public on the Friday afternoon, prior to the Thursday meetings at the Community Development Department office located at 209 Cypress Avenue.
4. Planning Commission subcommittees include the Marina Design Review Board (DRB) and Tree Committee. The DRB regularly meets at 6:30 P.M. on the third Wednesday of each month and the Tree Committee meets quarterly on the 2nd Wednesday of January, April, July and October... All meetings take place in the Council Chambers unless otherwise noticed... Public notices and agendas are posted at the following locations: Monterey County Library Marina Branch, Kiosk at the corner of Del Monte Blvd. and Reservation Rd., and Marina City Council Chambers Bulletin Board.
5. The public is invited and encouraged to participate in all meetings of the Planning Commission and its subcommittees.
6. ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. Meetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@ci.marina.ca.us. Requests must be made at least **48 hours** in advance of the meeting.



MINUTES

Thursday, April 28, 2016

6:30 P.M.

REGULAR MEETING
PLANNING COMMISSION

Council Chambers
211 Hillcrest Avenue
Marina, California

1. CALL TO ORDER

Chair Burnett called the meeting to order at 6:30 p.m.

2. ROLL CALL & ESTABLISHMENT OF QUORUM (Planning Commission Members)

Katherine Biala, David Bielsker, David Burnett, Margaret Davis, Tim Ledesma, Virgil Piper, Adam Urrutia. All Present.

3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

4. SPECIAL ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR:

Kevin Sanders addressed the Planning Commission advocating for marijuana based enterprises in the City of Marina, and presenting himself as a mayoral candidate.

Commissioner Margaret Davis announced the 6th Annual Warhorse Day on Saturday, May 7, that will include Mother's Day Card making and crafts. There will also be a remembrance celebration of community member Sargent Allen McDonald who recently passed.

5. CONSENT AGENDA:

Minutes for the February 11, 2016 meeting were continued to the next meeting for approval.

6. PUBLIC HEARINGS:

a. It is requested that the Planning Commission:

1. Consider Resolution No. 2016- , approving Conditional Use Permit UP 2016-01 to allow use of the existing building located at 206 Cypress Avenue (APN 032-312-041) as a contractor's yard, subject to conditions.

Mr. Meek gave a staff report.

Erroll Sherley, representing the applicant, addressed the Commission. He responded to commissioner concerns regarding parking and expressed a concern regarding a condition of approval requiring a trash enclosure. He felt they could adequately store and trash generated on site inside the bays.

The public hearing was opened. Hearing no one, the public hearing was closed and the discussion returned to the dais.

Vice-Chair Davis made a motion to table the item until such a time as the commission has received more information on the City Council's direction for the Downtown Vitalization Specific Plan and the results of a consultant study recently funded by the Council. The motion was seconded by Chair Burnett.

Staff acknowledged that there was some forward movement in the downtown vision process by hiring a consulting firm, but that their scope of work only includes design and the adoption of the specific plan and the resulting zoning modifications, would take time. The proposed use currently makes the findings of consistency with the general plan and zoning ordinance.

The motion failed by a 1-5(Biala, Bielsker, Ledesma, Piper, Urrutia)-1-1(Burnett) vote.

Commissioner Urrutia made a motion to approve the project as recommended in the staff report. The motion was seconded by Commissioner Ledesma. Commissioner Piper made an amendment to the motion to include a condition of approval to revisit the parking in one year. The amendment was agreeable to the maker and the seconder of the motion. The motion passed by a 5-2(Burnett, Davis)-0-0 vote.

7. OTHER ACTION ITEMS

a. None

8. COMMISSIONERS AND STAFF INFORMATIONAL REPORTS:

Staff and Commissioners reported on:

- a. City Council, Design Review Board, Tree Committee and other meetings of note.
- b. Upcoming items scheduled for future meetings.
- c. Ad Hoc Committee

Commissioners and staff also had a discussion of ways to streamline the approval process in order to address issues early on.

9. CORRESPONDENCE:

a. None

10. ADJOURNMENT

The meeting was adjourned at 8:07 p.m

ATTEST:

David Burnett, Chairperson

Judy Paterson, Administrative Assistant II

DATE



MINUTES

Thursday, May 12, 2016

6:30 P.M.

**REGULAR MEETING
PLANNING COMMISSION**

**Council Chambers
211 Hillcrest Avenue
Marina, California**

VISION STATEMENT

1. CALL TO ORDER

Chair Burnett called the meeting to order at 6:30 p.m.

2. ROLL CALL & ESTABLISHMENT OF QUORUM (Planning Commission Members)
Katherine Biala, David Burnett, Margaret Davis, Virgil Piper, Adam Urrutia

Members Absent: David Bielsker, Tim Ledesma (both excused)

3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

4. SPECIAL ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR:

Commissioner Biala noted that the Regional Urban Design Guidelines (RUDG) is completed for public review.

Vice-Chair Davis announced that the Warhorse Day and memorial to Sgt. MacDonald was a success.

5. CONSENT AGENDA:

- a. Minutes for the February 11, 2016 meeting (continued from April 28, 2016.)

Chair Burnett made a motion to approve the minutes for February 11, 2016. The motion was seconded by Commissioner Piper and passed by a 5-0-2 (Bielsker, Ledesma)-0 vote.

6. PUBLIC HEARINGS:

- a. None

7.

OTHER ACTION ITEMS:

- a. It is requested that the Planning Commission:

Review a draft update of the City of Marina Housing Element 2015-2023, and authorize staff to submit this updated draft (as may be amended) to the State Department of Housing and Community Development (HCD).

Mr. Kinison Brown provided an overview of the two-step approval process and introduced housing element consultant, Veronica Tam. Ms. Tam provided a summary of the proposed housing element interim update including housing needs, regional housing needs allocation (RHNA) and housing programs.

Discussion moved back to the dais. Commissioner's questions and concerns included zoning for emergency housing, student housing, low income vs. market rate neighborhoods, secondary/granny units, small houses to achieve higher density and public outreach.

The floor was opened for public comment.

Karen Wolfe commented on the RHNA numbers and developing affordable housing. She encouraged the commission to take a leadership role with the diversity of housing types and location by not creating low income/high income neighborhoods. She further commented that reviewing and relaxing some zoning regulations and permit requirements would make it easier for residents to build additional units on their lots.

The public comment was closed.

Chair Burnett made a motion to authorize staff to submit the updated draft Housing Element to the State Department of Housing and Community Development (HCD). The motion was seconded by Commissioner Biala and passed by a 5-0-2 (Bielsker, Ledesma)-0 vote.

8. **COMMISSIONERS AND STAFF INFORMATIONAL REPORTS:**

- a. City Council, Design Review Board, Tree Committee and other meetings of note.
b. Upcoming items scheduled for future meetings.
c. Ad Hoc Committee

Commissioner Biala requested that the Design Review findings be reviewed as well as their role in making those findings. Chair Burnett requested a study session be added to a future agenda for that discussion.

9. **CORRESPONDENCE:**

- a. None

10. ADJOURNMENT

The meeting was adjourned at 8:08 p.m.

ATTEST:

David Burnett, Chairperson

Judy Paterson, Administrative Assistant II

DATE

June 2, 2016

Item No: 6a

Honorable Chair and Members
of the Marina Planning Commission

Planning Commission Meeting
of June 9, 2016

REQUEST THAT THE PLANNING COMMISSION OPEN A PUBLIC HEARING, TAKE PUBLIC TESTIMONY AND ADOPT RESOLUTIONS RECOMMENDING THAT THE CITY COUNCIL APPROVE: (1) A NEGATIVE DECLARATION OF NO ENVIRONMENTAL IMPACT; AND 2) AMMENDING THE CITY OF MARINA GENERAL PLAN BY ADOPTING AN INTERIM UPDATED HOUSING ELEMENT 2015-2023 (CITY-WIDE).

RECOMMENDATION:

It is recommended that the Planning Commission:

1. Open a public hearing, receive testimony from the public, and;
2. Consider adopting Resolution No. 2016- , recommending that the City Council adopt a Negative Declaration of no significant environmental impact for the Interim Updated Housing Element 2015-2023 to the General Plan, and;
3. Consider adopting Resolution No. 2016- , recommending that the City Council amend the City of Marina General Plan by adopting an Interim Updated Housing Element 2015-2023) (City-wide);

BACKGROUND:

The Housing Element is one of seven mandated elements of the City's General Plan and must be regularly updated per state law at specified intervals to maintain currency with regional and local economic trends affecting the housing market. The City's present Housing Element covered the 4th Cycle for the period 2008-2014. This 5th Cycle Housing Element Update (in progress) will cover the period 2015-2023, although the City will need to provide another update in 2019.

The purpose of a Housing Element is to:

- Provide a variety of housing types for all income levels.
- Assist in the development of lower and moderate income housing.
- Remove constraints to housing.
- Conserve and improve existing housing, and
- Promote fair housing.

The draft Interim Housing Element 2015-2023 includes the following section titles:

1. Introduction
 2. Needs Assessment
 3. Housing Constraints
 4. Housing Resources
 5. Goals, Policies and Programs
- Appendix A: Public Participation
Appendix B: Review of the 2008-2014 Housing Element Accomplishments
Appendix C: Detailed Sites Inventory

In accordance with the California Environmental Quality Act (CEQA), an Initial Study - Negative Declaration (IS-ND) was prepared for the project (environmental review). A 20-day public review period for the IS-ND began on May 9, 2016 and concluded on May 31, 2016. A Notice of Intent to Adopt a Negative Declaration was posted with the Monterey County Clerk on May 9, 2016. No comments have been received by the time of this report's preparation.

The draft Housing Element and draft environmental review document can be accessed at the following link: <http://www.ci.marina.ca.us/DocumentCenter/View/5595> (**EXHIBIT C**). The document begins with the Initial Study – Negative Declaration (42 pages) and follows with the Draft Housing Element (120 pages). A hard copy is also available for review at the Community Development Department counter at 209 Cypress Avenue during regular business hours.

SCHEDULE:

Following the Planning Commission's consideration of the draft Interim Housing Element on May 12, 2016 and recommendation for staff to send the draft to the State Department of Housing and Community Development (HCD) for the purposes of securing a Community Development Block Grant (CDBG) funding opportunity by late July, the City still has three steps to see this through. The next steps being:

- A June 9, 2016 recommendation of the Planning Commission to the City Council.
- A June 21, 2016 City Council adoption of the Negative Declaration and Interim Housing Element.
- A July 8, 2016 Determination by the Fort Ord Reuse Authority (FORA) of Consistency with the Fort Ord Base Reuse Plan.

Should these actions occur on these dates, the City of Marina will be primed to qualify for the CDBG funding. The City's CDBG application must be submitted to the State of California no later than July 27, 2016.

Following the July application to the State for funding, the Housing Element (HE) will return for a second round of public discussions and meetings with the Planning Commission and City Council. City adoption of the Final Housing Element 2015-2023 is expected by November or December of this year.

Task	Timeline
Housing Element – 1st Round for CDBG Application	
Draft HE for Staff Review	May 2, 2016
Draft HE for Public Review	May 6, 2016
Circulate CEQA Initial Study / Negative Declaration	May 9 - May 31, 2016
Planning Commission Authorization to forward HE to HCD	May 12, 2016
Draft HE to HCD for Review	May 13, 2016
Planning Commission Adoption Hearing for an Interim HE	June 9, 2016
City Council / Marina Airport Commission Adoption Hearing for the Interim HE	June 21, 2016
FORA Consistency Determination	July 8, 2016
** City Final Submittal to California for CDBG Funding**	July 27, 2016

Task	Timeline
Housing Element – 2nd Round for Refinement	
Additional Outreach / Public Meetings	July- August 2016
Revise Housing Element to Address HCD Comments	August 2016
Revised Housing Element for HCD Review	September-October 2016
Recirculate Initial Study / Negative Declaration	September–October 2016
Planning Commission Re-adoption Hearing	November 2016
City Council/Marina Airport Commission Re-adoption Hearing	November-December 2016
FORA Consistency Determination Confirmation	January 2017
California Coastal Commission – Final Local Action Notice (FLAN)	January 2017

City administration is confident that this, “two round approach” will help the City secure the CDBG funding discussed in the May 12, 2016 report to the Planning Commission and will appropriately address the housing needs of the community.

DISCUSSION:

Particular demographic changes in the City of Marina have occurred since the last Housing Element was prepared. Additionally, the State of California dissolved all redevelopment agencies in 2012, which greatly reduced the financial resources available to local agencies to provide housing assistance.

Marina’s Demographic Shifts. These trends and changes are examined in the draft Housing Element and include:

- The City’s population is steadily increasing now after the drop in population from the closure of Fort Ord.
- The City has an aging population with 16% of persons being 60 years or older.
- There are fewer young families with children. Once 83% of the population were considered young families with children. This has reduced to 68% of the population.
- The City’s median income is 8% lower than the county-wide median income.
- The City has a low homeownership rate with only 43% of units being owner occupied.
- More than 60% of the City’s housing stock is older than 30 years.

Dissolution of Redevelopment Agencies. One of the more substantial changes from the last Housing Element is the dissolution of redevelopment agencies in the State of California. With the dissolution of the Marina Redevelopment Agency in 2012, the City lost its most significant financial resource for affordable housing development. The City though, is still able to periodically apply for State CDBG and HOME Investment Partnerships Program (HOME) funds through a competitive process to support a variety of housing and community development activities. Most recently, the City utilized HOME funds to assist in the development of two affordable housing projects; the 108-unit University Villages and 21-unit Rockrose Gardens.

Housing Programs Removed, Modified or Continued. In light of the shifts in Marina’s population and the major changes in public financing due to the loss of redevelopment funding, the programs of the draft 5th Cycle Housing Element have been updated from the programs of the 4th Cycle. Programs have been removed, modified or continued. Additional programs and refinements may be considered through the public review processes.

Program	Title	Comment on Program
Policy 1: Adequate Sites		
1.1	Provide Adequate Sites for RHNA	Modified – No rezoning proposed
1.2	Mixed Use/Increased Density – MST Site	To be continued
1.3	Mixed Use/Increased Density – Monitoring Housing Production	To be continued
Policy 2: Variety of Housing Options		
2.1	Density Bonus	Modified – update ordinance to be consistent with recent changes in State law
2.2	Affordable Housing Development	Modified by merging existing programs
2.3	Inclusionary Housing	To be continued
2.4	Rezone Additional Land for Mobile Home Park	To be continued
2.5	Preferential Housing for Marina Workers and Residents	To be continued
Policy 3: Improvement Standards		
3.1	Improvement Standards Review	To be continued
3.2	Zoning Ordinance Amendments	Modified

Policy 4: Funding Sources

4.1	Affordable Housing Resources	Modified by merging existing programs
-----	------------------------------	---------------------------------------

Policy 5: Conserve Existing Units

5.1	Property Inspection/Code Enforcement	To be continued
5.2	Conservation of Existing Affordable Housing	Modified by updating inventory of affordable housing

Policy 6: Energy Conservation

6.1	Energy Conservation	To be continued
-----	---------------------	-----------------

Policy 7: Housing Discrimination

7.1	Fair Housing Outreach	To be continued
-----	-----------------------	-----------------

Policy 8: Housing for Special Needs

8.1	Special Needs Housing – Removal of Constraints	To be continued
-----	--	-----------------

Policy 9: Adequate Water Supply

9.1	Collaboration with Water Resources Agencies	To be continued
-----	---	-----------------

Policy 10: Greenhouse Gas

10.1	Greenhouse Gas Reduction	To be continued
------	--------------------------	-----------------

Comments from HCD Considered. Following the May 12, 2016 Planning Commission authorization to staff to forward a draft Housing Element to the State Department of Housing and Community Development, the City has now received suggested points of clarification and refinement to the Housing Element (June 1, 2016) (See **EXHIBIT D**).

The majority of the comments focus on providing additional analysis to demonstrate adequate sites for the 2015-2023 Regional Housing Needs Allocation (RHNA) and unaccommodated needs from the previous RHNA period. If the City cannot demonstrate

adequate sites to HCD satisfaction, a new program to pursue rezoning/upzoning of additional properties would be required.

Other comments relate to the City's development standards and procedures and how they may constrain housing development. Additional discussions are needed to clarify capacity limits (such as maximum units in a zone, minimum unit size, minimum commercial requirement in mixed-use development, etc.); total fees charged; conditions of approval for projects requiring Use Permits; timeframes for processing development applications; and design review criteria. Lastly, HCD identifies several programs where specific actions with timelines and quantified objectives should be provided.

These comments will be addressed during the next round of the Housing Element update, with additional opportunities to work with the Planning Commission and City Council to refine the programs and objectives in the Housing Element.

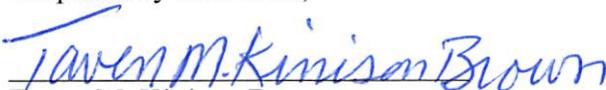
CALIFORNIA ENVIRONMENTAL QUALITY ACT

The CEQA analysis focuses on the environmental effects of the proposed Housing Element policies and programs on a City-wide (program-level) basis. Policies in the present draft Interim Housing Element do not propose to change land use or rezone any specific parcels for housing within Marina. The draft Negative Declaration was circulated for public review from May 9, 2016 to May 31, 2009. No comments have been received.

CONCLUSION:

Staff recommends that the Planning Commission open the public hearing, receive testimony from the public, and consider recommending that the City Council adopt a Negative Declaration (**EXHIBIT A**) for the Interim updated Housing Element 2015-2023, and that the City Council consider amending the City of Marina General Plan by adopting the Interim Housing Element 2015-2023 (**EXHIBIT B**).

Respectfully submitted,



Taven M. Kinison Brown
Acting Planning Services Manager
City of Marina

EXHIBIT A - Resolution to Recommend Adoption of a Negative Declaration

EXHIBIT B - Resolution to Recommend Adoption of Interim Updated Housing Element 2015-2023.

EXHIBIT C - The draft Housing Element (120 pages) and environmental document (42 pages) can be accessed at the following link:

<http://www.ci.marina.ca.us/DocumentCenter/View/5595>.

EXHIBIT D – June 1, 2016 letter from the California Department of Housing and Community Development. Review of the City of Marina's 5th Cycle (2015-2023) Draft Housing Element.

RESOLUTION NO. 2015-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARINA RECOMMENDING THE CITY COUNCIL CONSIDER ADOPTING A NEGATIVE DECLARATION OF NO SIGNIFICANT ENVIRONMENTAL IMPACT FOR THE INTERIM UPDATED HOUSING ELEMENT 2015-2023 TO THE GENERAL PLAN

WHEREAS, for the purposes of compliance with the California Environmental Quality Act (CEQA), an Initial Study was prepared for the draft Housing Element Update 2015-2023 to determine if the project could have a significant impact on the environment, and;

WHEREAS, the Initial Study determined that a Negative Declaration (ND) of no significant environmental impact is appropriate (**EXHIBIT C** of the June 9, 2016 staff report), and;

WHEREAS, the Negative Declaration was circulated for public review from May 9, 2016 to May 31, 2016, and no comments were received, and;

WHEREAS, the California Environmental Quality Act (CEQA) Statutes and Guidelines provide that a Negative Declaration may be adopted for a project where the project will not have a significant effect on the environment and that mitigation measures are not required, and;

WHEREAS the Planning Commission of the City of Marina, following the posting of Notice of Intent to Adopt a Negative Declaration, conducted a duly noticed public hearing on the draft Negative Declaration for the proposed Housing Element Update at its meeting on June 9, 2016, considered the information in the staff report, any written comments received prior to or during the meeting, and oral testimony presented at the public hearing, and;

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Marina that it hereby recommends that the City Council consider adopting a Negative Declaration for the Housing Element Update 2015-2023 with the following required findings:

Negative Declaration Findings

1. That an Initial Study and Negative Declaration was prepared by the City of Marina as the Lead Agency and was properly circulated for public review and comment for a minimum of 20 days from May 9, 2016 to May 31, 2016.

2. That on the basis of the whole record before it, there is no substantial evidence that the Housing Element Update 2015-2023 will have a significant effect on the environment.
3. That the Initial Study and proposed Negative Declaration for the Housing Element Update 2015-2023 were independently reviewed and analyzed by the Planning Commission and reflect the independent judgment and analysis of the Planning Commission.
4. That such independent judgment is based on substantial evidence in the record.
5. That the Project complies with CEQA, and that the proposed ND is legally adequate.

PASSED AND ADOPTED by the Planning Commission of the City of Marina at a regular meeting duly held on the 9th day of June 2016, by the following vote:

AYES, COMMISSIONERS:

NOES, COMMISSIONERS:

ABSENT, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

David Burnett, Chairperson

ATTEST:

Taven M. Kinison Brown,
Acting Planning Services Manager

RESOLUTION NO. 2015-

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MARINA RECOMMENDING THAT THE CITY
COUNCIL AMEND THE CITY OF MARINA GENERAL PLAN BY
ADOPTING AN INTERIM HOUSING ELEMENT 2015-2023.
(CITY-WIDE)

WHEREAS, on May 12, 2016 the Planning Commission considered a draft Interim Housing Element Update 2015-20123 and authorized staff to submit the updated draft to the State Department of Housing and Community Development (HCD), and;

WHEREAS, the draft Housing Element was submitted to the California Department of Housing and Community Development on May 16, 2016 (**EXHIBIT C** to the June 9, 2016 staff report), and;

WHEREAS, on June 1, 2016, the Department of Housing and Community Development returned comments on the draft Housing Element document (**EXHIBIT D** to the June 9, 2016 staff report), and;

WHEREAS, the Planning Commission has considered the comments from HCD, and;

WHEREAS, on June 9, 2016, the Planning Commission of the City of Marina conducted a duly noticed public hearing to consider its recommendation to the City Council on the Interim Housing Element 2015-2023, and;

WHEREAS, the Planning Commission finds that the Interim Housing Element 2015-2023 would not have a significant effect on the environment and that no mitigation measures have been conditioned, and;

WHEREAS, the Planning Commission finds that the Interim Housing Element 2015-2023 is consistent with community values and needs as articulated by the Community Goals and Primary Policies of the General Plan, and;

WHEREAS, the Planning Commission recommends that the City Council consider adopting a Negative Declaration for the Housing Element Update 2015-2023 (PC Resolution #), and;

WHEREAS, the Planning Commission recommends that the City Council find that the Interim Housing Element 2015-2023 fully and accurately documents housing needs for all sectors and income groups within the City of Marina and presents appropriate policies and programs to enable the City to address these needs.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Marina that it hereby recommends that the City Council amend the City of Marina General Plan by adopting the Interim Housing Element 2015-2023.

PASSED AND ADOPTED by the Planning Commission of the City of Marina at a regular meeting duly held on the 9th day of June 2016 by the following vote:

AYES, COMMISSIONERS:
NOES, COMMISSIONERS:
ABSENT, COMMISSIONERS:
ABSTAIN, COMMISSIONERS:

David Burnett, Chairperson

ATTEST:

Taven M. Kinison Brown
Acting Planning Services Manager

CITY OF MARINA HOUSING ELEMENT UPDATE 2015-2023
(June 2016)

and

CITY OF MARINA DRAFT INITIAL STUDY – NEGATIVE DECLARATION

The draft Housing Element (120 pages) and environmental document (42 pages) can be accessed at the following link: <http://www.ci.marina.ca.us/DocumentCenter/View/5595>.

Hard copy is also available for review at the Community Development Department counter at 209 Cypress Avenue during regular business hours.

EXHIBIT D

June 1, 2016 letter from the California Department of Housing and Community
Development.

Review of the City of Marina's 5th Cycle (2015-2023) Draft Housing Element

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



June 1, 2016

Mr. Taven M. Kinison Brown, Acting Planning Services Manager
Community Development Department
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

Dear Mr. Kinison Brown:

RE: Review of the City of Marina's 5th Cycle (2015-2023) Draft Housing Element

Thank you for submitting the City of Marina's draft housing element received for review on May 16, 2016. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. Our review was facilitated by a telephone conversation on May 26, 2016, with you and the City's consultant, Ms. Veronica Tam of Veronica Tam and Associates.

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (GC, Article 10.6). The enclosed Appendix describes these and other revisions needed to comply with State housing element law.

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) the City must have adopted its housing element within 120 calendar days from the statutory due date of December 15, 2015 for AMBAG localities. Since the element will be adopted after this date, GC Section 65588(e)(4) requires the element be revised every four years until adopting at least two consecutive revisions by the statutory deadline. For information on housing element adoption requirements, visit our website at: http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf.

For your information, on January 6, 2016, HCD released a Notice of Funding Availability (NOFA) for the Mobilehome Park Rehabilitation and Resident Ownership Program (MPRROP). This program replaces the former Mobilehome Park Resident Ownership Program (MPROP) and allows expanded uses of funds. The purposes of this new program are to loan funds to facilitate converting mobilehome park ownership to park residents or a qualified nonprofit corporation, and assist with repairs or accessibility upgrades meeting specified criteria. This program supports housing element goals such as encouraging a variety of housing types, preserving affordable housing, and assisting mobilehome owners, particularly those with lower-incomes. Applications are accepted over the counter beginning March 2, 2016 through March 1, 2017. Further information is available on the Department's website at: <http://www.hcd.ca.gov/financial-assistance/mobilehome-park-rehabilitation-resident-ownership-program/index.html>.

Mr. Taven M. Kinison Brown, Acting Planning Services Manager
Page 2

We are committed to assisting the City of Marina in addressing all statutory requirements of housing element law. If you have any questions or need additional technical assistance, please contact Jess Negrete, of our staff, at (916) 263-7437.

Sincerely,



Glen A. Campora
Assistant Deputy Director

Enclosure

[Type here]

APPENDIX CITY OF MARINA

The following changes would bring Marina's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at www.hcd.ca.gov/hpd. Among other resources, the Housing Element section contains the Department's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at www.hcd.ca.gov/hpd/housing_element2/index.php and includes the Government Code addressing State housing element law and other resources.

A. Housing Needs, Resources, and Constraints

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

The City has a regional housing need allocation (RHNA) of 1,308 housing units, of which 520 are for lower-income households. To address this need, the element relies on vacant and underutilized sites, including sites in Specific Plan Areas and nonresidential zoned sites. To demonstrate the adequacy of these sites and strategies to accommodate the City's RHNA, the element must include complete analyses, as follows:

4th Cycle Unaccommodated Need: If the City failed to make adequate sites available to accommodate the regional housing need in the prior planning period, the City must zone or rezone sites to accommodate any unaccommodated need within the first year of the 2015-2023 planning period (Section 65584.09). Program 1.1 was necessary to demonstrate compliance with the adequate sites requirement in the previous planning period, however it was not completed (page 61). The housing element indicates that 44 units affordable to very low-income households and 24 units affordable to low-income household were built in the 2008-2014 planning period, but provides no information documenting how affordability of the units was determined. To credit these units toward reducing the unaccommodated need, the housing element must describe the City's methodology for assigning these units to the various income groups based on actual sales price or rent level of the units and demonstrate their availability in the planning period. To demonstrate adequate sites were made available in the prior planning period, the housing element must include an analysis or programs demonstrating compliance with the statutory requirements. For additional information, see Department's AB 1233 Memorandum at http://www.hcd.ca.gov/hpd/hrc/plan/he/ab_1233_final_dt.pdf and *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/GS_reviewandrevise.php.

Sites Inventory: The housing element relies upon Specific Plan areas to accommodate the City's regional housing need for lower-income households. While the housing element indicates the Specific Plans' residential capacity and estimates the number of units by income group, it does not provide any analysis demonstrating suitability of sites for development in the planning period or potential affordability. To utilize residential capacity in Specific Plans, the element must:

- Indicate whether suitable sites have approved or pending projects or are suitable for development in the planning period.
- If projects are approved or pending, describe the status of the project, including any necessary approvals or steps prior to development, development agreements, conditions or requirements such as phasing or timing requirements that impact development in the planning period, and the affordability of the project's units based on anticipated rents, sales prices or other mechanisms (e.g., financing, affordability restrictions) ensuring their affordability.
- For suitable sites without pending or approved projects, the element must list sites by parcel number or unique reference, size, general plan designation, zoning and include a calculation of the realistic capacity of each site.

For additional information, see the *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/SIA_land.php.

Realistic Capacity: The housing element uses the minimum residential density of the C-1 and C-R zones to estimate the number of residential units that can be accommodated on each site in the inventory. The estimate of the number of residential units for each of these sites must also account for land use controls and development standards, such as those found in Municipal Code Sections 17.21.035, 17.21.060, 17.21.170, 17.22.100, 17.22.120, and could reflect recently built densities. For additional information, see the *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php.

Suitability of Non-Vacant Sites: The element generally describes underutilized sites stating "site coverage of buildings was estimated at 40% or less, land dedicated to parking appears in excess of the need, the current use is much less than the General Plan/zoning ordinance allows, building configuration for the use might be considered functionally obsolescent, and/or obvious opportunities for consolidation with adjacent vacant and/or underutilized sites" (page 63). However, the methodology of underutilized sites to accommodate the regional housing need for lower-income households must also describe the extent to which existing uses may impede additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites (Section 65583.2(g)). For sites with residential uses, the inventory could also describe structural conditions or other circumstances and trends demonstrating the redevelopment potential to more intense residential uses. For nonresidential sites, the inventory could also describe whether the use is operating, marginal or discontinued, and

the condition of the structure or could describe any expressed interest in redevelopment. For information and sample analysis, see the *Building Blocks* at: http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php#nonvacant.

Nonresidential Zoned Sites: The element relies upon nonresidential zoned sites, e.g. commercial and mixed use sites, to accommodate nearly the entire RHNA for lower-income households. To support this estimate, the element must include analysis of residential development on nonresidential zoned sites. For example, the analysis could include the following:

- Discussion of development trends such as the typical number or proportion of residential projects built in nonresidential zones.
- Discussion of residential development trends (regionally or locally) in nonresidential zones.
- Description of any existing or planned policies, programs, or local guidance or efforts promoting residential development in nonresidential zones.
- Description of any existing, or planned, mix-use or overlay zoning, performance standards, or incentives for promoting residential development in onresidential zones.
- Demonstrate a surplus of nonresidentially zoned sites relative to the regional housing need.

For additional information, see the *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php.

Small Sites: The element identifies several sites, less than one acre in size, to accommodate a portion of the RHNA for lower-income households. The element must describe whether these small parcels are expected to develop individually or be consolidated with the other small parcels. *For parcels anticipated to be consolidated*, the element must demonstrate the potential for lot consolidation. For example, analysis describing the City's role or track record in facilitating small-lot consolidation, policies or incentives offered or proposed to encourage and facilitate lot consolidation, conditions rendering parcels suitable and ready for redevelopment, recent trends of lot consolidation, and information on the owners of each aggregated site. *For parcels anticipated to develop individually*, the element must describe existing and proposed policies or incentives the City will offer to facilitate development of small sites. This is important given the necessary economies of scale to facilitate development of housing affordable to lower-income households. For example, most assisted housing developments utilizing State or federal financial resources typically include at least 50 to 80 units. For additional information and sample analysis, see the *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php#capacity.

Sites with Zoning for a Variety of Housing Types:

- **Emergency Shelters:** The element must demonstrate the R4 and CR zones have sufficient capacity to accommodate the identified housing need for emergency shelters (Section 65583(a)(4)). As nearly all of the R4 and CR zones are nonvacant, the element should describe the potential for capacity,

such as adaptive reuse on the identified sites. For additional information and a sample analysis, see the *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/SIA_variety.php#Emergency.

- **Transitional Housing and Supportive Housing:** For your information, in 2014 GC Section 65582 was updated and the definitions of transitional housing and supportive housing were revised. The zoning ordinance definitions should be reviewed to ensure consistency with the statute. For more information, see the *Building Blocks* at <http://www.hcd.ca.gov/housing-policy-development/senate-bill-745/sb745memo042414.pdf>.
2. *Analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

Land-Use Controls: Footnote 1 to Table 36 appears to limit the capacity of a zone (page 36). Footnote 4 to Table 37 appears to indicate that there are minimum unit sizes (page 37). If there are capacity limits and/or minimum unit sizes, the housing element should describe them, as well as any minimum lot size requirements for exclusive residential use, minimum commercial requirements, residential floor area limitations, or unit and bedroom limitations and include analysis that evaluates their cumulative impacts on the cost and supply of housing, including the ability to achieve maximum densities. Finally, programs must be included to address constraints on development.

Fees and Exaction: While the element indicates that total fees for a development was \$24,000 per unit (page 49), it does not indicate whether the fees were for a single family or multifamily development. The element must identify the total amount of fees and their proportion to the development costs for both single family and multifamily housing. For information and a sample analysis and tables, see *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/CON_fees.php.

Local Processing and Permit Procedures: While the element generally describes the timeframe for each processing and permit procedure, it must describe and analyze the City's permit processing and approval procedures by zone and housing type (e.g., multifamily rental housing, mobilehomes, housing for agricultural employees, supportive housing). The analysis must evaluate the processing and permit procedures' impacts as potential constraints on housing supply and affordability. For example, the analysis should consider processing and approval procedures and time for typical single- and multi-family

developments, including type of permit, level of review, approval findings and any discretionary approval procedures. For additional information and sample analysis, see the *Building Blocks* at our Department's website: http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php

The element indicates multifamily development of more than 25 units per acre and multifamily development in the CR and C1 zones requires a Conditional Use Permit (CUP) (page 39). The element must analyze the CUP process as a potential constraint on housing supply and affordability. The analysis should identify findings of approval for the CUP and their potential impact on development approval certainty, timing, and cost. The element must demonstrate this process is not a constraint or it must include a program to address and remove or mitigate the CUP requirement. For information, see the *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php.

Design Review: While the element mentions a design review process, it must describe and analyze the design review guidelines and process, including approval procedures, decision-making criteria, and processing time, for their impact as potential constraints on housing supply and affordability. For example, the analysis could discuss whether objective standards and guidelines improve development certainty and mitigate cost impacts. The element must demonstrate this process is not a constraint or it must include a program to address this permitting requirement, as appropriate. For information and sample analysis, see *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php

B. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

To address the program requirements of GC Section 65583)(c)(1-6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following:

Program 1.1 could describe any incentives provided to promote residential development on the identified underutilized sites.

Program 1.2 should describe a timeline for the development of the site.

Program 1.3 should describe any existing incentives provided to encourage mixed use development and include a quantified objective.

Program 1.4 should describe any incentives provided to encourage lot consolidation and include a quantified objective.

Program 2.1 should clarify that what is meant by "Government Code Section 65915 as well as the City's inclusionary housing requirement shall be applied to the project in the aggregate." For example, the program could be revised to indicate that "a density bonus shall be granted in compliance with state density bonus law."

Program 2.2 should define "affordable housing" and describe the next steps and timelines after "considering" reduced, deferred, or waived fees and evaluate tools and incentives. For example, the program could be revised to indicate "biennial review of fees, tools, and incentives and revise, as appropriate." The program should also include a quantified objective.

Program 3.1 should describe the next steps and timelines after the zoning ordinance is reviewed. For example, the program could be revised to state "the zoning ordinance will be revised, as appropriate, once the review is completed."

Program 4.1 should define "affordable housing" and include a quantified objective.

Program 5.1 should include a quantified objective. For example, the quantified objective could be "20 inspections per year."

Program 6.1 could include a quantified objective.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in Finding A1, the element does not include a complete site analysis and therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

Program 3.2 should be revised to ensure transitional housing and supportive housing are allowed in all zones allowing residential uses, including the MHR, K, C1, and C2 zones. Also, the program should clarify that employee housing of 12 units or 36 beds is treated as an agricultural use in all zones allowing agricultural uses.

3. *The housing element shall contain programs which address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing (Section 65583(c)(3)).*

As noted in Finding A2, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

C. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort (Section 65583(c)(8)).

While the housing element summarizes the public comment received, it could also describe how they were considered and incorporated into the element. During the period between the date of this review letter and the adoption of the final housing element, the City should continue its diligent public participation efforts to include all economic segments of the community. For additional information, see the *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/GS_publicparticipation.php.

D. Consistency with General Plan

The housing element shall describe the means by which consistency will be achieved with other general plan elements and community goals (Section 65583(c)(7)).

The element must describe how consistency was achieved and how it will be maintained during the planning period. For example, the element could include a program to conduct an internal consistency review of the General Plan as part of the annual General Plan implementation report required by Section 65400. The annual report can also assist future updates of the housing element. For additional information and a sample program, see the *Building Blocks* at http://www.hcd.ca.gov/hpd/housing_element2/OR_costal.php

For your information, some other elements of the general plan must be updated on or before the next adoption of the housing element. The safety and conservation elements of the general plan must include analysis and policies regarding fire and flood hazard management (GC Section 65302(g)). Also, the land-use element must address disadvantaged communities (unincorporated island or fringe communities within spheres of influence areas or isolated long established "legacy" communities) based on available data, including, but not limited to, data and analysis applicable to spheres of

influence areas pursuant to GC Section 56430. The Department urges the City to consider these timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/SB244_Technical_Advisory.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.