

Citizen Advisory Committee
Meeting Minutes
September 27, 2010

Present: Planning Director Nancy Kaufman, facilitator Ben Noble, Senior Planner Neal Toft, Contract Planner Julia Capasso, and all members of the CAC except for those listed below.

Absent: Russ Brubaker, Tony Catrino, Helen Heitkamp.

1. Announcements

The Planning Director reminded the CAC about the BCDC conference on October 22 regarding sea level rise adaptation strategies and said that interested CAC members should contact her. Elise Semonian stated that the Baskin Robbins in the Larkspur Shopping Plaza has closed, which is a significant loss for her family. She suggested that the CAC think about which parts of the community they don't want to lose and that should be protected or preserved to prevent such losses in the future.

2. Public Comment.

There was no public comment.

3. Presentation on California Senate Bill (SB) 375

The Planning Director stated that Mr. Johnson from the Metropolitan Transportation Commission (MTC) could not be there that evening due to a family matter and that she would be giving the presentation. Karita Zimmerman, a representative from the Transportation Authority of Marin (TAM), was present in the audience and would help her answer any questions. If there are any questions they can't answer, they will forward them on to Mr. Johnson. He is available to attend a future meeting if the CAC would like.

She presented a PowerPoint (available on City website) on SB 375. In 2006, the State Assembly passed AB 32, the Global Warming Solutions Act, which set a goal to reduce greenhouse gas (GHG) emissions statewide to 1990 levels by 2020 and an overall 80 percent reduction by 2050. Other pieces of legislation to help reduce GHG emissions include AB 1493 (Pavley, 2002), which requires car manufacturers to reduce GHG emissions from passenger vehicles, and Executive Order S-01-07 (2007), which established a statewide goal to reduce the carbon content in fuel at least 10 percent by 2020.

In 2008, the State passed SB 375 that gave the California Air Resources Board (CARB) the authority to set regional GHG emission reduction goals to help meet the mandates of AB 32. In order to do this, SB 375 directly coordinates land use planning and transportation planning at a regional level, two processes which were previously performed separately. The Bay Area's regional planning agencies are the Association of Bay Area Governments (ABAG) and the

Metropolitan Transportation Commission (MTC). CARB set the regional GHG emission standards in September of 2010. For the Bay Area region, the GHG emission reduction goal is a 7 percent reduction per capita (or per person) from 2005 levels by 2020 and a 15 reduction percent from 2005 levels by 2035. SB 375 requires regional agencies to create “Sustainable Communities Strategies” (SCS) as part of the Regional Transportation Plan (RTP) that must describe how the region will achieve the GHG emission reductions. Daniel Kunstler noted that when calculating the GHG emission reduction per capita goal, if the population grows at more than .5 percent annually, GHG emissions will stay the same. There will be no improvement in emissions unless population growth drops.

The SCS will be linked to the Regional Housing Needs Allocation (RHNA) process associated with the Housing Element. It also extends the Housing Element update cycle from five to eight years. It requires the funding in the RTP to match the outcome of the SCS; that is, communities that adhere to the SCS get priority funding from regional agencies. Development that conforms to the SCS may also be exempt from the California Environmental Quality Act (CEQA), as long as it meets certain requirements. If the SCS can’t achieve the GHG emission reductions, regional planning agencies must create an Alternative Planning Strategy (APS) that will meet the GHG emission targets. Neither the APS nor the SCS supersedes the General Plan or any other local government planning documents.

Transportation is a key contributor to GHG emissions in the Bay Area, where 41 percent of emissions are transportation related; transportation accounts for 14 percent of GHG emissions worldwide. Marin County residents have a much higher biological footprint (or use more natural resources) than other Bay Area residents and the world. This could be due to the increase in vehicle trips per person and the increasing number of cars owned per household in the County.

Compact development (as compared to sprawl) reduces CO₂ emissions and Vehicle Miles Traveled (VMT) by 20-40 percent. Without any change in behavior, VMT and GHG emissions will continue to increase exponentially. AB 1493 will help reduce GHG emissions but not enough to meet the State goal. SB 375 and the SCS are intended to bridge that gap. Another way to decrease GHG emissions from vehicles is to make it more expensive to drive. Driving in the urban “core” (e.g., San Francisco) is more expensive due to bridge tolls and high parking costs. Suburban areas can use core-pricing strategies to reduce driving within their own communities.

The SCS must accommodate all growth in regional housing demand and achieve the GHG emission reductions mandated by CARB. However, it must not interfere with local land use authority or with federal planning requirements for realistic demographic and revenue assumptions.

The implementation of SB 375 will be phased over time, with parking policies, electric vehicle infrastructure, and carbon taxes/road pricing occurring in the near term, and achieving compact and complete communities and transit-oriented employment centers in the long term.

Statistics on decreasing cigarette consumption and increased recycling rates show that it is possible to change peoples' behavior, given the right incentives and education.

Karita Zimmerman, a representative from TAM, briefly spoke from TAM's perspective on the SB 375 process. One key area the City could consider during the General Plan Update is that Priority Development Areas (PDA's) are a focal point in the SCS. PDA's are areas of dense housing near transit. A local government can apply to ABAG for an area within its jurisdiction to be designated a PDA. This is a key part of the SCS because it is assumed that VMT and thus GHG emissions will decrease if people live close to transit hubs. There are few opportunities for PDA's in Marin, as there is not a very dense transportation system, but Larkspur has an opportunity with the SMART train station. PDA's are currently given priority for grant money distributed by MTC. The only PDA's in the County are in San Rafael and the County. The other area to look at is Station Area Development for the SMART train stations. The City may submit an application for funds to study Station Area Development, within a half-mile radius of the proposed SMART station location in Larkspur Landing. The Planning Director stated that the City is considering applying for a Station Area Development.

4. Q&A regarding presentation

See Discussion below.

5. Presentation on State Law and RHNA

The Planning Director presented the PowerPoint (available on the City website).

She prefaced by noting that many may not realize that in Downtown Larkspur there are a number of buildings that have second-story residential units aboveretail, in addition to the Blue Rock Inn apartments. This existing density in the downtown area fits into the small town and historic character of the City.

The Housing Element is one of seven elements mandated by State law to be included in the General Plan. The State Department of Housing and Community Development (HCD) reviews and certifies the document. City staff is currently discussing the City's most recent draft Housing Element with HCD staff. There are potential penalties and litigation if the Element is not certified. Law requires the element to be updated every 5 years, but due to the time it takes to calculate the Regional Housing Needs Allocation (RHNA) it is usually extended to about 7 years.

It is considered a legal obligation for communities to meet their "fair share" of the projected regional housing need. The State determines state and regional housing needs, then the regional planning agencies (Association of Bay Area Governments, ABAG, for the Bay Area) allocates the local need to cities and counties. The RHNA is based on household growth, job growth, existing jobs, transit-oriented housing growth, and transit-oriented job growth. As a transit hub, the ferry terminal in Larkspur is responsible for much of the City's RHNA. ABAG

originally allocated over 1,000 units to the City, but after extensive discussion with the City and a change in the City's sphere-of-influence, it lowered it to 382.

The Housing Element must identify existing and projected housing needs, opportunities for and constraints to housing, goals, quantified objectives and policies, a five-year action plan, and adequate sites. It must remove government constraints (mostly by zoning for density by right) as well as other non-governmental constraints.

Some noticeable impacts when housing is not provided include: increased traffic as workers commute into the community, and associated reduced air quality from the traffic; reduced local workforce; the separation of families as children and aging parents cannot afford to live in the same City; and less diversity in the community. Some less noticeable impacts are reduced access to infrastructure funding, reduced access to housing funding, and potential for litigation and court orders to approve development and pay associated attorney fees.

The median income for a family of four was \$96,800 in 2009. The income categories associated with the RHNA figures include very low-income households (earning 50 percent or less than the median income), low-income households (earning less than 80 percent of the median income), moderate income households (earning 80 to 120 percent of the median income), and above moderate income households (earning more than 120 of the median income). Several slides show that low-income and very low-income households can't afford current market prices in Larkspur for rental units and for-sale homes. This shows an existing need in Larkspur for housing that is affordable to a broader range of income levels.

The Planning Director concluded with a slideshow showing existing dense residential developments and examples of well-designed multi-family development in other communities.

6. Q&A regarding presentation

See Discussion below.

7. Discussion on how the information presented affects existing General Plan Land Use and Circulation element goals.

Mr. Noble stated that the CAC is asked to give input on big picture changes that need to be made to existing goals in Land Use and Circulation Elements. They should not focus on specific language of goals and policies, but rather propose new goals to be added, identify any revisions or changes to existing goals, or identify any goals that are not relevant and should be removed. Staff and the Committee will use this input when looking at the two subareas and when recommending revisions and updates to the General Plan. At the end of the discussion, the CAC and staff will identify major areas of agreement, with dissenting opinions noted for the record.

Alice Anderson questioned whether the CAC could discuss land use and circulation before they have reviewed sea level rise projection data and graphics, which may severely limit growth and

development opportunities. She also suggested that the City consider an amnesty program for illegal second units; legalized units could count toward their RHNA. The Planning Director noted that the City Council had previously considered such an amnesty program and decided that they did not want to reward people who had constructed them illegally, but they may consider it in the next housing cycle. Mr. Noble said that as to her prior point, a goal could be added that states the City will incorporate sea level rise projection data into planning decisions. The Planning Director noted that the CAC will hear presentations on sustainability and climate change at future meetings, including a review of sea level rise projections.

Jim Moore asked whether the goals are numbered by priority. Mr. Noble answered that the goals all have equal weight as presented, but that the CAC may decide if it wants to prioritize certain goals. Joakim Osthus thought that Goal #1, "Maintain the overall residential character of Larkspur," was unclear. Bruce Friedrichs stated that Larkspur is defined primarily as a residential community, as opposed to an industrial city. Nancy Nakai stated that a new "umbrella" topic with related goals should be added to address environmental responsibility. She is concerned that low-income housing units may be located in environmentally hazardous sites. The City should be very careful where it designates high density housing, and needs to consider flooding risks, soil toxicity, interaction with the watershed, and liquefaction risks. Most of the remaining vacant land is environmentally sensitive. She is concerned that SB 375 will waive CEQA requirements for low-income projects. The Planning Director commented that the Committee should be careful about equating high density housing with low income housing as they are not necessarily the same; the Tamalpais is an example of dense housing that is not affordable housing to low-income households.

David Sternberg said that in his experience, CEQA exemptions allow for expedited project processing, but do not remove building requirements, such as structural requirements relating to earthquake safety, or all environmental review. The Planning Director noted that there are environmental conditions that could prevent a CEQA exemption from applying, for instance, if endangered animal habitat is on the site. Most new residential housing in Larkspur is infill development, which is exempt from CEQA today as long as it meets specific requirements. Ms. Nakai said that her concern remains that there is a lot of environmentally sensitive land out there that shouldn't necessarily have dense housing on it. Ms. Leitzell suggested adding a goal under "Vacant Properties" that states the development process will keep the environment in mind, including the potential for rising sea level. Elise Semonian said that another goal should be added regarding the redevelopment of existing developed areas, rather than new development in environmentally sensitive areas.

David Sternberg said that many of the goals are redundant; for instance, the first four goals could be consolidated into two goals. There could be a better integration of the goals. James Holmes said that the goals are taken out of context and are further detailed along with policies and programs in the General Plan. They may seem repetitive when viewed separately, but should be considered in the context of the whole document.

Nancy Weninger said that there is no connection between the Land Use and Circulation Elements' goals, particularly regarding transit-oriented housing and transportation. In light of the SB 375 presentation, as the City develops its transportation plan it should consider housing needs, and as it is developing its housing plan it should look at transportation. David Esposito agreed, and said that the City has been given very specific laws and goals from the State to mix transportation and land use planning. Separate elements may not work with this new mandate and may need to be integrated together, perhaps in a combined element. Also, the CAC should decide how the State goals fit in with the local community vision.

Ms. Leitzell said that not every piece of legislation they heard was mandated. SB 375 compliance is a choice, and doesn't require the City to change its General Plan. The CAC must decide which way they will go: either motivated by State mandates or a local vision. Zachary Perry said that the CAC should agree on new goals that meet those State mandates and possibly integrate them into the existing element. Cherie Daly asked whether Goal #4, "Maintain the existing neighborhood scale," makes sense anymore. To her, this means maintaining low density, while high density is the best way to support transit. Is the community going to look for higher density in Larkspur or not?

James Holmes said that there is a considerable tension between the existing General Plan goals and what the State is trying to promote. The CAC must resolve how it feels about that and balance those conflicting needs. An example of a goal that balances those needs is, "Where practical and legal, base land use decisions on local community desires rather than outside organizations' demands." Jim Moore stated that "why people live in Larkspur" should be considered.

Jeff Stahl said that we assume a lot about a sense of stasis that the community is as it always has been, and there's a desire to keep it as it is now. That can result in a community that gets stale. Marin has one of the oldest populations in California, and Larkspur has one of the oldest populations in Marin. The average household size is 1.95 people, meaning that the majority of households are of 1 to 2 people. From a community standpoint the CAC should weigh the trend of growing increasingly older and decreasing household sizes and finding positive ways to embrace growth. He proposes a goal under the "Neighborhoods" category to encourage infill development or redevelopment that adds housing while maintaining community and neighborhood character and fits in aesthetically and architecturally.

Mr. Friedrichs suggested that the impact of land use decisions on local schools be considered and integrated into the Land Use Element. [Note: The Community Facilities and Services Element addresses local schools, enrollment projections, and how land use decisions affect local schools. We will discuss this important topic at a future meeting.] School resources are strained, due to lack of funding and campus capacity. Wolf Gutscher said that enrollment at Larkspur School District schools has increased steadily over the past decade and has strained current site capacity. Jerry Hauser asked whether Mr. Friedrichs was proposing a no growth policy in order to alleviate pressure on schools. Mr. Friedrichs responded that he was not, but the City should coordinate school and land use planning. Mr. Sternberg noted that the District

once had more schools and a larger student population. Elise Semonian said that there is nothing in the current plan that says the schools will no longer be zoned as schools. There are two private schools leasing two public school sites, sites that would technically be available if there was a dramatic increase in public school enrollment. Wolf Gutscher said that the district relies on the long-term leases of the two schools as a funding source.

Joakim Osthus said that it might be dangerous to try to propose goals that go against the recommendation of the regional planning organization based on what we think is needed for Larkspur. Larkspur is a small city but it is affected by traffic from around the Bay Area, and environmental problems are global. The regional planning organization keeps a bigger picture in mind. He suggests that the CAC try to work with regional planning recommendations. He added that he would like to change Goal #1 to read "...overall *balanced* character" rather than "...overall residential character." With the direction from SB 375 and other legislation toward mixed-use development, traffic reduction and so on, an overall residential character would conflict with that. Elise Semonian said that it seems that if Larkspur became a balanced community with a larger job base, then the City would have to provide more housing for the region. It seems that the process is not looking at balanced communities. For instance, Larkspur Landing does not have a grocery store, and bringing more residential density will require road widening.

Ms. Leitzell said that she has no faith in the wisdom of regional planners, and the CAC should focus on what is best for the community. She agrees with Jeff about infill development standards. Second unit requirements could be relaxed; as a real estate agent, she knows many people would love to have second units but the restrictions may be too onerous. She would support an amnesty program. She sees a natural cycle of older people selling their homes to young families, so she doesn't think the City should focus on building more dense development to accommodate more people. Ms. Nakai said that she thinks people don't want a stagnant community, but also don't want an explosion of growth. Responsible growth- responsible to schools, the environment, and other areas- may be the right approach to keep Larkspur a community we can recognize.

Daniel Kunstler agreed with Mr. Sternberg that the goals should be reduced. Mr. Holmes proposed a goal to balance development with the anticipated availability of community services, such as police and fire. The City will have a flat revenue stream for a while, which will certainly impact its ability to increase services. In the past, cities have tried to solve revenue problems by bringing in more commercial growth. However, now the State requires more housing if you bring in more commercial. He advises against that strategy.

The Planning Director proposed that the CAC continue the discussion to the next meeting. She also noted that General Plan maps show environmental constraints; some are out of date, but most remain accurate. The Committee agreed to continue the discussion to the next meeting.

8. Establish dates in October for site visits to subareas

The Planning Director proposed three dates for tours of the subareas: Monday, October 18 from 4-6 p.m. for North Magnolia Ave.; Wednesday, October 20 from 4-6 p.m. for the industrial area east of the Highway, and Saturday, October 23 for both areas from 10 a.m. –2 p.m. CAC members could attend either the combined tour on the 23rd or the separate tours on the 18th and 20th. Staff will determine where to meet closer to the dates. The Committee agreed that these dates were appropriate. The Planning Director said that staff would provide handouts to guide the walking tours. Anyone who can't make those dates should contact staff.

9. Review of September 13 meeting minutes

Nancy Nakai said that her comment regarding the station area grant application was meant to consider the costs of police and fire services and whether more intense development at Larkspur Landing would be feasible after considering those costs.

Next meeting: October 11, 6:30-8:30 p.m.

The CAC will conclude its discussion on the Land Use Element, provide staff with major areas of agreement, and begin discussing the Circulation Element after a brief presentation by staff. The CAC will also split into two groups for the subarea studies.

Adjournment

The CAC adjourned at 8:00 p.m.