



Memorandum

TO: Community and Economic
Development Committee

FROM: Leslye Krutko

**SUBJECT: HOUSING PUBLIC OUTREACH
POLICY – COUNCIL REFERRAL
CC6-24-08.4.4**

DATE: September 11, 2009

Approved

Date

9-10-09

COUNCIL DISTRICT: City-wide
SNI AREA: N/A

RECOMMENDATION

It is recommended that affordable housing projects continue to adhere to Council Policy 6-30, *Public Outreach Policy for Pending Land Use and Development Approvals*, as is required for large development projects.

BACKGROUND

On June 24, 2008, the City Council adopted Resolution No. 74504 to approve a funding commitment to CORE Affordable Housing LLC (Core) for the development of the 53-unit Cornerstone@Japantown Family Townhomes. The subject site, located at the southwest corner of North Tenth Street and East Hedding Street, was originally planned to be a market-rate ownership project. However, due to the impact of the financial crisis on the homeownership market, the developer opted to build the project as a rental development that targeted extremely low-, very low- and low-income households. The building footprint and exterior design of the project did not change.

Council directed the City Manager to have staff and the developer engage the community in a discussion on the project that included outreach to the 13th Street NAC and nearby homeowner associations, including Viridian Townhomes. These meetings were held in August of 2008.

Council further directed Housing Department staff to return to the Community and Economic Development Committee with a policy discussion regarding any additional community outreach that might be required in instances where all prior neighborhood notification regarding a market-rate, ownership project preceded a developer's decision to seek government subsidies for rental affordable housing.

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City Council Policy 6-30

On September 21, 2004, the City Council revised City Council Policy 6-30, *Public Outreach Policy for Pending Land Use and Development Proposals*. The attached policy stresses the City's desire to provide information and opportunities for residents to follow development activity in their neighborhoods, and to actively participate in the land use development process. The policy establishes standard procedures for disseminating information concerning development activity, and encourages early and consistent communication between City staff, applicants, and the public.

The California Government Code requires hearing notices to be mailed ten days before a public hearing to owners and occupants within 300 feet of a development site. Policy 6-30 exceeds the State requirement for noticing of public hearings by requiring notices to be mailed at least 14 days before a hearing to a 500 foot radius for Standard Proposals, and to a 1,000 radius for Large Proposals, as defined in the policy. Public hearing notices must be mailed at least 21 days before the hearing to a 1,000 foot radius for Significant Community Interest Proposals.

Policy 6-30 also requires an applicant to erect onsite a "Notice of Proposed Development" sign within ten days of filing a development application to inform the public that a development application has been filed, and to enable them to contact the applicant and the City project manager for more information. It also requires the applicant of a Large or Significant Community Interest Proposals to hold at least one noticed community meeting within 45 days of filing a development application.

ANALYSIS

It is recommended that all affordable developments follow Council Policy 6-30 as is currently required. It is not recommended that any additional community outreach be required after a project has completed the planning process.

Although Housing Department staff do not typically attend the community meetings outlined in Council Policy 6-30, which take place prior to any determination of support or commitment of funding, Housing Department staff will plan to attend at least one community meeting early in the development review process for any residential development that has indicated an interest in a City loan. Staff would indicate at this meeting that the developer has contacted the Department with an interest in seeking City financial assistance.

If physical changes are proposed to an approved residential development, the applicant would again be subject to the development review process in which Housing Department staff would disclose requests for public funding at a community meeting or public hearing. No additional public outreach would be conducted for funding requests for approved affordable housing developments if no physical changes are proposed that would trigger the development review process, as public outreach would already have been completed regarding the project design. Additionally, to do so would subject affordable housing developments to public outreach requirements not required of market-rate residential developments.

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The Housing Department researched the public outreach policies of other large cities in California that have affordable housing programs. The cities of Los Angeles, San Francisco, San Diego, and Oakland do not require community notification for changes in public financing, or tenure changes for an approved development if no physical changes are proposed to an approved development.

Housing Department staff will be available at the Committee meeting to respond to any questions.



LESELYE KRUTKO

Director of Housing