

SUMMARY MINUTES (DRAFT)

ABAG Regional Planning Committee Meeting
Wednesday, October 1, 2014
Joseph P. Bort MetroCenter
101 8th Street, Oakland, California

1. CALL TO ORDER

Vice Chair Anu Natarajan, acting Chair of the Regional Planning Committee and Vice Mayor of City of Fremont, called the meeting to order at 12:20 PM.

A quorum of the committee was present.

Committee Members Present

Susan L. Adams, Supervisor
Desley Brooks, Councilmember
Paul Campos, Director
Tilly Chang, Executive Director
Pat Eklund, Councilmember
Martin Engelmann, Deputy Ex. Director of Planning
Pradeep Gupta, Councilmember
Scott Haggerty, Supervisor
Erin Hannigan, Supervisor
John Holtzclaw
Nancy Ianni
Michael Lane, Policy Director

Mark Luce, Supervisor
Jeremy Madsen, Executive Director
Nate Miley, Supervisor
Karen Mitchoff, Supervisor
Anu Natarajan, Vice Mayor (RPC Vice Chair)
Julie Pierce, Councilmember (ABAG President)
Laurel Prevetti, Assistant Town Manager (BAPDA)
Carlos Romero, Director
Mark Ross, Councilmember
Pixie Hayward Schickele
Warren Slocum, Supervisor
Egon Terplan, Planning Director
Dyan Whyte, Assist. Exc. Officer

Members Absent

Shiloh Ballard
Andy Barnes, Policy Chair
Ronit Bryant, Councilmember
Julie Combs, Councilmember
Dave Cortese, Supervisor (RPC Chair)

Jurisdiction

County of Marin
City of Oakland
Building Industry of America--Bay Area
SFCTA (City of San Francisco)
City of Novato
Contra Costa Transportation Agency
City of South San Francisco
County of Alameda
County of Solano
Sierra Club
League of Women Voters--Bay Area
Non-Profit Housing Association of Northern California
County of Napa
Greenbelt Alliance
County of Alameda
County of Contra Costa
City of Fremont
City of Clayton
Town of Los Gatos
Urban Ecology
City of Martinez
California Teachers Association
County of San Mateo
SPUR
San Francisco Regional Waterboard

Jurisdiction

Silicon Valley Leadership Group
Urban Land Institute
City of Mountain View
City of Santa Rosa
County of Santa Clara

Diane Dillon, Supervisor
Kristina Lawson, Councilmember
Eric Mar, Supervisor
Harry Price, Mayor
David Rabbitt, Supervisor (ABAG Vice President)
Carol Severin, Associate Director
James P. Spering, Supervisor
Jill Techel, Mayor

County of Napa
City of Walnut Creek
City and County of San Francisco
City of Fairfield
County of Sonoma
East Bay Regional Park District
County of Solano
City of Napa

2. PUBLIC COMMENT

There were no public comments.

3. APPROVAL OF REGIONAL PLANNING COMMITTEE MEETING MINUTES OF AUGUST 6, 2014.

Acting Chair Anu Natarajan, Vice Mayor of City of Fremont, recognized a motion by Mark Luce, Supervisor at County of Napa, and seconded by Susan Adams, Supervisor at County of Marin, to approve the committee minutes of August 6, 2014 with corrections by Member Terplan. The motion passed unanimously.

4. ORAL REPORTS/COMMENTS

Information

A. Committee Member no comments

B. Staff no comments

5. SESSION OVERVIEW

Information

Miriam Chion, Planning and Research Director at ABAG, explained that ABAG staff will be reviewing the PDA criteria; this is an item which Regional Planning Committee (RPC) Members and Executive Board had requested. There also will be a substantial discussion on resilience.

There will be one more RPC meeting this year, which will focus on placemaking and some of our research efforts at ABAG. Next year there will be a series of substantial meetings related to the release of a series of reports: State of the Region Report, Placemaking Report, Housing Vulnerability Report, and Regional Prosperity Report. A calendar will be sent out for those dates. As discussed in the past we would like to have one meeting in the evening where we can discuss the specifics of the forecast.

Ms. Chion introduced Staff for Item 6.

6. REVIEW OF PRIORITY DEVELOPMENT AREA CRITERIA

Action

Mark Shorett and Christy Leffall, Regional Planners at ABAG Planning and Research Department, provided an overview of the Priority Development Area (PDA) criteria.

Attachments:

1. *Priority Development Area (PDA) List*
2. *Regional Priority Development Area Map*
3. *Summary PDA Criteria/Guidelines Table*
4. *PDA Size Graphs*

Member Campos talked about the placetype density range and suggested the Executive Board consider adjusting the minimum density in smaller jurisdictions to 15 units per acre rather than 20 units per acre. He said that after adoption of Plan Bay Area there was a massive backlash in the North Bay and other jurisdictions against PDAs, 20 units per acre is too much for some jurisdictions; it pushes some jurisdictions out of the process of sharing housing obligations. Governor Jerry Brown just signed a bill reducing the default density necessary to satisfy the RHNA in Marin. The same argument applies in some jurisdictions to reducing density for PDAs.

Member Lane highlighted a previous discussion about a Transit Priority Project (TPP) verses a PDA. In getting letters of consistency from ABAG and MTC, staff worked with him to support affordable housing projects. He is interested in hearing staff's position on this.

Ms. Chion responded that his question is beyond PDA criteria. For the PDA criteria there are three basic components and that seems to be working. The proposed change in the size criterion relates specifically to the PDAs and how we can better incorporate the efforts at the local level. Whether there are some projects outside of PDAs that could be considered to be consistent with the SCS is a different topic that needs additional discussion.

Ezra Rapport, Executive Director at ABAG, clarified that if a project is inside a PDA ABAG considers it to be consistent with the Sustainable Communities Strategy. However, we do not retain exclusive right to say which projects are consistent with the Sustainable Communities Strategy, since local governments have the right to write a letter about whether a project is consistent with a Transit Priority Area (TPA) or the SCS and we will not oppose that. ABAG has not yet figured out what the standards will be for when grant funds require ABAG support.

Member Eklund asked whether we have addressed the question raised last year about the difference between planned and potential PDAs.

Ms. Chion responded that a planned PDA is when they have locally adopted plans, and potential PDAs are designated by the local jurisdiction but are in the beginning of the planning efforts.

Member Eklund shared that lowering the density may not be the right solution; they have a lot of controversy in Marin about PDAs unrelated to density.

Member Madsen cautioned against lowering the density below 20 units per acre, he felt that 20 units per acre is a good number.

Mr. Shorett wanted to clarify that the guideline for placetype is 20 units per acre and that is what was in the bill for Marin as well.

Member Adams shared that people are more concerned about how the State categorizes suburban areas and the fairness of it. There still is a lot of education needed to the public about what Plan Bay Area is, what a housing element is, and how specific plans go through the local process. She felt it is not the density number but that the public understands what all this means for their community.

Member Terplan questioned if the idea of PDAs is working. How many places are currently PDAs but do not meet the criteria of a PDA? How much overall development has been approved? How many areas have the right criteria but never became a PDA? All that information would be very helpful. Is the PDA really the right tool to use for the upcoming Plan Bay Area update? Are the PDAs just for housing or are they for high quality transportation purposes, and is their focus on employment as well?

Ms. Chion answered three questions. All the PDAs meet the housing criteria, the transit piece is the one that requires more research, and about 90% meet the transit criteria. There are a few places that meet all the criteria but are not designated by local government as PDAs. If that is something that is desired we can talk about that, however that decision is up to local governments. About the focus on employment there are guidelines that are suggested which address employment, we are also working on new criteria about industrial areas.

Mr. Rapport added that the local designation of PDAs is a local control issue which ABAG wants to maintain. There is a bigger issue which is the political will to develop an area, which is a huge obstacle throughout the Bay Area to get projects done. PDAs are developed as vehicles for investment, whether it is from the region or the State or other mechanisms, and we provide technical assistance to support these PDAs. But we need to have political will from the local jurisdiction. We are planning to use the PDA framework for the next Plan Bay Area update.

Member Terplan asked whether a PDA designation could be removed if the political will is not at hand so that transportation investments could be better used in other areas.

Mr. Rapport responded that, due to the shortage of housing, they do not want to remove a PDA designation. However, OBAG will prioritize funds for areas that are making efforts to move forward.

Member Romero clarified PDA size criteria and added that, with regard to the density question, low-income housing projects need to be a minimum of 30 units per acre, this is the minimum threshold for development. To find properties, for a low-income housing developer, it is easier if the density stays at 20 units per acre.

Member Chang supported staff's recommendation and also agreed with Member Terplan's comment about the importance of focusing on employment. Housing is a very important component in our region; however employment and transit are equally in need of attention.

Member Lane highlighted that Non-Profit Housing Association (NPH) does not support lowering the density per acre because there are too many projects that depend on the higher numbers.

Member Holtzclaw supported the comments of Member Chang and indicated that a lot of attention should be given to have more mixed use projects so people do not have to drive and can use more public transportation.

Member Prevetti made a motion to adopt the staff recommendation for PDA Criteria.

Member Luce added that transit is very important and our Plan should emphasize being able to use transit; they should also recognize the importance of living close to work.

Chair Natarajan mentioned that in some PDAs in Fremont they see three story buildings with 3-4 bedroom units around 2,500 square feet each all attached and it is a challenge to make them look good and fit into the urban scene. She added that we will talk more about this in our next session about placemaking. Also they should use PDAs as a tool to attract the Cap and Trade Funds.

Chair Natarajan recognized a motion by **Laurel Prevetti, Assistant Town Manager of Los Gatos**, and seconded by **Pat Eklund, Councilmember of City of Novato**, to adopt staff's recommendation for Item 6. The motion passed unanimously.

7. ADVANCING BAY AREA RESILIENCE: ABAG'S INTEGRATED APPROACH

Action

Ms. Chion introduced ABAG staff. Danielle Mieler, Dana Brechwald, Michael Germeraad, and ABAG Policy Advisor Arrietta Chakos presented key findings from ABAG's current resilience work in housing and infrastructure, the future direction of resilience planning at ABAG, and proposed regional resilience policies.

Attachments:

- 1: Bay Area Housing and Community Multiple Hazards Risk Assessment*
- 2: Infrastructure Resilience Overview*
- 3: Draft State and Regional Legislative Policy Agenda*

Member Adams mentioned that the presentation and documentation seem to focus on short-term resilience, and she would like to indicate that sea-level rise and climate change are equally important and need to be stressed to our community.

Member Haggerty asked why Livermore was not included in the research map for the presentation. He proposed to include additional scenarios that include the impacts on Livermore.

Ms. Brechwald appreciated Member Haggerty's suggestion to include it in their next study.

Ms. Chakos continued with the presentation about the State and Regional Legislative Policy Agenda.

Member Campos asked staff if they had identified High Hazard Areas. He wanted clarification about the statement in the presentation that rebuilding in High Hazard areas will be prohibited.

Ms. Brechwald explained that State guidelines prohibit building in certain high hazard areas. However, the project helps to identify other high hazard areas where jurisdictions may choose not to rebuild after damage from a natural disaster. ABAG has no authority to tell people where to build or rebuild.

Member Campos requested that be clarified in the document and also asked for direction about when and how to comment on these strategies.

Ms. Brechwald replied that comments can be sent to staff until the end of October 2014.

Ms. Chion explained that the Technical Advisory Committee is giving the first round of comments and then RPC will have a chance to give comments once the draft report is ready.

Member Gupta agreed with the importance of including resilience in future planning. He said this is a complex issue. How would they manage their resources in addressing resilience? There are three stages: (1) Before the disaster, they need to prepare for the disaster. They need to revise the criteria to prioritize areas and to deal with the uncertainty of earthquakes. (2) Immediately after the disaster, they need management of the damage and a process for investment decisions. (3) In the long term recovery, they need appropriate management of resources to bring back and strengthen places after the disaster.

Mr. Rapport indicated that ABAG is working on the three points Member Gupta raised. (1) ABAG has been successful in seeking grants and delivering quality reports. He said that there is a private market that needs to upgrade its facilities so their investments are protected. There is a possibility of mandating improvements to certain buildings. Oakland is one of their pilot programs. (2) The regional networks that serve the Bay Area have their own revenue raising capacity, they may be politically constrained but they are not legally constrained to upgrade their networks. Twenty five billion dollars have been invested in seismic work since the Loma Prieta Earthquake. (3) Managing recovery needs to be planned before disaster hits; we need a disaster recovery program in Plan Bay Area.

Member Pierce agreed with Member Haggerty that it is important to map the areas that are very vulnerable outside the Hayward and San Andreas Fault. When they share reports with the public it needs to be emphasized that the Hayward and San Andreas Faults are by far not the only faults in the Bay Area. It is their job to give out good information, since there is a lot that individuals can do to retrofit their homes.

Member Prevetti thanked staff for the great work they put together. They are moving to resiliency and adaptation and the five policy statements are great. They are short of a lot of resources to do all the improvements needed for buildings so they need to look at how the limited resources are distributed. They need to look at priorities for limited resources.

Mr. Rapport talked mentioned Oakland is considering a Community Development Block Grant (CDBG) fund that would offer a reduction of business license taxes for residential rental properties as an incentive. The State will be providing some resources and they are looking for advice from a regional agency. We need to work to be able to provide this advice.

Member Whyte asked if the hazard analysis looked at earthquake-induced landslides.

Ms. Brechwald responded that they did identify hillside homes; however the number is very small compared to other fragile housing types.

Member Romero talked about equity and the impact of disaster on low-income areas of color, which will be heavily affected in a disaster. If disaster hits it often results in wholesale depopulation. They need to think about what could be done for these areas.

Member Ross discussed the appropriate threshold of damage for considering rebuilding, addressing the possibilities of retaining existing populations and affordability, and assessing the appropriate insurance coverage. Currently the building code indicates that 50 percent is the threshold for rebuilding and insurance companies work with this threshold, which might not be

appropriate. Then, he indicated the urgency of installing gas shut off valves to reduce the fire risk.

Mr. Rapport agreed and would also like to have PG&E install gas shut off valves on the street so it does not go to the buildings.

Ms. Mieler added that the housing risk project's first intent was to look at the vulnerable cities and communities with high-risk housing issues. They have more projects coming up and will take the RPC's suggestions into consideration as well as the mapping recommendation that has been made. She wanted to assure the committee that this is only the beginning and they have a new project which will include a toolkit with recommendations that come out of this housing project.

Member Haggerty mentioned that the response to disaster will heavily involve community-based organizations helping people find shelter especially in vulnerable areas. He only saw education pieces in the report and questioned staff as to whether they considered references from Community and Neighborhood Emergency Responds Teams. He also emphasized how important the gas shut off valves are.

Ms. Brechwald explained that they are talking to Collaborating Agencies Responding to Disaster (CARD) and will have stronger language in the final report. They had to keep the scope of this report on long term recovery. There are many strategies we could have included which demonstrate how residents move effectively in response to a disaster; they were focusing on keeping the people safe in their homes.

Member Luce talked about the importance of gas shut off valves, indicated that regular fire insurance does not cover damage during an earthquake and earthquake insurance is expensive with large deductibles. Earthquakes are always huge amounts of loss and very little coverage from insurance and other funds.

Member Eklund asked if a residence or commercial building has been severely damaged by an earthquake, and the property is a non-conforming use, what happens to the residents that lived there. Will non-conforming use properties be addressed in the toolkit in the upcoming report?

Ms. Chion answered that they will take that into consideration as they have not yet decided the scope of the toolkit report.

Member Prevetti mentioned a lot of communities address non-conforming use properties in their ordinances; she did not know the specific facts.

Chair Natarajan recognized a motion by **Laurel Prevetti, Assistant Town Manager of Los Gatos**, to support the new resilience program and to recommend that the ABAG Executive Board adopts the Loma Prieta 25th Anniversary policies, seconded by **Pat Eklund, Councilmember of City of Novato**. The motion passed unanimously.

ADJOURNMENT

Acting Chair Natarajan adjourned the Regional Planning Committee at 2:30 PM.

The next meeting of the Regional Planning Committee will be on December 3, 2014 at 12:00 PM.

Submitted:

Wally Charles

Date: November 17, 2014

For information or to review audio recordings of ABAG Regional Planning Committee meetings, contact Wally Charles at (510) 464-7993 or info@abag.ca.gov.