



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember
Donald Rocha

SUBJECT: EVERGREEN BALLOT INITIATIVE **DATE:** October 30, 2017

Approved Don Rocha Date 10-30-17
PH

RECOMMENDATION

That the City Council approve the recommendations set out in the supplemental staff report for this item, and suggest that staff may wish to consider the following two issues as they conduct their analysis of the citywide policy implications of this measure:

1. If the measure passed, how would the City evaluate whether a site qualifies as “underutilized employment land,” and what level of discretion would the Council retain to deny applications to apply the Senior Housing Overlay to additional sites within the city?
2. The Senior Housing Overlay proposed in the initiative can only be applied to “underutilized employment lands.” If the measure passed, would the Council retain the authority to change the general plan designation of underutilized employment lands to another, non-employment designation, such as open space? Would such re-designation be a viable strategy to prevent implementation of the overlay on additional sites and preserve the Council’s ability to ensure housing growth happens in an orderly fashion?

ANALYSIS

I want to thank staff for the work they have done responding to my memo. Whenever I’m faced with a significant decision as an elected official, it’s very important to me to have all of the relevant facts and analysis. I initially issued a memo on this topic because of my desire to have full information, and I greatly appreciate staff’s efforts to ensure that the Council is well-informed on this issue.

As I mentioned at the Council meeting, I am skeptical that the Evergreen site is viable for industrial uses; however, since issuing my original memo, I’ve had the opportunity to further review the proposed measure and hear additional feedback from both staff and the public. Based on what I have learned so far, I’m increasingly concerned about the citywide policy implications of the proposed initiative, which are separate and distinct from the question of what type of development is appropriate on the Evergreen site. I

don't support making policy by initiative, and am concerned major citywide policy changes could have negative consequences.

I'm certain that staff will take a very close look at the citywide implications in their report; I look forward to reviewing their findings. I'd like to use this opportunity to flag two specific issues related to the citywide implications that I think we should think about (staff may already be planning to address these issues, but I thought that I'd flag them just to be sure.) First, it would be useful to understand, should the measure be approved, how much discretion the City Council would retain to deny applications that propose specific sites be designated with the Senior Housing Overlay. Second, my understanding is that the measure would set up a policy framework whereby the Senior Housing Overlay could be applied to "underutilized employment lands." If we're concerned that such a policy might result in housing production in areas where it would be detrimental, then it seems one way to retain our discretion might be to change the general plan designation on underutilized employment lands to a non-employment designation, such as open space. Presumably, such re-designation would disqualify such sites as candidates for the overlay. We may want to think through whether this is an option that would be worth considering.

Again, I would like to thank staff for their commitment to providing quality analysis and my colleagues for considering my suggestions.
