

Foster City COUNCIL CORNER



Councilmember Russ Harter

HOUSING ELEMENT

Nothing has focused more public attention recently than the housing element in our General Plan. The concern is that Foster City, a master planned community has always met or exceeded our "affordable housing" goals. So, why, at a built-out condition are we being penalized and forced into an overcrowded situation?

Let's look at the whole picture and no matter what our personal preferences and principles are we must recognize our most important principle. We are a country based on rules and laws and we must obey the laws..... or change the laws.

All cities in California are required to have a General Plan and for over 20 years the General Plan has had to include a "housing element." What does this mean? The government, that is the State with input from the cities has established a target. This target or goal is to have 1½ jobs per housing unit or 1 housing unit per 1½ jobs, either way. Subsequently the State, by law, introduced the additional requirement that certain percentages of newly constructed housing units must be affordable so as to try and match the economic profile of the wage earners. The definition of affordability is established by the State.

It is obvious that over the last 20 plus years we have experienced considerable economic growth which translates into increased numbers of jobs, right here in Foster City. Now, the intended targets and requirements of the State haven't essentially changed. What has changed is that we have provided more jobs, and that is very important to the economic strength of our community.

At this point I would like to introduce another factor as we approach build-out with 3,000 to 4,000 fewer residents than was initially planned. That is the significant importance of building businesses within our community. You see tax revenues from ordinary residences alone will not support the infrastructure and services that the City provides us. We need businesses as a foundation for our economic health.

So, you say, what's the problem? Basically there are two problems. First the State legislature has recognized that most communities, not Foster City, however, have ignored their affordable housing requirements which have grown along with the economic health of our communities. Consequently Senator Dunn has introduced legislation, SB943 that would impose serious penalties on communities not complying with the law. These penalties include substantial fines and the withholding of certain State funding until a community is in compliance.

The second problem is more fundamental. The State is mandating that we, living in a build-out master planned community that has always met our affordable housing goals must crowd in more housing. The State is in fact dictating we must manage our planned community and how we must spend our money. This is unfair, it is wrong, and very possibly it is unconstitutional.

Now, people have asked, "but how in the world does ABAG figure into this and have the authority to establish our housing requirements?" Well, they don't. ABAG, the Association of Bay Area Governments, of which we are a member, is really just a facilitator. Our requirements are established by the State after analyzing the statistics of our own economic growth. I guess you would have to say, it is the result of our own success.

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HOUSING ELEMENT

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Here is a picture of our affordable housing program.

Right now we have 161 affordable housing units in our City. Upon completion of Marlin Cove and Port O'Call (Miramar) we will have an additional 132 affordable units giving us a total of 293. "The State" says we must have a plan to provide an additional 183 units by the Year 2006.

It must be recognized that the housing element that your City Council just approved is not a specific construction blue print. It is just a plan that describes a number of ways in which we could meet our requirement should the right set of economic circumstances present themselves i.e. willing seller, willing buyer, willing developer and a willing city constituency. But we must have a plan to provide the required balance in our City. That's the law.

Now, let me assure you that any new proposed developments in Foster City will have to go through the exhaustive planning and public approval process that was followed for the design of our City Center campus.

My conclusions are that I understand the logic behind the evolution of our housing requirements and I know we will obey the laws. However we, you and I have the obligation to contact our State Senators and point out how unfair and wrong these senate bills are and ask for their explanations, their guidance and their support.

Please contact:

- State Senator Jackie Speier @ (650) 340-8840
- State Senator Byron Sher @ (650) 364-2080

Both senators Speier and Sher oppose this bill.

Also, feel assured that Community Development Director Rick Marks is available @ (650) 286-3234, and I can be reached at (650) 573-6468 to discuss this situation.