2 Comments on the Draft SEIR

This chapter contains copies of the comment letters received on the Draft SEIR and a summary of public comments on the environmental analysis received at a Planning Commission meeting held virtually on August 13, 2020. A total of one comment letter was received during the 45-day comment period. This comment was made by an individual, Bobbi Lopez, on August 29, 2020. Comments received are listed in Table 2-1.

Each letter or summary is identified by a designator (e.g. “Letter A1”). Specific comments within each letter or summary are identified by a designator in the page margin that reflects the sequence of the specific comment within the correspondence (e.g. “A1-1” for the first comment in Letter A1). Within each category, comments are listed in chronological order according to the date on the letter.
August 29, 2020

Santa Rosa Planning Department

**RE: Comments on Santa Rosa Downtown Station Area Specific Plan (DSASP) and the Draft Subsequent Environmental Impact Report (DSEIR)**

Dear Commissioners and City Staff:

I write in regards to the Santa Rosa Downtown Station Area Specific Plan (DSASP) and the Environmental Impact Report (EIR) for the Plan to discuss “the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided and mitigated.” This Plan is set to include the development of 7,006 residential dwelling units and 1,006,915 square feet of non-residential development by 2040. For these reasons, I request a consideration of the below concerns and a revised EIR prior to Project approval to further analyze the listed impacts and increase the feasibility of mitigation measures.

**The Plan Does Not Sufficiently Mitigate Displacement Or Ensure Compliance With Santa Rosa’s Required RHNA For Moderate, Low, Very Low, And Extremely Low-Income Households**

Housing is very much needed in Santa Rosa and I applaud the efforts to increase the housing stock in general. However, I believe the Affordable Housing and Anti-Displacement strategy of the plan to be deficient in addressing the needs of working class and low-income individuals in the plan areas as well as in adjacent neighborhoods. This plan must have baked into its greater affordable housing and rental housing preservation strategies or it will have a displacement and gentrification impact. Other area plans have done this- for example, San Francisco’s Central Soma Plan explicitly stated that it would “maintain the diversity of residents by requiring that more than 33% of new housing units are affordable to low- and moderate-income households.”¹ The Land Use component of the Santa Rosa DSASP report acknowledges the possibility of gentrification by saying: “In creating an environment that is attractive to higher-wage industries

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and employees to stimulate housing production, there is potential for lower-income residents to be displaced as higher-income residents move in.”

According to the DSIER and the 2019 Affordable Housing and Anti-Displacement Strategy of the Plan, the area plan is 34% Latino, 75% of the planning area’s housing units are renter-occupied with 53% of those renters as rent burdened, 18% of households make under $20,000, and 15% of households are below the poverty line. The 2019 Sonoma County Point in Time Count identified 1600 unhoused individuals in Santa Rosa. The area plan has a higher number of renters, higher percentage of Latinos, higher percentage of those living in poverty than the rest of Santa Rosa. As a matter of fact, in the Anti-displacement strategy report, it actually lists the populations who are vulnerable to displacement by Tract in and around the Plan as seen in the chart below which has a large number of potentially displaced persons.

### Figure 5. Populations Vulnerable to Displacement

<table>
<thead>
<tr>
<th>Vulnerability</th>
<th>Tract 1531.04</th>
<th>Tract 1530.03</th>
<th>Tract 1530.02</th>
<th>Tract 1520</th>
<th>Tract 1519</th>
</tr>
</thead>
<tbody>
<tr>
<td>People aged 65+</td>
<td>4.0%</td>
<td>7.9%</td>
<td>8.5%</td>
<td>7.3%</td>
<td>10.5%</td>
</tr>
<tr>
<td>People who do not speak English well</td>
<td>25.2%</td>
<td>11.1%</td>
<td>16.3%</td>
<td>2.2%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Renters paying more than 30% of incomes</td>
<td>58.6%</td>
<td>46.7%</td>
<td>69.0%</td>
<td>43.7%</td>
<td>55.1%</td>
</tr>
<tr>
<td>People with less than a high school education</td>
<td>48.6%</td>
<td>21.9%</td>
<td>32.0%</td>
<td>11.7%</td>
<td>17.8%</td>
</tr>
<tr>
<td>Non-white population</td>
<td>77.8%</td>
<td>45.5%</td>
<td>68.0%</td>
<td>32.6%</td>
<td>46.1%</td>
</tr>
</tbody>
</table>

Source: ACS, 2011-2015

Already, according to the analysis site, AdvisorSmith, Santa Rosa is the 14th least affordable U.S. city for homebuyers. As for renters, Santa Rosa has seen steady rent increases in the past 10 years and according to an August 2020 Housing Market report of Sonoma County says, “buyer demand has skyrocketed” because of “more affluent buyers,” are likely moving out of San

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2 Santa Rosa Downtown Station Area Specific Plan Update, Affordable Housing and Anti-Displacement Strategy Report (December 2019) Retrieved from https://static1.squarespace.com/static/5c1d4da8f407b4c941bf4f29/t/5f36d82dbc940a63c24c2196/159742981725/housing+and+anti-displacement+strategy.pdf


Francisco due to the pandemic. Renters in the Area Plan have rent protections that are weaker than nearby jurisdictions (codified in AB 1482, 5% allowable annual increases after inflation or 10%, whichever is lower for apartments older than 15 years).

To address displacement, the Plan relies on existing housing/inclusionary fees (10% moderate income, 8% low income or 5% very low income for sale or 4% low income, 3% very low income, or 5% moderate income for rental) and other fees (Commercial linkage fee of $3/sf) as well as current market rate construction it deems "affordable by design" to build for middle, low and very low income residents. The Plan goes on to state that affordable units will become available because the Plan provides bonus maximum base floor area ratios (FARs) to those projects that propose affordable housing, that "reducing the overall number of parking spaces provided can help with affordability," and that "smaller units are more likely to be naturally affordable" to those at lower income levels. The Plan also speaks to "encouraging" residential development that meets the special needs of seniors, large and small families, low- and middle-income households, and people of all abilities" and "promoting" the use of material that make construction “affordable by design.” This is simply not enough. Fundamentally depending on the market in this manner will not ease the affordable housing pressures the city currently faces.

The Plan fails to adequately meet Santa Rosa’s Regional Housing Needs Assessment. Santa Rosa was allocated 5,083 new housing units to be built between 2015 and 2023, with 33 percent (1,712 units) available to Extremely Low, Very Low, and Low-Income households. While the City has not met any of its targets for housing construction, it has fared most poorly with constructing moderate, extremely low, very low, and extremely low-income housing. In these categories it has only met 15% 10% of the required amount compared to 51% for above moderate-income homes as seen with the chart below from the City of Santa Rosa. Given these deficits, why not a greater emphasis on the construction of affordable housing? Policy SP-LU-2.6 called for a review of the City’s Housing Allocation Plan to address affordable housing, but why not just incorporate stronger tenant protections and incentivize more affordable housing into the Plan?

### Table 2: Regional Housing Needs Allocation and Permit Issuance, 2015-2023

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Housing Need</th>
<th>Percentage</th>
<th>Progress (2015-2018)</th>
<th>Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low (incomes less than 30% of county AMI)</td>
<td>520</td>
<td>10%</td>
<td>48</td>
<td>472</td>
</tr>
<tr>
<td>Very Low (incomes between 30-50% of county AMI)</td>
<td>521</td>
<td>10%</td>
<td>53</td>
<td>468</td>
</tr>
<tr>
<td>Low (incomes between 51-80% of county AMI)</td>
<td>671</td>
<td>13%</td>
<td>89</td>
<td>582</td>
</tr>
<tr>
<td>Moderate (incomes between 81-120% of county AMI)</td>
<td>759</td>
<td>15%</td>
<td>126</td>
<td>633</td>
</tr>
<tr>
<td>Above Moderate (incomes above 120% of county AMI)</td>
<td>2,612</td>
<td>51%</td>
<td>1,103</td>
<td>1,509</td>
</tr>
<tr>
<td>Total Projected Need</td>
<td>5,083</td>
<td>100%</td>
<td>1,423</td>
<td>3,660</td>
</tr>
</tbody>
</table>

Source: City of Santa Rosa, 2018

The proposed rezoning under the Santa Rosa Downtown Plan without stronger mitigations is a recipe for gentrification and displacement. These changes will also mean increased rents for both residential and commercial tenants. The graph below, also from the Affordable Housing and Anti-Displacement Strategy Report, shows the majority of the Area Plan as “at risk for displacement” or experiencing “ongoing gentrification.”

This plan largely relies on incentivizing market-rate housing with the belief that eventually the market rate housing becomes affordable which is partially true. While studies do show this happens, it can take years- time gentrifying communities don’t have, especially during the COVID-19 pandemic when economic inequity is further exacerbated. If anything, the Planning Commissioners, city staff and the City Council should consider the warning in the report by Andrés Rodríguez-Pose of the London School of Economics that “upzoning is far from the progressive policy tool it has been sold to be. It mainly leads to building high-end housing in desirable locations.”

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Greenpoint/Williamsburg and Park Slope/4th Avenue. This report indicated that during the period of rezoning, there was "a decrease of about 15,000 Latinx residents in Greenpoint & Williamsburg between 2000 and 2015 despite a population increase of over 20,000 (of mostly white residents) during the same time period and a decrease of about 5,000 Black and Latinx residents in Park Slope between 2000 and 2013 despite overall population growth of over 6,000 during the same period." The report goes on to recommend a Racial Impact Study to the environmental review process to “ensure that the racialized displacement that often accompanies rezonings would be brought to the foreground,” “develop a low-income housing strategy,” and “prioritize the retention of communities of color by reinvesting in permanently, deeply affordable housing.” The last recommendation is aligned with a 2016 UC Berkeley Report, that “the best way to prevent gentrification and displacement is to build affordable housing in cities and neighborhoods where rents and home prices are rising fastest.” Large-scale displacement is considered a significant environmental impact under CEQA’s "Vehicle Miles Travelled" standard. In order to combat the negative impacts of the Plan on the existing working-class residents of the City, serious controls need to be put in place as outlined below:

1) Establish a strong rent control similar to Ordinance 4072 that for certain residential rental units, limits rent increases to no more than 3% in a cumulative 12-month period;
2) Aggressive non-profit or city acquisition of existing tenant occupied buildings and convert into permanently affordable housing (while protecting the rights of tenants in those buildings);
3) Aggressive acquisition of new development sites for 100% affordable housing;
4) Right of First Refusal for residential renters and/or nonprofits and commercial renters;
5) Ensure the sale of public land for private or public/private development is at least 33% or more affordable;
6) Rental registry tracking buyouts;
7) Increasing affordable housing impact fees for very low- and low-income housing in the Area Plan; and
8) Racial Impact Study to the Environmental Review.

Jobs/Housing Fit Imbalance will Impact the Entire City

In addition, the Downtown Plan needs to take into consideration the jobs/housing fit. This is a metric that "measures the imbalance between a city’s total number of low-wage workers and the quantity of homes affordable to them." In other words: "By growing jobs without planning for homes for low-income workers, most cities in our region are failing to create inclusive communities and forcing low-income workers to choose between paying a disproportionate percentage of their income on housing, living in substandard and/or overcrowded conditions in order to afford housing, or enduring long commutes (and incurring costs for transportation) in order to find

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8 Churches United For Fair Housing. “Zoning & Racialized Displacement In NYC” (October 2019) Retrieved from https://static1.squarespace.com/static/5dc0429de5717c7ff1caead0/t/5de6c0e683bec649d37ab0cc/1575403753814/Zoning+and+Racialized+Displacement+in+NYC.pdf
9 3 Zuk, Miriam, and Chapple, Karen. “Housing Production, Filtering and Displacement: Untangling the Relationships” UC Berkeley, Institute of Governmental Studies (May 2016)
affordable housing in areas further away from job centers. The City lauds the Plan to move the jobs-housing ratio from 6.01 to 1.84 but does not adequately address the jobs/housing fit. According to the same report referenced above, Santa Rosa was already at a deficit in creating jobs for low-income and working people by 3,806 affordable units! With most of the new jobs being in the office sector and depleting industrial uses for a new “Maker” use, the Plan will benefit wealthier, more highly educated non-residents at the expense of existing low-income, working-class people, and communities of color.

The DEIR Omits Analyses of the Current Trend of Residential Units Not Being Used as Traditional Housing

There are multiple units in Santa Rosa being used as "pied-a terres" and as "short term rentals," moving away from its intended purposes as a primary residential purpose. This has a displacing impact. The EIR does not fully study the impact of corporate rentals, short term rentals and other commercial uses that are different from the original and intended uses as residential. With insufficient controls and enforcement, there is no sure way that residential housing is being used for that specific purpose.

Other Concerns with the EIR:

- **Intensity of Development and Relaxing of Development Controls Have Not Been Evaluated With Respect to State Density Bonus Laws in the DEIR**

In 2016, legislation passed at the State level to enable developers throughout California to more easily take advantage of State Density Bonus incentives. The State Density Bonus (SDB) was intended as a mechanism for local developers to build an increased amount of affordable, student, or senior units in exchange for density increases. The latest version of the State Density Bonus (SB 1085) allows for up to 50% increase in density for a project! Understanding the impact of SDB to projects in the Area Plan is key to realize the full needs around infrastructure demands, traffic, and affordable housing.

- **Inadequate Transportation Infrastructure, Traffic Impacts**

  The vehicular trip generation of the Proposed Plan under Existing plus Project conditions is shown in Table 3.7-5.

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Daily Trips</th>
<th>AM Peak Hour Trips</th>
<th>PM Peak Hour Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing (No Project) Trips</td>
<td>112,320</td>
<td>7,296</td>
<td>10,157</td>
</tr>
<tr>
<td>Existing plus Project Trips</td>
<td>162,954</td>
<td>10,908</td>
<td>14,209</td>
</tr>
<tr>
<td>Total Project Trips (A – B)</td>
<td>50,634</td>
<td>3,611</td>
<td>4,052</td>
</tr>
</tbody>
</table>

Source: SCTA Travel Demand Model, W-Trans, 2020

- The Downtown Station Area Specific Plan will contribute to increased vehicular and residential area emissions that may exceed the BAAQMD threshold. Of

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10 Lane, Michael. Jobs/Housing Fit And The Effects On Bay Area Health, Equity And Environment” NPH (2013)
course, growth-oriented traffic and transportation impacts are expected and while I applaud many of the mitigations proposed by the City, the following should be considered:

- **Impact Of Ride Hailing Companies Within And Adjacent To The Plan Area Of The DEIR Are Not Fully Considered** Ride shares/TNCs put more single vehicles in circulation and on the road. These vehicles are often idling, illegally parked, and compete for fare-paying customers and have very little oversight. Ride-hailing/TNC traffic not only increases "Vehicle Miles Traveled," it has also increased traffic congestion and impacted pedestrian safety. This raises concerns around the transportation infrastructure needs of the Plan.

- **CEQA Concern Based On Vehicle Miles Traveled** The upzoning of property increases the values of the underlying land, and this has the potential impact of increased costs for residential and commercial tenancies. Also, low income residents tend to be more transit dependent, so replacing low income residents with higher income residents potentially increases the population of individuals with car ownership. The impacts of the increased "Vehicle Miles Travelled" caused by more affluent and incoming populations was not considered in the EIR. This Plan will also increase residents and workers’ VMT, which results in a significant traffic impact under SB 743 (2013).

- **Emergency Vehicle Access Issues.** The Plan may have significant impacts to emergency vehicle movement and access that are not disclosed or analyzed because little analysis on impact of the state density bonus, rideshares and displacement.

- **Parking Impacts that are Not Disclosed or Mitigated in the DEIR.** This Plan may have significant emission and traffic impacts if single occupancy vehicles find themselves circling in search of parking thereby increasing traffic congestion.

- **Air Quality Baseline Analysis is Inadequate**
  - Per the DSASP and EIR, "Santa Rosa exceeded federal standards in ozone" and faces "air quality threats from wildfire smoke," in particular matter (PM2.5), which is an air pollutant. Certain air monitoring stations such as at Morris street have exceeding air quality standards without development. Our concern with the EIR is that it does not fully study the impact of ongoing fires due to climate change nor the impact of projects utilizing the state density bonus. Without this critical baseline information, the DEIR analysis is not properly reviewing "cumulative impacts" (criterion 2) despite all the proposed goals and policies.
  - By not addressing the critical nature of wildfires, there is also the concern of emissions adversely affecting a substantial number of people (criterion 4). If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has eliminated or substantially lessened the significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns." Pub.Res.Code ("PRC")§ 21081; CEQA Guidelines§ 15092(b)(2)(A) & (B).
  - I believe that the plan also increases greenhouse emissions because again, the plan does not include the impact of state density bonus units nor calculate the impact of a displaced workforce.
● Also, construction activity during development within the Specific Plan Area simultaneous to smoke particles during fires conditions will have a cumulative impact in generating concerning levels of additional air pollutant emissions.

● **Removal of Industrial Uses** the Preferred Plan Concept creates a new Maker Mixed Use (MMU) described as a “mix of residential, creative, and maker-oriented uses in industrial areas downtown.” While believing that this might actually reduce air pollutants, it also reduces the availability of jobs for working class residents.

● **Insufficient Impact Fees may hinder the City’s Ability To Meet the Infrastructure Demands Of the Area Plan:** The Anti Displacement report states that overall fees are less for development in the planning area than the rest of the city including a “reduction of Capital Facilities Impact Fees and Park Impact Fees based on height and inclusion of affordable units; and deferral of Water and Wastewater Impact fees.” While I applaud the City incentivizing affordable housing, it should not be at the expense of infrastructure.

● **Prohibition of drive-through establishments.** Given the multi-year reality of living through a pandemic, I recommend this option be removed to allow small businesses more flexibility in reaching customers while safely distancing.

I believe the Environmental Impact Report needs further analysis in order to properly mitigate the significant impacts of the Plan as described above. Should you have any questions, feel free to email me at bobbi@todco.org.

Sincerely,

Bobbi Lopez
Dear Amy:

The Planning Commission held a public meeting on Draft Subsequent Environmental Impact Report (SEIR) on August 13, 2020 during the 45-day public comment period. This memo provides a recap of that meeting and a summary of comments pertaining to the environmental analysis.

Recap

At the meeting, an overview of the key elements of the Proposed Plan and findings of the Draft SEIR was presented, including a discussion of the Draft SEIR’s mitigation measures pertaining to air quality, historic resources, and parks. Following the presentation, comments on the contents of the Draft SEIR were made by the Planning Commission as well as the general public. The following comments were received:

- **Amendments to the Executive Summary.** The Commission noted that Table ES-1 on page ES-5 contains an incorrect footnote. The commission noted that on page ES-6, three areas are noted as Areas of Controversy, and there is no description of what makes these areas controversial.

- **Amendments to Chapter Two.** The Commission noted a typo on page 2-4, where the phrase “Third Street and Healdsburg Ave” is incorrect.

- **Incorporating Amendments to the Roseland Specific Plan.** The Commission requested that amendments to the Roseland Specific Plan be incorporated as needed throughout the SEIR, due to the overlap between that Plan and the Roberts Avenue area.

One member of the general public posed a question regarding the SEIR. Pamela Roberts asked for clarification regarding the standards that would be in place to evaluate potential historic resources. This commentator noted that the SEIR’s use of the phrase “age-eligible” in describing properties that would be included in a historical significance survey implies that the only criterion used to determine historical significance would be the property’s age. The commentator noted that the Cultural Heritage Board’s “Processing Review Procedures for owners of historic properties” Section 5C names a number of criteria for considering the significance of a historic building beyond consideration of the property’s age, including Event, Person, Design, Information, and Integrity. The commentator asked for clarification regarding whether it is only property age that will be used to determine historical significance or whether other criteria will be considered as well.

No further comments on the merits of the environmental analysis in the Draft SEIR were received during the public hearing.
Members of the consultant team clarified the meaning of the term “age-eligible” and provided additional context regarding the content of and procedure involved in conducting a Cultural Resources Survey, confirming that multiple factors aside from age are considered during the historical review process.

The term “age-eligible” refers to the first criterion that would be used to determine historical significance; once a site is over 50 years old, it is considered “age-eligible” and it qualifies as historic and should be reviewed under CEQA. This CEQA review would consider a comprehensive suite of historical significance criteria, including criteria similar to those identified in the Cultural Heritage Board’s report.

The first element of a Cultural Resources Survey is the preparation of a Historic Context Statement. This statement provides an outline of the overall physical development of the City, including historical discussions of key property development types over the lifetime of the city. This work is used to identify Registration Requirements for different periods of the city’s history, which helps to identify whether a property may be significant within its specific historical context. These Registration Requirements are created using the California Register of Historical Resources criteria, the National Register, and any local requirements which may be applicable. This document then serves as the guiding document when a survey occurs, thus enabling the surveying consultant to evaluate a property according to multiple significance criteria including architecture, association with significant events and people, and integrity of the property.