

California Renters Legal Advocacy and Education Fund

1260 Mission St

San Francisco, CA 94103

hi@carlaef.org



3/7/19

San Carlos Planning Commission

600 Elm Street

San Carlos, CA 94070

Shannon Bergman, sbergman@cityofsancarlos.org; Don Bradley, dbradley@cityofsancarlos.org; John Dugan, jdugan@cityofsancarlos.org; Jim Iacoponi, jiacoponi@cityofsancarlos.org; David Roof, droof@cityofsancarlos.org

Via Email

Re: 800-808 Alameda de Las Pulgas

Dear Planning Commissioners,

The California Renters Legal Advocacy and Education Fund (CaRLA) submits this letter to inform you that the City of San Carlos has an obligation to abide by all relevant state housing laws when evaluating the above captioned proposal, including the Housing Accountability Act.

California Government Code § 65589.5, the Housing Accountability Act, prohibits localities from denying housing development projects that are compliant with the locality's Zoning Ordinance and General Plan at the time the application was deemed complete, unless the locality can make findings that the proposed housing development would be a threat to public health and safety. The most relevant section is copied below:

(j) When a proposed housing development project complies with applicable, objective general plan and zoning standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete, but the local agency proposes to disapprove the project or to approve it upon the condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by substantial evidence on the record that both of the following conditions exist:

(1) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(2) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

The Applicant proposes to construct a residential community consisting of 68 attached townhome units, each with a two car garage.

The above captioned proposal is zoning compliant and general plan compliant, therefore, your local agency must approve the application, or else make findings to the effect that the proposed project would have an adverse impact on public health and safety, as described above.

CaRLA is a 501(c)3 non-profit corporation whose mission is to restore a legal environment in which California builds housing equal to its needs, which we pursue through public impact litigation and providing educational programs to California city officials and their staff.

Sincerely,



Sonja Trauss
Co-Executive Director
California Renters Legal Advocacy and Education Fund

Cc: Dragonfly Group, 808alameda@dragonfly-grp.com
Mark Olbert, Mayor, molbert@cityofsancarlos.org
Ron Collins, Vice Mayor, rcollins@cityofsancarlos.org
Sara McDowell, Councilmember, smcdowell@cityofsancarlos.org
Laura Parmer-Lohan, Councilmember, lparmerlohan@cityofsancarlos.org
Adam Rak, Councilmember, arak@cityofsancarlos.org
Lisa Costa Sanders, Principal Planner, LCostaSanders@cityofsancarlos.org