



STAFF REPORT

TO: PLANNING COMMISSION

MEETING DATE: December 14, 2010

**PREPARED BY: Terry Blount, AICP, Planning Manager
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RE: Draft Updated Housing Element of the City's General Plan

GENERAL INFORMATION

APPLICANT: City of Martinez

LOCATION: The Updated Housing Element covers all land within the City limits.

ENVIRONMENTAL REVIEW: The Initial Study evaluating the project's potential environmental impacts was prepared and circulated as required by the California Environmental Quality Act (CEQA). The Initial Study found that the project would not have a significant impact on the environment and a Notice of Intent to Adopt a Negative Declaration has been prepared.

PROPOSAL: Approval of the Draft Updated Housing Element of the City's General Plan. The Planning Commission will make a recommendation to the City Council regarding the adoption of the Draft. The California Department of Housing and Community Development (HCD) has reviewed the Draft and has indicated that, with the revisions requested, the document meets the State's statutory requirements.

RECOMMENDATION

Conduct public hearing and recommend adoption of the Draft Updated Housing Element, with the revisions requested by HCD, to the City Council.

BACKGROUND

State law requires each city and county to adopt a general plan containing seven elements including a Housing Element. Rules regarding Housing Elements are found in California Government Code Sections 65580-65589. Housing Elements must be updated about every seven years. All Bay Area jurisdictions are currently in the process of updating their housing elements to comply with State law. The City's current Housing Element was adopted in 2005 and certified by the California Department of Housing and

Community Development (HCD). The current Update builds upon the 2005 Housing Element as an important starting point.

Housing Element Update Process

In April 2009 the City Council created an 18-member Housing Element Update Task Force to provide guidance and technical assistance throughout the Update process. Task Force meetings provided an opportunity for members of the public to offer comments and suggestions for the items being discussed. In addition to Task Force meetings, there have been other opportunities for community members to provide input to the Housing Element Update. Other key outreach activities by the Task Force include:

- (1) A community workshop held on August 10, 2009, which provided the community a chance to ask questions and to offer direction for the Housing Element Update;
- (2) Two outreach meetings tailored to specific stakeholder groups, with the goal of connecting with all segments of the population; and
- (3) A public study session with the City Council and Planning Commission on October 7, 2009, conducted to provide direction to the Task Force for the preparation of the Housing Element Update. At that meeting, a number of comment were received relating to housing needs of the homeless, the Section 8 housing voucher rental assistance program, requirements for housing elements, code enforcement, etc.

At its last meeting November 19, 2009, the Task Force reviewed a first draft of the Housing Element, made modifications, and unanimously voted to recommend the policies and programs contained in it. This document is known as the "Discussion Draft Housing Element." The Discussion Draft Housing Element was then reviewed at a joint City Council and Planning Commission study session on December 16, 2009, and with minor changes and additions was determined to be adequate to send to HCD for their review. The requested revisions were made by staff. This revised document is referred to as the "Draft Housing Element."

Review by California Department of Housing and Community Development (HCD)

The Draft Housing Element was submitted to HCD on December 22, 2009 for their review as required by State law. The City received a letter from HCD dated February 18, 2010 (see Attachment 3) asking that additional information be included in the Draft Housing Element. Over much of 2010 City staff has worked with HCD staff to respond to all of HCD's comments and to make modifications to the Draft Housing Element in compliance with State law requirements.

The attached Draft Housing Element and Errata (see Attachments 1 and 2), which together comprise the "Revised Draft Housing Element" referred to in HCD's letter, respond to all of HCD's requests and comments. As a result, HCD submitted a letter to the City dated September 28, 2010 stating that "[t]he revised draft element will comply with State housing element law (Article 10.6 of the Government Code) when adopted

and submitted to the Department, pursuant to Government Code Section 65585(g).”

DISCUSSION

Contents of the Draft Housing Element

The updated Housing Element recommends a precise and do-able set of implementing programs, and condensed the previous element’s goals into three goal areas and policies with related programs to implement them. These are summarized below.

Goal #1: *Housing Strengthens Our Thriving, Balanced, and Diverse Community.*

The City has an active role in implementing the Housing Element. There is public participation by all economic segments of the community in the development of the Housing Element and implementation of housing strategies, and there is equal housing opportunity through the elimination of all forms of discrimination in Martinez.

Key Implementing Programs

- Update the City’s General Plan
- Update the City’s Zoning Ordinance
- Review the Housing Element Annually
- Provide Information on Housing Programs

Goal #2: *Our Housing and Neighborhoods Have a High Standard of Quality.*

Assure the fit of new housing with community goals. Protect and conserve the existing housing stock so that it can best serve the needs of Martinez residents, and preserve assisted multi-family rental housing units from conversion to market rate rental units.

Key Implementing Programs

- Continue to Participate in Neighborhood Preservation and Rehabilitation Programs
- Implement Code Enforcement
- Provide Information on Housing Programs (Rehabilitation Loans)
- Implement Neighborhood Improvements

Goal #3: *We Have a Mix of Housing Types and Choices.*

Provide for an adequate supply of safe, decent and affordable housing for all economic segments of the community and promote throughout the City a mix of housing types responsive to household size, income, age and accessibility needs. Diligently pursue efforts to meet the City’s regional housing needs, and expand housing opportunities for low and moderate income families and individuals, and persons with special needs.

Key Implementing Programs

- Consider Adoption of the Proposed Inclusionary Ordinance
- Continue to Implement the Downtown Specific Plan
- Adopt Emergency Shelter Zoning
- Adopt Reasonable Accommodation Procedures

Key Changes from the 2005 Housing Element

Many Draft Housing Element changes are updates reflecting what has happened over

the past several years. However, the new Draft contains several changes, as previewed during the study session in October 2009, to comply with new State law requirements. Two program areas that have been the most effective are the adoption and implementation of the Downtown Specific Plan in 2006, and continued collaboration and coordination with Contra Costa County and its Housing Division, which administers housing rehabilitation, homebuyer assistance, emergency shelter and services, multi-family housing, and other programs that are available to residents and developers in the City of Martinez. Key changes from the Housing Element adopted in 2005 include the following:

New Programs Supporting Housing for Special Needs Populations

The updated Housing Element contains programs to adopt procedures for “reasonable accommodation,” and to adopt modifications to the City’s Zoning Ordinance to incorporate State Density Bonus law incentives. New requirements as a result of SB2 are contained in the updated Housing Element to address homeless, transitional and supportive housing. SB2, adopted after the 2005 Housing Element, requires all cities and counties in California to engage in a detailed analysis of emergency shelters and transitional and supportive housing in their next Housing Element revision, regulates zoning for these facilities, and broadens the scope of the Housing Accountability Act to include emergency shelters as well as supportive and transitional housing. The 2005 Housing Element contained a program to “adopt definitions, specify standards, and designate zoning districts in which transitional housing and emergency shelters for homeless persons will be permitted.” That program was not implemented.

The updated Housing Element calls for the City to “establish zoning to allow emergency shelters for the homeless as a permitted use within the NC (Neighborhood Commercial), CC (Central Commercial), and R-1.5 (High-density residential) zoning districts, excluding the Downtown Specific Plan area, where the property is located within one-quarter mile of a transit stop. Zoning will also be established to allow religious facilities to open a permanent, year-round shelter with a use permit.” Specific new programs related to special needs housing include: #23 Enact Zoning for Transitional, Supportive and Special Needs Housing; #24 Adopt Procedures for Reasonable Accommodation; and #27 Modify Requirements for Group Homes for Seven or More Persons.

Refinement of Programs to Provide Incentives for Development of Housing

The updated Housing Element carries forward many of the programs contained in the 2005 Housing Element related to potential housing sites. Continued actions include implementation of the Downtown Specific Plan and implementation of zoning changes as a result of the 2005 Housing Element. No changes are made in the updated Housing Element as they relate to the density or development potential on housing sites. In addition, as with the 2005 Housing Element, the updated Housing Element is consistent with Association of Bay Area Government (ABAG) projections for Martinez. The updated Housing Element contains programs to reduce any potential governmental constraints to the development housing. Specific new programs include: #15 Continue to Implement the Downtown Specific Plan; #26 Revise Multi-Family Parking Requirements.

Updated Data on Employment, Housing and Population Projections, Housing Needs, Affordability, Land Availability, Potential Governmental and Non-Governmental Constraints

The updated Housing Element contains updated statistics and analysis of housing issues per State law. The projections in the Housing Element are consistent with ABAG projections and the California Department of Finance.

Environmental Review

An Initial Study for the Draft Housing Element was prepared on November 18, 2010 (see Attachment 5). The Planning Commission public hearing on the Draft Housing Element on December 14, 2010 is during the 30-day public review period which began December 9, 2010 and ends January 10, 2010. The Initial Study found that the project would not have a significant impact on the environment and a Notice of Intent to Adopt a Negative Declaration has been prepared.

ATTACHMENTS

1. 2007-2014 Draft Housing Element (HCD Submittal: December 22, 2009)
2. Errata to the Draft Housing Element
3. HCD Comment Letter Dated February 18, 2010
4. HCD Comment Letter Dated September 28, 2010
5. Initial Study Dated November 18, 2010

Planning Commission Resolution No. PC 10-09 (Distribution to Planning Commission to Follow)