Agenda Item 2

PLANNING COMMISSION STAFF REPORT

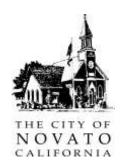
MEETING

DATE: April 3, 2017

STAFF: Michelle Johnson, Planner II

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SUBJECT: 2016 Annual Housing Element Progress Report



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REQUESTED ACTION

Receive and submit the 2016 Annual Housing Element, (Chapter III of the City's General Plan) Progress Report to the City Council for filing with the State Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR).

PROJECT DESCRIPTION

Pursuant to Government Code Section 65400(a)(2) local planning agencies shall provide an Annual Housing Element Progress Report to the City Council, OPR, and HCD by April 1st or within 60 days thereafter, on the implementation status of the City's General Plan Housing Element for the prior calendar year (2016). Novato's Planning Commission serves as the City's planning agency for this purpose.

In 2009, the State developed a standardized Progress Report form for municipalities State-wide to utilize for annual reporting purposes. The following is a quick explanation of the City's completed Progress Report form for 2016:

- Table A is the City's new residential production, by lower income category, for units that were issued a building permit within the calendar year 2016.
- Table A2 is the number of units rehabilitated, preserved or acquired by the City that meet the specific criteria of Government Code Section 65583.1(c)(1).
- Table A3 is the City's new residential production of moderate and above moderate-income units that were issued a building permit within the 2016 calendar year.
- Table B is the City's new residential progress towards meeting the City's 2014-2022 RHNA allocation.
- Table C is the City's narrative of the City's Program Implementation Status of the 2015-2023 Housing Element, adopted on November 18, 2014.

Following City Council receipt of the Housing Element Progress Report, the Report will be sent to OPR and HCD for their review/filing.

RECOMMENDATION

Receive and submit the 2016 Annual Housing Element Progress Report to the City Council.

ATTACHMENTS

1.	Annual Element Progress Report, Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Novato	
Reporting Period	1/1/2016	- 12/31/2016

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information										ncial Assistance or rictions	Housing without Financial Assistance or Deed Restrictions
1	2	3			4		5	5a	6	7	8
Project Identifier (may be APN No., project name or	APN No., Unit International Control		Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the					
address)		O=Owner	Income	Income	Income	Moderate- Income	Project		See Instructions	See Instructions	jurisdiction determined the units were affordable. Refer to instructions.
1538 Buchanan St.	SU	R	1				1	1			Second unit survey
1635 Novato Blvd.	SU	R		1			1	1			Second unit survey
27 Carnoustie Dr.	SU	R		1			1	1			Second unit survey
(9) Total of Moderate and Above Moderate from Table A3					0	5	5	0			<u> </u>
(10) Total by income T	able A/A3		1	2		5	8	3			
(11) Total Extremely Lo	w-Income	Units*				•					

^{*} Note: These fields are voluntary

(CCR Title 25 §6202)

Jurisdiction	Novato			
Reporting Period		1/1/2016	-	12/31/2016

Table A2

Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

	Affo	rdability by H	ousehold Incon	nes			
Activity Type	Extremely Low- Income*	Very Low- Income	Low- Income	TOTAL UNITS	(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1		
(1) Rehabilitation Activity				0			
(2) Preservation of Units At-Risk				0			
(3) Acquisition of Units				0			
(5) Total Units by Income	0	0	0	0			

^{*} Note: This field is voluntary

Table A3

Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	0					0	0
No. of Units Permitted for Above Moderate	5					5	0

^{*} Note: This field is voluntary

(CCR Title 25 §6202)

Jurisdiction	Novato		
Reporting Period	1/1/	/2016 -	12/31/2016

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

	dar Year starting with		2014	2015	2016							Total Units	Total
Inco	me Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	to Date (all years)	Remaining RHNA by Income Level
Very Low	Deed Restricted	111		14								14	93
very Low	Non-deed restricted	- 111	1	2	1							4	93
Low	Deed Restricted	65	10									10	- 53
LOW	Non-deed restricted	65			2							2	55
	Deed Restricted	70	1	1								2	
Moderate	Non-deed restricted	72											70
Above Modera	ate	167	19	15	5							39	128
Total RHNA Enter alloca	by COG. tion number:	415	31	32	8							71	
Total Units												344	
Remaining Need for RHNA Period													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

(CCR Title 25 §6202)

Jurisdiction	Novato		
Reporting Period	1/1/2016	-	12/31/2016

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.						
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation				
1.A Prepare Information and Conduct Community Outreach Activities on Housing Issues	Prepare materials and conduct outreach	July 2015 and ongoing	The housing element was adopted on November 18, 2014. Housing informational material related to ADU and JADU's is available online, through media and handouts in the Community Development Department.				
Collaborate on Inter-Jurisdictional Strategic Plan for Housing	Collaborate with other jurisdictions on affordable housing strategies	As major inter- jurisdictional issues and opportunities arise	The City has provided several other surrounding jurisdictions including Sonoma and Marin Counties with ongoing support, as they considered and adopted new state legislation (SB 1069 & AB 2299) regarding the Junior Accessory Dwelling ordinance; based on the City's model ordinance.				
1.C Undertake Coordinated Lobbying Efforts on State Legislation	Improved local control of housing solutions	Ongoing	The City Manager's office and City Council work with the League of California Cities and State Assembly representation to effect changes in State legislation that impacts local housing objectives and the City's regional housing needs allocation (RHNA) that included sending comment letters to ABAG/RHNA on Housing Job Projections for Plan Bay Area.				
2.A Require Non-discrimination Clauses	Implementation of fair housing laws	Ongoing	Non-discrimination clauses are included in the 351 Meadow Park Resale Restrictions, local BMR Agreements and via recorded agreement with new apartment development that receives City assistance. The City works closely with Fair Housing Marin to ensure non-discrimination in the City.				
2.B Respond to Complaints	Implementation of fair housing laws	Ongoing	City staff responds to all complaints in a timely fashion. City works with Fair Housing Marin and acts as the purveyor of BMR units as part of its efforts to prevent discrimination.				
3.A Prepare Multi-family Housing Design Criteria	Develop design criteria for multifamily housing	June 2015	Section 19.34.124 of the Zoning Ordinance includes specific design criteria for multi-family housing. Revision or expansion of design criteria has not yet been implemented.				
3.B Update Parking Standards	Facilitate development of infill, transit-oriented, and mixed use development	December 2015	Not yet implemented				

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Reporting Period	1/1/2016 -	12/31/2016		
4.A Promote Solar De	esign	Opportunities for new solar installations	Ongoing	Pursuant to Section 19.20.110 of the Zoning Ordinance, all projects requiring discretionary approval are reviewed for opportunities to incorporate passive and/or active solar solutions e.g. street and lot layout, building sighting, setbacks, building design, etc. Also see program 5C.
4.B Implement "Greer and Processes	n" Building Standards	Construction of energy-efficient buildings	Ongoing	In Dec 2016, the City adopted the 2016 California Green Building Standards Code ("CALGreen") with local amendments adopting CALGreen Tier 1 requirements for new construction only. These measures incorporate greener building standards related to planning and design, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. The City is now implementing Tier 1 standard requirements for energy efficiency to new construction.
5.A Ensure Adequate Management, and Sa Housing	•	Tenanting and management regulations and procedures	December 2014 Ongoing	A task force including City Police Dept. and Community Development Dept. staff implements the "Crime-Free Multi-Family Housing Program"—the first of its kind in Marin County—to assist property owners and managers of multifamily housing through education and resources in ensuring that their residents and their properties are safe and crime-free. Additionally, in September 2015 the City Council adopted Tenanting, Management and Safety (provisions) for Multi-family Housing, Chaper 4, Divisoin 15 of the Municipal Code. In 2016 the City implememented two Affordable Housing Tenant Management Plans for Oma Village and 801 State Access. This program implementation is now ongoing.
5.B Link Code Enforce Information Programs		30 loans from available programs to very low-income households by 2023	Ongoing	Through the City's website, the Building Division maintains information about building and fire code enforcement to ensure compliance with basic health and safety building standards.
5.C Implement Rehab Loan Programs	oilitation and Energy	30 loans from available programs to very low-income households by 2023	Ongoing	The City continues to work with the Marin Housing Authority to make residential rehabilitation loan programs available to eligible owner and renter households. In 2015, the City expanded its Property Assessed Clean energy (PACE) financing program offerings to include California Hero, Ygrene, Figtree and CDSA's Open Market PACE. PACE programs enable property owners to finance energy and water efficiency and renewable energy projects as an assessment on their property tax bills.
5.D Modify the City's Conversion Ordinance		Amend Condominium Conversion Ordinance	Consider Ordinance by June 2015; other activities would be ongoing	Ordinance not yet adopted.

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5.E Inventory Affordable Housing		Preservation of affordable housing units	Ongoing	The City maintains an Affordable Housing Database. It is an ongoing database that currently includes location, number of units, clientele, etc.
5.F Maintain Existing Rental Housing	Affordable For-Sale and	Preservation of affordable housing units	Ongoing	The City of Novato contracts with Hello Housing, a nonprofit organization, to administer its Below Market Rate Homeownership Program City-wide. The City receives regular compliance reports from Creekside and Bay Vista affordable apartments at Hamilton, and Warner Creek Senior Housing off Diablo Blvd.
5.G Preserve At-Risk	c Units	Conserve 52 affordable units at Marin Handicapped 5,Stonehaven, Dante House, Lamont House and Olive Avenue Apartments	Prior to expiration of federal subsidies; ongoing	In 2016, City staff contacted the housing providers of at-risk developments. The providers stated that their HUD contracts were in full force and that, as non-profit agencies dedicated to providing affordable housing to their clients, they intend to renew contracts as necessary in the future. Two developments, Dante House and Lamont House, have annual Section 202/811 contracts. Both developments are owned by The Cedars of Marin, a non-profit provider of housing for people with developmental disabilities. The Cedars have stated that they intend to renew their annual contracts and preserve the affordable housing for their clients. The City's website provides links to Federal, State and local resources to assist at-risk units.
5.H Provide Assistan Below Market Rate U	ice to Homeowners of Inits	Preservation of 405 BMR units	Ongoing	The City of Novato contracts with Hello Housing, a nonprofit organization, to administer its Below Market Rate Homeownership Program City-wide. Hello Housing provides comprehensive resale and refinance assistance, and coordination with mortgage assistance programs. The City, through its website, provides a link to Hello Housing.
5.I Support Volunteer Efforts		Maintenance of existing housing	Ongoing	The City of Novato and the County of Marin entered into a Cooperative Agreement, in accordance with the Housing and Community Development Act of 1974, as amended, in order to jointly undertake community development and housing assistance activities. This cooperative agreement covers both the CDBG program and the HOME program. The City receives an annual allocation from the County to help fund a variety of projects and services that benefit low income households.
5.J Preserve Mobile I	Home Parks	Preserve mobile home parks	Ongoing	The City reviewed and approved the FY 16/17 Marin Valley Mobile Country Club budget. The City's rent control ordinance restricts annual rent increases to 100% of CPI, thereby preserving the ongoing affordability of the units.

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5.K Regulate Displacem Units	ent of Residential	Regulate removal or displacement of units	Ongoing	The Community Development Department administers applicable State laws to the removal or displacement of residential units on an as-needed basis. The Department reports, annually, to the Department of Finance on the removal, if any, of existing residential units.
6.A Identify Existing Emportunities	oloyee Housing	Increase housing opportunities for local employees	Ongoing	The City is working with the Buck Institute on a 130-unit housing development plan to be available to Institute employees. The City is prepared to work with existing and new employers to identify opportunities to secure housing for their employees.
6.B Promote Zoning for I Opportunities	Live/Work	Increase housing opportunities for local employees	December 2015 and ongoing	The City's Zoning Ordinance recognizes live/work projects as a permitted use in Business and Professional Office Districts, Genera Commercial Districts, Downtown Core Retail and Business Districts Commercial/Industrial Districts, and Light Industrial/Office Districts.
6.C Transit-Oriented Dev	velopment Incentives	Provide incentives for transit- oriented development	Evaluate zoning ordinance amendments by June 2015	Pursuant to Program 6.C the City, upon request, will evaluate and consider incentives such as parking reductions, off-site parking and transit impact fee reductions to benefit transit-oriented residential development based on criteria including, but not limited to, proximity to transit services(s), integration of transit facilities and services, un affordability and high-quality design. An evaluation of possible formal amendments to the Zoning Code to incentivize transit-oriented development has not yet been prepared.
7.A Encourage Co-Hous and Similar Collaborative	•	Development of co-housing opportunities	December 2015 and ongoing as opportunities arise	On an ongoing and as-needed basis the Community Development Department works with developers interested in multi-family housing that includes co-housing amenities including, but not limited to, group dining facilities and similar common facilities.
7.B Facilitate Homeshari Matching Opportunities	ing and Tenant	Create homesharing opportunities	December 2015 and ongoing	Planning staff regularly refer inquires about homesharing to Homeward Bound of Marin, the chief provider of transitional and lon-term housing and support services for the City and the County of Marin.
7.C Zone and Provide A for SRO Units	ppropriate Standards	Amend municipal code; development of housing for extremely low income households	December 2015	Not yet implemented.
7.D Housing Opportuniting Properties	es on School District	Development of affordable housing	As surplus properties become available	With the School District, staff has and will continue to review possibilities for developing school properties for housing. To date, no formal project proposals have been developed in conjunction with Novato School District representation.

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12/01/2010		
Facilitate affordable housing development	Ongoing	If proposed, the Community Development Department will evaluate projects including a transfer of development rights on a case-by-case basis for action by the appropriate decision-making body -typically City Council following a recommendation by Planning Commission.
Facilitate and incentivize ELI housing rehabilitation and production	Ongoing	The City's website provides links to Federal, State and local resources that assist in the rehabilitation and development of housing for ELI households.
Development of mixed use housing	Ongoing	The Community Development Department evaluates and applies/recommends, as appropriate, pursuant to existing zoning exceptions and/or "relaxed" development standards e.g. increased floor area ration (FAR) from 1.2 to 2.0 for mixed use developments that include housing within the Downtown Core Retail and/or Business Districts, and up to a 30% increase to maximum building height pursuant to 19.20.070 (C) for mixed use developments that incorporate housing.
Amend municipal code	June 2015	Not yet implemented. Draft General Plan containing Land Use Amendments expanding CDR Land Use designation which includes opportunities for Mixed Use.
Facilitate affordable housing development	Ongoing and as opportunities arise	The City is currently reviewing applications for Laurel Ridge, 1787 Grant Ave and Landing Court (See 9B).
Facilitate development of 202 to 303 units affordable to lower income households	Ongoing	The City is currently reviewing a formal application for a senior housing appartment project with 130 units with a minimum of 20% affordable to very low and low income senior households on Affordable Housing Opportunity (AHO) site#3 located west of Redwood Blvd. at Black John Rd. Applications for a combined total of 69 condominium homes, including a minimum of 20% affordable to very low and low income households, were recieved for AHO Sites #1 (1787 Grant Ave.) and #2 (Landing Ct.) in early 2015. The City is regularly consulting with developers; who are seeking opportunities to develop housing in Novato.
Facilitate affordable housing development	Ongoing	Ongoing as opportunities are identified.
Facilitate affordable housing development	As opportunities arise	Opportunity for application of CEQA exemptions for infill housing are consistently considered by Planning staff for the City.
	Facilitate and incentivize ELI housing rehabilitation and production Development of mixed use housing Amend municipal code Facilitate affordable housing development Facilitate development of 202 to 303 units affordable to lower income households Facilitate affordable housing development Facilitate affordable housing development Facilitate affordable housing	Facilitate and incentivize ELI housing rehabilitation and production Development of mixed use housing Amend municipal code Facilitate affordable housing development Facilitate development of 202 to 303 units affordable to lower income households Facilitate affordable housing development Facilitate affordable housing Gongoing Ongoing and as opportunities arise Ongoing Ongoing Ongoing As opportunities

(CCR Title 25 §6202)

Jurisdiction

Novato

10.A Work With an Affordable Housing

11.A Modify Accessory Dwelling Unit

11.B Adopt Standards and Fees for Junior

Development Standards and Fees

Management Entity

Second Units

Reporting Period 1/1/2016 -	12/31/2016		
9.E Facilitate Affordable Housing Development Review	Facilitate affordable housing development	Ongoing	Ongoing - as proposals for affordable housing are submitted, Planning staff undertakes, to the extent feasible and adequate for public participation/input, timely review and reporting for Commission(s) and/or City Council action on entitlements. See 9.B & 9.C above.
9.F Reduced Planning Processing Fees	Facilitate affordable housing development	Evaluate changes by June 2015	Ongoing. In 2015, the City commenced a waiver of development impact fees for Junior Accessory Dwelling Units (JADU); a fee reduction of approx.\$7,000.00. In 2016 two applications for JADU's and one application for an ADU were processed; taking advantage of the reduced fees. Special Districts are now required to comply with State LAw that reduces or eliminates connection fees. See 9.G below for additional fee reductions.
9.G Special District Fees	Facilitate affordable housing development	Evaluate changes by June 2015	In 2015 North Marin Water District and the Novato Sanitary District agreed to waive fees for second units, reducing development costs by approximately \$26,000, and the Novato Fire Projection District agreed to waive requirements for sprinkler installations.
9.H Long-Term Housing Affordability Controls	Preservation of affordable housing units	Ongoing	Ongoing - for projects that do include income restricted units as a condition of entitlement approvals, the City will also impose long term affordability controls, typically through the recordation of an affordable housing agreement. An affordable housing agreement will be recorded in 2016 for 14 ELI unis at Oma Village apartments off Marin Valley Drive and 801 State Access Senior Apartments.
			The City of Novato contracts with Hello Housing, a nonprofit

Ongoing

December 2015

Within one year of

adoption of the

housing element

Hamilton.

Adopted and Ongoing.

Program City-wide. Additionally, the City receives regular

compliance reports from Affordable Apartments including Creekside, Bay Vista at Hamilton, Warner Creek, Millworks and the Villas at

Ongoing. The City Council is encouraging the utility districts to

reduce their connection fees for accessory units and update to

comply with the following 2017 State Legislation AB 2299 SB 1069.

Construction and preservation of

additional accessory dwelling units

Development of at least 24

Development of at least 24

additional accessory dwelling

units, including junior second

units by October 2022

affordable housing

by October 2022

Jurisdiction	Novato			
Reporting Period	1/1/2016 -	12/31/2016		
	Neighborhood Relations y Shelters and Residential	Facilitate good neighborhood relations and encourage public outreach		The City closely monitors the relationships between Homeward Bound of Marin and Meadow Park homeowners. The service provider of the City's homeless shelters has done an excellent job in the management of its facilities. When there is an issue, it is quickly dealt with.
	nicipal Code to Allow g as a Permitted Use in rict	Amend municipal code	Within one year of adoption of the housing element	Not yet implemented.
13.A Assist in the Et Rental Assistance P	ffective Use of Available Programs	Promote and support rental assistance programs	Ongoing	Ongoing - See Program 5.F. Additionally, in FY 2016/17, the City's Successor Agency to the former Redevelopment Agency provided \$120,302 of financial assistance to the Novato Human Needs Center, which assists lower income people (over 4,000 people annually) and households move towards self-sufficiency through a multitude of programs.
13.B Maintain Progr Needs	ams to Address Homeless	Support programs to address homelessness		The City continues to support the 80-bed New Beginnings Center and Next Key vocational training center with 32 SROs. The City has consistently granted funds, annually, to the Novato Human Needs Center in support of their services. In FY 2016/17, the City's Successor Agency to the former Redevelopment Agency provided \$120,302 of financial assistance to the Novato Human Needs Center.
13.C Conduct Outre Disabled Housing ar	ach for Developmentally nd Services	Support programs to address needs of the developmentally disabled	By December 2015 and ongoing	Ongoing - The Community Development Department and Planning staff coordinate/refer assistance inquiries on a regular basis to Golden Gate Regional Center and the Marin Housing Authority. The City's website is in the process of being updated to incorporate service provider information for developmentally disabled housing and services.

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14.A Maintain and De Funding for Affordable	velop Local Sources of e Housing	Development of affordable housing	Ongoing	 The City maintains an Affordable Housing Programs fund that manages funds for affordable housing, a loan program for low and moderate household first-time homebuyers, and senior affordable housing. Housing in-lieu fees, when required, are updated annually. The inlieu fees vary based on project size e.g. in 2016 for ownership housing the fee was \$17,621 per dwelling unit for a 1-10 unit development and \$35,242 per unit for a 20+ unit development, and for rental housing the fee was \$10,195 per dwelling unit for a 1-10 unit development and \$20,390 per rental unit for a 20+ unit development. For 2016/17 approximately \$225,494 of CDBG funds were allocated to the City as part of Marin County's CDBG allocation. The City of Novato has a cooperation agreement with the County for the administration of CDBG funds. Although the funds are allocated through the County, the City Council recommends which organizations to fund.
14.B Seek Funding Re	esources	Development of affordable housing	Ongoing	The City has increased its affordable housing in-lieu fee. On an as needed basis City staff explores different Federal and State resources to help fund potential affordable housing opportunities.
14.C Coordinate Func Development Proposa		Development of affordable housing	Annually and ongoing	As affordable housing development becomes more complex, the City continues to coordinate with other lenders to accommodate all their respective requirements.
15.A Conduct an Anni Review	ual Housing Element	Annual review of the housing element	Annually by April 1 of each year	The Housing Element Annual Report was reviewed by the City Council on April 11th, 2017 and submitted to the State Department of Housing and Community Development and the Governor's Office of Planning and Research.
15.B Update the Hous	sing Element Regularly	Timely update of the housing element	Ongoing	The next Housing Element due date is expected to be January 31, 2023.

Jurisdiction	Novato		
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General Comments:			