

Model Housing Element Goals, Policies & Programs



Model Housing Element Goals, Policies & Programs

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Prepared for:
City of Oakdale

Partner Agencies:
Stanislaus County
City of Ceres
City of Hughson
City of Modesto
City of Newman
City of Patterson
City of Riverbank
City of Turlock
City of Waterford

Project Consultant:



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Introduction



Purpose & Use

In recent years there has been increasing emphasis on promoting sustainable growth, exploring ways to reduce contributions towards greenhouse gas (GHG) emissions and climate change, and creating more livable communities. A key component of this effort is how cities and counties plan, design, rehabilitate, preserve and manage housing and its relationship to transportation systems, jobs and services. The types of housing provided, where that housing is located, and the design and efficiency of housing impacts who lives in a community, resource use and generation of emissions, and quality of life. As a result, the direction provided in a housing element can play an integral role in defining community sustainability and in furthering the principles of economic prosperity, environmental protection and social equity.

This Model Housing Element Goals, Policies and Programs document has been prepared as a component of the Stanislaus County Regional Sustainability Toolkit (RST). It provides a set of model goals, policies, programs and accompanying information to assist the jurisdictions in Stanislaus County in updating their housing elements to address those issues relevant to Stanislaus County and its cities, meet local housing needs and state requirements, and further a sustainable future for the region.

The components of this document include:

- Summary of housing element requirements including key changes since the last update cycle.
- Sample Housing Element Outline including references to suggested data sources.
- Model Goals, Policies and Programs appropriate to Stanislaus County and its cities.



- Key funding sources that can be used to implement housing programs.
- Resources to assist in updating a housing element.
- Various legal and streamline checklists and examples of common implementing ordinances.

The information contained herein reflects the issues and priorities that have arisen during the current (fifth) Regional Housing Needs Assessment (RHNA) cycle.

Stanislaus County Regional Sustainability Toolkit

The RST is a collaborative effort between Stanislaus County and the nine cities in the County to create a locally driven set of tools to achieve a sustainable future and meet GHG emissions goals. Funded through a State Sustainable Communities Planning Grant and local contributions, the RST is intended to build upon smart growth planning efforts already underway such as the StanCOG Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS), San Joaquin Valley Blueprint, and California Partnership for the San Joaquin Valley.

The “toolkit” approach acknowledges that effectively balancing economic, environmental and social issues is a complex planning challenge that requires the coordinated efforts of all jurisdictions within the region to solve. A collaborative approach allows the local jurisdictions to leverage their resources to develop shared planning principles. This promotes planning efforts and solutions that are both locally appropriate while also being regionally consistent.

The components of the RST include:

- 1. Water Efficient Landscape Guidelines and Standards**
Responsible Party: City of Ceres
- 2. Model Climate Action Plan**
Responsible Party: City of Hughson
- 3. Downtown Form-Based Code**
Responsible Party: City of Modesto
- 4. Non-Motorized Transportation Plan and Policies**
Responsible Party: City of Newman
- 5. Model Housing Element Goals, Policies and Programs**
Responsible Party: City of Oakdale
- 6. Sustainable Development Ordinance**
Responsible Party: City of Patterson
- 7. Low Impact Developments (LID) Standards and Specifications**
Responsible Party: City of Riverbank
- 8. Fiscal Assessment of Greenfield vs. Infill Development**
Responsible Party: City of Turlock
- 9. Urban Forest Plan; Valley Blueprint Compliance Matrix; CEQA Policies and Procedures**

Responsible Party: City of Waterford

10. County-wide GHG Emissions Inventory

Responsible Party: County of Stanislaus

11. Coordinated GIS Central and GHG Tracking System

Responsible Party: County of Stanislaus

The components of the RST will be shared among the jurisdictions and act as a guide for the future creation and amendment of innovative local planning documents (including General Plans, Housing Elements, Zoning Ordinances, and jurisdictional Climate Action Plans) that address sustainable planning principals and include measurable actions to reduce GHG emissions. The individual components of the RST are intended to function together as a comprehensive and unified regional strategy that lays the framework for achieving a balanced social, environmental and economic future.

Focus & Content of Current Housing Elements

Each of the housing elements for the ten jurisdictions in Stanislaus County contains a comprehensive set of goals and policies that address the various housing needs and objectives of the particular jurisdictions. Despite the diversity of the County and its jurisdictions, most of the housing elements contain goals and policies that address several common themes. These themes originate from the State mandated topics required to be covered in all housing elements.

COMMON THEMES

The common themes are summarized below and listed in Table 1-1. A theme was classified as being “common” if it was addressed in a majority of the ten housing elements in the County. It should be noted that some of the common themes may also be addressed in other portions of each jurisdiction’s General Plan. The following only relates to the goals and policies contained in the housing elements:

1. **Fair Housing.** Ensure fair housing opportunities for all residents regardless of race, color, religion, sex, disability, familial status, national origin, ancestry, marital status, sexual orientation, source of income, age, or other factors. Fair housing opportunities enable residents to live in the housing of their choice, and to prevent discrimination. Goals and policies also involve dissemination of fair housing information and resources.
2. **Range of Housing.** Provide a diverse mix of housing types to serve residents of various incomes. The range of housing types include mobile homes, multi-family residential units (e.g., condominiums, apartments, townhomes), and single-family residential units. With a diversity of housing available, residents have an expanded choice as to the type of housing they live in.
3. **Preserve Housing.** Improve and preserve existing neighborhoods and housing stock to maintain a supply of safe and affordable housing. Encourage private investment and rehabilitation of housing. Improvement/rehabilitation includes physical activities to the house, while preservation includes maintenance activities such as code enforcement in deteriorating buildings or response to complaints.



4. **Sufficient Land.** Ensure sufficient land inventory that is zoned for residential use to accommodate a jurisdiction's share of the RHNA. Some policies also include maintaining an inventory of residential lots with adequate infrastructure and limited environmental concerns, as well as underutilized and vacant infill sites that could accommodate housing. Other policies also address the location of housing, such as locating units along major transportation corridors, as well as near transit systems and major employment centers.
5. **Removing Barriers.** Remove regulatory barriers/constraints that hinder the maintenance, improvement, and development of residential uses, in particular affordable housing, housing for all income levels, and housing for persons with disabilities. Regulatory barriers are addressed by relaxing development standards, reducing development fees, expediting residential building permits, and/or prioritizing affordable housing approval.
6. **Second Units.** Allow second residential dwelling units to provide additional affordable housing opportunities. State law requires local governments with second unit ordinances to consider second unit applications as ministerial actions.
7. **Special Housing Needs.** Address special housing needs for the elderly, persons with disabilities, large families, farmworkers, families with female heads of household, and the homeless. State law requires that an analysis of the housing needs for these special groups be completed. Policies include supporting development of housing that also provides food and health care services, congregate housing, and elderly housing. Housing should be constructed in compliance with State and federal requirements for disabled persons including the American Disabilities Act. Other policies allow for transitional housing to serve the homeless.
8. **Adequate Infrastructure.** Adequate infrastructure should be available for all existing and new housing to support residential uses. Infrastructure includes water and wastewater service, as well as transit service and schools.
9. **Energy Efficiency.** Address energy efficiency by taking an inventory and analyzing opportunities to encourage the incorporation of energy saving features, energy saving materials, and energy efficient systems and design for residential development, as required by State law. Many policies require the use of energy conservation features in the design of all new residential structures, and weatherization features in existing homes.
10. **Incentives.** Provide incentives for development of affordable housing. Incentives include density bonuses, fee deferrals and exemptions, as well as expedited permit processing.
11. **Funding.** Seek funding from the State and federal government to assist in affordable housing development, as well as the maintenance and rehabilitation of existing residential units.
12. **Coordination/Education.** Coordinate and collaborate with housing providers and developers to provide housing. Collaborate with local governments in order to implement intergovernmental housing programs to ensure maximum effectiveness in solving local and regional housing problems. Educate residents and developers on housing programs that are available.

TABLE 1-1: COMMON HOUSING ELEMENT THEMES IN STANISLAUS COUNTY

	Stanislaus County	Ceres	Hughson	Modesto	Newman	Oakdale	Patterson	Riverbank	Turlock	Waterford
Fair Housing	X	X	X	X	-	X	X	X	X	X
Range of Housing	X	X	X	X	X	X	X	-	X	X
Preserve Housing	X	X	X	X	X	X	X	X	X	X
Sufficient Land	X	X	X	X	X	X	X	X	X	X
Removing Barriers	X	X	X	X	-	X	X	X	X	-
Second Units	-	X	X	X	X	-	-	-	X	-
Special Housing Needs	X	X	X	X	-	X	X	-	X	-
Adequate Infrastructure	X	X	X	X	X	-	X	-	X	X
Energy Efficiency	X	X	X	-	X	X	X	X	X	X
Incentives	X	X	-	X	-	-	X	-	X	X
Funding	X	X	X	X	X	-	X	-	X	-
Coordination/ Education	X	X	X	-	X	-	X	-	X	-



KEY DIFFERENCES

The ten housing elements also contain goals and policies that address a local jurisdiction's unique circumstances and issues. There are seven primary topics that are covered in the goals and policies of some of the housing elements, which represent differences from the remaining jurisdictions. Similar to the common themes, it should be noted that the following only relates to the goals and policies contained in the housing elements, and that some of the differences may be addressed in other portions of each jurisdiction's General Plan:

1. **Emergency Shelters.** Stanislaus County, Patterson and Turlock have policies addressing emergency shelters and include designating zones to accommodate this use based on need. State housing element law requires housing elements to identify a zone or zones where emergency shelters are allowed as a permitted use.
2. **Universal Design.** The City of Riverbank has a policy requiring adoption of a universal design ordinance. Universal design refers to a residence that has universally accessible features that allow people to age in place and remain in the same residence for the rest of their lives.
3. **Water Conservation.** Policies related to water conservation and using water efficiently for residential uses can be found in the housing elements for the cities of Ceres and Hughson.
4. **Displacement.** The cities of Patterson and Turlock have policies in their housing elements that are intended to minimize the displacement of people, and require an analysis on potential displacement and relocation.
5. **Facilitate Non-automotive Modes of Travel.** Housing elements for both the cities of Ceres and Hughson contain policies facilitating non-automotive modes of travel. These policies include locating housing near transit or employment centers, thus, allowing residents to potentially use other modes of transportation.
6. **Dispersing Affordable Housing.** Policies in the housing elements for both Ceres and Newman address dispersing affordable housing within the jurisdictions to avoid an overconcentration in a given area.
7. **Design Quality.** Policies in the housing elements of Ceres, Patterson, and Waterford address the design quality of affordable housing to ensure that it has the same high-quality design as market-rate housing. Policies also require affordable housing to be compatible with adjacent uses.

Housing Element Requirements



Role of a Housing Element

State law requires every city and county in California to adopt a comprehensive General Plan, including seven mandated elements. The housing element is one of the required elements and the only element to be reviewed by a state agency. The purpose of a housing element is to ensure that each jurisdiction identifies policies, programs and resources to preserve, improve and develop a housing supply adequate to accommodate households currently living and projected to live in that jurisdiction. A housing element must identify adequate sites for housing demand, and make sufficient provision for the needs of all economic segments of the community. A housing element also includes extensive background information on housing conditions, institutes policies and quantified objectives to help guide land use and other decision-making, and establishes programs to implement community housing goals.

Housing elements have been mandatory components of General Plans in California since 1969. This requirement acknowledges that the availability of housing is a matter of statewide importance, and that local governments play a vital role in the supply and availability of housing. State law recognizes that in order for the private sector to adequately address housing needs, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. A housing element does not require a local jurisdiction to build housing, but rather requires it to facilitate and create opportunities for housing.



Relationship to other General Plan Elements

A housing element is one of the required seven General Plan elements mandated by the State of California. The goals, policies, programs and standards within a housing element relate directly to, and must be consistent with, all other adopted elements of the General Plan. Unlike other elements that look out 20 or more years into the future, a housing element has a much shorter planning horizon (eight years as of the upcoming cycle) and is subject to review by the California Department of Housing and Community Development (HCD). While on a different planning cycle than the other General Plan elements, updates to a housing element may necessitate amendments to other elements to ensure internal consistency. Similarly, as other elements of the General Plan are amended, they must be reviewed for consistency with the housing element.

Housing Element Legal Requirements

The California Legislature has declared that a decent home and suitable living environment for every resident is the primary housing goal for the State. Section 65581 of the California Government Code reflects the Legislative intent for mandating preparation of a housing element to assure that cities and counties recognize their responsibility and the local efforts required to contribute toward attainment of the State housing goal. State law establishes detailed content requirements for a housing element and requires a regional “fair share” approach to distributing housing needs. While there is no mandated format for a housing element, California Government Code requires that the following be addressed:

- Identification and assessment of the existing and projected housing needs of “all economic segments of the community” based on the RHNA;
- Identification and analysis of housing for “special needs” groups (e.g., elderly, homeless, those in need of transitional housing, large families, farm workers, single parent households, handicapped, and others);
- Evaluation of the current and potential governmental and marketplace constraints on housing;
- Identification of adequate residential sites to accommodate the jurisdiction’s share of the regional housing need;
- Evaluation of opportunities for energy conservation in residential development;
- Evaluation of progress made on achieving the goals, objectives and programs contained in the previous housing element; and
- Identification of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement and development of housing to meet identified needs, and to remove governmental and non-governmental constraints on its production.

A sample housing element outline that includes required housing element contents are discussed in detail in Chapter 3 of this document. Public input into development of a housing element is also required under Government Code 65583, which mandates local governments make diligent efforts to achieve public participation from all economic segments of the community. The housing element is required to describe the public participation activities that occurred.

The Government Code also requires that each draft housing element be reviewed by HCD and that the Department's findings be incorporated prior to adoption, or that specified findings be made in response to the Department's comments. To incentivize and reward local governments that have adopted compliant or "certified" housing elements, several housing, community development, transportation and other infrastructure funding programs include housing element compliance as a ranking or threshold requirement for participation in those programs. As a mandatory component of the General Plan, the housing element is to be reviewed on an annual basis with the remainder of the General Plan in order to monitor progress in implementing the programs identified to meet the housing needs of the community.

Recent Legislation

Since the last housing element cycle (fourth revision), new legislation has been adopted that will need to be accounted for in upcoming housing element updates (fifth revision). Some of this legislation impacts the content or review of a housing element, and some identifies other actions that are triggered by adoption of a housing element.

HOUSING ELEMENTS

New legislation that impacts the content or review of an upcoming housing element includes:

SB 812: Jurisdictions must now provide an analysis of the specific housing needs of people with developmental disabilities within the special needs component of a housing element.

AB 1867: Jurisdictions can now count multi-unit ownership units that have been converted to rental units for lower income households toward their RHNA, if certain conditions are met. This legislation also reduces the size of complexes eligible under the conversion provisions from four to three units.

SB375: Requires that all Metropolitan Planning Organizations (In Stanislaus County's case, StanCOG) adopt a Sustainable Communities Strategy (SCS) as part of their Regional Transportation Plan (RTP) to reduce GHG emissions and align housing and transportation planning. As of mid 2013, StanCOG is in the process of preparing the SCS for the County. The SCS effort along with the RTP and RHNA has been named the 2014 Valley Vision Stanislaus, a long range planning document that will provide the framework for investment in roads, freeways, public transit, bike trails and other ways people move around in the County for the next 28 years. It will also include a plan to accommodate the region's future housing needs and help the County comply with new State-mandated legislation to reduce GHG emissions.

Key provisions of SB 375 that directly impact housing elements include:

- For some jurisdictions, the housing element planning period has been extended from five years to eight years to allow for synchronization of the housing element update and RHNA process with the RTP/SCS process. For those jurisdictions that do not submit and adopt their next housing element update within 120 days of the regional statutory deadline, their housing element updates will revert to a four-year cycle. Since the RTP/SCS has not been completed and



approved yet for Stanislaus County, the regional statutory deadline for housing elements within the County is estimated to be September 30, 2015.

- Jurisdictions are required to complete rezones of sites for residential development to meet RHNA, including adoption of minimum density and development standards, within three years of adoption of their housing element. Generally, a jurisdiction can have a one-year extension if it has rezoned sites to accommodate 75% of its low and very low income housing need and it meets one of three conditions: circumstances out of its control, lack of infrastructure to serve sites, or need for a major update to its General Plan. SB 375 includes certain remedies if a jurisdiction fails to complete rezones by the deadline.
- Jurisdictions must specifically describe actions taken towards completion of rezones and housing element program implementation as part of their annual General Plan progress report.

TRIGGERED ACTIONS

New legislation that triggers other actions upon adoption of a housing element includes:

AB 162: Upon adoption of a housing element, jurisdictions are required to identify specific flood hazard zones in the land use element and specific floodwater and groundwater recharge areas in the conservation and safety elements of their General Plan. This legislation also requires cities and counties to annually review their land use element for those areas subject to flooding identified by floodplain mapping prepared by the Federal Emergency Management Agency (FEMA) and the State Department of Water Resources (DWR). Any amendments to the General Plan that result from this process will require review of the housing element for internal consistency.

SB 244: Upon or before adoption of a housing element, jurisdictions are required to address the infrastructure needs of unincorporated disadvantaged communities in their General Plan, LAFCO Municipal Service Reviews, and annexation decisions. Specifically, the land use element must be updated to identify unincorporated disadvantaged communities; analyze for each identified community the water, wastewater, stormwater drainage, and structural fire protection needs; and identify financial funding alternatives for the extension of services to identified communities. Unincorporated disadvantaged communities are defined as containing 10 or more dwelling units in close proximity to one another; being located either within a city sphere of influence or unincorporated island within a city boundary that has existed for more than 50 years; and having a median household income that is 80 percent less than the statewide median. Stanislaus LAFCO has begun the process of identifying disadvantaged communities (DACs) within the unincorporated portions of the County. As of mid 2013, Stanislaus LAFCO has identified DACs only for the areas undergoing a Municipal Services Review, and are shown in: <http://www.water.ca.gov/irwm/grants/resourceslinks.cfm>. Remaining jurisdictions will have to make the determination if these types of communities exist within their sphere of influence and address them in their respective land use elements. Other helpful resources for local communities include a Technical Advisory prepared by the Office of Planning and Research on SB 244 requirements, which can be found at the following link: http://www.opr.ca.gov/docs/SB244_technical_advisory.pdf. In addition, Policy Link prepared a report called the California Unincorporated: Mapping Disadvantaged Communities in the San Joaquin Valley that would help communities address SB 244 requirements.

The Housing Element Process

The local housing element process begins with HCD allocating the region's share of statewide housing needs (Regional Housing Needs Determination) to StanCOG based upon Department of Finance population forecasts. This allocation includes an overall housing needs number, as well as a breakdown by income category. StanCOG then develops a RHNA Allocation Plan establishing the total number of housing units that each jurisdiction must plan for within the given housing element period. With the adoption of SB 375, the RHNA is now required to be consistent with the development pattern shown in the Valley Vision Stanislaus document. StanCOG is currently in the process of determining the appropriate RHNA for each jurisdiction in Stanislaus County including the County itself. Each jurisdiction must then update its housing element to demonstrate how it will meet its share of expected housing growth over the planning period. For Stanislaus County, the next cycle of housing element updates are estimated to be due for adoption by September 30, 2015, as it is dependent upon when the StanCOG RTP/SCS is adopted, and will cover the 2015 through 2023 planning period.

Government Code Section 65585 requires updated housing elements to be submitted to HCD for review and comment both prior to and following adoption. Prior to adoption, HCD will review and provide written findings within 60 days as to substantial compliance with State Housing Element law. It is not uncommon for there to be more than one draft submittal should substantive issues be identified by HCD. Following adoption, HCD will provide written findings or "certification" within 90 days. HCD is required to consider written comments from any group, individual or public agency regarding the housing element under review. Housing elements are also subject to review under the California Environmental Quality Act (CEQA).

For the 5th RHNA planning period, HCD has established procedures titled, Housing Element Updated Guidance to assist local governments and stakeholders with "streamlined" housing element updates. The Updated Guidance is intended to reduce the number and scope of housing element submittals to HCD per jurisdiction and facilitate review. Communities that obtained HCD certified housing elements in the prior cycle and have completed basic program implementation (such as rezoning for adequate sites) may be eligible for streamlined review. To determine eligibility, communities must answer the five questions in HCD's Implementation Review (see Appendix A). If eligible, HCD will focus its review on changes that have occurred in a housing element in comparison to the draft submitted for the previous planning period. The Updated Guidance includes a Completeness Checklist and Streamline Update Template (see Appendices B and C) to help jurisdictions verify that all statutory requirements are addressed. As part of Appendix A, Implementation Review, HCD will verify that jurisdictions have updated, or are concurrently updating with the new Housing Element, four specific ordinances. These ordinances address density bonuses, reasonable accommodations procedures, second units, and emergency shelters and transitional/supportive housing, and need to be updated before the statutory deadline (estimated to be September 30, 2015). Model ordinances for density bonuses and reasonable accommodations are provided in Appendix D. Since many jurisdictions have existing ordinances that address second units, and emergency and transitional/supportive housing are typically addressed in several sections of a community's zone code, model ordinances are not provided as part of this document. Typically, implementation of these requirements is addressed through redlined revisions to the existing applicable sections of the Zoning Code. It should be noted that the Streamlined Update is a



voluntary option and there are no penalties imposed during HCD’s compliance review for not using the Streamlined Update. For jurisdictions not choosing to use the Streamlined Update process or not eligible for the Streamlined Update process, completion of Appendix B, Completeness Checklist is still required by HCD to help facilitate their review.

In updating a housing element, HCD suggests that jurisdictions:

- **Start with the existing Housing Element.** The update can build on what has been effective in the past.
- **Engage all critical stakeholders in the process.** Section 65583(c) of the California Government Code specifically states that the “local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element”.
- **Reflect the vision and priorities of the community.** While the housing element must address specific State statutory requirements, it is ultimately a local plan.

The update of a housing element is an opportunity for a jurisdiction to evaluate and adopt programs and strategies that not only benefit housing supply, affordability and accessibility, but to integrate these objectives with other local land use, infrastructure, economic development, and sustainability goals. As an example, a housing element update can provide a means for a jurisdiction to adopt efficient land-use strategies such as infill, mixed use, and higher intensity development. These strategies not only help to meet projected housing needs, but can do so in a way that promotes compact development, reduced vehicle trips, and a reduction in GHG emissions.

HCD provides numerous resources to help jurisdictions move through the housing element Process, including the Building Blocks for an Effective Housing Elements website. A full listing of available guidance, data sources, and other assistance is included in Chapter 6, Resources.

Sample Housing Element Outline



Sample Housing Element Outline

The following is a sample housing element outline that Stanislaus County and its cities may use when updating their housing elements. This outline incorporates all of the State-required components, identifying the intent of each component, what information to include, and where to obtain that information. While the sample outline includes all required and best practice components of a housing element, and meets HCD's requirements, individual communities may want to adapt the outline to fit their unique issues and needs:

1. Introduction

The Introduction should provide an overview of the jurisdiction to set the context of the housing element. A summary of California State Housing Element law (California Government Code Article 10.6) should be included, as well as the recent changes to the law since adoption of the last housing element cycle (see *Chapter 2*). Correlation to the other General Plan elements and public outreach activities that occurred during this update should also be described.

2. Housing Plan

A Housing Plan addresses a communities identified housing needs by including long-term housing goals and shorter-term policies. These goals and policies are implemented through a series of housing programs. Model goals, policies, and programs that are applicable to Stanislaus County jurisdictions are provided in *Chapter 4* of this document. These model goals, policies and programs are for the consideration of the jurisdictions to include in their own housing element updates, and are categorized as follows:



- Housing and neighborhood conservation;
- Adequate sites to achieve a diversity of housing;
- Opportunities for affordable housing;
- Removal of governmental constraints, as necessary; and
- Promotion of equal housing opportunities.

*HCD's website provides a sample format and language for housing programs:
http://www.hcd.ca.gov/hpd/housing_element2/PRO_home.php*

3. Quantified Objectives

State law requires jurisdictions to estimate the number of affordable housing opportunities that will be created over the planning period. The quantified objectives should estimate the number of units likely to be constructed, rehabilitated or conserved/preserved by income level during the planning period.

- The Construction objective refers to the number of new units that potentially may be constructed using public and/or private sources over the planning period of the element given the locality's land resources, constraints and proposed programs.
- The Rehabilitation objective refers to the number of existing units expected to be rehabilitated during the planning period.
- The Conservation/Preservation objective refers to the preservation of the existing affordable housing stock throughout the planning period. To determine the number of units to be conserved, a jurisdiction could, for example, quantify the number of existing housing units that will be preserved through the provision of more stable zoning for mobilehome parks or other affordable housing types. A subset of the conservation objective is the number of federal, State and locally assisted at-risk units to be preserved.

The quantified objectives do not represent a ceiling on development, but rather set a target goal for the jurisdiction to achieve based on needs, resources and constraints. Ideally, construction objectives will be equal to identified needs. However, when a locality has determined total housing needs exceed the locality's ability to meet those needs with existing resources, the quantified objectives may be less than the total identified need as specified in the locality's regional housing need allocation. Under these circumstances, jurisdictions may target limited resources to areas of greatest local need based on the analysis completed. The element, however, must describe the analysis used to establish the quantified objectives.

This section includes a table of a jurisdiction's quantified objectives showing how the RHNA will be met by the following income levels: Extremely Low, Very Low, Low, Moderate, and Above Moderate. This table also includes how those units will be provided, usually through new construction of affordable units, rehabilitation of substandard units, and conservation/preservation of affordable housing.

4. Housing Profile

The Housing Profile is required to discuss the demographic, socioeconomic, and housing characteristics of the local jurisdiction in order to assess the housing needs of the community. This assessment will assure the availability of adequate housing for all social and economic sectors of the existing and future populations.

4.1 POPULATION TRENDS AND CHARACTERISTICS

This subsection provides data on population growth trends, age characteristics, race and ethnicity, and employment. Depending on the data that is available, the historic population trends of a jurisdiction are shown (typically for the years 2000 and 2010 for this planning period). Population trends for the surrounding jurisdictions can be included as a form of comparison on what is occurring in the region. Age characteristics and distribution are important indicators for determining the future demand for housing types. Data by age groups for a jurisdiction is provided, in addition to data for the County. Racial and ethnic composition of a community also affects housing needs due to the particular household characteristics of different groups. Therefore, data by race/ethnicity is included in this section. *Demographics data is available from the American Community Survey, which is a part of the U.S. Census Bureau website. Population projections are typically available through the Regional Transportation Plan.*

Employment data by sector is also included in this subsection, which provides information on types of jobs available to residents. This information helps determine what the community can afford in terms of housing. *Employment data is available from the American Community Survey, which is a part of the U.S. Census Bureau website.*

Sample tables for population and employment data are available on HCD's website: http://www.hcd.ca.gov/hpd/housing_element2/EHN_PopEmpChar.php

4.2 HOUSEHOLD CHARACTERISTICS

An analysis of household characteristics can provide important information on the housing needs of the community. This subsection should contain data on household composition that provides the number of families with and without children, singles, and other non-families, as well as average household size. *Household composition data can be found on the U.S. Census Bureau website.*

Overcrowded households are defined by the federal government as ones with more than one occupant per room, excluding bathrooms, kitchens, hallways, and porches. An overcrowded household results from either a lack of affordable housing and/or lack of available housing units of adequate size. *Overcrowded households data is available from the American Community Survey.*

Information regarding household income and income distribution should be provided in this subsection, which helps to evaluate housing affordability in the area. Data on housing



overpayment, which is defined as a household paying more than 30 percent of its income for housing, should be provided in this subsection. *Household income and overpayment information is available from the American Community Survey and the Comprehensive Housing and Affordability Strategy.*

4.3 SPECIAL NEEDS GROUPS

State law recognizes that certain households have more difficulty in finding adequate and affordable housing due to special circumstances. Special needs populations include the elderly, persons with disabilities (including developmental disabilities), female headed households, large households, extremely low income/homeless individuals, and farm workers. The number of persons that are considered as a special needs population should be included in this subsection, and the housing element's goals and policies should address the provision of housing for these populations. *Information on Special Needs groups is largely available through the American Community Survey and the U.S. Census Bureau.*

Data on any homeless population and homeless services/programs, as well as locations of emergency shelters and transitional housing should be included in this subsection. *Homelessness data is typically available from the County the jurisdiction is located in, in this case Stanislaus County.*

A new requirement for the 5th housing element planning period requires jurisdictions to provide information on the number of developmentally disabled residents living in the area. This information should be obtained from the Regional Center run by the California State Department of Developmental Services serving the area. *It is recommended to contact the appropriate regional center (Valley Mountain Regional Center for all of Stanislaus County) early in the update process to obtain the number of residents with a developmental disability by zip code.*

4.4 HOUSING CHARACTERISTICS

A local jurisdiction's household characteristics help inform the housing needs of a community. This subsection should provide the number of housing units, the types of units available, the age and condition of existing units, and housing cost. The number of housing units in the jurisdiction and the surrounding communities should be identified for multiple years (typically for the years 2000 and 2010 for this planning period), to show the housing growth trends in the region. Data on housing unit type will identify single family (detached, attached), multi family, and the total number of units that are occupied, owner-occupied, and renter-occupied should be included. This data is usually provided for multiple years (typically for the years 2000 and 2010 for this planning period), in order to show the trends in unit types. *Housing unit data is available from the American Community Survey.*

In general, housing over 30 years old is often in need of rehabilitation and requires preventative maintenance to avoid major housing deterioration. *The age of the housing stock is available from the American Community Survey online. Typically, any information on the number of complaints or types of calls a jurisdiction receives on property maintenance*

issues is maintained by local Code Enforcement. This data, which relates to the condition of housing, should be summarized in this subsection.

To evaluate housing cost, the most recent median housing unit values for the jurisdiction that is available should be included. *This data is typically found online using the American Community Survey, and online real estate data sources like Dataquick, Trulia and Zillow.com.* Median housing rental rates should be provided for the municipality, and it is recommended that data for the surrounding communities be provided as a form of comparison. *Rental rate data is available from the American Community Survey.* This subsection should also include an inventory of available rental units and the asking rent. *This data can be obtained from searching various local newspapers and the internet. The American Community Survey also has information regarding tenure, which is the number of units that are owner- and renter-occupied by housing type.*

Based on the data in this subsection, an analysis of housing costs and affordability must be provided. Affordability is determined by comparing the cost of housing to the income of local households. *Both the U.S. Department of Housing and Urban Development (HUD) and the California Health and Safety Code (Section 50052.5) provide a definition of affordable housing cost.*

4.5 ASSISTED HOUSING AT RISK OF CONVERSION

State Housing Element law requires an analysis of the potential for currently rental-restricted low-income housing units to convert to market rate housing, and to propose programs to preserve or replace any units “at risk” of conversion within 10 years of the start of the planning period (i.e. 2025). This subsection should provide an inventory of all assisted rental housing in a jurisdiction, and discuss those units at risk of conversion during the planning period. *This information is typically provided in an AB 987 table, which is a list generated by the local jurisdiction that presents all units with affordability covenants.* If it is determined that there are units at-risk of converting from affordable to market-rate during the planning period, then the jurisdiction must provide an assessment of the cost to replace or preserve any at-risk units and identify potential funding sources to complete such actions.

Useful data and a national inventory of federally subsidized affordable housing are available on the California Housing Partnership Corporation’s website: <http://www.chpc.net/index.html>

5. Housing Constraints

The Housing Constraints section is required to provide an examination of governmental and non-governmental constraints that could hinder a jurisdiction’s achievement of its objectives and the resources that are available to assist in the production, maintenance, and improvement of the community’s housing stock.

5.1 GOVERNMENTAL CONSTRAINTS

Governmental constraints to the provision of housing includes an assessment of local land use controls such as a general plan that addresses the amount of land designated for residential use, and zoning regulations that provide development standards including,



permitted densities, parking, lot coverage, heights, unit sizes, open space requirements, floor area ratios, and growth controls. The governmental constraints section should include an assessment of the total development and impact fees charged for single versus multiple family housing projects, a detailed explanation of the approval process for single and multiple family housing projects, and a list of typical infrastructure or site improvements required. It is also important to identify what building code is utilized and whether any local amendments have been adopted that may constrain housing development.

Housing Element Law specifically requires jurisdictions to identify potential and actual constraints to the development of a variety of housing types for all income levels, including multi-family rental housing, factory-built housing, mobile homes, second units, emergency shelters, transitional housing, single room occupancy, and housing for persons with disabilities. Information on how a jurisdiction provides for each of these types of housing should be included in this section and could be presented as a table indicating which types of residential uses are permitted in each zone. If it is determined that there are governmental constraints hindering the development of housing in the city, a clear explanation of the local efforts to remove such constraints should be provided. In some instances a program should be added to the Housing Plan to monitor and/or remove development standards that are constraining residential development.

5.2 NON-GOVERNEMENTAL CONSTRAINTS

Non-governmental constraints typically include market or environmental factors that preclude the provision of housing in a certain area. Construction costs, land availability and cost, and availability of financing are potential market constraints that can be discussed. Environmental constraints to housing could include seismic or flooding hazards where land development should be carefully controlled. Construction costs and land cost is typically information that can be found online or may be available if a local jurisdiction or developer has completed a pro forma or recent land assessment (often through the Redevelopment Agency or its successor agency). *Financing data is available online through the FFIEC Home Mortgage Disclosure Act, while environmental constraints are often discussed in the general plan.*

6. Housing Resources

The Housing Resources section should summarize the land, financial and administrative resources available for the development and preservation of housing in a community. This analysis should include an evaluation of the availability of land resources for future housing development, the City's ability to satisfy its share of the region's future housing needs, the financial resources available to support housing activities, and the administrative resources available to assist in implementing the City's housing programs and policies.

6.1 REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

The RHNA for the planning period should be included presenting the estimated need for the household income categories: extremely low income, very low income, low income,

moderate income, and above moderate income. *The RHNA is provided by StanCOG, and the planning period for this housing element update cycle is from May 15, 2015 to May 15, 2023.*

If a jurisdiction was unable to achieve certification or implementation (e.g. completing all rezoning actions required to accommodate the previous RHNA allocation), then a section addressing Government Code Section 65584.09 (AB 1233) should be included. Government Code Section 65584.09 generally will apply to local governments where the housing element was not adopted for the previous planning period, the adopted element was not certified by the Department of Housing and Community Development, the jurisdiction failed to implement the adequate sites programs to make sites available within the planning period, and/or the jurisdiction failed to identify or make available sites to accommodate a portion of the regional housing need. Where a local government failed to identify or make available adequate sites for the prior planning period, the jurisdiction must rezone or zone adequate sites to address the unaccommodated housing need within the first year of the new planning period. This means that in addition to accommodating the regional housing need for the new planning period, the housing element must identify the unaccommodated housing need by income level for the prior planning period. To determine the unaccommodated need, jurisdictions could take the following steps:

- Subtract the number of units approved or constructed (by income level) since the beginning of the previous planning period's baseline date.
- Subtract the number of units that could be accommodated (by income level) on any appropriately zoned sites identified in the previous housing element.
- Subtract the number of units that could be accommodated (by income level) on sites that have been rezoned for residential development pursuant to the programs presented in the housing plan for the prior planning period.
- Subtract the number of units that could be accommodated (by income level) on sites rezoned for residential development that were not identified in the previous housing element.

6.2 STRATEGIES TO ACCOMMODATE THE RHNA

State law requires that a community provide an adequate number of sites to allow for, and facilitate production of the City's fair share of regional housing. To determine whether the City has sufficient land to accommodate its fair share allocation for each income group, the City must identify "adequate sites." Under State law (California Government Code section 65583 c.l.), adequate sites are those with appropriate zoning and development standards, with services, and facilities, that allow and encourage the development of a variety of housing for all income levels. Land considered suitable for residential development includes: vacant residentially zoned sites; vacant non-residentially zoned sites that allow residential uses (such as mixed-use); and underutilized residentially zoned or non-residentially zoned sites that can be rezoned or are capable of being developed at a higher density or with greater intensity.



Density is a critical factor in the development of affordable housing. Their interpretation of state law assumes that permitting lower densities typically increases the cost of construction per unit, while higher density development lowers the per-unit land cost and facilitates construction of an economy of scale. For jurisdictions located within a Metropolitan Statistical Area (MSA) with a population of less than 2 million (which includes Stanislaus County) is considered to be suburban. For the cities within the suburban jurisdiction with a population of less than 100,000 residents, the default density is 20 dwelling units per acre. For the cities with a population of more than 100,000, the jurisdiction is considered to be metropolitan, and a default density of 30 units per acre or more to accommodate lower income households should be used.

The following is a list of jurisdictions within Stanislaus County that utilized the default density for their 4th Cycle Housing Element to accommodate lower income households:

- City of Oakdale
- City of Ceres
- City of Hughson
- City of Modesto
- City of Newman
- City of Patterson
- City of Riverbank
- City of Turlock
- Stanislaus County

6.3 SUMMARY OF AVAILABLE SITES

To accommodate the RHNA allocation (and any additional units per AB 1233) a parcel specific inventory must be provided. This inventory must present parcels appropriate to meet the RHNA allocation and can identify sites that fall under the three strategies identified previously. Within this section the parcel inventory must include information on the general plan and zoning designation, acreage, permitted density, and a calculation of the potential unit capacity for each parcel by APN/AIN. It is recommended that a table be included that presents all of the required information by parcel. Similarly, aerial maps should be included that show each parcel or parcel grouping identified in the inventory, which may be most easily created using Geographic Information Systems (GIS).

To clearly show how the RHNA allocation is accommodated, Government Code Section 65583.2(c) requires a local government to demonstrate how each each site in the inventory can accommodate some portion of its share of the regional housing need by income level during the planning period. This may be done through a table that clearly identifies the RHNA allocation, and how each site accommodates units by income category. In justifying how the sites have sufficient capacity to accommodate the RHNA allocation, the element must include a description of the methodology used to estimate the realistic capacity (e.g. mixed use sites could assume 50 percent residential development, while residentially zoned sites could assume 80 to 100 percent.)

In many instances, local governments with limited vacant land resources or with infill and reuse goals may rely on non-vacant and underutilized residential sites to accommodate the regional housing need (e.g. sites with potential for recycling, scattered sites suitable for assembly, publicly-owned surplus land, portions of blighted areas with abandoned or vacant buildings, areas with mixed-used potential, substandard or irregular lots which could be consolidated, and any other suitable underutilized land). If the inventory identifies non-vacant sites to address a portion of the regional housing need, the element must describe the additional realistic development potential within the planning period. The analysis must describe the methodology used to establish the development potential considering all of the following: 1) the extent existing uses may constitute an impediment to additional residential development; 2) development trends; 3) market conditions; and 4) availability of regulatory and/or other incentives such as expedited permit processing, and fee waivers or deferrals. The following jurisdictions within Stanislaus County have utilized non-vacant sites to demonstrate adequate sites in their respective Housing Elements:

- City of Modesto
- City of Newman
- City of Patterson
- City of Riverbank
- City of Turlock
- Stanislaus County

To address existing on-site uses, the element may include photos or aerials of the parcel/s, a description of the age and condition of the structures onsite and an explanation of the likeliness of the parcel to be redeveloped. To address development trends the element should also include a description of the local government's track record and specific role in encouraging and facilitating redevelopment. If no efforts can be sited, the housing element should describe current or planned efforts (via new program actions) to encourage and facilitate this type of development (e.g., providing incentives to encourage lot consolidation or assemblage to facilitate increased residential development capacity). To address market conditions the element should evaluate the impact of local market conditions on redevelopment or reuse strategies. For example, high land and construction costs, combined with a limited supply of available and developable land may indicate conditions "ripe" for more intensive compact and infill development, or redevelopment and reuse. Finally, to address the availability of regulatory and/or other incentives, the element should include an analysis of the existing or planned financial assistance or regulatory concessions or incentives to encourage and facilitate additional or more intense residential development on non-vacant and underutilized sites (e.g. development standard modifications, streamlined permit processing, density bonuses). The following is a sample format of how to present non-vacant and underutilized sites in the analysis of land resources.



SITE 1



General Plan Designation:

Zoning: Permitted Density:

Acreage:

Existing Land Use:

Potential Unit Capacity:

Description: Site 1 is located in [describe site location]. Existing uses include [describe existing uses on the site]. The City/County has determined that these parcels are currently underutilized and existing uses will be discontinued during the planning period.

To further encourage and facilitate the development of affordable units for low- and very low-income families on the Site, the City/County will offer a menu of development incentive opportunities, including: development fee modifications, streamlined processing, density bonus incentives, and reductions in development and parking standards, as indicated in the Housing Plan. Funding for potential regulatory and financial incentives will be prioritized to encourage housing for extremely low- and very low-income households.



6.4 FINANCIAL RESOURCES

Potential financial resources to support housing activities should be identified from federal, State, county, local, and private sources. *A list of typical funding sources is provided in Chapter 5 Key Funding Sources.*

6.5 ENERGY CONSERVATION OPPORTUNITIES

As more housing is constructed to meet growing population demands, the consumption rate of energy becomes a significant issue. The primary uses of energy in urban areas are for transportation, lighting, water, heating and space heating and cooling. The high cost of energy can be reduced or minimized by conserving energy in new and existing residential units. Examples of energy conservation opportunities include weatherization programs and home energy audits; installation of insulation; installation or retrofitting of more efficient appliances, and mechanical or solar energy systems; and building design and orientation that incorporates energy conservation considerations. Those energy conservation opportunities appropriate for the jurisdiction should be included in this subsection. Additionally, jurisdictions should consider adding programs that address this issue into the housing plan. *Energy efficiency programs and opportunities may be provided by the local jurisdiction, but also through the County, the State and local energy providers.*



7. Progress Report

As required by the Government Code Section 65581, the Housing Element must be reviewed periodically to allow local officials to determine the effectiveness of the established programs and to evaluate whether existing programs are appropriate based on updated demographic trends in the community. This section should analyze the progress the jurisdiction has made toward implementing their program and objectives, the effectiveness of the programs during the previous planning period, and the appropriateness of each program to be included in the updated housing plan. One simple way of providing this information is to create a table that lists the program name and in a separate column presents a brief description summarizing the progress, effectiveness and appropriateness of that program. *HCD's website provides sample tables to assist in organizing the analysis of the effectiveness and appropriateness of programs and actions: http://www.hcd.ca.gov/hpd/housing_element2/GS_reviewandrevise.php*

Model Goals, Policies & Programs



Model Goals, Policies & Programs

The general goal of any Housing Element is to ensure that all residents have decent, safe, sanitary and affordable housing regardless of income. In order to achieve this general goal, a community's Housing Plan should contain specific goals to guide the development, redevelopment and preservation of a balanced inventory of housing to meet the needs of present and future residents. A set of model goals, policies, and programs are included in this chapter for Stanislaus County and its cities to consider including in their housing element updates. These model goals, policies and programs have been utilized by other communities within the State during the fifth housing element update cycle, and developed with HCD staff to achieve certification. These are not intended to be comprehensive nor address every unique issue a particular community is facing, but provides a range of goals, policies, and programs that address many of the common housing issues.

The model Housing Plan contains housing goals, policies, and programs that address the following six major areas:

1. Conserve and improve the existing housing stock;
2. Ensure adequate sites to achieve a diversity of housing;
3. Address and Remove governmental constraints;
4. Provide equal housing opportunities;
5. Assist in the Development of housing for a variety of income levels; and
6. Incorporate energy efficient design and practices.



Sample Housing Program Format

Within the Housing Plan, HCD has requested the programs be presented in the following format:

Program Title

Description of Specific Actions Steps, Jurisdiction's Specific Role in Implementation and Demonstration of Commitment to Implement

Timeframe:

Responsible Agency:

Objectives (quantified, where possible):

Funding Sources (where appropriate):

Required Housing Programs

Based on recent experience and information provided on their website there are specific programs that are not just recommended, but specifically required for Housing Element certification. To identify which programs are required by HCD, the title has been highlighted in **blue**.

Sample Housing Plan

GOAL 1: PRESERVE AND IMPROVE THE EXISTING HOUSING STOCK

Continued maintenance and preservation of the existing housing stock is crucial to ensure quality neighborhoods. Housing programs focused on the achievement of this goal include rehabilitation of single- and multi-family housing units, code enforcement, and efforts to preserve assisted housing units at risk of converting to market-rate housing. Through code enforcement, neighborhood, and home improvement programs, a city or the county is able to maintain the condition of existing housing units.

Model Policies

- Policy 1.1:** Monitor and enforce building and property maintenance code standards in residential neighborhoods.
- Policy 1.2:** Promote the repair, revitalization, and rehabilitation of residential structures which have fallen into disrepair.
- Policy 1.3:** When available, provide financial assistance to rehabilitate dwelling units owned or occupied by seniors and low-income individuals.
- Policy 1.4:** Encourage citizen involvement in property maintenance and efforts to improve the housing stock and overall neighborhood quality.
- Policy 1.5:** Cooperate and coordinate with non-profit housing providers in the acquisition, rehabilitation, and maintenance of older apartment complexes, and single-family

houses to be preserved as long-term affordable housing.

- Policy 1.6:** Continue to monitor affordable housing developments, second units, and vacant units within the City.
- Policy 1.7:** Preserve the existing affordable housing stock, including mobile homes, through the implementation of City regulations, on-going monitoring and the provision of financial assistance.
- Policy 1.8:** Assist in the preservation of all units “at-risk” of converting from affordable housing to market rate.
- Policy 1.9:** Provide a high quality of services to maintain the appearance of neighborhoods and quality of life of residents.
- Policy 1.10:** Pursue comprehensive neighborhood preservation strategies for portions of the community that need reinvestment.
- Policy 1.11:** Encourage energy efficient design in existing and new residential units and promote sustainability upgrades in existing and proposed residential complexes.
- Policy 1.12:** Encourage property owners to maintain and make improvements to their properties by taking advantage of programs offered by local agencies.
- Policy 1.13:** Provide rental assistance to address existing housing problems and provide homeownership assistance to expand housing opportunities.

Model Programs

**This is an appropriate section to present any local rehabilitation and/or code enforcement programs offered by the jurisdiction.*

Program 1a **Code Enforcement.** The City/County will enforce, on a complaint or request basis, local zoning; housing, fire, and building codes; and standards for landscaping maintain safe and decent housing. Property owners with code violations who meet eligibility requirements for participation in local programs will be offered an opportunity to correct code violations utilizing financial assistance, when funds are available. The primary goal of the regulation is to provide reasonable controls for the maintenance, rehabilitation, preservation, and conservation of existing commercial and residential properties.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Community Development, or Code Enforcement Division)

Funding Sources: (i.e. General Fund, or CDBG funds)

Objectives (sample):

- Maintain the quality of the existing housing stock by addressing code violations as they are reported. Refer eligible property owners to Riverside County programs if property maintenance funding is needed.



- Enforce and expand where necessary, the property maintenance provisions embodied in the California Green Building Code and the Zoning Ordinance in order to conserve and improve the quality of the housing units in the City/County.

Program 1b

Housing Rehabilitation Program (*sample rehabilitation program*). The City/County places a high priority on maintaining the quality of its housing stock. The Housing Rehabilitation Program (HRP) for moderate/low income households provides residents with small loans of up to \$X,000. The program allows for a variety of home improvements including, but not limited to: room additions, handicap modifications, structural repairs, exterior enhancements, interior improvements, electrical and/or plumbing work. Historically, the HRP was funded using Redevelopment Set-Aside funds; however the elimination of the Redevelopment Agency has resulted in the loss of a permanent funding source for this program. For the planning period the City/County will investigate new funding opportunities and administer funds as they become available. If, and when, a permanent funding source is identified, the City/County will provide information about the program at the planning department, on the City/County's website and in other public places to increase awareness and solicit applications.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Community Development)

Funding Sources: (i.e. General Fund, CDBG funds, Additional funding sources needed.)

Objectives:

- Investigate new funding opportunities and administer funds as they become available.
- Promote energy efficiency improvements to households participating in the program.
- Continue to provide informational materials about the program at the planning department, on the City/County's website and in other public places to increase awareness.

Program 1c

Monitor and Preserve Affordable Housing. The City/County has identified X developments with a total of X affordable units which generally have covenants that do/do not expire until 20XX. To determine how effective the City/County's housing programs have been in the development and maintenance of affordable housing, the City/County will monitor these affordable units to ensure that the rent payments charged are consistent with levels appropriate for the identified income category. The City/County has posted their AB 987 Affordable Housing database on its website and will continue to track affordable housing units locally through the annual certification process. In addition, as the community develops additional affordable units these properties will be added to the table and will be monitored annually to ensure they meet affordability requirements.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Housing Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives (menu of options):

- Maintain and annually update the inventory of “at-risk” projects through the use of existing databases (e.g., HUD, State HCD and California Tax Credit Allocation Committee).
- Take all necessary steps to ensure that a project remains in or is transferred to an organization capable of maintaining affordability restrictions for the life of the project, including proactively ensuring notices to qualified entities, coordinating an action plan with qualified entities upon notice and assisting with financial resources or supporting funding applications.
- Bi-annually coordinate with HUD to monitor projects approved to convert to ensure that any required assistance (or assistance that the owner has agreed to provide) to displaced tenants is carried out in a timely manner. Ensure projects are monitored to see if they are subject to other State or local requirements regarding the provision of assistance to displaced tenants.
- Annually monitor local investment in projects that have been acquired by non-or for-profit entities to ensure that properties are well managed and maintained and are being operated in accordance with the City’s/County’s property rehabilitation standards.
- Work with owners, tenants and nonprofit organizations to assist in the nonprofit acquisition of at-risk projects to ensure long-term affordability of the development. Annually contact property owners, gauge interest and identify non-profit partners and pursue funding and preservation strategy on a project basis.
- Use available financial resources to restructure federally assisted preservation projects, where feasible, in order to preserve and/or extend affordability.
- Annually identify funding sources for at-risk preservation and acquisition rehabilitation and pursue these funding sources at the federal, State or local levels to preserve at-risk units on a project-by-project basis.

Program 1d

Purchase Housing Covenants. When funding is available, the City/County and/or Housing Authority plan(s) to acquire 55 year affordability covenants on existing multifamily rental units, focusing on residences that may be in need of minor rehabilitation. The City/County and/or Housing Authority will target multifamily complexes with 4-16 units, but if necessary will also purchase covenants in developments anywhere in the City/County. The elimination of the Redevelopment Agency during the previous planning period has resulted in a loss of a permanent funding source for this program. Consequently, for the 2015-2023 planning period, the City/County will investigate new funding opportunities and administer funds as they become available. If and when a permanent funding source is identified, the City/County will provide information about the program at City Hall/County offices, on the website and in other public places to increase awareness.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Housing Division or Community Development)



Funding Sources: (i.e. General Fund, Additional funding sources needed)

Objectives:

- Investigate new funding opportunities and administer funds as they become available. If, and when, a permanent funding source is identified, the City/County will provide information the planning department, on the City/County's website and in other public places to increase awareness.

Program 1e

Multifamily Housing Acquisition and Rehabilitation. To facilitate the acquisition and rehabilitation of deteriorated multifamily housing developments, with the goal of generating privately initiated improvements in some of the other complexes in the neighborhood, the City/County will develop a list of nonprofit developers and send out a meeting notice to interested non-profit developers to discuss the community's objectives and resources. The City/County will then select a nonprofit developer to purchase a deteriorated multifamily, rental property. The property would then be rehabilitated, with the options to combine some of the smaller units into larger family units. Relocation assistance will be provided to existing tenants who have to be either temporarily or permanently relocated.

Timeframe: Develop list of nonprofit developers by December 2016 and select a developer by June 2017.

Responsible Agency: (i.e. Housing Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Support the rehabilitation and revitalization of at least two properties or 100 units in the planning period. Provide ongoing assistance and evaluate program through the Housing Element Annual Report Process.

Program 1f

Mobilehome Park Preservation Program. The City/County of X will continue to implement the Residential Mobilehome Park zoning ordinance that sets conditions on changes of use or conversions of mobilehome parks. The City/County will also assist lower-income residents to research the financial feasibility of purchasing their mobilehome parks to maintain the rents at affordable levels. Where appropriate, assist the park residents or nonprofit to purchase the park to maintain affordability.

Timing: Inventory mobile home parks and provide information to mobilehome park residents regarding potential resident purchase of parks and assistance available by June 2016. Evaluate and determine feasibility of assisting park residents in purchasing a mobilehome park by December 2017. Apply for Mobilehome Park Resident Ownership Program (MPROP) funds when available.

Responsibility: Planning Division

Funding: General Fund, Mobilehome Park Resident Ownership Program

Objectives:

- Continue to regulate the conversion of mobilehome parks.

Program 1g

Energy Efficient Design. The City/County will review ordinances and recommend changes where necessary to encourage energy efficient housing design and practices that are consistent with State regulations. The City/County will periodically distribute literature or post information on their website regarding energy conservation, including solar power, energy efficient insulation, and subsidies available from utility

companies, and encourage homeowners and landlords to update existing units. When possible the planning and building department will encourage energy conservation devices, including, but not limited to: lighting, water heater treatments, and solar energy systems for all residential projects. The Planning division will encourage maximum utilization of Federal, State, and local government programs, such as the local home weatherization programs, that assist homeowners in providing energy conservation measures.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Housing Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Promote local programs with funding available online through the City/County website.
- Annually review ordinances and recommend changes where necessary to encourage energy efficient housing design and practices that are consistent with State regulations.

Other Sample Conservation Programs:

- **Maintain Single-Room Occupancy Units (SROs)** - Rehabilitate residential hotels for very low- and low-income households including the homeless and those at-risk of homelessness.
- **Rehabilitation Fee Amnesty Program** - Provide interim fee relief for rehabilitation in targeted neighborhoods.
- **Targeted Rehabilitation Programs** – Survey and designate neighborhoods and design a rehabilitation program to comprehensively address housing conditions.
- **Neighborhood Revitalization** - Designate lower-income neighborhoods for concentrated housing rehabilitation assistance through subsidized grants and/or deferred low interest loans, public facility/infrastructure improvements through general fund capital improvement plans, special assessments districts, Mello-Roos community facilities districts, etc.
- **Develop Tool Lending Programs** – To facilitate ongoing rehabilitation and maintenance. “Tools” can include actual tools and supplies, as well as instructions for simple upgrades or repairs (such as changing faucets or washers, heater screens, etc.).
- **Presale Code Inspections** - Enact an occupancy ordinance requiring presale code inspections and compliance before the title to a property is transferred to new owners.
- **Homeownership Education and Counseling** – Establish pre- and post- purchase homeownership education and counseling to assist households in owning and maintaining their homes. Programs can include referral centers, promoting toll-free hotlines and outreach on the availability of resources.
- **Replacement Requirements** - Require one-to-one replacement of any housing units demolished due to public or private action.
- **Condition Surveys** - Conduct annual housing condition surveys to determine the extent of



rehabilitation need and to prioritize rehabilitation program actions.

- **Neighborhood Improvement** – Establish and utilize CDBG or RDA funds for a self-help paint-up/fix-up neighborhood improvement program.
- **Neighborhood Clean Ups** – Annually promote neighborhood clean-up weeks or activities.

GOAL 2: ENSURE ADEQUATE SITES TO ACHIEVE A DIVERSITY OF HOUSING

Strive to achieve a balanced community, with housing units available for all income segments of the population. The intent of this goal is to assist in the provision of adequate housing to meet the needs of the community, including the needs of both renter and owner households.

Model Policies

- Policy 2.1:** Provide adequate sites and zoning to encourage and facilitate a range of housing to address the regional fair share allocation.
- Policy 2.2:** Encourage infill development or development within existing neighborhoods to better utilize existing services and utilities and to reduce infrastructure development costs.
- Policy 2.3:** Facilitate and encourage the development of affordable housing for seniors, large families, farm workers and other identified special housing needs.
- Policy 2.4:** Assist private and nonprofit developers in providing affordable housing to low-income residents and special needs groups.
- Policy 2.5:** Create mixed-use opportunities along key commercial corridors as a means of enhancing pedestrian activity and community interaction.
- Policy 2.6:** Maintain zoning regulations that permit by right, in designated zones, housing that meets temporary and short-term housing needs for individuals and families.
- Policy 2.7:** Require that housing constructed for low- and moderate-income households not be concentrated in any single portion of the City/County.

Model Programs

Program 2a **Housing Opportunity Sites.** To facilitate the development of affordable housing and accommodate the 2015-2023 RHNA allocation, the City/County has identified the X zone that allows densities of X dwelling units per acre. As shown in the Housing Resources section approximately X sites totaling X acres have been identified that are zoned appropriately/must be rezoned during the planning period that are prime for redevelopment and most realistic and appropriate to accommodate the RHNA.

The sites identified in the Housing Resources section totaling X-acres are

vacant/underutilized sites that can accommodate higher density development. To encourage the development of residential projects with affordable units, the City/County will meet with land owners to facilitate redevelopment on vacant sites and severely underutilized sites within the X zone. To further encourage development, the City/County may offer land owners and developers a menu of incentives including: (i.e. development fee modifications, fast track processing, density bonus incentives, flexible development standards, and funding for off-site improvements, as indicated in the Housing Plan). Funding for these regulatory and financial incentives will be provided through CDBG and grant funds, when available. The City/County will also prioritize funding for projects that incorporate units for extremely low income households.

Timeframe: Ongoing, 2015-2023 (Rezoning obligations must occur by December 2016)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. CDBG, Grant funds, General Fund)

Objectives:

- Make the vacant and underutilized residential sites inventory available to non-profit and for-profit housing developers on the City's website.
- Monitor the sites available for new residential development

Program 2b

Lot Consolidation Program. Parcels identified as part of the sites inventory range in size from approximately (i.e., 0.1 acres to 5 acres) and in some cases are narrow or shallow in size, which could be seen as an additional constraint to the development of housing. To encourage the development of residential and mixed-use projects, the City/County encourages lot consolidation through incentives such as a reduction in development standards (i.e. lot size, parking, and open space requirements) to merge adjacent lots. When funds are available, the City/County may also offer to subsidize a portion of development fees to encourage lot consolidation and to promote more intense residential and mixed use development on vacant and underutilized sites. The City will promote the program at City Hall, on its website and will evaluate requests for funding on a case by case basis.

Timeframe: Ongoing, 2015-2023 (Establish program by December 2016)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Encourage lot consolidation of smaller parcels to accommodate projects including a minimum of 16 units at a density of at least 30 dwelling units per acre or higher.

Program 2c

Second Unit Zoning. Allowing for the development of second-units on single family lots offers a valuable affordable housing option to specific types of residents within the community. Second-units can benefit seniors, students and single persons that desire to live a less dense setting. Allowing for second-units can also provide property owners with a source of income which can benefit middle class residents and elderly homeowners. Approximately X acres of land are developed with subdivisions containing lots large enough to permit a second-unit under existing



single-family zoning regulations. Within the Zoning Code the City/County currently allows second-units in residential zones to be administratively approved by Staff as required by State law. Staff will continue administer and promote their second unit ordinance at the planning department counter and on the City/County's website during the planning period.

Timeframe: Ongoing, 2015-2023 (Amend code to be consistent with State law by December 2016, if applicable)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Develop a database of second units throughout the City/County.
- Provide informational materials about the second unit ordinance at the planning counter, on the website and in other public places to increase awareness.

Program 2d

Senior Housing Zoning Incentives. To ensure the needs of aging residents are met, the City/County will permit the development of senior housing in specific areas of the community, including residential and commercial zones at higher densities than are traditionally allowed. Zoning Incentives will be given for senior housing development such as reduced parking standards, reduced unit sizes, increased heights, and increased maximum lot coverage.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Facilitate the development of housing units for senior residents through the provision of flexible zoning regulations.

Program 2e

Farm Employee/Labor Housing. The City/County will work with the agricultural community, housing providers and agricultural groups to develop and build year-round and seasonal agricultural worker housing. This will require an analysis of the prime agricultural areas in the City/County to identify suitable locations for at least 20 units of farm worker housing. Information gathered from this analysis shall be provided to agricultural and affordable housing developers in a manner conducive to their use for developing the actual units. The City/County will ensure that these groups are included in regular Housing Stakeholder Meetings.

Timeframe: Ongoing, 2015-2023; Initiate analysis of prime agricultural areas in the City/County within 1-year of Housing Element adoption

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Analyze City/County lands to identify suitable locations for a development with 20 housing units for farm workers.
- Provide information on identified sites to potential housing developers.

- Invite developers and local farm worker organizations to be involved in the Housing Element update and other housing related activities.
- Meet with the local Farm Bureau and other farm advocacy groups to discuss agricultural related policies, regulations and opportunities contained within the City/County's planning documents to collect input and answer questions.

Program 2f

Farm worker Housing Developer Assistance. The City/County will encourage and support state and federal funding applications for farm worker housing and supporting infrastructure by providing technical assistance when needed, and continue to conduct pre-application conferences and meet with farm worker housing developers on an ongoing basis.

Timeframe: Ongoing, 2015-2023; Post information on the Housing Resources website within 1-year of Housing Element adoption

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Provide technical assistance, such as information gathering and peer review of state and federal funding applications for farm worker housing.
- Provide information about the County's farm employee/labor housing regulations, including posting information on the Housing Resources website.

Program 2g

Alternative Housing Models. The City/County recognizes the changing housing needs of its population, including aging seniors, and disabled residents, including the developmentally disabled in need of supportive services. To meet such needs, the City/County can encourage the provision of more innovative housing types that may be suitable for the community, including community care facilities, supportive housing, and assisted living for seniors and the disabled. Assisted living facilities are designed for individuals needing assistance with activities of daily living, but desiring to live as independently as possible for as long as possible. Such facilities bridge the gap between independent living and nursing homes, and offer residents help with daily activities such as eating, bathing, dressing, laundry, housekeeping, and assistance with medications. Assisted living can help to meet the housing and supportive services needs of the senior and disabled population.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Facilitate the development of alternative housing models suited to the community housing needs through the provision of flexible zoning regulations.
- Continue to provide appropriate standards to encourage development of senior housing to meet the needs of the City's growing senior population.
- Promote alternative housing models during discussions with developers.



- Actively promote outside funding opportunities and regulatory incentives such as density bonuses to offset the costs of providing affordable units.

Program 2h **Amend Zoning for Transitional and Supportive Housing** (if not otherwise completed). To encourage transitional and supportive housing, the City/County will amend zoning districts allowing residential uses to permit transitional and supportive housing as a residential use, subject only to those regulations that apply to other residential dwelling of the same type in the same zoning (e.g., multifamily in a multifamily zone).

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Ensure local zoning standards are appropriate to encourage the development of transitional and supportive housing.
- Partner with the County’s Continuum of Care to address homelessness by assisting with the development of shelters, transitional, and permanent supportive housing for homeless residents in the County.

Other Sample Adequate Sites Programs:

- **Rezone properties to accommodate the RHNA** - Increase maximum allowable residential densities in existing residential, commercial and mixed zones and modify development standards such as height limitations to ensure maximum density can be achieved. A city may also choose to rezone underutilized land from nonresidential to residential to expand the supply of available residential land.
- **Annexations** – Pre-zone and annex land suitable for residential use.
- **Establish Minimum Densities** – Designate minimum densities of development to assure that existing available land is not underutilized.
- **Allow and Encourage Mixed-Use Zoning** – Permit housing in certain non-residential zones either as part of a mixed-use project or as a stand-alone residential use.
- **Institute Flexible Zoning** – Allow various residential uses within existing nonresidential zones without requiring rezoning or conditional approvals.
- **Encourage the redevelopment of older uses into residential development** - Convert obsolete older public/ institutional/ commercial/ industrial buildings to residential use through adaptive reuse and/or historic preservation.

GOAL 3: REMOVE GOVERNMENTAL CONSTRAINTS

Market and governmental factors pose constraints to the provision of adequate and affordable housing. These factors tend to disproportionately impact lower and moderate-income households due to their limited resources to absorb additional costs.

Model Policies

- Policy 3.1:** Review development fees annually to ensure that fees and exactions do not unduly constrain the production and maintenance of housing.
- Policy 3.2:** Periodically review and revise the City’s development standards, if necessary, to facilitate quality housing that is affordable to all income levels.
- Policy 3.3:** When feasible, consider reducing, subsidizing, or deferring development fees to facilitate the provision of affordable housing.
- Policy 3.4:** Provide for streamlined, timely, and coordinated processing of residential projects to minimize holding costs and encourage housing production.
- Policy 3.5:** Utilize the Housing Authority as a tool to provide sites and assist in the development of affordable housing.
- Policy 3.6:** Identify funding to be used to lower land costs of proposed projects, to ensure that affordable units are incorporated within the development.
- Policy 3.7:** Provide flexibility in development standards to accommodate alternative approaches to provide affordable housing such as mixed- use projects.
- Policy 3.8:** Encourage the development of rental units with three or more bedrooms to provide affordable housing for large families.
- Policy 3.9:** Ensure that water and sewer providers are aware of the City/County’s intentions for residential development.

Model Programs

Program 3a Remove Development Constraints. Staff will periodically review the development standards for the residential zones to identify standards that may constrain the development of affordable housing and housing for special groups, such as disabled individuals. The City/County is flexible and is committed to working with developers to build affordable units, which may require modifications to constraining standards. Flexible development standards provision allow for variation of the development/design standards required by the multifamily zones when affordable units are included in the development. Allowed modifications include such standards as parking, unit size, lot size, lot dimensions, setbacks, common open space, art in public spaces standard/fees and public works improvements.

Timeframe: Ongoing, 2015-2023



Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- On an annual basis, review development standards, to ensure that the development of lower income housing can occur. Revise the development code to address all constraints identified in the Housing Constraints section.
- Continue to offer flexible development standards to facilitate the development of affordable housing through promotion of maximum development densities in the multi-family zone and the new mixed-use overlay.

Program 3b

Streamline Processing. Affordable housing developers often face constraints in developing affordable housing projects. One way the City/County can assist such developers is by providing fast-track/priority processing for low-income and special needs housing projects. This service can encourage affordable housing development by allowing developers to go through the approval and permitting process quicker keeping costs down and units affordable. It is important that following the construction of the project that units are monitored to ensure that subsequent tenants are households with special needs and/or lower income.

Timeframe: Ongoing, 2015-2023 (Implement process by 2016 if not established)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives (menu of options):

- Assign a primary contact for priority housing developments to assist with all necessary entitlement and assist navigating various local departments.
- Hold pre-application development conferences.
- Utilize development agreements as authorized by Government Code Section 65864.
- Establish ministerial procedures for multifamily uses in multifamily zones.
- Provide information about permit streamlining at the planning counter, on the City/County's website and in other public places to increase awareness.

Program 3c

Reasonable Accommodation. Pursuant to Senate Bill 520, jurisdictions are required to analyze constraints to the development, maintenance, and improvement of housing for persons with disabilities and take measures to remove constraints (i.e. institutional barriers). The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices, and procedures where such accommodation may be necessary to afford individuals with disabilities equal housing opportunities. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain restrictions or requirements from the local government to ensure equal access to housing opportunities. Cities and counties are required to consider requests for accommodations related to housing for people with disabilities and provide the accommodation when it is determined to be "reasonable" based on fair housing laws and case law interpreting the statutes. The City/County

encourages and promotes accessible housing for persons with disabilities and through Ordinance X approved in (Month, year) which established a formal procedure to consider requests for reasonable accommodation. This includes the retrofitting of existing dwelling units and enforcement of the State accessibility standards for new residential construction.

Timeframe: Ongoing, 2015-2023 (Program established by December 2016 if not already)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Provide information to residents on reasonable accommodation procedures at public counters and on the City/County website.
- Promote local rehabilitation programs as a potential funding source for the disabled or elderly to utilize to make accessibility improvements to their homes.

Program 3d Planning and Development Fees. Conduct annual internal reviews of planning and development fees to ensure that the fees are not excessive and are appropriate to cover the cost of services provided.

Timeframe: Annually, 2015-2023

Responsible Agency: (i.e. Planning Division, or Community Development)

Funding Sources: (i.e. General Fund)

Objectives (menu of options):

- Annually review the fees charged by the City/County to ensure that fees are not excessive.
- Reduce or waive fees and exactions for particular types of development (e.g., rental or assisted housing, second units, mixed-use and infill projects, housing affordable to low- and moderate-income households).
- Allow payment of fees upon certificate of occupancy, rather than prior to building permit issuance to reduce developer construction financing costs and overall development costs.
- Establish impact fees based on square footage to appropriately charge for the level of impacts based on the size of the house or housing types (i.e., second-unit, SRO, multifamily, single-family). For example, a sewer impact of a second unit is less than for a 5,000 square foot home.
- Consolidate fee schedules to simplify administration and operate one-stop centers to obtain schedules and documentation in one location.
- Identify district boundaries on a map for geographic specific fees and assessments to easily establish applicable fees.

Program 3e Units for Large Households. It is crucial that affordable units constructed in the City/County are available for families as well as the other special needs groups; however, larger units are often more costly to develop. The City/County will provide incentives to developers to encourage the inclusion of units with three or more bedrooms to accommodate low-income large family households. Incentives may include



utilizing the density bonus, fast track processing, fee reductions, waiving of specific development standards, etc. Individual projects will be evaluated to determine if they qualify for any incentives on a case by case basis.

Timeframe: Ongoing, 2015-2023 (Implement process by 2016 if not established)

Responsible Agency: (i.e. Planning Division, Housing Division, or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Provide information at the planning counter, on the City/County's website and in other public places to increase awareness.

Program 3f **Parking Reductions.** As parking requirements are a common restraint through the State of California, the City/County will amend the zoning ordinance to reduce parking standards (inclusive of guest parking) for multifamily uses in multifamily zones, as follows:

- zero to one bedroom: one onsite parking space;
- two to three bedrooms: two onsite parking spaces; and
- four or more bedrooms: two and one-half onsite parking spaces.

** This program may be more appropriate for larger jurisdictions and not applicable for rural areas.*

Timeframe: Ongoing, 2015-2023 (Implement process by 2016 if not established)

Responsible Agency: (i.e. Planning Division, or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Address constraints and facilitate the development of multifamily housing by allowing reduced parking standards for qualifying projects.
- Provide information at the planning counter, on the City/County's website and in other public places to increase awareness.

Program 3g **Water and Wastewater Providers.** Pursuant to Chapter 727, Statutes of 2005 (SB 1087), deliver adopted housing element and any amendments thereto to local water and wastewater service providers. This legislation allows for coordination between a jurisdiction and water and wastewater providers when considering approval of new residential projects, to ensure that the providers have an opportunity to provide input on the Element.

** This program could be modified to have local water and wastewater service providers establish procedures with local cities and counties to ensure the providers can provide input on the Housing Element.*

Timeframe: Within one year of Housing Element adoption

Responsible Agency: (i.e. Planning Division)

Funding Sources: (i.e. General Fund)

Objectives:

- Ensure that water and sewer providers are aware of the City’s intentions for residential development throughout the City.

Program 3h Flood Management. Review and revise where appropriate the Conservation and Safety Elements to consider flood risks when making land use decisions in accordance with Government Code Section 65302. Specifically, upon the next revision of the housing element on or after January 1, 2009, the Conservation Element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and storm water management.

Upon the next revision of the housing element on or after January 1, 2009, the Safety Element shall identify information regarding flood hazards, including, but not limited to flood hazard zones, National Flood Insurance Program maps published by FEMA, information about flood hazards, designated floodway maps, dam failure inundation maps, areas subject to inundation in the event of the failure of levees or floodwalls, etc. as listed in Section 65302(g)(2) and establish a set of comprehensive goals, policies, and objectives for the protection of the community from the unreasonable risks of flooding.

Timeframe: Within one year of Housing Element adoption

Responsible Agency: (i.e. Planning Division)

Funding Sources: (i.e. General Fund)

Objectives:

- Ensure that flood risks are considered when making land use decisions

GOAL 4: PROMOTE EQUAL HOUSING OPPORTUNITIES

Since State and federal laws uniformly outlaw most kinds of housing discrimination, the local government’s role is to identify program strategies that support and implement these laws. Such strategies may include consultation with fair housing and counseling organizations in the community to document the incidence of housing discrimination and evaluation of the availability of services. Other strategies may focus on the provision of financing and To fully meet the community’s housing needs, a jurisdiction must assure that housing is accessible to all residents, regardless of age, race, religion, family status, or physical disability. A community attempts to achieve this through reasonable accommodation.

Model Policies

Policy 4.1: Continue to enforce fair housing laws prohibiting discrimination in the building, financing, selling, or renting of housing on the basis of race, ethnicity, ancestry, national origin, religion, sex, disability, age, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor.

Policy 4.2: Ensure all new, multifamily construction meets the accessibility requirements of the federal and State fair housing acts through local permitting and approval processes.

Policy 4.3: Cooperate with the (i.e. Fair Housing Council) in the enforcement of fair housing laws and in the review of violations of applicable Federal and State fair housing laws.



- Policy 4.4:** Assess the social service needs of the community and provide a wide variety of social service programs to City residents.
- Policy 4.5:** Increase housing choices for households with Section 8 vouchers through affirmative marketing and expanding participating property owners.
- Policy 4.6:** Approve agreements to conduct banking such as establishing accounts and making deposits to reward lenders with exemplary records of compliance with Federal Community Reinvestment Act (CRA).
- Policy 4.7:** Increase or maintain resources to establish and support outreach, public education and community development activities through community based or neighborhood organizations.
- Policy 4.8:** Consult with a wide range of groups throughout the entire community and consider environmental justice issues in the development and update of regulations, guidelines and other local programs.
- Policy 4.9:** Address households at-risk of foreclosure to prevent abandonment and limit the impact on neighborhoods.

Model Programs

Program 4a Fair Housing. The City/County will continue to receive fair housing services through the X (i.e. Fair Housing Council) for participating cities. Services provided typically include:

- Distributing educational materials to property owners, apartment managers, and tenants every two years.
- Making public service announcements (PSAs) via different media (e.g., newspaper ads and public service announcements at local radio and television channels) at least two times a year.
- Conducting public presentations with different community groups.
- Responding to complaints of discrimination (i.e., in-taking, investigation of complaints, and resolution).
- Referring services to appropriate agencies.

The City/County will ensure that information about the organization and its programs is available to all residents. As part of this program the City/County will also revise the definition of family in the Zoning Code to ensure compliance with federal and State housing laws. The definition shall not distinguish between related and unrelated persons and not impose numerical limitations on the number of persons that constitutes a family (if not already completed).

Timeframe: Ongoing, 2015-2023 (Provide/revise definition of family by December 2016, if necessary)

Responsible Agency: (i.e. Planning Division, or Housing Division)

Funding Sources: (i.e. General Fund)

Objectives:

- Cooperate as needed with the X (i.e. Fair Housing Council) to mediate housing issues involving City/County residents.
- Provide information about tenant and landlord housing rights at City Hall, on the City's website and in other public places to increase awareness.

Program 4b **Housing Choice Vouchers (Section 8 Rental Assistance).** Continue to provide assistance to households through continued participation in the Section 8 program and encourage rental property owners to register their units with the appropriate Housing Authority. The Section 8 program provides rent subsidies to very low income households who overpay for housing. Prospective renters secure housing from HUD-registered apartments that accept the certificates. HUD then pays the landlords the difference between what the tenant can afford (30 percent of their income) and the payment standard negotiated for the community.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Housing Division)

Funding Sources: (i.e. General Fund)

Objectives:

- Provide information about the Housing Choice Vouchers (formerly the Section 8 program) at the planning counter, on the City/County's website and in other public places to increase awareness.
- Obtain or maintain a list of multifamily rental developments that accept vouchers and hold regular discussions with potential new landlords to expand the number of developments that accept HCV tenants.

Program 4c **Homeless Assistance Program.** According to local homeless counts conducted in 20XX, there are approximately X homeless individuals that have been identified in the City/County. The City/County will continue to assist local nonprofit organizations that have expertise in assisting homeless persons and families in applying for CDBG funding. The City/County will continue to assist local organizations in applying for CDBG funding through the County, allowing them to provide irreplaceable services to extremely low-income families in the community.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Housing Division)

Funding Sources: (i.e. General Fund)

Objectives:

- Monitor the number of homeless individuals in the City/County and provide referrals to the appropriate organizations.
- Provide information about organizations providing local services at the planning counter, on the City/County's website and in other public places to increase awareness.

Program 4d **Affordable Housing Financing.** For more than 35 years, the California Housing Finance Agency (CalHFA) has supported the needs of renters and first-time homebuyers by providing financing and programs that create safe, decent and affordable housing opportunities for low and moderate income Californians. Established in 1975, CalHFA was chartered as the State's affordable housing bank to make low interest rate loans



through the sale of tax-exempt bonds. CalHFA offers a variety of programs for multi-family developers to first time home buyers. As the City/County has little control over how CalFHA's programs are administered, the City/County will be responsible for providing program information on their website, in the newsletter and at the planning counter.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Provide informational materials about the program at City Hall/County offices, on the City/County website, and in other public place to increase awareness.
- Solicit qualified developers and financial institutions that are interested in participating.

Program 4e Foreclosure Prevention Program. Like many California communities, during the previous planning period, the City/County experienced an increase in foreclosures in the community. While the number of households at risk of foreclosure has decreased, there are still a number of households that can benefit from foreclosure counseling services. The City/County currently partners with (insert organization name) to provide foreclosure prevention counseling and mediation services to homeowners who are experiencing financial hardship and mortgage delinquencies. Information on foreclosure assistance is available at the planning counter and on the City/County's website. In addition to mediation and prevention services, there is also a possibility that in the future, CDBG funds may be used to create additional services to prevent additional foreclosures.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Provide information on the City/County's website, at the planning counter, and in other public places regarding organizations and programs that address how to prevent and address foreclosure if it does occur.

GOAL 5: ASSIST IN THE DEVELOPMENT OF HOUSING FOR A VARIETY OF INCOME LEVELS

Strive to achieve a balanced community, by encouraging the development of housing units for all income segments of the population. While the existing housing stock offers many affordable options throughout the City/County, the intent of this goal is to assist in the provision of new housing to meet the needs of the community, including the needs of both renter and owner households.

Model Policies

- Policy 5.1:** Provide a range of residential development types, including low density single-family homes, moderate density townhomes, higher density multifamily units, and residential/commercial mixed use in order to address the City/County's share of regional housing needs.
- Policy 5.2:** Promote safe and healthy housing arrangements for residents of all income levels.
- Policy 5.3:** Continue, when funding is available, to purchase properties and land in order to construct affordable housing or to purchase covenants to create new affordable units.
- Policy 5.4:** Improve information sharing on housing-related programs, financial resources, and progress in meeting between various governmental agencies and the general public.
- Policy 5.5:** Facilitate development of senior and low-income housing through use of financial and/or regulatory incentives.
- Policy 5.6:** Design new higher-density residential projects at a scale, (number of units, height, etc.) that are compatible in design with adjacent residential areas.
- Policy 5.7:** Adopt a density bonus ordinance in compliance with Government Code Section 65915 and develop an outreach program to ensure its successful implementation.
- Policy 5.8:** Expand on the minimum requirements of State density bonus law by offering additional density bonuses, incentives and concessions.
- Policy 5.9:** Reduce, waive or subsidize development and impact fees for affordable housing.
- Policy 5.10:** Investigate opportunities for a land banking program for future development of housing affordable to lower- and moderate-income households.
- Policy 5.11:** Adopt tiered environmental reviews to lessen environmental review on a project-by-project basis.

Model Programs

Program 5a **Density Bonus.** To allow for and encourage the development of higher density residential projects to increase opportunities for affordable units, the City/County offers a density bonus that is consistent with State law. The revised ordinance is intended to facilitate the development of housing for low and very low-income households that is restricted for a period of no less than 45-55 years. The City/County will promote the use of the density bonus ordinance, specifically in conjunction with mixed-use projects, senior housing, and within planned development areas. Information on the ordinance will be provided at the planning counter and online to promote the application of ordinance for the development of affordable units.

Timeframe: Ongoing, 2015-2023 (Revisions to ordinance completed by December 2016 if updates are needed to be consistent with State law)

Responsible Agency: (i.e. Planning Division or Community Development)



Funding Sources: (i.e. General Fund)

Objectives:

- Continue to promote the City/County density bonus ordinance that offers bonuses for the provision of affordable housing, depending on the amount and type provided, consistent with revised Government Code §65915.

Program 5b **Land Use Database.** Throughout the City/County there are a number of vacant parcels ranging in size that provide opportunities for the development of affordable and market rate housing. In order to monitor and more carefully plan residential development, the City/County will maintain, on an ongoing basis, a comprehensive land use database identifying parcels and/or structures suitable for residential development and/or redevelopment. This will allow Staff to direct affordable housing developers to areas in the City/County with the appropriate zoning and acreage to develop an affordable housing project.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Develop a Housing Resources webpage that may be used to facilitate the development of affordable housing, including information on funding resources, affordable housing development agencies and developers, energy conservation and green-building resources and services.

Program 5c **Non-Profit Development.** The City/County will initiate a partnership and continue to work with non-profit developers to assist the development of housing affordable to extremely low-, very low- and low-income households. The City/County will annually invite non-profit developers to discuss development plans, resources, opportunities and RFQ process. In addition, the City/County will annually select a non-profit developer to pursue developments, including leveraging the local housing trust funds, assisting in the application for State and federal financial resources, and offering a number of incentives such as fee deferrals, priority processing and relaxed development standards.

Timeframe: Make initial contact with local nonprofits by December 2016.

Responsible Agency: (i.e. Housing Division or Community Development)

Funding Sources: General Fund, CDBG, Additional funding sources needed

Objectives:

- Initiate partnerships wherever possible between various governmental, financial and developmental sectors to create the supportive infrastructure and develop housing.
- Conduct annual meeting with builders and nonprofits to review resources, incentives and City goals and objectives.
- Support organizations pursuing grants to fund development or rehabilitation of affordable housing by providing assistance and information when feasible.

- Annually initiate RFQ process and pursue development of a housing project.

Program 5d Land and Property Acquisition Program. The City/County recognizes that one of the most significant barriers to affordable housing is the acquisition of the property on which to construct affordable housing. When funds are available, City/County will utilize resources to purchase properties in appropriately zoned area to facilitate the development of affordable units. In the instance and only limited funding is available, the City/County will aim to provide gap financing and/or land write downs for the construction of multifamily developments that are constructed with established affordability covenants. Applications will be reviewed on a case by case basis to determine whether a developer qualifies for assistance. The City/County provides information on affordable housing financing at City Hall/County offices.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Housing Division or Community Development)

Funding Sources: General Fund, CDBG, Additional funding sources needed

Objectives:

- Investigate new funding opportunities and administer funds as they become available. If, and when, a permanent funding source is identified, the City/County will provide information at the planning counter.

Program 5e Large Sites Program. Most assisted housing developments utilizing State or federal financial resources include 50 to 150 units on parcels ranging from 3 to 7 acres in size. To facilitate the subdivision of larger parcels (greater than 15 acres) the City/County will provide incentives and technical assistance to facilitate and encourage development of a variety of housing types and affordability consistent with typical developments affordable to lower income households. The City/County will offer on a case-by-case basis the following incentives for the development of affordable housing, including, but not limited to: priority processing for subdivision maps that include affordable housing units, expedited review for the subdivision of larger sites into buildable lots where the development application can be found consistent with the General Plan, applicable Specific Plan and master environmental impact report, financial assistance (based on availability of federal, State, local foundations, and private housing funds, and modification of development requirements, such as reduced parking standards for seniors, assisted care and special needs housing. To determine the effectiveness of this program, the City/County will monitor the number of large sites available to be developed for a variety of income groups. The (e.g. Planning Division) will monitor this program and assess its effectiveness on a bi-annual basis. If this program is not effective, then the City/County will need to rezone these properties to accommodate additional housing units with a range of housing types and affordability.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: General Fund

Objectives:



- Promote the program at the planning county, online, and evaluate requests for funding on a case by case basis.
- Monitor the effectiveness of the program bi-annually.

Program 5f **Housing for Developmentally Disabled Persons Program.** The housing needs of persons with disabilities, including persons with developmental disabilities are typically not addressed by Title 24 Regulations. The housing needs of persons with disabilities, in addition to basic affordability, range from slightly modifying existing units to requiring a varying range of supportive housing facilities. To accommodate residents with developmental disabilities the City/County will seek State and Federal monies, as funding becomes available, in support of housing construction and rehabilitation targeted for persons with disabilities, including developmental disabilities. The City/County will also provide regulatory incentives, such as expedited permit processing and fee waivers and deferrals, to projects targeted for persons with disabilities, including persons with developmental disabilities. To further facilitate the development of units to accommodate persons with developmental disabilities, the City/County shall reach out annually to developers of supportive housing to encourage development of projects targeted for special needs groups. Finally, as housing is developed or identified, the City/County will work with local housing providers to implement an outreach program informing families within the City/County of housing and services available for persons with developmental disabilities. Information will be made available on the City/County website.

Timeframe: Ongoing, 2015-2023

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Continue to offer specific regulatory incentives throughout the planning period, when funding is available, to encourage the development of housing for the developmentally disabled.
- Apply for funding at least twice during the planning period to encourage development of unit specifically for persons with disabilities.
- Reach out annually to developers, and will initiate a cooperative outreach program by 2016.

Program 5g **Fee Subsidies for Extremely Low-Income Households.** On a case by case basis, when funding is available, the City/County shall subsidize up a portion of the application processing fees for developments in which five percent of units are affordable to extremely low-income households. To be eligible for this fee subsidy, the units shall be affordable by affordability covenant (no less than 45 years for owner-occupied units and not less than 55 years for rental units). The City/County shall promote the benefits of this program to the development community by posting information on its web page and creating a handout to be distributed with land development applications.

Timeframe: Ongoing, 2015-2023 (Implement process by 2016 if not established)

Responsible Agency: (i.e. Planning Division, Housing Division, or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Provide information about fee subsidies for projects that include units affordable to ELI households at the planning counter, on the City/County's website and in other public places to increase awareness
- Create a handout to be distributed with land development applications.

GOAL 6: ENERGY EFFICIENCY AND CLIMATE CHANGE

In addition to the five major goal areas discussed above, policies, and programs addressing energy efficiency and climate change should also be included in housing elements. These can be folded within the five major goal areas, as appropriate, or as a separate subsection.

As more housing is constructed to meet growing population demands, the consumption rate of energy and its effects on climate change become a significant issue. It takes energy to heat, cool, and power a house and energy production contributes to climate change. In addition, housing patterns affect how often and how far people have to drive to work or other services, and driving produces greenhouse gas emissions. Every housing element should inventory and analyze the opportunities to encourage the incorporation of energy saving features, energy saving materials, and energy efficient systems and design for residential development, as well as sustainable development patterns to reduce the effects of climate change.

To address these issues, HCD has provided example policies and programs that could be used by local governments to not only meet mandated housing requirements but also make significant contributions to reducing greenhouse gas emissions and promoting energy conservation. Below are sample best practices that promote sustainability and energy conservation. Policies and programs are grouped by their primary focus area (new development or existing housing), as per HCD's guidelines. In some cases, programs can apply to both new and existing developments.

Model Policies

Policy 6.1: Provide an adequate supply of housing will ensure sufficient affordable housing for full range of income groups reducing long commutes in search of affordable housing.

Policy 6.2: Adopt higher densities and promote infill and compact development patterns to encourage housing affordability, maximize existing land resources, reduce pressure to convert agricultural resources, and conserve habitat and environmentally sensitive areas.

Policy 6.3: Promote renewable energy generation and water conservation and efficiency in new development of housing.

Policy 6.4: Reduce constraints to renewable energy development and resource conservation and develop conservation standards for new development.



- Policy 6.5:** Promote and support State and local programs for energy conservation and renewable energy system installation in existing homes.
- Policy 6.6:** Require energy audits and retrofits before resale of homes.
- Policy 6.7:** Require (or encourage) new residential development to include energy efficiency measures beyond the minimum standards of Title 24.

Model Programs

Program 6a Sustainable Land Use Planning. The City/County recognizes that long term planning efforts should focus on sustainability and the reduction of greenhouse gases. To progress towards these goals the City/County must provide an adequate supply of housing that is sufficient for a range of income groups thereby reducing long commutes in search of affordable housing. This requires planning for sufficient housing supply in the right locations - close to jobs, services, and amenities – which will in turn reduce congestion and long commutes. To achieve this, the City/County will promote infill and compact development patterns, adopt higher densities along growth corridors, maximize existing land resources, reduce pressure to convert agricultural resources, and will conserve habitat and environmentally sensitive areas.

Timeframe: Ongoing, 2015-2023 (Establish zone/adopted higher densities by Dec 2016)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives (menu of options):

- Amend the building and zoning codes to identify and remove constraints to green-building, resource conservation, and alternative energy generation and establish green building and sustainable practice requirements for new developments and remodels and retrofits.
- Zone for and promote infill and transit-oriented development.
- Adopt higher densities including along transit corridors.
- Reduce fees and provide priority processing for residential development to promote development within specific growth opportunity areas.
- Promote use of the Multifamily Green Building Guidelines.

Program 6b Sustainable Development/Green Building. The City/County understands the importance of sustainable use of limited resources and embraces the concept of “green building” in new and existing housing development and neighborhoods. The City/County will establish a Green Building Program that provides for expedited plan check, fee waivers and technical assistance for projects. To encourage “green building” practices in new and existing residential development, the City/County will provide financial assistance to projects meeting US Green Building Council’s LEED certification standards and Build it Green guidelines. The City/County shall continually analyze current trends and best practices and provide a program of incentives that will facilitate and encourage

the incorporation of materials and technology that promote the development of high-efficiency, sustainable buildings and neighborhoods.

Timeframe: Ongoing, 2015-2023 (Establish program by December 2016)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives (menu of options):

- Increase opportunities for and remove constraints to green-building in multifamily residential projects.
- Encourage residential developers/builders to maximize energy conservation through proactive site, building and building systems design, materials and equipment to maximize energy efficiency that exceed the provisions of Title 24 of the California Building Code.
- Support building framing that promotes construction of tighter building envelopes with maximum height and sky exposure plans and minimum setbacks.
- Incentivize use of recycled and rapidly renewable building materials and ensure effective demolition and construction recycling.
- Require use of Energy Star appliances and materials.
- Require use of Low or no-VOC paint, wood finishes, and adhesives; avoid products with added formaldehyde.
- Require recycling a specified percentage of construction wastes.
- Promote use of recycled content aggregate for driveways.

Program 6c **Energy Conservation.** During the planning period, the City/County will seek out and pursue, in conjunction with local partners, funding for and development of programs for new construction and rehabilitation to promote energy conservation efforts. The City/County will assist residents in conserving resources and lowering utility costs by partnering with the utilities to conduct energy audits, provide rebates for implementation of insulation and other energy-saving measures, and other measures to identify and to eliminate unnecessary or wasteful resource consumption.

Timeframe: Ongoing, 2015-2023 (Establish zone/adopted higher densities by Dec 2016)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Promote the appropriate siting and design of passive solar homes that maximize the use of passive heating and cooling and reduce demand for non-renewable resources for heating and cooling and related utility expenses both prior to and during design review.
- Reduce electricity and natural gas demands by promoting the use of renewable energy technologies in residential and mixed-use projects.



- Strongly promote solar energy generation, use of solar water heaters, and passive solar design in new housing and, especially, multi-family and farm-worker housing both prior to and during project review.
- Assist developers accessing passive design resources with brochures and using the City/County website.
- Assist residents in conserving resources and lowering utility costs by working with the utilities and local partners to conduct energy audits other measures to identify and eliminate unnecessary or wasteful resource consumption.
- Assist residents with lowering their utility costs by advertising utility assistance, home weatherization, energy conservation, and green building services.
- Promote installation of efficient air conditioning and use of whole house fans and solar attic fans.
- Encourage use of upgraded insulation, advanced air infiltration reduction practices (air sealing), Low-E double-pane windows.
- Promote use of energy efficient lighting including fluorescent.
- Promote use of mechanical ventilation system, heat recovery ventilation unit, sealed-combustion furnace and water heater.
- Require range hood and bath fans to vent to outside and bath fans to be automatically controlled with a timer or humidistat.

Program 6d **Water Conservation.** To promote water conservation efforts, the City/County will seek out and pursue funding for programs that reduce or conserve water for the construction and rehabilitation of housing developments. Specifically, the City/County will assist developers and residents in conserving resources and lowering utility costs by partnering with utility providers to establish programs that promote: the use of drought tolerant landscaping, bioswales and other stormwater systems; installation of water meters and other water conservation devices; and other measures to identify and to eliminate unnecessary or wasteful water consumption.

Timeframe: Ongoing, 2015-2023 (Establish zone/adopted higher densities by December 2016)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Protect and conserve water resources and lessen water-related expenses by encouraging rainwater collection and use, low-water landscape design and practices, gray water usage and alternative stormwater management systems for larger projects, including multi-family housing, during the development review process.
- Consult with service providers and municipalities to investigate feasibility of the usage of reclaimed water systems, where appropriate, for non-drinking water purposes, such as landscape irrigation and toilet flushing.

- Promote stormwater management systems for multiple family housing developments that have multiple benefits such as bioswales to reduce downstream flooding, contamination of streams and rivers, fire hazard, and irrigation needs and to distribute stormwater and recharge groundwater.
- Provide examples of pre-approved designs and examples, such as EPA and Low Impact Development standards and a list of drought-tolerant and native vegetation.
- Promote effective water management designs (i.e., use of water efficient landscaping, efficient irrigation systems, incorporating wastewater reuse and metering).

Program 6e Home Weatherization Program (sample). The City/County’s Weatherization Assistance Program enables low-income families to permanently reduce their energy bills by making their homes more energy efficient. Funds can be used to improve the energy performance of dwellings of families using the most advanced technologies and testing protocols available in the housing industry. Among low-income households, the program focuses on those with elderly residents, individuals with disabilities, and families with children.

Timeframe: Ongoing, 2015-2023 (Establish program by Dec 2016)

Responsible Agency: (i.e. Planning Division or Community Development)

Funding Sources: (i.e. General Fund)

Objectives:

- Provide financial assistance (i.e. grants or loans) to qualified families to complete improvements that will reduce energy use utilizing improved technologies.
- Provide information about the program at the planning counter, on the City/County’s website and in other public places to increase awareness.

Other Sample Sustainability Programs:

- **Photovoltaic System Incentive.** Partner with local utilities to provide rebates to customers on a per-watt AC basis, consistent with the terms of the California Solar Initiative. Another option is to waive building permit fees for solar and wind-generated energy systems, tankless water heaters and energy-efficient heating, ventilation and air conditioning (HVAC) systems on existing buildings.
- **Greenprint Initiative.** A regional and multi-decade program to expand urban forests and optimize the benefits of tree canopy cover.
- **Reduce groundwater Runoff.** Test new ways to pave streets, parking lots, sidewalks, and trails. Provide new pervious surfaces, which allow water to penetrate the surface, offer great promise for being better for the environment.
- **Home Water Survey Program.** Provide a free home inspection that makes recommendations tailored to the household needs.
- **Woodburning Stove Replacement Rebate Program.** Provide a rebate to encourage homeowners to remove or replace non-EPA certified wood burning heaters (wood stoves and fireplace inserts) with cleaner burning stoves or gas insert replacements.



- **Efficient Lighting Standards.** Require new buildings to maximize use of daylight and use energy efficient lighting, such as compact fluorescent lighting indoors and LED lighting outdoors.
- **Energy Audits.** Require energy audits to be performed when residential and commercial buildings are sold and that information regarding the opportunities for energy efficiency improvements is presented to the buyer.

Key Funding Sources



Key Funding Sources

A variety of financial resources are available to finance housing activities in Stanislaus County. Table 5-1 below identifies federal, state, county, local, and private sources that could potentially be utilized to implement the programs identified in updated housing elements and finance various housing activities. Due to both the high cost of developing and preserving housing, and limitations on both the amount and use of funds, layering of funding sources may be required for affordable housing programs and projects.

On Dec. 29, 2011, the California Supreme Court ruled to uphold ABx1 26, which dissolved all redevelopment agencies (RDAs) in the State. A companion bill, ABx1 27, which would have allowed the RDAs to continue to exist, was also declared invalid by the court. The court's decision required that all RDAs within California be eliminated no later than February 1, 2012. Redevelopment agencies for communities in Stanislaus County were dissolved as of February 1, 2012 and Successor Agencies were selected to be responsible for all enforceable obligations owed. Many communities relied on redevelopment funding to support the development of affordable housing. With a loss of redevelopment funding, it is even more important than ever to investigate different sources available to fund new programs and/or fund existing programs for the long term.

Typical funding sources available include:



TABLE 5-1: KEY FUNDING SOURCES AVAILABLE TO JURISDICTIONS IN STANISLAUS COUNTY

Program Name	Description	Eligible Activities
1. Federal Programs and Funding Sources		
Community Development Block Grant (CDBG)	The Community Development Block Grant (CDBG) program is a flexible program that provides communities with resources to address a wide range of unique community development needs.	Acquisition Rehabilitation Homebuyer Assistance Economic Development Homeless Assistance Public Services
Home Investment Partnership (HOME)	Communities can apply to receive HOME funds directly from the Federal government. HOME funds are used to assist low income (80% AMI) households.	New Construction Acquisition Rehabilitation Homebuyer Assistance Rental Assistance
Emergency Shelter Grant (ESG) Program	Funds emergency shelters, services and transitional housing for homeless individuals and families.	Homeless Assistance Public Services
Neighborhood Stabilization Program (NSP) Funds	Provides funds to purchase abandoned and foreclosed homes and residential property.	Acquisition Homebuyer Assistance
Mortgage Credit Certificate (MCC)	Federal tax credit for low- and moderate-income homebuyers who have not owned a home in the past three years. Allocation for MCC is provided by the State and administered by the County.	Homebuyer Assistance Income Tax Credit

Program Name	Description	Eligible Activities
<p>Choice Neighborhoods Grants</p>	<p>Funds to address distressed neighborhoods and public and assisted projects to transform them into viable and sustainable mixed-income neighborhoods by linking housing improvements with appropriate services, schools, public assets, transportation, and access to jobs. Planning grants and implementation grants are available.</p>	<p>New Construction Acquisition Rehabilitation Economic Development Public Services</p>
<p>Section 202 Housing for Seniors</p>	<p>HUD provides capital advances to finance the construction, rehabilitation or acquisition with or without rehabilitation of structures that will serve as supportive housing for very low-income elderly persons, including the frail elderly, and provides rent subsidies for the projects to help make them affordable.</p>	<p>Acquisition Rehabilitation New Construction</p>
<p>Section 811 Housing for Disabled Persons</p>	<p>Grants to non-profit developers of supportive housing for persons with disabilities, including group homes, independent living facilities and intermediate care facilities.</p>	<p>Acquisition Rehabilitation New Construction Rental Assistance</p>



Program Name	Description	Eligible Activities
Housing Opportunities for Persons with AIDS (HOPWA)	<p>HOPWA is an entitlement grant distributed to the largest jurisdiction in each county. HOPWA funds may be used for a wide range of housing, social services, program planning, and development costs. These include, but are not limited to, the acquisition, rehabilitation, or new construction of housing units; costs for facility operations; rental assistance; and short-term payments to prevent homelessness. HOPWA funds also may be used for health care and mental health services, chemical dependency treatment, nutritional services, case management, assistance with daily living, and other supportive services.</p>	<ul style="list-style-type: none"> Acquisition Rehabilitation Homebuyer Assistance Homeless Assistance Public Services Rental Assistance
Supportive Housing Program	<p>Provides funding to develop supportive housing and services that will allow homeless persons to live as independently as possible. Grants under the Supportive Housing Program are awarded through a national competition held annually.</p>	<ul style="list-style-type: none"> Homeless Assistance Public Services
Shelter Plus Care	<p>Provides rental assistance for hard-to-serve homeless persons with disabilities in connection with supportive services funded from sources outside the program.</p>	

2. State Programs		
Low-income Housing Tax Credit (LIHTC)	Tax credits are available to persons and corporations that invest in low-income rental housing. Proceeds from the sale are typically used to create housing. Tax credits are available between 4% and 9%.	New Construction
Individual Development Accounts (IDA)	IDA's are special savings accounts designed to assist low income borrowers on their path toward ownership of a long-term asset, such as a home, through matched contributions by nonprofit organizations and eligible banks. These organizations may offer up to a 3:1 savings match (i.e., if you save \$1,000, you will receive an additional \$3,000).	Homebuyer Assistance
Building Equity and Growth in Neighborhoods (BEGIN)	Grants to cities/counties to provide down payment assistance (up to \$30,000) to low and moderate income first-time homebuyers of new homes in projects with affordability enhanced by local regulatory incentives or barrier reductions.	Homebuyer Assistance
CalHome	Grants to cities/counties and non-profit developers to offer homebuyer assistance, including down payment assistance, rehabilitation, acquisition/rehabilitation, and homebuyer counseling. Loans to developers for property acquisition, site development, predevelopment and construction period expenses for homeownership projects.	Predevelopment Site development Site acquisition Rehabilitation Acquisition/Rehab Down payment assistance Mortgage financing Homebuyer counseling



<p>Transit-Oriented Development Housing Program</p>	<p>Under the program, low-interest loans are available as gap financing for rental housing developments that include affordable units, and as mortgage assistance for homeownership developments. In addition, grants are available to cities, counties, and transit agencies for infrastructure improvements necessary for the development of specified housing developments, or to facilitate connections between these developments and the transit station.</p>	<p>Homebuyer Assistance Predevelopment Site development Infrastructure</p>
<p>Infill Incentive Grant Program</p>	<p>Funding of public infrastructure (water, sewer, traffic, parks, site clean-up, etc) to facilitate infill housing development. One funding round annually.</p>	<p>Regulations pending</p>
<p>CalHFA FHA Loan Program</p>	<p>Provides fixed rate FHA mortgages in Federally Designated Targeted Areas.</p>	<p>Homebuyer Assistance</p>
<p>CalHFA Homebuyer's Down payment Assistance Program</p>	<p>CalHFA makes below market loans to first-time homebuyers of up to 3% of sales price. Program operates through participating lenders who originate loans for CalHFA. Funds available upon request to qualified borrowers.</p>	<p>Homebuyer Assistance</p>
<p>Utility Energy Efficiency & Solar Programs</p>	<p>Energy Upgrade California provides funding opportunities for home improvement projects that lower energy use, conserve water and natural resources, and make homes healthier and more comfortable.</p>	<p>Energy Efficiency</p>

<p>Weatherization Assistance Program</p>	<p>The Weatherization Assistance Program reduces the heating and cooling costs for low-income families by improving the energy efficiency of their homes and ensuring their health and safety. Among low-income households, the program focuses on those with elderly residents, individuals with disabilities, and families with children.</p>	<p>Energy Efficiency</p>
<p>CalHFA Mental Health Services Act Housing Funds</p>	<p>Jointly administered by the California Department of Mental Health and the California Housing Finance Agency on behalf of counties, the Program offers permanent financing and capitalized operating subsidies for the development of permanent supportive housing, including both rental and shared housing, to serve persons with serious mental illness and their families who are homeless or at risk of homelessness. MHSAs Housing Program funds will be allocated for the development, acquisition, construction, and/or rehabilitation of permanent supportive housing.</p>	<p>New Construction Acquisition Rehabilitation Homeless Assistance Public Services Rental Assistance New</p>
<p>CalHFA New Issue Bond Program (NIBP)</p>	<p>Provides affordable housing bond funding to CalHFA and other housing finance agencies. This funding allows developers to secure a source of affordable financing in the marketplace which otherwise could not be obtained.</p>	<p>New Construction Acquisition Rehabilitation Preservation</p>
<p>Golden State Acquisition Fund (GSAF)</p>	<p>Affordable Housing Innovation Program (AHIP): provides loans for developers through a nonprofit fund manager to provide quick acquisition financing for the development or preservation of affordable housing.</p>	<p>New Construction Acquisition Rehabilitation Preservation</p>



<p>Emergency Housing and Assistance Program Operating Facility Grants (EHAP)</p>	<p>Provides operating facility grants for emergency shelters, transitional housing projects, and supportive services for homeless individuals and families.</p>	<p>Homeless Assistance Public Services</p>
<p>Emergency Housing and Assistance Program Capital Development (EHAPCD)</p>	<p>Funds capital development activities for emergency shelters, transitional housing, and safe havens that provide shelter and supportive services for homeless individuals and families.</p>	<p>Homeless Assistance Public Services</p>
<p>Emergency Solutions Grant (ESG) Program</p>	<p>Funds projects that serve homeless individuals and families with supportive services, emergency shelter/transitional housing, assisting persons at risk of becoming homeless with homelessness prevention assistance, and providing permanent housing to the homeless population. The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 places new emphasis on assisting people to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness.</p>	<p>Homeless Assistance Public Services</p>
<p>Infill Infrastructure Grant Program (IIG)</p>	<p>Provides grants for infrastructure construction and rehabilitation to support higher-density affordable and mixed-income housing in infill locations.</p>	<p>Predevelopment Site development Infrastructure</p>

<p>Multifamily Housing Program</p>	<p>Provides funding for new construction, rehabilitation, or acquisition and rehabilitation of permanent or transitional rental housing. Projects are not eligible if construction has commenced as of the application date, or if they are receiving 9% federal low income housing tax credits. Eligible costs include the cost of child care, after-school care and social service facilities integrally linked to the assisted housing units; real property acquisition; refinancing to retain affordable rents; necessary onsite and offsite improvements; reasonable fees and consulting costs; and capitalized reserves.</p>	<p>Acquisition Rental Assistance Public Services Site development Infrastructure Development Fees</p>
<p>Predevelopment Loan Program (PDLP)</p>	<p>Provides predevelopment capital to finance the start of low income housing projects.</p>	<p>Predevelopment</p>
<p>3. County Programs</p>		
<p>Housing Choice Vouchers (formerly Section 8)</p>	<p>Rental assistance payments to owners of private market rate units on behalf of low-income (50% MFI) tenants.</p>	<p>Rental Assistance</p>
<p>Family Self-Sufficiency (FSS)</p>	<p>The Family Self-Sufficiency program, originally established within the Section 8 program, is a voluntary program designed to assist families in achieving economic independence and self-sufficiency through education and job training.</p>	<p>Homebuyer Assistance</p>



<p>Workforce Initiative Subsidy for Homeownership (WISH) Down Payment Assistance Program</p>	<p>The WISH program provides a \$3 match for each \$1 contributed by the homebuyer from their own resources up to a maximum of \$15,000. WISH funds can be used only toward a down payment or reasonable and customary closing costs for the purchase of housing to be used as the primary residence of the home buyer. The program is made available through the generous partnership the Federal Home Loan Bank and sponsoring member banks.</p>	<p>Homebuyer Assistance</p>
<p>Home Repair Program</p>	<p>The Home Repair Program provides financial assistance to eligible owner-occupants of a residence located within unincorporated areas of the County. The program is designed to repair or eliminate conditions that present critical health and safety hazards and provides assistance for disabled people in making their homes more accessible.</p>	<p>Rehabilitation</p>
<p>Emergency Shelter Grant (ESG)</p>	<p>Funds from this program are used to assist the homeless population to acquire housing, both temporary and permanent shelter. The funds are made available on a competitive basis to those public service agencies that are committed to ending the cycle of homelessness.</p>	<p>Emergency Housing</p>
<p>4. Local Programs</p>		
<p>Tax Exempt Housing Revenue Bond</p>	<p>The City/County can support low-income housing by holding the required TEFRA hearing prior enabling the issuance of housing mortgage revenue bonds. The bonds require the developer to lease a fixed percentage of the units to low-income families at specified rental rates.</p>	<p>New Construction Rehabilitation Acquisition</p>

<p>WIA 167 Migrant And Seasonal Farmworker Program</p>	<p>This program is intended to assist agricultural workers who have lost their agricultural employment due to lay off or business closure. The major focus of this program is employment training and job placement.</p>	<p>Farm worker Assistance</p>
<p>Central Valley Opportunity Center Home Weatherization</p>	<p>Program provides installation of energy conservation devices, minor home repair, energy conservation education and carbon monoxide safety checks. This service is provided to homeowners and renters. To be eligible for services customers must be at or below 150% of the Poverty Guidelines, own or rent a home in Stanislaus County and be a documented resident.</p>	<p>Energy Efficiency Rehabilitation</p>
<p>5. Non-Profit Group Programs</p>		
<p>Habitat for Humanity of Stanislaus County</p>	<p>Habitat for Humanity, Stanislaus County builds affordable single family units of housing for sale to low and very low income households in need of these services.</p>	<p>New Construction</p>
<p>Stanislaus County Affordable Housing Corporation (STANCO)</p>	<p>STANCO promotes the construction and development of affordable housing opportunities for residents of Stanislaus County, providing Transitional Housing to assist the homeless, Housing Advocacy for renters, and the development of affordable housing.</p>	<p>New Construction Homeless Assistance</p>



<p>Self-Help Enterprises</p>	<p>Self-Help Enterprises is an organization dedicated to self-help housing, sewer and water development, housing rehabilitation, multifamily housing and homebuyer programs in the San Joaquin Valley of California. The goal of Self-Help Enterprises is to help farm laborers and other low-income families to help themselves.</p>	<p>New Construction Rehabilitation</p>
<p>6. Private Resources/Financing Programs</p>		
<p>Federal National Mortgage Association (Fannie Mae)</p>	<p>Fixed rate mortgages issued by private mortgage insurers; mortgages which fund the purchase and rehabilitation of a home; low down-payment mortgages for homes in underserved areas.</p>	<p>Homebuyer Assistance</p>
<p>National Housing Trust</p>	<p>The Green Affordable Housing Preservation Loan fund through the National Housing Trust Provides below market predevelopment and interim development loans to affordable housing developers who seek to incorporate green building techniques when rehabilitating existing affordable housing. Under the program, a portion of the loan will be forgiven when the developer demonstrates that they have incorporated practical, environmentally friendly design elements in the property's rehabilitation plan.</p>	<p>Predevelopment Development Loans</p>
<p>California Community Foundation</p>	<p>Provides support for general operating of existing nonprofit affordable housing developers, with the focus on supporting the development and preservation of permanent affordable housing.</p>	<p>New Construction Rehabilitation Acquisition</p>

<p>Social Impact/Benefit Bonds</p>	<p>Localities can partner with private entities to establish a commitment to pay for improved social outcomes that result in public sector savings. Repayment to investors is contingent upon specified social outcomes being achieved and therefore in terms of investment risk Social Impact Bonds are more similar to that of a structured product or an equity investment. These bonds might be appropriate to fund infrastructure improvements or even actual housing units.</p>	<p>Preservation Rehabilitation Acquisition New Construction</p>
<p>MacArthur Foundation:</p>	<p>Preserving Affordable Rental Housing Program is a \$150 million initiative that seeks to preserve and improve affordable rental housing.</p>	<p>Preservation Rehabilitation Acquisition</p>
<p>Local banks:</p>	<p>The Community Reinvestment Act of 1977, requires commercial banks to "meet the credit needs" of all the areas from which they draw deposits. They usually do this through below-market loans to both developers and qualified low-income homebuyers, and grants to community development nonprofits. Many banks have set up a separate community development division, and partner with local organizations that provide services like homeownership counseling to their borrowers. Larger banks often have a separate foundation to handle the grants.</p>	<p>Homebuyer Assistance</p>

Resources



Information Resources

STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Building Blocks for Effective Housing Elements
http://www.hcd.ca.gov/hpd/housing_element2/index.php

2010 CENSUS AND 2007-2011 AMERICAN COMMUNITY SURVEY ESTIMATES

<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

HUD USER DATA SETS

<http://www.huduser.org/datasets/cp.html>

DATAQUICK - CALIFORNIA HOME SALE PRICE MEDIANS BY COUNTY AND CITY

<http://www.dqnews.com/charts/monthly-charts/ca-city-charts/zipcar.aspx>

STANISLAUS COUNCIL OF GOVERNMENTS

<http://www.stancog.org/>



HOME MORTGAGE DISCLOSURE ACT DATA

<http://www.ffiec.gov/hmdaadwebreport/aggwelcome.aspx>

VALLEY MOUNTAIN REGIONAL CENTER

Paul Billodeau
702 North Aurora Street
Stockton, CA 95202
(209) 473-0951
<http://www.vmrc.net/>

Potential Stakeholders Groups

HABITAT FOR HUMANITY OF STANISLAUS COUNTY

630 Kearney Avenue, Modesto, CA
Phone: 209.575.4585

HOUSING AUTHORITY COUNTY OF STANISLAUS

1701 Robertson Rd., Modesto, CA
Phone: (209) 557-2000

STANISLAUS COUNTY ENVIRONMENTAL RESOURCES

3800 Cornucopia Way, Suite C, Modesto, CA
Phone: (209) 525-6700

STANISLAUS COUNTY AFFORDABLE HOUSING CORPORATION

201 E. Rumble Rd., Suite A-1, Modesto, CA
Phone: (209) 574-1155

STANISLAUS COUNTY REDEVELOPMENT AGENCY

1010 10th Street, Suite 3400, Modesto, CA
Phone: (209) 525-6330

SELF HELP ENTERPRISES

P.O. Box 6520 Visalia, CA 93290
Phone: (559) 651-1000

CENTRAL VALLEY OPPORTUNITY CENTER (CVOC)

P.O. Box 1389 • Winton, CA 95388

Phone: (209)357-006

STANISLAUS SENIOR FOUNDATION

2345 Scenic Drive, No. 100 Modesto, CA 95355

Phone: 209-848-2635

SALVATION ARMY – MODESTO CORP

625 I Street Modesto, CA 95354

Phone: (209) 522-3209

COMMUNITY HOUSING & SHELTER SERVICES

936 McHenry Ave #131 Modesto, Ca. 95354

Phone: (209) 527-0444

MODESTO UNION GOSPEL MISSION

1400 East Yosemite Blvd Modesto, Ca. 95354

Phone: (209) 529-8259

CHILDREN'S CRISIS CENTER

PO Box 1062 Modesto, CA 95353

Phone: (209) 577-0138

REDWOOD FAMILY CENTER

1030 California Ave., Modesto CA 95354

Phone: (209) 550-7352

STANISLAUS COUNTY AREA AGING & VETERANS SERVICES

121 Downey Ave. Suite 102, Modesto, CA 95354

Phone: (209) 558-7380

CATHOLIC CHARITIES

400 12th Street, Suite 4 Modesto, CA 95354

Phone: (209) 529-3784

HEALTHY AGING ASSOCIATION

121 Downey Ave. Suite 102 Modesto, CA 95354



Phone: (209) 523-2800

HOWARD TRAINING CENTER

1424 Stonum Road Modesto, CA 95351

Phone: (209) 538-4000

SENIOR ADVOCACY NETWORK – SENIOR LAW PROJECT

509 13th Street suite 3 Modesto, CA 95354

Phone: (209) 577-3814

CENTER FOR HUMAN SERVICES

1700 McHenry Village Way, Suite 11, Modesto, CA 95350

Phone: (209) 526-1476

LAURA'S HOUSE

405 15th Street, Modesto CA 95354

Phone: (209) 523-0393

BETHANY'S HOUSE

3048 Hahn Drive, Modesto CA 95354

Phone: (209) 526-3342

SAMARITAN HOUSE

219 S. Broadway, Turlock

Phone: (209) 669-9355

CENTRAL VALLEY COALITION FOR AFFORDABLE HOUSING

3351 M Street, Suite 100, Merced

Phone: (209) 388-0782

COMMUNITY IMPACT CENTRAL VALLEY

900 H Street, Modesto

Phone: (209) 572-2437

WE CARE OF TURLOCK

221 S. Broadway, Turlock

Phone: (209) 664-2003

BUILDING INDUSTRY ASSOCIATION OF THE GREATER VALLEY

1701 W. March Lane, Suite F
Stockton, CA 95207
Phone: (209) 235-7831

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

1111 I Street, Suite 310
Modesto, CA 95354
Phone: (209) 577-3811

MERCY HOUSING

3120 Freeboard Drive, Suite 202
West Sacramento, California 95691
Phone: (916) 414-4400

EDEN HOUSING

22645 Grand Street
Hayward, CA 94541
Phone: (510) 582-1460

Implementation Review



IMPLEMENTATION REVIEW

	Status	Program Number (if applicable)	Page
JURISDICTION: CITY OF _____			
If local government's previous housing element included a rezone program pursuant to GC Sections 65583.2(c), 65583.2 and 65584.09 to address shortfall of adequate sites, has the program(s) to rezone been completed?	<input type="checkbox"/> YES* <input type="checkbox"/> NO <input type="checkbox"/> N/A		
Does zoning permit emergency shelters without discretionary action or has a multijurisdictional agreement pursuant to Section 65583(d) been approved?	<input type="checkbox"/> YES <input type="checkbox"/> NO		
Does zoning permit transitional and supportive housing as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone?	<input type="checkbox"/> YES <input type="checkbox"/> NO		



IMPLEMENTATION REVIEW

	Status	Program Number (if applicable)	Page
Are policies, ordinances or procedures established to allow reasonable accommodation for persons with disabilities in the application of zoning and land use policies, ordinances or procedures?	<input type="checkbox"/> YES <input type="checkbox"/> NO		
Has a density bonus ordinance been adopted pursuant to Government Code Section 65915 (since January 1, 2005)?	<input type="checkbox"/> YES <input type="checkbox"/> NO		

Completeness Checklist



HCD Completeness Checklist		
	Page Number	Comments
PUBLIC PARTICIPATION		
Description of diligent effort to include all economic segments of the community and/or their representatives in the development and update of the housing element (e.g. types of outreach, meetings, appropriate languages, list of invitees and general comments and how they were incorporated)		
PROGRESS REPORT		
Progress in implementation - A description of the actual results or outcomes of the prior elements goals (i.e. what happened), objectives, policies, and programs. Include quantification of results where possible (e.g. # of units rehabilitated) and may be qualitative where necessary (e.g., mitigation of governmental constraints)		



HCD Completeness Checklist

	Page Number	Comments
Effectiveness of the element - For each program, include an analysis comparing significant differences between what was projected or planned in the earlier element and what was achieved. Analyze the differences to determine where the previous housing element met, exceeded, or fell short of what was anticipated		
Appropriateness of goals, objectives, policies and programs - A description of what has been learned based on the analysis of progress and effectiveness of the previous element. A description of how the goals, objectives, policies and programs in the updated element are being changed or adjusted to incorporate what has been learned from the results of the previous element.		
HOUSING NEEDS ASSESSMENT		
Quantification and analysis of existing and projected housing needs:		
Population and employment trends, including documentation of projections.		
Household and household characteristics, including documentation of projections.		
Housing and Household Characteristics, including: 1. Level of payment compared with ability to pay (overpaying households), 2. Housing stock conditions, 3. Overcrowded households.		
Existing and projected needs for all income levels, including: 1. Regional Housing Needs Allocation (RHNA), 2. Existing housing need for extremely low income households, 3. Projected housing need for extremely low income households, 4. Projected housing need for extremely low income households based on RHNA or Census (see Section 65583(a)(1)).		

HCD Completeness Checklist

	Page Number	Comments
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SPECIAL NEEDS GROUPS

Identification and analysis of any special housing needs including:		
Elderly		
Persons with disabilities, including developmental disabilities		
Large Households		
Farm workers (seasonal and permanent)		
Female headed households		
Homeless (annual and seasonal)		
Other		

AT-RISK UNITS

Inventory of at-risk units (10 years from being housing element due) (Section 65583 (a)(9)(A))		
Estimate of replacement versus preservation costs (Section 65583 (a)(9)(B))		
Identification of qualified entities (Section 65583(a)(9)(C))		
Identification of potential funding (Section 65583 (a)(9)(D))		

GOVERNMENTAL AND NON-GOVERNMENTAL CONSTRAINTS

Include an analysis of actual and potential governmental constraints for each of the following:

Land use controls (e.g., parking, lot coverage, heights, unit sizes, open space requirements, floor area ratios, growth controls (e.g., caps on units or population or voter approval requirements))		
Building codes and their enforcement (e.g., current CBC, any local amendments and local code enforcement programs)		
Site improvement requirements (e.g., street widths, etc.)		
Fees and other exactions (e.g., analyze all planning and impact fees and impact on total development costs)		
Local processing and permit procedures (e.g., typical processing times, permit types by housing type, decision-making criteria and bodies)		
Housing for persons with disabilities (e.g., definition of family, concentration		



HCD Completeness Checklist

	Page Number	Comments
requirements, reasonable accommodation procedures)		
Potential and actual constraints on the development of a variety of housing types for all income levels, including multifamily rental housing, factory-built housing, mobiles homes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters and transitional housing		
Local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need		
Local efforts to remove governmental constraints that hinder meeting the need for housing for persons with disabilities, supportive housing, transitional housing and emergency shelters		
Transitional housing and supportive housing as a residential use of property and subject only to those restrictions that apply to other residential dwellings of the same type in the same zone		
Include an analysis of actual and potential non-governmental constraints for each of the following:		
Availability of financing		
Price of land		
Cost of construction		
SITES INVENTORY AND ANALYSIS		
Listing of properties by parcel number or other unique, reference showing for each parcel:		
Size		
General plan designation		
Zoning category		
For non-vacant sites, description of existing uses		
Number of units that can be accommodated on each site		
General description of environmental constraints to the development of housing (Section 65583.2(b)(4)		
General description of infrastructure (planned/available) including water, sewer and other dry utilities, including availability and access to distribution facilities (Section 65583.2(b)(5)		

HCD Completeness Checklist		
	Page Number	Comments
In determining the number of units on each site, indicate how the number of units was determined. 1. If development is required at minimum density, indicate the number of units at the minimum density. No further analysis is required. 2. If development is not required at minimum density, demonstrate how the number of units were determined and adjust, if necessary, for local land use controls.		
For Non-vacant sites, specify the additional development potential for each site within the planning period and provide an explanation of the methodology to determine development potential considering factors, including the extent to which existing uses may constitute an impediment to additional residential development, development trends, market conditions and regulatory or other incentives to encourage additional residential development (Section 65583.2(b)(7))		
Demonstration of zoning to accommodate the housing need for lower income households (Section 65583.2(c)(3)) and (d) – (f))		
Demonstration of zoning to accommodate the housing need for lower income households (Section 65583.2(c)(3)) and (d) – (f))		
Indicate those sites that can accommodate lower income households		
Indicate those sites where the density allowed is at the “deemed appropriate” [default] density (65583.2(c)(3)(B))		
For sites that can accommodate lower income households, but with allowed densities less than the “deemed appropriate” density, provide analysis demonstrating how the adopted densities accommodate the need for lower income housing. The analysis must include: <ul style="list-style-type: none"> o Market demand o Financial feasibility o Project experience within a zone providing housing for lower income households (65583.2(c)(3)(A)) 		
Map of Sites included in the inventory (Section 65583.2(b)(7))		
Number of units built between the start of the		



HCD Completeness Checklist

	Page Number	Comments
projection period and the deadline for adoption of the housing element (Government Code Section 65583.1(d))		
Number of units proposed using alternative provisions such as rehabilitation, conversion, preservation or second units (Section 65583.1).		
Identification of zoning for a variety of types:		
Multifamily rental housing		
Factory-built housing		
Mobilehomes		
Housing for agricultural employees		
Emergency shelters		
Transitional and supportive housing		
Carryover obligation (AB 1233: Section 65584.09)		
QUANTIFIED OBJECTIVES AND HOUSING PROGRAMS		
Provide a statement of quantified objectives: (Section 65583(b)):		
New construction, rehabilitation and conservation		
By income group, including extremely low-income		
Include programs: (Section 65583(c)and(c)(7))		
Schedule of specific actions		
Timeline for implementation with a beneficial impact in the planning period		
Identification of agencies and officials responsible for implementing each program		
Program(s) providing adequate sites: (Section 65583(c)(1))		
If applicable, programs to rezone and address a shortfall of capacity for each income level that could not be accommodated on sites identified in the inventory and that are needed to address any carryover obligation pursuant to Section 65584.09		

HCD Completeness Checklist		
	Page Number	Comments
If applicable, programs to rezone and address a shortfall of capacity for housing for farm workers that could not be accommodated on sites identified in the inventory		
If applicable, programs to facilitate a variety of housing types, including multifamily rental, factory-built housing, mobile homes, housing for agricultural employees, supportive housing, single room occupancy, emergency shelters and transitional and supportive housing		
Programs to assist in the development of housing for extremely low, very low, low and moderate income households (Section 65583 (c)(3)):		
Program(s) to address governmental constraints and where appropriate and legally possible, to remove constraints to the maintenance, improvement and development of housing		
Program(s) to remove constraints on housing for persons with disabilities and provide reasonable accommodation for housing for persons with disabilities		
Program(s) to conserve and improve the condition of the existing affordable housing stock (Section 65583 (c)(4))		
Program(s) to promote housing opportunities for all persons (Section 65583 (c)(5))		
Program(s) to preserve at-risk units (Section 65583 (c)(6))		
OTHER REQUIREMENTS		
Description of general plan consistency (Section 65583 (c)(7))		
Analysis of construction, demolition and conversion of housing for lower income households in the Coastal Zone (Section 65588)		
Description of opportunities for energy conservation in residential development (Section 65583 (a)(8))		

Streamline Update Template



HCD Streamlined Checklist		
	Revised Page(s)	Indicate N/A If No Changes Made
HOUSING NEEDS ASSESSMENT		
Update quantification of population, employment, and housing stock needs including:		
• Population		
• Employment		
• Households		
• Overpayment (including lower-income)		
• Overcrowding		
• Extremely Low Income Households		
• Housing Conditions		



HCD Streamlined Checklist

	Revised Page(s)	Indicate N/A If No Changes Made
Sources of Information used in the Housing Element: <ul style="list-style-type: none"> • 2010 Census: http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t • American Community Survey: http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t • Available local and regional data (e.g., local census of homeless persons or shelter beds) 		
Update analysis and conclusions as necessary due to changes in population and household characteristics or other dynamics for population, employment, households, overpayment, overcrowding, extremely low income households and housing conditions		
Update policies and programs as necessary to reflect changes in the analysis and conclusions and other pertinent assessment of need such as the federal Consolidated Plan		
PERSONS WITH SPECIAL NEEDS		
Update quantification of special housing needs groups, including:		
<ul style="list-style-type: none"> • Persons with disabilities, including developmental 		
<ul style="list-style-type: none"> • Elderly 		
<ul style="list-style-type: none"> • Large households 		
<ul style="list-style-type: none"> • Farm workers (seasonal and permanent) 		
<ul style="list-style-type: none"> • Female headed households 		
<ul style="list-style-type: none"> • Homeless Individuals and Families 		
Sources of Information used in the Housing Element: <ul style="list-style-type: none"> • 2010 Census: http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t • American Community Survey: http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t • Agricultural Census: http://www.agcensus.usda.gov/Publications/index.php • Applicable Federal Consolidated Plan and local and regional data (e.g., local census of homeless persons or shelter beds) 		
Update analyses and conclusions, as necessary, due to changes in housing needs or other dynamics, for persons with special needs		

HCD Streamlined Checklist		
	Revised Page(s)	Indicate N/A If No Changes Made
Quantify and analyze persons with developmental disabilities as required by Government Code Section 65583 (e)		
Revise Programs as appropriate including pursuant to Section 65583(e) (Developmental Disabilities) to address need based on revised data/analyses		
AT-RISK UNITS		
Update the inventory of at-risk units, removing units no longer at risk and adding any additional units that are at-risk of conversion within 10 years from the start of the housing element planning period		
Analyze risk of updated inventory of at-risk units		
Evaluate the loss of any at-risk units		
Revise policies and programs as appropriate based on update analysis and conclusions		
POTENTIAL GOVERNMENTAL AND NON-GOVERNMENTAL CONSTRAINTS		
Land Use Controls:		
Update to show changes to land use controls including changes in residential zoning and/or development standards (e.g. heights and lot coverage, parking requirements, minimum unit sizes)		
Update to describe changes to growth controls or similar measures such as population caps or voter required general plan re-designations or voter required approval of changes in land use laws or regulations		
Building Codes and Enforcement:		
Update to describe changes to local building code, amendments and enforcement programs		
Site improvements:		
Describe changes to site improvement requirements		



HCD Streamlined Checklist

	Revised Page(s)	Indicate N/A If No Changes Made
Permitting Processes and Procedures:		
Update to show revisions to processing and permit procedures for residential development (e.g. design review process, change in level of review (administrative vs. legislative review))		
Fees and exactions:		
Update changes to fee schedules		
Update changes to other exactions		
Housing for Persons with Disabilities:		
Update to describe any new restrictions or revisions regarding approval of housing for persons with disabilities such as concentration requirements, limits on the number of unrelated persons or provisions for making reasonable accommodations		
General (changed circumstances):		
For each category above, update analyses, as needed, to reflect changes in conditions or circumstances such as market conditions, land costs, financing availability and construction costs that effect the conclusions of the analyses on potential governmental constraints in the prior Element.		
Programs to Mitigate Identified Constraints:		
Describe programs to mitigate identified constraints in the prior Housing Element.		
Revise policies and programs as appropriate to address identified constraints.		
SITES INVENTORY AND ANALYSIS		
Identify and analyze any changes to sites inventory.		
Update or include analysis or description as necessary to demonstrate zoning appropriate to accommodate housing for lower income households pursuant to Section 65583.2(c)(3) and (d) – (f).		

HCD Streamlined Checklist		
	Revised Page(s)	Indicate N/A If No Changes Made
Update or include analysis or description as necessary to demonstrate the potential for redevelopment pursuant to Section 65583.2(b)(7).		
Analyze and new known environmental constraints or changed conditions and circumstances such as market conditions that affect the suitability of identified sites.		
Update methodologies as necessary to estimate the residential capacity on identified sites.		
Revise analysis of existing and/or planned infrastructure capacity (e.g., water and sewer) to accommodate the regional housing need, if needed (e.g., capacity or availability has changed).		
Include a summary table of sites included in the inventory by income category in comparison to the RHNA and, if applicable, any carryover obligation (Section 65584.09).		
Add programs to rezone and any other programs needed to address a shortfall of sites to accommodate the regional housing need, if applicable, and any programs included pursuant to Section 65583.2(h) and (i) or carryover obligation pursuant to Section 65584.09.		
Update analysis as necessary to demonstrate sufficient capacity to accommodate the need for emergency shelters.		
OTHER REQUIREMENTS		
Update description to ensure consistency with other Elements of the General Plan affecting internal consistency.		
Update to describe, as necessary, housing for lower or moderate income households that has been constructed, demolished or converted in the Coastal Zone.		

Example Implementing Ordinances





Title 18 - ZONING
RESIDENTIAL DENSITY BONUS PROVISIONS

Sections:

- X.X.02 Intent and Purpose.
- X.X.04 Definitions
- X.X.06 Types of Bonuses and Incentives Allowed.
- X.X.08 Additional Density Bonus for Donations of Land.
- X.X.10 General Provisions Governing Density Bonus Calculations.
- X.X.12 Incentives and Concessions for Affordable Housing.
- X.X.14 Waivers and Modifications of Development Standards.
- X.X.16 Parking Incentives.
- X.X.18 Standards for Density Bonus Housing Developments.
- X.X.20 Application Requirements.
- X.X.22 Application Review.
- X.X.24 Developer Affordable Housing Agreement.
- X.X.36 Reserved.

X.X.02 Intent and purpose.

This article is being enacted: a) to provide incentives for the production of housing for very low income, low income, moderate income and senior citizen households; b) to provide incentives for the creation of rental housing serving lower and moderate income households; and c) to implement sections 65915, 65915.5, and 65917 of the California Government Code as required by section 65915(a). In enacting this article, the City/County also intends to implement the goals, objectives, and policies of the City's/County's general plan housing element to encourage the construction of affordable housing in the City/County. It is also the City's/County's intent to encourage the development of rental housing to serve an economically diverse community. Accordingly, the City/County desires to provide a density bonus upon the request of an applicant when the applicant includes affordable or senior citizen restricted units in a project. This article implements the laws for density bonuses and other incentive and concessions available to qualified applicants under Government Code sections 65915 through 65918. In the event these Government Code sections are amended, those amended provisions shall be incorporated into this article as if fully set forth herein.

X.X.04 Definitions.

For purposes of this Article, the following definitions shall apply. Unless specifically defined below, words or phrases shall be interpreted as to give this Article its most reasonable interpretation.

Affordable Ownership Cost. The average annual housing costs, including mortgage payments, property taxes, homeowners insurance, and homeowners' association dues, if any, which do not exceed the following:

Very low income households: 50 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 30 percent.

Lower income households: 70 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 30 percent.

Title 18 - ZONING
RESIDENTIAL DENSITY BONUS PROVISIONS

Moderate income households: 110 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 35 percent.

Affordable rent. The annual rent, including utilities and all fees for housing services, which does not exceed the following:

Very low income households: 50 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 30 percent.

Lower income households: 60 percent of area median income, adjusted for assumed household size based on unit size, multiplied by 30 percent.

Affordable units. Dwelling units which are affordable to very low, lower, or moderate income households as defined by this Article or by any federal or state housing program and are subject to rental, sale, or resale restrictions to maintain affordability.

Applicant. A developer or organization applying for a density bonus who seeks and agrees to construct a qualified housing development on or after the effective date of this Article pursuant to Section 65915, subdivision (b), of the California Government Code.

Area Median Income. The median income for Stanislaus County as published by the State of California pursuant to California Code of Regulations, Title 25, Section 6932, or a successor provision.

Assumed Household Size Based on Unit Size. A household of one person in a studio apartment, two persons in a one bedroom unit, three persons in a two bedroom unit, and one additional person for each additional bedroom thereafter.

Common Interest Development. As defined in Section 1351 of the California Civil Code a common interest development may include a community apartment project, a condominium project, a planned development, or a stock cooperative.

Density Bonus. A density increase over the otherwise allowable zoning maximum residential density on a site as of the date of application by the applicant to the City/County, granted pursuant to Section X.X.

Density Bonus Units. Dwelling units granted pursuant to Section X.X which exceed the otherwise allowable zoning maximum residential density for a housing development.

Household Income. The combined adjusted gross household income for all adult persons living in a dwelling unit as calculated for the purpose of the Section 8 program under the United States Housing Act of 1937, as amended, or its successor provision.

Very Low Income Household. As defined in California Health & Safety Code Section 50105, very low income persons and families are those whose incomes do not exceed the qualifying limits for very low income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937 which is 50 percent of area median income, adjusted for family size and revised annually.

Lower Income Household. As defined in California Health & Safety Code Section 50079.5 lower income persons and families are those whose incomes do not exceed the qualifying limits for low income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937 which is 70 percent of area median income, adjusted for family size and revised annually.

Moderate Income Household. Persons and families of low or moderate income" means persons and families whose income does not exceed 120 percent of area median income, adjusted for family size by the department in accordance with adjustment factors adopted and amended from time to time by the

Title 18 - ZONING
RESIDENTIAL DENSITY BONUS PROVISIONS

United States Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937.

Housing Development. One or more groups of projects to construct dwelling units in the planned development of the City/County. Housing development also includes a subdivision or common interest development, as defined in Section 1351 of the California Civil Code, approved by the City/County and consisting of dwelling units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Section 65863.4, where the result of the rehabilitation would be a net increase in available dwelling units. For the purpose of calculating a density bonus, the dwelling units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels.

Incentive and Concessions. Regulatory concessions as listed in Section X.X.12 of this Article.

Market Rate Unit. A dwelling unit which is not an affordable unit or an inclusionary unit.

Maximum Residential Density. The maximum number of dwelling units permitted by the Zoning Code and Land Use element of the general plan or, if a range of density is permitted, means the maximum allowable density for the specific zoning range and community development element of the general plan applicable to the project. Where the density allowed under the zoning ordinance is inconsistent with the density allowed under the community development element of the general plan, the general plan density shall prevail. The maximum allowable density is based on the date an application for a housing development is deemed complete. This definition is used to calculate a density bonus pursuant to this Article.

Senior Citizen Housing Development. Senior citizen housing as defined in Section 51.3 (a housing development developed, substantially rehabilitated, or substantially renovated for senior citizens that has at least 35 dwelling units) and Section 51.12 of the California Civil Code, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.

Specific Adverse Impact. 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 that the application for the housing development was deemed complete. Mere inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

X.X.06 Types of Bonuses and Incentives Allowed.

- (1) Very Low And Lower Income Housing And Senior Citizen Housing. Upon written request to the City/County, an applicant for a housing development is eligible for one density bonus of twenty percent (20%) over the maximum residential density (except in the case of senior citizen housing, as provided below), provided that the applicant agrees to construct the housing development in accordance with one of the following criteria:
 - (a) Very Low Income Households. Five percent (5%) of the total dwelling units, excluding any units permitted by the density bonus, are provided at affordable rent or ownership costs to very low income households; or
 - (b) Lower Income Households. Ten percent (10%) of the total dwelling units, excluding any units permitted by the density bonus, are provided at affordable rent or ownership costs to lower income households; or

Title 18 - ZONING
RESIDENTIAL DENSITY BONUS PROVISIONS

- (c) Senior Citizen Housing Development. For senior citizen housing developments, the density bonus shall be **twenty percent (20%)** of the number of senior housing units provided.
- (2) Moderate Income Housing. Upon written request to the **City/County**, an applicant for a housing development is eligible for one density bonus of **five percent (5%)** over the maximum residential density if the applicant agrees to construct the housing development in accordance with all of the following criteria:
- (a) At least **ten percent (10%)** of the total dwelling units, excluding any units permitted by the density bonus, are provided at affordable ownership costs to moderate income households; and
 - (b) The housing development is a common interest project as defined by section 1351 of the California Civil Code; and
 - (c) All of the dwelling units in the housing development are offered for sale to the public.
- (3) Higher Density Bonus For Greater Contribution Of Affordable Units: Upon written request to the **City/County**, an applicant for a housing development that is eligible for a density bonus based upon the contribution of affordable units, may receive a higher amount of density bonus if the percentage of very low, lower, and moderate income housing units exceeds the base percentage established in subsection A or B of this section, as follows:
- (a) Very Low Income Units. For each one percent (1%) increase above five percent (5%) in affordable units for very low income households, the density bonus shall be increased by **two and one-half percent (2.5%)** up to a maximum of **thirty five percent (35%)**, as follows:

Percentage of Very Low Income Units	Percentage of Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35

- (b) Lower Income Units. For each one percent (1%) increase above ten percent (10%) in the affordable units for lower income households, the density bonus shall be increased by **one and one-half percent (1.5%)** up to a maximum of **thirty-five percent (35%)**, as shown in Table 2:

Percentage of Very Low Income Units	Percentage of Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
16	29

Title 18 - ZONING
RESIDENTIAL DENSITY BONUS PROVISIONS

17	30.5
18	32
19	33.5
20	35

- (c) Moderate Income Units. For each one percent (1%) increase above ten percent (10%) in affordable units offered for sale to moderate income households, the density bonus shall be increased by one percent (1%) up to maximum thirty-five percent (35%), as shown in Table 3:

Table 3: Moderate Income Units	
Percentage of Very Low Income Units	Percentage of Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35

Title 18 - ZONING
RESIDENTIAL DENSITY BONUS PROVISIONS

- (4) Continued Affordability. Affordable units qualifying a housing development for a density bonus shall remain affordable as follows:
- (a) Very low income and low income household units shall remain affordable to the designated income group for a minimum of thirty (30) years, or for a longer period of time if required by any construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program applicable to the dwelling units.
 - (b) Moderate income household units shall remain affordable for a minimum of thirty (30) years, or for a longer period of time if required by any construction or mortgage financing assistance program, mortgage insurance program applicable to the dwelling units.
 - (c) Notwithstanding the foregoing, very low, low, and moderate income units in housing developments qualified for a density bonus that are located in or found by the redevelopment agency to benefit a redevelopment project area shall remain at an affordable level for a period of not less than forty five (45) years for owner occupied units, and not less than fifty five (55) years for rental units, in accordance with applicable provisions of the California community redevelopment law (Health and Safety Code section 33000 et seq.). Upon resale, the City/County shall enforce an equity sharing agreement, unless it is in conflict with the requirements of another public funding source or law. The equity sharing agreement shall include the following provisions:
 1. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The City/County shall recapture any initial subsidy as defined in subsection (4)(c)2 of this section, and its proportionate share of appreciation, as defined in subsection (4)(c)3 of this section, which amount shall be used within five (5) years for any of the purposes described in Health and Safety Code section 33334.2(e).
 2. The City's/County's initial subsidy shall be equal to the fair market value of the home at the time of the initial sale minus the initial sale price to the moderate income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.
 3. The City's/County's proportionate share of appreciation shall be equal to the ratio of the City's/County's initial subsidy to the fair market value of the home at the time of initial sale.
- (5) Specification of Basis for Density Bonus. Each applicant who requests a density bonus pursuant to this section, shall elect whether the bonus will be awarded on the basis of subsection (1)(a), (1)(b), (1)(c) or (2) of this section. Each housing development is entitled to only one density bonus, which may be selected based on the percentage of either very low income affordable housing units, lower income affordable housing units or moderate income affordable housing units, or the development's status as a senior citizen housing development. Density bonuses from more than one of these categories may not be combined.

X.X.08 Additional Density Bonus for Donations of Land.

- (1) Land Suitability. Upon written request, when an applicant for a tentative map, subdivision map, parcel map, or other residential development approval qualified for a density bonus pursuant to section X.X.06 of this article also donates land to the City/County in accordance with this section, the applicant shall be entitled to an additional density bonus. Applicants donating land to the City/County shall be eligible for an additional fifteen percent (15%) density bonus at the site of the housing development if the donated land is suitable for the construction of very low income units equaling at least ten percent (10%) of the market rate units being constructed for the project. The density bonus provided pursuant to this section shall be in addition to any density bonus granted pursuant to section X.X.06 of this article, up to a maximum combined density bonus of thirty five percent (35%).

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- (2) Qualification Criteria. To qualify for the additional density bonus described in subsection 1 of this section, the donation of land must meet all of the following criteria:
- (a) The tentative map, subdivision map, parcel map, or other residential development must otherwise be subject to a density bonus pursuant to section X.X.06 of this article; and
 - (b) The land must be transferred no later than the date of the approval of the final subdivision map, parcel map, or housing development application; and
 - (c) The developable acreage and zoning classification of the land being transferred must be sufficient to permit construction of dwelling units affordable to very low income households in an amount not less than ten percent (10%) of the total number of market rate dwelling units in the proposed development (i.e., the proposed development before the addition of any density bonus); and
 - (d) The donated land is at least one acre in size or is large enough to permit development of at least forty (40) units, has the appropriate general plan land use designation, has the appropriate zoning and development standards for affordable housing and, at the time of project approval is, or at the time of construction will be, served by adequate public facilities and infrastructure; and
 - (e) No later than the date of approval of the final map, parcel map, or other development application for the housing development, the donated land must have all of the applicable permits and approvals (other than building permits) necessary for the development of the very low income housing units on the donated land, except that the City/County may subject the proposed housing development to subsequent design review to the extent authorized by California Government Code section 65583.2 subsection (i) if the design is not reviewed by the City/County prior to the time of transfer; and
 - (f) The donated land is subject to a deed restriction ensuring continued affordability of the very low income units consistent with subsection X.X.06 subsection (4) of this article, which deed restriction shall be recorded upon the donated property at the time of its transfer; and
 - (g) The land will be transferred to the City/County, or to a housing developer approved by the City/County. The City/County reserves the right to require the applicant to identify a developer and to require that the land be transferred to that developer; and
 - (h) The land is within the boundary of the proposed housing development or within one-fourth (1/4) mile of the boundary of the proposed housing development; and
 - (i) No later than the date of approval of the final map, parcel map, or other development application for the housing development, a proposed source of funding for the construction of the very low income units shall be identified.
- (3) Additional Density Bonus Based On Greater Suitability Of Land For Very Low Income Housing. For each one percent (1%) increase above the minimum ten percent (10%) in the number of very low income housing units that can be accommodated on the donated land, the maximum density bonus shall be increased by one percent (1%), up to a maximum of thirty five percent (35%), as follows:

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Table 4: Land Donation	
Percentage Of Very Low Income Units That Can Be Accommodated On Donated Land	Percentage Of Additional Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32
28	33
29	34
30	35

X.X.10 General Provisions Governing Density Bonus Calculations.

- (1) For the purposes of any provisions in this article, an applicant may elect to accept a lesser percentage of density bonus than that to which the housing development is eligible.
- (2) When calculating the number of permitted density bonus units, any calculations resulting in fractional units shall be rounded up to the next larger whole number.
- (3) For the purpose of calculating a density bonus, the dwelling units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the affordable units are located.
- (4) For the purposes of this article, the “total units” or “total dwelling units” in a housing development does not include those units added by any density bonus.

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Table 5: Density Bonus Summary				
Types Of Affordable Units Providing Eligibility For A Density Bonus	Minimum Percent	Bonus Granted	Additional Bonus For Each 1% Increase In Affordable Units	Percent Of Affordable Units Required For Maximum 35% Bonus
Very Low Income	5%	20%	2.5%	11%
Lower Income	10%	20%	1.5%	20%
Moderate Income	10%	5%	1%	40%
Senior Citizen Housing	Qualified development	20% of the units	-	-
Land Donation for Very Low Income Housing	Land donated can accommodate 10% of market rate units, plus housing development qualified for density bonus as an affordable or senior project.	15%	1%	30% of market rate units (assuming housing development provides 5% very low income units)

X.X.12 Incentives and Concessions for Affordable Housing.

- (1) Definition of a Qualified Incentive or Concession. A qualifying project shall be entitled to at least one but no more than three of the following incentives identified by state law:
 - (a) A reduction in the parcel development standards (e.g. coverage, setback, zero lot line and/or reduced parcel sizes, architectural design requirements and/or parking requirements). Development standard means any ordinance, general plan element, specific plan, condition, law, policy, resolution, or regulation. In no case may the City/County apply a development standard that will have the effect of precluding the construction of affordable units. A waiver or modification to development standards may be requested by the applicant, and shall be approved unless such waiver or modification creates an adverse impact as described in subsection (3), below.
 - (b) Approval of mixed use zoning in conjunction with the housing project if nonresidential land uses will reduce the cost of the housing project, and the nonresidential land uses are compatible with the housing project and existing or planned development in the area where the proposed development will be located.
 - (c) Other regulatory incentives or concessions proposed by the applicant or the City/County that will result in identifiable, financially sufficient and actual cost reductions.
- (2) Number of Incentives or Concessions. The number of incentives shall be based on the percentage of affordable units in the project:
 - (a) One (1) incentive or concession shall be entitled for projects where at least five percent (5%) of the total units are for very low income households, ten percent (10%) of the total units are for lower income households, or ten percent (10%) of the total units in a common interest development are sold to moderate income households.
 - (b) Two (2) incentives or concessions shall be entitled for projects where at least ten percent (10%) of the total units are for very low income households, twenty percent (20%) of the total units are

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for lower income households, or at least twenty percent (20%) of the total units in a common interest development are sold to moderate income households.

- (c) Three (3) incentives or concessions shall be entitled for projects where at least fifteen percent (15%) of the total units are for very low income households, thirty percent (30%) of the total units are for lower income households, or thirty percent (30%) of the total units in a common interest development are sold to moderate income households.

Affordable Units or Category	Percent of Affordable Units		
Affordable Housing Types:			
Very Low Income	5%	10%	15%
Low Income	10%	20%	30%
Moderate Income	10%	20%	30%
Maximum incentive(s)/concession(s) ^{1, 2, 3}	1	2	3

Notes:

1. An incentive or concession may be requested only if an application is also made for a density bonus.
2. Incentives or concessions may be selected from only 1 category (very low, lower, or moderate).
3. No incentives or concessions are available for land donation.

- (3) Findings to Deny Incentive or Concession. The City/County shall grant the incentive or concession requested by the applicant unless the City/County makes a written finding based upon substantial evidence of any of the following:
- (a) The incentive or concession is not required in order to provide for affordable housing costs or for affordable rents for the restricted units; or
 - (b) The concession or incentive would have a specific adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse without rendering the development unaffordable to low and moderate-income households. A specific adverse impact means a significant, unavoidable impact, as provided in written standards, policies, or conditions; or
 - (c) The incentive or concession would be contrary to state or federal law.
- (4) Exceptions. This section does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the City/County or the waiver of fees or dedication requirements. Nor does any provision of this section require the City/County to grant an incentive or concession found to have a specific adverse impact.
- (5) Amendment, Zone Change. The granting of a concession or incentive shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.

X.X.14 Waivers and Modifications of Development Standards.

- (1) Applicants granted a density bonus pursuant to section X.X.06 of this article may, by written proposal, seek a waiver, modification or reduction of development standards that would otherwise have the effect of physically precluding the construction of the housing development at the densities or with the concessions or incentives permitted pursuant to this article. The applicant may also request a meeting with the City/County to discuss such request for waiver and modifications.

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- (2) In order to obtain a waiver or modification of development standards, the applicant shall show that the development standards will have the effect of precluding the construction of a housing development meeting the criteria of section X.X.06 of this article, at the densities or with the concessions or incentives permitted by this article.
- (3) A proposal for the waiver or reduction of development standards pursuant to this section shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to section X.X.12 of this article.
- (4) The City/County may deny a request for any waiver, modification or reduction of development standards if the wavier, modification or reduction would have a specific adverse impact.

X.X.16 Parking Incentives.

Upon the written request of the applicant for a housing development meeting the criteria for a density bonus under section X.X.06 of this article, the City/County shall not require a vehicular parking ratio that exceeds the following:

- (1) Zero to one bedroom units: One onsite parking space.
- (2) Two (2) to three (3) bedroom units: Two (2) onsite parking spaces.
- (3) Four (4) and more bedroom units: Two and one-half (2 1/2) parking spaces.

Guest parking and handicapped parking shall be included within the maximum number of spaces that may be required. If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, a housing development may provide onsite parking through tandem parking or uncovered parking, but not through on street parking. For purposes of this article, the parking ratios set forth in this section shall be deemed a concession or incentive available to the applicant under section X.X.12 of this article.

X.X.18 Standards for Density Bonus Housing Developments.

- (1) Affordable units qualifying a housing development for a density bonus shall be reasonably dispersed throughout the housing development and compatible with the design of market rate units in terms of appearance, materials, and finished quality. The applicant may reduce the interior amenities and square footage of inclusionary units, provided all units conform to all other requirements of this municipal code.
- (2) For developments with multiple market rate units containing differing numbers of bedrooms, affordable units qualifying a housing development for a density bonus shall be representative of the market rate unit mix.
- (3) All building permits for affordable units qualifying a housing development for a density bonus shall be issued concurrently with, or prior to, issuance of building permits for the market rate units, and the affordable units shall be constructed concurrently with, or prior to, construction of the market rate units. Occupancy permits and final inspections for affordable units qualifying a housing development for a density bonus shall be approved concurrently with, or prior to, approval of occupancy permits and final inspections for the market rate units.

X.X.20 Application Requirements.

- (1) An application for a density bonus, incentive, concession, waiver, modification, or revised parking standard pursuant to this section shall be submitted with the first approval of the housing development and processed concurrently with all other applications required for the housing development.

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- (2) For affordable units qualifying the housing development for a density bonus, the application shall include the following information:
 - (a) A site plan identifying the base project without the density bonus, number and location of all inclusionary units, affordable units qualifying for the project for a density bonus, and proposed density bonus units; and
 - (b) Proposed category(ies) qualifying the housing development for a density bonus; and
 - (c) Level of affordability of all affordable and inclusionary units and proposals for ensuring affordability, if applicable; and
 - (d) A description of any requested incentives, concessions, waivers or modifications of development standards, or modified parking standards.
 - (e) If a density bonus or concession is requested for a land donation, the application shall show the location of the land to be dedicated and provide evidence that each of the findings included in section X.X.08 of this article can be made.
- (3) Upon submission of the application to the City/County, the Planning Director or designee shall determine if the application is complete and conforms to the provisions of this article. No application for a first approval for a housing development requesting a density bonus, incentives, concessions, or waivers may be deemed complete unless an affordable housing plan is submitted conforming to the provisions of this article.
- (4) A request for a minor modification of an approved application may be granted by the City Manager/County Chief Executive Officer or designee if the modification is substantially in compliance with the original application and the conditions of approval. Other modifications to the affordable housing plan shall be processed in the same manner as the original application.

X.X.22 Application Review.

- (1) An application for a density bonus, incentive, concession, waiver, modification, or revised parking standard pursuant to this article shall be reviewed as part of the first approval of the housing development by the approval body with authority to approve the housing development, unless additional review by the Planning Commission or City Council/Board of Supervisors is required. An applicant proposing a housing development pursuant to this article, may submit a preliminary application prior to the submittal of any formal request for approval of a housing development.
- (2) Within ninety (90) days of receipt of the preliminary application the City/County shall provide to an applicant, a letter which identifies project issues of concern (the maximum financial assistance that the Planning Director can support when making a recommendation to the City Council/Board of Supervisors), and the procedures for compliance with this article. The Planning Director shall inform the applicant that the requested additional incentives shall be recommended for consideration with the proposed housing development, or that alternative or modified additional incentives pursuant to section X.X.12 of this article shall be recommended for consideration in lieu of the requested incentives. If alternative or modified incentives are recommended by the Planning Director, the recommendation shall establish how the alternative or modified incentives can be expected to have an equivalent affordability effect as the requested incentives.
- (3) Before approving an application for a density bonus, incentive, concession, waiver, or modification, the approval body shall make the following findings:
 - (a) The housing development is: a) eligible for a density bonus, and/or b) any concessions, incentives, waivers, modifications, or reduced parking standards requested conform to all requirements of this article, and c) supported by a financing mechanism for all implementation and monitoring costs.
 - (b) If the density bonus is based all or in part on dedication of land, the application meets the qualifications and findings stated in section X.X.08 of this article.

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- (c) If a waiver or modification is requested, the applicant has shown that the waiver, modification or reduction of development standards meets the qualifications and findings stated in section X.X.14 of this article.
- (4) If the findings stated in subsection (3) of this section can be made, and a request for an incentive or concession is otherwise consistent with this article, the approval body may deny a concession or incentive based upon written findings of any of the factors stated in section X.X.12 of this article for the denial or disqualification of a concession or incentive.
- (5) If the required findings stated in subsection (3) of this section can be made, and a request for a waiver or modification is otherwise consistent with this article, the approval body may deny the requested waiver or modification based upon written findings of any of the factors stated in section X.X.14 of this article for the denial or disqualification of a waiver or modification.
- (6) Nothing in this section shall be interpreted to require the City/County to grant an incentive or concession or to waive or reduce development standards if that incentive, concession, waiver, or reduction has a specific adverse impact upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
- (7) Any decision regarding a density bonus, incentive, concession, waiver, modification, or revised parking standard may be appealed pursuant to Chapter XX of the XXX Municipal Code. In accordance with state law, neither the granting of a concession or incentive, nor the granting of a density bonus, shall be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval.

X.X.24 Developer Affordable Housing Agreement.

- (1) Applications requesting a density bonus shall agree to enter into a density bonus housing agreement with the City/County. The terms of the draft agreement shall be reviewed and revised as appropriate by the Planning Director, who shall formulate a recommendation to the planning commission for final approval. A density bonus housing agreement shall be made a condition of the discretionary planning permits for all housing developments pursuant to this article and shall be recorded as a restriction on any parcels on which the affordable units or density bonus units will be constructed.
- (2) The density bonus housing agreement shall be recorded prior to final or parcel map approval, or, where the housing development does not include a map, prior to issuance of a building permit for any structure in the housing development. The density bonus housing agreement shall run with the land and bind future owners and successors in interest.

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X.X.02 Intent and purpose.

X.X.04 Applicability.

X.X.06 Application Process.

X.X.08 Approval Process.

X.X.10 Findings and Decisions.

X.X.12 Appeals Determination.

X.X.02 Intent and purpose.

This chapter is established pursuant to the provisions of California Government Code Sections 12927(c)(1) and 12955(1) to provide a formal procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) in the application of zoning laws and other land use regulations, policies and procedures, and to establish relevant criteria to be used when considering such requests.

X.X.04 Applicability.

In order to make specific housing available to an individual with a disability, any person may request a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing- related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. This chapter applies only to those persons who are defined as disabled under the Acts.

X.X.06 Application Process.

(1) In order to make housing available to an individual with a disability, an applicant may request a reasonable accommodation in zoning and other land use regulations, policies, practices and procedures.

(2) All requests shall be reasonable and limited to the minimum that the applicant believes is necessary to accommodate the disability. Requests for reasonable accommodation shall be submitted via a form approved by the Planning Division, together with the appropriate fee, as established by resolution adopted by the City Council/Board of Supervisors, and shall be filed with the Planning Division. The applicant is requested to provide the following information:

- (a) Name and address of the applicant;
- (b) Name and address of the property owner(s);
- (c) Address of the property for which accommodation is requested;
- (d) The current use of the property for which accommodation is requested;
- (e) Description of the requested accommodation, and the regulation(s), policy or procedure for which accommodation is sought, which could include site plans, floor plans, and/or details as necessary to define the extent of the accommodation;

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- (f) The basis for the claim that the fair housing laws apply to the individual(s) with a disability and evidence supporting the claim, which may be in the form of a letter from a medical doctor or other licensed healthcare professional, a handicapped license, or other appropriate evidence;
 - (g) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the property; and
 - (h) How the property will be used by the applicant and individual(s) with disabilities.
- (3) Any information identified by the applicant as confidential shall be retained by the City/County in a manner so as to respect the privacy rights of the individual with a disability and shall not be made available for public inspection.
- (4) A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an applicant's obligation to comply with other applicable regulations not at issue in the requested reasonable accommodation.
- (5) If an individual needs assistance in making the request for reasonable accommodation, the City/County will provide assistance to ensure that the process is accessible.
- (6) The fee for an application for reasonable accommodation shall be established by resolution of the City Council/County Board of Supervisors.

X.X.08 Approval Process.

- (1) Approval Authority:
- (a) Administrative Review - The Planning Director or an appointed designee has the authority to review and decide upon requests for reasonable accommodation, including whether the applicant is a disabled person within the meaning of this chapter. The Planning Director or appointed designee may refer the matter to the Planning Commission, as appropriate.
 - (b) Planning Commission Review - The Planning Commission has the authority to review and decide upon requests for reasonable accommodation, including whether the applicant is a disabled person within the meaning of this chapter, when referred by the Planning Director or when a reasonable accommodation request includes any encroachment into the front yard setback area, results in a building size increase above what is allowed in the applicable zoning district with respect to height, lot coverage and floor area ratio maximums, or whenever a reduction in required parking is requested.
- (2) Notice: No advance notice or public hearing is required for consideration of reasonable accommodation requests by the Planning Director. Requests for reasonable accommodation subject to review by the Planning Commission shall require advance notice and a public hearing pursuant to the requirements of Chapter X.X of the XXXX Municipal Code.
- (3) Decision: The Planning Director or an appointed designee shall render a decision or refer the matter to the Planning Commission within 30 days after the application is complete, and shall approve, approve with conditions or deny the application, based on the findings set forth in Section X.X.10. The decision shall be in writing and mailed to the applicant.

If the application for reasonable accommodation involves another discretionary decision, the reviewing body for that decision shall accept as final the determination regarding reasonable accommodation by the Planning Director or an appointed designee, unless the reasonable accommodation request has been referred by the Planning Director or an appointed designee to the Planning Commission for consideration.

If the application for reasonable accommodation is referred to, or reviewed by, the Planning Commission, a decision to approve, approve with conditions, or deny the application shall be rendered within 20 working days after the close of the public hearing, based on the findings set forth above.

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X.X.10 Findings and Decision.

- (1) Any decision on an application under this chapter shall be supported by written findings addressing the criteria set forth in this subsection. An application under this chapter for a reasonable accommodation shall be granted if all of the following findings are made:
 - (a) The housing, which is the subject of the request, will be used by an individual disabled as defined under the Acts.
 - (b) The requested reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
 - (c) The requested reasonable accommodation would not impose an undue financial or administrative burden on the City/County.
 - (d) The requested reasonable accommodation would not require a fundamental alteration in the nature of a City/County program or law, including but not limited to land use and zoning.
 - (e) There are no reasonable alternatives that would provide an equivalent level of benefit without requiring a modification or exception to the City's/County's applicable rules, standards and practices.
- (2) In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by section (1) above.

X.X.12 Appeals Determination.

Any decision on an application under this chapter shall be subject to appeal pursuant to section X.X of the XXXX Municipal Code.



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