

City of Albany



TO: ALBANY PLANNING & ZONING COMMISSION
FROM: BARRY MILLER, CONSULTANT
SUBJECT: DRAFT HOUSING ELEMENT REVISIONS
DATE: JANUARY 22, 2014

REQUEST

The Commission is being asked to review and provide feedback on the proposed revisions to the Draft Housing Element. This agenda item also an opportunity for public comment on this material.

STAFF RECOMMENDATION

The Commission is asked to receive a presentation from the City's consultant summarizing the State's comments on the Administrative Draft Housing Element, and proposed revisions to the document in response to those comments. Staff requests that the Commission take additional public comment on this topic, and confirm that the proposed responses to HCD are acceptable. Staff expects to return to the Commission in February with a Public Review Draft and an Initial Study/Mitigated Negative Declaration for Commission consideration. At that time, the Commission will be asked for a recommendation to forward the document to the City Council for adoption.

BACKGROUND

The Housing Element is part of the Albany General Plan. It includes the City's policies for housing conservation, housing production, housing access, and the provision of housing for special needs populations. The Element is typically updated on a roughly eight-year cycle, with the current cycle covering the period 2007-2014. It is subject to review and approval by the California Department of Housing and Community Development (HCD). Please see the September 25, 2013 staff report for an overview of Housing Element requirements, the context for this report, the status of the Housing Element, and the timeline for next steps.

The Housing Element includes six chapters. The P&Z Commission considered Chapter 3 (the Needs Assessment) at a study session on May 22, 2013. It held study sessions on

subsequent chapters on September 25, October 9, and October 15. At the conclusion of the October 15 meeting, the Commission forwarded an Administrative Draft Housing Element to the City Council, with a recommendation to submit it to the State (HCD) for administrative review. On October 21, the City Council approved submittal of the document to HCD. It was submitted on October 25, 2013.

Under the state Government Code, HCD has 60 days to provide feedback on the document. Accordingly, the City received a letter from HCD on December 26, 2013 indicating their findings relative to the compliance of the document with the Government Code. Their letter listed the specific revisions necessary to meet statutory requirements. The City has subsequently been in contact with the HCD reviewer to clarify the intent of the requested revisions and the expected outcomes.

A number of public comment letters also were received during the 60-day review period. These letters have been considered in the drafting of revisions and are included as Exhibit "D".

The attachments to this staff report provide further context for the Commission's discussion. These attachments are as follows:

- Exhibit A is the 12/26/13 letter from HCD
- Exhibit B consists of the City's responses to the letter from HCD
- Exhibit C consists of six "attachments" corresponding to the six chapters of the Housing Element. Each attachment includes annotated (redlined/strikeout) edits to the October 2013 Draft Housing Element which respond to the HCD comments as well as the public. The attachments have been formatted to link the edits back to the specific comments made by the State (or the public) in the left hand margin.
- Exhibit D consists of letters sent to HCD from two parties commenting on the Housing Element.

ANALYSIS

The principal revisions requested by HCD, and made by the City in the attached revisions, are listed below:

1. The State requested further evidence that the City had sufficient capacity to meet its Regional Housing Needs Allocation (RHNA) during the previous (1999-2006) planning period. Since the City did not have a certified Housing Element during that period, the City is required to either demonstrate that it had sufficient capacity for its RHNA, or carry forward the unmet need from this time period. The City has responded by providing further information on the locations where multi-family housing could have been built during 1999-2006. This required additional text in Chapter 2.
2. The State requested further information from the City regarding the availability of housing sites for the current (2007-2014) planning period. Specifically, the State asked for more documentation that the sites were realistic and could

accommodate the estimated number of units, given that some were occupied by existing businesses and were zoned to allow commercial uses as well as mixed uses. This has been provided in Chapter 4.

3. The State requested additional documentation of the suitability of sites in the CMX zoning district to meet Albany's need for emergency shelter. This documentation has been provided in Chapter 5. The text may be further amended based on the City Council's consideration of proposed zoning amendments on SB 2 (allowances for emergency shelter) on January 21, including the Planning and Zoning Commission's recommendation to allow such uses by right in the SPC zone.
4. The State requested additional documentation of the City's multi-family housing fees and design review procedures. This has been added to Chapter 5.
5. The State requested that some of the action programs be strengthened to include more active verbs (e.g., "Amend, require, revise, etc." instead of "Consider, study, explore, etc."), and to provide further detail on the intent of the proposed actions. The City has edited a number of programs in Chapter 6 in response.
6. An additional site has been added to the housing inventory (comprised of two parcels at 1107-1111 San Pablo Avenue). In addition, because the entitlements on 423-427 Talbot have expired, this site has been removed from the list of committed projects and added to the inventory of available sites. This is reflected in Chapter 4.
7. The State requested further documentation of the City's efforts to reach out to all economic segments of the community, as required by state law. This has been added to Chapter 1.
8. The State requested the addition of a program to ensure internal consistency in the General Plan as other elements are revised, or as the Housing Element is amended in the future. This has been added to Chapter 6.

Staff is presently working with HCD to ensure that the proposed revisions are acceptable and will result in a compliant element. The City is seeking confirmation from the State prior to the publication of the next Draft of the Element in early February. In the event that this is not possible, the City will continue to work the State on additional changes through February. The Planning and Zoning Commission will be kept apprised of these changes as they are made, and the revisions will be posted on the City's website as they are prepared.

ENVIRONMENTAL REVIEW

An Initial Study and Mitigated Negative Declaration for the Housing Element is currently being drafted. The IS/MND will be brought to the Planning Commission for formal action along with the Public Review Draft Housing Element in February.