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City Council

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October 3, 2012

2011

Linn Warren
Director
Department of Housing and Community Development
1800 Third Street
P.O. Box 952050
Sacramento, CA 94252-2050

Dear Mr. Warren:

I am pleased to provide the annual status report on the City of Lafayette's implementation of its Housing Chapter. The report was approved by the City Council on September 24, 2012. This report covers the time period from January 1, 2011 through December 31, 2011. The report is in three parts, including:

1. A table showing the City's progress in implementing the programs of the Housing Chapter.
2. The City's progress in meetings its share of the regional housing needs.
3. Efforts to remove governmental constraints to the maintenance, improvement and development of housing at all income levels.

I will be happy to answer any questions you may have regarding this information.
Thank you.

Niroop K. Srivatsa
Planning and Building Services Manager

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City of Lafayette

2012 Annual Report

The City of Lafayette Annual Report covers the time period of January 1, 2011 through December 31, 2011. The report contains three parts, 1) a table showing the City's progress in implementing the programs of the Housing Chapter, 2) the City's progress in meeting its share of regional housing needs for the period 2007-2011, and 3) efforts to remove governmental constraints to the maintenance, improvements, and development of housing.

Part 1 City of Lafayette General Plan Housing Chapter
Status of Implementation Programs

The following table lists the programs contained in the revised Housing Chapter which was adopted in May 2011 and found to be in compliance with State law by the State Department of Housing and Community Development. The status notes cover the reporting period between January 1, 2011 and December 31, 2011.

Program	Status
Program H-1.1.1: Rehabilitation/Preservation Program: Support the Contra Costa County Housing Authority (CCCHA), which provides low interest loans for the rehabilitation of homes owned or occupied by low- to moderate-income households. The City will continue to assist in citizen awareness of this rehabilitation loan program by a) making pamphlets on this program available at City Hall and at the public library; b) contacting neighborhood groups in older residential areas with this information; c) continuing building code enforcement through the County's Building Division; and d) continuing to provide updated information through the City's website, Vistas (the City newsletter) and other relevant media. Responsibility: Planning Division Financing: City and County funds Scheduling: Ongoing	Progress: Ongoing. Pamphlets are available at the City offices and Contra Costa Building Inspection Department. Pamphlets were also mailed to all homeowners associations and are posted on the City's web page. Effectiveness: Low. The City received only one or two inquiries about assistance for rehabilitating homes. Appropriateness: Continue with the program. Given the downturn in the economy, more residents may wish to take advantage of these programs.
Program H-1.1.2: Code Enforcement Program: Continue the code enforcement program to encourage the rehabilitation and/or elimination of physically obsolete and substandard housing.	Progress: Ongoing. The City hired a full time Code Enforcement Officer in 2006. The Lafayette Municipal Code was updated in 2009 to provide new regulations for a code enforcement and property maintenance program.

Program	Status
Responsibility: Planning Division Financing: City Scheduling: Annually as an ongoing program	The Code Enforcement Officer handled one hundred and sixty three cases during the reporting period. Thirty eight cases had to do with property maintenance and upkeep. Effectiveness: High. Appropriateness: Continue with the program.
Program H-1.2.1: Maintenance of Existing Residential Zoning: Retain existing residential zoning and revise the Zoning Ordinance to disallow commercial uses, other than residential businesses, in these zones. Continue to require architectural review of non-residential structures (e.g. schools, churches, fire houses, police stations, utility structures) in residential zones to ensure conformity with existing neighborhood character. Responsibility: Planning Division Financing: City Funds Schedule: Ongoing	Progress: Ongoing. The City held hearings on five design review applications for nonresidential structures such as telecommunications facilities during the reporting period. Notices for these public hearings were mailed to residents in the vicinity. In an ongoing effort to preserve the residential character of neighborhoods, the City imposed a moratorium on wireless telecommunications facilities in early 2012. An ordinance regulating the placement of wireless communications facilities is currently being drafted and is expected to be completed by December 2012 Effectiveness: High Appropriateness: Continue with the program.
Program H-1.2.2: Conversion of Housing Units Downtown: Develop an inventory of residential units that have been converted to non-residential uses without the required permits and in violation of the Zoning Ordinance in the C, C-1, SRB, and RB zoning districts. Work with property owners to convert and reclaim these units back to their original residential use. Responsibility: Planning Division Financing: City Scheduling: ~~2011 and~~ 2012 for the inventory and annually as an ongoing program	Progress: Not completed. Estimated date of completion is October 30, 2012. The City has an ongoing interest in ensuring housing units are not lost. As affordability continues to be an issue in Lafayette, apartments remain an important resource within the City. Effectiveness: N/A Appropriateness: Continue with the program.
Program H-1.4.1: Condominium Conversions: Consider amendments to the existing condominium conversion regulations (Chapter 32 of Title 6 of the Municipal Code). Amendments that would be considered include exemption of	Progress: Not completed. No units were proposed for conversion during the reporting period.

Program	Status
limited equity residential cooperatives that provide long-term affordability for the units; requirement of relocation assistance by the proponent when units are converted; and requirement of first right of refusal by occupants. Where there are existing affordable units, require conversion projects to retain the same number of affordable units when they convert to ownership. Periodically review the provisions of the Condominium Conversion Ordinance to ensure that it adequately protects the existing rental housing stock. Conversions will require that 15% of the units be set aside for affordable housing. Responsibility: Planning Division Financing: City Scheduling: Review in ~~2010~~ 2013; amendments as required	Effectiveness: Not known. Appropriateness: Assess the effectiveness of this program when preparing the next housing element.
Program H-1.5.1: Energy Conservation Program: Provide information for public distribution on programs which provide assistance for energy conservation improvements, and information on sustainability and climate change. Make this information available on the City's web page, at the City offices, the Contra Costa County Building Inspection Department, the Lafayette Library and at the annual Earth Day event. Coordinate community activities and programs with Sustainable Lafayette. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Progress: Ongoing. The materials were prepared and are available at City offices, community center and the library. Pamphlets were mailed to all homeowners associations and posted on the City's web page. In 2010, the City's Environmental Task Force worked on an update to the City's Environmental Strategy and this update was approved in 2011. In 2010, the City of Lafayette applied for and received funding from the California Energy Commission in the form of an Energy Efficiency and Conservation Block Grant (EECBG). The $137,000 received in grant funds was used in 2011 to retrofit downtown streetlights to be more energy efficient. Effectiveness: Moderate-High. Although specific data is not available, anecdotal information suggests that homeowners continue to seek ways to cut costs, especially during this time of escalating energy costs and the concomitant downturn in the economy. Appropriateness: Continue with the program.
Program H-1.5.2: Green Building Program: Develop a green building program for	Progress: Ongoing. Each year, the City Council presents Green

Program	Status
residential, industrial and commercial uses. Consider offering incentives to property owners whose buildings exceed the City's minimum requirements such as granting Green Awards, posting details of the building on the City's web site, and providing plaques certifying that the building exceeds the City's minimum green building standards. The draft program was developed by the City's Environmental Task Force, and it is based on the Build It Green checklist. It will require different types of projects to achieve a minimum number of checklist points. Responsibility: Planning Division, City Council Financing: City Scheduling: ~~2012~~ FY2012-13 for preparation of the environmental action plan/green building checklist	Awards to local residents, institutions and businesses to recognize their contributions to a more sustainable Lafayette. The incentives program has not yet been developed. The City's Environmental Task Force is developing a voluntary checklist for applicants to use in the planning of their projects. It is task force's goal for such a program to evolve into a mandatory program to complement CalGreen. Effectiveness: Moderate. Appropriateness: Continue the program.
Program H-1.5.3: Annual Earth Day Event: Continue to co-sponsor the Earth Day event with Sustainable Lafayette and Lafayette Chamber of Commerce which is held annually in Downtown Lafayette. At this event, booths are provided to the local schools and other organizations interested in environmental sustainability to help them publicize their efforts to promote sustainability. Responsibility: City Council Financing: City, Sustainable Lafayette and Chamber of Commerce Scheduling: Annual	Progress: Ongoing. In 2011, the Earth Day celebration was held on April 24th. Effectiveness: Moderate. Appropriateness: Continue the program.
Program H-1.5.4: Home Energy Retrofit Program: Work with Contra Costa County to offer subsidized home energy assessments and rebates on the cost of energy efficiency improvements to residents proposing home improvement projects that achieve at least a 20% reduction in home energy consumption. Responsibility: Planning Division Financing: State Energy Program grant Scheduling: ~~2010 and 2011~~ Ongoing	Progress: Ongoing. In 2011, City staff attended an informational workshop on this program to learn about the benefits of this program for Lafayette residents. Flyers about the program are available in the City offices. Effectiveness: Low - Moderate. Appropriateness: Assess the effectiveness of this program when preparing the next housing element.
Program H-1.5.5: Implementation of AB 811 for Residential Energy Financing: Join the CaliforniaFIRST energy and efficiency financing program to implement AB 811.	Progress: Completed. The City became a member in May 2010. Effectiveness: Moderate.

Program	Status
Responsibility: City Council Financing: City Scheduling: Completed	Appropriateness: N/A
Program H-1.6.1: Review Existing Zoning Regulations that Protect Existing Smaller Units: Consider a "House Size Ordinance" to ensure that adequate protection exists to prevent the replacement of small units with larger and more expensive units that are not in keeping with the character of the neighborhood. Responsibility: Planning Division Financing: City Scheduling: ~~2009 – 2011~~ To be completed in 2012	Progress: Not completed. In existing neighborhoods, smaller, older homes are being replaced by larger homes which can pose a threat to the existing character of those neighborhoods, have impacts on neighboring properties, and adversely affect the variety of single family house types and supply of affordable housing in the City. The committee appointed by the City Council to address this concern has completed its analysis and has submitted its report to the Design Review Commission (September 10, 2012) and Planning Commission (September 17, 2012). The City Council will consider the recommendations on October 9, 2012. Effectiveness: The City's design review guidelines already ensure compatibility of new homes in established neighborhoods. The recommendations of the committee will further protect the character of established neighborhoods. Appropriateness: Continue the program.
Program H-1.7.1: Capital Improvement Program: Provide for annual review by the Planning Commission and City Council of the City's Capital Improvement Program (CIP) to determine what special priorities are needed for capital improvement projects required to maintain the community's older residential neighborhoods. Review of the CIP shall also include verification that areas needing improvement are scheduled for funding to address these needs at a specific time in the future. Responsibility: Engineering Division Financing: City Scheduling: Annually as an ongoing program	Progress: Ongoing. The Planning Commission and the City Council review the CIP annually. Effectiveness: High. The City has an established track record of channeling resources to areas of Lafayette that need it the most. During the reporting period the following streets in the older neighborhoods closest to the downtown were resurfaced – Beechwood Drive, Boyer Circle, Hermann Drive, Moraga Blvd., Mtn View Drive and Village Center. Appropriateness: Continue the program.
Program H-1.8.1: Ongoing Monitoring of Conversion Risks: Monitor affordable	Progress: Ongoing. No market rate conversions are anticipated

Program	Status
projects at risk of conversion to market rate. Maintain regular communication with the owners of any subsidized projects in Lafayette to keep up-to-date on plans to maintain affordability. Assist in outreach and education to tenants as needed. Responsibility: Planning Division Financing: City Scheduling: Annually as an ongoing program	during the current reporting period. In 2013, the City plans to make contact with the operators of Chateau Lafayette, a HUD subsidized senior housing facility to begin discussions on extending the project's affordability requirements. Currently, the expiration date for HUD assistance is listed as 8-28-18. Effectiveness: Moderate. Appropriateness: Continue the program.
Program H-1.8.2: Ongoing Monitoring of Federal Preservation Activities: Monitor Federal actions and appropriations regarding extension of Section 8 contracts, and actively support additional appropriations. Responsibility: Planning Division Financing: City Scheduling: Annually as an ongoing program	Progress: Please see Program H-1.8.1. Effectiveness: Low for this RHNA round; high for next round. Appropriateness: Continue the program.
Program H-1.8.3: Respond to Notices of Intent to Prepay: Support efforts to retain existing FHA and HUD subsidized low-income units through use of local, regional and national resources, CDBG funds, Redevelopment Housing Set-Aside funds, and other solutions. Responsibility: Planning Division Financing: City Scheduling: Annually as an ongoing program	Progress: Ongoing. Eden Housing has received approval for a 46-unit low and very-low income senior housing project in downtown Lafayette. The project has project-based Section 8 vouchers issued by the Contra Costa County Housing Authority and is funded through HOME and CDBG funds from Contra Costa County and $3.8M from the former Lafayette Redevelopment Agency. Effectiveness: Moderate-High Appropriateness: Continue the program.
Program H-1.8.4: Support Ongoing Rental Subsidies in Lafayette: Continue to support the County Housing Authority housing rental subsidies to lease units in Lafayette for very-low and low-income households. The Section 8 program is the most useful program the City has to subsidize families in rental apartments, and its continuation is important to maintain some subsidized rentals for families Responsibility: Planning Division Financing: City	Progress: Please see Program H-1.8.3. Effectiveness: Moderate-High Appropriateness: Continue the program.

Program	Status
Scheduling: Annually as an ongoing program	
Program H-2.1.1: Housing Rehabilitation in Non-Residential Areas: Encourage housing rehabilitation in commercial zoning districts. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Progress: No homes were rehabilitated in the commercial zoning districts during the reporting period. Effectiveness: Moderate. Appropriateness: Continue the program.
Program H-2.1.2: New Mixed-Use Developments: Support projects that include a mix of both residential and commercial development in the downtown, as appropriate. For projects fronting downtown streets, consider requiring that housing be located on upper floors, allowing for commercial uses on the ground floor. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Progress: Ongoing. During the reporting period, the City approved one mixed-use development in the downtown containing seventy two residential units for seniors and retail uses on the ground floor. Effectiveness: High. Appropriateness: Continue the program.
Program H-2.4.1: Downtown Strategy and Specific Plan: Complete the Downtown Strategy and Specific Plan. Ensure that the policies and programs in the Specific Plan are consistent with this Chapter and do not add constraints to the development of housing in the Downtown. Responsibility: Planning Division Financing: City and Redevelopment Agency Scheduling: ~~2011~~ Adopted September 10, 2012	Progress: Completed. Adopted by unanimous vote of the City Council on September 10, 2012. Effectiveness: High. The policies and programs in the adopted Downtown Specific Plan are consistent with the housing chapter of the general plan and a number of them are aimed towards the removal of constraints. The implementation of the programs and policies in the specific plan began immediately after the adoption of the Downtown Specific Plan. The City Council approved a work plan for the planning department for FY2012-13 which includes, amongst others, the following tasks: 1. The amendment to downtown zoning districts to allow housing by right

Program	Status
	2. Amendments to the zoning ordinance to address parking and setback requirements in the downtown 3. Other revisions to downtown zoning districts to comply with housing element programs. Appropriateness: Continue with the implementation of the Downtown Specific Plan.
Program H-2.4.2: Multifamily Housing Development: Amend the Zoning Ordinance to allow the development of multifamily housing as of right in areas where such development now requires a discretionary land use permit. Continue to require design review to ensure that developments are compatible with surrounding uses. Responsibility: Planning Division Financing: City Scheduling: ~~2011~~ October 2012	Progress: The amendment to downtown zoning districts to allow housing by right was initiated on September 11, 2012. The matter is scheduled to be heard by the Planning Commission on October 1, 2012 and the City Council on October 22, 2012. Effectiveness: This amendment to the zoning ordinance will remove a governmental constraint on the production of housing in the downtown. Appropriateness: Continue the program.
Program H-2.4.3: RHNA Monitoring Program: Maintain the residential sites inventory that can accommodate the City's regional housing needs allocation of 361 units. Update the inventory annually to monitor the consumption of residential and mixed use properties. If sites in the inventory are developed for non-housing purposes, new sites will be added to the inventory to ensure the City's ongoing compliance with the "no net loss" provisions of Housing Element Law. Post the Housing Element sites inventory on the City's website as a tool for developers, and provide as a handout at the public counter. Responsibility: Planning Division Financing: City Scheduling: Annually	Progress: Ongoing. No sites in the inventory were developed for non-housing purposes during the reporting period. Re: the housing inventory, in 2011, the City approved a 23-unit townhouse project on Site 22. Three of the units will be available to households of very low and moderate income. Also in 2011, a 72-unit senior assisted living facility was approved on Site 15. The City's inventory shows a total capacity for 761 housing units in the downtown. Therefore, despite the changes in these two sites, the City continues to have the capacity to meet its RHNA allocation of 361 units. Effectiveness: High. Appropriateness: Continue the program.
Program H-2.5.1: Second Dwelling Unit Construction: Periodically review the existing Second Unit Ordinance and the number of such units that have been	Progress: Ongoing. During the reporting period, the City approved applications for four second units.

Program	Status
built in the past three years to determine what modifications of this section of the Zoning Ordinance may be required to increase the number of these units .constructed. Continue to fast track processing for units meeting established. Responsibility: Planning Division Financing: City and Housing Developers Scheduling: Ongoing	Effectiveness: High. Although few units are produced in a given year, this program is important because it provides an affordable housing type throughout the city. Appropriateness: Continue with the program.
Program H-2.6.1: Manufactured Housing: Review standards for placement of manufactured housing units on permanent foundations in existing developments, and amend the Zoning Ordinance accordingly. Require that these structures conform to the City's design review guidelines. Provide information and assistance to developers and private citizens interested in the use of manufactured housing components for residential expansion, conversion, or rehabilitation. Responsibility: Planning Division Financing: City Scheduling: ~~2012~~ FY2012-13	Progress: Not completed. Task is included in the approved FY 2012-13 planning work plan. Effectiveness: Low. The City issued no permits for manufactured housing units during the entire reporting period. Appropriateness: Assess the effectiveness of this program when preparing the next housing element.
Program H-2.7.1: Infill Sites: Develop and maintain an inventory of vacant and/or underdeveloped residential land, distinguishing between land within the City limits and land within the City's Sphere of Influence. Responsibility: Planning Division Financing: City Scheduling: Completed	Progress: Completed in 2010. Effectiveness: Moderate-High. This information has been provided to developers interested in building in Lafayette. Appropriateness: Continue with the program and periodically update the inventory.
Program H-2.8.1: Housing Rehabilitation: Utilize redevelopment funds to assist in the rehabilitation and conservation of existing multiple family units as well as the construction of new units. Work with owners to ensure some units remain at below market rents. Responsibility: Planning Division Financing: City Scheduling: Annually as an ongoing program	Progress: In the category of new units, the Redevelopment Agency committed $3.8M to Eden Housing towards the construction of a 46-unit project for very low income seniors. The project is under construction. Effectiveness: High (when redevelopment agencies were in existence.)

Program	Status
	Appropriateness: Remove this program given that redevelopment is no longer available as a tool to promote, fund and build affordable housing units.
Program H-2.8.2: Redevelopment Funding Compliance: Continue to comply with State Redevelopment Law by requiring the set-aside of 20% of Redevelopment Tax Increment into a Low and Moderate Income Housing Fund, as well as requiring housing projects within the Redevelopment Project Area to provide at least 15% of the units as affordable. Use funds collected in the Low and Moderate Income Housing Fund for the development, preservation and rehabilitation of affordable housing. Responsibility: Redevelopment Agency/Planning Division Financing: Redevelopment Agency/City Scheduling: Ongoing	Progress: Complied. In 2011, the City conditioned a 23-unit townhouse project to set aside 15% of the units for households of very low and moderate income. Effectiveness: High when redevelopment agencies were in existence. Appropriateness: Remove this program given that redevelopment is no longer available as a tool to promote, fund and build affordable housing units.
Program H-2.8.3: Redevelopment Funding Criteria: Develop criteria to prioritize the funding of affordable housing projects through the Agency's 20% housing set aside funds. Establish a target of contacting at least two affordable housing developers in a fiscal year and offering them financial assistance if their projects meet the City's housing goals. Priority may be given to those projects that: 1. Contain extremely low-income units or units for larger families 2. Utilize a site in the housing inventory 3. Meet more than one goal of the Housing Element 4. Use the funds to leverage additional funding from the County, State or federal governments 5. Consolidate small lots 6. Require financial assistance to meet the City's parking requirements on site Responsibility: Redevelopment Agency/Planning Division Financing: Redevelopment Agency/City Scheduling: 2011	Progress: Not completed. The State of California has eliminated redevelopment. Effectiveness: Unknown. Appropriateness: Remove this program given that redevelopment is no longer available as a tool to promote, fund and build affordable housing units.
Program H-2.8.4: Redevelopment Housing Implementation Plan: Adopt a housing	Progress: Completed. In February 2010, Lafayette adopted a Five

Program	Status
implementation plan every five years. The plan shall contain programs that facilitate the development, preservation and rehabilitation of affordable housing and shall include funding allocations for each program. Responsibility: Redevelopment Agency/Planning Division Financing: Redevelopment Agency/City Scheduling: Completed. See section on Redevelopment for a list of proposed programs.	Year Implementation and Housing Compliance Plan (2010-2014) for the Lafayette Redevelopment Project Area. The Implementation Plan identified the following potential housing programs: (a) Emergency Housing Fund (b) Affordable Housing Grant Applications (c) Special Needs Housing (d) Family Housing (e) Housing Rehabilitation Assistance (f) Processing Fees Assistance (g) Purchase of Affordability Covenants Effectiveness: Moderate. Appropriateness: Remove this program given that redevelopment is no longer available as a tool to promote, fund and build affordable housing units.
Program H-2.8.5: Notice of Funding Availability: It is estimated that by the end of the planning period the Redevelopment Agency housing set aside fund will total approximately $7.3 million. Publish a Notice of Funding Availability in the local newspapers when monies in the Agency's housing fund exceed $500,000. Responsibility: Redevelopment Agency/Planning Division Financing: Redevelopment Agency/City Scheduling: Annually	Progress: A NoFA was not published because the amount in the Agency's housing fund did not exceed $500,000 during the reporting period. Effectiveness: Unknown. Appropriateness: Remove this program given that redevelopment is no longer available as a tool to promote, fund and build affordable housing units.
Program H-2.8.6: Lot Consolidation and Redevelopment of Non-Vacant Sites: Where appropriate and available, provide assistance to developers of residential projects to redevelop non-vacant sites. The program may include incentives for lot consolidation for affordable housing purposes such as: 1. Streamlined permitting process, including scheduling joint meetings with City Boards 2. Priority processing of applications	Progress: Ongoing. 1. Streamlined permitting process, including scheduling joint meetings with City Boards *In 2011, the Planning and Design Review Commissions held a joint study session to consider a proposal to construct 23 townhouses.* 2. Priority processing of applications *There were no housing projects proposed in 2011 that*

Program	Status
3. Financial assistance from the Redevelopment Agency to pay the processing fees for lot consolidations and/or purchase and consolidate small and odd-shaped lots 4. Technical assistance to property owners and developers including assessor parcel data as described in H-2.8.5, posting the inventory on the City's web site, offering tours of the Downtown to prospective developers and scheduling pre-application meetings free of charge to explain the City's development standards and review process 5. Fee deferrals to the Certificate of Occupancy phase of the project The development incentives contained within this section shall encourage the effective utilization and consolidation of parcels to encourage more viable development opportunities. The City will monitor the effectiveness of these incentives on an annual basis and revise as needed. Responsibility: Redevelopment Agency/Planning Division Financing: Redevelopment Agency/City Scheduling: 2011 and ongoing	*required assistance in consolidating lots.* 3. Financial assistance from the Redevelopment Agency to pay the processing fees for lot consolidations and/or purchase and consolidate small and odd-shaped lots *There were no housing projects proposed in 2011 that required assistance in consolidating lots. The City Council has tasked staff in FY2012-13 to study alternative ways to provide and fund affordable housing in a post-redevelopment era.* 4. Technical assistance to property owners and developers including assessor parcel data as described in H-2.8.5, posting the inventory on the City's web site, offering tours of the Downtown to prospective developers and scheduling pre-application meetings free of charge to explain the City's development standards and review process *In 2011, staff contacted Habitat for Humanity to determine its interest in acquiring a property in the downtown for construction of an affordable housing project. Tours were given of sites in the housing inventory.* 5. Fee deferrals to the Certificate of Occupancy phase of the project *The Woodbury project sought and received approval to pay impact fees at the certificate of occupancy stage.* Effectiveness: Moderate. Appropriateness: Continue the program.
Program H-3.1.2: Housing Fund: Create a Housing Fund with contributions of funds collected from private and public sources to implement and/or supplement the City's housing programs. Consider funding programs specifically designed to make housing available to extremely low, very low, low and moderate-income populations. Use of the Housing Fund will be governed by guidelines as set out in the Municipal Code. There are several possible sources and uses of this fund. Loans, grants, developer fees and other funding sources	Progress: In 2011, the Redevelopment Agency had a fund dedicated to the provision of affordable housing. Effectiveness: High in 2011. The Redevelopment Agency's support of Eden's senior project is one example of the success of this program.

Program	Status
could be used to reduce the cost of land acquisition and construction for affordable housing, and to prevent and reduce homelessness. Give priority to projects that contain extremely low-income units. Responsibility: Planning and Finance, City Manager Financing: City and other sources listed above Scheduling: 2012	Appropriateness: Given the elimination of redevelopment, the City's ability to grow this fund is limited. However, the City Council has tasked staff in FY2012-13 to study alternative ways to provide and fund affordable housing in a post-redevelopment era.
Program H-3.1.3: Tax-Exempt Financing: Require developers utilizing tax-exempt financing to include language in agreements with the City permitting persons and households eligible for HUD Section 8 rental assistance or Housing Voucher Folders to apply for below-market-rate units provided in the development. Responsibility: Planning Division Financing: City and housing developers utilizing tax-exempt revenue bonds. Scheduling: Ongoing	Progress: Ongoing. Eden Housing has a commitment from the Housing Authority of Contra Costa County to provide project based vouchers for 15 years with a 15 year renewal. That means 100% of the units will be rented to people eligible for Section 8 vouchers. Effectiveness: High. Appropriateness: Continue to encourage developers to use all types of financing to build affordable housing projects.
Program H-3.1.4: Available Funding: Support efforts to obtain available State and federal assistance to develop affordable housing for seniors, large households, households with children and those with special needs by providing City Council/Redevelopment Agency Board resolutions of support to developers of affordable housing projects. Also consider, on a case-by-case basis, providing the developers of affordable housing projects with Redevelopment Agency housing set aside funds to improve the chances of securing State and federal assistance. Give funding priority to projects that contain extremely low-income units. Actively pursue such grant opportunities as the Transportation for Livable Communities and Station Area Grant. Responsibility: Planning Division Financing: Local, State and federal sources Scheduling: Ongoing; includes Tax Credits (usually July and March); HOME/CDBG funds (November); AHP funds (March), and other HUD programs (usually once a year or more). The City will support applications for all funding opportunities according to applicable NOFA schedules.	Progress: Ongoing. The City Council has tasked staff in FY2012-13 to study alternative ways to provide and fund affordable housing in a post-redevelopment era. Effectiveness: High when redevelopment was in existence. Appropriateness: Continue with the program.

Program	Status
Program H-3.1.5: Establish an Inclusionary Housing Ordinance: Complete an Inclusionary Housing Ordinance to require developers of residential developments outside the Redevelopment Area to provide up to 10% of their units at rents or purchase prices affordable to very-low to moderate income households. Continue to enforce the 15% inclusionary requirement that is already in place within the Redevelopment Area. The ordinance will include the implementation of an in-lieu fee for certain housing developments. The funds collected will be used to facilitate the development of additional affordable housing units. As part of this program, the City will consider development of a list of incentives for providing mandated units. Preliminary discussions have included reduced finishes in BMR units, the payment of in-lieu fees rather than the building of units, customized analyses to determine in-lieu fees, etc. In addition, the City will review the potential constraints on the cost and supply of housing again, as the ordinance is finalized, to ensure that no undue impacts occur given the conditions of the housing market at that time. Responsibility: Planning Division Financing: Residential developers Scheduling: 2013	Progress: Given the *Palmer* and *Patterson* cases and their impacts on how inclusionary ordinances can be implemented, this program has been deferred to 2013. Effectiveness: Unknown at this time. Appropriateness: Continue with the assessment of this program.
Program H-3.2.1: Senior Housing Overlay: Consider creating a Senior Housing Overlay Zoning District. Include criteria that protect neighborhood character and assure good design, as well as flexible parking, setback and other requirements, where applicable. Responsibility: Planning Division Financing: City Scheduling: Completed	Progress: Completed in 2010. Effectiveness: High. In 2011, the City approved one 72-unit senior housing project under the terms of this overlay. Appropriateness: Continue with the implementation of the senior housing overlay.
Program H-3.4.1: Density Bonus Regulations: Consistent with State Density Bonus Law, support developments that provide affordable housing and/or senior housing utilizing density bonuses, when affordability is provided above and beyond what is already required in the redevelopment area. Provide	Progress: Completed. The City adopted density bonus guidelines in 2006. The Eden senior housing project was granted density bonuses consistent with State law.

Program	Status
concessions and waivers as required by law. Responsibility: Planning Division Financing: City and developers Scheduling: Ongoing	Effectiveness: Moderate. The City's program now references State law rather than spelling out the specifics of the bonus, since the law has changed several times since its original passage. Appropriateness: Continue to comply with State law.
Program H-3.5.1: Consider requiring that developers include three-bedroom units in proposed multifamily developments. As part of this analysis determine what percentage of the total units should be three bedroom units, and what size of development should trigger this requirement. Provide fast tracking to projects that provide larger units suitable for families. Responsibility: Planning Division Financing: City Scheduling: 2012	Progress: Ongoing. The City continues to encourage developers to provide larger units in projects. When the zoning ordinance is amended in FY2012-13 and 2013-14, consideration will be given to adding this requirement to downtown housing projects. Effectiveness: Moderate Appropriateness: Continue the program.
Program H-3.6.1: Emergency Shelter: In conformance with the requirements of SB 2, revise the Zoning Ordinance to allow an emergency shelter as a permitted use in the General Commercial Zoning District 1 (Zoning Map symbol C-1), Require that the Uniform Housing Code (UHC) Space and Occupancy Standards be applied to shelters pursuant to Health and Safety Code §50807. Design Review approval shall also be required prior to issuance of a building permit. Any shelter shall be limited in size to 30 or fewer beds, consistent with the unmet needs shown in the bi-annual homeless count conducted by the County. In addition, any shelter developer must submit a management plan for the facility's operation. The City commits to ensuring that shelters will be subjected to the same development standards that apply to other allowed uses within these zones. Responsibility: Planning Division Financing: City Scheduling: 2011	Progress: Completed. The emergency shelters ordinance was adopted by the City Council on September 10, 2012. Effectiveness: Specific effectiveness unknown; however, since there are so few homeless persons in Lafayette, no applications for shelters or transitional units were received during the reporting period. Appropriateness: Consistent with SB 2, continue with the program.
Program H-3.6.2: Emergency Shelter Capacity Monitoring Program: Ensure that there are sufficient sites in appropriate zones to accommodate an emergency shelter of up to 30 beds. If C-1 sites identified in the inventory are developed for	Progress: Ongoing. No sites in the inventory have been developed for non-shelter purposes during the reporting period.

Program	Status
non-shelter purposes, new sites and/or zones will be identified after a detailed analysis of available land has been conducted to ensure that the new sites are of appropriate size and have suitable and adequate capacity to accommodate the City's emergency shelter needs. Responsibility: Planning Division Financing: City Scheduling: Annually as part of the Annual Report on the Housing Element	Effectiveness: Moderate. Appropriateness: Continue the program.
Program H-3.7.1: Ongoing Estimates of the Demand for Emergency Housing: Consult with the Contra Costa County Task Force on Homelessness to maintain ongoing estimates of the demand for emergency housing in Lafayette. Responsibility: Planning Division Financing: City Scheduling: Ongoing every other year	Progress: Completed. The last count conducted in 2011 showed that there were nine homeless people in Lafayette. Effectiveness: Moderate. The City will continue to participate in Countywide efforts to count the homeless. Appropriateness: Continue with the program.
Program H-4.1.1: Equal Housing Opportunity: Promote equal housing opportunity by supporting the investigation and disposition of housing discrimination complaints. Work with service providers to ensure that information is disseminated to the community as needed. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Progress: Completed. Pamphlets are available at City offices. Effectiveness: Moderate. Since the City is not equipped to handle housing discrimination complaints, it will refer inquiries to the appropriate agencies. Appropriateness: Continue with the program but clarify that the City does not itself investigate fair housing complaints.
Program H-4.1.2: Nondiscrimination Clauses: Provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed with City assistance. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Progress: Ongoing. Nondiscrimination clauses in rental agreements and deed restrictions are required for housing constructed with City assistance. Effectiveness: Moderate Nondiscrimination clauses were included in the agreements with Eden Housing and Town Center Phase II developments, both of which received City/RDA financing. Appropriateness: Continue with the program.
Program H-5.1.1: Fast-Track Processing: Provide fast track processing for	Progress: Ongoing. The Eden Housing project was fast tracked.

Program	Status
projects with affordable housing. Fast track processing means giving projects with affordable housing units a priority over other non-public health and safety related projects in the processing and review by City staff. It does not mean eliminating any of the City's regular public notice and hearings or other project review procedures. Publicize this incentive by adding it to the City's development application forms and posting it on the City's web site. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Effectiveness: High. To facilitate the approval of the Eden Housing project, the City created a Senior Housing Task Force comprising of representatives of the City Council, Planning Commission and Design Review Commission. This group reviewed and critiqued the plans early and often to ensure that they would be supported by the community. The City Council, Planning Commission and Design Review Commission also held two pre-application meetings with Eden Housing to provide early guidance to the developer. Appropriateness: Continue with the program.
Program H-5.1.2: Application Fees: Consider a reduction in development application fees for housing projects containing 25% or more units that are affordable to extremely low, very low, low and moderate income households. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Progress: Ongoing. No development proposal qualified for the reduction during the reporting period. Effectiveness: Moderate. Appropriateness: Continue the program.
Program H-5.1.3: Development Impact Fees: Consider deferring the collection of City impact fees to the certificate of occupancy stage for projects containing 25% or more units that are affordable to very low, low and moderate income households. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Progress: Ongoing. No development proposal qualified for the deferral during the reporting period. Effectiveness: Moderate. Appropriateness: Continue the program.
Program H-5.1.4: CEQA Process: Follow CEQA procedures to expedite permit processing for all development, including a) encouraging preliminary project review by staff and b) considering the use of mitigated negative declarations, focused EIR's and other procedures where appropriate. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Progress: Development projects are reviewed for compliance with CEQA. Most infill housing projects in the neighborhoods receive categorical exemptions. Projects in the Downtown have been approved with mitigated negative declarations (eg., Eden Housing, Signature Properties, Merrill Gardens.) Effectiveness: Moderate.

Program	Status
	Appropriateness: Continue with the program.
Program H-5.1.5: Review and Revise the Zoning Ordinance. Review the Zoning Ordinance and consider revisions to the following governmental constraints on the development of housing: a) Consider the strict regulation of the conversion of existing multiple family residential units in the C, C-1, SRB, and RB Zoning Districts. b) Include definitions for the following. Ensure that zoning districts where these uses are allowed clearly identify such uses. • group homes • emergency shelters • residential care facilities • senior housing • foster care home • family care home • transitional housing • supportive housing • Single-Room Occupancy units c) Ensure that the definition of "family" is consistent with State and federal law. d) Add language to the Code that specifically indicates that transitional housing and supportive housing are residential uses subject only to those restrictions that apply to other residential uses of the same type in the same zone. Responsibility: Planning Division Financing: City Scheduling: 2012	Progress: Task delayed until adoption of the Downtown Specific Plan. The City Council approved a work plan for the planning department for FY2012-13 and 2013-14 which includes, amongst others, the following tasks: 1. The amendment to downtown zoning districts to allow housing by right 2. Amendments to the zoning ordinance to address parking and setback requirements in the downtown. 3. Other revisions to downtown zoning districts to comply with housing element programs. Effectiveness: Unknown. Appropriateness: Continue with the program.
Program H-5.1.6: Downtown Specific Plan Implementation. Following the Downtown Specific Plan adoption, revise the zoning ordinance to address the following constraints on the development of housing: *Parking*	Progress: Task delayed until adoption of the Downtown Specific Plan. The City Council approved a work plan for the planning department for FY2012-13 which includes, amongst others, the following tasks: 1. The amendment to downtown zoning districts to allow

Program	Status
Develop and establish measures such as allowing tandem spaces, car lifts and other creative ways to accommodate required parking for developments. *Upper story setback requirements in the C, C-1 and MRO districts* Develop design guidelines that would allow the City to reduce or eliminate the third story setback requirements in the C, C-1 and MRO districts if appropriate findings such as compatibility with adjacent development, view and solar protection can be met. As an alternative, develop a set of criteria for waiving the setback requirements for irregular lots in the Downtown. Responsibility: Planning Division Financing: City Scheduling: 2011 and 2012	housing by right 2. Amendments to the zoning ordinance to address parking and setback requirements in the downtown. 3. Other revisions to downtown zoning districts to comply with housing element programs. Effectiveness: High when completed. Appropriateness: Continue the program.
Program H-5.3.1: Annual Report: Prepare an annual report to the City Council and Planning Commission that describes the amount and type of housing activity correlated with an updated summary of the City's housing needs. Responsibility: Planning Division Financing: City Scheduling: Annually (include with the annual review of the CIP by the Planning Commission)	Progress: Ongoing. Effectiveness: Moderate. Appropriateness: Continue the program.
Program H-5.3.2: Demographic Information: Update demographic information as the complete results of the 2010 Census, and other data, become available. Responsibility: Planning Division Financing: City Scheduling: Ongoing	Progress: Ongoing. Effectiveness: Moderate. Appropriateness: Continue to update data.

Part 2 City of Lafayette RHNA
Status of Meeting Regional Housing Need Allocation

The table below shows the number of housing units produced in Lafayette during 2011. Of the ten units built, four were second units and one a multifamily unit. Given prevailing rents for apartments in Lafayette and the fact that most of our apartment complexes are over twenty years old, it would be safe to assume that these units fall in the low to moderate income range. The remaining five new single family residences built in Lafayette are above-moderate income units.

ANNUAL CONSTRUCTION OF HOUSING UNITS BY TYPE IN LAFAYETTE, 2011

Year	Single Family Units	Multiple Family Units	Second Units	Total Housing Increase
2011	5	1	4	10

The Regional Housing Need Allocation for the current reporting period is:

ABAG HOUSING NEEDS DETERMINATION 2007-2014

Income Group: Percentage of County Median Income	Percentage of Total	Total Housing Unit Need
Very Low [0-50]	31	113
Low [50-80]	21	77
Moderate [80-120]	22	80
Above Moderate [>120]	25	91
Total	100	361

The policies and implementing actions of the Housing Element concentrate on the preservation of existing single-family neighborhoods, the encouragement of second units, and the production of multi-family and senior citizen housing in the downtown area in proximity to services and transit options. The City has been moderately successful in achieving these goals as illustrated in the table below:

PROGRESS TOWARDS MEETING REGIONAL HOUSING NEEDS 2007-2011: BUILDING PERMITS ISSUED

Income	Regional Housing Needs Allocation (RHNA) 2007-2014	Building Permits Issued 2007-11	Percentage of RHNA
Very Low	113	0	0
Low	77	6	8
Moderate	80	4	5
Above Moderate	91	41	45
TOTAL	361	51	14

The City has approved a number of multifamily residential projects in the downtown in this RHNA period. The table below provides details of those projects.

APPROVED MULTIFAMILY PROJECTS: BUILDING PERMITS NOT ISSUED 2007- 2011

Project	Total number of units/Status	Very low income	Low income	Moderate income	Above moderate income	Estimated date for building permit issuance
The Woodbury condos	65[1] - Approved	0	0	0	65	2013
Eden Housing Senior Apts.	46 – Approved	46	0	0	0	August 2012
Lafayette Park Terrace condos	18 – Approved	1	2	0	15	2013/14
Merrill Gardens Assisted Living and Memory Care	72 – Approved	0	0	0	72	September 2012
Signature Townhomes	23 – Approved	1	0	2	20	September 2012
Total	**224**	**48**	**2**	**2**	**172**	
RHNA	361	113	77	80	91	
% of RHNA	**62**	**42**	**2.5**	**2.5**	**189**	

[1]The Woodbury is required to provide 18 affordable units (5 very low, 5 low, 8 moderate) in an offsite location. Since the developer plans to fulfill this requirement by income-restricting existing market-rate apartment units, the units have not been categorized as "new" for RHNA purposes. However, these units will add to Lafayette's affordable housing stock.

Part 3 City of Lafayette General Plan Housing Chapter
Status of Removing Governmental Constraints

During the reporting period, the City of Lafayette has completed several housing chapter programs designed to remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. For the status of these various programs to remove governmental constraints, see the discussion in Part 1 above for the following housing chapter programs: H-1.1.2, H-2.1.2, H-2.4.1, H-2.5.1, H-2.7.1, H-3.2.1, H-3.6.1, H-5.1.1, and H-5.1.4.