LAFAYETTE
SETTLED 1848 — INCORPORATED 1968

City Council

Mike Anderson, Mayor
Don Tatzin, Vice Mayor
Brandt Andersson, Council Member
Mark Mitchell, Council Member
Traci Reilly, Council Member

November 20, 2013

Housing Policy Department
Received on:
NOV 21 2013

Randall Deems
Acting Director
Department of Housing and Community Development
2020 West El Camino Avenue
Sacramento, CA 95833

Dear Mr. Deems:

I am pleased to submit the annual report on the City of Lafayette's implementation of its Housing Chapter. The report was approved by the City Council on November 12, 2013 and covers the period from January 1, 2012 through December 31, 2012. The report is in three parts:

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

Sincerely,

Niroop K. Srivatsa
Planning and Building Services Director

RECEIVED
NOV 21 2013
HOUSING AND COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR

3675 Mount Diablo Boulevard, Suite 210, Lafayette, CA 94549
Phone: 925.284.1968 Fax: 925.284.3169
www.ci.lafayette.ca.us

City of Lafayette
2013 Annual Report

The City of Lafayette Annual Report contains three parts, 1) a table showing the City's progress in implementing the programs of the Housing Chapter of the General Plan, 2) the City's progress in meeting its share of regional housing needs for the period 2007-2012, and 3) efforts to remove governmental constraints on the maintenance, improvements, and development of housing. The report covers the time period of January 1, 2012 through December 31, 2012 unless otherwise stated.

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 period between January 2012 and October 2013.

Program	Status	Comments
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 Department Financing: City and County Scheduling: Ongoing	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 to educate and spread awareness about the loan programs.
Program H-1.1.2: Code Enforcement Program: Continue the	Ongoing	The City hired a full time Code Enforcement Officer in 2006. The

Program	Status	Comments
code enforcement program to encourage the rehabilitation and/or elimination of physically obsolete and substandard housing. Responsibility: Planning Department Financing: City Scheduling: Annually as an ongoing program		Lafayette Municipal Code was updated in 2009 to provide new regulations for a more robust code enforcement and property maintenance program. In 2012, the Code Enforcement Officer handled two hundred and twelve cases. Fifty one cases involved 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 Department Financing: City Schedule: Ongoing	Ongoing	In 2012, the City held hearings on two land use permit and design review applications for nonresidential structures (telecommunications facilities) in residential neighborhoods. 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 adopted an ordinance in December 2012 which regulates the placement of wireless communications facilities. 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 Department Financing: City Scheduling: 2011 and 2012 for the inventory and annually as an	Completed	The inventory revealed only two parcels with approximately 30 units that were converted to nonresidential use without the benefit of permits. The City Council approved a five-year sunset period to restore illegally converted units to their prior residential use. The property owners of the two parcels were notified of this directive and the task of amending the zoning ordinance to codify the language regarding the sunset period is underway. Effectiveness: Moderate.

Program	Status	Comments
ongoing program		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 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 Department Financing: City Scheduling: Review in 2010; amendments as required	Not completed	No units were proposed for conversion during the current and previous reporting periods. Effectiveness: Not known. Appropriateness: Assess the need for this program when preparing the next update to the 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 Department Financing: City Scheduling: Ongoing	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 webpage. 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 upgrade downtown streetlights to be more energy efficient.

Program	Status	Comments
		In 2013, the City received a $5,700 grant from StopWaste and East Bay Energy Watch for outreach assistance to promote energy efficiency upgrades with an emphasis on multi-family residences. Effectiveness: Moderate to 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 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 Department Financing: City Scheduling: 2012	Green Awards: Ongoing Green building program: Not completed.	Each year, the City Council presents Environmental Awards of Excellence to local residents, institutions and businesses to recognize their contributions to a more sustainable Lafayette. Beyond the awards, an incentives program has not yet been developed. The Task Force is developing an Environmental Action Plan, which is expected to be adopted in 2014; it includes a section devoted to Green Construction. 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	Ongoing	The 8th annual Earth Day celebration was held on April 22, 2012. Effectiveness: Moderate.

Program	Status	Comments
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		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 Department Financing: State Energy Program grant Scheduling: 2010 and 2011	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 to moderate. Appropriateness: Assess the effectiveness of this program when preparing the next housing element. Consider merging with Program H-1.5.1, as staff has limited time and resources to promote this program.
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. Responsibility: City Council Financing: City Scheduling: Completed	Completed	The City became a member in May 2010. Effectiveness: Moderate. 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	Completed	Over the last several years, the City has received requests to substantially enlarge smaller, older homes in existing neighborhoods or replace them with larger homes – both of which can undermine the existing character of the neighborhoods, have impacts on neighboring properties, and

Program	Status	Comments
neighborhood. Responsibility: Planning Department Financing: City Scheduling: 2009-2011		adversely affect the variety of single family house types and supply of affordable housing in the City. The committee appointed to address this concern presented its report to the City Council in 2012. The committee recommended against a house size ordinance and its report found that the existing discretionary review process and the findings for design review and hillside development permit are proven tools in preventing the construction of large additions or new homes that are out of character with the city's neighborhoods. The City Council accepted the committee's report and directed staff to further clarify the factors to be considered when evaluating neighborhood compatibility. Effectiveness: High. The study revealed that the City's design review guidelines already ensure compatibility of new homes in established neighborhoods. Appropriateness: Continue to apply the City's design review and hillside findings.
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 Department Financing: City Scheduling: Annually as an ongoing program	Ongoing	The Planning Commission and the City Council review the CIP annually. The City has an established track record of channeling resources to areas of Lafayette that need it the most. In 2012, the following streets in the older neighborhoods closest to the downtown were resurfaced – Oliver Court, Rowe Place, Solana Drive and Solana Court. Also in 2012, the City spent $1.2M in Transportation for Livable Communities grant funds to improve pedestrian safety and circulation in the downtown.

Program	Status	Comments
		Effectiveness: High. Appropriateness: Continue the program.
Program H-1.8.1: Ongoing Monitoring of Conversion Risks: Monitor affordable 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 Department Financing: City Scheduling: Annually as an ongoing program	Ongoing	No market rate conversions were considered or approved during the current reporting period. In 2014 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 August 28, 2018. Effectiveness: Moderate. Appropriateness: Continue the program in the next RHNA round.
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 Department Financing: City Scheduling: Annually as an ongoing program	Ongoing	See Program H-1.8.1. Effectiveness: Low for this RHNA round; high for next round. Appropriateness: Continue the program in the next RHNA round.
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 Department Financing: City	Ongoing	Eden Housing's 46-unit very-low income senior housing project in downtown Lafayette is nearing completion. The project has project-based Section 8 vouchers issued by the Contra Costa County Housing Authority and the project is also funded through HOME and CDBG funds from Contra Costa County and $3.8M from the former Lafayette Redevelopment Agency. Effectiveness: Moderate.

Program	Status	Comments
Scheduling: Annually as an ongoing program		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 Department Financing: City Scheduling: Annually as an ongoing program	Ongoing	See Programs H-1.8.1 and H-1.8.3. Effectiveness: Moderate. Appropriateness: Continue the program in the next RHNA round.
Program H-2.1.1: Housing Rehabilitation in Non-Residential Areas: Encourage housing rehabilitation in commercial zoning districts. Responsibility: Planning Department Financing: City Scheduling: Ongoing	Ongoing	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 Department Financing: City Scheduling: Ongoing	Ongoing	No applications for mixed use developments were submitted during the reporting period. The 2012 Downtown Specific Plan encourages mixed use developments in the downtown. Effectiveness: Moderate-high. Appropriateness: Continue the program.
Program H-2.4.1: Downtown Strategy and Specific Plan: Complete the Downtown Strategy and Specific Plan. Ensure that	Completed	Adopted by unanimous vote of the City Council in September 2012. The policies and programs in the adopted Downtown

Program	Status	Comments
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 Department Financing: City and Redevelopment Agency Scheduling: 2011		Specific Plan are consistent with the housing chapter of the general plan and a number of them are aimed towards the removal of constraints on housing. The implementation of the programs and policies in the specific plan began immediately after its adoption. In 2012, the City Council approved an amendment to the zoning code which makes housing a use allowed by right in the downtown commercial districts. Effectiveness: High. 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 Department Financing: City Scheduling: 2011	Completed	This amendment to the zoning ordinance removes a governmental constraint on the production of housing in the downtown. Effectiveness: High. Appropriateness: Continue with its implementation.
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	Ongoing	See Attachment A for an assessment of sites. The inventory has been posted on the City's website. Effectiveness: High. The assessment reveals that Lafayette has enough sites in the downtown to meet and exceed its regional housing needs allocations. Appropriateness: Continue the program.

Program	Status	Comments
for developers, and provide as a handout at the public counter. Responsibility: Planning Department Financing: City Scheduling: Annually as part of the Housing Element Annual Report		
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 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 Department Financing: City and Housing Developers Scheduling: Ongoing	Ongoing	During the reporting period, the City approved applications for three second units. The City Council has subsidized the fees for this type of application. 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 Department Financing: City Scheduling: 2012	Completed	The City reviewed and updated its standards for the placement of manufactured housing units. Effectiveness: Low. The City issued no permits for manufactured housing units during the current or previous reporting periods. Appropriateness: N/A
Program H-2.7.1: Infill Sites: Develop and maintain an inventory of vacant and/or underdeveloped residential land,	Completed	Effectiveness: Moderate to high. This information has been provided to developers interested in building in Lafayette and

Program	Status	Comments
distinguishing between land within the City limits and land within the City's Sphere of Influence. Responsibility: Planning Department Financing: City Scheduling: Completed		posted on the City's website. 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 Department Financing: City Scheduling: Annually as an ongoing program	Redevelopment has been eliminated	Prior to the elimination of redevelopment, 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 nearing completion. The City Council/Redevelopment Agency also required the Woodbury condominium project to income-restrict and make available 18 existing apartment units in downtown Lafayette to very low, lower and moderate income households. 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. In the next update, consider replacing this program with a new one which focuses on upgrading the existing housing stock in the downtown.
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	Redevelopment has been eliminated	Prior to the elimination of redevelopment and during the reporting period, 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.)

Program	Status	Comments
the development, preservation and rehabilitation of affordable housing. Responsibility: Redevelopment Agency/ Planning Department Financing: Redevelopment Agency/City Scheduling: Ongoing		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 Department Financing: Redevelopment Agency/City Scheduling: 2011	Redevelopment has been eliminated	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 implementation plan every five years. The plan shall contain programs that facilitate the development, preservation and rehabilitation of affordable	Redevelopment has been eliminated	In February 2010, Lafayette adopted a Five Year Implementation and Housing Compliance Plan (2010-2014) for the Lafayette Redevelopment Project Area. The Implementation Plan identified the following potential housing

Program	Status	Comments
housing and shall include funding allocations for each program. Responsibility: Redevelopment Agency/ Planning Department Financing: Redevelopment Agency/City Scheduling: Completed		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 Department Financing: Redevelopment Agency/City Scheduling: Annually	Redevelopment has been eliminated	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:	Ongoing	1. Streamlined permitting process, including scheduling joint meetings with City Boards *There were no requests for joint study sessions in 2012.* 2. Priority processing of applications *There were no housing projects proposed in 2012 which required assistance in consolidating lots.*

Program	Status	Comments
1. Streamlined permitting process, including scheduling joint meetings with City Boards 2. Priority processing of applications 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 Department Financing: Redevelopment Agency/City Scheduling: 2011 and ongoing		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 *No requests for assistance were received in 2012.* 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 and 2012, City 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.* ▪ *The inventory of sites in the downtown has been posted on the City's new website. The new website also contains an informational page on housing.* ▪ *The City's website now has a map room where property owners and developers can access information on parcel size, zoning and other details.* ▪ *The inventory of vacant and underdeveloped sites has been posted on the City's website.* 5. Fee deferrals to the Certificate of Occupancy phase of the project *In 2012, the Woodbury project sought and received approval to pay impact fees at the certificate of occupancy stage.* Effectiveness: Moderate-high.

Program	Status	Comments
		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 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	Not completed	Effectiveness: High in 2011; low after the elimination of redevelopment. The Redevelopment Agency's support of Eden's senior project is one example of the success of this program. Appropriateness: Given the elimination of redevelopment, the City's ability to grow this fund is limited.
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 Department Financing: City and housing developers utilizing tax-exempt revenue bonds. Scheduling: Ongoing	Ongoing	Effectiveness: Moderate. 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	Ongoing	Effectiveness: High. The City has and will continue to actively pursue grant opportunities. Redevelopment funds are no

Program	Status	Comments
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 Department 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.		longer available. Appropriateness: Continue with a modified program.
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.	On hold	A draft inclusionary housing ordinance covering the former redevelopment project area (downtown) was scheduled to be considered by the Planning Commission and City Council in November 2013. However, given the California Supreme Court's recent ruling on Palo Alto's inclusionary housing ordinance, this task has been put on hold. Effectiveness: Unknown at this time. Appropriateness: Unknown at this time.

Program	Status	Comments
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 Department Financing: Residential developers Scheduling: 2013		
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 Department Financing: City Scheduling: Completed	Completed	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 concessions and waivers as required by law. Responsibility: Planning Department Financing: City and developers	Completed	The City adopted density bonus guidelines in 2006. The Eden senior housing project was granted density bonuses consistent with State law. Effectiveness: Moderate. Appropriateness: Continue to comply with State law.

Program	Status	Comments
Scheduling: Ongoing		
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 Department Financing: City Scheduling: 2012	Ongoing	The City continues to encourage developers to provide larger units in projects. One of the BMR units in the Signature townhome project is a three bedroom unit. When the zoning ordinance is amended in 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 Department Financing: City Scheduling: 2011	Completed	The emergency shelters ordinance was adopted by the City Council on September 10, 2012. Effectiveness: Specific effectiveness unknown. No applications for shelters or transitional units were received during the reporting period. Appropriateness: Consistent with SB 2, continue with the program.

Program	Status	Comments
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 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 Department Financing: City Scheduling: Annually as part of the Annual Report on the Housing Element	Ongoing	The 2013 homeless count conducted by Contra Costa Health Services reveals that there were no homeless persons in Lafayette. Two sites in C-1 zone were developed for senior housing during the reporting period. However, although the inventory overlaps sites to accommodate emergency shelters and housing projects, it identifies the potential for over 700 units, and therefore the City is confident there are sufficient sites to accommodate an emergency shelter. 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 Department Financing: City Scheduling: Ongoing every other year	Completed	The 2013 homeless count conducted by Contra Costa Health Services reveals that there were no homeless persons 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 Department Financing: City Scheduling: Ongoing	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	Status	Comments
Program H-4.1.2: Nondiscrimination Clauses: Provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed with City assistance. Responsibility: Planning Department Financing: City Scheduling: Ongoing	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 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 Department Financing: City Scheduling: Ongoing	Ongoing	No applications for affordable housing were received in 2012. Effectiveness: High. 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 Department Financing: City Scheduling: Ongoing	Ongoing	No development proposal qualified for the reduction in 2012. Effectiveness: Moderate. Appropriateness: Continue the program.

Program	Status	Comments
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 Department Financing: City Scheduling: Ongoing	Ongoing	The City approved a request from the developers of the Woodbury to defer collection of impact fees to the certificate of occupancy stage. The 56-unit Woodbury project is conditioned to provide 18 affordable units (5 very low, 5 low, 8 moderate) at an off site location. 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 Department Financing: City Scheduling: Ongoing	Ongoing	Development projects are reviewed for compliance with CEQA. Most infill housing projects in the neighborhoods receive categorical exemptions. Effectiveness: Moderate. 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	Underway	This task is on the approved 2013-14 work plan for the department. Effectiveness: High when completed. Appropriateness: Continue with the program.

Program	Status	Comments
▪ 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 Department Financing: City Scheduling: 2012		
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* 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	Underway	This task is on the approved 2013-14 work plan for the department. Effectiveness: High when completed. Appropriateness: Continue with the program.

Program	Status	Comments
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 Department Financing: City Scheduling: 2011 and 2012		
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 Department Financing: City Scheduling: Annually	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 Department Financing: City Scheduling: Ongoing	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 2012. Of the 62 building permits issued, three were for second units and 46 were for multifamily units. The 46 multifamily units being built by Eden Housing are for very low income seniors. The remaining permits are for 13 new above-moderate income single family residences.

ANNUAL CONSTRUCTION OF HOUSING UNITS BY TYPE IN LAFAYETTE, 2012

Year	Single Family Units	Multiple Family Units	Second Units	Net Housing Increase
2012	13	46	3	62

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 2007-2012: BUILDING PERMITS ISSUED

Income	Regional Housing Needs Allocation (RHNA) 2007-2014	Building Permits Issued 2007-12	Percentage of RHNA
Very Low	113	46	41%
Low	77	6	8%
Moderate	80	4	5%
Above Moderate	91	55	60%
TOTAL	361	111	31%

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

APPROVED MULTIFAMILY PROJECTS: BUILDING PERMITS NOT ISSUED IN 2012

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	56[1] - Approved	0	0	0	56	2013
Lafayette Park Terrace condos	18 – Approved	0	1	2	15	2014
Town Center III	69 - Approved	0	0	8	61	2014
Signature Townhomes	23 – Approved	1	0	2	20	2013
Merrill Gardens	72 - Approved	0	0	0	72	2013
Total	**238**	**1**	**1**	**12**	**227**	

[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 definitely 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 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. Of note are the completion of the Downtown Specific Plan and the amendment to the zoning ordinance to permit housing by right in the downtown. More information about these various programs to remove governmental constraints, see the discussion in Part 1 above.

Programs completed in 2012/2013

1. 1.2.2: Prepare an Inventory of the Conversion of Housing Units Downtown
2. 1.6.1: Review Existing Zoning Regulations that Protect Existing Smaller Units
3. 2.4.1: Complete the Downtown Strategy and Specific Plan
4. 2.4.2: Amend the Zoning Ordinance to allow the development of multifamily housing as of right in downtown
5. 2.6.1: Review standards for placement of manufactured housing units
6. 2.7.1: Develop and maintain an inventory of vacant and/or underdeveloped residential land
7. 3.6.1: Revise the Zoning Ordinance to allow an emergency shelter as a permitted use in the General Commercial Zoning District 1

Attachment A to 2013 Annual Report
HOUSING ELEMENT APPENDIX B: INVENTORY OF VACANT AND UNDERDEVELOPED SITES
Updated in October 2013

	All-Housing Sites				
Site	APNs	Area (acres)	Estimated No. of Units	Site Conditions/Notes	2013 Status
1	241-010-022,023,029	0.81	15	Hilly site; adjacent to multi family; realistic capacity factors in difficult site constraints. One unit to be relocated or incorporated	Unchanged.
2	241-010-024,033,034,040	2.42	~~65~~ 56	Level site. City originally approved an 80 unit project which was reduced to 65 at the developer's request. 18 affordable units to be provided off site in existing apartment complex.	In 2012, the developer requested and the City approved a reduction to 56 units. Building permits to be issued in the fall of 2013. Eighteen affordable units (5 very low-, 5 lower-, 8 moderate-income) will be provided off site in an existing apartment complex.
6	243-040-035	1.47	~~82~~ 69	Level site. Property is governed by a development agreement; remaining portion of a PUD.	The project was approved in 2012. Eight moderate income units will be provided on site.
7	243-150-017	0.38	10	Small level site. Located near apartments and offices; realistic capacity takes into consideration site conditions.	Unchanged.
9	234-041-001	2.38	60	Flat site; bounded on three sides by roads and fourth by creek. Southern end of the downtown; realistic capacity takes into consideration site conditions.	Unchanged.
18	233-040-038	0.80	46	Level site. A 46 unit affordable senior development by Eden Housing. Project was partly funded by the Lafayette Redevelopment Agency. Project used density bonus provisions to increase density.	Project nearing completion. Occupancy in January 2014.
19	233-021-011,012,017	0.60	15	Hilly site. Adjacent to residential; realistic capacity takes into consideration site conditions. Four units to be relocated or incorporated.	Unchanged.
21	233-131-020,022	2.16	18	Hilly site; approved for 18 condominiums.	Unchanged.

Attachment A to 2013 Annual Report
HOUSING ELEMENT APPENDIX B: INVENTORY OF VACANT AND UNDERDEVELOPED SITES
Updated in October 2013

	All-Housing Sites				
Site	APNs	Area (acres)	Estimated No. of Units	Site Conditions/Notes	2013 Status
				One lower income and 2 moderate income units to be provided on site. One unit to be relocated or incorporated.	
22	233-132-049	1.50	~~40~~ 23	Flat site surrounded on all sides by roads or freeway off ramp; parcel is for sale. Signature Properties has an option to purchase the parcel and is proposing a 25 unit townhouse project. Preliminary plans for this project will be considered by the Design Review Commission on June 28, 2010.	23-unit residential condominium project under construction. One very low income and two moderate income units will be provided on site.
	TOTALS	**12.52**	**~~351~~ 312**		

Attachment A to 2013 Annual Report
HOUSING ELEMENT APPENDIX B: INVENTORY OF VACANT AND UNDERDEVELOPED SITES
Updated in October 2013

	Mixed Use Sites				
Site	APNs	Area (acres)	Estimated No. of Units	Site Conditions/Notes	2013 Status
3	241-050-006,007,017,018	0.95	25	Level site. Adjacent to multi family; realistic capacity assumes mixed use development (housing over commercial).	The building at 3707 Mt. Diablo Blvd. now houses a paint store and café. The properties are still underdeveloped and there is potential for a mixed use development in the medium to long term.
4	241-020-013, 014, 015, 008	2.37	60	Level site, backs up to the aqueduct ROW. Realistic capacity assumes mixed use development (housing over commercial).	In 2013 the City held a pre-application study session to consider plans for a 47-unit residential condominium project. A development application has not been submitted.
5	241-030-002,003,004,031	1.50	35	Level in front, drops down in the rear. Adjacent to multi family and offices; realistic capacity takes advantage of topography and assumes mixed use development (housing over commercial).	Unchanged.
8	243-180-016, 243-210-013,014,015,016, 004	2.26	50	Level site in rear bounded by creek; contains mature oak trees. Land slopes up towards Moraga Road. Realistic capacity takes into consideration site conditions. Note that the site can be broken up and viewed as two separate development sites – (1) church parking lot, (2) properties fronting Moraga Road. Assumes mixed use development (housing over commercial). One unit to be relocated or incorporated.	Unchanged.
10	243-222-013,014,015,016, 017	0.96	15	Site bounded by creek on south side. Existing senior housing project south of creek; realistic capacity assumes mixed use development (housing over	The owners of the Park Theater have indicated a desire to convert the building into a restaurant. A development application has not been

Attachment A to 2013 Annual Report
HOUSING ELEMENT APPENDIX B: INVENTORY OF VACANT AND UNDERDEVELOPED SITES
Updated in October 2013

	Mixed Use Sites				
Site	APNs	Area (acres)	Estimated No. of Units	Site Conditions/Notes	2013 Status
				commercial)	submitted.
11	243-232-010,011,012,013	0.73	20	Flat site, narrow depth of lots -- multi family to the west; realistic capacity assumes mixed use development (housing over commercial)	Unchanged.
12	243-221-002.003,012,020	0.80	20	Change in topography between Golden Gate Way and Mt. Diablo Blvd. New library building to the east; realistic capacity assumes mixed use development (housing over commercial)	Unchanged.
13	243-231-009,010,021, 243-231-022	1.48	40	Change in topography between Golden Gate Way and Mt. Diablo Blvd. Upper portion on Mt. Diablo Blvd. is flat. Realistic capacity assumes mixed use development (housing over commercial). Two units to be relocated or incorporated.	The building at 3484 Mt. Diablo Blvd. underwent a façade renovation in 2012. The properties are still underdeveloped and there is potential for a mixed use development in the medium to long term.
14	243-011-016,030,042,056	0.96	27	Slight change in topography. Adjacent to multifamily residential; realistic capacity assumes mixed use development (housing over commercial). Four units to be relocated or incorporated.	In 2012 City staff met with the new owners of 3458 Mt. Diablo Blvd. to discuss plans for a mixed use development (housing over commercial). A development application has not been submitted.
15	233-040-013,014,015,016, 028,029	1.21	~~35~~72	Flat site adjacent to multifamily residential. Parcels were assembled and purchased by a senior housing developer in 2007; realistic capacity assumes mixed use development (housing over commercial)	A 72-unit senior assisted living facility is under construction on this site.
16	233-040-006,007,035,026, 027	1.42	40	Linear site; significant rise in topography from south to north and can be used to increase the number of units. Multifamily	Unchanged.

Attachment A to 2013 Annual Report
HOUSING ELEMENT APPENDIX B: INVENTORY OF VACANT AND UNDERDEVELOPED SITES
Updated in October 2013

	Mixed Use Sites				
Site	APNs	Area (acres)	Estimated No. of Units	Site Conditions/Notes	2013 Status
				residential to the west; realistic capacity assumes mixed use development (housing over commercial)	
17	233-040-024,039	1.03	25	Level site. Adjacent to multifamily residential (Eden); realistic capacity assumes mixed use development (housing over commercial)	The former Butler Conti Dodge dealership building now houses auto repair and service establishments. The properties are still underdeveloped and there is potential for a mixed use development.
20	233-022-003,004,005,006	0.80	15	Level site. Realistic capacity assumes mixed use development (housing over commercial). One unit to be relocated or incorporated.	Unchanged.
	TOTALS	**16.47**	~~407~~ 444		

Assessment against 2007-2014 RHNA

	Very low income	Lower income	Moderate income	Above moderate income	TOTAL UNITS
2007-2014 RHNA	113	77	80	91	361
Updated housing element inventory	**148**	**83**	**112**	**413**	**756**
%	131	108	140	454	209