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22 orinda way • orinda • california • 94563

May 8, 2015

HCD – Division of Housing Policy Development
PO Box 952053
Sacramento, CA 94252-2053

Housing Policy Department
Received on:

MAY 12 2015

Governor's Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

RE: 2014 Annual Progress Report on the City of Orinda Housing Element

Dear Sirs or Madams,

The City of Orinda is please to submit its 2014 Annual Progress Report on the status of the City of Orinda Housing Element and the progress towards its implementation between January 1, 2014 and December 31, 2014. This report was prepared in compliance with the mandates of Government Code Section 65400 and was presented at a public hearing to the Orinda City Council on April 21, 2015.

Please feel free to contact me if you have any questions.

Sincerely,

Emmanuel Ursu
Director of Planning

Enclosure: 2014 Annual Report on the Implementation of the Orinda Housing Element

General Information
(925) 253-4200 (ph)
(925) 254-2068 (fax)

Administration
(925) 253-4220 (ph)
(925) 254-2068 (fax)

Planning
(925) 253-4210 (ph)
(925) 253-7719 (fax)

Parks & Recreation
(925) 254-2445 (ph)
(925) 253-7716 (fax)

Police
(925) 254-6820 (ph)
(925) 254-9158 (fax)

Public Works
(925) 253-4231 (ph)
(925) 253-7699 (fax)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction: Orinda, CA
 Reporting Period: 1/1/2014 - 12/31/2014

Table A

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

| Housing Development Information | | | | | | | | | | Housing with Financial Assistance and/or Deed Restrictions | | Housing without Financial Assistance or Deed Restrictions |
|--|--------------------|----------------------------|------------------------------------|------------|-----------------|-----------------------|--------|----|------------------|--|--|---|
| 1 | 2 | 3 | 4 | | | | 5 | 5a | 6 | 7 | 8 | |
| | | | Affordability by Household Incomes | | | | | | | | | Total Units per Project |
| Project Identifier (may be APN No., project name or address) | Unit Category | Tenure (R=Renter, O=Owner) | Very Low-Income | Low-Income | Moderate-Income | Above-Moderate-Income | | | See Instructions | See Instructions | | |
| Orinda Grove 361 Tahos Road | Duplex 2nd Unit | O R | | | 6 1 | | 6 1 | | | 6 | See analysis in Section 4.5 of HCD certified Housing Element | |
| (9) Total of Moderate and Above Moderate from Table A3 | | | | | 7 | | 41 | | | | | |
| (10) Total by income Table A/A3 | | | | | 14 | | 41 | | | | | |
| (11) Total Extremely Low-Income Units* | | | | | | | 55 | | | | | |

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Orinda, CA
Reporting Period 1/1/2014 - 12/31/2014

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

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

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

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

| No. of Units Permitted for Moderate | 1. Single Family | | | 2. 2 - 4 Units | | 3. 5+ Units | | 4. Second Unit | | 5. Mobile Homes | | 6. Total | | 7. Number of Infill units* |
|-------------------------------------|------------------|--|--|----------------|--|-------------|--|----------------|--|-----------------|--|----------|----|----------------------------|
| | | | | | | | | | | | | | | |
| 7 | | | | | | | | | | | | | 7 | |
| 41 | | | | | | | | | | | | | 41 | |

* Note: This field is voluntary

Table C
Program Implementation Status

| Program Description (By Housing Element Program Names) | Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element. | Objective | Timeframe in H.E. | Status of Program Implementation |
|---|---|--------------------|---|----------------------------------|
| <p>Action 1.A: Vacant Land Inventory Prepare and periodically update an inventory of all vacant residentially zoned parcels in Orinda.</p> | <p>Facilitate the production of at least 50 new single family homes (suitable for moderate and above moderate income households) between 2007 and 2014.</p> | <p>June 2014</p> | <p>As a part of the 5th Cycle Housing Element update, the inventory of vacant residentially zoned parcels was updated. Building permits for 124 new single family homes were completed between 1997 and 2014.</p> | |
| <p>Action 1.B: Pine Grove Development Facilitate redevelopment of the former Pine Grove School as a mixed income residential development including 8 moderate income housing units and 65 market rate housing units.</p> | <p>Facilitate completion of 8 units of owner-occupied housing affordable to moderate income households on the former Pine Grove School site.</p> | <p>2013 - 2014</p> | <p>Permits for all units in the development have been issued and the last residence in the development is scheduled to be completed by May 2015. All market rate homes in the development have sold and the below market rate program has been successfully implemented with the last BMR residence expected to be occupied by June 2015.</p> | |
| <p>Action 1.C: Orinda Senior Housing Development Facilitate continued development and construction of the Orinda Senior Housing Development on the former Orinda Library site. This development will produce 66 units of housing for very low and extremely low income seniors at a density of 48 units per acre.</p> | <p>Facilitate completion of 66 units of housing for very low and extremely low income seniors at the Orinda Senior Housing Project.</p> | <p>2013-2014</p> | <p>Construction was completed in November 2014 and the development was fully occupied in December 2014.</p> | |
| <p>Action 1.D: Promotion of Second Units Undertake a public information and outreach campaign via the City's website</p> | <p>Facilitate development of at least 20 second units between 2007 and 2011, and approve or legalize another 17 second units in 2012-</p> | <p>June 2014</p> | <p>Building permits for one second unit was issued in 2014 and zoning approvals for 4 additional second units were granted.</p> | |

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| <p>and the Orinda City newsletter to inform property owners of the standards for second unit development, and the importance of second units to Orinda. Produce additional information to encourage residents to apply for second units, particularly where their homes already include space that is configured for a conforming second unit (e.g., carriage houses, au pair quarters, second kitchens on floors with separate entrances, etc.)</p> | <p>2014. Based on prevailing market rents (and the analysis on P. 4-12 of this Element), it is presumed that 2 of these units will be affordable to very low income households, 14 to low income households and 20 to moderate income households.</p> | | <p>Applicants at the Planning Department counter are informed of the revised second unit standards and, as appropriate, encouraged to consider including a second unit in their development proposals. Additional outreach to be included in future City newsletters.</p> |
| <p>Action 1.E: Legalizing Existing Unregistered Second Units Notify property owners that under the revised second dwelling unit standards, formerly illegal second units may possibly now meet the requirements of the zoning code.</p> | <p>Facilitate development of at least 20 second units between 2007 and 2011, and approve or legalize another 17 second units in 2012-2014. Based on prevailing market rents (and the analysis on P. 4-12 of this Element), it is presumed that 2 of these units will be affordable to very low income households, 14 to low income households and 20 to moderate income households.</p> | <p>Ongoing</p> | <p>Applicants at the Planning Department counter are informed of the revised second unit standards and, as appropriate, encouraged to consider legalizing existing illegal units. Additional outreach to be included in future City newsletters.</p> |
| <p>Action 1.F: Second Units in Wilder (Gateway Valley) Encourage builders in the Wilder development to include second units in new homes, or to incorporate space with the flexibility for second unit conversions in the future.</p> | <p>Facilitate development of about 25 second units in the 245-lot Wilder subdivision.</p> | <p>Ongoing</p> | <p>To date, approvals were granted for 4 second units in the Wilder subdivision out of a total of approvals for new homes on approximately 35 lots. Applicants at the Planning Department counter are informed of the second unit standards and, as appropriate, encouraged to consider including a second unit in their development proposals and production housing builders in the Wilder subdivision are encouraged to include second units in their product mix. Additional outreach to be included in future City newsletters.</p> |

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| <p>Action 1.G: Affordable Housing Incentive Program Continue to implement the City's affordable housing incentive program (density bonus ordinance), which grants up to a 35 percent increase in the number of permitted units for developments which set aside 20 percent or more of their units as affordable, as defined by State law.</p> | <p>Facilitate completion of 66 units of housing for very low and extremely low income seniors at the Orinda Senior Housing Project.</p> | <p>Ongoing</p> | <p>Through the City's affordable housing program, 66 units restricted to extremely low- and very low-income households were developed at a density greater than allowed without the program. Without the program approximately 55 units would have been allowed on the project site. The development was completed in November 2014 and fully occupied in December 2014.</p> |
| <p>Action 1.H: Technical Assistance to Organizations that can Develop or Preserve Lower Cost Housing Provide outreach and assistance to non-profit organizations and builders whose expertise can inure to the benefit of low and moderate income Orinda residents, particularly seniors and those with special needs.</p> | <p>Facilitate completion of 66 units of housing for very low and extremely low income seniors at the Orinda Senior Housing Project.</p> | <p>Completed</p> | <p>The City worked successfully with Eden Housing to develop 66 units affordable to extremely low- and very low-income senior households. The project includes one manager's unit affordable at the moderate income level.</p> |
| <p>Action 2.A: Assistance to Lower Income Senior Homeowners Participate in Contra Costa County's housing rehabilitation program, and publicize the availability of the County's low interest loan programs for lower income seniors and other households.</p> | <p>Encourage very low income Orinda households to participate in the County's major rehabilitation loan program.</p> | <p>Ongoing</p> | <p>Pending.</p> |
| <p>Action 2.B: Participation in First Time Home Buyer and MCC Program Participate in the County's First-Time Home Buyer and Mortgage Credit Certificate Programs.</p> | <p>Encourage reinvestment in the City's housing stock by private property owners.</p> | <p>June 2014</p> | <p>Pending.</p> |

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| <p>Action 2.C: Home Maintenance and Repair Needs Assessment Conduct a field survey of Orinda's older homes and smaller lot neighborhoods to identify instances of home deterioration, home repair needs, and code compliance issues. Based on the findings, develop and implement a program to direct non-compliant property owners to assistance.</p> | <p>Encourage reinvestment in the City's housing stock by private property owners. Encourage very low income Orinda households to participate in the County's major rehabilitation loan program.</p> | <p>Ongoing</p> | <p>Pending.</p> |
| <p>Action 2.D: Second Unit Rent Data Collect and monitor data on second unit rents to better understand their role in the Orinda housing market and the income groups they serve.</p> | <p>Encourage the preservation of existing affordable housing in the city, including the Orinda Senior Village, and existing second units and rental apartments.</p> | <p>Ongoing</p> | <p>Second unit data collected in 2012 was reviewed in 2014. Surveys on second units will be updated annually by the Planning Department.</p> |
| <p>Action 2.E: Floor Area Ratio Limits Maintain a sliding scale for calculating Floor Area Ratios (FAR) as a way to preserve the City's existing stock of smaller homes.</p> | <p>Conserve Orinda's existing supply of smaller and more affordable single family homes, including older two and three-bedroom homes on lots smaller than 10,000 square feet. Development standards that encourage preservation of smaller homes on such lots should be continued as a way to discourage "teardowns" and maintain housing diversity.</p> | <p>Ongoing</p> | <p>Successful ongoing implementation of this program through the structure size limitations of the City's Zoning Code.</p> |
| <p>Action 2.F: Design Awards and Recognition Develop a new category in the Mayor's Awards for Architectural Excellence for small homes or modifications to existing small homes.</p> | <p>Reinvestment in the City's housing stock by private property owners.</p> | <p>Ongoing</p> | <p>Pending the next Mayor's Awards.</p> |
| <p>Action 2.G: Reducing Home Energy Costs</p> | <p>Reinvestment in the City's housing stock by private property owners.</p> | <p>Ongoing</p> | <p>Implemented through the application of the building codes.</p> |

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| <p>Continue to advise residents of programs for reducing residential energy costs.</p> | | | |
| <p>Action 2.H: Title 24 Administration Continue to enforce residential energy conservation requirements as set forth in Title 24, California Administrative Code.</p> | <p>Reinvestment in the City's housing stock by private property owners.</p> | <p>Ongoing</p> | <p>Implemented through the application of the building codes.</p> |
| <p>Action 3.A: Create New Zoning Overlay Concurrent with Housing Element adoption, revise the density range for the General Plan "Medium Density Residential" category to allow non-age restricted residential development exceeding the current limit of 10 units per net acre. Following approval of this change, create a zoning overlay on the vacant 3.2-acre Santa Maria site that establishes a density requirement of 20 units per acre. Based on direction received by Orinda from Staff at the State Department of Housing and Community Development (HCD) that more is required to comply with State law, the zoning overlay will also allow up to 25 units per acre, if a project proponent can demonstrate that it is not feasible to develop the site at 20 units per acre.</p> | <p>Amend zoning in the RM District to enable construction of 64 non-age restricted housing units on the 3.2 acre Santa Maria site (20 units per acre equivalent).</p> | <p>December 2013</p> | <p>Completed December 2013.</p> |
| <p>Action 3.B: Evaluate Downtown Mixed Use Opportunities Study the feasibility of permitting mixed use development with housing at densities up to 20 units per acre.</p> | <p>Continue planning efforts for downtown to determine the type, extent and density of housing appropriate in the downtown and explore the types of zoning standards that could facilitate such development</p> | <p>July 2014</p> | <p>Program revised with the 5th Cycle Housing Element.</p> |
| <p>Action 3.C: Adjusting Design Standards to Improve Affordability Implement the City's Affordable Housing Incentive Program to reduce production</p> | <p>Evaluation of the potential incentives available to developers in Orinda in order to determine which are most effective, and which are most viable given community concerns related to</p> | <p>October 2014</p> | <p>Pending.</p> |

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| <p>costs in projects containing affordable units such as adjusting design standards on a case-by-case basis, which could include adjusting standards for setbacks, lot coverage, street width, unit size and parking, for all affordable housing projects.</p> | <p>building mass, scale, height, parking, and other compatibility issues. Modifications to the existing program may be made in response to the findings.</p> | | |
| <p>Action 3.D: Emergency Shelters, Supportive Housing, and Transitional Housing Consistent with California Senate Bill (SB) 2, and as required by State law, amend the Municipal Code to permit emergency shelters by right in at least one zoning district in the City, subject to the limitations listed below. No discretionary review will be required for shelters meeting the standards to be adopted through the zoning amendment. As further required by SB2, amend provisions for supportive and transitional housing to be consistent with State law.</p> | <p>Comply with State law.</p> | <p>June 2014</p> | <p>Completed ahead of schedule in December 2013.</p> |
| <p>Action 3.E: Shared Housing Program Consider participating in ECHO housing's "Shared Housing" or some similar program as a way to improve housing opportunities for lower income seniors and extremely low income Orinda residents.</p> | <p>Encourage the sharing of housing units by homeowners seeking to age "in place" or supplement their income. Shared housing can provide an important resource for seniors, young adults, and others in the community who cannot afford their own home or apartment.</p> | <p>October 2014</p> | <p>Pending.</p> |
| <p>Action 3.F: No Net Loss of Housing Capacity Develop and implement an evaluation procedure to ensure that the City maintains sufficient land to accommodate the Regional Housing Needs Allocation throughout the planning period.</p> | <p>Preservation of the housing supply.</p> | <p>Ongoing</p> | <p>Implemented through analysis of proposed zoning changes for consistency with this action item.</p> |

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| <p>Action 3.G: Extremely Low Income Households Encourage additional housing resources for extremely low income Orinda residents, particularly seniors and persons with physical or developmental disabilities.</p> | <p>Provide an adequate number and variety of sites to meet the City's Regional Housing Needs Allocation</p> | <p>Ongoing</p> | <p>Through the process of selecting the developer of the senior affordable development on the City-owned former library site, one of the selection criteria considered by the City was the programs and resources the developer would bring to the project.</p> |
| <p>Action 4.A: Removing Use Permit Requirements Amend the zoning regulations to allow non-age restricted multi-family housing in the overlay district created by action 3.A without a use permit.</p> | <p>Ensure that multi-family housing is permitted by right on those sites where the units are to be counted toward meeting the City's Regional Housing Needs Allocation.</p> | <p>December 2013</p> | <p>Completed December 2013.</p> |
| <p>Action 4.B: Reducing Permitting Costs and Delays Explore the feasibility of expanding the City's Affordable Housing Incentive Program to add provisions for reductions in application-processing costs for multi-family projects containing affordable units.</p> | <p>Ensure that Orinda's permitting and approval processes do not unduly constrain or delay the construction of housing. City procedures should be consistent with Permit Streamlining Act requirements and should not include unreasonable fees or regulations.</p> | <p>Ongoing</p> | <p>Development impact fee waivers are available for affordable housing projects.</p> |
| <p>Action 4.C: Shared Parking Regulations Consider adopting shared parking regulations for mixed-use development where it can be demonstrated that there will be no parking shortages.</p> | <p>Consider flexibility in development standards, such as reduced parking requirements for senior housing, in order to accommodate additional affordable units and reduce housing costs.</p> | <p>June 2014</p> | <p>Exceptions to the parking regulations are considered on a case-by-case basis. Consideration of a shared parking program is pending.</p> |
| <p>Action 4.D: Building Code Updates Continue to implement the California Building Code of Regulations as locally amended. Update or amend the codes as State requirements change.</p> | <p>Provide additional information to the public regarding planning and building regulations and requirements to facilitate the application process and reduce delays.</p> | <p>June 2014</p> | <p>Latest building code and local amendments adopted in January 2014.</p> |

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| <p>Action 4.E: Fee Updates Periodically review planning and building fees to ensure they cover required costs but are not more than is necessary to provide the required City services.</p> | <p>Ensure that Orinda's permitting and approval processes do not unduly constrain or delay the construction of housing. City procedures should be consistent with Permit Streamlining Act requirements and should not include unreasonable fees or regulations.</p> | <p>Ongoing</p> | <p>Planning fees are updated annually to reflect actual processing costs.</p> |
| <p>Action 5.A: Fair Housing Program Distribute information regarding fair housing issues in the City's Quarterly newsletter, at the Orinda Library, and at City offices.</p> | <p>Follow up on 100% of all fair housing complaints received by the City.</p> | <p>Ongoing</p> | <p>Pending.</p> |
| <p>Action 5.B: Local Preference in Housing Opportunities Continue measures to ensure that persons who work in Orinda receive preference in the occupancy of new affordable for-sale housing units.</p> | <p>Reduce commute costs for residents.</p> | <p>Ongoing</p> | <p>Implemented through the establishment and administration of the BMR program for the Orinda Grove project.</p> |
| <p>Action 5.C: Reasonable Accommodations Procedure Amend the Orinda Zoning Ordinance to include a formal reasonable accommodation procedure.</p> | <p>Provide reasonable accommodation for persons with disabilities in the City's development regulations, policies, and procedures.</p> | <p>December 2013</p> | <p>Completed December 2013.</p> |
| <p>Action 5.D: Assistance for Persons with Developmental Disabilities. Support the construction and rehabilitation of housing to meet the needs of Orinda residents with developmental disabilities, including small group homes and units within affordable housing developments that are designed for developmentally disabled persons.</p> | <p>Encourage the development of housing designed to meet the unique needs of seniors and persons with disabilities. The City endorses the concept of "universal design," wherein all new construction and renovations are designed to recognize the varying levels of mobility within the population.</p> | <p>Ongoing</p> | <p>Several of the units in the 67-unit affordable senior housing project include "universal design" features to accommodate the unique needs of seniors and persons with disabilities.</p> |