



HOUSING ELEMENT OF THE GENERAL PLAN

2015–2023



Fifth Public Review Draft
December 18, 2014

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1. Introduction

1.1 PURPOSE

The purpose of this document is to update Orinda's Housing Element to plan for the housing needs of current and future residents of Orinda and to comply with state law. The element also plans for the conservation of the city's existing housing stock through programs that assist Orinda residents with home improvement and conservation. The element is intended to benefit all Orinda households, with a particular emphasis on seniors, persons with disabilities, and persons of low and moderate incomes.

Section 65302(c) of the California Government Code requires every county and city in the state to include a housing element as part of their adopted general plans. Article 10.6 of the Government Code indicates that the element shall consist of an "identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing."

This legislation further states that the element "shall identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and shall make adequate provision for the existing and projected needs of all economic segments of the community."

The Housing Element of the Orinda General Plan is an official policy statement of the City regarding the type and amount of housing to be provided in the community. In setting forth local housing policy, the Housing Element reflects existing conditions, constraints, and opportunities for improving and expanding the housing supply. As required by state law, this element addresses four specific aspects of housing in Orinda: (1) quantity; (2) quality; (3) affordability; and (4) accessibility.

As is characteristic of all General Plan elements, the Housing Element is both comprehensive and general in nature. It is *comprehensive* in that it includes discussions on population and employment trends, household characteristics, special housing needs, non-governmental and governmental constraints, the preservation of existing affordable housing, opportunities for energy conservation, and other topics. The element is *general* in that it discusses policies and programs rather than specific projects. Its policies are intended to guide housing decisions throughout the city rather than decisions on a particular site or for a particular target population. However, the element will be consulted in the future as specific projects are proposed.

This document is intended to be a dynamic, action-oriented planning tool. As such, it will be periodically reviewed and updated in response to changing conditions within the community. Unlike the other elements of the General Plan, which typically have a 15- to 20-year time frame, state law sets a shorter time frame for the Housing Element. The element covers ~~an seven to~~ eight-year time frame. This element replaces a Housing Element adopted in ~~2004 2013~~ that covered the period from ~~1999 2007~~ to ~~2006 2014~~. This element covers a period extending from ~~2007 2015~~ to ~~2014 2023~~. ~~Because much of this timeframe had already passed at the time of adoption, the focus of the action program is on the next 18 months (2013-2014).~~

1.2 CONTENT AND ORGANIZATION

The Housing Element is divided into six chapters and has been structured to comply with state housing element guidelines. The content of the chapters is listed below.

- Chapter 1 provides an overview of the Housing Element.
- Chapter 2 evaluates housing accomplishments over the prior planning period.
- Chapter 3 is a community profile, which includes discussions of population and housing characteristics in order to evaluate housing needs. The housing assistance needs of low- and moderate-income Orinda households are identified in this section.
- Chapter 4 examines the potential to develop additional housing in the city.
- Chapter 5 examines governmental and non-governmental constraints to the provision of housing.
- Chapter 6 includes goals, policies, and implementation programs.

Figure 1.1 shows the location of Orinda relative to the other communities and nine counties that constitute the San Francisco Bay Area.



1.3 RELATIONSHIP TO OTHER ELEMENTS AND PLANS

The California Government Code requires internal consistency among the various elements of a general plan. Section 65300.5 of the Government Code states that the general plan (and the parts and elements thereof) shall comprise an *integrated and internally consistent and compatible statement of policies*. In addition to the Housing Element, the Orinda General Plan includes a Land Use Element; an Open Space, Parks, Schools, and Utilities Element; a Circulation Element; a Conservation Element; a Safety Element; a Noise Element; and a Growth Management Element. All of these elements must be internally consistent.

The consistency requirement means that the Orinda General Plan Land Use Map must provide adequate sites to accommodate the need for new housing as identified in this element. If the map does not meet this standard, it must be amended to increase housing capacity.

Similarly, development of the housing sites identified in this element should be facilitated by policies in the Circulation Element. That element proposes a transportation system which provides adequate access to workplaces, schools, shopping areas, and other destinations for existing and future residents, as well as policies addressing topics such as parking and public transit. Other elements of the General Plan relate to environmental quality, the preservation and conservation of natural resources, and public health and safety. The policies and programs in each of these elements were taken into account during the preparation of this Housing Element.

The Housing Element is subject to special requirements that do not apply to other elements of the General Plan. This includes an official state certification process through the California Department of Housing and Community Development (HCD). HCD reviews each section of the element to ensure it complies with the California Government Code. The agency then provides comments letters indicating the changes that must be made before certification can be granted. ~~The process of obtaining state certification may take several months or even years. In Orinda's case, a Draft of this Element was submitted to the State in October 2010. The State issued a comment letter in December 2010. The City Council subsequently considered HCD's comments at a public meeting in February 2011 and after consulting with the State, the City submitted a Second Draft for HCD Review dated June 3, 2013 responding to each of their comments.~~ A finding of compliance is important to ensure the City remains eligible for state, federal, and county funds for a variety of services and programs, including transportation improvements.

1.4 USE OF RELEVANT AND CURRENT DATA

To properly understand housing, a complete review and analysis of the community's population characteristics and housing stock must be performed. The review and analysis in this element use the most current socioeconomic and building data available. Primary data sources are the 2010 US Census, California Department of Finance updates, and the ~~2007–2011~~ American Community Survey (ACS). Wherever possible, this Housing Element utilizes data provided by the Association of Bay Area Governments (ABAG) in its Data Profiles for Housing Elements workbook. This information has been pre-approved by HCD. Where appropriate, data from Planning Department files, newspapers, online sources (e.g., median rents from craigslist), and other sources are used. Data sources are cited in tables or footnotes as appropriate.

Because the data was collected from various sources, there may be differences in the totals for the same factors. Moreover, the ACS data is based on a sample of the population and has an acknowledged margin of error. In most respects, the differences are small and should not detract from the overarching purpose of the data, which is to document trends and provide an assessment of housing needs.

1.5 CITIZEN PARTICIPATION

This Housing Element was developed through the combined efforts of City staff, the Planning Commission, the City Council, and Orinda residents. Opportunities for participation included community workshops and Planning Commission and City Council hearings.

~~Workshops and hearings were advertised on the City's website and in the Lamorinda Weekly newspaper, as well as through fliers posted in City buildings. In addition, e-mail notifications were sent to local housing and service providers, community organizations, and residents and other stakeholders who expressed a desire to be notified of events related to the Housing Element update. The draft Housing Element was made available for public review at the City's Planning Counter and on the City's website beginning September 2, 2014. Participation was aided by a Task Force consisted of 11 Orinda residents including two Council members and two Planning Commissioners that met between October 2007 and November 2008. Their mission was to develop recommendations for a streamlined, objective, and user-friendly development review process. Most of these recommendations pertaining to single family residential development have already been implemented, resulting in significant reductions in processing time and permitting costs for preservation of the existing housing stock and development of new housing.~~

Community Workshops

The City held workshops on June 26, 2014, and July 9, 2014, to provide an overview of the Housing Element and to solicit input from the community regarding housing needs and opportunities. The first workshop included a brief presentation followed by activity stations in an open house format. The second workshop was intended to provide a second opportunity for input from those who could not attend the first workshop and offered the same activity stations.

Activity stations topics included an overview of the Housing Element, housing programs and services, housing types, environmental review, potential housing sites, and ideas and suggestions. Comments were also received via comment cards collected at the workshops and letters and emails following the workshops. A summary of input from both workshops is included in Appendix A.

Planning Commission and City Council Hearings

The City held a series of Planning Commission and City Council hearings to discuss housing sites and review the draft Housing Element. Members of the public were provided the opportunity to provide comments at each hearing. Meetings were held as follows:

City Council - July 15, 2014. City staff provided a report regarding the Housing Element update process and took direction regarding potential sites to accommodate higher-density housing.

City Council – August 5, 2014. The list of potential sites to accommodate higher-density housing for analysis in the Housing Element Environmental Impact Report (EIR) was refined.

Planning Commission – September 9, 2014. The Planning Commission reviewed the first draft of the Housing Element and provided comments to staff. The land inventory was not review as part of this meeting. .

City Council – September 30, 2014. The City Council reviewed the first draft of the Housing Element and provided comments to staff. The land inventory was not reviewed as of this meeting.

City Council – November 5, 2014. The City Council reviewed the second draft of the Housing Element and the draft EIR and directed staff to prepare a third draft of the Housing Element.

Planning Commission – November 17, 2014. The Planning Commission reviewed the third draft Housing Element and provided comments to staff.

City Council – December 9, 2014. The City Council reviewed the fourth draft Housing Element. The City council provided comments to staff and authorized the submittal of the draft to HCD.

~~Citizen input was also received through public hearings held by the Planning Commission (three held in May and June 2009) and City Council (two held in June 2009), public workshops of the Task Force (six between December 2008 and January 2009) and joint study sessions with the City Council and Planning Commission (five between February 2009 and June 2009). The notices for the public hearings were published in a local newspaper and prominently posted at several public buildings within the City. The City's newsletter, which is distributed to every household in Orinda, and articles in local newspapers were also used to disseminate information to the entire community regarding recommendations related to streamlining and making more~~

~~user-friendly the residential development review process. Additional articles were prepared on the Housing Element and the Regional Housing Needs Allocation process.~~

~~Public comments on housing needs and priorities were received from many segments of the community and included (1) the need for the City to allow greater housing opportunities in the downtown in close proximity to transit (including the BART Station), shopping, cultural and government services; (2) the importance for the City to retain the semi-rural character of its single family neighborhoods; (3) the need to comply with the requirements of State Housing law; and (4) the need to adopt policies that are broadly supported by the City's residents. Seniors, empty-nesters, young professionals and people working in Orinda were identified as the groups whose housing needs are currently underserved. In addition, public comment addressed the need to make senior housing a priority, as outlined in the City's adopted "Senior Services Study." Accordingly, one of the major goals of this element is to encourage the creation of housing for seniors and young professionals, many of whom were raised in Orinda but cannot find affordable housing in their hometown.~~

~~Additional outreach to the community, including housing interest groups, was achieved through meetings and discussions with local non-profit housing organizations, and direct interaction with affordable housing advocates, including Lamorinda Housing Advocates. Input received from housing advocates stressed their view that the City should continue working toward construction of local affordable housing projects.~~

2. Evaluation of the 2013 ~~2004~~ Housing Element

2.1 INTRODUCTION

Section 65588 of the California Government Code states:

“Each local government shall review its housing element as frequently as appropriate to evaluate all of the following: (1) The appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the state housing goal; (2) The effectiveness of the housing element in attainment of the community's housing goals and objectives; and (3) The progress of the city, county, or city and county in implementation of the housing element.”

This chapter fulfills that requirement. Although the prior Housing Element was adopted by the City in 2013 ~~2004~~, it covers a planning period spanning from 2007 to 2014 ~~1999–2006~~. Thus, the evaluation in this chapter may reference events that took place prior to 2013 ~~2004~~, but within the 2007–2014 ~~1999–2006~~ planning period. ~~In other cases, the evaluation references progress between 2006 and 2012. It is particularly important to consider progress during the last few years given the changes in the housing market that occurred between 2007 and 2010.~~ Ultimately, the objective of the evaluation is to ensure the Housing Element is responsive to market conditions while still meeting state and regional housing mandates.

Orinda’s ability to influence local housing needs is limited by the resources available for this purpose. These resources include available land, enabling legislation, political leverage, staff time, and funding. Over the years, the City has determined that the Housing Element should focus on utilizing available resources as efficiently as possible. This has led to the following overarching ~~goals~~principals principles:

- Plan for housing supply through zoning that will allow housing targeted to seniors, empty-nesters, young professionals, families with children, and persons locally employed.
- Preserve existing affordable housing (Orinda Senior Village).
- Maintain and improve the existing housing stock by removing governmental constraints (e.g. streamlining the development review process).
- Support the development of affordable senior housing on the City-owned former library site.
- Encourage and support the development of second dwelling units on single family zoned lots where doing so is consistent with preserving the City’s semi-rural character and the existing zoning and design regulations for second units contained in the City’s Zoning Code.

- Provide zoning that meets the City's requirements consistent with State housing law.
- ~~Encourage the development of a variety of types of housing for all income levels, which will be assisted through appropriate zoning and development standards.~~
- ~~Promote the conservation and maintenance of Orinda's housing stock.~~
- Provide additional housing opportunities and sites to meet the needs of Orinda's low-, very low-, and moderate-income and above moderate- income households.
- ~~Reduce governmental constraints to the production and preservation of housing in Orinda.~~
- Promote equal housing opportunities for all Orinda residents, regardless of race, religion, sex, marital status, ancestry, national origin, or color.
- ~~Plan for housing supply through zoning that will allow housing targeted to seniors, empty nesters, young professionals and persons locally employed.~~
- ~~Preserve existing affordable housing (Orinda Senior Village).~~
- ~~Maintain and improve the existing housing stock by removing governmental constraints (e.g. streamlining the development review process).~~
- ~~Support the development of affordable senior housing on the City-owned former library site.~~
- ~~Encourage and support the development of second dwelling units on single family-zoned lots where doing so is consistent with preserving the City's semi-rural character and the existing zoning and design regulations for second units contained in the City's Zoning Code.~~
- ~~Provide zoning that meets the City's requirements consistent with State housing law.~~

The City has made progress on all of these goals-objectives since 2007 2004, and they continue to be relevant today.

2.2 EFFECTIVENESS OF THE PREVIOUS HOUSING ELEMENT

This section discusses the effectiveness of the City's 2013 2004 Housing Element in the attainment of the State housing goals. A detailed listing of the City's policies and implementation measures-implementing actions is shown in Tables 2.1, 2.2, 2.3, 2.4, and 2.5 (corresponding to the five four topic headings of the 2013 2004 Housing Element). Each table lists the policy or implementation measure implementing action from the 2013 2004 element in the first column and its current status in the second column. As appropriate, the results are quantified to evaluate the City's progress toward compliance with state housing law, planning for its Regional Housing Needs Allocation (RHNA) for 2007-2014 1999-2006, and meeting the quantified objectives in the 2013 2004 element.

Highlights of the accomplishments since the ~~2013~~ ~~2004~~ element are listed below:

- **Zoning Ordinance Update.** The City amended the Zoning Ordinance in 2013 to:
 - Establish a High Density Overlay District (-HD Overlay) to meet the City's remaining lower-income RHNA. The overlay was applied to a 3.2-acre portion of the Santa Maria church property.
 - Permit emergency shelters by right in the Public, Semi-Public and Utility (PS) District and establish specific standards for emergency shelter uses.
 - Define transitional and supportive housing and allow both as residential uses, subject only to the regulations that apply to uses of the same type in the same district.
 - Establish a procedure for facilitating requests for reasonable accommodation in the implementation of land use policies and regulations.
- **Orinda Grove (formerly Pine Grove).** Consistent with the 2004 and 2013 Housing Elements, a land exchange agreement was made between the City of Orinda, the Orinda Union School District (OUSD), and Pulte Homes for an infill, small-lot development on 11.1 acres. The OUSD declared the site as surplus in 2003. In 2004, the City adopted the Pine Grove Neighborhood Design Policies and Guidelines which included a policy that no less than 10% of the units be set aside in perpetuity for moderate-income households. In 2008, the City approved a 73-unit for-sale residential project. Eight of the units are set aside in perpetuity for moderate-income households of four persons or more. Groundbreaking occurred in August 2012. Building permits for 41 units were issued in 2013 and permits for the remaining 32 units were issued in 2014. The below market rate program for the development was established and the application process for the affordable units was completed.
- **~~Orinda Senior Monteverde Senior Apartments (formerly Orinda Senior Apartments) Housing.~~** Consistent with the ~~2013~~ ~~2004~~ Housing Element, the City worked with Eden Housing to successfully secure financing for the development of ~~66~~ ~~67~~ ~~senior~~ residences for very low-income seniors on the City-owned former library site (plus one moderate-income manager's unit). ~~100 percent of the units are reserved for very low income seniors.~~ Financial sources for the project include 9 percent Tax Credit financing, HOME, and CDBG funds, in addition to the City's \$2.5 million contribution, received from the developer of the Wilder project in Gateway Valley. Construction is under way and the project is scheduled for completion and occupancy in September-December 2014.
- **Orinda Senior Village Affordability Term Extension.** Consistent with the 2004 and 2013 Housing Elements, affordability restrictions were renewed in 2008 with the US Department of Housing and Urban Development (HUD) for the 150 units at Orinda Senior Village, the city's largest affordable housing complex.
- ~~**Gateway Valley (Wilder) Development.**~~ ~~The City approved the largest residential development in Orinda in more than three decades, the 245-home Wilder (Gateway Valley) subdivision. As of July 2010, design review approval has been granted for 57 home sites and~~

~~3 homes are complete. The Development Agreement for the site reached in 2005 included a \$2.5 million payment by the developer to support very low income housing construction on the former City library site.~~

Second Units. In May 2003, the City adopted a process for approving second units without a conditional use permit, consistent with state law. The second unit ordinance was amended in March 2007 to remove constraints to second unit development and facilitate their construction. The revised regulations allow second units up to 999 square feet on lots larger than 20,000 square feet and up to 1,250 square feet on lots larger than 40,000 square feet.

~~• The City approved permits for 25 second units between 1999 and 2006.~~

Table 2.1: Evaluation of 2013 Housing Element Policies on New Housing Production	
Statement	Evaluation
Policy 1.1: Housing Diversity. Provide for a diversity of housing types to meet current and future needs of all residents without compromising the semi-rural character of Orinda’s single family neighborhoods.	This policy remains valid and will be continued.
Policy 1.2: Design Quality. Apply high standards of quality and design to all housing development in the city. Where multi-family or mixed use housing is constructed, it should respect the context of the site and its surroundings and make a positive contribution to the character of Orinda.	This policy remains valid and will be continued.
Policy 1.3: Energy Efficiency. Require energy efficient design and construction in all residential development and rehabilitation projects.	This policy remains valid and will be continued.
Policy 1.4: Context-Appropriate Programs. Participate in those housing assistance programs that are most appropriate to Orinda’s setting and demographics, with an emphasis on programs that benefit local seniors and those who live or work in Orinda.	This policy remains valid and will be continued.
Policy 1.5: Mobile and Manufactured Homes. As required by state law, continue to allow mobile and manufactured housing on all lots in the city, subject to design standards and procedures that ensure that such housing is compatible with the community.	This policy remains valid and will be continued.
Policy 1.6: Second Units. Encourage the inclusion of second units (“in law” apartments) in new single family homes, and support the creation of such units in existing single family homes, subject to design criteria of the zoning code and building code standards as well as neighborhood compatibility considerations.	This policy remains valid and will be continued.
Policy 1.7: Registration of Existing Second Units. Promote the registration and legalization of existing second units in the city which meet current zoning and building safety standards, including those which are in active use as rental housing and those with the potential to be used as rental units.	This policy remains valid and will be continued.
Policy 1.8: Density Bonuses. Continue to provide density bonuses for housing that includes dedicated affordable units or units set aside for seniors, consistent with State law.	This policy remains valid and will be continued.
Policy 1.9: Planned Unit Developments. Encourage “planned unit developments” (PUDs or PDs) which allow variations from development standards provided that the overall density on the site remains consistent with the General Plan. By enabling smaller lots and more variations in unit size, PUDs can enhance affordability and	This policy remains valid and will be continued.

Table 2.1: Evaluation of 2013 Housing Element Policies on New Housing Production	
Statement	Evaluation
provide a broader mix of unit types.	
Action 1.A: Vacant Land Inventory. Prepare and periodically update an inventory of all vacant residentially zoned parcels in Orinda.	The City’s inventory of vacant residential land was updated in 2011 and updated again in 2014 during the preparation of this Housing Element. This action is complete and will be deleted.
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.	Building permits for 41 units at Orinda Grove were issued in 2013 and permits for the remaining 32 units were issued in 2014. The below market rate program for the development was established and the application process for affordable units was completed. This action will be continued to ensure that the affordability restrictions continue to be implemented.
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.	Construction of the Orinda-Monteverde Senior Apartments is under way, and the project is scheduled to be completed and occupied in September December 2014. The completed project will include 66 housing units for very low-income seniors, as well as one moderate-income manager’s unit. This action will be continued.
Action 1.D: Promotion of Second Units. Undertake a public information and outreach campaign via the City’s website 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.)	Applicants at the Planning Department counter are informed of the City’s second unit standards and, as appropriate, are encouraged to consider including a second unit in their development proposals. A second unit information sheet and application is available on the City’s website for download. This action will be continued.
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.	Applicants at the Planning Department counter are informed of the City’s second unit standards and, as appropriate, encouraged to consider legalizing existing illegal units. A second unit information sheet and application is available on the City’s website for download. This action will be continued.
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.	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

Table 2.1: Evaluation of 2013 Housing Element Policies on New Housing Production	
Statement	Evaluation
	development proposals. A second unit information sheet and application is available on the City’s website for download. This action will be continued.
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.	Through the City’s affordable housing program, 67 affordable units are under construction at the Orinda-Monteverde Senior Apartments development. Without incentives provided by the program, the project would have been limited to approximately 55 units. This action will be continued.
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.	The City worked successfully with Eden Housing to develop the 67 affordable senior units under construction in the Orinda-Monteverde Senior Apartments project. This action will be continued.

Table 2.2: Evaluation of 2013 Housing Element Policies on Housing Conservation	
Statement	Evaluation
Policy 2.1: Housing Reinvestment. Encourage reinvestment in the City’s housing stock by private property owners.	This policy remains valid and will be continued.
Policy 2.2: Affordable Housing Preservation. Encourage the preservation of existing affordable housing in the city, including the Orinda Senior Village, and existing second units and rental apartments.	This policy remains valid and will be continued.
Policy 2.3: Smaller Homes. 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.	This policy is implemented through the floor area ratio standards of Chapter 17.6 of the Orinda Municipal Code and remains valid and will be continued.
Policy 2.4: Code Enforcement. Maintain code enforcement programs to ensure that all housing units are safe and sanitary and contribute positively to the City’s character. Require abatement of housing nuisances, consistent with provisions of the Orinda Municipal Code.	This policy remains valid and will be continued.
Policy 2.5: Home-Based Businesses. Continue to allow home-based businesses as a way to improve housing affordability for those who would otherwise need to rent office space or pay commute costs.	This policy remains valid and will be continued.
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.	The City continues to participate in Contra Costa County’s housing rehabilitation program. Due to limited time and resources, the City did not take additional steps to advertise the program’s availability during the planning period. This action will be continued.

Table 2.2: Evaluation of 2013 Housing Element Policies on Housing Conservation	
Statement	Evaluation
<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>The City continues to participate in the County’s First-Time Home Buyer and Mortgage Credit Certificate programs. Due to limited time and resources, the City did not take additional steps to advertise the availability of these programs during the planning period. This action will be continued.</p>
<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>Due to limited time and staff resources, the City did not complete a field study of Orinda’s older homes and smaller-lot neighborhoods during the planning period. This action will <u>be revised to focus efforts on complaint-driven code enforcement, advertise existing home maintenance assistance programs, and pursue funding to assist with ADA and other needed updates</u>be continued.</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>The City collected and analyzed data regarding the number and affordability of second units periodically throughout the planning period. This action will be continued.</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>The City continues to maintain the sliding scale for calculating floor area ratios as an effective tool for preserving the city’s existing stock of smaller homes <u>This is implemented through the floor area ratio standards of Chapter 17.6 of the Orinda Municipal Code.</u> This action will be continued.</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>Due to limited remaining time in the planning period, the new award category was not established. Awards have been given for small homes or modifications in past years of the Mayor’s Awards for Architectural Excellence. This will be implemented during the next Mayor’s Awards. This action will be continued.</p>
<p>Action 2.G: Reducing Home Energy Costs. Continue to advise residents of programs for reducing residential energy costs.</p>	<p>The City continues to provide information and resources to encourage residential energy conservation. This action will be continued.</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>The City continues to enforce energy conservation requirements through the application of building codes. This action will be continued.</p>

Table 2.3: Evaluation of 2013 Housing Element Policies on Housing Opportunity Sites	
Statement	Evaluation
Policy 3.1: Adequate Sites. Provide an adequate number and variety of sites to meet the City’s Regional Housing Needs Allocation.	This policy remains valid and will be continued.
Policy 3.2: Multi-Family Sites. Meet the City’s Regional Housing Need Allocation mandates through a combination of second units and rezoning of adequate land area at the default density.	This policy remains valid and will be continued.
Policy 3.3: Mixed Income Housing. Encourage larger scale residential developments to include a mix of unit types, including smaller units and units that are affordable to lower and moderate income households.	<u>The 73-unit Orinda Grove subdivision was approved during the 2007-2014 planning period and is partially complete as of this writing. The project features attached and detached single-family homes, eight of which will be deed restricted for long term affordable ownership by moderate-income households.</u> This policy remains valid and will be continued.
Policy 3.4: Downtown Residential Use. Continue to allow multi-family residential uses above the ground floor within Orinda’s Downtown Commercial zoning district.	This policy remains valid and will be continued.
Policy 3.5: Shared Housing. 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.	This policy remains valid and will be continued.
Policy 3.6: Extremely Low Income Households. Ensure compliance with state regulations regarding zoning for emergency shelters and other provisions to ensure housing opportunities for extremely low income Orinda households or those residents who are in crisis or in need of emergency assistance.	The action associated with this policy is complete. This policy will be deleted.
Policy 3.7: Development Agreements. On a case-by-case basis, consider the use of development agreements in larger residential projects as a mechanism for generating funding for affordable housing or providing affordable units within new market rate projects.	This policy remains valid and will be continued.
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.	On December 17, 2013, the City Council adopted Ordinance 13-03 to revise the Zoning Ordinance to establish the High Density Overlay District (-HD Overlay) and apply it to a 3.2-acre portion of the Santa Maria Church property. The overlay establishes a standard (minimum) density of 20 units per acre and includes provisions for residential development at up to 25 units per acre. This action is complete and will be deleted.
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.	Due to limited time and resources, the City did not complete a feasibility study for higher-density mixed-use development during the planning period. This action will be continued <u>may</u>

Table 2.3: Evaluation of 2013 Housing Element Policies on Housing Opportunity Sites	
Statement	Evaluation
	<u>continue or be amended based on direction from the City Council regarding alternative sites to meet the RHNA.</u>
Action 3.C: Adjusting Design Standards to Improve Affordability. Implement the City’s Affordable Housing Incentive Program to reduce production 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.	Design standard adjustments under the Affordable Housing Incentive Program remained available throughout the planning period. This action will be continued.
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.	The City adopted a Zoning Ordinance amendment in December 2013 to provide for emergency shelters, and transitional and supportive housing, in compliance with state law. Emergency shelters are now allowed by right in the PS district. Transitional and supportive housing are treated as residential uses, subject only to the regulations applicable to other uses of the same type in the same district. This action is complete and will be deleted.
Action 3.E: Shared Housing Program. Consider participating in <u>Eden Council for Hope and Opportunity (ECHO)</u> 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.	Due to limited time and staff resources, the City did not take action to pursue a partnership with ECHO or other similar program <u>this action</u> to establish a shared senior housing program in Orinda during the planning period. This action will be continued.
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.	Due to the short period of time since the adoption of the 2007–2014 Housing Element and preparation of this Housing Element, no action was needed to ensure the provision of sufficient land during the planning period. This action will be continued.
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.	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. This action will be continued.

Table 2.4: Evaluation of 2013 Housing Element Policies on Housing Constraints	
Statement	Evaluation
<p>Policy 4.1: Development Standards. Ensure that the development standards expressed in the City’s zoning regulations support the types of uses and activities listed as permitted or conditionally permitted in the zoning ordinance, including housing.</p>	<p>This policy remains valid and will be continued.</p>
<p>Policy 4.2: Use Permit Requirement. 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>The action associated with this policy is was completed as needed to address requirements for the 2007-2014 Housing Element. To address current HCD requirements and direction, this policy will be continued and amended to allow multi-family housing by right on RM-zoned sites. This policy will be deleted. Housing Element Action 4.A proposes to revise the use permit process to ensure more predictable outcomes in the review of multi-family development applications in the RM zone. Revisions will include modifications to the decision-making criteria and the establishment of guidelines to define compatibility. The revisions will provide certainty for applicants while continuing to preserve existing community character.</p>
<p>Policy 4.3: Public Information. Provide additional information to the public regarding planning and building regulations and requirements to facilitate the application process and reduce delays. Special efforts should be made to inform the public about opportunities and procedures for adding second units.</p>	<p>This policy remains valid and will be continued.</p>
<p>Policy 4.4: Approval Processes. 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>This policy remains valid and will be continued.</p>
<p>Policy 4.5: Development Flexibility. 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>This policy remains valid and will be continued.</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>In December 2013, the City adopted a Zoning Ordinance amendment to establish the High Density Overlay District. Where applied, the overlay allows non-age-restricted multi-family housing without a use permit. The overlay is currently applied to a 3.2-acre portion of the Santa Maria Church property. This action is complete and will be deleted.</p>

Table 2.4: Evaluation of 2013 Housing Element Policies on Housing Constraints	
Statement	Evaluation
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.	The City offers development impact fee waivers for affordable housing projects. Other incentives are available as appropriate. This action will be continued.
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.	Due to limited time and staff resources, the City did not study or consider adopting shared parking regulations for mixed-use development during the planning period. Currently, exceptions to parking regulations are considered on a case-by-case basis. This action will be continued.
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.	The City updates its building codes regularly in compliance with state requirements. The City most recently adopted the latest California Building Code in January 2014. This action will be continued.
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.	The City’s planning and building fees are updated annually to reflect actual processing costs. This action will be continued.

Table 2.5: Evaluation of 2013 Housing Element Policies Fair Housing	
Statement	Evaluation
Policy 5.1: Continue to promote equal housing opportunity for all. Orinda residents and others seeking housing in the City regardless of race, religion, marital/family status, ethnic background, or other arbitrary factors.	This policy remains valid and will be continued.
Policy 5.2: Housing for Seniors and Disabled Residents. Encourage 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.	This policy remains valid and will be continued.
Policy 5.3: Education and Enforcement. Support programs that educate and inform residents about fair housing laws, the regional housing needs allocation process, and the City’s obligations under State housing law. The City will also support enforcement of fair housing laws and provide appropriate referrals to those filing complaints.	This policy remains valid and will be continued.
Policy 5.4: Reasonable Accommodation. Provide reasonable accommodation for persons with disabilities in the City’s development regulations, policies, and procedures.	The City adopted a Zoning Ordinance amendment in December 2013 to establish a procedure for processing requests for reasonable accommodation. The program associated with this policy was completed. This policy will be deleted.

Table 2.5: Evaluation of 2013 Housing Element Policies Fair Housing	
Statement	Evaluation
	<u>This policy remains valid and will be continued.</u>
Policy 5.5: Intergovernmental Coordination. Coordinate local housing efforts with Contra Costa County, nearby cities, and the State of California. Where local programs are not feasible due to limited resources, consider partnering with neighboring cities and/or the county to achieve more effective results.	This policy remains valid and will be continued.
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.	The City periodically includes housing information in the quarterly newsletter. Articles regarding affordable homeownership opportunities at Orinda Grove and the status of the Orinda <u>Orinda Monteverde</u> Senior Apartments project were included in the Winter 2013 newsletter. This action will be continued.
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.	The local preference program provisions have been incorporated into the established below market rate program for the Orinda Grove project. This action will be continued.
Action 5.C: Reasonable Accommodations Procedure. Amend the Orinda Zoning Ordinance to include a formal reasonable accommodation procedure.	The City adopted a Zoning Ordinance amendment in December 2013 to establish a procedure for processing requests for reasonable accommodation. This action is complete and will be deleted.
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.	Several of the units in the 67-unit affordable senior housing project, Orinda <u>Orinda Monteverde</u> Senior Apartments, include “universal design” features to accommodate the unique needs of seniors and persons with disabilities. This action will be continued.

2.3 PROGRESS TOWARD MEETING QUANTIFIABLE OBJECTIVES

The ~~2007–2014~~ ~~2004~~ Regional Housing Needs Allocation prepared by the Association of Bay Area Governments (ABAG) determined that zoning to accommodate ~~218~~ ~~221~~ additional housing units ~~needed~~ to be in place in Orinda during the prior planning period (~~1999–2006~~) to meet regional housing needs. ABAG disaggregated this allocation into four income categories as follows:

- Units for above moderate-income households¹ ~~129~~ 45
- Units for moderate-income households ~~43~~ 55
- Units for low-income households ~~18~~ 48
- Units for very low-income households ~~31~~ 70

~~The prior (2004) Housing Element indicated that the 129 above moderate units would be accommodated through market rate single family residential areas, principally in Gateway Valley (Wilder) and at the Pine Grove site, as well as in smaller custom home development. Actual site capacity for above moderate income units far exceeded the 129 unit assignment.~~

~~The prior (2004) Housing Element further indicated that the moderate, low, and very low income units would be accommodated on the former library site, the Pine Grove site, and through market rate second units on scattered sites. Taken together, these sites exceeded the capacity for the 92 units of housing needed in these three categories.~~

Table 2.6 below compares the Regional Housing Needs Allocation assignments with units permitted actual production during the ~~2007–2014~~ ~~1999–2006~~ period. The City issued permits for a total of 196 units from 2007 to 2013. Among these, approximately 47 percent (92 units) were for homes affordable to lower-income households. There were 114 single family homes constructed. There were 25 second units added. Based on data on second unit rents in Orinda, it is estimated that 4 were affordable to very low income households, 17 to low income households, 1 to moderate income households, and 3 to above moderate income households. The three major housing sites identified in the 2004 Element (Gateway, Pine Grove, former City Library) remained vacant during this period, although they were available for development.

¹ Above moderate = 120% of areawide median income (AMI) or greater; Moderate = 80 to 120 % of AMI; Low = 50 to 80% of AMI; Very Low = less than 50% of AMI. See Chapter 3 for additional detail.

Table 2.6: Regional Housing Needs Allocation Compared to <u>Permits Issued Production, 2007–2014</u>					
Income Category	Very Low	Low	Moderate	Above Moderate	TOTAL
RHNA	<u>70</u>	<u>48</u>	<u>55</u>	<u>45</u>	<u>218</u>
Actual	<u>72</u>	<u>20</u>	<u>8</u>	<u>96</u>	<u>196</u>
Surplus (shortfall)	<u>2</u>	<u>(28)</u>	<u>(47)</u>	<u>51</u>	<u>(22)</u>

Source: City of Orinda ~~2014~~ 2010

2.4 REVISIONS TO THE PREVIOUS HOUSING ELEMENT

In establishing the objectives and implementation measures in this element, the City evaluated the effectiveness of the policies in the ~~2013~~ 2004 Housing Element and the housing production outcomes for the ~~2007–2014~~ 1999–2006 period. The overarching housing goals set by the Orinda City Council in that element remain valid. The ~~2013~~ 2004 policies and actions laid the groundwork for affordable housing production ~~during the 2007–2014 period~~ and will result in the ~~completion~~ ~~production~~ of more than 70 affordable units in the next few years on the sites of the former library and Pine Grove School.

Certain measures in the prior element have been deleted or modified, ~~while new measures have been added~~. Measures that are still pertinent or that are implemented on an ongoing basis have been carried forward. The tables earlier in this chapter provide an indication of the status of the measures. ~~Of the 36 actions in the 2004 Element, approximately one quarter will be carried forward, one quarter will be deleted, and half will be edited or modified to respond to current conditions or to reflect local land use values while still complying with the State’s housing laws. This Housing Element also adds new policies and actions to respond to new issues and opportunities, and to meet recent State mandates.~~

New quantified objectives have been added to the updated element. This reflects the Regional Housing Needs Allocation assignment for ~~2015–2023~~ 2007–2014, ~~changes to state law that require quantified targets for specific populations (extremely low income households)~~, and current housing priorities in Orinda. The quantified objectives contained in this element are considered to be realistic and attainable, based on the City’s existing personnel, financial resources, and development opportunities.

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3. Population, Employment, and Housing Characteristics

3.1 OVERVIEW

This chapter of the Housing Element profiles demographic and housing conditions in Orinda in order to assess the city's future housing needs. Pursuant to California Government Code requirements, data on population, household characteristics, income and employment, special needs groups, housing stock characteristics, building condition, and housing value is presented.

~~The analysis in this section primarily utilizes data compiled by the Association of Bay Area Governments (ABAG) in the Data Profiles for Housing Elements workbook, released in January 2014. ABAG data is primarily from This document was prepared after the decennial census of 2010 and thus incorporates such data where feasible. In other cases, data cited is from the 2000 and 2010 US Census or from and the American Community Survey (ACS). ACS figures are estimates based on samples; for a small city like Orinda, reported figures may be subject to large margins of error, meaning that the actual figure may fluctuate up or down from the estimate provided. In some cases the margin of error may be as high as twenty to thirty percent. For this reason, the analysis focuses primarily on trends and percentages, rather than specific individual figures. More current~~ In addition, data from sources including the City of Orinda, the California Department of Finance (DOF), or anecdotal evidence has also been used where appropriate possible. ~~In some cases, data collected by the City of Orinda or the State Department of Finance has been used to update the 2000 baseline.~~

3.2 POPULATION TRENDS

3.2.1 POPULATION GROWTH

The city has experienced limited growth in recent years. Population increased by just 0.3 percent between 2000 and 2010 compared to 5.8 percent between 1990 and 2000 (see Table 3.1). ~~In 2010, the~~ The city's population of 17,643 represented 1.7 percent of Contra Costa County's total.

More recent data from the DOF showed a population of ~~18,089~~ 17,819 as of ~~2014~~ 2012. According to DOF estimates, the increase is attributable to a slight increase in the average number of persons per household ~~and some rather than~~ new housing development ~~or a decrease in the vacancy rate~~. Even with the slight increase since 2010, the annual growth rate is still less than ~~one-half of~~ 1 percent a year.

The growth rate of the neighboring cities of Lafayette and Moraga (collectively forming the "Lamorinda" area) were nearly flat ~~from 2000 to 2010~~ as well. The area's growth rate can be contrasted with Contra Costa County and state figures of 10 percent for the same period (see Table 3.2).

In its 2013 projections, ABAG forecast continued slow population growth in Orinda. ABAG projects a population of 20,200 in the city in 2040, equivalent to an increase of approximately 0.5 percent per year in the 30-year period from 2010 to 2040.

Table 3.1: Population Growth Trends in Orinda				
Year	Population	Numerical Change	Percentage Change	Average Annual Growth
1990	16,642			
2000	17,599	957	5.8	96
2010	17,643	44	0.3	4
<u>2014</u>	<u>18,089</u>	<u>446</u>	<u>2.5</u>	<u>111</u>

Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements, 2014); DOF 2014

Table 3.2: Population Growth Trends – Neighboring Jurisdictions					
Jurisdiction Name	2000	2010	Change (2000–2010)		<u>2014</u>
			Number	Percentage	
City of Orinda	17,599	17,643	44	0.3	<u>18,089</u>
City of Lafayette	23,908	23,893	(15)	-0.1	<u>24,659</u>
City of Moraga	16,290	16,016	(-274)	-1.7	<u>16,348</u>
Contra Costa County	948,816	1,049,025	100,209	10.6	<u>1,087,008</u>
California	33,871,648	37,253,956	3,382,308	10.0	<u>38,340,074</u>

Source: 2000 AND 2010 US Census (ABAG Data Profiles for Housing Elements, 2014); DOF 2014

3.2.2 AGE COMPOSITION

The median age of Orinda residents increased by 2.6 years between 2000 and 2010, from 45.2 to 47.8. Some 37 percent of the city’s residents were age 55 and over in 2010, compared to 31 percent in 2000. Orinda had the second highest median age of the 19 cities in Contra Costa County. The highest median was 47.9 in Walnut Creek, where the total is skewed upward by a retirement community with 10,000 residents. Seniors are the fastest-growing segment of Orinda’s population and will continue to be so in the next decade as baby boomers reach age 65.

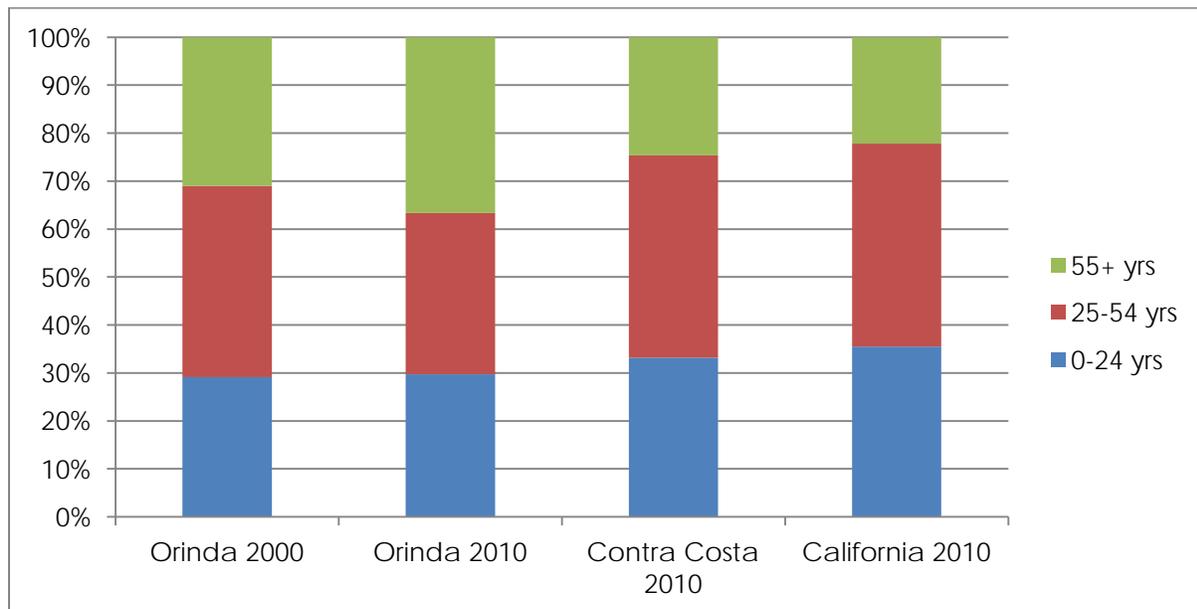
Based on the 2010 Census, the city’s age composition was somewhat different than the county and state profiles. The proportions of the city population under 18 years of age, as well as 18 to 54 years of age, were slightly lower than the county and state levels. Conversely, both the city’s median age and the population that was 55 years and older were considerably higher than the corresponding figures for Contra Costa County and California (see Table 3.3 and Figure 3.1).

Table 3.3: Population by Age						
Age Group	Orinda				Contra Costa County	California
	2000		2010		2010	
	Number	Percentage	Number	Percentage	Percentage	Percentage
0–9 years	2,310	13.1	2,136	12.1	13.3	13.5
10–19 years	2,487	14.1	2,647	15.0	14.1	14.6
20–24 years	333	1.9	458	2.6	5.7	7.4
25–34 years	928	5.3	694	3.9	12.4	14.3
35–44 years	2,676	15.2	2,047	11.6	14.1	13.9
45–54 years	3,410	19.4	3,186	18.1	15.6	14.1
55–59 years	1,306	7.4	1,492	8.5	6.6	5.9
60–64 years	937	5.3	1,433	8.1	5.7	4.9
65–74 years	1,701	9.7	1,859	10.5	6.7	6.1
75–84 years	1,236	7.0	1,171	6.6	3.8	3.7
85+ years	275	1.6	520	2.9	1.8	1.6
Total	17,599	100	17,643	100	100	100
Median Age	45.2		47.8		38.5	35.2

Source: 2000 and 2010 US Census

Note: Percentage totals may not equal 100 percent due to rounding.

Figure 3.1: Population by Age of Orinda, Contra Costa County, and California



Source: 2000 and 2010 US Census

3.2.3 Racial and Ethnic Composition

Orinda’s racial and ethnic diversity increased slightly between 2000 and 2010 (see Table 3.4). However, the racial and ethnic composition of the city, as documented by the 2010 Census, differs from that of the county and the state. About 80 percent of Orinda residents were white, contrasted with 40 percent and 48 percent for the state and county, respectively.

Table 3.4: Racial Composition of Orinda, Contra Costa County, and California						
Racial Composition	Orinda				Contra Costa County	California
	2000		2010		2010	
	Number	Percentage	Number	Percentage	Percentage	Percentage
White alone	14,857	84.4	13,910	78.8	47.8	40.1
Black or African American alone	<u>79</u>	0.5	143	0.8	8.9	5.8
American Indian and Alaska Native alone	<u>11</u>	0.1	16	0.1	0.3	0.4
Asian alone	<u>1,613</u>	9.2	2,009	11.4	14.2	12.8
Native Hawaiian and Other Pacific Islander alone	<u>7</u>	0.0	24	0.1	0.4	0.3
Some Other Race alone	<u>52</u>	<u>0.3</u>	55	0.3	0.3	0.2
Two or More Races	<u>420</u>	<u>2.4</u>	679	3.8	3.8	2.6
Hispanic or Latino	560	3.2	807	4.6	24.4	37.6
Total	17,599	100	17,643	100	100.0	100

Source: 2000 and 2010 US Census (ABAG Data Profiles for Housing Elements, 2014)

Note: Percentage totals may not equal 100 percent due to rounding.

3.3 PERSONS WITH SPECIAL NEEDS

Consistent with California planning and zoning law, the Housing Element must include an analysis of special housing needs. This includes the needs of seniors, persons with physical and developmental disabilities, large families, farmworkers, families with female heads of households, and extremely low-income households. In addition to an analysis of these required special needs groups, this section examines the potential special housing needs of veterans in Orinda.

3.3.1 SENIOR HOUSEHOLDS

According to the 2010 Census, 33.9 percent of the housing units in Orinda are occupied by individuals 65 years of age or older (see Figure 3.2 and Table 3.5). This compares to approximately 20 percent for Contra Costa County and California as a whole. Table 3.5 shows senior citizen occupancy of owner- and renter-occupied housing units. The owner-occupied and

renter-occupied percentages for the 65 and older group are higher than the county and state percentages.

In Orinda Senior Village, there are 150 housing units set aside exclusively for senior citizens including units for persons with disabilities. Based on the total number of units occupied by seniors (2,104,221 units), these dedicated units may represent only a fraction of the potential demand for housing that is specifically designed for seniors. A majority of Orinda's seniors reside in large single-family homes, many of which are located on steep, narrow, and twisting roads, far from transit and the amenities of Downtown. These residents choose to remain in the city because of the high quality of life and their attachment to the community, but some may prefer housing that requires less maintenance, easier navigation (e.g., fewer stairs), and better access to health care and other services.

According to the Senior Housing and Service Needs Study for the City of Orinda prepared by Bay Area Economics in June 2000, its housing recommendations for Orinda's seniors are summarized as follows:

Integrate senior housing into the community rather than in separate projects or enclaves, isolated from other families and typical/ traditional residential housing.

Integrate low- and moderate-income senior housing with market-rate units.

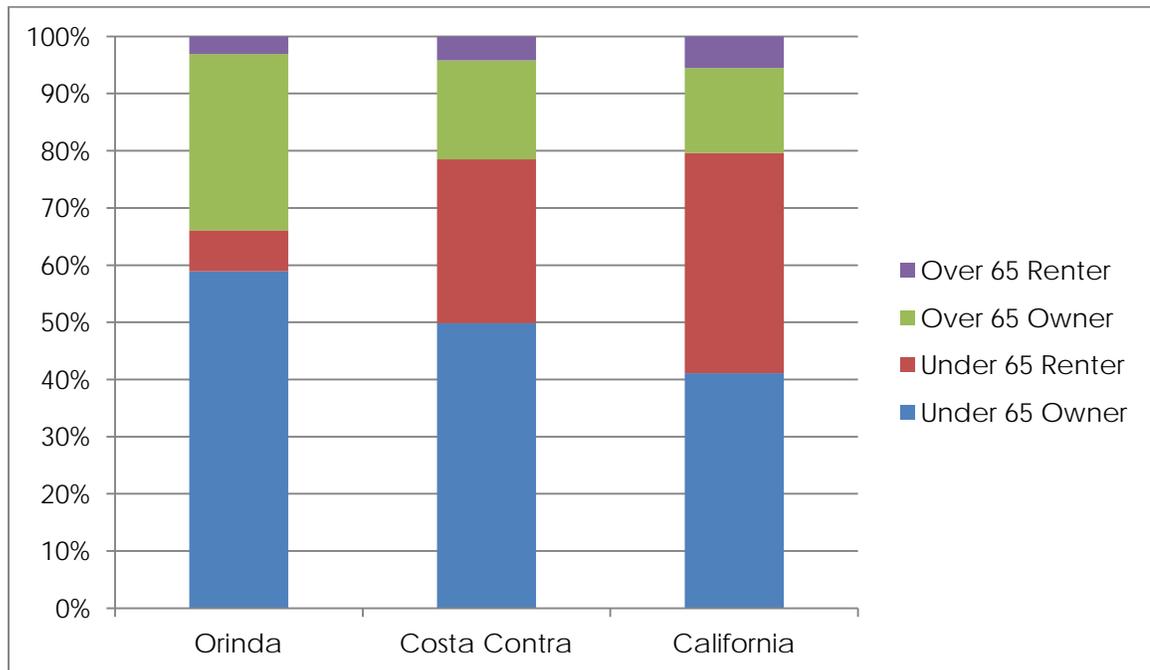
Provide a mixture of rental and for-sale housing to accommodate a range of financial situations.

The Bay Area Economics Study cited additional factors affecting the number of future senior housing units:

Existing sites in the city would be appropriate for high-density senior housing, but they are not currently zoned for this use.

Empty nester households present a potential source of additional housing via shared housing for seniors.

Figure 3.2: Senior Citizen Occupancy of Owner- and Renter-Occupied Housing Units



Source: US Census Bureau, QT-H2: Tenure, Household Size, and Age of Householder: 2010

Age of Householder	Owner-Occupied		Renter-Occupied		Total Occupied	
	Number	Percentage	Number	Percentage	Number	Percentage
California						
Under 65	5,164,121	73.3	4,847,428	87.3	10,011,549	79.6
65 or Older	1,871,250	26.6	694,699	12.5	2,565,949	20.4
Total	7,035,371	100	5,542,127	100	12,577,498	100.0
Contra Costa County						
Under 65	187,151	74.4	107,877	87.3	295,028	78.6
65 or Older	64,753	25.7	15,583	12.6	80,336	21.4
Total	251,904	100	123,460	100	375,364	100.0
Orinda						
Under 65	3,859	65.7	473	69.9	4,332	66.1
65 or Older	2,017	34.3	204	30.1	2,221	33.9
Total	5,876	100	677	100	6,553	100

Source: 2000 and 2010 US Census

The City of Orinda provides a limited number of senior services and programs, and works with other agencies and nonprofit organizations to meet the needs of seniors in the community. The Orinda Recreation Department sponsors fitness, recreational, and social programs, and provides referrals to the [Contra Costa](#) County Agency on Aging and Adult Services. The City has a Senior Service Committee, which meets monthly. Local churches also sponsor programs to assist seniors, and Orinda in Action sponsors an annual community service day that may include initiatives to help local seniors.

Senior health care counseling is provided through a volunteer health insurance and advocacy program at Orinda Senior Village. The County Connection Link program provides paratransit service. This service is supplemented by the Orinda Association's Seniors Around Town program, providing free door-to-door rides to seniors who are unable to drive and may not qualify for the County Connection Link program. [The Council on Aging, Lamorinda Group, Spirit Van and the Library and Community Center also offer programs for seniors.](#)

These programs are an important resource for Orinda's growing senior population, but they are primarily oriented around transportation, health care, and recreational needs rather than housing. The aging of the population is expected to fuel additional demand for senior housing in the future, along with programs to assist Orinda residents who wish to age in place.

[Consistent with the 2013 Housing Element, the City worked with Eden Housing to successfully secure financing for the development of 66 affordable senior residences \(plus a moderate-income manager unit\) on the City-owned former library site \(Monteverde Senior Apartments\). Construction is under way as of this writing, and the project is scheduled for completion and occupancy in September-December 2014.](#)

3.3.2 INDIVIDUALS WITH DISABILITIES

As reported by the 2000 Census, 17.7 percent of the non-institutionalized civilians 5 years old and over in the city had one or more disabilities (see Table 3.6). Based on the 2000 Census, 46 persons with disabilities residing in Orinda were institutionalized. While the needs of certain disabled individuals (i.e., blind, deaf, or experiencing nervous disorders) may be met without special housing accommodations, persons with ambulatory disabilities often require specially designed barrier-free housing. Affordability of housing is also a concern, as the wages and benefits received by disabled residents are often not sufficient to meet the cost of living.

[Disability status was not counted in the 2010 US Census, and ACS data for small cities such as Orinda has an unacceptably high margin of error. As such, 2000 data is the best available and is retained in this analysis as a proxy for current disability figures.](#)

Table 3.6: Disability Status of the Civilian Non-Institutionalized Population 5 Years and Over, 2000				
Age	Total	Number with a Disability	Percentage with a Disability	Percentage with Disability that are Employed
California				
5 to 15 years	5,786,880	373,407	1.1	
16 to 64 years	22,002,129	7,241,881	21.4	8.2
65 years and over	3,595,658	2,977,123	8.8	
California Total Population	33,871,648	10,592,411	31.3	
Contra Costa County				
5 to 15 years	157,673	10,073	1.1	
16 to 64 years	617,743	168,698	17.8	6.7
65 years and over	107,272	84,726	8.9	
Contra Costa County Total Population	948,816	263,497	27.8	
Orinda				
5 to 15 years	3,045	136	0.8	
16 to 64 years	10,383	1,680	9.5	3.7
65 years and over	107,272	1,295	7.4	
Orinda Total Population	17,599	3,111	17.7	

Source: US Census 2000, P041 Total disabilities for the civilian non-institutionalized population 5 years and over

Developmental Disabilities

In 2010, the California legislature adopted Senate Bill (SB) 812, requiring local housing elements to include an evaluation of the needs of persons with developmental disabilities. Developmental disabilities occur before an individual reaches 18 years of age and typically constitute a lifetime handicap. They include mental retardation, cerebral palsy, autism, and epilepsy, among others.

The California Department of Developmental Services provides community-based services to approximately 243,000 persons with developmental disabilities and their families through a statewide system of regional centers, developmental centers, and community-based facilities. The Regional Center of the East Bay (RCEB) is one of 21 regional centers in California that provides point of entry services for people with developmental disabilities. The center is a private, nonprofit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families.

The Regional Center of the East Bay (RCEB) provides services to developmentally disabled persons throughout Alameda and Contra Costa counties and acts as a coordinating agency for multiple service providers in the region. They provide a resource to those needing counseling, day care, equipment and supplies, behavior intervention, independent living services, mobility training, nursing, residential care facilities, supportive living services, transportation, vocational training, and other services.

In a letter dated January 30, 2014, Housing Consortium of the East Bay (HCEB), in collaboration with RCEB, provided data to East Bay jurisdictions regarding the number of individuals with developmental disabilities (including RCEB clients and those unaffiliated with RCEB) and the estimated number of housing units needed to serve developmentally disabled persons by 2023. RCEB served 16,000 persons in the East Bay area during 2012. Approximately 55% of their clients were under age 21 and approximately 73% lived with a parent or guardian. According to the RCEB HCEB, there are 96 23 Orinda residents with a developmental disability, under the age of 18 and 21 Orinda residents between ages 18 and 65 who are considered eligible clients for RCEB services. Approximately 75 percent (62 persons) are age 22 or younger. The remaining 25 percent are 23 to 54 years of age. Since participation is voluntary, there may be other disabled individuals living in Orinda who are not eligible or who are eligible but choose not to participate. Based on information provided by the regional center, it is likely that a majority of the 44 persons served by RCEB live with a parent or guardian. HCEB estimated the need for 34 housing units to serve this population by 2023.

A number of housing types are appropriate for people living with a developmental disability: rent-subsidized homes, licensed and unlicensed single-family homes, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 homes (SB 962 homes are adult residential homes for persons with specialized health care needs). Supportive housing and group living opportunities for persons with developmental disabilities can be an important resource for those individuals who can transition from the home of a parent or guardian to independent living.

The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving this need group. Incorporating barrier-free design in all new multi-family housing (as required by California and federal fair housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

Housing resources for persons with developmental disabilities and other disabilities in Orinda are limited. Orinda Senior Village includes 15 units that are designed for persons with disabilities. In addition, the 47-bed Orinda Rehabilitation and Convalescent Hospital provides long-term care for disabled elderly residents. Most single-family homes are not designed for persons with mobility or sensory limitations. The City works with residents wishing to retrofit their homes to install grab bars, wheelchair ramps, handicapped bathrooms, and other modifications that meet the needs of persons with mobility limitations. It will also continue to support the development of small group homes that meet the needs of developmentally disabled residents.

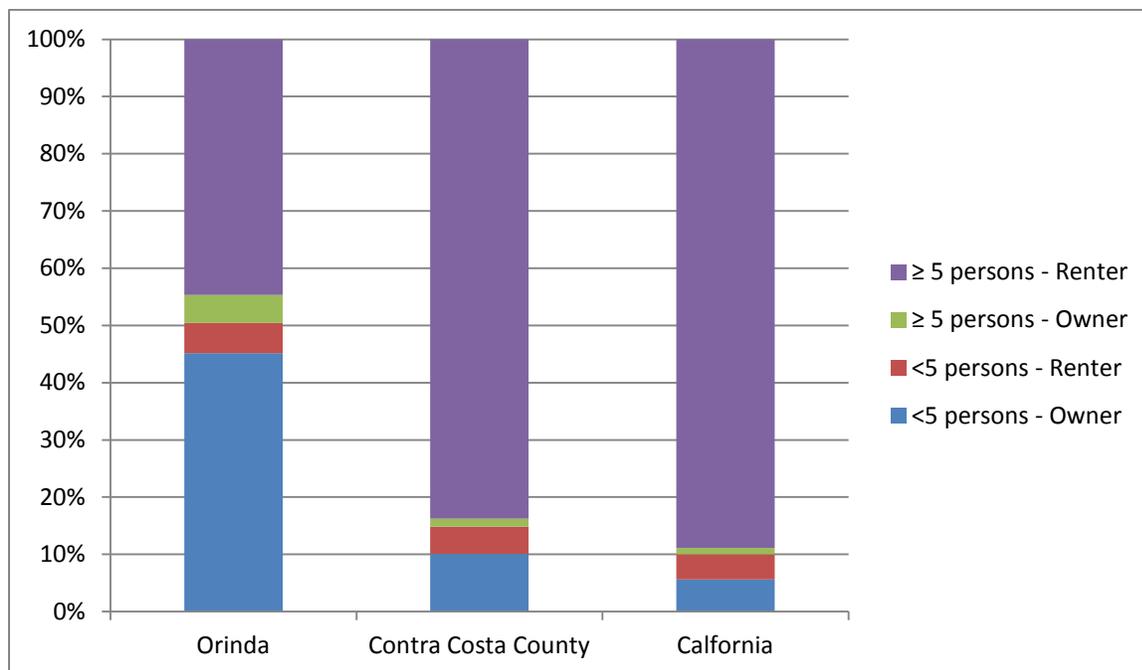
3.3.3 LARGE FAMILIES

According to the 2010 US Census, there were 6,553 households (5,202 family and 1,351 non-family) in Orinda, of which 9.6 percent 10.3% (626 677 households) comprised five or more persons (see Figure 3.3 and Table 3.7). More than 90 percent of the large families are homeowners. Just 52 households with five or more persons were living in rental housing.

As noted in a later section of this chapter, none of the city’s households (large or otherwise) were estimated to be living in overcrowded conditions (i.e., more than 1 person per room). It appears that large families living in the city are adequately housed.

A majority of the city’s rental housing stock consists of individual single-family homes for rent, rather than apartment buildings. In fact, less than 4 percent of the city’s housing stock consists of multi-family units, and a majority of these units are in Orinda Senior Village. Orinda’s large families, including both renter and owner households, generally reside in single-family homes. American Community Survey data for 2007–2011 2012 indicates that 88.2 percent 88.1% of the dwelling units in the city contain three or more bedrooms.

Figure 3.3: Tenure by Household Size, 2010



Source: US Census, QT-H2: Tenure, Household Size, and Age of Householder: 2010

Tenure & Size	Orinda	Percentage	Contra Costa County	Percentage	California	Percentage
<5 persons – Owner	5,302	80.9	<u>220,618</u>	58.8	5,904,279	46.9
<5 persons – Renter	<u>625</u>	<u>9.5</u>	<u>105,059</u>	<u>28.0</u>	<u>4,606,228</u>	<u>36.6</u>
≥5 persons – Owner	<u>574</u>	<u>8.5</u>	<u>31,286</u>	<u>8.3</u>	<u>1,131,092</u>	<u>9.0</u>
≥5 persons – Renter	52	0.8	18,401	4.9	935,899	7.4
Total	6,553	100	375,364	100	12,577,498	100

Source: 2010 US Census (ABAG Data Profiles for Housing Elements, 2014)

Note: Percentage totals may not equal 100 percent due to rounding.

3.3.4 SINGLE-PARENT HOUSEHOLDS

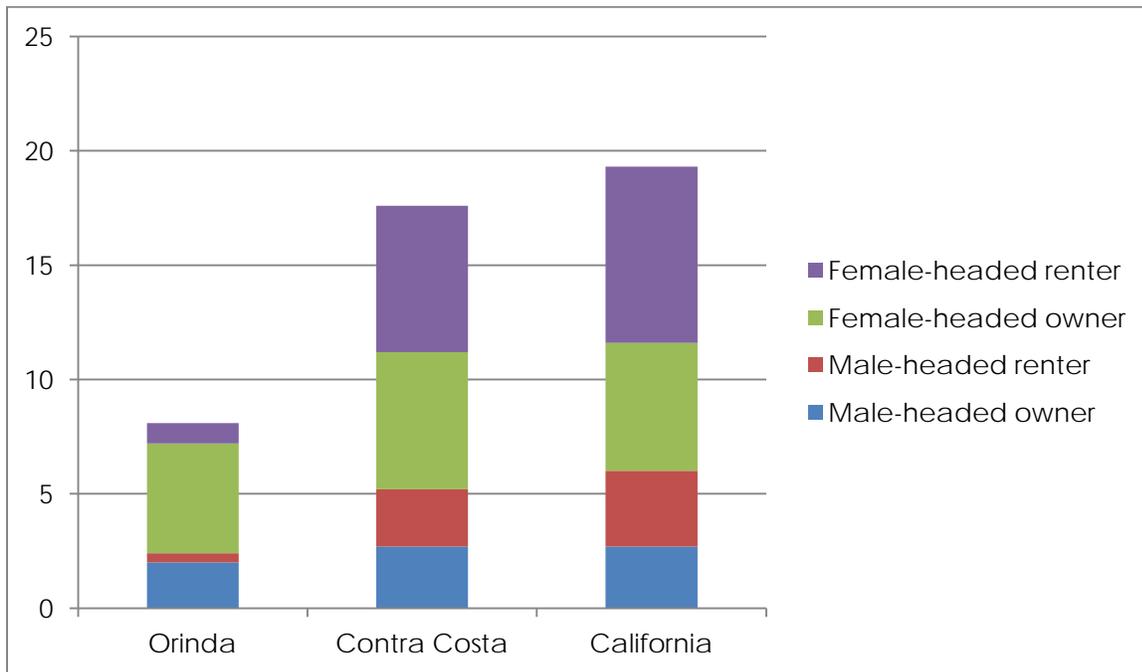
According to the 2010 US Census, Orinda had a total of ~~5,826~~ ~~5,202~~ family households residing in occupied housing units. Of these, 529 were headed by single parents. This represents approximately ~~8.1~~ ~~10~~ percent of all family households in Orinda (see Figure 3.4). Table 3.8 shows the number of these single-parent households that are male-headed and the number that are female-headed. Approximately 83 percent of the city’s single-parent households are homeowners, while 17 percent (86) are renters.

Single-parent households, particularly those headed by women, are likely to have greater demand for childcare and other social services than two-parent households. Because single-parent households often have limited incomes, these households may experience difficulty in finding adequate, affordable housing.

Table 3.8 Single-Parent Households in Orinda						
	Owner-Occupied		Renter-Occupied		Total Family Households	
	Households	Percentage	Households	Percentage	Households	Percentage
Orinda						
Male-Headed Households	131	2.2	28	4.1	159	2.4
Female-Headed Households	312	5.3	58	8.6	370	5.6
Total Single-Parent Households	443	7.5	86	12.7	529	8.1
Total Households	5,876		677		6,553	
Contra Costa County						
Male-Headed Households	10,231	4.1	9,322	7.6	19,553	5.2
Female-Headed Households	22,519	8.9	24,187	19.6	46,706	12.4
Total Single-Parent Households	32,750	13.0	33,509	27.1	66,259	17.7
Total Households	251,904		123,460		375,364	
California						
Male-Headed Households	333,606	4.7	418,741	7.6	752,347	6.0
Female-Headed Households	702,935	10.0	973,881	17.6	1,676,816	13.3
Total Single-Parent Households	1,036,541	14.7	1,392,622	25.1	2,429,163	19.3
Total Households	7,035,371		5,542,127		12,577,498	

Source: US Census Bureau, QT-H3: Household Population and Household Type by Tenure: 2010

Figure 3.4 Single-Parent Households as a Percentage of All Households



Source: US Census Bureau, QT-H3: Household Population and Household Type by Tenure: 2010

3.3.5 FARMWORKER HOUSING

The California Government Code requires that the City of Orinda consider local farmworker housing needs in its Housing Element. According to the ~~2007-2011~~ ~~2005-2009~~ American Community Survey, ~~26~~ ~~44~~ persons, or ~~0.3 percent~~ ~~0.5%~~ of the city’s employed persons 16 years of age and over, reported farming, fishing, and forestry occupations in the city. However, the persons counted most likely work for corporate employers in this sector and are not farmworkers. The California Employment Development Department has indicated that there are no farmworker households residing in Orinda. Recognizing that Orinda is located in an urbanized area in which farming operations do not exist, the City has determined that it does not need to provide land use designations specifically targeted to farmworker housing within the city limits.

3.3.6 EXTREMELY LOW-INCOME HOUSEHOLDS

An extremely low-income household is defined as a household with an income less than 30 percent of the area median. According to ~~the US Department of Housing and Urban Development~~ ~~HCD~~, the median income for a four-person household in Contra Costa County was \$93,500 in ~~2013~~ ~~2012~~. For single-person households, the median income was \$65,450. Based on the above definition, an extremely low-income four-person household earns less than \$28,050 a year and an extremely low-income one-person household earns less than \$19,650 a year. Employees earning the minimum wage in California (~~\$9~~ ~~\$8~~ per hour) and working 40 hours a

week would be considered extremely low income, as their total annual earnings would be ~~\$18,720~~ ~~\$16,640~~.

Because Orinda is a relatively affluent community, the number of extremely low-income households in the city is small. Data from the 2007–2011 American Community Survey indicated there were an estimated 122 households with incomes below \$10,000 a year, 115 households with incomes of \$10,000–\$15,000 a year, and 202 households with incomes between \$15,000 and \$25,000 a year. The 439 households earning less than \$25,000 a year represent approximately 6.9 percent of the city’s households.

Data on the income earning characteristics of Orinda’s families suggests that many of these households are senior citizens living alone. The percentage of families earning less than \$25,000 is substantially less than the percentage of overall households. ACS data reports 76 families earning less than \$25,000, or 1.8 percent of the city’s total. The ACS further indicates there were 2,090 households receiving Social Security benefits and 120 receiving Supplemental Security Income. Only 10 households in the city received ~~food stamps~~ CalFresh benefits (formerly food stamps).

Table 3.9 indicates the tenure characteristics of extremely low-income households and the percentage of income these households spend on housing. The data is from the 2007–2011 ACS. The data indicate that of the 439 extremely low-income households in the city, 283 (65 percent) are homeowners and 156 (35 percent) are renters. Among the extremely low-income homeowners, 250 of the 283 spent more than 30 percent of their incomes on housing. Among the extremely low-income renters, 127 of the 156 spent more than 30 percent of their incomes on housing.

ACS data further indicates that 139 of the 283 extremely low-income homeowners, or about half, are living in homes with no mortgages. It is likely that these are senior households on fixed incomes who have lived in Orinda for many years. Although these households have paid off their mortgages, they may still face high home utility bills and taxes. The ACS data also suggests that most of the extremely low-income renters are also seniors. This is likely, since 52 percent of the total rental households paying more than 30 percent of their incomes on housing in Orinda are seniors. Much of this population resides in Orinda Senior Village, a rent-subsidized complex for low-income seniors.

Table 3.9: Tenure and Overpayment for Orinda’s Extremely Low-Income Households		
Annual Income	Owners	Renters
Less than \$5,000	51	22
\$5,000–\$9,999	19	30
\$10,000–\$14,999	60	55
\$15,000–\$19,999	128	35
\$20,000–\$24,999	25	14
TOTAL	283	156
Percentage of Income Spent on Housing		
Annual Income Less than \$20,000	207	120
Less than 20%	0	14
20%–29%	0	15
30% or more	207	91
Annual Income \$20,000 to \$34,999*	112	48
Less than 20%	15	0
20%–29%	34	0
30% or more	63	48

Source: 2007–2011 American Community Survey

Note: * ACS does not provide this data for the \$20,000–\$24,999 interval. It is estimated that approximately two-thirds of the households in the \$20,000–\$34,999 bracket fall in the \$20,000–\$24,999 interval, based on the proportions in the upper part of this table (76 of the 112 owner households, and 36 of the 48 renter households).

Households with extremely low incomes have a variety of housing situations and needs. This population includes persons who are homeless, persons with disabilities, college students, seniors living on fixed incomes, and the long-term unemployed. As noted above, this population also includes minimum wage workers. For some extremely low-income residents, housing may not be an issue—for example, domestic workers and students may live in in-law units at low (or no) rents. Other extremely low-income residents spend a substantial amount of their monthly incomes on housing or may alternate between homelessness and temporary living arrangements with friends and relatives.

As a small community, the City has limited resources to meet the housing needs of extremely low-income households. There are no emergency shelters in Orinda. The City works with the Contra Costa Housing Authority and with the local faith community to assist those in need and to help residents locate suitable housing in the area. ~~The City is in the process of amending its zoning regulations to implement SB 2 (2007), and “...identify a zone or zones where emergency shelters are allowed without a conditional use permit.”~~

3.3.6 VETERANS

Veterans may have a variety of housing needs. Like other households, they may have trouble locating a safe, appropriately sized home at an affordable price. Some may faces more severe limitations due to disabilities. According to the 2008-2012 ACS, there were an estimated 1,107

veterans residing in Orinda (approximately 10 percent of the civilian population age 18 or older). The majority of these veterans, approximately 80 percent, served in Vietnam, the Korean War, or World War II and most, nearly 90 percent, are age 55 or older. These veterans may be served by senior organizations and facilities.

3.4 EMPLOYMENT TRENDS

The ~~2007–2011~~ ~~2005–2009~~ American Community Survey indicates that ~~78 percent~~ ~~96%~~ of Orinda’s working residents were employed in white collar occupations, such as professional, technical, executive, administrative, managerial, clerical, and sales positions (see Table 3.10). Based on the 2008–2012 ACS, the average commuting time to work was about ~~29.8~~ ~~28.8~~ minutes. Based on Census “Journey to Work” data, the great majority of residents worked outside of Orinda.

According to ABAG’s Projections ~~2013~~ ~~2009~~, there were ~~5,530~~ ~~6,230~~ jobs in Orinda in ~~2000 and~~ ~~6,220 jobs in~~ 2010. ~~This indicates virtually no employment growth in the city during the decade.~~ There were 6,553 households in the city in 2010, resulting in a jobs to housing ratio of ~~0.89~~ ~~0.95~~. This is ~~comparable to substantially lower than~~ the Contra Costa County ratio ~~regional average~~ of ~~0.91~~ ~~1.30~~ jobs per household. Most Orinda residents work outside the city, often commuting to jobs in San Francisco, Oakland, and other East Bay and South Bay employment centers. Within the city, the largest employer is the Orinda Union School District.

Future job and housing growth is an important regional policy issue. The city has little capacity for housing growth and likewise has little capacity for job growth. An increasing number of residents are telecommuting or working from home, helping to reduce traffic congestion and related greenhouse gas emissions.

ABAG’s Projections ~~2013~~ ~~2009~~ indicate that the number of jobs in Orinda will increase ~~to 6,940,~~ ~~by roughly or just under 1 percent~~ ~~12% per year~~ between 2010 and ~~2040~~ ~~2035~~. The number of households in Orinda is projected to increase to 7,340 during the same period. ~~This is the same percentage projected for the city’s household growth.~~ Thus, the jobs to housing ratio is expected to ~~increase slightly to 0.95~~ ~~remain constant~~ over the next ~~30~~ ~~20~~ years, with a growing share of job growth associated with home-based businesses. ~~At this time, the only planned employment growth in the city is associated with a 6,000 square foot office building in Orinda Village, and a 2,500 square foot retail building north of Safeway.~~

Because the city does not expect to add major new employment centers, additional housing demand associated with locally occurring job growth will be very low.

Table 3.10: Employment by Industry						
Industry	California		Contra Costa County		Orinda	
	Number	Percent age	Number	Percent age	Number	Percent age
Agriculture, forestry, fishing and hunting, and mining	<u>370,146</u>	<u>2.2</u>	<u>2,669</u>	<u>0.6</u>	<u>26</u>	<u>0.3</u>
Construction	<u>1,087,881</u>	<u>6.6</u>	<u>35,919</u>	<u>7.4</u>	<u>376</u>	<u>4.9</u>
Manufacturing	<u>1,694,975</u>	<u>10.2</u>	<u>34,917</u>	<u>7.2</u>	<u>477</u>	<u>6.2</u>
Wholesale trade	<u>545,225</u>	<u>3.3</u>	<u>13,296</u>	<u>2.7</u>	<u>212</u>	<u>2.7</u>
Retail trade	<u>1,831,603</u>	<u>11.0</u>	<u>53,806</u>	<u>11.1</u>	<u>417</u>	<u>5.4</u>
Transportation and warehousing, and utilities	<u>783,588</u>	<u>4.7</u>	<u>25,187</u>	<u>5.2</u>	<u>182</u>	<u>2.4</u>
Information	<u>488,366</u>	<u>2.9</u>	<u>14,746</u>	<u>3.0</u>	<u>358</u>	<u>4.6</u>
Finance and insurance, and real estate and rental and leasing	<u>1,120,432</u>	<u>6.7</u>	<u>48,139</u>	<u>10.0</u>	<u>1,347</u>	<u>17.5</u>
Professional, scientific, and management, and administrative and waste management services	<u>2,049,341</u>	<u>12.3</u>	<u>70,367</u>	<u>14.6</u>	<u>1,680</u>	<u>21.8</u>
Educational services, and health care and social assistance	<u>3,409,551</u>	<u>20.5</u>	<u>102,391</u>	<u>21.2</u>	<u>1,765</u>	<u>22.7</u>
Arts, entertainment, and recreation, and accommodation and food services	<u>1,563,669</u>	<u>9.4</u>	<u>36,815</u>	<u>7.6</u>	<u>352</u>	<u>4.6</u>
Other services, except public administration	<u>877,768</u>	<u>5.3</u>	<u>24,422</u>	<u>5.1</u>	<u>297</u>	<u>3.8</u>
Public administration	<u>780,872</u>	<u>4.7</u>	<u>20,910</u>	<u>4.3</u>	<u>228</u>	<u>3.0</u>
Total	<u>16,603,417</u>	<u>100</u>	<u>483,584</u>	<u>100</u>	<u>7,717</u>	<u>100</u>

Source: 2007–2011 American Community Survey (ABAG Data Profiles for Housing Elements, 2014)

Note: Percentage totals may not equal 100 percent due to rounding.

3.5 HOUSEHOLD CHARACTERISTICS

This section of the Needs Assessment describes certain characteristics of the city’s housing supply, including type, condition, ownership, vacancy, and costs.

3.5.1 HOUSEHOLD GROWTH TRENDS

According to the US Census, the number of housing units in Orinda grew by 0.7 percent ~~4.2%~~ from 2000 to 2010 ~~1990 to 2000~~. The growth in the previous following decade (1990 to 2000 ~~2000 to 2010~~) was over 4 ~~less than one~~ percent.

At the same time, the number of households increased by ~~121 294~~ between 1990 and 2000 and decreased by 43 between 2000 and 2010. The decrease was due to a higher vacancy rate at the time of the 2010 Census. Whereas only 2.2 percent of the city’s housing units were vacant in 2000, 3.7 percent were vacant in 2010 (see Table 3.11).

Table 3.11: Household Growth Trends (1990–2010)								
Year	Occupied Housing Units	Vacant Housing Units	Total Housing Units	Numerical Change	10-Year Percentage Change	% Vacant Total	% Vacant Owner	% Vacant Renter
1990	6,305	170	6,475			2.7		
2000	<u>6,605</u>	148	<u>6,753</u>	<u>300</u>	<u>4.8</u>	2.2		
2010	6,553	251	6,804	<u>51</u>	<u>0.7</u>	3.7	1.2	4.2

Source: 1990, 2000, and 2010 US Census (ABAG Data Profiles for Housing Elements, 2014)

3.5.2 Tenure

According to US Census data, owner-occupied units declined from 97.7 percent of the city’s occupied housing units in 1990 to 88.7 percent in 2010. Conversely, renter-occupied units increased from 2.3 percent in 1990 to 10.3 percent in 2010 (see Table 3.12). Most of this change can be attributed to the rental of existing single-family housing units and second units (in-law apartments) rather than the construction of rental apartment buildings.

Table 3.12: Occupied Households by Tenure (1990–2010)						
Tenure	1990		2000		2010	
	Number	Percentage	Number	Percentage	Number	Percentage
Owner	6,326	97.7	6,042	91.6	5,876	89.7
Renter	149	2.3	554	8.4	677	10.3
Total	6,475	100	6,596	100	6,553	100

Source: 1990, 2000, and 2010 US Census (ABAG Data Profiles for Housing Elements, 2014)

The percentage of owner-occupied housing units is still much higher than county or state totals (see Table 3.13). Whereas almost 90 percent of the city’s households are homeowners, 67 percent of the county’s households and 56 percent of the state’s households are homeowners.

Table 3.13: Households by Tenure, Orinda, Contra Costa County, and California, 2010						
	Orinda		Contra Costa County		California	
	Number	Percentage	Number	Percentage	Number	Percentage
Owner	5,876	89.7	251,904	67.1	7,035,371	55.9
Renter	677	10.3	123,460	32.9	5,542,127	44.1
Total	6,553	100	375,364	100	12,577,498	100

Source: 2010 US Census (ABAG Data Profiles for Housing Elements, 2014)

3.6 TYPE AND SUPPLY OF HOUSING UNITS

3.6.1 Units in Structure

The ~~California Department of Finance 2010 Census~~ indicated there were ~~6,829~~ 6,804 housing units in Orinda in 2014. This is an increase from 6,804 units in 2010. In 2010, approximately ~~According to the 2005-2009 American Community Survey (ACS), 94 percent~~ 95% of the city’s housing stock was made up of single-unit, detached structures (see Table 3.14). This compares to ~~67 percent~~ 68% and ~~58 percent~~ 59% for the county and the state.

About ~~6 percent~~ 10% of the city’s housing units are ~~in multi-unit structures, renter-occupied. The majority of these units (60 %) are single family detached structures. Most of the remaining renter occupied units (38 %) are in 10 or more unit apartments. This is comparable to County (33%) and State (34%) levels.~~ There are no mobile homes in the city.

Table 3.14:
~~Percent of Owner and Renter~~ Housing Units by Number of Units in Structure, ~~2000-2010~~ 2005-2009

Units In Structure	Orinda			Contra Costa County			California		
	<u>2000</u>	<u>2010</u>	<u>% Change</u>	<u>2000</u>	<u>2010</u>	<u>% Change</u>	<u>2000</u>	<u>2010</u>	<u>% Change</u>
1, detached	<u>6,252</u>	<u>6,374</u>	<u>2.0</u>	<u>232,050</u>	<u>266,693</u>	<u>14.9</u>	<u>6,883,493</u>	<u>7,959,089</u>	<u>15.6</u>
1, attached	<u>188</u>	<u>159</u>	<u>-15.4</u>	<u>29,965</u>	<u>31,594</u>	<u>5.4</u>	<u>931,873</u>	<u>966,437</u>	<u>3.7</u>
2 to 4 units	<u>87</u>	<u>9</u>	<u>-90.0</u>	<u>24,930</u>	<u>28,482</u>	<u>14.2</u>	<u>1,024,803</u>	<u>1,110,623</u>	<u>8.4</u>
5 or more units	<u>219</u>	<u>262</u>	<u>203.2</u>	<u>60,064</u>	<u>66,120</u>	<u>10.1</u>	<u>2,804,712</u>	<u>3,076,511</u>	<u>9.7</u>
Mobile homes	<u>7</u>	<u>0</u>	<u>-100</u>	<u>7,120</u>	<u>7,374</u>	<u>3.5</u>	<u>538,423</u>	<u>557,644</u>	<u>3.6</u>
Other	<u>0</u>	<u>0</u>	<u>=</u>	<u>437</u>	<u>0</u>	<u>=</u>	<u>31,245</u>	<u>0</u>	<u>=</u>
Total (excluding other)	<u>6,753</u>	<u>6,804</u>	<u>0.8</u>	<u>354,140</u>	<u>400,263</u>	<u>13.0</u>	<u>12,214,549</u>	<u>13,670,304</u>	<u>11.9</u>

Source: 2000 US Census; DOF 2010 (ABAG Data Profiles for Housing Elements)

3.6.2 HOUSING AGE

Approximately ~~85 percent~~ 86% of Orinda’s total housing stock is 30 years old or older (i.e., was constructed prior to 1979). As noted in Table 3.15, this compares to ~~60 percent~~ 61% for Contra Costa County and ~~63 percent~~ 64% for California. About ~~52 percent~~ 53% of the homes in Orinda were built before 1960, compared to ~~36 percent~~ 26% in the county and ~~44 percent~~ 31% in California. The housing stock age in Orinda is similar for renter- and owner-occupied units.

Although a high percentage of the city’s homes are more than 50 years old and as such may require more regular maintenance and repair, the majority of the city’s housing stock is well maintained. The homes in need of rehabilitation and replacement are not concentrated in any one geographic area.

Because of high home prices, homes that require rehabilitation or replacement are typically purchased by households with above moderate incomes. These homes are then rehabilitated, eliminating the substandard condition. Residential additions and major remodels over 1,000 square feet are subject to Design Review under City codes and regulations. Design Review is also required for all new single-family homes. The purpose of these regulations is to help ensure the proposed residential additions blend in with their surroundings and reflect the dominant visual character of the immediate neighborhoods.

Table 3.15: Year Structure Built by Area						
	Orinda		Contra Costa County		California	
	Estimate	Percentage	Estimate	Percentage	Estimate	Percentage
<u>Built 2000 to 2011</u>	<u>199</u>	<u>3.0</u>	<u>47,528</u>	<u>12.0</u>	<u>1,535,026</u>	<u>11.3</u>
Built 1990 to 1999	<u>198</u>	<u>3.0</u>	<u>46,868</u>	<u>11.4</u>	<u>1,439,356</u>	<u>10.6</u>
Built 1980 to 1989	<u>616</u>	<u>9.4</u>	<u>67,213</u>	<u>16.8</u>	<u>2,104,767</u>	<u>15.4</u>
Built 1970 to 1979	<u>919</u>	<u>14.0</u>	<u>77,745</u>	<u>19.5</u>	<u>2,519,509</u>	<u>18.5</u>
Built 1960 to 1969	<u>1,217</u>	<u>18.5</u>	<u>57,848</u>	<u>14.5</u>	<u>1,894,809</u>	<u>13.9</u>
Built 1950 to 1959	<u>2,041</u>	<u>31.1</u>	<u>53,155</u>	<u>13.3</u>	<u>1,926,133</u>	<u>14.1</u>
Built 1940 to-1949	<u>838</u>	<u>12.8</u>	<u>29,984</u>	<u>7.5</u>	<u>901,178</u>	<u>6.6</u>
Built 1939 or earlier	<u>535</u>	<u>8.2</u>	<u>18,574</u>	<u>4.7</u>	<u>1,310,351</u>	<u>9.6</u>
Total	<u>6,563</u>	<u>100</u>	<u>398,915</u>	<u>100</u>	<u>13,631,129</u>	<u>100</u>

Source: *2007–2011 American Community Survey (ABAG Data Profiles for Housing Elements, 2014)*

Note: *Percentage totals may not equal 100 percent due to rounding.*

3.6.3 VACANCY RATES

The residential vacancy rate is a good indicator of the balance between housing supply and demand in a community. When the demand for housing exceeds the available supply, the vacancy rate will be low. When there is an excess supply, the rate will be high. A vacancy rate of 3 percent to 5 percent is generally indicative of a healthy market. When vacancy rates fall below 3 percent, there is upward pressure on home prices and rents.

In 2000, Orinda’s vacancy rate was 2.2 percent. The Bay Area economy was especially strong at the time, with the tech boom driving historic inflation in home prices. The vacancy rate increased to 3.7 percent at the time of the 2010 Census. Of the 251 units reported by the Census as “vacant” in 2010, 30 were for rent, 69 were for sale, and 21 were sold or rented but not yet occupied. There were also 54 units reported as “seasonal, recreational, or occasional use” and 77 units reported as “other.” Even with the increase in vacancies between 2000 and 2010, the data indicates a strong real estate market, with very little rental and sales inventory.

The Census disaggregates the vacancy rate for owner-occupied units and rental units. In 2010, the owner vacancy rate (e.g., homes for sale) was 1.2 percent, while the rental vacancy rate was 4.2 percent.

The California Department of Finance reported Orinda's vacancy rate as ~~3.7~~ 3.68 percent in ~~2014~~ 2012, or roughly the same as it was at the time of the 2010 Census. By contrast, the county's vacancy rate was 6.2 percent and the state's vacancy rate was 8.1 percent.

3.6.4 OVERCROWDING

Overcrowding is typically defined as more than one person per room, based on the Census Bureau's definition of "room," which excludes bathrooms, porches, balconies, foyers, halls, or half-rooms. Severe overcrowding occurs when there are more than 1.5 persons per room. Overcrowding can result when there are not enough adequately sized units within a community, or when high housing costs relative to income lead individuals or families to share housing. Overcrowding may also create secondary problems, such as deterioration of housing stock from overuse.

Though 1.00 or more persons per room is the general measure of overcrowding, the actual level of perceived overcrowding will vary according to household size and structure. Houses with fewer rooms and non-related adult residents may seem more overcrowded than larger, family households. According to the ~~2006–2010~~ ~~2005–2009~~ American Community Survey, the city had no overcrowded households (more than one person per habitable room), compared to ~~3.8 percent~~ almost 4% for the county ~~and 8% for the State (see Table 3.16)~~. A review of more recent ACS data for 2007–2011 indicates the number of overcrowded units in the city today continues to be zero. This is at least partially due to the relatively large size of Orinda homes. ACS data for 2007–2011 indicates only 1.1 percent of the city's housing stock consists of one-bedroom and studio units. The median number of rooms per home in Orinda is 7.2, and 88 percent of the homes have three or more bedrooms.

Overcrowding is more typical for renter-occupied units than owner units. However, the ACS data for ~~2006–2010~~ ~~2005–2009~~ and for 2007–2011 showed no overcrowding in rental units in either period.

~~Based on the American Community Survey, there are no overcrowded households in Orinda.~~

3.6.5 Housing Condition

Orinda's housing stock is in excellent condition. According to 2007–2011 American Community Survey data, less than 0.3 percent of the housing stock lacked complete kitchen and plumbing facilities (roughly 20 housing units). However, the ACS indicates that its sampling methodology results in a margin of error of ± 25 units, which means it is possible that there are no housing units lacking complete plumbing and kitchen facilities. The City is unaware of any occupied housing units lacking plumbing or kitchens, with the exception of those that may currently be under renovation or under construction.

Based on visual reconnaissance of Orinda neighborhoods, it is believed that fewer than 20 homes in the city are dilapidated, abandoned, or in poor condition. Because it would not be a prudent use of City resources to do a physical conditions survey of each of Orinda’s approximately 6,800 6,700 homes given the very small number that are substandard, the City has researched various indicators to estimate housing condition. These are shown in Table 3.16 and are primarily based on code enforcement cases and resident complaints. Only one-tenth of one percent of all properties in the city have been the subject of a code enforcement case in the last three years. The code inspection program is primarily complaint driven and by request only.

Another indicator of housing condition is the level of reinvestment in Orinda’s existing housing stock. The valuation of work authorized by residential building permits between 2009 and 2012 (three fiscal years) was roughly \$51.3 million. The total amount was between \$16 and \$19 million each fiscal year. Of the three-year total, 77 percent represented reinvestment in existing homes and 23 percent was related to new construction. Almost \$40 million in valuation was added to existing homes through residential alterations and additions in just three years.

~~The City has included an action program in this Housing Element to conduct field surveys to document instances of home deterioration and repair needs prior to completing its 2014-2022 Housing Element. One survey will focus on the oldest neighborhoods of the city, where housing rehabilitation needs may be greatest. Information compiled by the survey will include an assessment of building components (foundation, roof, building exterior, windows) in order to determine if any structures are in poor or substandard condition. The City may use this information to support future grant applications, in the event a need for assistance for homeowner rehabilitation projects is identified. advertise the availability of home maintenance and repair loans through Contra Costa County to Orinda residents and consider pursuing additional funding for home repairs and improvements. In addition, the City will respond on a complaint basis toconduct code enforcement violations to ensure that the Orinda housing stock remains safe and in good repair.~~

	2010	2011	2012
Overgrown Vegetation	4	0	4
Debris	6	10	8
Dilapidated Structure	0	1	3
Total	10	11	15
Total as a Percentage of All Homes in Orinda	0.1	0.1	0.1

Source: City of Orinda 2013

3.7 HOUSING COST

3.7.1 HOUSING VALUES AND COSTS

Housing in Orinda is expensive. The city’s median home ~~sales price value~~, as reported by ~~DataQuick the American Community Survey for 2007-2011~~, was ~~\$1,017,000 in 2013~~ ~~\$1,000,010~~.

In 2003, the average price of homes was \$1,010,644 and the average price per square foot was \$419. The rate of increase in home prices began to accelerate in 2003 and, ~~according to peaked at an average of \$531 per square foot in 2006~~. City-data.com, an online data source, ~~indicates~~ the market peaked in the second quarter of 2007, when ~~85 homes were sold and~~ the median sales price was over \$1.2 million. According to Multiple Listing Service (MLS) data for the period from January 1, 2009, to April 27, 2009, the average sales price for detached single-family homes in Orinda was \$997,963. Average sales price per square foot in the first four months of 2009 was \$421.

~~Prices appear to have bottomed out in the second quarter of 2010, when roughly 60 homes were sold and the median price was just over \$800,000. As of the third quarter of 2012, the median price had returned to about \$950,000. While the 2007-2010 drop in property values resulted in an increase in the number of mortgage foreclosures in Orinda, there are few bank-owned properties in the city compared to the County and State. Table 3.17 shows median home sales prices for Orinda and Contra Costa County from 2010 to 2013. Median prices decreased from 2010 to 2011 for Orinda and the county and then increased annually from 2011 to 2013. Prices continued to climb through the first half of 2014. While home prices in Orinda increased between 2010 and 2013, the rate of increase was a modest average annual increase of 3 percent. In contrast, countywide the average increase was 14 percent per year.~~

Table 3.17: Median Home Sales Price, 2010 to 2013

<u>Year</u>	<u>City of Orinda</u>		<u>Contra Costa County</u>	
	<u>Median Sales Price</u>	<u>Percentage Change</u>	<u>Median Sales Price</u>	<u>Percentage Change</u>
<u>2010</u>	<u>\$932,500</u>	<u>--</u>	<u>\$275,000</u>	<u>--</u>
<u>2011</u>	<u>\$882,000</u>	<u>-5.42</u>	<u>\$255,000</u>	<u>-7.27</u>
<u>2012</u>	<u>\$925,000</u>	<u>4.88</u>	<u>\$295,000</u>	<u>15.96</u>
<u>2013</u>	<u>\$1,017,000</u>	<u>9.95</u>	<u>\$392,500</u>	<u>33.05</u>

Source: DataQuick 2010-2013 (www.dqnews.com)

Rents in Orinda are also well above the state and county medians, in part because most of the rental properties are large detached single-family homes. ~~City data.com indicated the median rent in 2009 was \$1,848. This is slightly lower than the American Community Survey estimate of \$1,959 for the period 2007-2011.~~

A survey of the craigslist.com website ~~for a one-week period in June 2014~~ ~~December 2012~~ indicated there were ~~21~~ ~~14~~ properties in Orinda advertised for rent. These included ~~eight~~ ~~six~~ one-bedroom ~~apartments or in-law~~ units, with ~~rents from \$1,450 to \$2,100 per month~~ ~~a median monthly rent of \$1,325~~, and ~~12 units with three or more bedrooms with rents ranging from \$3,250 to \$5,500 per month.~~ ~~Eight single family detached homes, with a median monthly rent of \$3,872.~~ Advertised rents ranged from ~~\$1,450 to \$6,900 per month (see Table 3.18)~~ ~~\$1,100 a month to \$5,900 a month.~~

Table 3.18: Rental Price Survey

<u>Number of Bedrooms</u>	<u>Number of Units</u>	<u>Lowest Advertised Rent</u>	<u>Highest Advertised Rent</u>
<u>1</u>	<u>8</u>	<u>\$1,450</u>	<u>\$2,100</u>
<u>2</u>	<u>1</u>	<u>\$2,300</u>	<u>\$2,300</u>
<u>3</u>	<u>8</u>	<u>\$3,250</u>	<u>\$5,500</u>
<u>4+</u>	<u>4</u>	<u>\$4,200</u>	<u>\$6,900</u>
<u>Total</u>	<u>21</u>	<u>=</u>	<u>=</u>

Source: Craigslist, June 2014

Based on the analyses presented in this section of this element, housing units are available for purchase at prices that often exceed affordability limits for moderate-income households. One-bedroom market-rate apartment rents are often affordable to low- and moderate-income households, but these units are typically only suitable for one- and two-person households.

Orinda’s history of development followed a course of single-family detached homes in a semi-rural environment. Orinda’s development pattern contributes to its continuing attractiveness as a place to live and its quality of life.

Information regarding the ability of local residents to pay for housing costs is presented later in this chapter.

3.7.2 INCOME

According to the US Census, the city’s median family income in 2000 was \$132,531. The 2007–2011 American Community Survey for Orinda indicates that the estimated median family income ~~increased~~ ~~has risen~~ to \$183,279. This is approximately double the median for Contra Costa County as a whole and is 160 percent higher than the State of California median. Moreover, family income grew faster in Orinda during 2000–2011 than it did in either the county or the state. The ACS data show a 38.3 percent rise in median income, compared to 27.9 percent for the county and 32.4 percent for the state.

More than one-third of Orinda’s households had annual incomes exceeding \$200,000. On the other hand, an estimated 900 households in the city—or about 14 percent of the city’s households—have annual incomes of less than \$50,000 a year. As noted in the Persons with Special Needs section of this chapter, some 6.9 percent of the city’s households earn less than

\$25,000 a year. While some of these households may be single seniors with very low monthly housing costs, the figure also includes families and others who may spend large portions of their incomes on housing. Moreover, even seniors with low housing costs (e.g., no mortgage) may face expensive utility bills or home repair and maintenance costs beyond their means.

Table 3.19: Median Household Income (2011 inflation adjusted dollars)						
	Orinda		Contra Costa County		California	
	Estimate	Percentage	Estimate	Percentage	Estimate	Percentage
Total Households	6,372	100	370,925	100.0	12,433,172	100.0
Less than \$10,000*	122	1.9	14,639	3.9	660,724	5.3
\$10,000 to \$14,999*	115	1.8	14,083	3.8	636,825	5.1
\$15,000 to \$24,999	202	3.2	24,532	6.6	1,165,436	9.4
\$25,000 to 34,999	121	1.9	26,719	7.2	1,129,943	9.1
\$35,000 to \$49,999	340	5.3	38,189	10.3	1,542,541	12.4
\$50,000 to \$74,999	480	7.5	59,214	16	2,155,425	17.3
\$75,000 to \$99,999	486	7.6	47,280	12.7	1,568,927	12.6
\$100,000 to \$149,999	1,083	17.0	68,928	18.6	1,884,614	15.2
\$150,000 to \$199,999	1,082	17.0	36,131	9.7	830,245	6.7
\$200,000 or more	2,341	36.7	41,210	11.1	858,492	6.9
2009 Median Household Income	\$157,500		\$79,135		\$61,632	
2009 Median Family Income	\$183,279		\$93,437		\$70,231	
2000 Median Family Income	\$132,531		\$73,039		\$53,025	
Family Income Growth	+\$50,748		+\$20,398		+\$17,206	
Family Income Increase 2000–2009 as a Percentage	38.3		27.9		32.4	

Source: 2005–2009 American Community Survey 5-Year Estimates

3.7.3 Percentage of Income Spent on Housing

Federal and state agencies regard 30 percent of gross annual income as a reasonable expenditure for housing. Based on this guideline, the maximum unit price affordable to each income group can be estimated.

Table 3.20 provides ~~HCD-HUD~~ income limits as of ~~2014 2009~~ for Contra Costa County. ~~These figures increased by approximately 5% in each category between 2009 and 2012.~~ The table indicates the maximum sales or rent price for an “affordable” unit serving each of the income groups listed here. This table presumes a four-person household and a three-bedroom unit. ~~HCD’s HUD’s~~ affordability guidelines vary depending on the size of the household and the size of the unit.

Income Category	Income Range	Max. Annual Household Income ¹	Max. Unit Purchase Price ²	Max. Monthly Rent ³
Extremely Low	30% or less of median	\$28,050	\$100,081	\$701
Very Low	31–50% of median	\$46,750	\$174,323	\$1,169
Low	51–80% of median	\$67,600	\$257,093	\$1,690
Median	100% of median	\$93,500	\$359,926	\$2,338
Moderate	81–120% of median	\$112,200	\$434,215	\$2,805

Source: California Department of Housing and Community Development, memorandum dated February 28, 2014 – “State Income Limits for 2014”; RealtyTrac sales price calculator (<http://www.realtytrac.com/vcapps>)

1. Based on a four-person household. Limit varies based on household size.

2. Assumes a 5.25% interest rate and 20% down.

3. Gross rent, including a utility allowance.

Assuming a ~~5.25 percent~~ ~~4.5%~~ interest rate, a 30-year fixed rate, and a 20 percent down payment, the monthly mortgage payment on the median priced (~~\$1,017,000~~ ~~\$950,000~~) home in Orinda (including 1.25 percent property tax) would be ~~\$5,552~~ ~~\$4,891~~. An annual income of approximately ~~\$200,000~~ ~~\$195,000~~ would be required for this home to be considered “affordable.” As noted above, less than 40 percent of the city’s households have an income of ~~\$200,000~~ ~~\$195,000~~ or more. One outcome of the city’s high housing costs is that many owner-occupied households pay more than 30 percent of their annual incomes on their mortgages.

~~Based on data from the 2007-2011 ACS, the 74 percent of Orindans with a mortgage had median monthly housing costs exceeding \$4,000. Over 90 percent of Orinda residents with a mortgage had monthly housing costs exceeding \$2,000. Approximately 42 percent of the city’s homeowners were paying more than 30 percent of their incomes on housing (mortgage, insurance, taxes, etc.). This included 31 percent who were paying more than 35 percent of their incomes on housing.~~

~~On the other hand~~ While high monthly mortgage payments are resulting in many instances of overpayment among homeowner households, a relatively large number of Orinda households are living mortgage free. ~~The 2007-2011 American Community Survey-Table 3.21~~ indicates that 1,492 ~~homeowners~~ ~~homes~~—almost 26 percent of the total number of ~~homeowners~~ ~~homes~~ in the city—have no mortgage. ~~While t~~These households ~~are not making a mortgage payment, they still~~ incur monthly housing costs through insurance, taxes, and other expenses. The median monthly housing cost for the mortgage-free households was \$720. ACS data indicates that this cost, though relatively low, represented more than 35 percent of household income for about 11 percent of the households (primarily seniors on fixed incomes).

~~By contrast, the 74 percent of Orindans with a mortgage had median monthly housing costs exceeding \$4,000. Over 90 percent of Orinda residents with a mortgage had monthly housing costs exceeding \$2,000. Based on 2007–2011 ACS data, 41.6 percent of the city’s homeowners were paying more than 30 percent of their incomes on housing (mortgage, insurance, taxes, etc.). This included 31.4 percent who were paying more than 35 percent of their incomes on housing.~~

~~At the time of the 2000 Census, 58% of low income Orinda owner-occupied households spent more than 30% of their incomes on housing. In addition, 45% of low income Orinda owner-occupied households—roughly 300 households—spent more than 50% of their incomes on housing. The housing cost burden for some Orinda homeowners may be slightly lower today than it was in 2000, given that incomes have risen more rapidly than housing costs in the last five years, and mortgage interest rates are lower. Many homeowners may have refinanced and taken advantage of these lower rates. At the same time, the Census indicated that 1,679 of the city’s households faced a cost burden in 2000, while the 2007–2011 ACS indicated the figure was 2,231.~~

Housing cost is also an issue for renters. The 2007–2011 ACS indicates that ~~67% of the city’s renter households paid more than \$1,500 a month in rent. More~~ more than half of the city’s renters spent more than 30 percent of their incomes on rent in 2011. Approximately 47 percent spent more than 35 percent of their incomes on rent in 2011.

~~Again, ACS and 2010 Census data on rent as a percentage of income for low income households was not available at the time of Orinda’s 2007–2014 Housing Needs Assessment, but the 2000 Census provides a benchmark. At that time, 65% of the city’s low income renters were paying more than 30% of their incomes on rent, and 25% were paying more than 50% of their incomes on rent.~~

Table 3.22 also presents data on housing payments as a percentage of income in Orinda. ~~The first table is based on ACS data for 2007–2011 and covers all households in the city. The second table is~~ It is based on CHAS data (from the 2006–2010 American Community Survey 2000 Census data (from the County Comprehensive Housing Affordability Strategy). It and looks specifically at payment greater than 30 percent of income among households earning 80 percent or less of areawide median (e.g., low income). ACS data indicates that 62 percent and 38 percent of low-income households are paying more than 30 percent and 50 percent of their income on housing, respectively. Data for Orinda is compared with data for Contra Costa County ~~and the State of California~~. In general, the incidence of payment greater than 30 percent in the city is comparable to the county ~~and State~~.

Even though median income in Orinda is relatively high, housing costs remain a challenge for a substantial number of the city’s residents. This can be an issue for some seniors as well as for working families, single parents, and others who face changing life circumstances. The sudden loss of employment, a health care emergency, or a family crisis can quickly result in a heavy cost burden, with few affordable options available within the city.

Tenure and Mortgage Status	Percentage of Monthly Income Spent on Housing					Total
	Less than 20%	20–24.9%	25.0–29.9%	30.0–34.9%	35% or more	
Orinda Homeowners with a Mortgage	1,581 1,542	496	447	434	1,339	4,297
Orinda Homeowners Homes without a Mortgage	1,218 1,206	76	38	0	160	1,492 1,480
Orinda Rental Units	157 135	57	71	32	266	583 561

Source: 2007–2011 American Community Survey (numbers in rows may not add to total due to ACS sampling errors and households not computed)

Households	Total Renters	Total Owners	Total Households	Total Renters	Total Owners	Total Households
	Orinda			Contra Costa County		
Total Households	490	5,930	6,420	112,280	255,805	368,085
Total Households Overpaying (Cost Burden >30%)	285	1,804	2,089	56,013	107,673	163,686
Lower-Income Households (≤80% Median Family Income)						
Total Lower-Income Households	275	650	925	65,675	61,745	127,420
Lower-Income Households Overpaying (30% of Income)	225	350	575	49,535	40,670	90,205
Lower-Income Households Overpaying (50% of Income)	140	210	350	28,465	29,345	57,810

Source: CHAS 2006–2010 Data Sets Table S10708 (ABAG Data Profiles for Housing Elements, 2014)

3.8 AT-RISK HOUSING

As required by Government Code Section 65583, the Housing Element must analyze the extent to which below market rate units are at risk of converting to market-rate housing. If there are at-risk units, the element should include programs to encourage preservation of these units or to replace any that are converted to market rate. The units to be considered are any units that were constructed using federal assistance programs, state or local mortgage revenue bonds, redevelopment tax increments, in-lieu fees or an inclusionary housing ordinance, or density bonuses. Housing is considered to be “at risk” if it is eligible to be converted to non-low-income housing due to: (1) the termination of a rental subsidy contract; (2) mortgage prepayment; or (3) the expiration of affordability restrictions. The time period applicable in making this determination is the 10-year period following the last mandated update of the Housing Element, which in the case of Orinda is ~~2007–2017~~ 2015 to 2025.

Federally subsidized rental housing in Orinda is currently being provided by the 150-unit Orinda Senior Village. This project was developed with the use of HUD 202 funds. The Senior Village provides housing for disabled persons (15 units) and persons 62 years of age and older. The 20-year financing term of the Senior Village is complete, but the affordability restrictions were renewed with HUD for 20 years in late November 2008. The 20-year term is currently the longest-term agreement available with HUD.

In addition, 67 affordable units are currently being constructed in the Orinda Senior Apartments project in the Monteverde Senior Apartments, developed by Eden Housing. The project is financed through Low Income Housing Tax Credits, HOME, CDBG, and a City land contribution of \$2.5 million, funding for which was received from the developer of the Wilder residential project in Gateway Valley. The project will be subject to an affordability restriction of 30 years to comply with the requirements associated with Low Income Housing Tax Credit financing.

Affordable units are also being developed as part of the Orinda Grove project, which is a 73-unit single-family subdivision. Building permits have been issued for all units in the development, and 22 homes were completed in the first half of 2014. Eight of the homes will be deed restricted for purchase and occupancy by moderate-income households.

No other low-income, multi-family rental units in the city have been constructed with the use of federal assistance programs, state or local mortgage revenue bonds, redevelopment tax increments, in-lieu fees or an inclusionary housing ordinance, or density bonuses.

3.9 REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

Orinda's housing allocation is determined by the Association of Bay Area Governments (ABAG), consistent with the requirements of state housing law. While the process of determining each locality's share of regional housing needs has evolved over the years, the most recent estimates are contained in the Regional Housing Needs Allocation (RHNA) for the 2014 to 2022 2007–2014 period (note that the RHNA period varies slightly from the Housing Element planning period, which is 2015–2023).

ABAG periodically prepares housing needs estimates for all cities in the Bay Area. According to estimates prepared by ABAG (RHNA, 2014–2022 2007–2014), Orinda's "fair share" of the regional housing need during the current planning period is 227 218 housing units (see Table 3.23). This translates into an average of 26 31 housing starts per year between January 1, 2014 and October 31, 2022 July 1, 2007 and June 30, 2014. By comparison, 196 139 residential units were constructed or permitted in the city from 2007 and 2013 1999 and 2006, or approximately 28 17 units per year.

Per state law, the RHNA has two primary purposes: identification of housing needs and allocation of the housing needs to every community. The identification of need refers to the number of housing units necessary to house every household at an affordable price and to replace all dilapidated housing units. The RHNA refers to the number of additional households in each income category which should have housing opportunities available in a particular community.

The model strives to obtain an equitable distribution of low- and moderate-income housing throughout the region by allocating units for lower-income households to each jurisdiction and by allocating a greater percentage of lower-income housing units to jurisdictions with a relatively small number of lower-income households, as compared to the countywide distribution.

Six major criteria are used in determining the fair share for each community:

1. Market demand for housing.
2. Employment opportunities.
3. Availability of suitable sites and public facilities.
4. Commuting patterns.
5. Type and tenure of housing needs.
6. Housing needs of farmworkers.

In addition, an impact avoidance factor is considered in an attempt to avoid further impact on jurisdictions with relatively high proportions of lower-income households.

As indicated earlier, ABAG has forecast the need to house ~~227~~ ~~218~~ additional households in Orinda by ~~2022~~ ~~2014~~. Using the methodology outlined above, ABAG has broken this projection down by income category. The distribution of this projected need by income category is shown in Table 3.23.

Table 3.23: ABAG Distribution of Assigned New Construction by Household Income – 2014 to 2022 2007 to 2014 2014		
Income Category	Additional Units per RHNA	Percentage of Total
Extremely Low (30% or less of AMI)	42	19
Very Low (less than 50% of AMI)	42	19
Low (50 to 80% AMI)	47	21
Moderate (80 to 120% of AMI)	54	24
Market (over 120% of AMI)	42	18
Total	227	100

Source: Association of Bay Area Governments, Regional Housing Needs Allocation, ~~2014-2022~~ ~~2007 to 2014~~; U.S. Census Bureau, Census 2000; California Department of Housing and Community Development.

Note: Percentage totals may not equal 100 percent due to rounding.

The ~~227~~ ~~218~~ units assigned to Orinda include ~~84~~ ~~70~~ very low-income units, ~~47~~ ~~48~~ low-income units, ~~54~~ ~~55~~ moderate-income units, and ~~42~~ ~~45~~ above moderate-income units. The ~~84~~ ~~70~~ very low-income units further can be divided into those serving extremely low-income households (about ~~42~~ ~~35~~ units) and those serving households with 30 to 50 percent of median income.

Under state law, the intent of the RHNA is to meet housing needs generated from within the community during the period. The production of ~~131~~ ~~118~~ units for extremely low-, low-, and very low-income households would serve to help those lower-income households currently

facing a housing cost burden (e.g., paying more than 30 percent of their incomes on rent) or other housing needs that are not being met by the private market. The needs assessment in this chapter indicates that the largest segment of the lower-income population with housing needs may be Orinda seniors. Even those who live in homes without mortgages may be cost burdened by homes they cannot afford to maintain.

3.10 ENERGY CONSERVATION AND HOUSING

To the extent energy costs continue to rise, or for other reasons, some homeowners are becoming increasingly interested in energy conservation and efficiency measures to reduce these costs. While the opportunity to use alternative energy sources may be most advantageous in brand new homes, there may also be opportunities to retrofit existing homes with energy-conserving technology, including the use of renewable energy sources. Some of the most readily available and financially feasible measures are described below. These measures are further described in Tables 3.24 and 3.25.

Insulation and Weatherproofing. Most homes in Orinda are over 30 years old. Many of these homes have single-pane windows and uninsulated walls, attics, and roofs. These homes can be insulated, and windows and doors can be replaced or recaulked to improve heating and cooling efficiencies and reduce utility bills.

Natural Lighting. Daytime interior lighting costs can be significantly reduced with the use of skylights. Skylights can be installed at a reasonable cost in most existing homes.

Solar Energy. Solar energy may provide a cost-effective way to heat and cool a home and may produce environmental benefits as well. Solar heating and cooling systems are of three general types: passive, active, or a combination thereof. In passive solar systems, the building structure is designed to collect and store the sun’s energy, and then re-radiate the stored heat. Passive buildings typically have a southerly orientation to maximize solar exposure and are constructed with dense materials that have the ability to absorb heat. Active systems convert the sun’s energy into electricity through photovoltaic panels that are either roof or ground mounted. Active systems can also heat water directly. The front-end cost of installing solar panels is typically amortized in 3 to 10 years through lower utility bills.

Table 3.24: Energy Efficiency Measures for New Homes and Home Addition and Rehabilitation Projects	
Energy-Efficient Equipment	
	Energy-efficient gas ranges with pilotless ignitions Energy-efficient gas built-in surface units with pilotless ignitions Energy-efficient gas built-in ovens with pilotless ignitions Energy-efficient gas water heaters Energy-efficient gas forced air furnaces with pilotless ignitions Energy-efficient gas wall furnaces with automatic thermostats Energy-efficient gas clothes dryers with pilotless ignitions Gas outlets for energy-efficient gas clothes dryers

Table 3.24: Energy Efficiency Measures for New Homes and Home Addition and Rehabilitation Projects	
Energy-Efficient Support Measures	
	<p>Gas heating thermostats with setback capability Clogged filter indicators for gas heating systems Fireplace dampers with exposed handles Heat exchangers in fireplace or freestanding solid fuel units Humidifiers added to gas heating system Flue dampers as integral part of forced air heating system</p>
Energy-Efficient Equipment	
	<p>Double-glazed windows and doors Glass area less than 12% of heated space Foam-filled (or equivalent) insulated exterior doors Insulation in attic increased to R-22 or R-30 Insulation in walls increased to R-19 Slab perimeter insulation R-7 or greater Hot water pipe insulation in unheated areas R-19 insulation installed under wood floors</p>
Energy-Efficient Solar and Gas Installations	
	<p>Energy-efficient solar/gas water heating Energy-efficient solar gas space heating Energy-efficient solar/gas pool heating</p>
Energy-Efficient Electrical Equipment	
	<p>Air economizers in conjunction with cooling system Dishwashers with power-saving drying cycles Air conditioning or room units with energy efficiency rating of 9 or more Fluorescent lighting fixtures in kitchen, baths, and recreation rooms</p>

Source: Pacific Gas & Electric

Table 3.25: Energy Conservation Measures Suggested for Residents	
A. Heating	
	<ol style="list-style-type: none"> 1. Keep room temperature at 65 degrees or lower. Turn heating control down at night or when away from home. Install a thermostat with a night setback feature, which does this automatically. 2. Draw draperies at night to limit heat loss; open them on sunny days to let the heat in. 3. Close damper when fireplace is not in use. 4. Check the furnace filter monthly, and replace it when dirty. To check filter, hold it to the light; if light does not pass through readily, replace filter. Cleaning is not recommended (unless equipped with a permanent filter). 5. Turn off furnace pilot at end of heating season. 6. Weather-strip windows and doors. 7. Caulk cracks around windows and doors.

Table 3.25: Energy Conservation Measures Suggested for Residents

B. Water Heating	
	<ol style="list-style-type: none"> 1. Take fast showers. 2. Repair leaky faucets. 3. Install water-saving showerheads, which restrict water flow. 4. Operate dishwashers only for full loads. 5. Set water heater thermostat below "normal." Turn to "pilot" position when away for extended periods of time (one week or longer). 6. Use cold water for operating food waste disposer and for pre-rinsing dishes. 7. When hand washing dishes, avoid rinsing under continuous hot running water. 8. Insulate water heater with an insulation blanket.
C. Laundry	
	<ol style="list-style-type: none"> 9. Wash and dry full loads of clothes, or adjust water level for the size of the load. 10. Wash clothes in warm or cold water. 11. Do not over-dry clothes; follow manufacturer's instructions for drying time.
D. Cooking	
	<ol style="list-style-type: none"> 12. Reduce burner flame to simmer after cooking starts. 13. Cook by time and temperature; avoid opening oven door while food is cooking. 14. Use one-place cooking when possible; prepare meals using only the oven, broiler, or top burner. 15. Check to make sure all burners are off when not in use.

Source: Pacific Gas & Electric

Energy Audits. Pacific Gas and Electric (PG&E) provides energy audits to local residents on request. The City's role in this process is to supply the public with information regarding this resource, including the appropriate contacts. Energy audits are helpful in pinpointing sources of energy loss and providing recommendations to remedy energy inefficiencies. Sources of energy loss could include old furnaces and condensing units, poor ductwork, and lack of insulation. The audit presents an opportunity for PG&E to identify and qualify homeowners for energy efficiency programs, such as installation of energy-efficient refrigerators and window re-caulking. PG&E offers rebate programs for residents and businesses to implement some of these measures

- *New Construction.* The City of Orinda will continue to require the incorporation of energy-conserving appliances, fixtures, and other devices into the design of new residential units, consistent with Title 24 and the California Building Code. The City will also continue to review new subdivisions to ensure that each lot optimizes solar access and orientation to the extent possible
- *Water Conservation.* Simple water conservation techniques can save thousands of gallons of water per household, thus reducing costs. Many plumbing products eliminate unnecessary water waste by restricting the volume of water flow from faucets, showerheads, and toilets. The use of drought-resistant and native plant materials can also measurably contribute to water conservation. A household can also save water by simply fixing dripping faucets and

using water more conservatively. The East Bay Municipal Utility District provides residents with tools to conserve water, such as water-saving hose nozzles and showerheads.

3.11 SUMMARY OF HOUSING NEEDS

Data from the 2000 Census, the 2010 Census, the 2005–2009 American Community Survey, the 2007–2011 American Community Survey, the California Department of Finance, and the Contra Costa County Comprehensive Housing Affordability Strategy indicate several noteworthy findings about housing supply and type in the city. These are summarized below.

1. The city has experienced limited population and household growth in the last ~~14~~ ~~12~~ years. The biggest factor influencing population size has been the vacancy rate, rather than births, deaths, or new construction.
2. The number of seniors residing in Orinda has steadily increased as residents age in place. More than one-third of Orinda's homes now have a head of household over 65, and the city's median age is among the highest in the entire Bay Area. The percentage of senior-headed households is likely to grow even higher as the baby boom generation reaches retirement. The city's greatest unmet housing need may be less expensive units for Orinda seniors, some of whom may no longer be able to remain in their homes due to mobility limitations, declining health, or diminished incomes.
3. The city has a relatively large number of families with five or more members, but there is no evidence of overcrowding based on Census data. Orinda homes tend to be larger than other homes in the county and state, resulting in relatively low average numbers of persons per room.
4. The number of extremely low-income households in the city is small relative to other cities in the county. Most extremely low-income Orinda households consist of single seniors. However, an estimated ~~439 households~~ ~~76 families~~ in the city have annual incomes of less than \$25,000, and other residents may find themselves facing homelessness because of a sudden loss of income, illness, or a change in life circumstances. The Orinda real estate market does not currently meet the housing needs of such families and individuals, which means very large shares of household income must be spent on housing to remain in the community.
5. The number of renters in the community has increased in the last 20 years. Most Orinda rentals are large single-family homes or second (in-law) units. Second units are "affordable by design" to many households meeting the HUD definition of lower income (80 percent of areawide median). ~~Four~~ ~~Five~~ of the ~~eight~~ ~~six~~ Orinda ~~one-bedroom units~~ ~~apartments~~ advertised for rent on Craigslist in ~~June 2014~~ ~~December 2012~~ were second units. Second units have relatively low impacts on the community and will be increasingly important as a source of affordable housing in the future.

6. Orinda's housing stock is aging, with more than half of the city's homes now over 50 years old. However, the high cost of housing in the city results in very high levels of reinvestment and a housing stock that is in excellent condition. There are only one or two code enforcement cases related to substandard housing in a given year.
7. The city has historically had vacancy rates that are well below the county and state averages, indicating a very high demand for housing.
8. A household income of almost \$200,000 is needed to afford the median priced Orinda home. ~~A household income of \$75,000 is needed to afford the median priced Orinda rental. These thresholds make~~ This threshold makes it difficult for many of those who work in Orinda to find suitable housing in the community. High housing costs also limit the ability of existing residents to relocate to a smaller dwelling in Orinda as they age; thus forcing long-time residents to relocate outside Orinda or for for Orinda's young adults to find housing in the community after leaving home.
9. The findings suggest that the following policies and actions be considered in the coming years:
 - a. A continued high priority on meeting the needs of seniors, including those who wish to age in place and those who need to relocate to less expensive units specifically designed for seniors.
 - b. More opportunities for young adults to find housing in the community after leaving home.
 - ~~b.c.~~ More opportunities for empty nester households within the community.
 - ~~e.d.~~ More opportunities for Orinda seniors who may now be living alone to rent rooms or share their homes with others in similar circumstances.
 - ~~d.e.~~ More opportunities for context-appropriate multi-family units in the Downtown area for those who work in the community but cannot afford to live there (teachers, child care workers, nurses, retail and service workers, etc.).
 - ~~e.f.~~ A commitment to seek community input on how to meet the housing needs of the community in a way that best reflects the context of Orinda.
 - ~~f.g.~~ Programs to assist low-income Orinda seniors with home repair and maintenance.
 - g.h. Programs to preserve and enhance housing for families with school-age children.

Implementation of the housing policies and programs in this Housing Element should further enhance the city's ability to achieve its long-range housing goals, including accommodating the housing needs of seniors, young professionals, and those locally employed in lower-paying occupations.

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4. Analysis of Housing Capacity

4.1 INTRODUCTION

State law requires each city and county to include an inventory of potential housing sites in their housing elements. The inventory must demonstrate that the community can meet its Regional Housing Needs Allocation (RHNA), as defined by the local council of governments. As noted in previous chapters of this Housing Element, Orinda's RHNA for the January 1, 2014–October 31, 2022 period is 227 units. Note that the RHNA period varies slightly from the Housing Element planning period, which is 2015–2023. , during the 2007–2014 period is 218 units while the city's Regional Housing Need Allocation during the 1999–2006 period was 221 units.

The City's General Plan identifies a maximum of 7,429 dwelling units in the city at 100 percent buildout. The 2014 Department of Finance estimates 2010 US Census identifies 6,829 6,804 total housing units located in the city. This suggests that at least 600 625 additional units could potentially be built in the city, which is almost three times the 2014 –2022 2007–2014 RHNA.

Demonstrating land capacity for 227 248 new units is only part of the equation, however. Orinda must also show that this land is capable of supporting the given housing allocations by category of income assigned to the City through the RHNA. This means that the City must zone for multi-family residences and second units that will rent for amounts deemed affordable to very low-, low-, and moderate-income households as well as zone for single-family homes.

In 2004, the state passed Assembly Bill 2348 to clarify the requirements of the Housing Element sites analysis. Cities can demonstrate that they have an adequate land supply to meet their affordable housing needs through several methods. They may cite recent data on housing production showing that affordable units have been created and are financially feasible. They can show that subsidies which contribute to the affordability of units are available and work effectively. They may also zone land for multi-family development and take advantage of a “safe harbor” in the law that deems certain densities as appropriate to accommodate housing for lower-income households. Suburban communities such as Orinda qualify for this safe harbor in the law where land is zoned for at least 20 housing units per acre. That is referred to as the default density for sites deemed to be viable for affordable housing.

Table 4.1 provides a summary of the city's capacity to accommodate the 2014–2022 RHNA, based on sites currently zoned for residential development. This chapter provides a detailed analysis of housing opportunities in the city. The analysis in this chapter begins by deducting housing units that were constructed or approved from January to June 2014, since the beginning of this RHNA period. from 2007 to December 2011, the first five years of the state-defined Housing Element planning period. Because these units have provided or will provide housing opportunities during the RHNA period, they These units may be credited toward the City's 2014–2022 2007–2014 assignment.

The chapter then adds the unmet need from 1999–2006, consistent with the requirements of Housing Element law and as required per discussions with the State Department of Housing and Community Development (HCD). It then evaluates housing opportunities in three five major

categories: (a) vacant land zoned for single-family homes; (b) vacant land zoned for multi-family homes; (c) underutilized mixed use properties; (e) underutilized public properties; (d) underutilized commercial properties; and (de) second units. Sites to accommodate the RHNA are shown in a map in Figure 4.1.

While not needed to meet the RHNA, this chapter describes additional housing opportunities, including mixed-use development in the downtown and additional single-family homes on vacant sites scattered throughout the community.

Table 4.1: Summary of Capacity to Accommodate the 2014–2022 RHNA

	Very Low	Low	Moderate	Above Moderate	Total
<u>2014–2022 RHNA</u>	<u>84</u>	<u>47</u>	<u>54</u>	<u>42</u>	<u>227</u>
<u>Units constructed/approved (Table 4.2)</u>	<u>66</u>	<u>2</u>	<u>11</u>	<u>87</u>	<u>166</u>
<u>Vacant land (Santa Maria¹, Wilder subdivision)</u>	<u>64</u>		<u>235</u>		<u>299</u>
<u>Second units, projected</u>	<u>2</u>	<u>13</u>	<u>38</u>	<u>4</u>	<u>57</u>
<u>Remaining RHNA (surplus capacity)</u>	<u>(16)</u>		<u>(279)</u>		<u>(295)</u>

Source: Association of Bay Area Governments 2014–2022 Regional Housing Needs Allocation 2013; City of Orinda 2014

¹ *Development capacity for the Santa Maria site is shown on this table only to demonstrate that the City has capacity to accommodate the lower-income RHNA with existing zoning. The site is zoned for up to 25 units per acre, which meets the default density of 20 units per acre established for Orinda by the California Department of Housing and Community Development. [As further described in this chapter, the City may opt to remove the High Density Overlay District from the Santa Maria site after the adoption of this Housing Element if/when an alternative site is selected to be rezoned to accommodate the City's lower-income RHNA.]*

4.2 ADJUSTMENT FOR ~~PREVIOUSLY~~ CONSTRUCTED AND APPROVED UNITS

Units in a variety of styles and at a range of affordability levels have been completed or are in progress and will be available to Orinda households during this planning period. As of June 2014, development on projects including Monteverde Senior Apartments, Orinda Grove, and Orinda Oaks were well under way. Additional homes have been completed or received building permits in 2014 in the Wilder subdivision and on scattered sites located throughout the city. Building permits have been issued for four second units. A summary of this development is provided in Table 4.2 and described below. Figure 4.1 provides a map of these units/sites.

Table 4.2: Housing Units Completed (January to June 2014)

<u>Map #</u>		<u>Income Category</u>				<u>Total</u>
		<u>Very Low</u>	<u>Low</u>	<u>Moderate</u>	<u>Above Moderate</u>	
<u>1</u>	<u>Single-family homes¹</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>4</u>	<u>4</u>
<u>2</u>	<u>Orinda Oaks (single-family homes)²</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>10</u>	<u>10</u>
<u>3</u>	<u>Wilder (single-family homes)³</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>8</u>	<u>8</u>
<u>4</u>	<u>Monteverde Senior Apartments⁴</u>	<u>66</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>67</u>
<u>5</u>	<u>Orinda Grove⁵</u>	<u>0</u>	<u>0</u>	<u>8</u>	<u>65</u>	<u>73</u>
<u>6</u>	<u>Second units (approved)⁶</u>	<u>0</u>	<u>2</u>	<u>2</u>	<u>0</u>	<u>4</u>
Total		66	2	11	87	166

Source: City of Orinda 2014; Contra Costa County Department of Conservation and Development 2014

1. Building permits were issued for four single-family homes on scattered sites in Orinda (outside of the Orinda Oaks, Wilder, and Orinda Grove developments) from January to June 2014.

2. Orinda Oaks is a 12-unit single-family subdivision. Two of the homes were completed in 2013 and thus are not counted against the 2014–2022 RHNA in this inventory. Six of the homes were completed in the first half of 2014. Building permits for two of the remaining units have been issued, and permits for the remaining units are likely to be issued by the end of 2014.

3. Wilder contains 245 home sites. Two of the homes were completed in 2013 and thus are not counted against the 2014–2022 RHNA in this inventory. Four homes were completed in the first half of 2014. Building permits for four additional units have been issued in 2014. The potential for additional homes in this development is considered in the analysis of vacant land in this chapter.

4. Monteverde Senior Apartments is a 67-unit affordable housing project for senior citizens. The very low-income units will be deed-restricted for affordability. The moderate-income unit is for an on-site manager.

5. Orinda Grove is a 73-unit subdivision. Building permits have been issued for all units in the development, and 22 homes were completed in the first half of 2014. Eight of the homes will be deed-restricted for purchase and occupancy by moderate-income households.

6. See page 4-4 for a discussion of how the affordability level of second units was determined.

Single-Family Homes

As further detailed in this chapter, vacant sites are available for the development of single-family homes in locations throughout the city. Permits for four single-family homes have been issued since the beginning of the RHNA period. Based on square footage and current market prices, it is assumed that these homes will be priced at levels affordable only to above moderate-income households.

Orinda Oaks

Orinda Oaks is a 12-lot single-family subdivision. The first two homes were completed in 2013. Due to the timing, these homes are not included in this analysis. Six of the homes were completed in the first half of 2014 and another two are under construction. It is anticipated that building permits for the remaining two homes will be issued in the near future and the homes will be complete and available for occupancy by 2015. Based on square footage and sales prices, these homes are appropriate for above moderate-income households.

Wilder

As further discussed below, the Wilder subdivision provides significant opportunity for the development of new single-family homes, as well as second units. Four homes were completed and an additional four building permits were issued in this subdivision in the first half of 2014. Based on square footage and current market prices, it is assumed that these homes were and will be priced at levels affordable only to above moderate-income households.

Monteverde Senior Apartments

The City's library was relocated to a new facility, enabling the City to negotiate an agreement with Eden Housing to purchase the 1.45-acre former library site at 2 Irwin Way (APN 260-200-017) and develop it as senior affordable housing. Eden is presently developing 67 units of senior housing on the property, with occupancy restricted to very low-income households. It is anticipated that construction will be complete and the units ready for occupancy by December 2014. The units will satisfy most of the City's RHNA for very low-income households for this planning period. The site was rezoned from public to multi-family residential uses (with a Senior Housing Overlay) as part of the approval process.

Orinda Grove

The former school district-owned Pine Grove site (APN 260-191-007) was declared surplus in December 2003. The City adopted the Pine Grove Neighborhood Design Policies and Guidelines to facilitate medium-density residential development on the property in 2004. In 2008, the City approved a 73-unit residential project on the site, including 65 market-rate units and 8 moderate-income units. Occupancy of the moderate-income units will be limited to households with four or more persons, meeting US Department of Housing and Urban Development (HUD) income guidelines. These units will satisfy a portion of the City's RHNA for moderate-income households for this period. The Orinda Grove development is currently under construction by Pulte Homes. From January to June 2014, 22 homes in the Orinda Grove development were completed. Building permits have been issued for the remaining units. The 11.1-acre site was rezoned PD (Planned Development) as part of the approval process.

Second Units

Applications for four second units were approved in the first half of 2014. The affordability level was determined based on square footage and the calculation methodology described later in this chapter. As later detailed, second units provide an important affordable housing opportunity for Orinda.

~~As noted throughout the other chapters of this Housing Element, the City's library was relocated to a new facility, enabling the City to negotiate an agreement with Eden Housing to purchase the 1.45-acre former library site and develop it as senior affordable housing. Eden is presently developing 67 units of senior housing on the property, with occupancy restricted to very low-income households. The units will satisfy most of the City's RHNA for very low income households for the 2007-2014 period. The site was rezoned from public to multi-family residential uses (with a Senior Housing Overlay) as part of the approval process.~~

The former school district-owned Pine Grove site (APN 260-191-007) was declared surplus in December 2003. The City adopted the Pine Grove Neighborhood Design Policies and Guidelines to facilitate medium density residential development on the property in 2004. In 2008, the City approved a 73-unit residential project on the site, including 65 market-rate units and 8 moderate-income units. Occupancy of the moderate-income units will be limited to households with four or more persons meeting federal

In conclusion, the City is carrying forward an unmet need of 28 units from the last (1999-2006) planning period (27 very low income units and one low income unit). Table 4.3 shows the addition of these units to the 2007-2014 Regional Housing Need Allocation, as well as the adjustments for the units constructed in 2007-2011.

Table 4.2: Unmet Need from 1999-2006 to be Carried Forward				
Income Category	Very Low	Low	Moderate	Above Moderate
RHNA, 1999-2006	31	18	43	129
Actual	4	17	1	117
<i>Single Family Homes</i>			0	(114)
<i>Second Units</i>	(4)	(17)	(1)	(3)
Shortfall	27	1	42	12
RHNA to be carried forward	27	1	0*	0*

Source: City of Orinda, 2012

(*) Note: although the City had a shortfall of 42 moderate and 12 above moderate units during the prior planning period, it is not carrying that unmet forward, since the land capacity to produce those units was available in Orinda during the 1999-2006 time period. Please see Page 4-12 for a discussion of how the affordability level of second units was determined.

Table 4.3: Adjusted RHNA with 1999-2006 Carry-Forward, Subtracting Completed Units					
	Very Low	Low	Moderate	Above Moderate	Total
RHNA, 2007-2014					
Adjustment to subtract units added (Table 4-1)					
Remaining RHNA					_____

Source: City of Orinda, 2012

4.3 SITES FOR NEW HOUSING

As described below, the Wilder subdivision can accommodate 235 new single-family homes. Zoning to accommodate 48 multi-family units at the default density is required to accommodate the balance of the RHNA for the lower income categories. Under existing zoning, 64 to 80 multi-family housing units can be accommodated on a 3.2-acre portion of Santa Maria Church property (APN 260-200-001) located in the High Density Overlay District (HDO). The HDO district was established and applied to the Santa Maria site during the 4th Cycle Housing Element and has a base density of 20 units per acre and allows up to 25 units per acre, if a proposed project meets certain provisions. The City has committed to consider anew whether or not to continue to rely on the Santa Maria site to accommodate the balance of the lower income RHNA and prepared a Draft Environmental Impact Report (EIR) that analyzes at an equal level of detail three alternatives consisting of six sites as listed in Table 4.3. A brief description of each of the three alternatives analyzed in the EIR is provided in section 4.3.2. There are many possible variants to the alternatives wherein a total of 48 units at the default density would be permitted.

After consideration of the EIR and prior to adoption of the 5th Cycle Housing Element, the City will select one or a combination of the sites analyzed in the EIR to accommodate the balance of the 5th Cycle RHNA for the lower income categories. If the Santa Maria site is selected, the zoning will be modified to reduce to 48 the number of multi-family units that can be accommodated on the site. The City's ultimate decision on this matter will be reflected in Action 3.E – Housing Site(s). [Note to HCD staff, the City considers all the alternative sites to be potentially viable options that would meet the requirements of State law and seeks HCD confirmation of the same.]

Table 4.3: Sites with Capacity for Housing Development after January 31, 2015

<u>Map #</u>	<u>Site Location</u>	<u>Existing Use(s)</u>	<u>Land Area (acres)</u>
<u>7</u>	<u>40 Santa Maria Way</u>	<u>Santa Maria Ball fields</u>	<u>3.2</u>
<u>8</u>	<u>10 Irwin Way</u>	<u>Orinda Community Church Upper Parking lot</u>	<u>0.8</u>
<u>9</u>	<u>451 Moraga Way</u>	<u>St Mark's Church (Southerly parking lot)</u>	<u>0.8.</u>
<u>10</u>	<u>501 Moraga Way</u>	<u>St John's Church (Vacant land south of parking lot)</u>	<u>1.6</u>
<u>11</u>	<u>27 Orinda Way</u>	<u>Rite Aid</u>	<u>1.6 ac.</u>
<u>12</u>	<u>1 Orinda Way</u>	<u>Restaurant, martial arts studio</u>	<u>0.8.</u>

Source: City of Orinda 2014

4.3.1 Wilder (Vacant Land Zoned for Single-Family Residences)

The Wilder subdivision, located in the Gateway Valley portion of Orinda (site number 3 in Figure 4.1), offers 245 home sites. The total Wilder area encompasses 1,600 acres. Approximately 300 acres will be developed for housing, play fields, and a community center.

~~The developer offers a variety of planned home designs and offers sites individually for custom home design and construction. Gateway Valley (Wilder) is a 245-unit single family residential development. It will Home plans include single-level market rate housing to accommodate seniors and individuals with disabilities, as well as households without special needs.~~

~~Per a development agreement with the City, the owners of Gateway Valley paid fees for the construction of off-site affordable housing. These fees were used to assist in the development of the Monteverde Orinda Senior Apartments, described earlier in this chapter. The City of Orinda is currently working with Eden Housing on the development of affordable senior housing on the 1.4-acre former library site that is owned by the City. That site is covered in a later section of this chapter.~~

~~As of July 2014, 235 of these sites remain available for development. Homes will be constructed in a time frame dictated by market demand. It is anticipated that a portion of homes developed in Wilder will feature a second unit.~~

~~The City of Orinda completed a comprehensive survey of vacant parcels in the City in May 2000. This survey was updated in May 2009 as part of the Housing Element update. In compiling the survey, the following factors were applied:~~

- ~~• Duplicate listings of parcels between the lists used to generate the survey results (City of Orinda and Contra Costa County Development Department) were eliminated.~~
- ~~• Properties less than 5,000 square feet in size were eliminated from the list due to development restrictions pertaining to undersized lots (56 properties).~~
- ~~• City of Orinda General Plan and Zoning information was applied to determine the minimum and maximum densities allowed.~~
- ~~• Properties included within the Sanitary Sewer and Septic Facilities Moratorium area imposed by the Contra Costa County Health Department were removed from the survey since the cost of extending sewer services to these parcels limits the economic feasibility of their development (59 parcels).~~
- ~~• Properties included in significant slide areas or in flood hazard areas were eliminated from the survey.~~
- ~~• Properties 120,000 square feet in size or larger and zoned for agricultural use were included in the survey if not located within the Sanitary Sewer and Septic Facilities Moratorium area.~~

~~Vacant or undeveloped sites are listed in Table 4.4. The results indicate that the City that could accommodate new residential development and the construction of approximately 530 additional single family dwelling units on 645 acres of residentially zoned land. The vacant land represents approximately 10 percent of the City's total land area.~~

The general locations of the areas identified in this table are shown on Figure 4.2, based on the assessor map book index. Book 273 (Gateway Valley/Castlegate) represents about half of the city's single family capacity. The remaining capacity is associated with scattered vacant residential lots, most on hillsides. Table 4.4 assumes one home per parcel and does not account for potential lot splits, since steep slopes limit the potential for subdivision in most cases.

4.3.2 Vacant Land Zoned for Multi-Family Residences

There are five properties in Orinda with multi-family (RM) zoning. Three sites are developed with multi-family uses; one is currently under construction with the Monteverde Orinda Senior Apartments Housing development; and one site is vacant. The vacant site (a portion of APN 260-200-001) is 3.2 acres and is owned by the Santa Maria Church (site number 7A on the map in Figure 4.1). Consistent with the 2013 Housing Element, the High Density Overlay District was established in December 2013 and applied to this site. The district establishes a base density of 20 units per acre and allows up to 25 units per acre if a proposed project meets certain provisions.

The density established in the High Density Overlay District was set at the 20 to 25 unit level in order to satisfy state law requirements that related to the City's shortfall in meeting the RHNA from the 3rd (1999-2006) and 4th (2007-2014) cycle housing planning periods. Because the City has adequate sites zoned at appropriate densities at the onset of the 5th cycle (2014-2022) RHNA period, it is no longer subject to the strict shortfall regulations. Rather than applying 20 units per acre as the minimum allowable density, the City may zone sites to meet the lower-income RHNA at a density of up to 20 units per acre, making 20 units per acre the maximum and establishing a lower minimum. Note, however, that the density may still be increased beyond 20 units per acre through a density bonus as is required by State law.

[Alternative 1 (Santa Maria Church site): Under existing zoning (RM zone with the High Density Overlay District), the Santa Maria Church site has a potential capacity of 64 to 80 multi-family units. The application of a density bonus could further increase development potential. The maximum density without a density bonus will be reduced to 20 units per acre and the land area to which the High Density Overlay District is applied will be reduced from 3.2 acres to 2.4 acres. This will allow for development of up to 48 multi-family units and will satisfy the portion of the lower-income RHNA that is not met through units approved or constructed or second units.

The Santa Maria Church site is serviceable by infrastructure and utilities and does not have hydrologic, geologic, or biologic constraints that would preclude its development. The site includes an upward slope from the church school to a flat area which is bounded to the west by the former church school currently occupied by church offices and a preschool and a church clergy residence (at a lower level) and to the north and east by the common open space of the nearby Orindawoods development. The site is bordered on the south by low-rise office buildings along Altarinda Road. Access to the site is via Santa Maria Way and along the roadway and driveways that provide access to the Santa Maria Church, clergy residence, church offices, and preschool.

[Alternative 2 (Church Lots): During the course of this Housing Element update, the City Council decided against relying upon the Santa Maria Church site to meet the portion of the lower-income RHNA that is not satisfied through units already built or approved or potential second units. The City has instead opted to remove the High Density Overlay from the Santa Maria Church site and instead apply it to portions of three other church sites. In doing so, it will also amend the High Density Overlay to allow a maximum of 20 units per acre.

The church sites include three separate parcels on the sites of Orinda Community Church (10 Irwin Way, St. Mark's Church (451 Moraga Way), and St. John Orthodox Church (501 Moraga Way). These sites encompass a total of 3.2 acres and the High Density Overlay will be applied to at least 2.4 acres within the site areas, allowing for development of up to 48 multifamily units (without a density bonus).

The Orinda Community Church site consists of the overflow parking lot and undeveloped land that consists of an area approximately 0.8 acres. The site is located adjacent to the existing parking lot for the Orinda Community Church and Orinda Senior Village with a single access driveway from Irwin Way. The St. Mark's Church site consists of a parking lot and undeveloped land on the southeasterly side of the church that consists of an area that is approximately 0.8 acres in size and fronts Moraga Way. The St. John Orthodox Church site consists of a 1.6-acre portion of vacant land and church overflow parking area.

[Alternative 3 (Mixed Use): During the course of this Housing Element update, the City Council decided against relying upon the Santa Maria Church site to meet the portion of the lower-income RHNA that is not satisfied through units already built or approved or potential second units. The City has instead opted to remove the High Density Overlay from the Santa Maria Church site and instead apply it to portions of three other sites. In doing so, it will also amend the High Density Overlay to allow a maximum of 20 units per acre.

The site includes three separate parcels on the sites of Orinda Community Church (10 Irwin Way), Rite Aid (27 Orinda Way), and the site of a commercial building with several service uses (a restaurant, martial arts studio, and other services) located at 1 Orinda way. These sites encompass a total of 3.2 acres and the High Density Overlay will be applied to at least 2.4 acres within the site areas, allowing for development of up to 48 multifamily units (without a density bonus).

The Orinda Community Church site consists of the overflow parking lot and undeveloped land that consists of an area approximately 0.8 acres. The site is located adjacent to the existing parking lot for the Orinda Community Church and Orinda Senior Village with a single access driveway from Irwin Way.

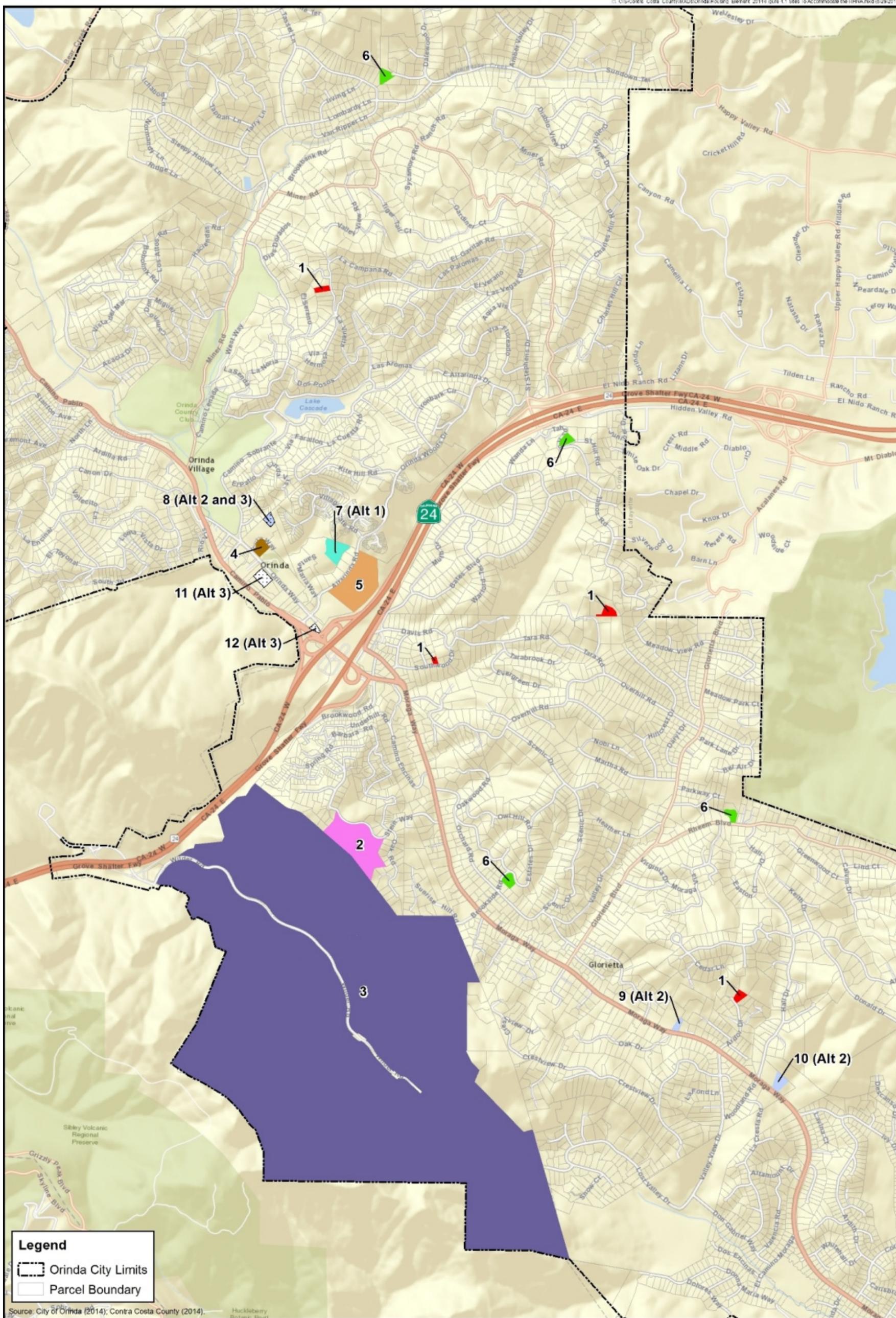
The Rite Aid site consists of 1.85 acres. A portion of the site could be redeveloped as mixed use with a combination of commercial uses and multi-family residential.

The 1 Orinda Way site consists of 0.8 acres and could also be redeveloped as mixed use with commercial uses and multi-family residential.

~~It is located at 40 Santa Maria Way, to the east of the church building and just north of Altarinda Road. The RM zoning on the site permits 10 units per acre, giving the 3.2-acre area a potential capacity of 32 multi-family units. Through the application of a senior housing zoning overlay, the 3.2-acre area could yield up to 38 units per acre, or 121 units. Density bonuses for senior housing with affordability restrictions The Santa Maria Church site is serviceable by infrastructure and utilities, and does not have hydrologic, geologic, or biologic constraints that would preclude its development. The site includes an upward slope from the church school to a flat area which is bounded to the west by the former church school (currently occupied by church offices) and a preschool and a church clergy residence (at a~~

~~lower level), and to the north and east by the common open space of the nearby Orindawoods development. The site is bordered on the south by low-rise office buildings along Altarinda Road. Access to the site is via Santa Maria Way and along the roadway and driveways that provide access to the Santa Maria Church, clergy residence, church offices and preschool. The City has included an action element in this Housing Element which would enable the development of housing at densities of no less than 20 units per acre on the 3.2-acre Santa Maria site for non-age restricted development. This would enable construction of 64 units.~~

© 2014 Contra Costa County/HDR/Orinda Housing Element 2014 (page 4-1) Sites to Accommodate the RHNA (5/29/2014)



Source: City of Orinda (2014); Contra Costa County (2014).

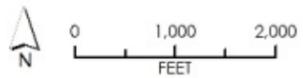


Figure 4.1
Sites To Accommodate the RHNA
PMC

4.4 SECOND UNIT POTENTIAL

4.4.1 Development Prospects

~~Considering the limited amount of underutilized commercial land and vacant multi-family sites,~~ Second units are an important and viable affordable housing resource in Orinda. ~~As noted elsewhere in this report,~~ There were 25 second units added from in 1999 to 2006 and another 28 ~~20~~ second units added or approved from 2007 to June 2014 ~~in 2011~~. The addition of 45 rental ~~these~~ units during this time period has helped the City meet its moderate- and lower-income housing needs and provided extra income for homeowners, some of whom may be moderate and lower income themselves.

Second units may be created in a number of ways:

- They may be incorporated in brand new homes.
- They may be added onto existing homes as net new floor space.
- They may be created within the footprint and already habitable floor space of an existing home.

In the last case, second units may be developed by adding new bathrooms and kitchens and by configuring a separate entrance within an existing home. They may be also be developed by improving existing space that already has a kitchen, bathroom, and separate entrance, but is not currently used as an independent dwelling unit. They may also include the conversion of pool houses (with kitchens and baths), guest cottages, and similar detached structures. They may also include future rental of existing space that is now serving as domestic quarters, au pair quarters, home offices, or living space for extended family (children, elder parents, etc.).

Under the current second unit ordinance, the owners of these units may convert the spaces to active rentals by right, provided that certain conditions are met. These conditions include various dimensional and size standards (see Chapter 5), the provision of off-street parking, and owner occupancy of either the primary or secondary unit.

4.4.2 Viability of Second Units as Affordable Housing

Although second units are rented at market rates, they help meet Orinda's affordable housing needs by providing a housing resource for seniors and small low- and moderate-income households. Based on data ~~for December collected in~~ 2012 and reviewed in 2014, the median monthly rent for second units in Orinda was \$1,325. Even the more expensive units, which were in the range of \$1,500 to \$2,000 a month, meet HUD affordability criteria for one- and two-person moderate-income households. Such units provide an important alternative for those who cannot afford to purchase a home in Orinda.

As part of the 2013 Housing Element update, the City estimated the likelihood that future second units would be affordable to very low-, low-, and moderate-income households. To do this, market rents for multi-family units in the area were surveyed to determine an average monthly rental cost per square foot. The City used tax assessor data to determine second unit sizes, and classified ads to determine typical second unit and multi-family apartment rents. A regression

analysis was then prepared to determine the relationship between unit size and rent. ~~This is shown in Figure 4.3 below. The points in the regression chart indicate the top-end of the intervals for very low, low, moderate, and above moderate income units based on the rent per square foot.~~

The analysis determined that the probable monthly rent for a 391-square-foot studio would be \$608 (\$2.09 per square foot), making this unit affordable to a very low-income household. The probable rent for a 741-square-foot unit would be \$1,400 (\$1.89 per square foot), making it affordable to a low-income household. This data was applied to the projected number of future second units in each size category (assuming a continuation of existing trends) to determine the probable number of new units that would fall into each category.

Numerous homes in the city have existing floor space with the potential for conversion to a legal second unit. About half of the city's homes have four or more bedrooms, including more than 500 homes with five or more bedrooms. The architecture and configuration of many Orinda homes are also conducive to second unit production. Many of the city's homes were built with multiple entrances, carriage houses and other outbuildings, space for domestic employees, bedrooms and bathrooms on multiple levels, and other physical attributes that lend themselves to second unit creation. Many of the lots are large and could support a second unit without a zoning variance.

The demographics of the city are also conducive to second unit production. The city includes a large population of seniors who might benefit from the availability of second units (for their own occupancy or to rent to tenants for extra income). A large number of young adults were raised in Orinda but have limited options for staying in the city (other than continuing to reside in their parents' homes). Second units in Orinda can also be an extremely attractive option for one- and two-person households, single parents with young children, and others who seek to enjoy the amenities and high quality of life in the city but are unable to purchase a home in Orinda. Given that the median price of a home in the city is over \$1 million, and given the limited amount of vacant land for multi-family housing, there appears to be a substantial need for second units in the city.

4.4.3 Estimated Potential for Second Unit Production During the Balance of the Planning Period (~~July 2014–October 2022~~ ~~2012–2014~~)

Between the start of 1999 and ~~the end of June 2014~~ ~~2011~~ (~~15~~ ~~13~~ years), ~~53~~ ~~45~~ second units were added to Orinda's housing stock, for an average of ~~over three~~ ~~3.5~~ units per year. The City approved six second units ~~in 2007 and approved eight and~~ in 2008, ~~the City approved eight. The City approved four second units in the first half of 2014.~~

It can be reasonably assumed that another ~~32~~ ~~17~~ second units can be produced on scattered sites during the remainder of the ~~2014–2022~~ ~~2007–2014~~ ~~planning~~ ~~RHNA~~ period (e.g., ~~July 2014–October 2022~~ ~~2012–2014~~). Based on the characteristics of the units produced from ~~2007 to 2013~~ ~~2011~~, it is assumed that this will include ~~2~~ ~~one~~ very low-income units, ~~13~~ ~~six~~ low-income units, ~~13 and 10~~ moderate-income units, ~~and 4~~ ~~above moderate-income units~~. These would be market-rate units, with no income or occupancy restrictions, approved based on requests from individual homeowners.

Of course, the actual capacity for second units is much greater, since thousands of homeowners could apply. One of the most important opportunities for second unit production exists at the Wilder (~~Gateway Valley~~) development, since there are 235 remaining ~~245 newly created~~ lots in the master planned subdivision, with only 10 ~~a few~~ homes constructed to date. This Housing Element includes an action program to promote second units in new homes in Wilder. The City estimates that 10 percent of the new homes will include a second unit, producing approximately 25 new units. Because these will be brand new units rented at market rates, it is presumed they would fall in the affordability range for moderate-income households.

This Housing Element includes action programs to increase resident awareness of second unit opportunities and benefits and the process for applying for a second unit. It also supports the legalization of existing second units which meet current zoning and building code standards, and the maintenance of an ongoing registry of units, with information on rents and square footage.

~~These actions can all lay the groundwork for continued robust production of second units during the next (2014-2022) planning period.~~

~~4.6 ABILITY TO MEET THE REGIONAL HOUSING NEEDS ALLOCATION FOR THE 2007-2014 PERIOD~~

~~There is currently land available during the time horizon of this Housing Element to construct at least 797 housing units in Orinda. Through implementation of the Action Programs in the Housing Element, this will increase by 32 units to a total of 829 units. The increase in capacity is necessary to close gaps in the “very low,” “low,” and “moderate” income categories.~~

~~The analysis in this chapter found that the City has more than enough suitably zoned land to meet its RHNA in the above moderate and moderate income categories, but has a slight shortfall of adequately zoned sites in the very low and low categories. This shortfall can be closed by creating the capacity for 32 additional non-age restricted multi-family units. As noted in Table 4.5 below, the capacity increase is associated with allowing a 20 unit/acre density on the 3.2-acre Santa Maria site. Multi-family housing is already permitted in this area, and much higher densities are already permitted for senior housing.~~

~~Chapter 6 of the Housing Element provides additional detail on the proposed changes.~~

4.5 ADDITIONAL HOUSING OPPORTUNITIES

The City of Orinda completed a survey of vacant parcels in 2011 and updated it as part of this Housing Element update. In compiling the survey, the following factors were applied:

- Duplicate listings of parcels between the lists used to generate the survey results (City of Orinda and Contra Costa County Development Department) were eliminated.
- Properties less than 5,000 square feet in size were eliminated from the list due to development restrictions pertaining to undersized lots (56 properties).
- City of Orinda General Plan and zoning information was applied to determine the minimum and maximum densities allowed.
- Properties included within the Sanitary Sewer and Septic Facilities Moratorium area imposed by the Contra Costa County Health Department were removed from the survey since the cost of extending sewer services to these parcels limits the economic feasibility of their development (59 parcels).
- Properties included in significant slide areas or in flood hazard areas were eliminated from the survey.
- Properties 120,000 square feet in size or larger and zoned for agricultural use were included in the survey if not located within the Sanitary Sewer and Septic Facilities Moratorium area.

A summary of development potential is shown in Table 4.4. The results indicate that the city could accommodate new residential development and the construction of approximately 290 additional single-family dwelling units on 475 acres of residentially zoned land.

The general locations of the areas identified in this table are shown on Figure 4.2, based on the assessor map book index. Capacity is scattered throughout the city on vacant residential lots, most on hillsides. The acreage figures in Table 4.54 are reduced based on the criteria noted above. In addition, the unit estimates assume one home per parcel and do not account for potential lot splits, since steep slopes limit the potential for subdivision in most cases.

Table 4.54: Development Potential of Vacant Residentially Zoned Land, 2014				
Area	Assessor's Map Book No.	Gross Acres	Zoning Designation	Estimated Residential Capacity (units)
North Orinda	266, 261, 365	118	RM, RL-40, RL-20, PD	58
Wagner Ranch	267	5	RL-20	7
Manzanita	263	15	RL-40	15
Country Club	262	10	RL-20	8
Orindawoods/St. Stephens	260	<u>17</u>	RL-40, RL-20	<u>14</u>
El Toyonal	264, portions of 265	28	RL-20	42
Upper El Toyonal	Portions of 265 and 267	2	RVL-E	5
Downtown	265	1	DC	8
Southhills (Overhill, Bates, Tahos)	251 and 268	NA	RL-40, RL-20	20
Southwood Valley	268	<u>13</u>	RL-20	<u>14</u>
Oak Springs	Portions of 273	4	RL-6	0
Castlegate	Portions of 273	14	RL-20, RL-6	14
Castlegate Phase II	Portions of 273	23	RL-20, RL-15, RL-6	9
Wilder (Gateway)	Portions of 273	118	RL-40, OS, DA PD	235
Glorietta (west of Glorietta)	269	9	RL-20	15
Rheem (east of Glorietta)	270	28	RL-20	0
Crestview/Lost Valley	272	46	RL-20	31
Ivy Drive	271 and 255	142	RL-40, RL-15, OS, DA-OS	30
Total		<u>452</u>		<u>267</u>

Source: City of Orinda, 2014

* California Government Code requires that the City provide detailed data for each site it intends to use to meet its RHNA. The 537 sites listed above are presumed to meet the City's above moderate-income housing allocation of 19 units. Since the number of units in the table is roughly 30 times greater than the need, the City has only provided detailed data for a subset of these units (Wilder). This information may be found in Appendix A, along with sites proposed to meet the moderate, low, and very low RHNA.

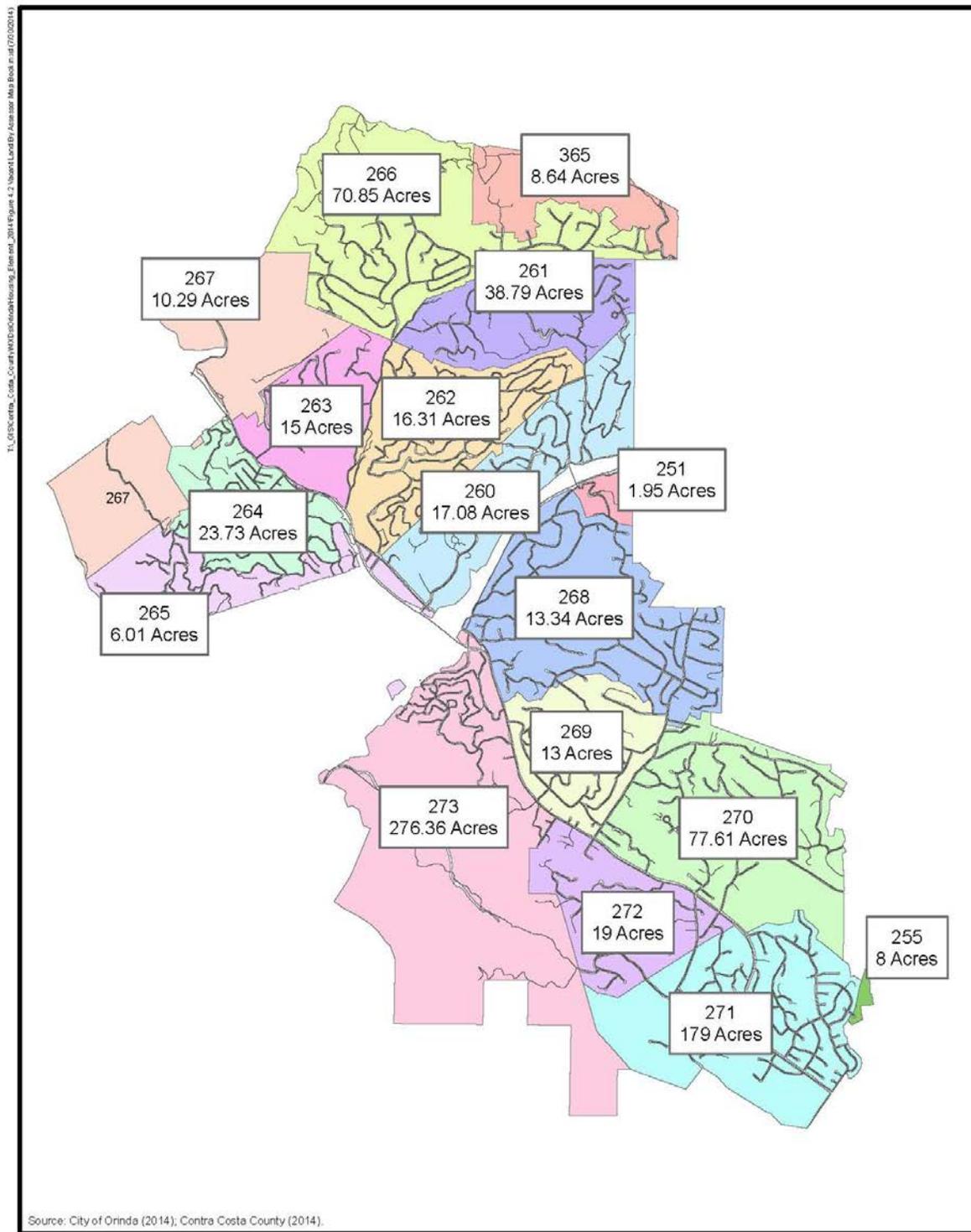


Figure 4.2
Additional Vacant Residential Land By Assessor Map Book



5. Constraints to Housing Development

5.1 INTRODUCTION

State law requires that the Housing Element include an evaluation of potential constraints to housing production and conservation. Constraints are broadly characterized as being “governmental” and “non-governmental.” Governmental constraints include land use controls, building codes, site improvement requirements, developer fees, and policies or procedures which make it difficult or expensive to build housing in the city. Non-governmental constraints are associated with factors such as the cost of land, the adequacy of infrastructure, the availability of credit and financing, and community views on development.

5.2 GOVERNMENTAL CONSTRAINTS

5.2.1 GENERAL PLAN

Orinda’s General Plan was adopted in 1987, two years after the City’s incorporation. The intent of the General Plan is to express the City’s values and goals for future development.

The plan consists of two volumes, including plan policies (Volume 1) and a Technical Supplement and EIR (Volume 2). Volume 1 is organized in four sections. The Land Use and Circulation section includes policies for the city as a whole, as well as specific policy direction for Downtown Orinda and Gateway Valley (also known as Wilder). It also addresses open space, parks, schools, utilities, and transportation. The Housing section corresponds to the Housing Element of the General Plan. The Environmental Resources Management section meets the state mandate for conservation, safety, and noise elements. The Growth Management section meets the Contra Costa County mandate established by voter-approved Measures C and J.

The General Plan has been amended several times since 1987, primarily in response to development approvals and land use policy changes. Given the city’s built-out character, most of the goals and policies in the existing General Plan continue to represent the City’s position on growth and development issues.

The overall goals of the General Plan are to preserve the high quality of Orinda’s residential neighborhoods, enhance the “village” character of Downtown, and preserve the open spaces and natural resources in and around the city. The plan balances housing needs with infrastructure capacity and environmental planning considerations. The General Plan does not envision major changes in the character of Orinda, nor does it anticipate any significant growth in the city’s employment base.

The plan includes a Land Use Map that identifies the types of uses and densities/intensities of use permitted within the Orinda Planning Area. The map includes three residential categories, two downtown categories, a public/semi-public category, a parks/recreation category, an open space category, and a utilities category. A separate category has been created for the Gateway Valley Specific Plan area.

The three residential categories allow single-family very low density (5–10 acres per unit), single-family low density (1–2 units per acre), and multi-family (6–10 units per acre) uses. The multi-family category allows densities greater than 10 units per acre for senior housing, provided the impacts are comparable to non-age-restricted units developed at 10 units per acre. The two downtown categories include one for professional offices and another which is retail-focused.

From 2007 to 2009, the City convened a Task Force to evaluate possible changes to streamline the development review process and make it more user-friendly. Thirty-two recommendations pertaining to residential development were drafted and 29 have been implemented.

5.2.2 ZONING

The primary tool for implementing the General Plan is the City’s Zoning Ordinance (Title 17 of the Orinda Municipal Code). The ordinance considers the categories and designations on the General Plan Land Use Map, as well as General Plan policies to conserve neighborhood character, manage traffic and service impacts, and protect environmental quality.

Residential Zones

The Zoning Ordinance includes residential districts that roughly parallel General Plan categories, although there are a larger number of zoning districts. There are nine residential zones, as follows:

- *Residential Very Low Density – Estates (RVL-E): minimum net lot size of 10 acres*
- *Residential Very Low Density (RVL): minimum net lot size of 5 acres*
- *Residential Low Density (RL)*
 - *RL-40: minimum net lot size of 40,000 square feet*
 - *RL-20: minimum net lot size of 20,000 square feet*
 - *RL-15: minimum net lot size of 15,000 square feet*
 - *RL-12: minimum net lot size of 12,000 square feet*
 - *RL-10: minimum net lot size of 10,000 square feet*
 - *RL-6: minimum net lot size of 6,000 square feet*
- *Residential Medium Density (RM): no greater than 10 units per acre*

A summary of the development standards for RL-40, RL-15, RL-10, and RM is presented in Table 5.1. The table compares standards in Orinda with those in nearby cities, including Lafayette, Moraga, and Piedmont. The standards in Orinda are comparable to those in these nearby communities. Density limits in Orinda’s very low, low, and medium ~~Moderate~~ density residential districts are comparable to those in neighboring cities. The setback standards and height limits are not excessive and do not constrain residential development.

Floor Area and Slope Density Standards

Orinda's Zoning Ordinance includes limits on house size, using a sliding scale that correlates allowable floor area to lot area. One of the stated purposes of these limits is to "accommodate housing needs and preserve and enhance diversity of housing" in the community (Orinda Municipal Code, 17.6.1.E).

For lots smaller than 20,000 square feet, the Zoning Ordinance indicates the maximum floor area that may be built on the property. Lots that are less than 5,200 square feet are limited to a maximum home area of 1,400 square feet. A sliding scale presented in tabular form in the Zoning Ordinance prescribes a different maximum for lots between 5,200 and 20,000 square feet using intervals of 200 square feet of lot area. For example, a 10,000-square-foot lot may have a home with up to 2,300 square feet, while a 15,000-square-foot lot may have a home with up to 3,150 square feet.

For lots larger than 20,000 square feet, floor area is limited to 20 percent of the parcel size. In addition, ~~Orinda has a maximum homes size of 7,000 square feet~~ or larger are subject to a greater level of review, regardless of lot area. The Zoning Ordinance also includes definitions of floor area that exempt certain parts of the structure from the calculation. For example, floor area excludes up to 400 square feet of garage space. Improvements of space within the existing footprint of a home also are exempt.

The floor area standard has been an effective tool for preserving Orinda's supply of smaller and more affordable older homes, and maintaining the character of the city's neighborhoods. The standard has not constrained housing improvement or conservation and provides an incentive to conserve existing homes rather than removing them and replacing them with much larger and more expensive homes.

In 2010, the City amended its permitting process to allow exceptions to the floor area standards through the Design Review process. This was a recommendation of the Task Force intended to relax the floor area ratio caps where adjacent neighbors would be minimally impacted by increases in floor area.

The City also has adopted a slope-density formula that applies to the creation of new lots. The formula prescribes the maximum size of a new parcel based on the degree of slope on the site. Again, a sliding scale is used to determine allowable parcel size. For example, the minimum lot size on a 20 percent slope is 25,623 square feet (versus 20,000 square feet on a slope of less than 15 percent). The slope-density formula provides important environmental and ecological benefits. Although it discourages lot splits and minor subdivisions on steep slopes in single-family zones, such development would be unlikely to consist of affordable housing.

Table 5.1: Comparison Of Development Standards						
City	Max. Density (units per acre)	Yard Setbacks (feet)			Off-Street Parking (spaces per unit)	Max. Height (feet)
		Front	Side	Rear		
RL-40 (40,000 SF lot)						
Orinda	1	25	15	15	4 ⁽¹⁾	27
Comparable zones in nearby cities						
Lafayette	1	25	20	15	2	35
Moraga	1 ⁽²⁾	25	20	20	2 (covered) ⁽³⁾	35 ⁽⁴⁾
Piedmont	2	20	4	20	3 (covered)	35
RL-15 (15,000 SF lot)						
Orinda	3	20	10	10	4 ⁽¹⁾	27
Comparable zones in nearby cities						
Lafayette	2	20	10	15	2	35
Moraga	2	25	15	20	2 (covered)	35 ⁽⁴⁾
Piedmont	4	20	4	4	2 (covered)	35
RL-10 (10,000 SF lot)						
Orinda	4	20	10	10	4 ⁽¹⁾	27
Comparable zones in nearby cities						
Lafayette	6	20	5	15	2	35
Moraga	3	20	10	15	2 (covered)	35 ⁽⁴⁾
Piedmont	4	20	4	4	2 (covered)	35
RM						
Orinda	10	15	10	10	4 ⁽¹⁾	27
Comparable zones in nearby cities						
Lafayette	17	20	10	15	2	35
Moraga	6	25	20 ⁽⁵⁾	20 ⁽⁵⁾	2 (covered)	35 or 2 stories (whichever is less)
Piedmont	N/A	---	---	---	---	---

Source: City of Orinda 2013/2014; Town of Moraga Planning and Zoning Code, 2014; City of Piedmont Zoning Ordinance, 2014; City of Lafayette Zoning Regulations, 2014

Notes:

- (1) At least 2 enclosed and 2 unenclosed paved parking spaces for each new single-family residence
- (2) Attached secondary unit plus 1 required parking space.
- (3) One off-street covered non-tandem parking space for a dwelling 700 sf or less. If more than 4 bedrooms, add one parking space; one space for each 2 bedrooms in excess of 5.
- (4) Dwelling unit height measured from the point where the ground or bottom level appears above grade to the top of the living area (which varies with type of roof), as allowed by the Design Review authority.
- (5) Minimum 20-foot side yard or side yard length, but not less than the height of the building.

Multi-Family Residential Standards

Section 17.4.32 of the Orinda Municipal Code includes the City's standards for multi-family development. A use permit is required for such development, unless occupancy is restricted to seniors and the project is in a Senior Housing Overlay zone District or the High Density Overlay District, in which case a project is permitted by right. Multi-family development is also subject to an open space standard of 150 square feet of private open space per unit and 100 square feet of common open space per unit. Each unit is also required to have at least 30 square feet of enclosed storage space. Building heights are limited to 25 feet.

The City created a Senior Housing Overlay District to incentivize the production of multi-family housing for seniors. Senior housing may be built up to a density of 38 units per acre. Building heights in such instances are based on the closest adjoining residential or downtown district, or may be established by the Planning Commission during the development review process. Building plane lines have been established to reduce the possibility that very large structures will cast shadows or have significant visual impacts on adjacent lower-density parcels.

In addition, the City established the High Density Overlay District (Section 17.4.34 of the Municipal Code) to facilitate multi-family housing at a density of 20 units per acre. The base density may be increased to up to 25 units per acre if affordable units are provided and the applicant can show a financial need for the increased density.

Section 17.4.31 of the Municipal Code includes incentives for affordable housing, namely the state-mandated density bonus. The code adopts state density bonus requirements (Government Code Section 65915) by reference and indicates application requirements, approval requirements, and housing incentive agreement requirements, consistent with state law. A density bonus provides up to 35 percent additional density on a property for projects that include affordable units as well as market-rate units. The density bonus may be used in tandem with the Senior Housing Overlay District or the High Density Overlay District to enable densities as high as 51.3 units per acre. This provision has been used in the construction of the Monteverde Senior Housing Apartments development by Eden Housing, with 67 units on 1.45 acres (approximately 48 units per acre) anticipated to be completed by December 2014.

New multi-family development in the city may occur through the Planned Development (PD) process. The PD process allows development standards to be established on a site-specific basis in response to the unique characteristics of the site under consideration, within the allowable density range established by the General Plan. On a larger site, individual subareas may exceed the multi-family standard of 10 units per acre, provided the overall density for the property is within the range of 6–10 units per acre. As noted above, substantially higher densities are permitted for senior housing.

~~The City has identified a number of measures in the Housing Program section of this Element that will provide additional direction on zoning changes to facilitate affordable housing and multi-family development in the future. Specifically, the 10 unit per acre maximum for multi-family housing does not qualify for the State's "default density" zoning for land deemed appropriate to accommodate housing for lower income households. That "default density" in suburban jurisdictions is a minimum of 20 units per acre.~~

Downtown Standards

Section 17.8.1(k) of the Municipal Code establishes that one of the purposes of the Downtown Zoning District is to “provide for multifamily housing, including affordable housing, in downtown areas, consistent with the housing element of the general plan.” The Downtown Zone includes two sub-districts: a Downtown Commercial district and a Downtown Office district. The Downtown Commercial district explicitly allows medium-density residential units when they are located on the upper floor of a commercial building; a use permit is required in such instances. The Downtown Office district does not allow residential uses and is intended primarily for freestanding office buildings.

Development in the Downtown Commercial district is subject to a 50 percent lot coverage standard and a 35-foot height limit. Ten-foot setbacks apply on the front, side, and rear lot lines, and a minimum of 20 percent of the site must be landscaped. There is no limit on floor area ratio.

These development standards do not constrain the development of upper-story multi-family units. Despite the allowance for mixed use, very few projects have actually been built. One possible reason is that parcels in the Downtown area are relatively small, meaning any given parcel can only support a few second-story units if limited to the 10 units per acre standard.

Parking Standards

At least two enclosed and two unenclosed paved parking spaces outside the right-of-way are required for all new single-family homes. In addition, when a home that does not currently meet this standard is altered or expanded in such a way that increases the number of bedrooms, conforming parking must be provided. Given the large size of most Orinda lots and the relative age of the city’s housing stock, this requirement does not constrain or unduly add to the cost of housing production.

Most existing homes have conforming parking. For those that do not, the parking standards may actually provide an incentive to retain existing moderately priced homes. The requirement to provide an additional space when adding a bedroom may discourage such owners from expanding their homes, thereby maintaining housing diversity. Such homes tend to be more moderately priced than those with large garages, wide driveways, and similar amenities.

Parking standards are also prescribed for multi-family housing. These standards require different numbers of spaces depending on the number of bedrooms and the occupancy of the units. Studios require one covered space per unit, one-bedroom apartments require 1.5 covered spaces per unit, and units with two or more bedrooms require two covered spaces per unit. A guest parking requirement of 0.25 spaces per unit also applies. Reductions are permitted for senior housing, with 0.5 covered spaces per unit required and a guest requirement of 0.1 space per unit. Parking requirements are comparable to those in nearby cities and do not represent a development constraint.

Findings for Single-Family and Multi-Family Development

Single-family housing is permitted by right in all residential zones, and no use permits are required. Design review is required for new homes, and the procedure and required findings are noted in a later section of this chapter.

Multi-family senior housing is allowed by right in areas covered by the Senior Housing Overlay. Multi-family housing is allowed by right in areas covered by the High Density Overlay. Outside such areas, multi-family housing requires a use permit in the RM zone and in the DC zone. The following findings must be made by the Planning Commission to issue the use permit:

- A. The use is consistent with the Orinda General Plan, any applicable specific plan, and the purposes of the zoning district in which it is located.
- B. The use is of benefit to Orinda residents.
- C. The use will be properly related to other adjacent land uses and to transportation and service facilities in the vicinity.
- D. Under all the circumstances and conditions of the particular case, the use will not have a material adverse effect on the health or safety of persons residing or working in the vicinity.
- E. The use will not contribute to a substantial increase in the amount of noise or traffic in the surrounding area.

Design review also is required for new multi-family housing, with special findings included for senior housing. This is discussed in a later section of this chapter.

In the course of reviewing the 2007–2014 Housing Element, HCD noted concerns regarding the use permit process for multi-family housing in the RM zone. HCD noted the following in its certification letter dated December 19, 2013:

“... the updated element must include a program to modify the condition use permit in the RM zone for multifamily housing. For your information, while particular constraints such as zoning at appropriate densities may be linked to the regional housing need, potential governmental constraints must not be limited to accommodating the regional housing need. In this case, the element must evaluate the CUP as a potential constraint beyond simply accommodating the regional housing need for lower income households. The element for the 5th cycle must include analysis and programs as appropriate to address the CUP as a constraint.”

All sites zoned RM are fully developed, with the exception of the Santa Maria Church site, which is covered by the High Density Overlay. Because no vacant land zoned for multifamily housing is subject to the current use permit requirement, it would not impede the City from meeting its 2014–2022 RHNA obligation or constrain possible development of multifamily housing on sites currently zoned RM. The City has worked with HCD to revise the current use permit requirements to meet the state objectives to provide development certainty as well as meet the objectives of the City to ensure quality design. As such, this Housing Element includes Action 4.A to revise the use permit process to ensure more predictable outcomes in the review of

~~multi-family development applications in the RM zone. Revisions will include modifications to the decision-making criteria and the establishment of guidelines to define compatibility. The revisions will balance provide certainty for applicants while with the continued continuing to preservation and enhancement of existing community character. While the findings themselves are not a constraint to development and do not impose unique or onerous requirements on multi-family housing, State housing law considers the use permit requirement for multi-family housing on sites used to meet the Regional Housing Need Allocation a constraint to development. Thus the use permit requirement for sites zoned to meet the Regional Housing Need Allocation must be removed. An action in this Housing Element will remove the use permit requirement for multi-family housing on the 3.2-acre site designated to meet the Regional Housing Need Allocation.~~

Cumulative Impacts of Development Standards

State law requires the City to consider the impacts of development standards on the cost of housing, and further to consider the cumulative impacts of development standards on the cost and supply of housing. The primary development standard affecting housing cost is the lot size standard, since this standard effectively establishes a 6,000-square-foot minimum for single-family neighborhoods. Similarly, the primary standard affecting housing cost for multi-family units is the density limit of 10 units per acre. Building multi-family units at this density (4,356 square feet of lot area per unit) allows the dedication large areas as common open space and hence preserves the city's semi-rural character. This is mitigated to some extent as a potential constraint on the development of housing by allowances for high-density senior housing in the RM district and multi-family housing in the High Density Overlay District and by provisions for Planned Developments, which allow the transfer of density from one part of a site to another. ~~In addition, to comply with State law and have zoning deemed adequate for lower income households, this Housing Element includes an action program to create an overlay zoning in the RM district for development of multi-family housing at the default density for lower income households, and to apply that overlay to a vacant 3.2-acre site in the RM district.~~

Beyond lot size, the setback and height limits for single-family and multi-family units result in an ample building envelope allowance and are not a constraint. Since lot sizes are relatively large, off-street parking standards also can be easily met on most properties. As noted earlier, the floor area ratio (FAR) limit for single-family lots is regarded as an opportunity, rather than a constraint, since it reduces the incidence of teardowns and helps preserve smaller homes. On vacant lots, the FAR limit is not a constraint since it can be waived through the Design Review process, which is mandatory for all new homes.

~~As already noted, the Housing Element includes an action program to require a minimum density of 20 units per acre on the one vacant site remaining in the RM zone, thereby addressing the issues raised above.~~

5.2.3 STANDARDS FOR SPECIAL HOUSING TYPES

Overview

This section of Chapter 5 evaluates standards for special housing types in Orinda, including second units, mobile and manufactured homes, emergency shelters, and transitional and supportive housing. Table 5.2 indicates the permitting requirements for different housing types in those uses where residential uses are permitted or conditionally permitted. ~~Action programs in this Housing Element have been proposed to eliminate use permit requirements for certain housing types, in compliance with State housing law.~~

Table 5.2: Housing Types Permitted by Zoning District					
Residential Use	ZONE				
	RVL	RL	RM	D-C	P-I
Single-Family	P	P			
Multi-Family			UP(*)		
Multi-Family Above Commercial				UP	
Second Unit	P	P			
Manufactured Home (subject to design review)	P	P			
Mobile Home (subject to design review)	P	P			
Residential Care, Limited (8 or fewer persons)	P	P	P		
Congregate Care			UP		
Emergency Shelter/ Transitional and Supportive					P(*)
P=Permitted; UP= Use Permit Required; (*) = Proposed to be permitted, per Housing Element action					

Source: City of Orinda 2013

Second Units

Second units (in-law apartments) are permitted by right on lots in single-family zones that meet certain criteria. These criteria include either a 20,000-square-foot minimum lot area or a 10,000–20,000-square-foot square lot area provided that there are fewer than 40 properties within a 500-foot radius of the site. On lots less than 20,000 square feet, second units must be at least 150 square feet, may not be more than 750 square feet, and may not have more than one bedroom. On lots between 20,000 and 40,000 square feet, a maximum size limit of 999 square feet applies, and on lots greater than 40,000 square feet, a 1,250–square-foot limit applies.¹ Second units on lots greater than 20,000 square feet may have two bedrooms.

To be eligible for a second unit, the primary residence must meet the City’s parking standard of two covered spaces and two uncovered (driveway) spaces. In addition, the second unit itself is required to have one space if it is a studio or one-bedroom unit and two spaces if it is a two-bedroom unit. The spaces must be on all-weather surfaces, but they do not have to be covered. The spaces must be accessible without blocking access to the primary unit’s spaces and must be at least 10 feet from the edge of the street (pavement). Vegetation screening is required if the

¹ These size limits exclude a 200-square-foot allowance for a garage or carport parking space in each case.

parking space is within a required setback. The height and setback requirements applicable in each residential zone also apply.

The criteria listed above do not constrain the development of second units given the large number of lots that meet the eligibility criteria. Roughly 55 percent of the lots in Orinda are 20,000 square feet or more, and another 30 percent are between 10,000 and 20,000 square feet.

Mobile and Manufactured Housing

Under Section 17.4.30 of the Municipal Code, mobile homes and manufactured homes are permitted in all single-family residential zones in Orinda as long as they meet a set of criteria and standards that is consistent with state law. This includes compliance with single-family zone development standards (setbacks, height, parking, etc.), certification under the National Mobile Home Construction and Safety Standards Act, and structural installation on a permanent foundation, with treatment to present a finished appearance. Building, plumbing, and electrical permits are required for installation, along with plans including plot elevations and details on exterior materials and other specifications.

Emergency Shelters ~~and Supportive/Transitional Housing~~

~~The City's zoning regulations do not explicitly reference emergency shelters or supportive and transitional housing as use categories. A Housing Element action program has been added to rectify this, in accordance with State Law (SB 2).~~ There are presently no emergency shelters or transitional housing facilities in Orinda. The number of homeless residents is extremely small. The ~~2013~~ 2014 Contra Costa County Homeless Census found ~~only one unsheltered resident in the city, compared to 1,490-1,350 unsheltered individuals~~ in the county as a whole, ~~none of which were in Orinda~~. The count was conducted in the winter, when seasonal demand is likely at its highest.

~~In 2013, the~~ City ~~intends to~~ amended the Zoning Ordinance ~~within one year of Housing Element certification~~ to make emergency shelters a permitted use in the Public/Semi-Public (PS) zoning district. Because of the high cost of commercial and residential land, it is unlikely that a shelter would locate on land in the commercial or residential zones, making the PS zone the most feasible alternative.

The zoning amendment ~~would further~~ established the following criteria:

- Occupancy is limited to seven clients per night
- Sites must be located:
 - Within one-half mile of the Orinda BART station
 - More than 200 feet from the edge of pavement of State Route 24
 - More than 300 feet from a general day care use
- One parking space must be provided for every three beds, plus one space per on-site management staff person

~~In addition, shelters are subject to specific requirements regarding a waiting and intake area, on-site management, and lighting, a limitation that only parcels within one half mile of the Orinda BART station would be included, and that properties within 200 feet of the edge of pavement along the Highway 24 freeway would be excluded. Additional zoning limitations on the size and design of any future facility also may be considered at that time.~~

The areas in the PS zone not subject to the limitations listed above total approximately 12.5 ~~15~~ acres and are sufficient in size to meet the local demand for emergency shelter. These areas include the entire Orinda Civic Center complex (including City Hall, the Police Station, the Public Library, and the Community Building) and three churches, two of which sit on large parcels of land with undeveloped areas. The churches themselves operate programs to help residents in need and contain community rooms and other spaces that can be made suitable for shelter. The area is within a 10-minute walk of BART and in walking distance to retail and City services.

~~To the extent an emergency shelter is considered a “congregate care” facility, such uses are permitted with a use permit in the RM zone and the Downtown Office district. Congregate care is defined by the Zoning Ordinance as including 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. It excludes convalescent facilities, which are a separate use category.~~

Supportive/Transitional Housing

~~Senate Bill 2 (2007) required that local zoning regulations include definitions for supportive and transitional housing and allow these uses as residential uses, subject only to the same requirements as other uses of the same type in the same district. The City amended its Zoning Ordinance in 2013 in compliance with state law. A provision for transitional and supportive housing is established in Section 17.3.10 of the Municipal Code.~~

Persons with Disabilities

According to the US Census, as of 2000, approximately 10 percent (1,881) of Orinda’s residents had a disability or condition that affected their abilities to live independently in conventional residential settings. These individuals have mobility impairments, self-care limitations, or other conditions that may require special housing accommodations. Persons with mobility difficulties (such as those confined to wheelchairs) may require special accommodations or modifications to their homes to allow continued independent living, as well as special needs for access to transportation and employment. The City requires compliance with Title 24 of the California Code of Regulations (Title 24) and the federal Americans with Disabilities Act (ADA) to ensure new construction meets the needs of disabled persons.

Individuals with self-care limitations (which can include persons with mobility difficulties) may require residential environments that include in-home or on-site support services, ranging from congregate to convalescent care. Support services can include medical therapy, daily living assistance, congregate dining, and related services. Individuals with developmental disabilities and other physical and mental conditions that prevent them from functioning independently may require assisted care or group home environments. Individuals with disabilities may require

financial assistance to meet their housing needs because a higher percentage are low income than the population at large and their housing needs are often more costly than conventional housing.

Some people with mobility and/ or self-care limitations are able to live with their families to assist in meeting housing and daily living needs. A segment of the disabled population, particularly low-income and retired individuals, may not have the financial capacity to pay for needed accommodations or modifications to their homes. In addition, even those able to pay for special housing accommodations may find them unavailable in the city. Although Title 24 requires public buildings to be accessible through architectural standards such as ramps, large doors, and restroom modifications to enable handicap access, not all existing housing units have these features.

As noted earlier in the Housing Element, Orinda Senior Village provides 15 dedicated units for persons with disabilities. Additionally, numerous organizations in Contra Costa County offer services to persons with disabilities including Adult Day Services Network of Contra Costa (Concord, Walnut Creek, Lafayette, Orinda, Martinez, and Pleasant Hill), Development Disabilities Council of Contra Costa County, Inc., a nonprofit in Orinda, and MAAP Services, Inc., providing for child development and development disabilities in Moraga and Orinda.

Consistent with state law, the City also allows residential care homes for persons with disabilities (eight or fewer residents). There are no additional zoning, building code, or permitting procedures other than those allowed by state law. The City also allows and encourages the retrofitting of homes to facilitate aging in place, including the installation of such features as grab bars and lower countertops. The Monteverde Senior Apartments development now under construction will include these features.

~~In addition, the City amended the Zoning Ordinance in 2013 to establish The Orinda Zoning Code (Chapter 17 of the Municipal Code) currently does not include a reasonable accommodation provision to accommodate requests for exceptions for special structures such as access ramps or exterior lifts for persons with disabilities. This Housing Element includes an action program to establish a written and administrative reasonable accommodation procedure in the Zoning Code providing exceptions for housing for persons with disabilities in zoning and land use.~~ This Housing Element also includes a policy endorsing the concept of universal design in the development of new housing.

Group Homes

The City of Orinda currently allows residential care group homes of eight or fewer persons by right in all residential zones. No use permit or other special permitting requirements apply in such instances. Design Review has not been used to deny or substantially modify a housing project for persons with physical or developmental disabilities to the point where it is no longer feasible. The City does not impose special occupancy permit requirements or business licenses for group homes or for retrofitting structures for group home use.

Family Housing

The Orinda Municipal Code ~~includes a~~ defines ~~ition of~~ “family” as ~~follows: “Family” means~~ one or more persons occupying a dwelling unit and living as a single housekeeping unit.

This is an inclusive definition and enables family housing to be constructed anywhere in the city where residential uses are permitted.

5.2.4 DESIGN REVIEW

Orinda's Design Review program is intended to preserve and enhance the city's character, maintain property values, and protect public health and safety. It strives to encourage diverse architectural designs that are sensitive to local context, surrounding uses, and aesthetics. The City has established several different levels of Design Review depending on the size and scope of the project, the type of use, and the project's location.

Typical projects subject to design review include new single-family homes, additions larger than 1,000 square feet, and additions that create a second story above or below an existing residence. There are also a number of unique triggers for Design Review, including additions that result in homes larger than 7,000 square feet, additions on small or narrow lots, additions in the Ridgeline and Environmental Preservation Overlay District, and additions that exceed the maximum floor area permitted on the parcel.² There are also provisions that enable affected neighbors to request Design Review.

The City has established findings for approving Design Review applications. Prior to 2010, there were seven individual findings, ~~as follows:~~

~~The proposed development is designed and located on the site so that it blends into the existing streetscape, reflecting the dominant visual character of the natural and machine-made context.~~

~~The design elements are in scale with the size of the structure.~~

~~The architectural elements of the structure such as mass, scale and design characteristics are compatible with existing structures in the immediate neighborhood which meet the standards of this section.~~

~~Landscape elements will dominate the site and screen the proposed structure as appropriate for the site, the structure itself and the neighborhood context.~~

~~The proposed development will not substantially impair the existing views, privacy and access to light and air of adjacent structures, balancing the sensitivity of the design to its impact on neighboring properties and the applicant's ability to develop the property in accordance with all applicable restrictions and with conditions resulting from design review.~~

~~The proposed development is designed and located on the site so that it blends into the existing landscape and natural context, protects undeveloped ridgelines and hillsides, maintains the dominance of wooded and open ridges and hillsides and preserves a significant or unique scenic vista.~~

~~In the case of an addition to an existing structure or a remodel of a portion of an existing structure, the new construction and the existing construction are visually harmonious.~~

2. In each of these examples, there are exceptions for small additions (the size thresholds vary). Design review would typically not be required if the addition took place within the footprint of an existing structure.

~~If the structure is located in the creek setback, the site and landscape plan retains, enhances and restores appropriate riparian vegetation verified in a creek setback protection report by a qualified biologist retained by the city at the expense of the property owner.~~

In 2010, the City Council implemented a recommendation of a Task Force to simplify these requirements. The Task Force reduced the number of findings from seven to four, making them more user-friendly and eliminating redundancies. The findings are now as follows:

- i. Siting and Neighborhood Context. The proposed development is designed and located on the site so that the building envelope is compatible, but not necessarily identical with its surroundings. It protects undeveloped ridgelines and hillsides, maintains the dominance of wooded and open ridges and hillsides, and preserves a significant or scenic vista.*
- ii. Design. The design elements are visually harmonious and in scale with the size of the structure while balancing environmental and solar considerations. If the proposed development is an addition or remodel of an existing structure, the existing construction and proposed construction are visually harmonious. Facades and exterior walls shall be designed to reduce the blocky or massive features of building surfaces and provide articulation.*
- iii. Privacy, views, light, and air. The proposed development does not substantially impair the existing views and access to light and air or substantially infringe on the privacy of neighbors, and balances the sensitivity of the design to its impact on neighboring properties and the applicant's ability to develop the property.*
- iv. Landscaping. Primary landscaping elements complement the structure and environment as appropriate for the structure itself, the site, and neighborhood. Landscaping provides privacy and screens the proposed structure.*

The findings above do not represent a development constraint. The first finding requires that the building is compatible with its surroundings and protects hillsides and ridgelines. This is a fundamental land use principle and ensures that new homes will protect the quality of life and the character of Orinda neighborhoods. The second finding primarily applies to additions and remodels and relates to the visual harmony and scale of building modifications. The third finding addresses public health and safety considerations such as access to light and air, along with basic issues regarding privacy and view obstruction. The final finding is simply that landscaping complements the structure and provides appropriate screening.

Based on the Task Force recommendations, the City no longer requires a separate finding for creek setbacks and has eliminated the requirement that landscaping dominate the site and that the structure blend into the streetscape.

Conditions may be imposed by the decision-making body (e.g., the Planning Director or the Planning Commission) through the Design Review process. Special findings must be made for very large homes (over 7,000 square feet), homes on very steep lots, and homes on narrow lots (less than 50 feet) and small lots (less than 5,000 square feet).

In addition, the City has adopted a separate set of standards for senior housing to reflect the desirability of this use. Among the considerations for senior housing is an orientation to pedestrians and an emphasis on breaking up the building mass so it appears less monolithic and

blocky. Projects in the Downtown Commercial and Downtown Office zones are also evaluated to ensure they are consistent with Downtown design guidelines.

Another **recent** change approved in 2010 at the recommendation of the Task Force was to grant the Zoning Administrator the authority to make decisions that previously required Planning Commission approval. Recently implemented Task Force recommendations also made it easier to receive project approval where there was no neighbor opposition or no impact on neighboring properties. In addition, Design Review requirements were eliminated for some types of projects, and the threshold for Design Review was raised (e.g., relaxed) for others.

Most of the Task Force recommendations were included through ordinance revisions in 2010. This has effectively reduced Design Review as a potential constraint and has made it faster and easier to navigate the process.

5.2.5 BUILDING CODE REQUIREMENTS

The City's building codes are based upon the most recent version of the California Building, Plumbing, Mechanical, and Electrical codes. These codes are considered to be the minimum necessary to assure the public's health, safety, and welfare. The City has adopted amendments to the codes for high fire hazard areas, including sprinkler requirements for homes over 3,600 square feet as well as fire-safe roofing and ventilation requirements. High fire hazard areas tend to contain remote single-family lots on winding hillside streets and are not likely locations for affordable housing. In the central part of the city, where commercially and residentially zoned land is located, there are no applicable amendments to the state codes. Thus, code regulations do not unnecessarily add to housing costs.

In addition, the City utilizes its code enforcement powers in a manner that does not constrain housing development or improvement. Code enforcement is primarily carried out in response to resident complaints or observation of non-permitted structures. The City does not have any unique or proactive code enforcement programs that could be construed as creating housing constraints.

5.2.6 SITE IMPROVEMENT REQUIREMENTS

Subdivision-level improvement requirements are defined in the City's Municipal Code. These requirements stipulate standards for streets, sidewalks, water and sewer, drainage, curbs and gutters, utility easements, and landscaping. Such improvements may be considered as a housing cost constraint if they are more costly than what is minimally required to meet health and safety standards or involve requirements that are atypical or exceptionally high relative to other jurisdictions in the vicinity.

In Orinda, the city's infrastructure, including streets, storm drains, water lines, sewer pipes, and dry utilities, is already in place, greatly reducing potential infrastructure impacts on housing costs. The 245-lot Gateway Valley (Wilder) development required extensions of existing roadways, installation of new roadways, utilities, landscaping, and signage. Because this infrastructure was largely privately funded, the cost of construction is likely to be passed on to future homeowners in the area through an assessment district. This makes it less feasible to construct affordable housing in this area. As a result, in that case, the developers of Gateway

Valley contributed funds to construct affordable housing in the Orinda Village area, on a site that is much closer to transit and services where infrastructure was already in place.

Street standards in Orinda are listed in Section 16.52.140 of the Municipal Code. The standards require that private roads be at least 16 feet wide (curb to curb) or 25 feet wide (for streets without curbs). Public roads must be at least 32 feet wide (curb to curb) or ~~36~~ ~~26~~ feet wide (for streets without curbs). Minor streets have a grade (slope) limit of 20 percent. While Orinda's street standards are not excessive and present no constraints to development, the City's subdivision regulations do allow narrower streets to ensure consistency with the General Plan. Since the General Plan calls for retaining rural character, the City is able to approve public streets that are less than 32 feet wide. The city's higher-density housing opportunities are located in and around the Downtown area, where the streets are already in place and would not need to be widened or reconstructed to accommodate new development.

The City's subdivision regulations also include requirements for water, sewer, and drainage facilities. These facilities are already in place on the sites listed in Chapter 4 of the Housing Element and would not need to be expanded or reconstructed in the event these sites were developed with housing. The El Toyonal area in the western Orinda Hills has been under a septic tank moratorium since 1970. Owners of vacant lots in this area must extend sewer lines to their lots in order to build new homes. In addition, groups of homeowners in this area may form assessment districts to extend sewer service to existing homes. The El Toyonal moratorium has been in place for over 40 years and applies to a relatively remote part of the city accessed by steep, winding roads. It is not a viable location for additional density, and the limitations on sewer service are not considered an affordable housing constraint.

5.2.7 DEVELOPMENT AND PERMIT FEES

Development fees in Orinda include impact fees for schools, parks, drainage, and traffic. The City also collects planning application fees and plan check fees.

Fees specifically charged by the City at the time of development include (1) a per-residential-unit local transportation impact fee to contribute toward street improvement and maintenance costs; (2) drainage fees based on the square footage of impervious surface on-site; (3) an in-lieu fee for the acquisition and/or improvement of public parkland in those cases where land is not dedicated pursuant to the Quimby Act and where adequate private recreational facilities are not provided onsite; and (4) a subregional transportation fee administered by the Lamorinda Fee and Finance Authority.

In 2014 , the local traffic fee is \$4,958 per single-family unit and \$3,084 per second unit or multiple-family unit. The regional traffic impact fee is \$1,332 ~~\$1,288~~ for single-family units and \$840 for multi-family units. The drainage fees are \$1.27 per square foot of impervious surface area and are the same for single-family homes and multi-family units. The park dedication fees are \$12,782 per detached single-family unit, \$8,684 for single-family attached or townhomes, and \$8,919 per multi-family unit.

Charges assessed by other agencies include a school impact fee assessed by the Orinda Union School District in accordance with Assembly Bill (AB) 2926, and meter installation and hook-up fees charged by the East Bay Municipal Utilities District (EBMUD) and the Central Contra Costa Sanitary District (Central San) to defray the capital costs associated with providing water

and sewer services. The school impact fees are currently \$3.36 per square foot for residential development and 54 cents per square foot for nonresidential development. A new 2,500–square-foot single-family home would have a school impact fee of almost \$8,400, while a typical multi-family unit of about 1,000 square feet would have a school impact fee of \$3,360.

EBMUD offers a Customer Assistance Program (CAP) for low-income households and emergency shelters based on income limits set by the agency. The program offers qualifying low-income households a fifty percent reduction of the standard bimonthly service charge and fifty percent of home water use, up to a maximum of 1,050 gallons per person per month.

All of the above development fees and charges affect the price of housing. On a cumulative basis, impact fees on a 2,500-square-foot single-family home (with an impervious footprint of 2,000 square feet) would be roughly \$30,012. Fees on a 10-unit apartment building (1,000-square-foot units, with an impervious footprint of 6,000 square feet) would be \$16,965 per unit. The above totals include the school impact fees and the city and regional impact fees.

The cost of building permits and plan checking would be added to these totals. Building permits are collected by Contra Costa County and are based on the value of the project. For example, a new home with a construction value of \$875,000 would be subject to a permit fee of \$4,937, while a residential addition with a construction value of \$100,000 would have a permit fee of \$982.75. Plan checking fees are 65 percent of the permit fee. Thus, the new home in the example above would have a plan checking fee of roughly \$3,200. Additional fees are collected for a Title 24 energy report (25 percent of permit fee); electrical, plumbing, and mechanical inspections (combined total of 40 percent of permit fee for all three); and an earthquake fee (\$10 \$20 per \$100,000 valuation). The addition of these charges brings the permitting fees to approximately \$11,500 for the home in the example above. EBMUD charges a water service installation fee of \$6,193 per meter \$5,644 per unit for a ¾ 1½ inch lateral in paved conditions and a system capacity charge of \$35,610 for a ¾ inch meter, and Central San collects a sewer gravity capacity fee of approximately \$9,000 \$7,500 \$5,797 per unit and a pumping fee of \$1,625 per unit.

When added to the impact fees listed above, total planning, building, utility connection, and impact fees are in the range of \$92,000 \$55,000 per unit for a new single-family home. As a benchmark for comparison, the 2014 Draft 2009 Contra Costa County Housing Element indicated that permitting costs and impact fees ranged from \$48,215 to \$88,579 in the unincorporated portions of the county. Orinda falls near the upper end lower end middle of this range, mainly due to the higher costs for water and sewer capacity fees in Orinda than surrounding areas.

A useful metric for evaluating planning and permitting fees is the percentage of total construction costs associated with these fees. Construction costs for single-family homes in Orinda are approximately \$300 per square foot, or roughly \$750,000 for a 2,500-square-foot home. Typical cost for a vacant lot is \$300,000 to \$500,000, bringing the total cost of building a new home to roughly \$1.2 million. Thus, the total permitting and impact fee costs of \$92,000 \$55,000 represent approximately 7.6 4.6 percent of the total cost of the home. This is a lower percentage than the amount reported by nearby communities, in part because the relative cost of land and construction in Orinda is higher than the county average.

For multi-family units, the building permit and plan checking fees are calculated on a schedule similar to that used for single-family homes. However, the construction cost per square foot is

lower and the unit size is smaller, so total fees per unit are less. ~~Funding applications~~ Building permits for the Monteverde Senior Apartments project now under construction indicate a construction cost of \$153 per square foot. Thus a 1,000–square-foot apartment would cost about \$153,000, or about \$200,000 once land costs are factored in. The building permit fee on such a unit would be \$1,274 and the plan checking fee would be \$828. Inspection, earthquake, and Title 24 fees would bring the total to \$3,012 per unit. Water ~~and sewer~~ connection fees would depend on the total number of units in the building ranging from roughly \$3,700 per unit upwards, while the water capacity fee would be \$12,220 and sewer fee would be approximately \$9,000 \$7,500 per unit.

The total for all fees for a multi-family unit (including impact fees) is approximately \$45,000 \$34,000 \$25,000. This represents about a 22.5 17 12 15 percent addition to the cost per unit, which is a higher relative amount than the cost per single-family home.

As noted above, Orinda’s fees are comparable to fees charged by adjoining jurisdictions. A July 2014 May 2009 survey of fees charged in Orinda, Lafayette, Moraga, and Piedmont found that the City of Orinda’s fees are comparable to those charged by these cities (see Tables 5.3 and 5.4).

Development fees are typically incorporated into the sales price of a home or amortized through apartment rents in the case of multi-family rentals. However, development and permitting fees are not considered to be a constraint to the provision of affordable housing in Orinda.

Furthermore, the City’s Fee Ordinance allows the City to waive the transportation, park, and drainage fees for affordable housing projects. The City does not collect school impact fees for senior housing development, and other projects which do not generate a student population.

5.2.8 LOCAL PROCESSING AND PERMIT PROCEDURES

The permitting process for the construction of new residential units in Orinda is comparable to that of most cities in the area. New homes are subject to Design Review by the Planning Commission. Prior to the formal submittal of a Design Review application, applicants can elect to go through a Conceptual Development Review process and obtain preliminary written comments from staff regarding their project. This informal process takes 3 to 5 business days and costs \$120 \$100.

Table 5.3: Comparison of Residential Development Permit Fees, 2014 2010				
	Orinda	Lafayette	Piedmont	Moraga
Use Permit	<u>\$2,575</u>	\$5,700 new bldg or structure \$3,800 existing bldg or structure	<u>\$1,770</u>	<u>\$4,000 + cost</u>
Plan/Design Review	<u>\$1,060 plus \$1.30/sq ft, up to a maximum of \$6,695; staff hourly rate charges apply for multi-family</u>	\$3,800 minor \$5,700 major	\$3,540 (new house)	<u>\$1,500 despot + cost for admin, \$3,000 deposit + cost for Design Review Board, \$9,600 deposit + cost for Planning Commission</u>
Tentative Tract Map	Staff hourly rate charges	\$8,750 + \$200/unit	N/A	<u>\$12,000 deposit + cost</u>
Minor Subdivision	Staff hourly rate charges	\$5,250 + \$200/unit.	N/A	\$6,000 deposit + cost
Lot Line Adjustment	<u>\$1,350 Admin or \$1,980 for first 3 lots + \$280 each additional lot for Lot Line Adjustments requiring public meeting</u>	\$1,200 Admin \$5,400 PC	N/A	\$3,600 <u>deposit + cost</u>
General Plan Amendment	Text change or map change – Staff hourly rate charges	\$9,500	N/A	<u>\$6,000 deposit + cost</u>
Variance	<u>\$675</u> when combined with another application or addition; otherwise, staff hourly rate charges	\$1,750 Admin \$4,375 PC	\$ 710- \$930	<u>\$5,000 deposit + cost</u>
Zone Change	Staff hourly rate charges	\$9,500 + \$100/acre	N/A	\$3,000 deposit + cost

Source: City of Orinda ~~2014~~ 2010

Table 5.4: Planning Application Fees		
Fee Category	Single-Family	Multi-Family
Variance	Staff hourly rate charges. A cash deposit will be required before work commences. (When combined with another application/addition: <u>\$675</u> . Time extension: <u>\$385</u>)	Staff hourly rate charges. A cash deposit will be required before work commences. (When combined with another application/addition: <u>\$675</u> . Time extension: <u>\$685</u>)
General Plan Amendment	Staff hourly rate charges. A cash deposit will be required before work commences.	Staff hourly rate charges. A cash deposit will be required before work commences.
Zone Change	Staff hourly rate charges. A cash deposit will be required before work commences.	Staff hourly rate charges. A cash deposit will be required before work commences.
Site Plan/Design Review	<u>\$1,060 plus \$1.30/sq ft, up to a maximum of \$6,695.</u>	Staff hourly rate charges. A cash deposit will be required before work commences.
Planned Unit Development	<u>Staff hourly rate charges. A cash deposit will be required before work commences</u>	<u>Staff hourly rate charges. A cash deposit will be required before work commences.</u>
Specific Plan	<u>For non-standard projects a fee will be charged that is equivalent to the hourly cost of the employee(s) involved, the cost of materials, equipment, and overhead.</u>	<u>For non-standard projects a fee will be charged that is equivalent to the hourly cost of the employee(s) involved, the cost of materials, equipment, and overhead.</u>
Subdivision		
Certificate of Compliance	<u>\$630 1st lot</u> <u>\$515 2nd-5th lots</u> <u>\$340 6th + lots</u>	<u>\$630 1st lot</u> <u>\$515 2nd-5th lots</u> <u>\$340 6th + lots</u>
Lot Line Adjustment (Administrative Approval)	<u>\$1,350</u>	<u>\$1,350</u>
Tentative Tract Map	Staff hourly rate charges. A cash deposit will be required before work commences.	Staff hourly rate charges. A cash deposit will be required before work commences.
Vesting tentative Map	Staff hourly rate charges. A cash deposit will be required before work commences.	Staff hourly rate charges. A cash deposit will be required before work commences.

Source: City of Orinda 2014 2010

When a development application for a new residential unit is formally submitted, the Planning Department reviews the application for completeness. Although the Permit Streamlining Act gives staff 30 days to make this determination, it is typically made within one to two weeks of the submittal date. Once an application is deemed complete, the project is scheduled for the next Planning Commission public hearing. The Planning Commission meets twice a month. On average, projects are considered by the Planning Commission within three months of submittal. The City Council only reviews residential projects on appeal.

Upon Planning Commission approval of a design review application, and expiration of the subsequent 10-day appeal period, construction documents may be submitted for a building permit. The plan check/issuance of a building permit typically takes four to six weeks to complete.

All development applications are processed in accordance with the time frames mandated by the state Permit Streamlining Act. In an effort to further streamline development review procedures, the City amended its development review process, including requiring Design Review for fewer residential projects, eliminating the City's Design Review Board (the Planning Commission assumed the function of this body), and creating a Zoning Administrator position to allow the hearing and approval of minor projects.

In 2009, the Planning Process Review Task Force published its audit of the City's residential development standards and review process. The Task Force produced 32 recommendations to make the residential development process more streamlined and user-friendly. Twenty-nine of the recommendations relating to housing were approved through Zoning Ordinance revisions in 2010.

5.2.9 UTILIZATION OF STATE AND FEDERAL ASSISTANCE PROGRAMS

The City is well positioned to compete for housing assistance programs for residential development projects. The City worked with Eden Housing to secure financing for the development of 67 affordable senior residences (Monteverde Senior Apartments) on the City-owned former library site. Among the financing sources used for the project were tax credits, County HOME, and CDBG funds, and through a land contribution from the City worth \$2.5 million, funding for which was negotiated with the developers of the Wilder project. During the approval process for the Monteverde Senior Apartments, Eden Housing representatives indicated that Orinda's Downtown could be well positioned for further housing assistance funds given the lack of existing housing in the Downtown, the proximity to the Orinda BART station, and the proximity to the commercial, cultural, and government services of downtown Orinda.

On the other hand, state and federal housing programs which finance the rehabilitation of existing housing stock or which benefit lower-income residents tend to be less viable in Orinda. Eligibility for such programs is usually based on indices such as the percentage of lower-income residents and the age or condition of the housing stock. In Orinda, homes are in excellent condition and the population is relatively affluent. The City may be better off relying on County programs for the limited population and structures that could benefit. Contra Costa County offers a number of low interest loan and grant programs that are open to participation by all county residents, including those living in incorporated cities.

The city's high housing values also result in rents that generally exceed the maximum levels for participation in the Section 8 Rental Assistance Program. Under this program, HUD pays landlords the difference between what a lower-income household can afford (30 percent of its income) and the fair market rent for adequate housing in the private market. According to the Contra Costa Housing Authority, there were no Section 8 vouchers being used in Orinda in 2014 2009, however the Monteverde Senior Apartments will include 66-units when completed.

Some of the most commonly utilized state and federal housing assistance programs are enumerated and their applicability to the City of Orinda is examined in Table 5.5. The City of

~~Orinda does not have a Redevelopment Agency and did not have such an Agency prior to their elimination by the State of California in February 2012. The City could theoretically still use tax increment financing as a financial mechanism for affordable housing, but no such program is proposed at this time.~~

5.2.10 REMOVAL OF GOVERNMENTAL CONSTRAINTS

In the Housing Program section of this element, the City has set forth various measures that it will undertake to mitigate or remove governmental constraints that hinder the City from meeting its share of the regional housing needs. These measures include deferring payment of application/development impact fees and granting priority processing of development applications, ~~and modifying development standards to facilitate multi-family projects in the Medium Density Residential zone.~~ While the City can and will undertake these measures to remove governmental constraints, non-governmental constraints beyond the City’s control will continue to impact the affordability of housing in Orinda.

Program	Comments
Section 8 Vouchers	Local rents generally exceed fair market rents for the Section 8 program. No certificates/vouchers are currently in use in the City of Orinda. Countywide demand is far in excess of funding, which further limits the potential for participation by Orinda residents. Availability of assistance depends on efforts and priorities of the Contra Costa County Housing Authority.
Section 203(K)	Inapplicable due to well-maintained condition of local housing stock.
Section 8 New Construction	Provides security for projects financed with federal loans. Strong competition for limited funds available. Also, see comments related to Section 8 above.
Section 202	The HUD Section 202 program is used to construct housing for low-income seniors. Section 202 funds were used to help construct the Orinda Senior Village project. While there is limited funding currently available and intense competition for available funds, future downtown residential development could be eligible. Section 202 housing requires a nonprofit sponsor. These funds could be utilized as a potential source for elderly/disabled housing on the 3.2-acre Santa Maria Church multifamily housing sites.
Section 106(b) – Seed Money Loans	Used solely in connection with Section 202 loans. See comments related to Section 202 programs.
Community Development Block Grant (CDBG)	Funds may be used for rehabilitation, land write-down, and off-site improvement costs, but not for actual construction of new housing. Funds are inadequate to have a measurable impact on affordable housing opportunities, unless combined with other funding mechanisms. Development of affordable senior housing on the former library site was funded in part through CDBG.
Low Income Housing Tax Credits	Used in conjunction with loans, grants, and other forms of government assistance. LIHTC was a significant part of the funding package for the Eden project on the former library site and could be part of an overall funding package for development of housing on multi-family housing sites.

Table 5.5: Applicability of State and Federal Housing Programs	
Program	Comments
CHFA-Direct Lending	Overall construction costs, and resulting rents, are a deterrent to local use of program. Developers must apply directly to CHFA (California Housing Finance Agency) for loans.
Preservation Financing	Not needed since the only at-risk units in the city (Orinda Senior Village) have had their affordability contracts extended by the current owners.
California Self-Help Housing	Land availability and costs are major deterrents to use of program.
Mobile Home Park Resident Ownership Program	Mobile homes are allowed in Orinda, but high land costs discourage their development. An assessment of current building permits shows that no recent permits have been granted for mobile home installation.
Emergency Shelter	Needs are adequately being met at this time; however, and the City adopted changes to the City's-its zoning regulations in 2013 to are proposed to formally allow emergency shelters in the PS zone, in to compliance with state law.
Special User Housing Rehabilitation	Inapplicable due to absence of substandard housing.
Predevelopment Loans	Could potentially be used by a nonprofit sponsor to cover predevelopment expenses associated with potential elderly/disabled housing development.
Senior Citizen Shared Housing	Program could be used to provide outreach, referral, and placement services to senior citizens interested in shared housing arrangements. Ongoing costs and lack of in-house administrative staff are obstacles to use of program. The City could explore participating in an existing shared housing program, such as the program operated by ECHO Housing.
Section 811	Limited funding and intense competition for available funds. Requires nonprofit housing sponsor. Potential funding source for disabled housing on the sites listed in Chapter 4.
Rental Housing Construction	As name implies, program applies to construction of rental housing. Preference of local developers to construct for-sale housing is an obstacle to the use of program, as are local construction costs.
Deferred Payment Rehabilitation Loans	No need for program in light of condition of housing stock.
Marks Foran Rehabilitation Loans	No need for program due to well-maintained condition of local housing stock.
AB 1151-Density Bonuses	Applies to all local governments in California. The City's Zoning Ordinance provides density bonuses and other incentives for housing developments that meet criteria set forth in the California Government Code.
AB 655-Multi-Family Revenue Bonds	City would have to execute cooperative agreement in order to make countywide bond proceeds available locally. However, the use of funds depends on developer interest. Rents allowed under program could be a deterrent to use by local developers.

Table 5.5: Applicability of State and Federal Housing Programs

Program	Comments
Single-Family Mortgage Revenue Bonds	Similar to multi-family bond program, the City would have to execute a cooperative agreement in order to make countywide bond proceeds available within city. Sale prices allowed under program eliminate new homes from consideration. Some resale homes within the city fall within program limits. Limited applicability.
Redevelopment Tax Increment Financing	Unavailable and inapplicable since City has not formed Redevelopment Agency.
Home Investment Partnerships (HOME)	Funds may be used for construction, acquisition/rehabilitation, and tenant based rental assistance. City supported Eden Housing’s application for such funds.
FHLB Affordable Housing Program	Developers must apply to Bank of America Community Development Bank for assistance. Eden Housing may obtain FHLB funding for its affordable senior housing project.
Tax Exempt Affordable Mortgage Program	Provides bond-financed, fixed-rate mortgage for 30 to 40 years to developers of housing that has at least 20% of units occupied and affordable to households making no more than 50% of county median income. Program depends on developers providing housing.

Source: City of Orinda [2014 2012](#)

5.3 NON-GOVERNMENTAL CONSTRAINTS

Non-governmental constraints include the availability of financing, the price of land, and the cost of construction. These and other constraints are discussed below.

5.3.1 LAND COSTS

Since the mid-1960s, raw land prices have been significantly higher in the San Francisco Bay Area than in other areas of California and the rest of the United States. The Construction Industry Research Board (CIRB) reported that land costs for a single-family home rose from \$6,600 (21 percent of the total cost) in 1970 to \$26,700 (27.8 percent) in 1980. By 2000, land was 32 percent of total home cost. There was a significant national decline in land value starting in 2005, but a snapshot of current land for sale in Orinda shows that prices are still unaffordable to most households.

Based on research conducted [in July 2014](#) as part of the Housing Element update, sales prices for vacant land in Orinda ranged from a low of [\\$109,000](#) to a high of [\\$750,000](#) -for a 1.2-acre site. The median price of a vacant parcel was [\\$450,111](#) . Even without a home on the lot, a parcel in Orinda is beyond the means of very low- and low-income households. Moreover, the more affordable lots in the city tend to be the most constrained. Their steep slopes or awkward dimensions mean that special design solutions and construction techniques may be required to build a home.

High land costs in Orinda reflect the scarcity of developable land in the city, the relatively large parcel sizes, and the city’s desirability as a place to live. These costs represent a constraint to

affordable housing development, since it does not make economic sense for a builder to construct a modest, entry-level home on a lot that costs hundreds of thousands of dollars.

Although not required by state housing law, the City has written down land costs through a \$2.5 million contribution negotiated with the developers of the Wilder project to facilitate development of the Monteverde Senior [Apartments Housing](#) development (on the former public library site) and to facilitate the inclusion of ownership units affordable to moderate-income households [in the Orinda Grove development](#) on the Pine Grove site (a former public school). It has also identified church-owned property as housing opportunity sites, recognizing that private land may be too expensive to support affordable units on a large scale. Moving forward, the City may opt at its own discretion to continue to use these approaches to dealing with high land costs and limited land supply in the city.

5.3.2 LAND AVAILABILITY/ ENVIRONMENTAL CONSTRAINTS

A community's environmental setting affects the feasibility and cost of developing housing. Environmental issues range from the availability of water to the suitability of land for development due to potential exposure to seismic, flooding, wildfire, and other hazards. If not properly recognized and accommodated in residential design, these environmental features could potentially endanger lives and property.

Most of the developable land area in Orinda is zoned for low-density residential development. Most residential parcels have been developed to their maximum permitted density, although many have the potential for second dwelling units. While it is estimated that over 500 homes could be developed on vacant lots throughout the city's residential neighborhoods, some of these lots are located on steep hillside areas that are difficult to access, thus making them difficult to develop. Geotechnical studies are typically required when new homes are proposed to ensure that hazards such as landslides and seismic stability are addressed.

Sites in and around Orinda Village and Orinda Crossroads are generally the best suited for urban development and higher-density residential uses. They have good access, gentle topography, utility service, and no natural or man-made hazards. The major constraints to development in these areas are San Pablo Creek and the PG&E transmission lines. The creek runs north-south through Orinda Village. It is buried below ground in some locations and runs above ground in others. Where the creek has not been buried, development must be set back from the banks to avoid flooding and protect riparian vegetation. This is more of a commercial development constraint than a residential constraint, given the commercial zoning along the creek corridor.

The City has not counted these sites in its inventory of available housing sites. Similarly, the presence of multiple high voltage transmission lines (and associated steel towers) in and around Downtown Orinda creates a potential constraint on several sites, but none of these sites has been identified for housing.

5.3.3 INFRASTRUCTURE CAPACITY

There are no infrastructure constraints to development in Orinda other than the absence of sewer lines in portions of the El Toyonal area (discussed earlier). The areas identified for possible future multi-family ~~and mixed-use~~ development are located in [areas with and around Downtown](#)

~~and have~~ water, sewer, and drainage services. These areas would only require laterals to utility lines located in adjacent streets for service.

The City receives water from EBMUD and sewer from the Central Contra Costa Sanitary District. Orinda represents approximately 1.4 percent of the EBMUD service area population. EBMUD prepared an Urban Water Management Plan [in 2010](#) that includes capital improvement plans to serve its 1.34 million customers located in Alameda and Contra Costa counties for the next three decades. EBMUD is also implementing plans to supplement its water supply to meet long-term growth forecasts, along with seismic upgrade projects to replace aging lines and storage tanks. The utility has accounted for Orinda's projected growth in its forecasts and capital improvement programs. Water supply is adequate to meet projected needs. Similarly, Central San has prepared long-term facility plans which assume levels of growth in Orinda that are consistent with the Housing Element. No capacity or service constraints have been identified.

5.3.4 CONSTRUCTION COSTS

~~According to the Building Standards Building Valuation Data, the total cost of the construction of an average hypothetical wood frame single-family residence in the Bay Area has risen from \$85.00 per square foot in 2000 to \$107.18 per square foot in 2009. This represents an increase of 26 percent during this time period.~~

~~For multi-family housing construction, Building Standards Building Valuation Data indicates that the cost of construction for an hypothetical three-story frame and stucco apartment house has increased from \$80.00 per square foot in 2000 to \$95.12 per square foot in 2009. This represents a 19 percent increase in construction costs over this time period.~~

According to [Building-cost.net](#), a housing construction cost resource, the estimated construction cost (without land costs or fees) for a 2,500-square-foot home with an attached 400-square-foot garage, central heating and air, and average building materials is \$305,919 as of July 2014 for the Oakland/Contra Costa County area. The cost per unit of building a multi-family project is generally lower than that of a single-family home.

However, construction costs in Orinda are higher than regional averages, since most work is custom-built for owners rather than built on speculation or in large quantities (with associated economies of scale). Many residents have remodeled their homes using high-end materials and construction methods. In addition, market conditions drive the demand for homes with numerous amenities and luxury market features. New construction costs of \$300 per square foot are not uncommon, resulting in home costs that often exceed \$1 million. When homes are sold, labor and material costs may be passed along to future buyers.

5.3.5 HOUSING COSTS

As noted in Chapter 3, ~~DataQuick the Census~~ reported the median value of Orinda homes at over \$1 million ~~in 2013. Homes sold in Orinda in the first four months of 2009 cost \$997,963 on average. Of the 99 active listings for a single family home, one is listed as high as \$7,500,000.~~ The continued increase in the values of existing residences precludes the creation of a local “trickle-down” market wherein housing becomes affordable as it gets older. Many current homeowners would not be able to purchase their own homes at current market prices.

This constraint is beyond the control of local government, but significantly affects the viability of building new affordable units. Some cities have responded to high cost market conditions by mandating the inclusion of affordable units in new market-rate development projects (e.g., inclusionary zoning.) Orinda does not have an inclusionary zoning requirement, although it negotiated the inclusion of affordable units (along with market-rate units) in the Pulte development on the former Pine Grove School site (Orinda Grove). Such negotiations could be considered if future larger-scale projects are proposed.

5.3.6 FINANCING COSTS

In ~~June 2014-May 2009~~, the prevailing mortgage interest rate for a 30-year fixed loan was 4.25 ~~in the range of 4.375 to 5.625~~ percent. ~~Rates have fallen even further since that time.~~ From a historical perspective, mortgage rates are low compared to 18.8 percent in 1982 and have somewhat offset the inflation of housing and construction costs. However, financing may be more difficult to secure now than it was five years ago, particularly for low- and moderate-income buyers. For qualified homebuyers, securing financing is not viewed as a potential constraint to the development, improvement, or maintenance of housing in Orinda.

5.3.7 Other Non-Governmental Constraints

Some Orinda neighborhoods contain dedicated open space areas, such as landscaped greenbelts and natural hillside areas, which are owned and maintained by homeowners associations. These open space areas are not available as potential housing sites.

Another non-governmental constraint may be community opposition to higher-density ~~or~~ ~~affordable~~ housing. Such objections are based on concerns about traffic, parking, school overcrowding, police and fire response times, and similar issues.

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6. Goals, Objectives, Policies, and Actions

6.1 INTRODUCTION

The California Government Code requires the Housing Element to contain “a statement of goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing” (Section 65583(b)(1)). This chapter fulfills that requirement. It builds on information in previous chapters to provide direction on key housing issues in Orinda.

The Housing Element’s goals define the major topic areas covered. These topics are:

- New Housing Production
- Housing Conservation
- Housing Opportunity Sites
- Housing Constraints
- Fair Housing

In accordance with state law, measurable objectives have been developed for each goal. These objectives represent targets for the number of housing units to be preserved, improved, or developed during the time period covered by this element, or other metrics which indicate the City’s progress toward implementation of the element.

Each of the Housing Element’s five goals is accompanied by policies and action programs. The policies are intended to guide day-to-day decisions on housing, while the actions identify the specific steps the City will take after the element is adopted to achieve its housing objectives. The actions are followed by narrative text providing further detail on the steps to be taken in the coming years. The action programs lay the groundwork for future housing development through the establishment and administration of land use and development controls, concessions and incentives, and the utilization of available federal and state financing and subsidy programs.

A conclusion of Orinda’s Housing Needs Assessment is that the city’s needs relate to seniors, many of whom have disabilities or decreased mobility, wish to downsize from properties requiring more maintenance than can be accommodated, are on a fixed income that cannot carry the burden of increasing housing-related expenses, and/or wish to be closer to services and transit. The city’s needs also relate to empty nesters, young professionals, families with children, and the local workforce. One possible location to meet these needs may be in and around the Downtown area, where vacant and underutilized sites exist within walking distance of the Orinda BART station and other transit. Another conclusion of the Housing Needs Assessment is that the city contains a sizeable number of older homes and second units that represent an important affordable housing resource. Therefore, policies in this element support conservation of the existing stock of more moderately priced housing in the city, as well as the production of second units.

6.2 GOALS, POLICIES, AND ACTIONS

GOAL 1: NEW HOUSING PRODUCTION

Encourage the development of a variety of types of housing for all income levels, which will be assisted through appropriate zoning and development standards.

Quantified Objectives for Goal 1:

- (1) Facilitate the production of at least ~~42~~ 50 new single-family homes (suitable for moderate- and above moderate-income households) between ~~2014 and 2022~~ 2007 and 2014 (RHNA period).
- (2) Facilitate development of ~~at least 20~~ 57 second units between ~~2014 and 2022~~ 2007 and 2011, and ~~approve or legalize another 17 second units in 2012~~ 2014. Based on prevailing market rents (and the analysis ~~in Chapter 4 on page 4-12~~ of this element), it is presumed that 2 of these units will be affordable to very low-income households, ~~13~~ 14 to low-income households, and ~~38~~ 20 to moderate-income households.
- (3) Facilitate completion of 8 units of owner-occupied housing affordable to moderate-income households on the former Pine Grove School site.
- (4) Facilitate completion of 66 units of housing for very low- and extremely low-income seniors at the ~~Monteverde~~ Orinda Senior ~~Apartments~~ Housing Project.

POLICIES

Policy 1.1: Housing Diversity

Provide for a diversity of housing types to meet current and future needs of all residents without compromising the semi-rural character of Orinda's single-family neighborhoods.

Policy 1.2: Design Quality

Apply high standards of quality and design to all housing development in the city. Where multi-family or mixed-use housing is constructed, it should respect the context of the site and its surroundings and make a positive contribution to the character of Orinda.

Policy 1.3: Energy Efficiency

Require energy-efficient design and construction in all residential development and rehabilitation projects.

Policy 1.4: Context-Appropriate Programs

Participate in those housing assistance programs that are most appropriate to Orinda's setting and demographics, with an emphasis on programs that benefit local seniors and those who live or work in Orinda.

Policy 1.5: Mobile and Manufactured Homes

As required by state law, continue to allow mobile and manufactured housing on all lots in the city, subject to design standards and procedures that ensure such housing is compatible with the community.

Policy 1.6: Second Units

Encourage the inclusion of second units (“in-law” apartments) in new single-family homes, and support the creation of such units in existing single-family homes, subject to design criteria of the Zoning Ordinance and building code standards as well as neighborhood compatibility considerations.

Policy 1.7: Registration of Existing Second Units

Promote the registration and legalization of existing second units in the city that meet current zoning and building safety standards, including those which are in active use as rental housing and those with the potential to be used as rental units.

Policy 1.8: Density Bonuses

Continue to provide density bonuses for housing that includes dedicated affordable units or units set aside for seniors, consistent with state law.

Policy 1.9: Planned Unit Developments

Encourage planned unit developments (PUDs or PDs), which allow variations from development standards provided that the overall density on the site remains consistent with the General Plan. By enabling smaller lots and more variations in unit size, PUDs can enhance affordability and provide a broader mix of unit types.

Implementing Actions***~~ACTION 1.A: VACANT LAND INVENTORY~~***

~~Prepare and periodically update an inventory of all vacant residentially zoned parcels in Orinda.~~

~~Description:~~

~~The City completed a comprehensive inventory of vacant parcels in 1999, and updated this data in 2004 and 2009 as part of the Housing Element Update. The 2004 and 2009 updates were based on tax assessor records rather than field observations. Accordingly, this action program would develop a complete listing of all vacant parcels in the city, including the lot area, zoning, and constraints (such as steep slopes). The inventory should be ready in time for the 2014-2022 Housing Element update.~~

~~Responsible Parties: ——— Planning Department~~

~~Timing: ——— Complete by June 2014~~

~~Funding: ——— Staff Time (General Fund)~~

ACTION 1. ~~AB~~: ORINDA PINE GROVE DEVELOPMENT

Facilitate redevelopment/reuse of the former Pine Grove School as a mixed-income residential development including 8 moderate-income housing units and 65 market-rate housing units.

Description:

~~Grading and U~~unit construction is under way on the Orinda Grove development at the Pine Grove School site, and construction will continue through ~~2013 and~~ 2014 and 2015. Development of this site was made possible through a land exchange agreement between the City of Orinda, the Orinda Union School District, and Pulte Homes. Using Planned Development (PD) provisions, the City allowed flexibility in lot size and enabled a mix of unit types in the development. Eight of the units will be set aside in perpetuity for moderate-income households of four persons or more. The remaining 65 units will count toward the City's above moderate-income production target.

Responsible Parties: Planning Department, Contra Costa County Building Department

Timing: ~~2014-2015 2013-~~

Funding: Private funding, staff time (General Fund)

ACTION 1. ~~BC~~: MONTEVERDE ORINDA SENIOR APARTMENTS HOUSING DEVELOPMENT

Facilitate continued development and construction of the Monteverde Orinda Senior Apartments 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 and is anticipated to be completed in December 2014.

Description:

As noted earlier in the Housing Element, the City entered into a Development Disposition and Loan Agreement (DDLA) with Eden Housing for the development of senior housing on the City-owned 1.4-acre former library site. The City's contribution of the site for the project was made possible by in-lieu fees collected from the developers of the Wilder project in Gateway Valley. City funds were supplemented by HOME and CDBG funds provided by the County. The City will continue to work with Eden Housing ~~for the duration of the 2007-2014 planning period~~ to facilitate completion of the project, which is now under construction. The project includes 66 units reserved for very low- and extremely-low income seniors, and one manager's unit (presumed to rent at moderate income affordability levels).

Responsible Parties: Planning Department, Contra Costa County Building Department

Timing: ~~2014 2013~~

Funding: CDBG, HOME, in-lieu fees, staff time (General Fund)

ACTION 1. ~~CD~~: PROMOTION OF SECOND UNITS

~~Undertake a~~ Continue to implement a public information and outreach campaign via the City's website 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~~ Provide 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).

Description:

The City recognizes second units as an essential part of Orinda's affordable housing supply and seeks to increase the number of second units as a way to provide for the City's share of the region's housing needs. Use permit requirements for most second units were eliminated over a decade ago in accordance with state law. However, many residents may still be unaware of their right to apply for a second unit, the standards for second units, and the potential benefits of second units (in terms of supplemental household income or providing an affordable living environment for local workers, elder Orindans, college students, or young professional adults).

The City will continue to make additional information on second units available on its website and will include an article on second unit standards and opportunities in the quarterly Orinda newsletter. ~~The article and website materials will be completed prior to the next Regional Housing Need Allocation cycle in 2014-2022. However, promotion of second units is intended to be an ongoing action, to be continued beyond the term of this Housing Element.~~

Responsible Parties: Planning Department, City Manager's Office

Timing: Annual newsletter articles, update website information as needed, make information available on an ongoing basis June 2014 (for newsletter article and website materials)

Funding: Staff time (General Fund)

ACTION 1. ~~DE~~: LEGALIZING LEGALIZATION OF 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 Ordinance.

Description:

In tandem with Action 1.C, the City will continue to proactively reach out to the owners of properties where unregistered second units are believed to exist, based on anecdotal evidence, past permit applications, real estate advertisements, and other sources. These owners will be notified (via a letter from the City) of the opportunity to legalize or register their second units, subject to the development standards established through the

City's zoning regulations. The City seeks to legalize unregistered units both to ensure the health and safety of occupants and to maintain better data on the contribution such units make to Orinda's housing supply. ~~Existing second units that do not meet current zoning and building safety standards will not be legalized unless the property owner obtains an exception or a variance.~~

Responsible Parties: Planning Department, City Manager's Office
 Timing: Ongoing; send letters as information regarding a unit is made known to the City
 Funding: Staff time (General Fund)

ACTION 1. ~~EF~~: 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.

Description:

The approval of the Wilder subdivision provides Orinda with a unique opportunity to promote the inclusion of second units in new homes. The development is the largest project to be developed in Orinda in over 40 years. A number of different builders have been and will be engaged in development of the project's 245 homesites. ~~During the coming years,~~ The City will continue to work with these builders and with new property owners to promote the idea of second units as a component of the housing stock. A number of incentives ~~could~~ will continue to be considered, such as deferring collection of impact fees for the square footage associated with the second unit until issuance of the certificate of occupancy.

Because second units in Wilder will be located within new custom-built homes, their rents would most likely place them in the affordability range for moderate-income households ~~(defined as \$1,220-\$1,960/month for a one-person household in 2012)~~. This is a segment of the market that is difficult to accommodate in Orinda now, due to the historic nature of single-family homes in what is now a predominantly built-out community. Even if 10 percent of the new homes included a second unit, 25 new units could be generated in this manner.

Responsible Parties: Planning Department
 Timing: Ongoing
 Funding: Staff time (General Fund)

ACTION 1. ~~EG~~: 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.

Description:

The City has adopted an Affordable Housing Incentive Program (Section 17.4.31 of the Municipal Code) that includes provisions for density bonuses for developments that include units reserved for low- and moderate-income households. The program is intended to comply with state density bonus law (Government Code Section 65915) and does not include requirements or incentives beyond those mandated by the Government Code.

Under the state requirements, developers are entitled to develop up to 35 percent more housing units on a site than is allowed by zoning, if a share of the units is reserved for lower- and moderate-income households. A sliding scale (based on the percentage of total units in the project that are affordable) is used to calculate the bonus. Such incentives were exercised in the approval of the MonteverdeOrinda Senior Apartments Housing project, wherein the permitted density of 38 units per acre was increased to 51 units per acre. The City will continue to apply such bonuses in the future, as appropriate.

Responsible Parties: Planning Department

Timing: Ongoing: implement as residential projects are proposed

Funding: None required

ACTION 1. GH: TECHNICAL ASSISTANCE TO ORGANIZATIONS THAT CAN DEVELOP OR PRESERVE LOWER-COST HOUSING

Provide outreach and assistance to nonprofit organizations and builders whose expertise can inure to the benefit of low- and moderate-income Orinda residents, particularly seniors and those with special needs.

Description:

~~There are a~~ A number of builders in the Bay Area are engaged in the development of high-quality affordable housing for low- and moderate-income households, including seniors. The City has worked collaboratively with such developers in the past to facilitate affordable housing construction. For example, the City provided technical assistance to Eden Housing during the permitting process for the MonteverdeOrinda Senior Apartments Housing development and provided financial assistance through \$2.5 million in in-lieu fees from the Wilder development. The City will continue to provide information on federal, state, and county housing assistance programs in the future and will assist these individuals and organizations in obtaining funds to build and/or preserve affordable housing.

The City meets with people interested in developing housing on an ongoing basis, and will continue to do so in the future. When applications for affordable units or mixed-income housing developments are received, the City will proactively work with the applicants to address issues of concern, such as parking, traffic, and design. The City may also continue to explore ways to reduce the cost of developing such housing in Orinda, including offsetting land costs and fees on a case-by-case basis.

Responsible Parties:	Planning Department, City Manager's Office
Timing:	Ongoing; <u>provide assistance to developers as requested</u>
Funding:	Staff time (General Fund)

GOAL 2: HOUSING CONSERVATION

Promote the conservation and maintenance of Orinda's housing stock.

Quantified Objectives for Goal 2:

- (1) Preservation of 100 percent of the existing multi-family rental units in the city through 2023 2014.
- (2) Preservation of 100 percent of the existing housing in the city's nonresidential zoning districts through 2023 2014.
- (3) Preservation of affordability restrictions on all 150 units at Orinda Senior Village for the duration of the planning period.
- (4) Encourage 10 existing very low-income Orinda households to participate in the County's major rehabilitation loan program.

POLICIES***Policy 2.1: Housing Reinvestment***

Encourage reinvestment in the city's housing stock by private property owners.

Policy 2.2: Affordable Housing Preservation

Encourage the preservation of existing affordable housing in the city, including the Orinda Senior Village, and existing second units and rental apartments.

Policy 2.3: Smaller Homes

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.

Policy 2.4: Code Enforcement

Maintain code enforcement programs to ensure that all housing units are safe and sanitary and contribute positively to the city's character. Require abatement of housing nuisances, consistent with provisions of the Orinda Municipal Code.

Policy 2.5: Home-Based Businesses

Continue to allow home-based businesses as a way to improve housing affordability for those who would otherwise need to rent office space or pay commute costs.

Implementing Actions*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.

Description:

Contra Costa County's Neighborhood Preservation Program provides loans to low- and moderate-income persons to improve their homes by correcting health and safety problems and improving livability. Loans are available throughout the entire county of Contra Costa except for the incorporated cities of Richmond and Pittsburg. Work done under the program may include re-roofing, plumbing, heating, electrical, dry rot and termite repairs, disabled access, security, exterior painting, and energy conservation. Participation in the program is subject to annual income limits—in ~~2014~~ 2012, qualifying participants could earn no more than \$45,100 for a household of one to \$64,400 for a household of four. The low interest loans range from a 3% interest rate for up to \$50,000 to zero interest loans with deferred payment.

The City has not advertised this program in the past due to the relatively high incomes of most residents and the excellent condition of Orinda's housing. However, as the population gets older and a larger number of residents may be living on fixed incomes, there may be benefits to local participation. This action would include coordination with County staff to confirm program requirements and eligibility, followed by advertisement of the program on the City's website and in its quarterly newsletter.

Responsible Parties:	Planning Department, Contra Costa County Conservation and Development Division
Timing:	Ongoing; <u>coordinate with County staff at least annually; post information/links to the City's website by 2015; advertise the program in the City newsletter annually</u>
Funding:	Contra Costa County

ACTION 2.B: PARTICIPATION IN FIRST-TIME HOMEBUYER AND MCC PROGRAMS

Participate in the County's First-Time Homebuyer and Mortgage Credit Certificate (MCC) programs.

Description:

Contra Costa County offers programs for first-time homebuyers, including the Mortgage Credit Certificate program and a Below Market Rate home purchase program. The County also provides referral services to local nonprofits which assist homeowners seeking to purchase their first homes. The MCC program has been in effect since 1985 and provides qualified first-time buyers with federal income tax credits. These credits reduce the individual's annual tax payment, which effectively frees up additional income

for the mortgage payment. The program is available for homes up to ~~\$673,616~~ ~~\$665,000~~ for persons with annual incomes up to ~~\$89,200~~ ~~\$110,760~~ for households with 1–2 persons and ~~\$102,500~~ ~~\$129,000~~ for households with 3 persons or more

The County has indicated that MCCs are currently available. The City will contact appropriate representatives at the County to determine how to best advertise opportunities for first-time buyers. If appropriate, information on the program will be included on the City's website and included in the quarterly newsletter.

Responsible Parties: Planning Department, City Council
 Timing: ~~Coordinate with County staff by 2015~~ ~~June 2014~~
 Funding: MCC program (Contra Costa County)

ACTION 2.C: HOME MAINTENANCE AND REPAIR ~~NEEDS~~
ASSESSMENT PROGRAMS

Advertise the availability of existing home maintenance, repair, and improvement programs such as the low- and zero-interest loans offered through Contra Costa County's Neighborhood Preservation Program. Consider applying for additional grant funding to assist homeowners with addressing ADA accessibility modifications to their homes. Conduct code enforcement on a complaint-driven basis to address safety and code compliance issues.

Description:

Although the Needs Assessment (Chapter 3) in this Housing Element indicated Orinda's housing stock is in excellent condition, advertising programs and pursuing funding for new loans and grants will help to ensure that Orinda residents have access to the resources needed to complete preventative maintenance and make needed alterations. a focused inventory of housing conditions would still be beneficial prior to the next Housing Element Update. This would be a field survey of structural conditions in Orinda's older and smaller lot neighborhoods.

Responsible Parties: Planning Department, Contra Costa County Building Department
 Timing: Advertise existing programs in 2015 and ongoing, consider pursuing new funding by 2017 ~~Ongoing, code enforcement is ongoing~~
 Funding: Staff time (General Fund)

ACTION 2.D: SECOND UNIT RENT DATA

Continue to cCCollect and monitor data on second unit rents to better understand their role in the Orinda housing market and the income groups they serve.

Description:

As noted in the programs under Goal 1, the City supports the construction of second units as a way to meet Orinda's Regional Housing Needs Allocation. ~~Data on second unit rents is not consistently tracked, and it is thus difficult to evaluate the extent to which such units serve very low, low, and moderate income households.~~ This action program calls for ~~more regular collection~~ the continued regular collection of data on second unit rents, using a combination of outreach to the owners of registered units and surveys of data sources and advertised rental listings (such as craigslist).

Responsible Parties: Planning Department, Finance Department

Timing: Ongoing; update data annually

Funding: Staff time (General Fund)

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.

Description:

As noted in Chapter 5 of the Housing Element, the City's zoning regulations limit the floor area that may be constructed on each Orinda lot based on the size of that lot. For example, a home on a 5,000-square-foot lot may not exceed 1,400 square feet. In 2010, the City amended its requirements so that that the limits could be exceeded through the design review process. Nonetheless, the limits are still effective at reducing the incidence of teardowns and maintaining the city's inventory of smaller homes, especially on lots less than 10,000 square feet. Over 600 residential parcels in the city are less than 10,000 square feet. Data from the assessor's office indicates that existing homes on these lots have average assessed values that are 40 percent lower than homes on lots greater than 10,000 square feet. The City will continue to maintain floor area limits as a strategy for maintaining the city's semi-rural character and conserving more affordable homes.

Responsible Parties: Planning Department

Timing: Ongoing

Funding: None required

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.

Description:

The City currently has an annual design awards program that recognizes outstanding projects in several categories, including community beautification and environmental sustainability. The City should consider creating a new category for renovation or new

construction of small homes (2,000 square feet or less) as a way to recognize the value and benefits of such homes as part of the Orinda housing stock.

Responsible Parties:	Planning Department, City Council
Timing:	<u>Create new category by 2015; present the award annually</u> <u>Ongoing</u>
Funding:	Staff time (General Fund)

ACTION 2.G: REDUCTION OF HOME ENERGY COSTS

Continue to advise residents of programs for reducing residential energy costs.

Description:

Pacific Gas and Electric (PG&E) offers a number of programs to reduce residential energy costs. REACH (Relief for Energy Assistance through Community Help) provides one-time assistance payments for energy costs to low-income customers. The federal LIHEAP (Low Income Home Energy Assistance Program) offers assistance through reduced energy rates and weatherization assistance. In addition, CARE (California Alternate Rates for Energy) and FERA (Family Energy Rate Assistance) both provide rate discounts for low-income households. PG&E also offers energy audits and rebates for the use of energy-efficient appliances and the recycling of less efficient appliances. Information on these programs should be kept in the Planning Department waiting area and made available via links from the City's website.

Responsible Parties:	Planning Department
Timing:	<u>Ongoing; update information annually or as new material is</u> <u>made available</u>
Funding:	REACH, LIHEAP, CARE, FERA, PG&E

ACTION 2.H: TITLE 24 ADMINISTRATION

Continue to enforce residential energy conservation requirements as set forth in Title 24, California Administrative Code.

Description:

Orinda will continue to implement and enforce Title 24 energy efficiency standards. Adhering to these standards can substantially reduce energy costs in new construction and major remodels, reducing home energy costs and providing more income for housing and other expenses.

Responsible Parties:	Planning Department, Contra Costa County Building Department
Timing:	<u>Ongoing; implement as residential development is</u> <u>proposed</u>
Funding:	Staff time (General Fund, permit fees)

GOAL 3: HOUSING OPPORTUNITY SITES

Provide additional housing opportunities and sites to meet the needs of Orinda's low-, very low-, and moderate-income households.

QUANTIFIED OBJECTIVES FOR GOAL 3:

- ~~(1) 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).~~
- (1) Meet annually with at least one affordable housing developer or representative of an affordable housing advocacy group to discuss housing issues, needs, and opportunities in Orinda.

POLICIES***Policy 3.1: Adequate Sites***

~~Provide~~ Maintain an adequate number and variety of sites to meet the City's Regional Housing Needs Allocation.

Policy 3.2: Multi-Family Sites

Meet Orinda's Regional Housing Needs Allocation mandates through a combination of second units and rezoning of adequate land area at the default density.

Policy 3.3: Mixed-Income Housing

Encourage larger-scale residential developments to include a mix of unit types, including smaller units and units that are affordable to lower- and moderate-income households.

Policy 3.4: Downtown Residential Use

Continue to allow multi-family residential uses above the ground floor within Orinda's Downtown Commercial zoning district.

Policy 3.5: Shared Housing

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.

Policy 3.6: Extremely Low-Income Households

Ensure compliance with state regulations regarding zoning for emergency shelters and other provisions to ensure housing opportunities for extremely low-income Orinda households or those residents who are in crisis or in need of emergency assistance.

Policy 3.7: Development Agreements

On a case-by-case basis, consider the use of development agreements in larger residential projects as a mechanism for generating funding for affordable housing or providing affordable units within new market-rate projects.

Implementing Actions***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.~~

Description:

~~Since adoption of the 1987 General Plan, the highest density residential category in the City of Orinda has been “Medium Density Residential,” with a maximum density of 10 units per acre. The corresponding zoning district is “RM” (Residential Medium Density), also with a maximum density of 10 units per acre (one dwelling unit per 4,356 square feet of lot area). However, through zoning overlays for senior housing, the City has recognized that higher densities may be permitted in the City on a case-by-case basis.~~

~~There are presently five parcels in the city with RM zoning. Three are already developed, one is being developed now, and the fifth is vacant. As noted below, existing (or approved) development on these parcels already far exceeds the 10 unit per acre ceiling:~~

~~67 Brookwood Road: _____ 19 units per acre~~

~~73 Brookwood Road: _____ 25 units per acre~~

~~Orinda Senior Village: _____ 50 units per acre~~

~~Orinda Senior Housing (under construction): _____ 48 units per acre~~

~~This action program would modify the General Plan language to acknowledge that densities which exceed the 10 unit per acre range can be allowed on a case-by-case basis, subject to zoning overlays. This would recognize the existing Senior Housing Overlay, which allows densities of up to 38 units per acre in RM areas. A concurrent action would create a new zoning overlay for non-age restricted housing which includes a density requirement of 20 units per acre. Based on HCD’s direction that more is required by State law, the zoning overlay will also allow or up to 25 units per acre, if a project proponent demonstrates that it is not feasible to develop a site at 20 units per acre. This overlay would be mapped on the one vacant site with an RM designation—a 3.2-acre area owned by Santa Maria Church located to the rear of the church and to the north/west of Altarinda Drive. Although no development is proposed on this site at this time, the zone change would require a minimum of 64 units on this site at the time of construction. The 20 unit per acre density conforms to the “default” density required by the State of California in suburban jurisdictions to establish that that parcel is suitable for lower income households and thus can be counted towards the City’s Regional Housing Need Allocation for lower income households. The site could develop with either market-rate units, affordable units,~~

~~or a combination of both. Owner-occupied and multi-family rental development will be allowed on this site by right with no discretionary action required.~~

~~It should be noted that the City already has the ability to add a senior housing overlay zone to the 3.2-acre Santa Maria site, which would permit development of 122 units of senior housing (168 units with a 35% density bonus). The principal effect of Action 3.A would be to allow non-age restricted housing at densities of 20 units per acre or more, thereby allowing the City to take advantage of the “default density” for zoning for lower income households under State housing law. Following implementation of this action, the number of senior housing units permitted on the site (in the event the Senior Housing Overlay Zone was applied) would remain the same.~~

~~This action should be implemented concurrently with Housing Element adoption.~~

~~Responsible Parties: Planning Department, Planning Commission, City Council~~

~~Timing: December 2013~~

~~Funding: Staff time (General Fund, Permit Fees)~~

ACTION 3. AB: EVALUATE DOWNTOWN MIXED USE OPPORTUNITIES

Study the feasibility of permitting mixed-use ~~development~~ development at appropriate densities with housing at densities up to 20 units per acre.

Description:

Both the existing Orinda General Plan and the existing Orinda Zoning Ordinance support mixed-use development in the Downtown area. Mixed use (upper-floor residential over ground-floor retail or office uses) is explicitly allowed by the Zoning Ordinance in the Downtown Commercial (DC) zone. ~~As noted in Chapter 5 of the Housing Element, the current requirement that Downtown housing may not exceed 10 units per acre may be a disincentive to mixed-use development. Under this standard, it is difficult to develop a viable project that combines ground floor retail and even one upper story of housing.~~

This action would continue the planning efforts for Downtown to determine the type, extent, and density of housing that would be appropriate in the Downtown area and would also explore the types of zoning standards that could facilitate such development.

Responsible Parties: Planning Department, Planning Commission, City Council

Timing: 2015 July 2014 2016

Funding: Staff time (General Fund, permit fees)

ACTION 3. BC: ADJUST-~~INGMENT~~ OF DESIGN STANDARDS TO IMPROVE AFFORDABILITY

Implement the City’s Affordable Housing Incentive Program to reduce production 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.

Description:

As noted earlier in this chapter, the City's Affordable Housing Incentive Program corresponds to the State-mandated density bonus law. Government Code Section 65915(d)(2) requires every city in California to provide one to three development incentives or concessions for projects that include affordable units (the number of incentives/concessions depends on the percentage of affordable units in the project). It is up to each local government to determine the incentives (for example, allowing additional height, reducing parking requirements, or allowing greater lot coverage). Cities may also offer incentives above and beyond those required by the State.

This task will include an 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 building mass, scale, height, parking, and other compatibility issues. Modifications to the existing program may be made in response to the findings.

Responsible Parties: Planning Department
 Timing: ~~2015~~ ~~October 2014~~
 Funding: Staff time (General Fund)

~~*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.~~

Description:

~~This action would bring Orinda into compliance with California Senate Bill 2, which went into effect on January 1, 2008. SB2 requires cities to identify adequate sites for emergency shelter and transitional housing "by right", through appropriate zoning and development standards. After evaluating alternatives for meeting this mandate, Orinda has determined that the most viable approach is to permit emergency shelters in the Public, Semi-Public, and Utility (PS) zoning district, on properties that are within one-half mile of the Orinda BART station but more than 200' from the edge of pavement of the Highway 24 freeway. As noted in Chapter 5 of the Housing Element, the City has determined there is sufficient capacity in this area to meet the local need for emergency shelter.~~

~~Consistent with SB2, the City may adopt standards for emergency shelters that address such attributes as the number of allowable beds, distance from other shelters, parking, screening, and the location of waiting areas. Proposals that meet these standards would be permitted without discretionary review. Pursuant to Chapter 633, Statutes of 2007 (SB2),~~

~~the revised zoning text will also state that transitional and supportive housing will be considered a residential use subject only to the same permitting processes that apply to residential uses of the same type in the same zone without undue special regulatory requirements.~~

~~Responsible Parties: Planning Department, Planning Commission, City Council~~

~~Timing: June 2014~~

~~Funding: Staff time (General Fund)~~

ACTION 3. CE: 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.

Description:

Orinda has the second highest median age among Contra Costa County cities. In 2010, 36 percent of the city’s households included a person over 65 and 11 percent of the city’s households—695 households in total—consisted of persons over 65 living alone. At the same time, the Census indicates that Orinda has the highest average number of rooms per housing unit among the 19 cities in Contra Costa County. These statistics suggest that the City might benefit from a program that matches single seniors with others in the community—including locally employed service workers, teachers, public safety personnel, caregivers, and even “boomerang” young adults (children returning to Orinda after college).

Some of the city’s single seniors and empty nesters with surplus space in their homes may wish to rent out space in return for income or care, but may be reluctant to advertise or rent to strangers. The nonprofit Eden Council for Hope and Opportunity (ECHO), which serves residents throughout the East Bay, operates a shared housing program that might potentially benefit those residents. The program matches persons needing housing with homeowners who have available space. ECHO is currently carrying out a shared housing program in Livermore and Pleasanton.

The intent of this program is to explore the feasibility of engaging ECHO or some similar organization to start a comparable program in Orinda. ECHO also provides counseling on shared living, supportive services, and information and referral, as well as educational workshops on home sharing. The program may be a helpful way to assist extremely low-income Orinda households, including single seniors on fixed incomes, persons with physical or developmental disabilities, and young adults seeking employment.

Responsible Parties: Planning Department

Timing: ~~2016 October 2014~~

Funding: CDBG, staff time (General Fund)

ACTION 3.DF: NO NET LOSS OF HOUSING CAPACITY

Develop and implement an evaluation procedure to ensure the City maintains sufficient land to accommodate the Regional Housing Needs Allocation throughout the planning period.

Because Orinda has a limited number of sites on which it can meet its Regional Housing Needs Allocation for low- and very low-income households during the planning period, it is important that the availability of these sites be monitored. Section 65863 of the California Government Code stipulates that a community may not reduce the allowable density on a housing site if the result is that the city is no longer able to meet its Regional Housing Needs Allocation. Thus, part of the development approval process for sites listed in this Housing Element should include a determination that the city will still be able to meet its Regional Housing Needs Allocation in the event market-rate housing is approved. Should approval of development result in a reduction of capacity below the amount needed to accommodate the remaining need for lower-income households at that time, the City will identify and zone sufficient sites to accommodate the shortfall.

Responsible Parties: Planning Department
 Timing: Ongoing; monitor if zoning changes are proposed and/or as development is proposed on multi-family housing sites
 Funding: Staff time (General Fund)

[ALTERNATIVE]ACTION 3.E: HOUSING SITE(S)

[As noted in Chapter 4 (see Table 4.1), capacity to meet the 2014-2022 RHNA exists under current zoning including zoning at the “default density” of 20 units per acre on a 3.2-acre portion of the Santa Maria site. However, as a part of the 5th Cycle Housing Element, the City will consider anew, through public input and the California Environmental Quality Act, sites which will accommodate 48 units of the City’s allocation of lower income households at the “default density.” Final selection of a site or combination of sites to accommodate 48 units will be made after review of the Environmental Impact Report (EIR) is complete and will be described here.]

Chapter 4, Section 4.3 Sites for New Housing (pages 4-6 through 4-10) include three alternatives.]

Responsible Parties: Planning Department
Timing: Within one year of Housing Element adoption
Funding: Staff time (General Fund)

ACTION 3.FG: EXTREMELY LOW-INCOME ~~HOUSEHOLDS~~ HOUSING

Encourage additional housing resources for extremely low-income Orinda residents, particularly seniors and persons with physical or developmental disabilities.

Description:

The Needs Assessment in Chapter 3 identified 283 extremely low-income owner-occupied households and 156 extremely low-income renter households in Orinda. Based on Census data, the majority of these households are headed by seniors. Other extremely low-income households in the city include persons with disabilities, low wage workers, and the long-term unemployed.

The City encourages the creation of additional housing resources for extremely low-income households. Since a majority of Orinda's extremely low-income residents are homeowners, programs to assist in home repair and maintenance through low-cost loans or grants are strongly supported. The City may also encourage the inclusion of extremely low-income units within new affordable rental developments. In addition, affordable housing tenant selection should place a priority on extremely low-income persons. The ~~Monteverde~~Orinda Senior ~~Apartments~~ Housing development now under construction exemplifies both of these provisions—it includes units reserved for extremely low-income persons and a tenant selection process that focuses on extremely low-income households. Similar measures may be included in the event affordable housing is built for persons with developmental disabilities or other physical disabilities.

The City will also encourage context-appropriate solutions to meet the housing needs of other extremely low-income households in Orinda, including individuals and families. These include shared housing opportunities, second units, small group homes, and transitional housing. Activities such as grant and funding assistance, priority processing, deferral of impact fees until issuance of certificates of occupancy, and support for applications to create new housing units will be supported in the future.

Responsible Parties:	Planning Department
Timing:	Ongoing
Funding:	Staff time (General Fund)

GOAL 4: HOUSING CONSTRAINTS

Reduce governmental constraints to the production and preservation of housing in Orinda.

QUANTIFIED OBJECTIVES FOR GOAL 4:

- (1) Make a “completeness” determination for planning applications within two weeks or less for 80 percent of all applications received, rather than waiting the full 30 days allowed by the Permit Streamlining Act.

- (2) Provide at least one workshop or training seminar a year to assist owners, builders, contractors, and others with understanding Orinda's development process and requirements.

POLICIES

Policy 4.1: Development Standards

Ensure that the development standards expressed in the City's zoning regulations support the types of uses and activities listed as permitted or conditionally permitted in the Zoning Ordinance, including housing.

Policy 4.2: Use Permit Requirements

~~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.~~

Policy 4.23: Public Information

Provide additional information to the public regarding planning and building regulations and requirements to facilitate the application process and reduce delays. Special efforts should be made to inform the public about opportunities and procedures for adding second units.

Policy 4.34: Approval Processes

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.

Policy 4.45: Development Flexibility

Consider flexibility in development standards, such as reduced parking requirements for senior housing, in order to accommodate additional affordable units and reduce housing costs.

Implementing Actions

~~*ACTION 4.A:-REVISE THE USE PERMIT REQUIREMENTS ACTION 4.A: REMOVING USE PERMIT REQUIREMENTS*~~

~~*Revise the use permit process in the RM-Residential Medium-Density (RM) District. 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.*~~

~~*Description: Description:*~~

~~*The City will modify the decision-making criteria in the current use permit process in the RM District and establish guidelines to define compatibility of uses. The revisions will balance certainty for applicants with the continued preservation and enhancement of existing community character. Consistent with State law, this action is mandatory in order to count these sites toward the City's ability to meet its Regional Housing Needs Allocation. Eliminating the use permit requirement in these areas would represent a time*~~

~~and cost savings for applicants. Development in these areas would still be subject to design review and environmental review requirements, and would still require public hearings and community noticing.~~

Responsible Parties: Planning Department, Planning Commission, and City Council

Timing: within 1 year of adoption of the Housing Element

Funding: Staff time (General Fund)

ACTION 4. BA: REDUCTION OF 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.

Description:

Although Title 17.4.31 of the Municipal Code establishes an Affordable Housing Incentive Program, the program currently only includes State-mandated density bonus requirements. The City used in-lieu housing fees from the Wilder project to facilitate affordable housing and may, on a case-by-case basis, continue to consider housing fees through development agreements in the future. Additional financial incentives also may be considered for projects incorporating affordable units, including priority processing and deferral of impact fees until issuance of certificates of occupancy. Such reductions would be determined on a case-by-case basis, depending on the attributes of each project.

Responsible Parties: Planning Department, City Manager's Office

Timing: Ongoing; implement as developments with affordable units are proposed

Funding: Staff time (General Fund), CDBG

ACTION 4. CB: SHARED PARKING REGULATIONS

Consider adopting shared parking regulations ~~for mixed-use development~~ where it can be demonstrated that there will be no parking shortages.

Description:

The City's current parking regulations require that each use in a mixed-use building provide parking as though it were a freestanding use. As a result, uses in the same building with different parking demand characteristics may be providing a larger aggregate number of spaces than is actually needed by the building. ~~For example, a proposed building with ground floor retail and upper story residential could not take advantage of the fact that the retail spaces may be vacant overnight and available for residents, or conversely that residential spaces may be empty during the day when residents are at work.~~

This action will study provisions to allow sharing of parking where it can be demonstrated that the overall demand for the project can be met without spillover onto nearby streets. For example, residential guest parking could be shared with office or retail parking. These provisions might also consider the feasibility of shared parking agreements that enable the use of off-site parking lots.

Responsible Parties: Planning Department, Public Works/Engineering
 Timing: ~~2016 June-2014~~
 Funding: Staff time (General Fund)

ACTION 4.~~DC~~: BUILDING CODE UPDATES

Continue to implement the California Building Code of Regulations as locally amended. Update or amend the codes as state requirements change.

Description:

This is an ongoing program. The City will amend Title 15 of the Municipal Code (Building Regulations) as needed to incorporate state requirements, including those related to green building and energy conservation. Amendments to reflect issues of local concern (such as high fire danger) will be made as needed.

Responsible Parties: Planning Department, Contra Costa County Building Department
 Timing: Ongoing; update local regulations as needed based on state requirement updates ~~June-2014~~
 Funding: Staff time (General Fund)

ACTION 4.~~ED~~: 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.

Description:

This is an ongoing program. The City periodically reviews its planning and building fees to ensure that they are appropriate, based on actual operating costs and fees charged for comparable services provided by other cities. The City will ensure that its fees are not excessive and that its housing-related fees are not used to cross-subsidize other City services. Fees were last updated in 2014 ~~May-2012~~.

Responsible Parties: Finance Department, Planning Department, City Council
 Timing: Annually Ongoing
 Funding: Staff time (General Fund)

GOAL 5: FAIR HOUSING

Promote equal housing opportunities for all Orinda residents, regardless of race, religion, sex, marital status, ancestry, national origin, or color.

Quantified Objectives for Goal 5:

- (1) Follow up on 100 percent of all fair housing complaints received by the City.

POLICIES***Policy 5.1: Equal Housing Opportunity***

Continue to promote equal housing opportunity for all Orinda residents and others seeking housing in the city, regardless of race, religion, marital/family status, ethnic background, or other arbitrary factors.

Policy 5.2: Housing for Seniors and Disabled Residents

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 in the population.

Policy 5.3: Education and Enforcement

Support programs that educate and inform residents about fair housing laws, the Regional Housing Needs Allocation process, and the City's obligations under state housing law. The City will also support enforcement of fair housing laws and provide appropriate referrals to those filing complaints.

Policy 5.4: Reasonable Accommodation

Provide reasonable accommodation for persons with disabilities in the City's development regulations, policies, and procedures.

~~Policy 5.4: Reasonable Accommodation~~

~~Provide reasonable accommodation for persons with disabilities in the City's development regulations, policies, and procedures.~~

Policy 5. 545: Intergovernmental Coordination

Coordinate local housing efforts with Contra Costa County, nearby cities, and the State of California. Where local programs are not feasible due to limited resources, consider partnering with neighboring cities and/or the County to achieve more effective results.

Implementing Actions***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.

Description:

This is an ongoing program. Pamphlets on fair housing laws and procedures will be made available at City Hall and the library, and information on fair housing requirements will be incorporated in the City's newsletter. This information should also be available via the City website. The City's Planning Director will be identified as the point of contact in the event a fair housing complaint is received, with referrals provided to the Contra Costa Housing Authority or the California Department of Fair Employment and Housing as necessary.

Responsible Parties:	Planning Department
Timing:	Ongoing; <u>post information annually in the City's newsletter; update and redistribute informational materials as needed</u>
Funding:	Staff time (General Fund)

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.

Description:

The City has already taken steps to provide preference in the purchase of the moderate-income units at Orinda Pine-Grove for those who currently work in Orinda, including schoolteachers, firefighters, law enforcement officers, and others in the moderate-income bracket. Similar provisions would apply as additional moderate-income for-sale housing is developed in the future.

Responsible Parties:	Planning Department
Timing:	Ongoing; <u>implement as projects with affordable units are developed</u>
Funding:	Staff time (General Fund)

~~ACTION 5.C: REASONABLE ACCOMMODATIONS PROCEDURE~~

~~Amend the Orinda Zoning Ordinance to include a formal reasonable accommodation procedure.~~

Description:

~~The Federal Fair Housing Act and the California Fair Employment and Housing Act both direct local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations in order to provide disabled persons with access to housing. This action program will amend Title 17 of the Orinda Municipal Code (zoning) to provide a ministerial procedure, with minimal or no processing fee, for requests for reasonable accommodation in housing. The zoning amendment will identify criteria and findings for defining reasonable accommodation,~~

~~specify the procedure for making and approving requests, and include other provisions as needed to ensure consistency in the review of applications.~~

~~Responsible Parties: Planning Department, City Manager, City Council~~

~~Timing: December 2013~~

~~Funding: Staff time (General Fund)~~

ACTION 5. CD: 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 in affordable housing developments that are designed for developmentally disabled persons.

Description:

Developmentally disabled residents include children with mental or physical impairments and adults who were born with a disability or developed a disability before age 18. Many developmentally disabled persons can live and work independently, but some require a group living environment with supervision or living units with special features. The City will continue to support the development of small group homes that serve developmentally disabled adults and will work with the nonprofit community to encourage the inclusion of units for persons with developmental disabilities in future affordable housing developments. The City will also coordinate with the Regional Center of the East Bay to inform Orinda families of the resources available to them and to explore incentives so that a larger number of future housing units include features which meet the needs of persons with developmental disabilities and other special needs.

Responsible Parties: Planning Department

Timing: Ongoing

Funding: General Fund (staff time)

6.3 SUMMARY OF QUANTIFIED OBJECTIVES

As shown in Tables [6.1](#) and [6.2](#), approvals for more than ~~312~~ ~~317~~ new dwelling units could be granted by the City of Orinda during the current planning period. Of these units, ~~100~~ ~~97~~ units could be for extremely low- and very low-income households—including 67 units that are already under construction at the Eden Housing ~~Monteverde~~ ~~Orinda Senior Apartments~~ development ~~on the former Library site~~. Another ~~47~~ ~~49~~ units could be added for low-income households and ~~49~~ ~~55~~ units for moderate-income households. The balance of the new units would be for market-rate units and will be accommodated through partial buildout of the ~~Wilder Gateway Valley~~ project, the ~~Orinda Pine~~ Grove development, and vacant low-density residentially zoned parcels located throughout the city.

The ability for developers to construct new housing for moderate-, very low-, and low-income households will be assisted by the successful implementation of the housing policies and actions in this Housing Element. Whether or not these units will be constructed is dependent on a variety

of factors, including factors beyond the City's control, such as developer interest or response, and the ability to procure funding from private, nonprofit, and public sources. However, through the actions contained in this element, the City has committed to making the maximum feasible effort to facilitate the development of these units.

Table 6.1: Summary of Quantified Housing Objectives by Project

Housing Location/Project	Income Category				Total
	Very Low	Low	Moderate	Market	
Homes completed <u>or permitted as of June 2014</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>22</u>	<u>22</u>
Second units <u>permitted January to June 2014</u>	<u>0</u>	<u>2</u>	<u>2</u>	<u>0</u>	<u>4</u>
<u>MonteverdeOrinda</u> Senior Apartments	66	0	1	0	67
Orinda Grove	0	0	8	65	73
Second units throughout community	<u>2</u>	<u>13</u>	<u>13</u>	<u>4</u>	<u>32</u>
Second units in Wilder	0	0	25	0	25
Single-family home developments (including Wilder)	0	0	0	25+	25+
<u>Site(s) to be selected through the EIR process</u> <u>Santa Maria Site</u>	32	32	0	0	64
Total Units	<u>100</u>	<u>47</u>	<u>49</u>	116+	<u>312+</u>
Regional Housing Needs Allocation (2014–2022)	<u>84</u>	<u>47</u>	<u>54</u>	<u>42</u>	<u>227</u>

Table 6.2: Summary of Quantified Objectives by Project Type

Income Category	New Construction	Rehabilitation	Conservation/Preservation
Extremely Low	35 units (<u>MonteverdeOrinda</u> Senior <u>Apartments</u>)	5 households assisted	—
Very Low	2 second units 31 units (<u>MonteverdeOrinda</u> Senior <u>Apartments</u>) <u>32</u> assisted multi-family units	5 households assisted	150 units preserved at Orinda Senior Village
Low	<u>13</u> second units <u>32</u> assisted multi-family units	—	5 existing second units to be “registered”
Moderate	<u>13</u> second units (not location specific) 8 BMR homes at <u>Orinda</u> Grove 25 second units at Wilder	—	36 market-rate multi-family rentals preserved
Above Moderate	65 new market-rate homes at <u>Orinda</u> Grove 25+ new market-rate homes at <u>Orinda Oaks, Wilder, and</u> elsewhere <u>in the city</u>	—	—

Table 6.32 provides a summary of the actions to be implemented following Housing Element adoption, based on the information presented in the prior section. While the Action Program typically covers a five-year period, the City intends to complete the actions listed above during the next 18 months, and will update the Housing Element again in 2014 to meet the anticipated

~~2014-2022 Regional Housing Needs Allocation~~

Table 6.3: Housing Element Program Summary				
Action Number	Title	Timeline	Responsible Agency	Funding
1A	Orinda Grove Development	2014–2015	Planning, Building (County)	Private funding, staff time
1B	Monteverde Orinda Senior Apartments Development	2014	Planning, Building (County)	CDBG, HOME, in-lieu fees, staff time
1C	Promotion of Second Units	Ongoing; annual newsletter articles; update website information as needed	Planning, City Manager	Staff time
1D	Legalization of Unregistered Second Units	Ongoing	Planning, City Manager	Staff time
1E	Second Units in Wilder	Ongoing	Planning	Staff time
1F	Affordable Housing Incentive Program (State Density Bonus Law)	Ongoing	Planning	None required
1G	Technical Assistance to Nonprofit Organizations	Ongoing	Planning, City Manager	Staff time
2A	Assistance to Lower-Income Senior Homeowners	Ongoing; coordinate with County staff annually; post information/links by 2015; advertise in the City newsletter annually	Planning, County	County
2B	First-Time Homebuyer and MCC Programs	Coordinate with County staff by 2015	Planning, City Council	County
2C	Home Maintenance and Repair Needs Assessment	2017	Planning, Building (County)	Staff time
2D	Second Unit Rent Data	Ongoing; update data annually	Planning, Finance	Staff time
2E	Floor Area Ratio Limits	Ongoing	Planning	None required
2F	Design Awards and Recognition	Create category by 2015; implement annually	Planning, City Council	Staff time
2G	Reduction of Home Energy Costs	Ongoing	Planning	Various and through PG&E
2H	Title 24 Administration	Ongoing	Planning, Building (County)	Staff time, permit fees
3A	Downtown Mixed Use Opportunities	2015	Planning, Planning Commission, City Council	Staff time, permit fees

Table 6.3: Housing Element Program Summary				
Action Number	Title	Timeline	Responsible Agency	Funding
3B	Adjustment of Design Standards to Improve Affordability	2015	Planning	Staff time
3C	Shared Housing Program	2016	Planning	Staff time, CDBG
3D	No Net Loss of Housing Capacity	Ongoing	Planning	Staff time
3E	Housing Site(s)	Within one year of Housing Element adoption	Planning	Staff time
3F	Extremely Low-Income Housing	Ongoing	Planning	Staff time
4A	Reduction of Permitting Costs and Delays	Ongoing	Planning, City Manager	Staff time, CDBG
4B	Shared Parking Regulations	2016	Planning, Public Works/Engineering	Staff time
4C	Building Code Updates	Ongoing	Planning, Building (County)	Staff time
4D	Fee Updates	Annually	Finance, Planning, City Council	Staff time
5A	Fair Housing Program	Ongoing	Planning	Staff time
5B	Local Preference in Housing Opportunity	Ongoing	Planning	Staff time
5C	Assistance for Persons with Developmental Disabilities	Ongoing	Planning	Staff time

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