



**STAFF REPORT
CITY OF BEVERLY HILLS**

**For the Planning Commission
Meeting of July 8, 2010**

TO: The Planning Commission
FROM: Peter Noonan, AICP, Associate Planner
THROUGH: Jonathan Lait, AICP, City Planner
SUBJECT: **Housing Element** – Part Two of the Discussion on Draft Programs, and Review of the Potential Sites Inventory Maps.

EXECUTIVE SUMMARY

This study session continues the Housing Element update discussion which began on April 22, and was continued on May 13, 2010, and June 24, 2010. At this study session, the Planning Commission will review the remaining draft housing programs, and the potential site inventory.

Following this study session, all of the materials reviewed by the Planning Commission (on 4/22, 5/13, 6/24, and 7/8) will be compiled to form the draft Housing Element update. The draft Housing Element update will then be brought back on July 22, 2010 for the Planning Commission's recommendation to submit it to the State's Department of Housing and Community Development (HCD) for their initial review.

DISCUSSION

The focus of this study session is to review the programs not previously reviewed on June, 24, and to review the potential sites inventory maps. The study session will be set up with the draft language on the viewing screens to allow the Planning Commission to discuss, and make changes in session. Potential Sites Inventory maps will be displayed on easels.

The following summarizes the materials provided in the four attachments to this report.

Attachment A - Goals and Policies (*Programs Referenced to Policies*)

The housing element goals and policies have been provided in Attachment A. The implementation programs associated with each policy have been included at the end of the respective policy in parenthesis in keeping with the format in the other General Plan elements.

Attachment B - Programs (*Additional Programs Inserted*)

The full list of housing programs proposed for inclusion in the draft element are provided with a summary description in Attachment B. Additional programs not reviewed at the June 24 meeting have been inserted, and are underlined.

Attachment C - Discussion of Programs not Reviewed on June 24

A short discussion of each of the newly inserted programs is provided in Attachment C. Some of these programs require additional direction to Staff.

Attachment D - Potential Sites Inventory

Draft maps for the potential sites inventory are also included for the Planning Commissions information and review in Attachment D. The potential sites inventory is one of the State required components of the Housing Element. To satisfy the City's Regional Housing Needs Allocation (RHNA, pronounced "Rhee-nah"), the inventory must demonstrate that the City's General Plan and Zoning Code allow for a sufficient number of new units to be constructed. The sufficient number of new units must be greater than the RHNA requirement for the following reasons:

- Not all potential new housing sites will be redeveloped
- When a potential site is redeveloped, the full number of units allowed may not be built

Attachment E – Land Use and Zoning Maps

Copies of the City's Land Use, and Zoning Maps have been provided for reference.

The State will review the potential sites inventory and determine if there is sufficient capacity in the City to assure that the number of housing units required by the RHNA can be constructed. With a State certified Housing Element, if the number of housing units identified in the RHNA are not constructed during this planning cycle (2006-2014), the numbers do not carry over into the next cycle, as has previously occurred (1998-2006) when the City opted to not have the State certify the Housing Element.

NEXT STEPS

Following this study session, all of the components that the Planning Commission has reviewed will be combined to form the draft Housing Element update. This document will include these sections:

- Community Profile (reviewed 4/22)
- Constraints Analysis (reviewed 4/22)
- Goals, Policies, and Programs (reviewed 5/13, 6/24, 7/8)
- Potential Sites Inventory (reviewed 7/8)

On July 22, 2010, the draft Housing Element update will be brought forward for a recommendation to send to the State Department of Housing and Community Development (HCD) for their initial review.

Following HCD's review, which should last approximately 60 days, the draft Housing Element update will be brought back to the Planning Commission along with HCD's review letter. HCD's review letter will specify any revisions necessary before the State would certify the document.

Once the Planning Commission has considered the letter, and made any revisions necessary, the draft Housing Element update will be sent back to HCD for a final review, prior to bringing the document to the City Council for consideration.

RECOMMENDATION

Review the draft programs attached, revise as appropriate. Review and discuss the potential sites inventory maps. Recommend that the programs, and maps be included in the draft Housing Element update.

PETER NOONAN, AICP

Attachments:

Attachment A – Housing Goals and Policies – with draft Programs Referenced

Attachment B – Draft Programs

Attachment C – Summary of Additional Programs not reviewed on June 24

Attachment D – Potential Site Inventory Maps

Attachment E – Land Use and Zoning Maps

GOALS AND POLICIES – with Implementation Programs Referenced

Conserve and Improve Existing Housing Stock

H1	Maintenance and Conservation. Maintain and enhance the quality and character of existing housing and residential neighborhoods.
H1.1	Neighborhood Character. Maintain the character and quality of residential neighborhoods. (Imp. 9.1, 9.2)
H1.2	Healthy and Safe Housing. Support healthy neighborhoods by addressing public health and safety issues, performing property inspections, and eliminating threats to public health. (Imp. 9.3)
H1.3	Home Repair Assistance. Provide assistance to low- and moderate-income households to encourage the adequate maintenance and rehabilitation of existing housing, such as through the Handy-worker program. (Imp. 9.4)
H1.4	Historic Preservation. Promote the preservation of historically and architecturally significant buildings and the quality of historic neighborhoods through land use, design and housing policies.
H1.5	Conservation of Existing Rental Housing. Regulate the conversion of rental apartments to condominium ownership. (Imp. 9.5)
H1.6	Rent Stabilization. Continue to provide tenant protections through the City's Rent Stabilization Ordinance. (Imp. 9.6)
H1.7	Preservation of Affordable Housing. Support preservation of publicly subsidized rental housing to maintain affordability to lower income households. (Imp. 9.7)

Provide New Housing Opportunities

H2	Housing Supply and Diversity. Provide a variety of housing types and adequate affordable housing supply to meet the existing and future needs of the community.
H2.1	Affordable Housing Incentives. Offer incentives, including density bonuses, where feasible to offset or reduce the costs of developing affordable housing. Proactively seek out new approaches in the provision of affordable housing. (Imp. 10.1, 11.2, 12.2)

GOALS AND POLICIES – with Implementation Programs Referenced

H2.2	Inclusionary Housing. Pursue adoption of an inclusionary housing program to integrate affordable units within market rate developments, and increase the availability of affordable housing throughout the community. <u>(Imp. 10.2)</u>
H2.3	Housing Trust Fund. Create a Housing Trust Fund to financially assist nonprofit and for-profit developers in the creation of affordable housing. (Imp. 10.3)
H2.4	Second Units. Promote second units as a means of providing lower cost housing options for seniors, caretakers, and others. <u>(Imp. 10.4)</u>
H2.5	Adaptive Reuse. Support innovative strategies for the adaptive reuse of residential and commercial structures to provide for a wide range of housing types. <u>(Imp. 12.2)</u>
H2.6	Site Information. Provide information to residential developers regarding sites that may be suitable for new affordable housing development. (Imp. 10.5)
H2.7	Environmentally Sustainable Housing. Promote conservation of water and energy, use of sustainable building materials and drought-resistant landscaping to reduce the operating costs and carbon emissions associated with housing. (Imp. 10.6)
H2.8	Transit-Oriented Housing. Promote access, where feasible, from residential neighborhoods and new residential development to existing transit stops and to the anticipated subway stations. <u>(Imp. 12.2)</u>
H2.9	Jobs/ Housing Balance. Promote programs seeking to provide housing opportunities for people who work in the City as a means of reducing long commutes, easing local traffic, improving air quality and helping to achieve a balanced regional jobs/housing distribution for the western portion of Los Angeles County. (Imp. 10.7, 10.8)
H2.10	Workforce Housing. Study and develop programs to increase the amount of rental and ownership housing affordable to the local workforce. (Imp. 10.87)

GOALS AND POLICIES – with Implementation Programs Referenced

H2.11	Partnerships for Affordable Housing. Explore opportunities for partnerships with adjacent jurisdictions and other governmental agencies in the provision of housing. Collaborate with non-profit organizations to provide greater access to affordable housing funds. (Imp. 10.8Z)
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Promote Equal Housing Opportunities and Special Needs Housing

H3	Fair Housing and Special Needs Residents. Promote equal housing opportunities for all residents; including Beverly Hills' special needs populations, so residents have a choice of appropriate housing.
H3.1	Fair Housing Practices. Promote fair housing and non-discrimination in the sale and rental of housing by coordinating with organizations that provide information, counseling and mediation on fair housing laws and landlord-tenant disputes. (Imp. 11.1)
H3.2	Senior Housing. Support the provision of a variety of housing options for seniors to foster independence and the ability of seniors to remain in the community as they age. (Imp. 11.2)
H3.3	Senior Support Services. Continue to offer housing support services for seniors, including case management and homeshare programs. (Imp. 11.2, 11.3)
H3.4	Housing Accessibility. Address the special housing needs of persons with disabilities through adoption of reasonable accommodation procedures, homeowners assistance grants, and supportive housing. (Imp 11.4)
H3.5	Homeless Programs. Continue to provide support to community service organizations that assist the homeless through provision of housing and services. (Imp. 11.5)

Remove Governmental Constraints

H4	Constraints. Mitigate potential governmental constraints on the maintenance, improvement and development of housing, while maintaining community character.
H4.1	Zone for a Variety of Housing Types. Amend the Zoning Ordinance, as required by State law, to facilitate the provision of a variety of housing types for special needs populations, including persons with disabilities, the homeless, and persons at risk of homelessness. (Imp. 12.1)

GOALS AND POLICIES – with Implementation Programs Referenced

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| H4.2 | Adjust Development Standards. Evaluate and modify development standards as appropriate to better facilitate the provision of affordable housing. <u>(Imp. 12.2)</u> |
| H 4.3 | Fee Reduction. Establish a process to provide fee waivers to facilitate the production of affordable, senior, and workforce housing. (Imp 12.3) |

DRAFT HOUSING PROGRAMS

9.0 *Conserve and Improve Existing Housing Stock*

Number	Program Name	Status
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Imp 9.1	Upkeep and maintenance of vacated buildings (Was Policy 1.4)	Existing
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The City requires the exterior of vacated multi-family structures that will be demolished for redevelopment to be adequately maintained as a condition of tentative map approvals, and extensions.

The City's Code Enforcement Office (Community Preservation) maintains a list of all vacant properties in the City, monitors the sites, and works with the property owners to assure that the properties are maintained in an appropriate manner.

Timeline: Ongoing

Funding Source: Department Budget

Responsible City Section: Community Development Department

Imp 9.2	Property Maintenance	Existing
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The City requires housing to be maintained in an aesthetic, safe and habitable manner consistent with City codes. The program is run as part of the City's comprehensive Code Enforcement program (Community Preservation) and is structured as a re-active, complaint-driven inspection process.

Timeline: On-going

Funding Source: Department Budget

Responsible City Section: Community Development Department

Imp 9.3	Rental Housing Inspections (Was Policy 1.5)	New
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As a means of becoming more proactive in ensuring the continued quality of multi-family housing, the City is developing a housing inspection program funded by a per unit assessment to participating properties. The program will include routine inspections of all multi-family properties every four years, with inspections being more frequent for properties found not in compliance. Property owners will be able to pass the cost of the inspections on to tenants, but not the costs of any upgrades and repairs needed for compliance. As a part of developing this program, the City will consider adopting standards for habitability and building safety that are more stringent than State requirements. Standards for aesthetic condition and routine building maintenance will also be considered.

Timeline: Develop program parameters in 2012, with implementation by 2013

Funding Source: Per unit cost assessed on rental properties

Responsible City Section: Community Development Department

Imp 9.4	Home Repair and Improvement	Existing
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The Handyworker Program provides minor home repair, and improved security and mobility assistance to low income tenants and homeowners in single and multi-family units. The program

Number	Program Name	Status
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is administered by Jewish Family Services at no cost to the qualifying low-income owner, or tenant. Jewish Family Services provides community outreach, applicant screening, pre-construction site visits, repairs and remodeling, and confirmation that the property meets the City's standards for habitability.

Population Served: Very-Low and Low- income (up to 80% AMI) households

Eligible Repairs: Interior/ Exterior Repairs, Energy Conservation Activities, Security/ Safety Improvements

Managed By: Jewish Family Services

Maximum Award Amount: \$2,000 grant. Award amount may increase up to \$5,000 if additional repairs are required to meet the City's standards for habitability.

Target: Serve 40 low income households per year.

Timeline: On-going

Funding Source: CDBG

Responsible City Section: City Manager's Office

Imp 9.5	Condominium Conversions	Modified
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This program limits loss of rental housing units due to the conversion of existing apartment buildings to condominiums by setting an annual cap and providing protections for tenants.

Currently, apartment buildings proposed for conversion to condominium ownership are subject to the City's condominium conversion regulations (Beverly Hills Municipal Code Sections 10-2-710, 711, and 712). These regulations set forth a series of tenant protections including tenant noticing, relocation provisions, right of first purchase, and extended lease provisions for senior and disabled households. These regulations also set an annual limit on the number of conversions allowed.

The City will evaluate success of the existing ordinance, and consider modifying it to require a number of units in any building converted to be set aside as affordable rental or ownership housing. The City will also evaluate the benefit of offering an in-lieu fee option that would go into the Housing Trust Fund and be used to provide affordable housing elsewhere in the City.

Timeline: Evaluate ordinance revisions to address affordability in 2011, and, as appropriate, amend the ordinance in 2012.

Funding Source: Departmental Budget

Responsible City Section: Community Development Department

Imp 9.6	Rent Stabilization	Existing
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Continue the City's rent stabilization ordinance to investigate tenant complaints regarding unlawful rent increases, service reductions, evictions and relocations.

The Community Preservation Office administers the rent stabilization program which affects approximately 12,800 apartment units in the City. The ordinance limits annual rent increases to no more than ten percent and provides tenant protections through required noticing of rent increases and evictions. Community Preservation officers respond to approximately 480 inquires from residents annually, with approximately 30 complaints requiring follow-up investigation.

Most complaints are resolved within 45 days with the remainder being referred to "stepped up

Number	Program Name	Status
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enforcement action", including but not limited to citations and further legal action.

Timeline: On-going

Funding Source: Departmental Budget

Responsible City Section: Community Preservation

Target: Investigate 30 complaints per year.

Imp 9.7	Monitoring Affordable Housing	Existing
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The City of Beverly Hills currently has one assisted housing project providing 150 units of affordable rental housing to very low income seniors. This project was originally financed under the HUD Section 202 program with project-based Section 8 certificates providing ongoing affordability. Although this project is not currently at-risk of conversion to market rate housing, the City will continue to coordinate with the service provider to monitor Section 8 renewals, advise tenants in advance of any potential conversion dates, and provide opportunities to continue affordability covenants.

Number of Units: 150

Number of Affordable Units: 150 (Very Low Income, Senior/ Disabled)

Year Built: 1988

Affordability Covenant: 40 years

Owner/Operator: Menorah Housing Foundation

Timeline: On-going

Funding Source: Departmental Budget

Responsible City Section: Human Services Division, Community Services Department

10.0 Provide New Housing Opportunities

Number	Program Name	Status
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<u>Imp 10.1</u>	<u>Density Bonus</u>	<u>Existing</u>
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Beverly Hills updated its residential density bonus ordinance in 2005 consistent with current State requirements as specified under SB 1818. In summary, applicants of residential projects of five or more units may apply for a density bonus and additional incentive(s) if the project provides for one of the following, per State policy:

- 10% of the total units for lower income households; or
- 5% of the total units for very low income households; or
- A senior citizen housing development that limits residency based on age requirements for housing for older persons; or
- 10% of the total dwelling units in a condominium for moderate income households.

The amount of density bonus varies according to the amount by which the percentage of affordable housing units exceeds the established minimum percentage, but generally ranges

Number	Program Name	Status
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from 20-35% above the specified General Plan density. In addition to the density bonus, eligible projects may receive 1-3 additional development incentives, depending on the proportion of affordable units and level of income targeting.

The State requires the following incentives to be offered in conjunction with the density bonus:

- A reduction in parcel development standards (coverage, setback, zero lot line and/or reduced parcel sizes)
- Approval of mixed use zoning in conjunction with the housing project
- Other regulatory incentives or concessions proposed by the applicant, or the City that would result in identifiable cost reductions

By the City's ordinance, incentives offered are determined by the Planning Commission during the review process.

Pursuant to State requirements and at the request of the developer, the City will also permit a reduced parking ratio for density bonus projects. To the extent the density bonus cannot be accommodated due to the City's development standards, the City will waive or modify applicable standards to accommodate the bonus.

Timeline: Promote the use of density bonus incentives through the City's Affordable Housing Brochure (Imp 10.5) by 2012.

Funding Sources: Department Budgets

Responsible City Section: City Manager's Office; Community Development Department

<u>Imp 10.2</u>	<u>Inclusionary Housing</u>	<u>New</u>
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Beverly Hills will pursue adoption of an inclusionary housing program to require a minimum percent of units in development to be price-restricted as affordable to lower and moderate income households. The Ordinance will require either: (a) provision of affordable housing on-site; (b) provision of affordable units off-site; or (c) payment of an affordable housing in-lieu fee. Current case law (*Palmer/Sixth Street Properties v. City of Los Angeles*) limits the application of inclusionary requirements to the following types of projects:

- For-sale housing projects
- Rental projects receiving financial or regulatory assistance from the city subject to a written development agreement

The City will conduct an inclusionary housing nexus study to document the relationship between residential development and demand for affordable housing, and to determine both the maximum supportable and recommended in-lieu fee amount. Based on the study's findings, the City will develop and adopt an inclusionary housing ordinance structured to offer incentives to help offset the cost of providing affordable units. In-lieu fees generated from the program will be contributed to the City's Housing Trust Fund.

Incentives offered under the Inclusionary Housing program will be linked with incentives offered under the City's Density Bonus program (Imp 10.1a)

Timeline: Conduct Inclusionary Housing Nexus and In-Lieu Fee Study in 2011, and adopt Ordinance by 2012.

Funding Sources: Department Budgets; future Inclusionary Housing In-lieu Fees.

Responsible City Section: City Manager's Office; Community Development Department

Number	Program Name	Status
Imp 10.3	Housing Trust Fund	New

Because the City does not have a Redevelopment Agency and has limited access to state and federal housing resources, the City of Beverly Hills faces financial constraints in its ability to facilitate the construction of affordable housing. To create a more viable funding source, the City will establish a Housing Trust Fund that will be used to construct or help leverage construction of affordable housing. Potential Trust Fund resources include development agreements, and in-lieu fees from an Inclusionary Housing Program, and/or the creation of a Commercial Linkage Fee. An Affordable Housing Program will be established to manage the Trust Fund and establish parameters for allocation of funds towards projects. Since January 1, 2006, the City has entered into three development agreements that included over 4 million in funds allocated for the Housing Trust Fund. To date, none of these projects has submitted for building permits, and therefore, no funds have yet been collected. This program will move forward once a funding source has been identified, and will coincide with the collection of fees.

Timeline: 2012, to coincide with the adoption of an Inclusionary Housing Ordinance

Funding Sources: Inclusionary Housing In-lieu Fees, Commercial Linkage Fees, Development Agreements

Responsible City Section: City Manager's Office

Imp 10.4 **Second Units** **New**

In compliance with AB 1866, Beverly Hills has developed both a ministerial approval process for second units that are less than 650 square feet in size, as well as a discretionary review process for larger second units proposed on properties above Santa Monica Boulevard. The City has received and approved an average of 3 discretionary applications annually since the current ordinance was adopted in 2003. In order to collect information on second units to determine who lives in them, rent ranges, size, and additional steps the City can take to encourage construction of second units, the City will be conducting a Citywide survey of residential property owners. One of the questions to be posed in the survey will be the amount of rent charged on existing second units (if any), as a means of assessing affordability and contribution towards addressing the community's regional housing needs (RHNA).

To further encourage the provision of second units, the City will evaluate modifications to its second unit ordinance, including:

- Consider greater flexibility in second unit standards in R-1 zones south of Santa Monica Boulevard
- Consider allowing larger sized second units, of up to 1,000 square feet by right to reduce processing times, and facilitate the provision of second units with bedrooms (all other review requirements would remain). This may encourage housing options for single parent families and care-givers.
- For second units built above a garage, consider allowing an increase in the permitted height up to the height of the primary residence.
- Consider allowing reduced setback requirements where privacy is not compromised

The Community Development Department will develop a brochure to provide information on the City's second unit standards, and promote their development.

Timeline: Conduct Second Unit Survey in 2010. Evaluate revisions to current second unit standards, and publicize in 2011.

Funding Sources: Department Budgets

Number	Program Name	Status
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Responsible City Section: Community Development Department

Imp 10.5	Affordable Housing Brochure and Outreach	New
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The City will develop a brochure to summarize available incentives offered for the development of affordable housing including fee waivers, density bonuses and inclusionary housing requirements. The brochure will also summarize development standards for all multi-family residential areas in the City. A series of web page and downloadable handouts will be made available on the City's website, in the permit center, and in other public information areas. As an initial step, all materials will be mailed to major for-profit and nonprofit housing and mixed-use developers, and informational materials directing the development community to the webpage will be broadly distributed to increase awareness.

Timeline: Develop and disseminate outreach materials in 2012.

Funding Sources: Departmental Budget

Responsible City Sections: Community Development Department

Imp 10.6	Sustainability and Green Building	New
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"Green buildings" are structures that are designed, renovated, re-used or operated in a manner that enhances resource efficiency and sustainability. These structures reduce water consumption, improve energy efficiency and lessen a building's overall environmental impact. The City of Beverly Hills adopted a local green building program in 2008, establishing requirements similar to the green building measures under the US Green Building Council's LEED Program (Leadership in Energy & Environmental Design). The program applies to all new multi-family, mixed-use and commercial buildings, and renovations of multi-family, mixed-use and commercial buildings totaling over 50% in cost of the building's valuation. If compliance with the program would frustrate the ability to provide affordable housing in a project, some or all of the program can be waived.

Beverly Hills has also adopted a Sustainability Master Plan in conjunction with recent amendments to its General Plan. The overall goal of the Sustainable City Plan is to reduce the City's carbon footprint by providing a model framework for sustainable practices for the environment, the economy and social equity.

Timeline: Ongoing.

Funding Sources: Departmental Budget

Responsible City Sections: Community Development, Public Works Departments

Imp 10.7	Commercial Development Linkage Fee	New
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High housing costs on the Westside of Los Angeles, and Beverly Hills in particular, results in a majority of the workforce unable to live near where they work, contributing to traffic congestion, air pollution and greenhouse gas emissions. Many California jurisdictions facing similar jobs/housing imbalance challenges have adopted commercial development linkage fee programs. Such programs—also known as jobs-housing linkage fees—are impact fees that local governments place on new industrial, commercial and office developments to offset the impact that new employment has on housing needs within a community.

The initial step in developing a linkage fee is to undertake a nexus study to quantify the specific housing impacts generated by different types of commercial and industrial development, and

Number	Program Name	Status
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~~to then translate these impacts into an associated fee amount. The City of Beverly Hills will undertake a commercial/housing linkage nexus study, and based on the study's findings, adopt a commercial impact fee program. Revenues generated from the program will be contributed to the City's Housing Trust Fund for expenditure on housing for the community's workforce.~~

~~Timeline: Conduct commercial/housing linkage nexus study in 2012, followed by a commercial linkage ordinance and fee in 2013.~~

~~Funding Source: Development Projects~~

~~Responsible City Section: Community Development Department, City Manager's Office~~

Imp 10.8Z	Partnerships with Affordable Housing Developers	New
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In today's housing market, creative approaches are required to finance and build affordable and special needs housing. Beverly Hills successfully partnered with the non-profit Menorah Housing Foundation to achieve development of 150 units of affordable senior housing, and has contracted with Alternative Living for the Aging for implementation of the senior shared housing program in the past. Both of these organizations own and manage numerous affordable housing developments for seniors in greater Los Angeles and can serve as potential resources for future senior housing in Beverly Hills. Several other local non-profits specialize in affordable workforce and family housing – such as West Hollywood Housing Corporation, Jamboree Housing and National Community Renaissance.

Providing adequate and affordable housing for senior residents and the local workforce is an important goal for Beverly Hills. In addition to developing and disseminating an affordable housing brochure (refer to Program 10.5), the City will conduct a developer's workshop to provide outreach to affordable housing developers. The purpose of the workshop will be to inform the development community of prospective sites for housing, development incentives, and available financial assistance to support the development of affordable workforce and senior housing.

Timeline: Conduct developer's workshop in 2011+2013.

Funding Source: Departmental Budget

Responsible City Section: City Manager's Office, Community Development Department

11.0 Promote Equal Housing Opportunities and Special Needs Housing

Number	Program Name	Status
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Imp 11.1	Fair Housing Program	Existing
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As a participating jurisdiction in the Los Angeles County CDBG program, fair housing services are coordinated by the County Community Development Commission on behalf of the City. The County currently contracts with the Housing Rights Center (HRC) to serve as the provider of fair housing and tenant-landlord information for its participating jurisdictions, including Beverly Hills. HRC provides fair housing investigation and coordinates referral services to assist individuals who may have been the victims of discrimination. Many of the people who contact HRC have basic questions about landlord and tenant rights and responsibilities; HRC's housing counselors provide clients with comprehensive information to help resolve tenant/landlord issues.

The City will continue to promote fair housing practices, and refer fair housing complaints to

Number	Program Name	Status
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Housing Rights Center. As a means of furthering fair housing education and outreach in the local community, the City will advertise the fair housing program through placement of fair housing services brochures at public counters in City Hall and the library, at the Beverly Hills Senior Center, and on the City's website.

Timeline: Initiate advertising in 2011.

Funding Source: CDBG

Responsible City Section: Human Services Division, Community Services Department

Imp 11.2	Senior Housing Development	New
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The need for senior housing in the City is significant and growing. Over one-quarter of households in Beverly Hills are headed by a senior citizen. Two-thirds of these households are renters. The City will pursue several avenues to assist in establishing additional housing affordable to modest income seniors, including conducting a developer's workshop to inform the development community of available sites, development incentives, and available financial assistance. The following are among the types of incentives that may be provided:

- Flexible development standards (reduced parking requirements, modified setbacks, etc)
- Density bonuses
- City support in affordable housing funding applications
- Reduction in development fees

Timeline: 2013

Funding Source: Departmental Budget

Responsible City Section: City Manager's Office, Community Development Department

Imp 11.23	Senior Case Management Program	Existing
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The City contracts with Jewish Family Services to provide a comprehensive case management program to assist frail elderly residents to remain independent and in their homes.

The following continuum of supportive services are provided to seniors who are frail, economically needy, and/or socially isolated:

- Comprehensive assessment – In-home psycho-social assessment of functional abilities, health status, mental and cognitive abilities, support network, financial health, safety risks, eligibility for government benefits and other programs. The comprehensive assessment includes:
 - Development of an individual care plan – Identifies senior's needs and associated services that will allow continued independence.
 - Service coordination – Coordination with appropriate services, including in-home care-workers, ERS, home delivered meals, assistance to obtain governmental benefits, arranging for other community based services, transportation assistance, and coordination of services with medical providers, family, and social supports.
 - Emergency Response Systems (ERS) – ERS are medical devices placed in a senior's home and connected to a central emergency location.
 - Monitoring/ home visits: Social workers make regularly scheduled home visits to assure quality of services, and that changing needs are met.
- Additional Services: Information, referral and crisis intervention, consultation and advocacy, and assistance to families to further support the senior's independent living.

Number	Program Name	Status
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Approximately 20 Beverly Hills seniors are served annually under the comprehensive case management program. In addition, Jewish Family Services provides broad case management services through the Beverly Hills Senior Center, including information, referral and crisis intervention, serving approximately 200 seniors per year.

Timeline: On-going

Funding Source: CDBG, City of Beverly Hills Community Assistance Fund

Responsible City Section: City Manager's Office

Imp 11.34	Senior Homesharing Program	Existing
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The City has participated with Alternative Living for the Aging (ALA) in the past to provide a free shared housing program to its residents. The program matches older people with others (younger and older) interested in sharing their homes. Housing counselors at ALA interview each potential roommate and obtain references, leaving the decision to the potential roommates whether to make a match. Sharing a home promotes independent living, provides additional income for the provider, an affordable rent for the seeker, and the potential for deeper relationships for both. The average age of community members in Beverly Hills is growing older, and over 750 seniors currently live alone in single-family homes in the City. Shared housing promotes the efficient use of housing stock, and can help address the housing needs of seniors in our community. The City has provided funds to ALA in the past to help fund their roommate matching service, and anticipates that in future years with fewer budget constraints that the program will be funded again.

Timeline: Evaluate Community Assistance Funds and determine grant amount annually.

Funding Source: City of Beverly Hills Community Assistance Fund

Responsible City Section: Human Services Division, Community Services Department

Imp 11.45	Accessible Housing	New
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Pursuant to Senate Bill 520, jurisdictions are required to analyze constraints to the development, maintenance, and improvement of housing for persons with disabilities and take measures to remove constraints. As part of this Housing Element, Beverly Hills has conducted a review of zoning, building codes, and permit processing procedures and while the City has not identified any institutional barriers to the provisions of accessible housing, the City does not have in place specific procedures for requesting a reasonable accommodation. As a means of facilitating such requests and removing constraints for persons with disabilities, the City will develop and adopt written procedures for reasonable accommodation requests with respect to zoning laws, permit processing, and building laws. Procedures will specify who may request an accommodation, time frame for decision-making, and modification provisions. ~~Inform, and educate the public on the process of requesting an accommodation.~~ Inform, and

Timeline: By 2011, develop and adopt specific written procedures for reasonable accommodation requests, and inform, and educate the public on the process of requesting an accommodation.

Responsible City Section: Community Development Department

Number	Program Name	Status
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Imp 11.56	Funding for Homeless Services	Existing
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The City provides funds to the Changing Lives and Sharing Places (CLASP) Homeless Outreach and Engagement Program. The program currently has 46 homeless people in the City on its active case management list. CLASP connects homeless persons with services and shelter. Shelter is offered through People Assisting The Homeless (PATH).

Service Provider: Step Up on Second

Annual Award: \$85,000

Timeline: On-going

Funding Source: Departmental Budget/Community Services Block Grant

Responsible City Section: Human Services Division, Community Services Department

12.0 Remove Governmental Constraints

Number	Program Name	Status
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Imp 12.1	Zoning Text Amendments for Special Needs Housing	New
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As part of the governmental constraints analysis for the Housing Element update, the following revisions to Beverly Hills' Zoning Code have been identified as required under State law: :

- Develop a definition of "family" which is inclusive and non-discriminatory. Place this definition into the Zoning Code.
- Create a "community care facility" category and definition. List community care facilities with six or fewer occupants as permitted in residentially zoned areas; permit care facilities with 7 or more occupants in at least one zone subject to a conditional use permit.
- Establish a single room occupancy (SRO) definition and use category, and permit within at least one zone with a conditional use permit. Develop standards to regulate SROs.
- Add transitional and supportive housing within the Code's definition section, and allow as a permitted use within residential zone districts subject to the same permitting processes as other residential uses, and without undue special regulatory requirements.
- Establish an emergency shelter definition and use category, and allow as a by-right, permitted use in at least one zone. Shelters will be subject to the same development and management standards as other uses permitted in the specific zone. The City will, however, develop written, objective standards for emergency shelters to regulate the following, as permitted under SB 2:
 - The maximum number of beds/persons permitted to be served nightly;
 - Off-street parking based on demonstrated need, but not to exceed parking requirements for other residential or commercial uses in the same zone;
 - The size/location of exterior and interior onsite waiting and client intake areas;
 - The provision of onsite management;
 - The proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart;
 - The length of stay;
 - Lighting;
 - Security during hours that the emergency shelter is in operation.

Number	Program Name	Status
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Timeline: Amend the zoning code by 2012 to make explicit provisions for a variety of special needs housing.

Funding Source: Departmental Budget

Responsible City Section: Community Development Department

Imp 12.2	Adjust Development Standards	New
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While the City's development standards are aimed at ensuring the quality of development, certain standards may have the effect of constraining the provision of certain housing types. For example, the City's minimum unit size and parking requirements may serve as a disincentive to the construction of smaller units for the City's workforce. In order to better facilitate a range of housing types, the City will evaluate the following revisions to its residential development standards:

- Decrease minimum unit sizes, this could include replacing the current density calculation for multi-family projects in the zoning code with a maximum floor area ratio
- Allow greater flexibility in the type, and location of multi-family parking
- Consider allowing the same number of units to be rebuilt on properties which have more units than currently would be allowed
- Provide additional incentives for workforce housing, these incentives would be in addition to the provisions of the State Density Bonus.

Timeline: Amend the zoning code by 2013.

Funding Source: Departmental Budget

Responsible City Section: Community Development Department

Imp 12.3	Reduced Fees for Affordable Housing	New
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Beverly Hills collects various fees from development to cover the costs of processing permits and providing services and facilities. The City will evaluate the economic benefit of providing waivers or reductions of certain fees for developments containing very low, low- and moderate-income housing units, including the Park and Recreation tax and the Dwelling Unit tax.

The California legislature passed AB ~~611~~ 641 in 2007 which helps to address the cash flow problems inherent in many affordable housing projects during the construction phase. For affordable housing developments in which at least 49 percent of the units are affordable to lower income households, AB 641 prohibits local governments from requiring the payment of local developer fees prior to receiving a certificate of occupancy.

Timeline: Conduct fee study in 2012, and adopt modified development fees for affordable housing as appropriate.

Funding Source: Departmental Budget

Responsible City Section: Community Development Department

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Programs Not Reviewed on June 24, 2010

Six additional programs have been added to the list of housing programs in Attachment B. Before including these programs in the draft document, there are options which should be considered. These options are summarized below.

Imp 10.1 Density Bonus

Summary - The City's current density bonus ordinance complies with the provisions of State Density Bonus law (SB 1818). This program continues the City's current application of the ordinance, providing 20-35% density increases and 1-3 additional development incentives in exchange for the provision of affordable housing units. In the current application, the City has not specified a list of permitted development incentives, instead granting the Planning Commission authority to determine the exact construction incentives to be offered as part of its review of each application. As a means of establishing parameters for the types of incentives which may be requested, the ordinance could be modified to specify permitted development incentives, provided the applicant can demonstrate that it is not financially feasible to build the project without the incentive. The cities of Santa Monica, West Hollywood, and Los Angeles all specify permitted development incentives within their density bonus ordinances.

Consideration – Confirm desire to modify the City's current density bonus ordinance to include a list of incentives.

Imp 10.2 Inclusionary Housing

Summary – Inclusionary zoning is a tool used by over one-quarter of the jurisdictions in the State to integrate affordable units within market-rate developments. In communities like Beverly Hills with limited financial resources to support affordable housing, inclusionary zoning requirements and in-lieu fees provide an additional means of providing needed housing not otherwise provided in the private market.

Currently the City does not require a developer to provide affordable units in new housing projects, or to pay a fee in lieu of providing the units (in-lieu fee). Many local cities have found the use of inclusionary housing requirements beneficial in encouraging on-site production of affordable units. This is the case with the other Westside cities of Santa Monica, and West Hollywood. The housing market in Beverly Hills has many aspects in common with the housing markets in these neighboring cities, including high land costs. An inclusionary housing requirement could assure that a percentage of units are constructed in housing projects of a certain size, or that a fee is paid into the Housing Trust Fund (to be established by Imp 10.3) for the development of affordable housing in partnership with a non-profit housing provider.

Many of the specific aspects of the program will be worked out through development of the actual ordinance; however the City could benefit in identifying the basic inclusionary parameters in its Housing Element for review by the State. The chart provided on the following page summarizes the parameters of inclusionary ordinances in several southern California jurisdictions.

Consideration – Confirm desire to consider an inclusionary ordinance that would require a percentage of units in a new housing project to be set-aside as affordable housing.

Jurisdiction	Minimum Project Size	% Affordable Units Required	Income Bracket Targeted
Agoura Hills	10 units	15%	Low and moderate income
Burbank	5 units	15%	Rental – 5% very low, 10% low Ownership – 15% low and moderate
Calabasas	10 units	5 – 20%	% required varies based on provision of very low, low, or moderate income units
Coronado	2 units	20%	Low and moderate income
Del Mar	10 units	10%	Low Income
Irvine	No minimum	5 - 15%	5% very low, 5% low, 5% mod
Pasadena	10+ units	15%	Rental – 10% low, 5% moderate Ownership – 15% mod
Poway	No minimum	15%	Very low and low
Santa Barbara Co.	5 units	5 – 20%	% required varies based on provision of very low, low, or moderate income units
Santa Monica	2 units	10-25%	Rental – 10% very low or 20% low Ownership – 20-25% median(100%AMI)
West Hollywood	2 units	2 - 10 units – 10% 11+ units – 20%	Low and moderate (100% AMI)

Imp 10.4 Second Units

Summary – Second units are self-contained living units with cooking, eating, sleeping, and full sanitation facilities, either attached or detached to the primary single-family units. Second units offer several benefits. First, they typically rent for less than apartments of comparable size, and can offer affordable rental options for seniors, care givers, college students and single persons. Second, the primary homeowner receives supplemental income by renting out their second unit, which can help many modest income and elderly homeowners remain in or afford their homes.

Second Units offer a means of providing alternative housing options, and affordable housing in single-family neighborhoods in a way that is compatible with the community's existing character. Second units are either integrated into the main home, or are located in another (smaller) structure on the property, such as a garage or poolhouse. The City currently allows second units of up to 650 square feet, and that meet certain criteria – including on-site parking –

to be permitted on any single-family property in the City. A second unit use permit is required to build a second unit over a garage, or in certain instances. Second unit use permits are not allowed below Santa Monica Boulevard; therefore second units cannot be constructed over detached garages on approximately 40% of the single-family properties in the City.

The City's existing ordinance could be reviewed, and options that would allow greater flexibility in the location of second units on properties below Santa Monica Boulevard be explored. Additionally, to encourage the development of 2 bedroom second units, the size allowed without an additional second unit use permit could be increased (for instance to 1,000 square feet). Increasing the unit size does not alter the City's existing second unit requirements, including on-site parking and use covenant.

Options for Modifying Second Unit Ordinance:

- Consider greater flexibility in second unit standards in R-1 zones south of Santa Monica Boulevard
- Consider allowing larger sized second units, of up to 1,000 square feet (current limitation is 650 square feet) by right, to reduce processing time and cost of second units with bedrooms (all other review requirements would remain) to provide housing for families and for individuals in need of in-home care services. This may help single parents in the community who are in need of more affordable housing to be able to remain in the city, and elderly community members remain independent.
- For second units built above a garage, consider allowing an increase in the permitted height from up to the height of the primary residence.
- Consider allowing reduced setback requirements where privacy is not compromised

Consideration – Review and confirm above options for modifying the City's existing second unit ordinance.

Imp 11.2 Senior Housing Development

Summary – The largest number of people in our community in need of affordable housing are seniors. The City currently has incentives for the development of senior housing. No new senior housing projects have been built recently (in the last 4 years).

This program reviews the City's existing senior housing incentives and identifies how these incentives could be modified and expanded to better facilitate the development of senior, and senior affordable housing. A bulleted list of four options is proposed to be included in the program.

Potential Incentives:

- Flexible development standards (reduced parking requirements, modified setbacks, etc)
- Density Bonuses
- City support of affordable housing funding applications
- Reduction in development fees

Consideration – Review and confirm above list of incentives for senior affordable housing.

Imp 12.1 Zoning Text Amendments for Special Needs Housing

Summary - The State requires every jurisdiction to include the provision for special needs housing in the Zoning Code. These provisions are summarized in Attachment B, under Imp 12.1. The State requires each jurisdiction to indicate the zones in which special needs housing will be allowed. The following zones are proposed:

Proposed Zoning Amendments:

- "Community Care Facilities" (7 or more occupants)–
 - Propose to allow in the R-4 Multiple Residential Zone with a Conditional Use Permit (shown in orange on the City's Zoning Map in Attachment D)
- "Single Room Occupancy" Apartments (SRO's) –
 - Propose to allow in the C-3 Commercial Zone, and C-3T-2 Commercial Transitional Zone, within an overlay zone that includes the Robertson and Olympic Boulevards with a Conditional Use Permit
- "Emergency Shelters" –
 - Propose to allow in the same zoning overlay area as SRO's, by right (per State requirements)

Consideration – Review and confirm zones proposed to meet State requirements.

Imp 12.2 Adjust Development Standards

Summary - A recent analysis of past development projects suggests that a typical residential development on average will be built out to include about 80% of the total residential units allowed in the General Plan. The State requires that the City plan for a certain number of new residential units to accommodate its regional housing needs (RHNA). In order to plan for adequate capacity, the City will review current development standards, and make modifications as appropriate. The list of development standards which will be considered is included in Attachment B (Imp 12.2), and below:

Proposed Development Standard Modifications:

- Decrease minimum unit sizes, this could include replacing the current density calculation for multi-family projects in the zoning code with a maximum floor area ratio
- Allow greater flexibility in the type, and location of multi-family parking
- Consider allowing the same number of units to be rebuilt on properties which have more units than currently would be allowed
- Provide additional incentives for workforce housing, these incentives would be in addition to the provisions of the State Density Bonus.

Consideration - Review and confirm above list of modifications to the development standards for apartments and condominiums to encourage affordable, and workforce housing.

Draft Potential Sites Inventory Maps

The potential sites inventory includes information and maps on the following:

- Vacant Multi-family and Mixed Use Properties
- Entitled Multi-family and Mixed Use Properties
- R-4 Multiple Family Residential Zone Capacity

The potential sites inventory must be sufficiently large enough to accommodate the number of housing units that the State requires the City to plan for. Determining the capacity of potential housing necessary must assume that:

- 1.) Not all potential housing sites will be redeveloped
- 2.) When sites are redeveloped, not all projects will be built to the maximum number of housing units allowable

SUMMARY OF UNIT CAPACITY

Vacant Multi-Family and Mixed Use Properties

Properties in the City	Maximum Number of Units Possible in the General Plan
5 (8 lots)	34

Entitled Multi-Family and Mixed Use Properties

Properties in the City	Units Entitled
9 (24 lots)	567

R-4 Multiple Family Residential Zone Capacity

Properties in the City	Maximum Number of Units Possible in the General Plan
575	2,048

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