



AGENDA REPORT

Meeting Date: April 2, 2013
Item Number: D-2
To: Honorable Mayor & City Council
From: Jonathan Lait, AICP, City Planner - Assistant Director of
Community Development
Subject: 2012 Annual Housing Element Progress Report
Attachments: 1. 2012 Annual Housing Element Progress Report

RECOMMENDATION

Staff recommends that the City Council receive, and direct staff to forward to the State Office of Planning and Research and the Department of Housing and Community Development, the attached 2012 Annual Housing Element Progress Report.

INTRODUCTION

State law requires all jurisdictions to annually file a report on the progress made in implementing the programs in the Housing Element. The City Council adopted the current Housing Element on November 15, 2011, which includes the City's goals and policies for housing, and the City's housing programs. The attached report summarizes Housing Element program progress made in 2012 and is being brought before the City Council for direction to forward to the State.

One of the State's requirements for submitting the annual report is conducting a public hearing at which the City Council may receive public comment on the City's housing programs in the plan.

DISCUSSION

Information provided in the report is a summary of progress made during calendar year 2012 on implementing programs in the Housing Element of the General Plan.

2012 Housing Report

The State provides a series of charts which cities use to provide information on the number of housing units constructed in the previous year (Attachment 1):

- | | |
|----------|---|
| Table A | This table provides the number of multi-family units built in 2012 and also includes the number of second units which the City may count towards meeting the State's affordable housing requirements. ¹ |
| Table A2 | This table would provide the number of affordable units rehabilitated, preserved and acquired in 2012. In 2012, the City did not have any such units. |
| Table A3 | This table provides the number of above-moderate income units constructed in 2012. One four-unit building and one second unit were constructed. ² |
| Table B | This table provides the number of new multi-family residential units from 2006-2012. This table also presents the City's Regional Housing Needs Allocation (the number of affordable housing units which the City is required to plan for). |
| Table C | This table provides a status report for all of the programs listed in the Housing Element. |

Housing Element Accomplishments

Major accomplishments made on several programs in 2012 are outlined on the following page. A full summary of Housing Element Program Accomplishments is presented in the Annual Report.

¹ In 2010 the City conducted a survey and found that 81% of second units built were offered rent free or for very low rent. Therefore, the City of Beverly Hills is able to count 81% of the second units built in the City as affordable.

² Single family homes have not been included in the inventory because it is assumed that any new home is replacing an existing single family home.

2012 Housing Program Accomplishments

Program	Objective	Housing Element Timeline	Status
Program 10.1 Density Bonus	Establish an incentive list for the City's Density Bonus Program	Modify ordinance and promote the use of density bonus incentives by 2012	The Planning Commission is currently reviewing potential incentives for inclusion on an incentive list. The estimated completion date for this program is June 2013.
Program 10.7 Partnerships with Affordable Housing Developers	Initiate partnerships with non-profit developers to assist in the development of affordable housing	Initial contact with local nonprofits by end of 2011; initiate an RFQ process by end of 2012	The City prepared a meeting with developers and affordable housing managers, which was held on February 7, 2013. Due to financial constraints the City has not initiated an RFP process.
Program 11.5 Accessible Housing	Develop and adopt written procedures for reasonable accommodation requests and educate the public on the process of requesting an accommodation	2011	The City Council adopted ordinance 12-O-2634 on December 4, 2012 that is consistent with this housing element program.
Program 12.1 Zoning Text Amendments for Special Needs Housing	Amend zoning ordinance to provide for special needs housing	Amend zoning code in 2012	The City Council adopted ordinance 12-O-2633 on November 23, 2012 that is consistent with housing element program 12.1 and consistent with State regulations.

The City is currently working on other Housing Element programs, which are included in the City's 2012-13 Budget. The above represents key accomplishments intended to demonstrate progress in implementing Housing Element programs.

PUBLIC COMMENTS

The public hearing for this item was noticed in the Beverly Hills Courier on March 22, 2013 and in the Beverly Hills Weekly on March 28, 2013. As of the writing of this report, no comments from the public were received.

NEXT STEPS

With direction from the City Council, the Annual Housing Element Report will be sent to the State Office of Planning and Research and the Department of Housing and Community Development as an update on the City's progress toward implementing the Housing Element of the General Plan.

FISCAL IMPACT

There are no fiscal impacts associated with this report.



Susan Healy Keene
Director of Community Development

Attachment 1

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Beverly Hills
Reporting Period 1/1/2012 - 12/31/2012

Table A

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

Housing Development Information								Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income					
4341035039	SU	O	1				1		0	1	
4344015004	SU	O	1				1		0	1	
(9) Total of Moderate and Above Moderate from Table A3 ▶ ▶					0	5	5				
(10) Total by income Table A/A3 ▶ ▶			2			5	7				
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

SU = Second Unit

Justification for Counting Non-Deed Restricted Second Units as Very Low Income Housing - In 2010 the City of Beverly Hills conducted a study of existing second units and found that 81% of existing units were either offered rent free or offered at a rent less than \$400 a month. This qualifies 81% of new second units built as Very Low Income housing. Please refer to the City's Housing Element, pages 584-587 for a discussion of the study and findings.

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Table A2

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

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

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

* Note: This field is voluntary

Table A3

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

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

* Note: This field is voluntary

In addition to the above units, during 2012, 15 new single family homes were constructed. Single family homes have not been included in the inventory of new homes because it is assumed that any new single family home is replacing an existing single family home.

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Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program 9.1 Upkeep and Maintenance of Vacated Buildings	Preserve existing housing stock through the Community Preservation Division	Ongoing	The city continues to implement the current program. The City's Community Preservation Division maintains a list of vacant buildings and properties and works with property owners to ensure they are maintained.
Program 9.2 Property Maintenance	Require housing to be maintained in an aesthetic, safe and habitable manner consistent with City codes	Ongoing, explore program restructuring by 2013	The City continues to implement the current program. In 2012 the City's Code Enforcement Office investigated 230 violations related to residential property maintenance.
Program 9.3 Handyworker Program	Provide minor repairs and mobility assistance to approximately 48 low-income households per year	Ongoing	In 2012, the program provided minor home repairs to 6 single-family homes and 17 multi-family homes for a total of 23 homes.
Program 9.4 Condominium Conversion Regulations	Limit the loss of rental housing by setting an annual cap on condominium conversions and providing tenant protections	Evaluate ordinance in 2011; amend in 2012, as appropriate	The City's current ordinance was evaluated in 2011 and the determination was made not to adjust the annual cap at that time.
Program 9.6 Rent Stabilization Ordinance	Investigate tenant complaints about unlawful rent increases, service reductions, evictions and relocations	Ongoing	The City continued to implement the current program. In 2012 the City's Code Enforcement Office opened 13 rent stabilization cases and responded to 767 inquires either over the phone, through email, or in person.

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Program 9.7 Monitoring Affordable Housing	Coordinate with service providers to monitor Section 8 renewals, advise tenants in advance of potential conversion dates, and provide opportunities to continue affordability covenants	Ongoing	The City continues to implement the current program. The city has one very-low income housing building. The building has an affordability covenant and 150 units and is available to very low income seniors. The city contracts with Menorah Housing Foundation to oversee and administer the units.	
Program 10.1 Density Bonus	Establish an incentive list for the City's Density Bonus Program	Modify ordinance and promote the use of density bonus incentives by 2012	The City is in the process of studying incentives that will be included in a list of options for developers. An ordinance establishing a list of incentives is expected to be adopted in 2013.	
Program 10.2 Inclusionary Housing	Require a minimum percent of units in development to be price-restricted as affordable to lower and moderate income households	Conduct Inclusionary Housing Nexus and In-Lieu Fee Study in 2011 and adopt ordinance by 2012	The City is currently exploring various density bonus incentives and adjustments to the development standards for multi-family housing. An inclusionary housing study is anticipated in FY 13-14.	
Program 10.3 Housing Trust Fund	To be used to construct or help leverage construction of affordable housing	2012, to coincide with the adoption of an Inclusionary Housing Ordinance	Through development agreements, the City has negotiated approximately \$3 Million dollars to be used to establish a housing trust fund. The three projects however have not been built to date and so rather than establishing the trust fund without having an identified funding source, the City has tied the housing trust fund to the in-lieu fees in program 10.2.	

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Program 10.4 Second Units	Encourage the provision of affordable second units	Conduct Second Unit Survey in 2010; evaluate revisions to current second unit standards, and amend the ordinance within 1 year of Housing Element adoption	A second unit study was conducted in 2010 and the results were discussed in the housing element. The City is currently studying changes to the ordinance that could further incentivize the development of second units south of Santa Monica Boulevard.	
Program 10.5 Affordable Housing Production Brochure and Outreach	Summarize available incentives offered for the development of affordable housing	Develop & disseminate outreach materials in 2012	The City has produced two housing brochures, one summarizes the City's available incentives for developing affordable housing, while the second brochure provides information on current housing programs to people in need of affordable housing.	
Program 10.6 Sustainability and Green Building	Promote resource efficiency and sustainability in new developments	Ongoing	The City continues to implement the current program in consistency with the State's CalGreen building code.	
Program 10.7 Partnerships with Affordable Housing Developers	Initiate partnerships with non-profit developers to assist in the development of affordable housing	Initial contact with local nonprofits by end of 2011; initiate an RFQ process by end of 2012	The City prepared and scheduled a meeting with developers and affordable housing managers, which was held on February 7, 2013. This meeting was a first step in establishing partnerships with affordable housing developers in anticipation for future affordable housing funds (Program 10.3).	
Program 11.1 Fair Housing Program	Promote fair housing practices and refer fair housing complaints to Housing Rights Center	Initiate advertising in 2011	The City provides fair housing information on the City's website (www.beverlyhills.org) and in the brochures created under program 10.5.	

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Program 11.2 Senior Housing Development	Provide incentives to facilitate development of senior housing	Initiate RFQ process by end of 2012	This program was commenced with program 10.7. Due to a lack of funding at this time, this program has not progressed beyond the initial meeting with affordable housing managers and developers.	
Program 11.3 Senior Case Management Program	Assist frail elderly residents to remain independent and in their homes	Ongoing	The City has continued to provide funding to Jewish Family Services, which provides a broad range of support services to seniors living independently. This program provided assistance to 268 Seniors in 2012. A number of additional programs provide assistance to seniors including: the Beverly Hills Active Club which provides exercise classes and activities at La Cienega and Roxbury Parks, the Senior Center and senior library at Roxbury Park (funded through the city library).	
Program 11.4 Senior Home sharing Program	Provide a free shared housing program which matches older people with others interested in sharing their homes	Evaluate Community Assistance Funds and determine grant amount annually	The City did not fund this program in the 2012-2013 fiscal year because it was not shown to effectively match seniors; with restructuring, funds could be provided in the future.	
Program 11.5 Accessible Housing	Develop and adopt written procedures for reasonable accommodation requests and educate the public on the process of requesting an accommodation	2011	On December 4, 2012, the City Council adopted ordinance 12-O-2634 adding Article 36.7 "Reasonable Accommodation Procedures for Disabled Persons" to Chapter 3 of Title 10 of the Beverly Hills Municipal Code. This article establishes a procedure for Disabled Persons, or their representatives to request a reasonable accommodation from the City's zoning laws, building codes, and land use regulations, polices, and procedures to provide Disabled Persons with an opportunity to use and enjoy housing equal to that of non-disabled persons.	

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Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation	
Program 11.6 Funding for Homeless Services	Fund a variety of service organizations that serve the homeless and persons at-risk of homelessness	Annual funding allocations	The City has continued to fund All Saints Homeless Assistance Program, Jewish Family Services, The Maple Counseling Center, People Assisting the Homeless (PATH), the Saban Free Clinic (previously the Los Angeles Free Clinic), and the Westside Food Bank. In 2012/13 funding was increased for the Changing Lives and Sharing Places (CLASP) program. The HOST program, which provides outreach to homeless persons, operated by Step Up On Second was also funded for the first time. The City also provides section 8 vouchers to PATH and Step Up on Second to be used for longer-term housing for homeless persons.	
Program 12.1 Zoning Text Amendments for Special Needs Housing	Amend zoning ordinance to provide for special needs housing	Amend zoning code in 2012	On November 23, 2012, the City adopted Ordinance 12-O-2633 establishing definitions, designating use, and adopting local planning and approval requirements for emergency shelters, supportive housing, community care facilities and single room occupancy units. This ordinance is consistent with housing element program 12.1 and consistent with State regulations.	

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Program 12.2 Adjust Development Standards	Evaluate and modify development standards to encourage more affordable housing units	Conduct comprehensive analysis of multi-family development standards in 2012 and amend zoning code by 2013	The City is conducting a study to understand what incentives, concessions and waivers would be most beneficial to building affordable housing in the City. This study is intended to inform upcoming modifications to the city's multi-family development standards in 2013. The City is also currently exploring minimum unit sizes for multi-family residential units that would be comparable to surrounding cities.	
Program 12.3 Reduced Fees for Affordable Housing	Provide waivers or reductions of certain taxes and fees for developments with low, very low, and moderate income housing units	Conduct fee study in 2012	The City is currently studying fee reductions that would be meaningful to local affordable housing builders. The study is expected to be finalized in 2013.	
Program 12.4 Monitor the Development Review Process	Identify inefficiencies and uncertainties in the City's review and promote alternative techniques intended to streamline the process	Annually, 2011-2013; modify incentive program as appropriate within 1 year	The City is currently updating its zoning code to reduce inefficiencies and uncertainty in the development process. This zoning update is also intended to streamline the development review process. Additionally, in an effort to streamline permitting, the Community Development Department was restructured to form a dedicated group of zoning code and building experts focused on processing permits.	

General Comments:

Housing counts provided in this report are for the calendar year 2012. Housing counts for previous years in the housing cycle (2006 - 2011) have also been included to provide a grand total for housing developed in the cycle. Information on housing programs is for calendar year 2012, unless otherwise specified. The City's budget is set on the fiscal year so some program accomplishments have been presented based on funding made available during the 2011/2012 fiscal year rather than calendar years. All City policy work is current to March 2013.