



STAFF REPORT
CITY OF BEVERLY HILLS

For the Planning Commission
Meeting of September 10, 2009

TO: The Planning Commission
FROM: Peter Noonan, AICP, Associate Planner
THROUGH: Jonathan Lait, AICP, City Planner
SUBJECT: **Housing Element – Goals and Policies**
Review goals and policies proposed for the 2008 – 2014 housing element.

SUMMARY

On July 10 and September 25 of 2008, the Planning Commission reviewed and discussed draft goals and policies for the 2008 – 2014 housing element. The purpose of this discussion is to reintroduce the draft goals and policies that were previously reviewed by the Commission with recently added goal and policy language proposed by staff. This discussion will continue through to the September 24 meeting.

BACKGROUND

The State requires every city to provide for their share of housing and to update their housing element every five years in order to remain current with State housing projections. The minimum number of new housing units that each community is required to accommodate is determined by the State through the Regional Housing Needs Assessment (RHNA). The RHNA (pronounced “*Rhee-nah*”) allocation is the minimum number of affordable and market rate housing units which the community must provide for within the planning cycle. The current cycle is 2008 – 2014. The typical five year cycle was extended by the state for this planning period.

It is important to note the State requires communities to “*provide for*” new housing units. This is accomplished through zoning regulations and land uses policies that provide for the ability to construct new housing units within the city. This does not mean that the City is responsible for constructing new housing. The State requires the City to review past housing trends and housing needs of the community, identify constraints to providing both affordable and market-rate housing, and to develop programs geared at reducing those constraints and enabling the construction of new affordable and market-rate housing. Many cities have found it beneficial to partner with for-profit and non-profit housing providers in order to meet lower-income affordability housing requirements; however the State does not require a city to do so.

DISCUSSION

Certifying the Housing Element

In the last planning cycle, the City's housing element did not include enough affordable housing programs to meet the HCD's requirements and therefore was not certified by the State. When the State certifies a city's housing element, the State is acknowledging that the goals, policies and programs included in the element meet the State's requirements from the city for enabling affordable housing to be built. If, at the end of the planning cycle, a city with a State certified housing element is not able to entitle the required number of affordable housing units, the State forgives the remaining balance.

When a city self-certifies, the city is stating that their goals, policies and programs will produce the required amount of affordable housing, even though the State may disagree. In the past the State has allowed self-certification on the provision that the self-certifying city is accountable for the total number of housing units allotted it by the RHNA. Therefore, a city with a self-certified housing element that is unable to entitle the allotted number of affordable housing units by RHNA is responsible for entitling those units and the units carry over into the next planning cycle. For Beverly Hills, no affordable housing units were entitling in the 1998 - 2006 planning cycle and therefore all of the affordable housing units allotted to the City during that cycle carry over into the current cycle.

Housing Units Alloted to the City of Beverly Hills
Through the Regional Housing Needs Assessment (RHNA)

<i>% Median Family Income for Los Angeles County</i>	0 - 50%	51 - 80%	81 - 120%	Above 120%
	<i>VERY LOW</i>	<i>LOW</i>	<i>MODERATE</i>	<i>MARKET RATE</i>
1998 - 2006	35	42	40	139
2006 - 2014	111	71	77	178
Total RHNA	146	113	117	317
Total Unmet Requirement*	146	110	115	0

Although self-certification may still be an option in the current planning cycle, staff recommends housing element state certification be attempted.

Goals and Policies for Housing

* The City has entitling 3-low, 2-moderate and 877-market-rate units in the current planning cycle.

The goals and policies proposed for the 2008 – 2014 housing element (Attachment A) have been revised based on previous Planning Commission review. Since the Planning Commission last reviewed the housing language additional revisions have been made and a select number of policies have been rearranged for clarification. Changes to the draft language are in a strike-out and underline format.

In addition to the revised 2008 draft general plan housing goals and policies and proposed additional language, staff suggests that the Planning Commission consider carrying over a select number of goals and policies from the existing 1998 – 2006 element (Attachment B). Goals and policies proposed for consideration have been marked.

Housing Programs

How the proposed housing goals and policies are achieved is yet to be fully determined and will be realized through implementation of the housing programs. A detailed discussion of the City's housing program accomplishments from the 1998 – 2006 planning cycle as well as a discussion of proposed programs for the current cycle is scheduled for September 24.

Summary

The discussion and review on September 10 is intended to focus on the housing goals and policies, and any background information necessary for the Planning Commission to have that discussion.

The housing goals and policies attached have been revised based on previous Planning Commission review. These goals and policies have been revised in a strike-out/ underline format from as previously provided in the 2008 release draft general plan.

On September 24, staff will provide a summary of housing program accomplishments from the 1998 - 2006 planning cycle and will lead a discussion on new housing programs proposed for the current cycle to meet State requirements.

RECOMMENDATION

Conduct an initial review and revise the housing goals and policies as necessary in preparation for a discussion and review of new housing programs.

PETER NOONAN, AICP

Attachments:

- Attachment A: Housing Goals and Policies, 2008-2014 Housing Element, Land Use and Noise.
- Attachment B: Housing Goals and Policies, 1998-2006 Housing Element.

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 HOUSING GOALS AND POLICIES
 2008-2014 Housing Element, Land Use and Noise.

DRAFT 2008 – 2014 GOALS AND POLICIES	
<i>Conserve and Improve Existing Housing Stock</i>	
H1	<u>Maintenance.</u> Maintain the community's housing stock; preserve the viability and stability of residential neighborhoods. <u>High-quality housing stock and preservation of residential neighborhoods.</u>
1.1	<u>Residential Neighborhoods.</u> <u>Maintain the character and quality of residential neighborhoods. (Imp. 9.3, 9.4, 10.9)</u>
1.2	<u>Healthy and Safe Housing.</u> <u>Promote housing that is free of safety hazards and enforce applicable health and safety standards to prevent overcrowding in units. (Imp. 5.3, 10.12)</u>
1.3	<u>Maintenance Assistance.</u> <u>Provide assistance to low- and moderate-income households to encourage the rehabilitation and adequate maintenance of existing housing units. Handyworker Program. Continue and expand federally funded Handyworker Program (minor repairs/improved security/mobility assistance for low income tenants and homeowners). (Imp. 9.1)</u>
1.4	<u>Vacant Structures.</u> <u>Continue to require that the exterior of vacated multi-family structures which will be demolished for redevelopment are adequately maintained as a condition of extension of tentative map approval for the site. (Imp. 5.3)</u>
1.5	<u>Multifamily Inspections.</u> <u>Develop a self-sustaining, biannual inspection program for all multifamily rental units. Establish standards for habitability, building safety, including aesthetic conditions related to property and building maintenance for the apartment units. (Imp. 2.3, 5.3)</u>
<i>Provide New Housing Opportunities</i>	
H2	<u>Housing Supply.</u> <u>A variety of housing types and adequate supply to meet the existing and future needs of the community while incorporating sustainable materials and practices and addressing regional transit.</u>
2.1	<u>Preservation of Affordably-Priced Housing.</u> <u>Conserve existing affordable housing, particularly rental and assisted units. (Imp. 9.5, 10.9, 10.12)</u>

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<p><u>2.2</u></p>	<p><u>Housing Assistance.</u> Examine potential need and explore opportunities as appropriate to assist residents in purchasing smaller housing units as their needs change while they age; housing that is affordably-priced for persons entering the workforce. (Imp. 10.12)</p>
<p><u>2.3</u></p>	<p><u>Housing Needs of New Employers.</u> Accommodate the housing needs of new employment. When it has been determined to be in the best interest of the City to enter into a Development Agreement for selected projects, negotiate a requirement that the applicant provide additional funds for the development of affordable units. (Imp. 10.2, 10.11, 10.12, 12.1)</p>
<p><u>2.4</u></p>	<p><u>Housing Incentives.</u> Consider additional height or other incentives for mixed residential-commercial development where neighborhood-serving commercial uses are appropriate. Develop, and revise as necessary, programs to incentivize inclusion of affordable housing in new residential developments. (Imp. 2.1, 2.2, 2.3, 12.2, 13.4, 13.5)</p>
<p><u>2.5</u></p>	<p><u>Inclusionary Housing.</u> Develop an inclusionary housing program, setting aside units, which may include an in-lieu fee option, to facilitate the development of affordable, senior and workforce housing. (Imp. 10.1)</p>
<p><u>2.6</u></p>	<p><u>Housing Trust Fund.</u> Create a Housing Trust Fund to financially assist nonprofit or for-profit developers to create affordable housing for special-needs groups such as seniors or families. Revenue streams to support the Housing Trust Fund could include but not be limited to mechanisms such as creation of a commercial linkage fee, increase to real estate transfer tax, in lieu payments from an inclusionary housing requirement, or possible increase to the hotel room tax. (Imp. 10.3, 10.4, 10.12)</p>
<p><u>2.7</u></p>	<p><u>Density Bonuses.</u> Coordinate with state law requiring residential density bonuses. (Imp. 10.6, 10.7)</p>
<p><u>2.8</u></p>	<p><u>Loss of Affordable Housing due to Conversion.</u> Pursue the continued affordability of rental units or payment of an in-lieu fee as a condition of approving any conversion to a common interest development. (Imp. 10.10)</p>
<p><u>2.9</u></p>	<p><u>Partnerships for Affordable Housing.</u> Explore opportunities for partnerships with adjacent jurisdictions, other governmental, nonprofit agencies and for-profit developers to produce housing affordable to lower-income households. (Imp. 10.3, 10.4, 10.12)</p>

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2.10	<u>Site Information.</u> Provide information to residential developers regarding sites that may be suitable for new housing development. (Imp. 10.5, 10.12)
2.11	<u>Environmentally Sustainable Housing.</u> 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. 2.1, 2.3, 8.1)
2.12	<u>Inter-governmental Coordination.</u> Coordinate policies, plans and programs of all City departments and regional agencies to assure that residential development is effectively served by regional transportation. (Imp. 7.1, 7.2, 7.3)
2.13	<u>Transit-Oriented Housing.</u> Promote access, where feasible, from residential neighborhoods and new residential development to existing transit stops and to the future subway stations on Wilshire Boulevard at Beverly Drive and La Cienega Boulevard. (Imp. 2.1, 3.6, 3.7, 7.2, 8.1)
2.14	<u>Jobs/ Housing Balance.</u> 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. 5.1)
<i>Promote Special Needs Housing</i>	
H3	<u>Special Needs Housing.</u> Promote Housing opportunities for senior citizens and other special needs populations.
3.1	<u>Senior Programs.</u> Investigate available assistance programs provided by federal, state, local, and private sources, and support innovative public, private, and nonprofit organization's efforts in the development of housing to meet the needs of seniors and other special needs populations. (Imp. 10.4, 11.1, 12.3)
3.2	<u>Homeless Programs.</u> Continue to provide support, and expand support, to organizations that assist the homeless through the provision of services and housing. (Imp. 12.4, 13.1, 13.2)
<i>Remove Governmental Constraints</i>	
H4	<u>Constraints.</u> Mitigate Potential governmental constraints which may discourage housing development. Reduce governmental constraints that limit the development of housing.

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2008-2014 Housing Element, Land Use and Noise.

H 4.1	<u>Housing Costs</u> . Evaluate regulations, ordinances, departmental processing procedures, and fees related to the rehabilitation and/or construction of dwelling units to assess their impacts on housing costs and compliance with state housing law. (Imp. 10.12, 13.3, 13.4, 13.5, 13.6)
H 4.2	<u>Cost Offset</u> . Offer financial and/or regulatory incentives where feasible to offset or reduce the costs of developing senior or workforce housing. (Imp. 11.1, 13.4)
<i>Promote Equal Opportunity Housing</i>	
H5	<u>Accessible Housing</u> . Demonstrate the City's strong <u>Demonstrate</u> commitment to promoting equal housing opportunities for all residents to reside in the housing of their choice.
5.1	<u>Housing Access</u> . <u>Encourage the rehabilitation and construction of barrier-free housing for persons with disabilities.</u>
5.2	<u>Fair Housing Practices</u> . <u>Promote fair housing and non-discrimination in housing sales and rentals by coordinating with organizations that provide information, counseling and mediation on fair housing laws and landlord-tenant disputes. Refer individuals concerned with possible violations of fair housing laws to the appropriate fair housing service agency to ensure timely and effective response to such concerns. Publish and distribute information on these services at least annually.</u> (Imp. 14.1)
5.3	<u>Rent Stabilization</u> . Continue program under rent stabilization ordinance of investigating tenant complaints about rent increases, service reductions, evictions, relocations, and rent increase notices. (Imp. 14.2)
LANDUSE	
<i>Integrate housing, commercial and office uses where appropriate</i>	
Goal LU 16	<u>Mixed-Use Residential/ Commercial/ Office Districts and Neighborhoods</u> . Districts integrating housing with commercial and office development that offer new housing choices for residents close to businesses and employment, that are well-designed reflecting the traditions of the City, and actively engage and enhance pedestrian activity.
LU 16.1	<u>Ground Floor Development</u> . Require that the ground floor of buildings integrating housing with nonresidential uses be occupied by retail, dining, local services, and other uses that engage and activate pedestrian activity. (Imp. 2.1)

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LU 16.2	Architectural Design Quality. Require that buildings integrating housing with nonresidential uses convey a high level of architectural design quality and landscape amenity, reflecting the traditions that historically have defined Beverly Hills. (Imp. 2.1, 2.2)
LU 16.3	Integration of Multiple Uses. Require that residential and nonresidential portions of buildings be seamlessly integrated by architectural design, pedestrian walkways, and landscape. (Imp. 2.1, 2.2)
LU 16.4	Pedestrian-Active Streets. Require that the ground floor of street-facing elevations of mixed-use structures be designed to address the sidewalk and promote pedestrian activity in accordance with Policy LU 14.2. (Imp. 2.1)
LU 16.5	Compatibility of Residential and Nonresidential Uses. Require that buildings integrating housing with nonresidential uses be designed to assure compatibility among its uses and public safety including separate access, fire suppression barriers, secured resident parking, noise insulation, and similar elements. (Imp. 2.4)

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 HOUSING GOALS AND POLICIES
 1998-2006 Housing Element

EXISTING 1998 – 2006 GOALS AND POLICIES		Consider Continuing
1	Maintain the community's housing stock; preserve the viability and stability of residential neighborhoods.	X (H1)
1.1	Develop, continue and pursue programs to maintain and improve the physical condition of existing housing stock.	
1.2	Stabilize older multifamily areas and at the same time renew selected areas.	
1.3	Continue to refine development standards for single family residential zones to assure compatibility of new, large development with established neighborhoods	
2	Maintain, preserve and seek opportunities to expand rental housing affordable to lower income households, including the elderly, young households, households with children and single parent households.	
2.1	Maintain and preserve existing housing affordable to lower income households.	X (2.1)
2.2	Expand supply of housing affordable to lower income households.	X (H2)
3	Maintain the general scale and character of the city through directed revitalization. Include in the review of any proposed revisions consideration of the city's history, its evolution to its current character, and what the residents' future housing needs may be.	
3.1	Maintain the general height and density limits, while permitting selected, limited increases in height or other standards to meet other objectives, provided such modifications result in development generally compatible with the surrounding area.	
3.2	Revitalize older residential areas with new development which provides environments consistent with the character and quality of life generally associated with the City's single and multiple family residential areas.	
3.3	Revitalize older multifamily residential areas that have architectural or historical merit.	
4	Expand the variety of housing product on a limited basis beyond single family detached, rental apartment and condominium units.	
4.1	Create a new single family residential zone: "single family attached."	X
4.2	Create a new multifamily residential zone: "Townhouse."	X
4.3	Develop standards for mixed commercial and residential uses.	
4.4	Develop standards for conversion of apartments to common interest developments. (Amended by Resolution No. 06-R-12068)	