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## City Works to Respond to Housing Requirements

By Laurie Snyder

Orinda City Council acted early this month to head off a potential loss of \$408,000 in federal transportation funds by authorizing the hiring of a consultant to prepare an overdue report for California's Department of Housing and Community Development (HCD). The material was to have been submitted by staff in reply to HCD's 12-page letter of Dec. 6, 2010 notifying city leaders that the agency was dissatisfied with Orinda's efforts to revise its General Plan Housing Element.

According to city staff, work began on the response to the extensive changes HCD demanded to the city's October 2010 Housing Element draft, but "slowed after September 2011 due to staff reductions in the Planning Department." The \$408,000 cattle prod that got things moving again was the August 2012 discovery by staff "that the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) changed the prerequisites for local agencies to receive federal transportation funds through the One Bay Area Grant Program (OBAG). The new requirements are that cities have a HCD-certified Housing Element by January 31, 2013, unless a request for a one-year extension is submitted by November 1, 2012 and that cities either adopt a 'Complete Streets' resolution that incorporates specific elements pertaining to an integrated transportation network or update their General Plan to comply with the Complete Streets Act of 2008."

What's the problem with the housing element?

Orinda was directed by HCD in October 2010 to adjust its zoning policies for emergency shelters and identify zones where transitional and supportive housing would be permitted moving forward.

Staff suggested adding the definition of emergency shelters to Orinda's Municipal Code (OMC), and proposed creation of either a new zoning district or an Institutional Overlay zone to allow emergency shelters, or amending "an existing zoning district to allow emergency shelters on all properties in the district."

Staff also advised the council that, "Transitional housing may be designated for a homeless individual or family transitioning to permanent housing ... including group housing or multifamily units, and may include supportive services to allow individuals to gain necessary life skills in support of independent living.... 'Supportive housing' means housing with no limit on length of stay, that is occupied by the target population (i.e. low income persons with mental disabilities, AIDS, substance abuse or chronic health conditions or persons whose disabilities originated before the person turned 18), and that is linked to offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community."

Recommending that Orinda update its OMC single-family and multifamily residential definitions, staff added that housing applications would "be considered and processed as residential projects and be subjected to the same restrictions that apply to other residential uses of the same type in the same zone." Although "the emergency shelter and transitional and supportive housing program described in the Draft Housing Element may not satisfy the requirements," staff wrote, Orinda churches do engage in noteworthy efforts to assist homeless families and seniors, including Winter Nights which provides "a clean, safe, and warm facility at night and a daytime services center during the winter."

Now what?

On Oct. 23, City Manager Janet Keeter wrote to ABAG requesting an extension of the deadline, to April 2013, for Orinda to obtain HCD certification.

At its Nov. 7 meeting, the council approved a contract with urban planning consultant Barry Miller, whose bid was the lowest of three. Miller recently assisted Danville and Piedmont in obtaining housing element certification, and has helped other cities update general, zoning, and environmental plans. He will review Orinda's Housing Element, conduct research, prepare a revised draft Housing Element for HCD submission, and assist city staff in preparing and presenting reports to the City Council and Planning Commission. Miller's services will draw \$15,720 from the General Plan Update Fund with an additional \$1,440 for an Initial Study and Negative Declaration as part of CEQA (California Environmental Quality Act) review.

The revised Housing Element draft may be presented to Council within the next 60 days. The City's Public Works and Engineering Department plans to present the other required component, Orinda's draft Complete Streets plan, to the council Dec. 18.

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