



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: October 27, 2009

SUBJECT: Public Hearing to discuss city of Carson response to the State Housing & Community Development comments to the Draft 2006-2014 Housing Element Update

APPLICANT: City of Carson

REQUEST: Review, evaluate and provide comments to city of Carson response to the State Housing & Community Development comments on the Draft 2006-2014 Housing Element Update

PROPERTY INVOLVED: Citywide

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Saenz			Park
		Brimmer			Schaefer
		Brown			Verrett
		Gordon			

Item No. 11-C

I. Introduction

State Housing Element law requires cities to plan for needed housing for the period of 2006-2014. All California cities are required by Article 10.6 of Government Code (Sections 655580-65590) to adopt a housing element as part of their general plan and submit a draft and adopted element to the State Housing and Community Development (HCD) for review and compliance with state law.

II. Background

On May 12, 2009, the Planning Commission held a public hearing on the Draft 2006-2014 Housing Element Update and considered:

1. Whether the proposed "Draft Housing Element Update" adequately provides goals, objectives and implementation strategies for the production of safe, quality affordable diverse housing opportunities and:
2. Whether the proposed "Draft Housing Element Update" proposes adequate goals, objectives and implementation strategies for the preservation of existing quality housing stock and provides the necessary zoning ordinance recommendations to promote housing for the special needs population including the physically/mentally disabled and the homeless.

After providing input and hearing public testimony the Planning Commission found the draft Housing Element adequate and directed staff to submit the draft Housing Element to the State Housing and Community Development Department (HCD) in accordance to state law.

Upon receiving comments from HCD, staff was directed to submit the Housing Element directly to the City Council if the HCD comments and recommended changes were minimal and do not significantly impact policy decisions. Although most comments from HCD are considered minimal, staff is presenting the city response to HCD for Planning Commission final review before staff forwards the comments and the Final Housing Element to HCD and the City Council.

The Housing Element does not contain significant policy decisions related to the provision of housing. In light of the city's obligations under Housing Element law and redevelopment law, the Planning Commission is required to carefully review the Draft Housing Element and the proposed response letter.

III. Conclusion

Upon final adoption of the Element by the City Council, the Element will be re-submitted to HCD. Per Section 65585 of the Government Code, HCD will then review the adopted Housing Element within 90 days of receipt and submit its findings back to the City.



IV. Recommendation


That the Planning Commission:

1. OPEN the public hearing and receive public testimony;
2. COMPLETE review of the city of Carson response to HCD's comments on the draft Housing Element in light of testimony received; and
3. FORWARD the city of Carson response to the State Housing and Community Development Department and to the City Council with a recommendation of adoption.

V. Exhibits

1. Draft Housing Element (under separate cover/refer to previously provided copy)
2. City of Carson response to HCD
3. HCD letter to city of Carson
4. Attachments to city of Carson response to HCD
5. May 12, 2009 Planning Commission staff report

Prepared by: _____


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Approved by: _____

Sheri Repp, Planning Officer

October 22, 2009

Ms. Cathy E. Creswell
Deputy Director
State Department of Housing and Community Development
P.O. Box 952053
Sacramento, CA 94252-2053

Subject: Updated Housing Element of the Carson General Plan

Dear Ms. Creswell:

We have received and reviewed your letter dated July 31, 2009, in which you identified various revisions that you believe are needed in order to bring our updated housing element into compliance with State housing element law. We have carefully and fully considered each of your suggested changes in preparing our final element. In several instances we have revised the text of the final element to incorporate the additional information you requested. In other instances we felt that, short of making actual changes to the draft element, clarification/amplification of certain statements made in the draft element was needed and have provided such clarification/amplification in this letter. The disposition of each of the comments in your letter dated July 31, 2009, is discussed below.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Section 65588 (a) and (b)).

Comment

While the element includes general descriptions of Carson's programs during the previous planning period, the result of most programs are not described, nor is there any evaluation of their effectiveness or appropriateness. For example, the element indicates the City has a program entitled "Facilitate the Development of Multifamily Housing" (page 75), but does not describe how housing was facilitated or how many units were constructed through this program. The element also does not state what revisions could be made to effectively promote this program. The element should evaluate the prior element including:

- *"Effectiveness of the element" (Section 65588(a) (2))*: A description of the actual results of the earlier element's goals, objectives, policies, and programs. The results should be quantified where possible (e.g., rehabilitation results), but may be qualitative where necessary (e.g., encourage affordable developers to invest in Carson).
- *"Progress in implementation" (Section 65588(e) (3))*: An analysis of the significant differences between what was projected or planned in the earlier element and what was achieved. The element should describe why programs have been continued or deleted.

- *"Appropriateness of goals, objectives and policies" (Section 65588(a, (1)):* A description of how the goals, objectives and programs of the updated element incorporate what has been learned from the results of the prior element.

Response

The Draft Housing Element has been revised to address the above-noted comments. Section B – Evaluation of Accomplishments (Page 74) has been supplemented with additional information regarding the City's past housing goals and programs, quantified objectives, and their results. Most notably, Table 40 – Evaluation of Program Accomplishments, has been revised in several instances to include more information on quantified objectives and past performance in achieving these objectives. It has been combined with the former Table 41 under the new heading "Evaluation of Affordable Housing Strategies and Programs". Within the table itself, for example, the City's "Facilitate the Development of Multifamily Housing Program," referred to in the comment above, has been restated simply as "Development of Multifamily Housing", and now indicates that the objective is to provide as many affordable units as market conditions and funding sources permit, with assistance of \$13.9 million being made available during that period through the efforts of the Carson Redevelopment Agency.

In addition to the foregoing, past housing programs which were not implemented, such as the Historic Preservation Program, are not proposed to be carried over into the new planning period and, therefore, are not included in the new Table 40 – Evaluation of Affordable Housing Programs and Strategies.

B. Housing Needs, Resources, and Constraints

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 6558,3(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65.583.2).*

Comment

The City has a regional housing need allocation (RHNA) of 1,812 housing units, of which 748 are for lower-income households. To address this need, the element relies on vacant sites, including sites in The Boulevards at South Bay Specific Plan Area. However, to demonstrate the adequacy of these sites and strategies to accommodate the City's RHNA, the element must include complete analyses, as follows:

Sites Inventory: The inventory must include an estimate of the residential capacity of each site.

Realistic Capacity: The element did not address this requirement. The element must describe the methodology for determining the residential development capacity of sites. The estimate of potential unit capacity must account for land-use controls and site improvements, including height limits. The estimate could reflect recently built densities.

Additionally, Table 38 appears to assume all sites in mixed-use districts will be developed as residential. For sites in mixed-use areas, the residential capacity analysis should specifically account for the extent to which uses other than residential are allowed. Projected residential development capacity should not, for example, assume residential-only development on all mixed-use or commercial sites.

Response

Table 38 in the Draft Housing Element includes an inventory of parcels that were vacant and available for development of housing as of January 2009. The number of potential units for the various parcels listed in Table 38 is *net new* units. The potential unit counts for each parcel was derived *after* accounting for the application of the City's development regulations, including height and setback requirements, as well as on and off-site improvements including land dedications.

The estimate of potential new units also reflects the densities of which recently constructed projects have been developed (i.e., empirical data). For example, a recently constructed mixed use project, located at 535 & 545 E. Carson Street, includes 149 units constructed on 3.4 acres of land. The current zoning (MU-CS or SB) allows a maximum 1.5 FAR (Floor Area Ratio) and a 45-foot building height on the project site with residential units otherwise being required to comply with the development standards for residential condominiums. The net density for this project is 44 du's/acre. Future anticipated projects in the same mixed use zone or similar overlay district and included in the parcel inventory will be able to be developed at similar densities.

In addition to the foregoing, Parcel #9 listed in Table 38 (Specific Plan (SP-10)), which is the 142-acre Boulevards at South Bay development, includes a 1550-unit mixed use project on a 42-acre portion of the specific plan area that has been approved for development. The effective density of this approved development is between a 35 to 60 du's/acre range. The number of units (1,550) is net new units and is derived after accounting for the application of the development standards and design guidelines of the specific plan.

Comment

Large Sites: The inventory (Appendix C) includes numerous large parcels over 26 acres in size to accommodate the City's share of the regional housing need. However, the element does not describe how such large parcels can facilitate the development of housing affordable to lower-income households. For example, most developments utilizing State or federal financial resources include 50 to 150 units. To use larger sites to accommodate the City's share of the regional housing need for lower-income households, the element should include an analysis of the appropriateness of such sites including, for example, opportunities for further subdivision or other methods to facilitate their use for the development of housing affordable to lower-income households.



Response

The large parcels included in the inventory (Table 38, Appendix C) include properties located in the City's Residential Agricultural Single Family (RA) and Specific Plan (SP) zones. In the case of the RA-zoned properties, these properties would be subdivided to create buildable sites in accordance with the City's zoning requirements, which establish a minimum lot size of 5,000 square feet. For example, a parcel located north of West Carson Street and west of Main Street zoned RA and identified in Table 38, comprising 61,868 square feet, could be subdivided to create 12 parcels at 5,000 square feet each.

Comment

Sites with Zoning for a Variety of Housing Types

Emergency Shelters: The element identified the ML zone for emergency shelters to address the requirements of Chapter 633, Statutes 2007 (SB 2), however, it must include an analysis of the appropriateness of the ML district. In addition, the element must demonstrate sufficient capacity to accommodate the need for emergency shelters. Please see the enclosed sample analysis and the Department's SB memo at:
http://www.hcd.ca.gov/hpd/housing_element2/SB2memo071708_final.pdf

Transitional and Supportive Housing: Pursuant to SB 2, transitional and supportive housing must be permitted as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. The element indicates that transitional housing will be allowed in the ML zone (page 56) with emergency shelters. However, transitional housing is a residential use, distinguishable from emergency shelters. In addition, the element describes transitional end supportive housing for greater than six people would be subject to a use permit, different from other residential uses. The element should demonstrate consistency with the requirements of SB 2 or include programs as appropriate.

Response

The City has identified the ML zone as the most appropriate zone in which to allow emergency shelters as a principally permitted use and will amend its zoning ordinance accordingly. The ML zone is appropriate for this kind of use because the city has numerous ML zoned areas with easy access to transit facilities, public social services, and medical services (see attached site location map).

In regards to transitional and supportive housing, the City previously intended to permit such housing as a conditionally permitted use in at least one residential zone in the City. However, in order to be in compliance with the provisions of SB2, the City has amended the text of the Draft Housing Element as well as proposed "Transitional and Supportive Housing" Program, as indicated in the revised Table 40 (attached), to comply with those provisions.



2. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

Comment

Land-Use Controls: The element identifies various residential development standards, but does not analyze their potential impacts on the cost and supply of housing, including *the cumulative impacts on the ability to achieve maximum densities and encourage housing affordable to low- and moderate-income households.*

Based on discussions with your staff and the consultant, current parking requirements exceed parking standards when most of the City's housing stock was built. This results in a constraint to improving and adding to the existing housing stock since most improvements would require imposition of the new parking requirements. This particularly impacts second-unit development which can be a valuable form of housing for seniors and persons with disabilities. For example, an owner seeking to develop a second-unit would be required to add parking for the primary and second units which may not be physically possible or could otherwise constrain development. Further, parking requirements of two spaces per unit could constrain smaller bedroom types such as studio and one bedroom units. The element should include a specific analysis of the City's parking requirements and include programs as appropriate to address identified constraints.

In addition, the element identifies open space requirements of 30 to 40 percent of the net project area, after the application of setbacks. This requirement could impact the ability to achieve maximum densities, particularly with two-story height limits. The element should include a specific analysis of this requirement.

Response

The City's land use controls and development standards have not acted as an unreasonable constraint on the cost or supply of housing. While it is true that parking requirements currently imposed on new housing development in Carson are more restrictive than past requirements, they are very typical of the kinds of parking requirements imposed by other jurisdictions.

In regards to the parking requirements imposed on second units (discussed on Page 55 of the Draft Element), it should be noted that the 2-car garage requirement



for a second unit is imposed only if the second unit has two bedrooms or exceeds 700 square feet in size. A majority of second units constructed in Carson are studio or one-bedroom units and are less than 700 square feet in size, requiring either only one additional uncovered parking space or one additional parking space in a garage or carport. In addition, and as indicated on Page 53 of the Draft Element, the Planning Commission has the authority to grant deviations from the second unit parking requirements when assessing the overall impact and design of the project. Also, the City routinely allows deviations from its development standards for projects that contain at least 10% affordable or senior units.

Multifamily projects in Carson that are located in the RM-12 and RM-25 zones are required to have usable open space of at least thirty (30) percent of the net project area for projects of one (1) acre or less, and at least forty (40) percent of the net project for multifamily projects greater than one (1) acre. Open space is required to be open and unobstructed from finished grade or floor surface to the sky except that the Zoning Code does permit encroachments into open space areas such as eaves, awnings, fences, and certain architectural features and building projections.

The City's open space requirement for multifamily projects has not contributed substantially to the cost or supply of housing. For example, a recently approved multifamily project in Carson located at 21840-21846 Orrick Avenue, which meets the open space requirement noted above, includes 8 units constructed on 1 acre of land. The zoning for the project (RM-12) allows a net density of 8 per acre, with the project meeting that requirement. This project met the open space requirement in the Code by providing 30 % of the site area for open space. It also conformed to the additional development standards for multifamily dwellings including height, setback, and parking requirements. Future anticipated projects in the same zone or zones (and included in the parcel inventory) will be able to be developed at similar densities while still meeting open space, setback, height, parking, and other development standards of the Code.

Comment

Local Processing and Permit Procedures: While the element describes typical processing times for multifamily development, it must specifically describe and analyze the City's permit processing and approval procedures by zone and housing type. To address this requirement, the element should discuss processing procedures for typical single- and multi-family projects, including type of permit, level of review, approval findings and any discretionary approval procedures. Refer to the sample analysis on the *Building Blocks'* website at: http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php.

Response

Residential building applications (with an estimated valuation of \$50,000 or more) require a Development Plan to be reviewed and approved by the Planning Commission. The following criteria are required to be considered by the Planning Commission when reviewing the Development Plan:

- a. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.
- b. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces, and other features relative to a harmonious and attractive development of the area.
- c. Convenience and safety of circulation for pedestrians and vehicles.
- d. Attractiveness, effectiveness and restraint in signing graphics and color.
- e. Development scheduling (if phased development) which will satisfy the above criteria in each phase.
- f. Conformance to any applicable design standards and guidelines which have been adopted. Such design standards and guidelines may be generally applicable or may specify different requirements for different areas.

If the estimated valuation of the project is less than \$50,000, the Development Plan can be approved by the Planning Director.

Development Plans that require Planning Commission review and approval usually involve 3-4 months of processing time prior to the grant of the entitlement. Development Plans that require only Planning Director review and approval require 1-2 weeks of processing time.

Following Planning Commission approval of a Development Plan or Conditional Use Permit, there is a 15-day appeal period. Finally, the developer must submit detailed plans to the City's Building and Safety Division to ensure compliance with the Building Code. Combined, these items can easily add up to several months. However, in order to avoid project delays, Planning Division staff works with developers throughout the process, presenting options such as reducing plan check time by working with building officials early on to ensure that plans meet Code requirements when they are submitted.

Comment

Multifamily: According to the element, all multifamily development requires a conditional use permit (CUP) (page 58). Additional review and complex discretionary findings of a CUP can add significant time and uncertainty to the approval process and impact the cost and supply of housing, particularly housing affordable to lower-income households. This process must be analyzed as a constraint and should identify findings of approval for the CUP and their potential impact on approval certainty, timing and cost. The element may need to include a program to address this permitting requirement.

Response

As indicated in the Draft Housing Element, multifamily residential projects are required to obtain approval of a conditional use permit. Typical processing times are from six to eight weeks. If a negative declaration is required under the California Environmental Quality Act (CEQA), there is a mandatory 20-day review period. The requirement to obtain approval of a conditional use permit applies both to renter and owner-occupied (condominium) multifamily projects. The following affirmative findings are required to be made:



- a. The proposed use and development will be consistent with the General Plan.
- b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.
- c. There will be adequate street access and traffic capacity.
- d. There will be adequate water supply for fire protection.
- e. The proposed use and development will be compatible with the intended character of the area.

The conditional use permit findings that are required to be made for multifamily residential projects are rudimentary. In addition, the conditional use permit application process runs concurrently with other required entitlement applications being processed (such as site plan and design review) resulting in no additional processing time or delays created by the conditional use permit requirement. In addition, as noted on Page 56 of the Draft Element and included in Table 36, planning entitlement fees in Carson are comparatively lower than fees charged by other jurisdictions. Finally, the City has received no negative feedback from the development community or others in regards to the conditional use permit requirement for multifamily residential projects.

3. Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions (Sections 66583(a)(8) through 66583(a)(9)(D)).

Comment

The element includes an inventory and discussion of existing assisted housing developments, however the element must include an analysis of at-risk units to:

- Estimate total cost for producing, replacing and preserving the units at-risk; and
- Identify public and private non-profits known to the City to have the legal and managerial capacity to acquire and manage at-risk units,

Additional information and sample analyses are available in the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2PRO_atrisk.php.

Response:

As discussed in the Housing Element on page 36, a review of the SCAG 2007 Regional Housing Need Allocation Plan indicated that 100 units were at risk of conversion in the City. However, as reported by City staff, application has been made to renew the funding contract, thus preserving these units as affordable. There are no other low-income, multi-family rental units in the City that have been constructed with the use of federal assistance programs, state, or local mortgage revenue bonds, redevelopment tax increments, in-lieu fees or an inclusionary housing ordinance, or density bonuses that are at risk of converting to market rate housing.



The City adopted a housing program to facilitate the preservation of at-risk housing. The following strategies have been incorporated into the program.

Actions to Monitor

Monitor affordable housing units assisted with Redevelopment Low Mod Housing funds that are at risk of converting to market rate and expand the program to include other state and federally assisted affordable housing projects in the City.

Owners of these units will be contacted to assess the owner's intent to prepay a federally-assisted mortgage or assess the owner's interest in renewal and/or opting-out of project-based Section 8 contracts.

Actions to Assist Tenants

Owners will be encouraged to provide 18-24 months advance notice to tenants if they choose to opt-out of a Section 8 contract, prepay a HUD subsidized mortgage or sell their property upon expiration of the rental subsidy.

Tenants will be informed of potential conversion to market rate, and they will be educated on the potential tenant purchase of units.

Actions to Finance and/or Provide Technical and Regulatory Assistance

Owners will be encouraged to consider renewal of HUD Section 8 contracts.

The City and the Redevelopment Agency have the right of first refusal on units upon notification that the owners of assisted units opt-out of a federal or state assisted contract.

The City or Agency will use its contacts with non-profit housing providers to help facilitate their participation in the preservation of the affordable units.

The City will, when possible, allocate local funds or support efforts to secure other potential sources of funding for gap financing for nonprofit housing developers for mortgage refinancing, acquisition or rehabilitation, in an effort to preserve affordable units.

C. Housing Programs

1. *Include a program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land-use and development controls, provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

Comment

The element includes a description of programs and an implementation matrix (Table 41); however, the descriptions are inconsistent. For example, many programs in the matrix are not in the program description and some program descriptions are not apparent in the matrix (which includes the implementation schedule). The element must include a specific schedule of actions with objectives and identification of the agencies and officials responsible to meet Government Code Section 65583(c)(1-6). The element should either include revised program descriptions or implementation matrix consistent with these statutory requirements.

Response

Section C – Affordable Housing Implementation Strategies (page 76) of the element has been revised to include descriptions of *all* of the housing programs included in the housing programs matrix (revised Table 40 – Evaluation of Affordable Housing Strategies and Programs). In addition, Table 40 has been revised to include more information on quantified objectives and now includes specific dates and timelines for the implementation of the programs contained therein.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing and emergency shelters. Where the inventory of sites, pursuant to paragraph (3) of subdivision(a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 35584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

Comment

As noted in finding B2, the element requires revision to demonstrate adequate sites, particularly for lower-income households. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites and zoning for a variety of housing types. In addition:

Reliance on Mixed-Use Sites: As the City is relying on the potential for mixed-use development to accommodate its RHNA for lower-income households, the element must include specific program actions to promote mixed-use development such as financial assistance, regulatory concessions or incentives to encourage and facilitate residential development. Examples of incentives include: 1) organizing special marketing events geared towards the development community; 2) posting the sites inventory on the local government's website; 3) identifying and targeting specific financial resources; and, 4) reducing appropriate development standards.

Emergency Shelters, Transitional and Supportive Housing: As noted in finding A2, the element should include programs based on the outcomes of the analysis to meet

requirements of SB 2 for transitional and supportive housing. In addition, the program should commit to ensure development standards will encourage and facilitate emergency shelters and only subject shelters to the same development, and management standards that apply to other allowed uses within the identified zone.

Response

As noted on Page 59 of the element, the City's current land use policy emphasizes the use of specific plans to encourage and speed the processing of large-scale private developments and to target certain areas within the City with particular planning needs. Specific plans also allow the City to permit residential densities on project sites that exceed those set forth in the Zoning Code. Mixed-use projects are also commonly included within specific plan areas in the City, including the Boulevards at South Bay development.

To encourage development of mixed-used projects that also include an affordable housing component, a new program has been added to the element – "Mixed-Use Development" – that includes incentives geared towards the development community. This new program is discussed on Page 84 of the element and is also included in Table 40 – Evaluation of Affordable Housing Strategies and Programs.

In regards to emergency shelters and transitional and supportive housing, the City has committed to adopt ordinances addressing these types of special needs housing in conformance with State law (See Programs on Table 40).

3. *Describe the amount and uses of funds in the redevelopment agency's Low and Moderate Income Housing Fund (Section 65583(c)).*

Comment

While the element identifies the projected revenues for the period from 2009/10 to 2013/14 (page 62), it must also describe the planned uses of these funds (i.e., rental rehabilitation, direct financial assistance for land write-downs and new construction) by approximate amounts if possible. Additional information is available on the *Building Blocks'* website at: http://www.hcd.ca.gov/hpd/housing_element2/OR_lowmod.php.

Response

The narrative has been revised to include a discussion on the planned uses of Redevelopment Low Mod Housing Set-Aside Funds. The approximate amount of Low Mod Housing Funds available for each project is identified, where possible.

4. *The housing element shall contain programs which "assist in the development of adequate housing to meet the needs of extremely low-, low- and moderate-income households (Section 65583(c)(2)).*

Comment

The element must include specific actions to assist the development of housing affordable to lower and moderate-income households, including extremely low-income (ELI) households as follows:

Extremely Low-Income Households: Pursuant to Chapter 891, Statutes of 2006 (AB 2634), programs should be revised or added to specifically assist in the development of a variety of housing types to meet the housing needs of ELI households. For example, programs could be included to prioritize some funding for the development of housing affordable to ELI households, The program for Single Room Occupancy (SRO) could be revised to include regulatory concessions or incentives to encourage the development of single-room occupancy units which address the needs of this income group. Please see the *Building Blocks'* website for assistance with this requirement at: http://www.hcd.ca.gov/hpd/housing_element2/PROassist.php

Program 6 (Tax Credit Allocation Committee (TCAC)): Describe the City's role in the program such as supporting applications and facilitating entitlements.

Program 7 (Development Assistance): The program describes actions the redevelopment agency "may" take but does not describe any specific actions that "will" be implemented. The program should describe when or how often the redevelopment agency will acquire properties and include a specific commitment to action.

Program 8 (New Rental Construction): Describe when or how often the City will provide financial assistance and contribute land for the development of rental housing.

Response

The City's Affordable Housing Strategy, described on Pages 77-84 of the element, include strategies intended to address the housing needs of extremely low-income households. For example, the Single Room Occupancy program is a new program that will be implemented through an amendment to the City's Zoning Ordinance to allow SRO housing in at least one non-residential zone as a permitted use and as a conditionally permitted use in appropriate residential zones. The development standards for this type of housing will be no different than those applied to other housing in the same area or zone.

It should also be noted that the City has been successful in the past in providing senior housing for low-income senior residents and that the City imposes rent control on mobile home parks in the City, many of which are occupied by very-low and extremely-low income residents.

The City utilizes the Tax Credit Allocation Committee (TCAC) program for developers of multifamily housing where some of the units are affordable to low- and moderate-income households. For example, the developer of the Carson City Center is financing the project through owner equity, State Tax Credits and Redevelopment/Low Mod Housing



Set-Aside Funds. The Redevelopment Agency's contribution of approximately \$13.9 million, along with State Tax Credits, will serve to support a mixed-use project providing commercial, parking and affordable senior housing units. The project will provide for 86 affordable senior housing units with about an equal split between very low income and low income units.

The City's redevelopment agency plays an active role in facilitation of the production of affordable housing. This includes the acquisition and development of property in redevelopment areas. Funding sources for such actions are typically from the City's redevelopment housing set-aside funds. A list of the projects that are currently benefiting from the expenditures of these funds are included on Page 62 of the element. A discussion of the planned uses of these funds by project is provided on Page 63.

Assistance provided by the Carson Redevelopment Agency for the construction of rental housing in Carson is described on Page 62 of the element and includes the Figueroa Street Project in which financial assistance is being provided to support the development of 52 family apartments to be rented to very-low income households. An additional example includes the provision of annual rental subsidies to the Carson Terrace and Avalon Courtyard projects. The Carson Development Agency assist developers that qualify for affordable housing project's via the RFQ and RFP's process.

5. *The housing element shall contain programs which "address, and where appropriate and legally possible, remove governmental constraints to the maintenance improvement, and development of housing" (Section 65583(c)(3)).*

Comment

As noted in finding B3, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

Reasonable Accommodation (Page 84): To assist Carson in adoption and implementation of a reasonable accommodation ordinance, a model ordinance and examples from several cities is at:

http://www.hdc.ca.gov/hpd/housing_element2/PRO_mitigate.php.

Response

Please see the response to B3 above regarding a housing program to facilitate the preservation of at-risk housing to overcome a governmental constraint on affordable housing.

The City is proposing the adoption of a "reasonable accommodation" ordinance (Program #26) to conform to State law regarding housing for the disabled and which will be largely based on similar ordinances adopted by other jurisdictions. The model ordinance on HCD's website will act as the starting point for the drafting of this new ordinance.

6. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (8) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (8) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance (Section 65563(c)(6)).*

Facilitate the Preservation, of At-Risk Rental Housing: The element identifies one-hundred (100) housing units (page 36) at-risk of converting to market-rate within the next 5 years. While Program 12 commits to monitor at-risk units, it should include additional specific actions to assist in preserving at-risk units. Examples of additional actions include assisting with funding or supporting funding applications and facilitating tenant education. For additional information, see the *Building Blocks'* website at: http://www.hcd.ca.gov/hpd/housing_element2/PRO_atrisk.php.

Response

Please see response to B.3. above. Specific strategies have been identified within the housing program to facilitate the preservation of at-risk housing in the future.

As we prepare to send the final element to our Planning Commission and City Council for adoption, we would like to know that the element, with the revisions discussed above, is certifiable by your department as complying with State law. Copies of all revised pages documenting the changes that have been made are enclosed. We would appreciate your feedback on the adequacy of these revisions at your earliest convenience. Mr. Dean Sherer and Mr. Patrick Goode, the consultants assisting us with this effort, are available to provide any additional information or clarification you may need. They can be reached at (562) 908-6259 and (562) 908-6288, respectively.

We appreciate your suggestions and recommendations and trust that, with the revisions we have made to the draft element, your department will determine that our updated housing element complies with Article 10.6 of the California Government Code.

Very truly yours,

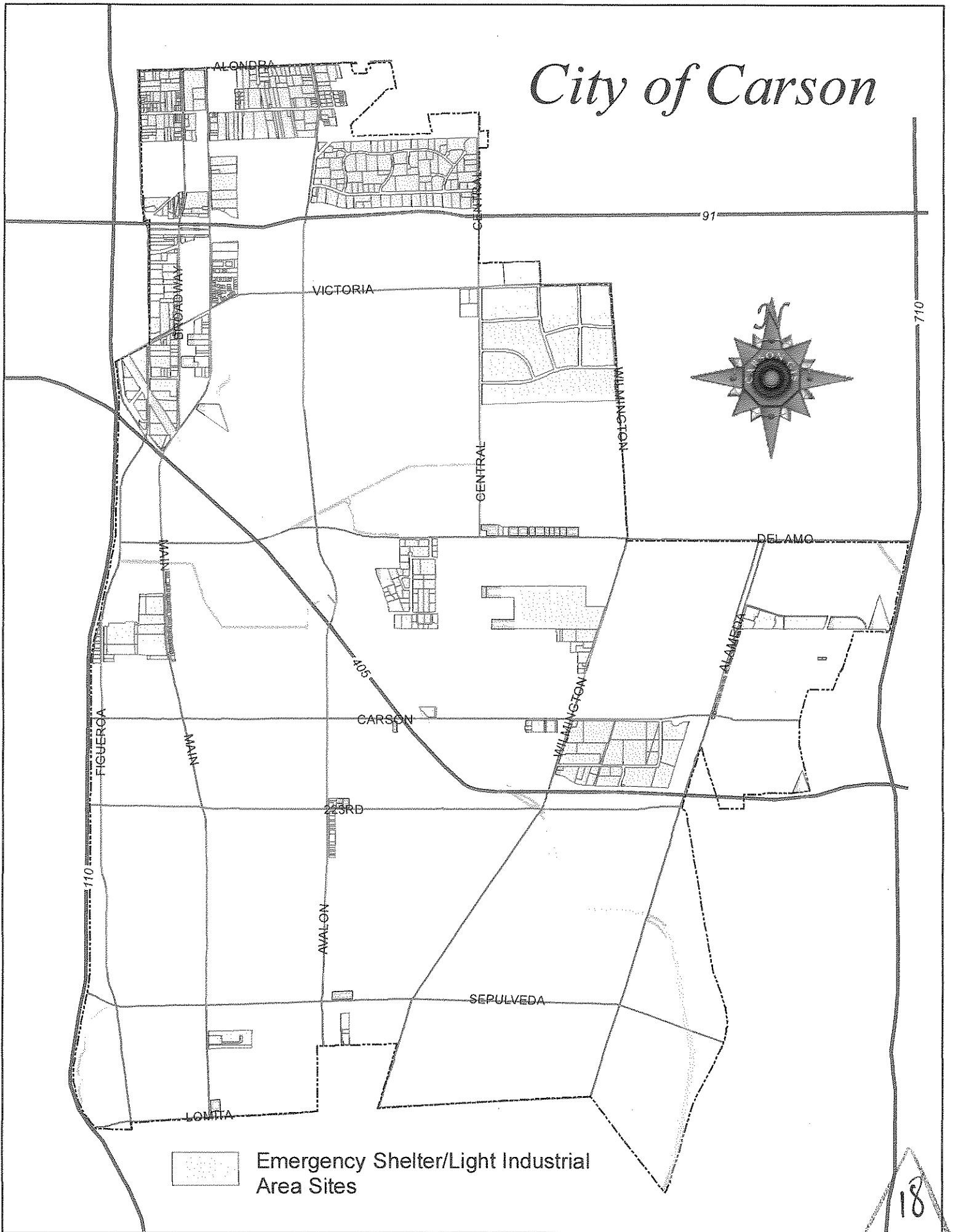
CITY OF CARSON

Sheri Repp-Loadsman
Planning Officer

Enclosures



City of Carson



~~STATE OF CALIFORNIA BUSINESS TRANSPORTATION AND HOUSING AGENCY~~~~ARNOLD SCHWARZENEGGER Governor~~**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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July 31, 2009

Ms. Sheri Repp-Loadsman
Planning Manager
Economic Development Department
City of Carson
P.O. Box 6234
Carson, CA 90749

Dear Ms. Repp-Loadsman:

RE: Review of the City of Carson's Draft Housing Element

Thank you for submitting the City of Carson's draft housing element received for review on June 1, 2009, along with additional revisions on July 28, 2009. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A telephone conversation on July 22, 2009 with Messrs. Zak Gonzalez II, Associate Planner, and Patrick Goode, Willdan Engineering, facilitated the review.

The Department recognizes the City's success in adopting land-use strategies including the Boulevards at South Bay Specific Plan, which allows high-density mixed uses. The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code). In particular, the element must describe the residential capacity of identified sites and analyze potential governmental constraints. The enclosed Appendix describes these and other revisions needed to comply with State housing element law.

The Department appreciates the cooperation and assistance provided by Mr. Gonzalez throughout the course of the review and is committed to assist Carson in addressing all statutory requirements of housing element law. If you have any questions or need any additional technical assistance, please contact Paul McDougall, of our staff, at (916) 322-7995.

Sincerely,

A handwritten signature in cursive script that reads "Cathy E. Creswell".

Cathy E. Creswell
Deputy Director

Enclosure

Exhibit 3

**APPENDIX
CITY OF CARSON**

The following changes would bring Carson's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at www.hcd.ca.gov/hpd. Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, the Housing Element section contains the Department's latest technical assistance tool *Building Blocks for Effective Housing Elements (Building Blocks)* available at www.hcd.ca.gov/hpd/housing_element2/index.php, the Government Code addressing State housing element law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element (Section 65588 (a) and (b)).

While the element includes general descriptions of Carson's programs during the previous planning period, the results of most programs are not described, nor is there any evaluation of their effectiveness or appropriateness. For example, the element indicates the City has a program entitled "Facilitate the Development of Multifamily Housing" (page 75), but does not describe how housing was facilitated or how many units were constructed through this program. The element also does not state what revisions could be made to effectively promote this program. The element should evaluate the prior element including:

- *"Effectiveness of the element" (Section 65588(a)(2))*: A description of the actual results of the earlier element's goals, objectives, policies, and programs. The results should be quantified where possible (e.g., rehabilitation results), but may be qualitative where necessary (e.g., encourage affordable developers to invest in Carson).
- *"Progress in implementation" (Section 65588(a)(3))*: An analysis of the significant differences between what was projected or planned in the earlier element and what was achieved. The element should describe why programs have been continued or deleted.
- *"Appropriateness of goals, objectives and policies" (Section 65588(a)(1))*: A description of how the goals, objectives and programs of the updated element incorporate what has been learned from the results of the prior element.

B. Housing Needs, Resources, and Constraints

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

The City has a regional housing need allocation (RHNA) of 1,812 housing units, of which 748 are for lower-income households. To address this need, the element relies on vacant sites, including sites in The Boulevards at South Bay Specific Plan Area.

However, to demonstrate the adequacy of these sites and strategies to accommodate the City's RHNA, the element must include complete analyses, as follows:

Sites Inventory: The inventory must include an estimate of the residential capacity of each site.

Realistic Capacity: The element did not address this requirement. The element must describe the methodology for determining the residential development capacity of sites. The estimate of potential unit capacity must account for land-use controls and site improvements, including height limits. The estimate could reflect recently built densities.

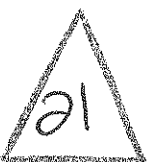
Additionally, Table 38 appears to assume all sites in mixed-use districts will be developed as residential. For sites in mixed-use areas, the residential capacity analysis should specifically account for the extent to which uses other than residential are allowed. Projected residential development capacity should not, for example, assume residential-only development on all mixed-use or commercial sites.

Large Sites: The inventory (Appendix C) includes numerous large parcels over 26 acres in size to accommodate the City's share of the regional housing need. However, the element does not describe how such large parcels can facilitate the development of housing affordable to lower-income households. For example, most developments utilizing State or federal financial resources include 50 to 150 units. To use larger sites to accommodate the City's share of the regional housing need for lower-income households, the element should include an analysis of the appropriateness of such sites including, for example, opportunities for further subdivision or other methods to facilitate their use for the development of housing affordable to lower-income households.

Sites with Zoning for a Variety of Housing Types

Emergency Shelters: The element identified the ML zone for emergency shelters to address the requirements of Chapter 633, Statutes 2007 (SB 2). However, it must include an analysis of the appropriateness of the ML district. In addition, the element must demonstrate sufficient capacity to accommodate the need for emergency shelters. Please see the enclosed sample analysis and the Department's SB 2 memo at: http://www.hcd.ca.gov/hpd/housing_element2/SB2memo071708_final.pdf

Transitional and Supportive Housing: Pursuant to SB 2, transitional and supportive housing must be permitted as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. The element indicates that transitional housing will be allowed in the ML zone (page 56) with emergency shelters. However, transitional housing is a residential use, distinguishable from emergency shelters. In addition, the element describes transitional and supportive housing for greater than six people would be subject to a use permit, different from other residential uses. The element should demonstrate consistency with the requirements of SB 2 or include programs as appropriate.



2. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

Land-Use Controls: The element identifies various residential development standards, but does not analyze their potential impacts on the cost and supply of housing, including the cumulative impacts on the ability to achieve maximum densities and encourage housing affordable to low- and moderate-income households.

Based on discussions with your staff and the consultant, current parking requirements exceed parking standards when most of the City's housing stock was built. This results in a constraint to improving and adding to the existing housing stock since most improvements would require imposition of the new parking requirements. This particularly impacts second-unit development which can be a valuable form of housing for seniors and persons with disabilities. For example, an owner seeking to develop a second-unit would be required to add parking for the primary and second units which may not be physically possible or could otherwise constrain development. Further, parking requirements of two spaces per unit could constrain smaller bedroom types such as studio and one bedroom units. The element should include a specific analysis of the City's parking requirements and include programs as appropriate to address identified constraints.

In addition, the element identifies open space requirements of 30 to 40 percent of the net project area, after the application of setbacks. This requirement could impact the ability to achieve maximum densities, particularly with two-story height limits. The element should include a specific analysis of this requirement.

For assistance with analysis, please see the *Building Blocks'* web page at http://www.hcd.ca.gov/hpd/housing_element2/CON_landuse.php.

Local Processing and Permit Procedures: While the element describes typical processing times for multifamily development, it must specifically describe and analyze the City's permit processing and approval procedures by zone and housing type. To address this requirement, the element should discuss processing procedures for typical single- and multi-family projects, including type of permit, level of review, approval findings and any discretionary approval procedures. Refer to the sample analysis on the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php.



Multifamily. According to the element, all multifamily development requires a conditional use permit (CUP) (page 58). Additional review and complex discretionary findings of a CUP can add significant time and uncertainty to the approval process and impact the cost and supply of housing, particularly housing affordable to lower-income households. This process must be analyzed as a constraint and should identify findings of approval for the CUP and their potential impact on approval certainty, timing, and cost. The element may need to include a program to address this permitting requirement.

3. *Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions (Sections 65583(a)(8) through 65583(a)(9)(D)).*

The element includes an inventory and discussion of existing assisted housing developments, however the element must include an analysis of at-risk units to:

- Estimate total cost for producing, replacing and preserving the units at-risk; and
- Identify public and private non-profits known to the City to have the legal and managerial capacity to acquire and manage at-risk units.

Additional information and sample analyses are available in the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/PRO_atrisk.php.

C. Housing Programs

1. *Include a program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land-use and development controls, provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

The element includes a description of programs and an implementation matrix (Table 41); however, the descriptions are inconsistent. For example, many programs in the matrix are not in the program description and some program descriptions are not apparent in the matrix (which includes the implementation schedule). The element must include a specific schedule of actions with objectives and identification of the agencies and officials responsible to meet Government Code Section 65583(i)(1-6). The element should either include revised program descriptions or implementation matrix consistent with these statutory requirements.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing and emergency shelters. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in finding B2, the element requires revision to demonstrate adequate sites, particularly for lower-income households. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites and zoning for a variety of housing types. In addition:

Reliance on Mixed-Use Sites: As the City is relying on the potential for mixed-use development to accommodate its RHNA for lower-income households, the element must include specific program actions to promote mixed-use development such as financial assistance, regulatory concessions or incentives to encourage and facilitate residential development. Examples of incentives include: 1) organizing special marketing events geared towards the development community; 2) posting the sites inventory on the local government's website; 3) identifying and targeting specific financial resources; and, 4) reducing appropriate development standards.

Emergency Shelters, Transitional and Support Housing: As noted in finding A2, the element should include programs based on the outcomes of the analysis to meet requirements of SB 2 for transitional and supportive housing. In addition, the program should commit to ensure development standards will encourage and facilitate emergency shelters and only subject shelters to the same development and management standards that apply to other allowed uses within the identified zone.

3. *Describe the amount and uses of funds in the redevelopment agency's Low and Moderate Income Housing Fund (Section 65583(c)).*

While the element identifies the projected revenues for the period from 2009/10 to 2013/14 (page 62), it must also describe the planned uses of these funds (i.e., rental rehabilitation, direct financial assistance for land write-downs and new construction) by approximate amounts if possible. Additional information is available on the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/OIR_lowmod.php.

4. *The housing element shall contain programs which "assist in the development of adequate housing to meet the needs of extremely low-, low- and moderate-income households (Section 65583(c)(2)).*

The element must include specific actions to assist the development of housing affordable to lower- and moderate-income households, including extremely low-income (ELI) households as follows:



Extremely Low-Income Households: Pursuant to Chapter 891, Statutes of 2006 (AB 2634), programs should be revised or added to specifically assist in the development of a variety of housing types to meet the housing needs of ELI households. For example, programs could be included to prioritize some funding for the development of housing affordable to ELI households. The program for Single Room Occupancy (SRO) could be revised to include regulatory concessions or incentives to encourage the development of single-room occupancy units which address the needs of this income group. Please see the *Building Blocks'* website for assistance with this requirement at http://www.hcd.ca.gov/hpd/housing_element2/PRO_assist.php.

Program 6 (Tax Credit Allocation Committee [TCAC]): Describe the City's role in the program such as supporting applications and facilitating entitlements.

Program 7 (Development Assistance): The program describes actions the redevelopment agency "may" take but does not describe any specific actions that "will" be implemented. The program should describe when or how often the redevelopment agency will acquire properties and include a specific commitment to action.

Program 8 (New Rental Construction): Describe when or how often the City will provide financial assistance and contribute land for the development of rental housing.

5. *The housing element shall contain programs which "address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Section 65583(c)(3)).*

As noted in finding B3, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

Reasonable Accommodation (page 84): To assist Carson in adoption and implementation of a reasonable accommodation ordinance, a model ordinance and examples from several cities is at http://www.hcd.ca.gov/hpd/housing_element2/PRO_mitigate.php.

6. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (8) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (8) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance (Section 65583(c)(6)).*

Facilitate the Preservation of At-Risk Rental Housing: The element identifies 100 housing units (page 36) at-risk of converting to market-rate within the next 5 years. While Program 12 commits to monitor at-risk units, it should include additional specific actions to assist in preserving at-risk units. Examples of additional actions include assisting with funding or supporting funding applications and facilitating tenant education. For additional information, see the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/PRO_atrisk.php.

**Table 40
(2006-2014)
Evaluation of Affordable Housing Strategies and Programs**

Program	Responsible Agency	Funding Source	Description/Objective(s)	Goals	Timeframe	Accomplishments	Recommended Actions
Housing Improvement Residential Rehabilitation Program (Neighborhood Pride Program)	Housing & Neighborhood Development Division	CDBG, Redevelopment Agency Housing Set-Aside Funds	Provide financial assistance through loans and grants to provide basic housing repairs and remedy code violations. (Single-family homes as well as mobilehomes are eligible.)	Assist 125 households annually	Annually	352 loans and grants, totaling \$2.9 million, provided over the past three program years. (This figure includes the mobilehomes noted under Mobilehome Park Maintenance Program on following page.)	Age of housing stock and community demand justify continuation of program.
Code Enforcement Program	Code Enforcement and Building & Safety Divisions	City General Fund	Code Enforcement Division responds to complaints of violations of City's property maintenance codes by issuing notices to property owners to bring their properties into compliance, and provides followup inspections. Building & Safety Division performs same function relative to the City's building codes.	Respond to 2,000 complaints annually	Annually	2,300-2,500 citations issued/violations abated	Continue program to protect health, safety, and welfare of residents.
Residential Property Report (RPR) Program	Building & Safety Division	City General Fund	This program, established by City Ordinance, requires that a RPR be obtained from the City before the sale, exchange, or transfer of a previously-occupied residential property. The report enables the City to verify that residential buildings meet certain Zoning and Building Code requirements at the time of sale/exchange/transfer.	Approximately 800 residential inspections per year	Annually	2,100 inspections provided during most recent (2008-2009) fiscal year.	Continue program to protect health, safety, and welfare of residents.
Residential Neighborhood Safety Program	Public Safety Division and Los Angeles County Sheriff's Department	City General Fund	Offers a range of neighborhood safety programs through the Public Safety Division including neighborhood watch, property identification, community forums, residential security survey, crime prevention, and community relations.	Increase the numbers of block captains and neighborhood watch groups, and their involvement in their communities	Contacts with block captains and neighborhood watch groups occur on a continuous basis throughout the year	Currently 200 active neighborhood watch groups and block captains citywide	Continue program to protect health, safety, and welfare of residents.

Program	Responsible Agency	Funding Source	Description/Objective(s)	Goals	Timeframe	Accomplishments	Recommended Actions
Historic Preservation Program (Discontinued/not implemented)	Planning Division	City General Fund	Incentives to encourage owners of historic designated properties to maintain and preserve their structures.	No historic structures registered in City	Not applicable (program not implemented)	Program not implemented	Program discontinued
Carson Beautiful Program (Discontinued)	Planning Division	City General Fund	Honor excellence in property upkeep by selecting award-winning properties that reflect hard work and pride of ownership.	Not applicable (program discontinued)	Program discontinued	Program discontinued	Program discontinued
Mobilehome Park Maintenance Program	Housing & Neighborhood Development Division	City General Fund and Redevelopment Agency Housing Set-Aside Funds	Protect the affordability of mobilehome units through rent control regulation, and provision of loan and grant assistance for mobilehome rehabilitation.	Approximately 35 units to be assisted through rehabilitation loans annually. Rent increase applications reviewed and Mobilehome Rental Review Board hearings scheduled as applications are received and processed.	Annually	\$507,120 in loans provided over the past three program years (representing 60 units). Approximately 12 hearings held on rent increase applications annually.	Continue program, as this serves to preserve/maintain a form of affordable housing.
Lead-Based Paint Testing and Abatement Program	Housing & Neighborhood Development Division	CDBG and Redevelopment Agency Housing Set-Aside Funds	Provide testing and abatement to single-family and mobilehome units that are acquired or rehabilitated.	150 units tested annually	Annually	Program in first year of operation—40 units tested thus far	Continue program to protect the health, safety and welfare of the residents. Current plans are to incorporate asbestos into the testing and abatement program.
Housing Development Assistance							
Development Funding for Multifamily Housing	Redevelopment Agency, Planning Division, and Housing & Neighborhood Development Division	Redevelopment Agency Housing Set-Aside Funds	Development assistance to promote the development of affordable multifamily housing.	Provide as many affordable units as market conditions and funding sources permit over the eight-year planning horizon	2006-2014	Redevelopment Agency agreement for Carson City Center provides \$13.9 million (expected completion 2011)	Continue program so as to continue to provide and expand the supply of decent, safe, sanitary, and affordable housing to low- and moderate-income residents.

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Program	Responsible Agency	Funding Source	Description/Objective(s)	Goals	Timeframe	Accomplishments	Recommended Actions
Housing Development Through Development Agreements	Redevelopment Agency, Planning Division, and Housing & Neighborhood Development Division	Redevelopment Agency Housing Set-Aside Funds	Encourage the development of safe and affordable housing. Development agreements between developers and local governments outline the regulations and policies governing the development, often including a requirement for affordable housing.	Continue efforts to retain qualified developers and encourage them to submit qualified proposals, so as to provide sustainable housing developments for all segments of the population (including rental and owner-occupied housing).	Annually	\$15 million in financial assistance	Continue program so as to continue to provide and expand the supply of decent, safe, and sanitary housing for all segments of the population.
Assess Use of City-Owned/Publicly-Owned Land for Affordable Housing	Redevelopment Agency, Planning Division, and Housing & Neighborhood Development Division	Redevelopment Agency Housing Set-Aside Funds	Evaluate alternative means to provide for affordable housing development including long-term leasing of City-owned or publicly-owned land for housing development.	Identify suitable sites for housing development and encourage such development on those sites.	Ongoing program	Sites identified comprising approximately \$20 million in land value and projected to accommodate 150 units.	Continue program. Assess feasibility of retaining a qualified development project on Agency/City land meeting Agency criteria.
Alternative Affordable Housing Finance Programs	Redevelopment Agency, Planning Division, and Housing & Neighborhood Development Division	Redevelopment Agency Housing Set-Aside Funds, State of California, HUD, and private sector funds	Assess a variety of alternative funding mechanisms for the construction of new affordable housing.	Identify financing mechanisms that can facilitate the development of new affordable housing	Ongoing program	\$100 million in alternative financing solutions and investment opportunities identified.	Continue program. Pursue and retain several qualified financing sources and investment partners.
Development of Special Needs Housing	Redevelopment Agency, Planning Division, Housing & Neighborhood Development Division	Redevelopment Agency Housing Set-Aside Funds, State of California, HUD, Los Angeles County, Los Angeles Homeless Services Authority, private/non-profit service agencies	Evaluate, encourage, and facilitate the development and maintenance of special needs housing for seniors, the homeless, and physically and mentally disabled.	Identify suitable sites for special needs housing development and provide incentives and/or identify alternative funding sources to facilitate such development	Ongoing program	\$15 million provided for developer assistance. Specific projects to be identified based on interest received from developers specializing in special needs housing.	Continue program so that the needs of these special needs housing communities are accommodated.

Program	Responsible Agency	Funding Source	Description/Objective(s)	Goals	Timeframe	Accomplishments	Recommended Actions
Housing Development Assistance (continued)							
Emergency Shelters	Planning Division, Housing & Neighborhood Development Division, Building & Safety Division	HUD/Los Angeles Homeless Services Authority	Amend the existing zoning ordinance to permit emergency shelters in the ML zone as a principally permitted use.	Complete the ordinance amendment process by September 2010	Approval of necessary ordinance amendments by September 2010	Process now underway	Prepare and introduce proposed ordinance amendments. Network with and assist local providers in securing the necessary funding from appropriate agency(ies).
Transitional and Supportive Housing	Planning Division, Housing & Neighborhood Development Division, Building & Safety Division	HUD/Los Angeles Homeless Services Authority	Amend the existing zoning ordinance to permit transitional and supportive housing in all appropriate residential zones within the City, subject only to those standards/regulations that apply to other residential land uses of the same type in the same zone.	Complete the ordinance amendment process by September 2010	Approval of necessary ordinance amendments by September 2010	Process now underway	Prepare and introduce proposed ordinance amendments. Network with and assist local providers in securing funding from appropriate agency(ies).
Support of Affordable Housing							
Preservation of At-Risk Housing	Redevelopment Agency, Housing & Neighborhood Development Division	Redevelopment Agency Housing Set-Aside Funds	Monitor at-risk housing, inform tenants of potential conversion to market rate status, and educate tenants on potential purchase of units.	Ensure that existing units are not lost and that existing tenants are not displaced.	Ongoing program	150 units have five-year renewal contracts with HUD or Section 8 vouchers, and no current units at risk of conversion.	Continue program so that units at risk are preserved.
Development of Multifamily Housing	Redevelopment Agency, Planning Division, Housing & Neighborhood Development Division	Redevelopment Agency Housing Set-Aside Funds	Facilitate the development of multifamily housing. Identify potential sites suitable for multifamily housing development and acquire site(s) or retain qualified developer to acquire site(s).	Provide as many affordable units as market conditions and funding sources permit.	Ongoing program	\$13.9 million provided for developer assistance for the Carson City Center project (expected completion 2011) by the Carson Redevelopment Agency.	Continue program so as to increase the supply of multifamily housing, particularly affordable multifamily housing, in the community.
Density Bonus Program	Planning Division	Not applicable	In the context of affordable housing, a density bonus permits developers to increase the square footage or number of units allowed on a piece of property if they agree to restrict the rents or sales process of a certain number of units to persons meeting certain income criteria.	Use strategically to foster the development of affordable housing where appropriate	Ongoing program	Density bonus has been applied at the Villaggio, Vista Del Montano, Carson City Center, Camino Village, Avalon Courtyards, and Villa Serenata.	Adopt a density bonus ordinance during reporting period to formalize program as an additional incentive to the development of affordable housing.

Program	Responsible Agency	Funding Source	Description/Objective(s)	Goals	Timeframe	Accomplishments	Recommended Actions
Support of Affordable Housing (continued) Mobilehome Park Ownership/Conversion Program	Redevelopment Agency, Planning & Neighborhood Development Division	Redevelopment Agency Housing Set-Aside Funds, Private financing sources	City and/or Redevelopment Agency will assess a variety of alternative funding mechanisms for mobilehome parks that convert to condominium use with resident support.	Monitor and evaluate conversion application process and provide alternative financial analysis.	Ongoing program	Still in phase of monitoring conversion activity	Continue monitoring conversion activity and providing park residents information as to their options.
			Provide rental subsidies to very low income households.	Work with LACHA to monitor existing vouchers and certificates, and pursue additional assistance.	Annually	341 Section 8 rental vouchers are provided in Carson by LACHA.	Continue working with LACHA to monitor existing vouchers and certificates so as to preserve housing options for very low income residents
Rental Assistance (General)	Los Angeles County Housing Authority (LACHA)	HUD	Foster and maintain quality affordable rental housing for low and very low income households.	Provide rental subsidies to low income households pursuant to affordability covenants	Annually	125 households are currently receiving this assistance (subsidies valued at \$206,000 annually).	Continue providing rental subsidies so as to preserve housing options and assure continued decent, safe, and sanitary housing for low and very low income households
Homeownership Assistance First Time Home Buyers Program	Redevelopment Agency, Housing & Neighborhood Development Division	Redevelopment Agency Housing Set-Aside Funds	Provide first time home buyers with down payment assistance	Provide assistance to 20 households annually	Annually	39 households assisted over the last three program years (value of assistance \$5,110,350).	Continue program so as to support homeownership opportunities for low and moderate income households within the City.
			Offers first time home buyers a Federal tax credit, reducing the amount of Federal taxes to be paid, thus assisting those home buyers to qualify for a mortgage loan.	Sustain affordable homeownership opportunities in the City of Carson.	Annually	45 families provided this opportunity over the period 2006-2009	Continue program so as to support homeownership opportunities for low and moderate income households within the City.
Mortgage Credit Certificate Program	California Housing Finance Agency	State of California Housing Bond Funds					

Program	Responsible Agency	Funding Source	Description/Objective(s)	Goals	Timeframe	Accomplishments	Recommended Actions
Fair Housing Discrimination Investigation, Tenant/Landlord Mediation, and Legal Services Assistance	Housing Rights Center, under contract with Housing & Neighborhood Development Division	CDBG	Preserve fair housing practices through the investigation of complaints of discrimination in rental and for-sale housing. Also provides dispute resolution services in tenant/landlord matters, and legal representation where necessary	Handle/investigate 150 complaints annually	Annually	165 complaints handled/persons assisted during most recent (2008-2009) program year.	Continue program so as to promote and maintain fair housing opportunities within the City.
Energy Conservation Energy Conservation	Planning Division, Housing & Neighborhood Development Division	Los Angeles County, Edison International, Southern California Gas Company	Encourage use of, and support and assist in the publicizing of, energy-saving programs provided by the utility companies.	Facilitate energy conservation in housing development	Ongoing program	City Center Project (Avalon Boulevard at Carson Street) will provide green housing/energy saving units.	Continue and expand program so as to promote green housing development.
Foreclosure Programs Foreclosure Crisis Program	Housing & Neighborhood Development Division	Private sector/non-profit sources	Refer residents dealing with a mortgage crisis to entities which provide pre-foreclosure services and post-foreclosure activity	Prevent loss of homeowners' residences through foreclosure processes.	Ongoing program	Program recently initiated	Continue program of assisting homeowners to prevent mortgage defaults by providing referrals to counseling and education services as appropriate.
Neighborhood Stabilization Program	Housing & Neighborhood Development Division	HUD, State of California (HCD)	Stem neighborhood decline resulting from foreclosures by purchasing, rehabilitating, and reselling abandoned foreclosed residential properties	Complete acquisition, rehabilitation, and resale of 7-10 homes to moderate income families.	Funding and program expire September 30, 2011	\$1,329,065 obtained to fund program activities	Implement program of acquisition, rehabilitation, and resale to sustain the viability of residential neighborhoods.



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: May 12, 2009
SUBJECT: Public Hearing to discuss the Draft 2006-2014 Housing Element Update
APPLICANT: City of Carson
REQUEST: Review, evaluate and provide comments and recommendations on the Draft 2006-2014 Housing Element Update
PROPERTY INVOLVED: Citywide

COMMISSION ACTION

- Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Saenz			Park
		Brimmer			Schaefer
		Brown			Verrett
		Gordon			

I. Introduction

State Housing Element law requires cities to plan for needed housing for the period of 2008-2014. All California cities are required by Article 10.6 of Government Code (Sections 655580-65590) to adopt a housing element as part of their general plan and submit a draft and adopted element to the State Housing and Community Development (HCD) for review and compliance with state law.

II. Background

On April 28, 2009, the Planning Commission held a workshop on the Draft 2006-2014 Housing Element Update and directed staff to schedule the public hearing and to provide fact sheets on affordable housing. Staff researched what other communities and housing advocacy organizations have experienced with affordable housing projects and have provided "Fact Sheets" to represent affordable housing findings.

The housing findings identified that: the location and development of affordable housing projects have no significant impact on adjoining property values; appreciation rates near affordable housing were at least as high as the area average; people who live in affordable housing projects are teachers, social workers, dental hygienist, and other similar working groups; and there is no evidence of an increase in crime in a neighborhood resulting from an affordable housing project.

The city's existing housing element was certified by the HCD in July 2002. A proposal released in April 2006 by the Southern California Association of Governments (SCAG) found the city of Carson in substantial compliance with the housing element goals by having produced 199% percent of its overall Regional Housing Needs Assessment (RHNA) target by 2005 (Exhibit No. 3). The RHNA basic construction need through 2005 for the city of Carson was 623 total housing units. Carson produced more new homes than expected but did not meet the targeted income levels for very-low and moderate income households identified in the RHNA.

HCD established the planning period for the current Regional Housing Needs Assessment from January 1, 2006 to June 30, 2014. The planning period originally ran from July 1, 2005 to June 30, 2014, however, it was reduced six months (eliminating the last 6 months of 2005) by HCD, thus shortening the planning period from 9 to 8 ½ years.

The 2006-2014 RHNA allocates a housing need of 1812 units for Carson. The allocation of 1,812 units is broken down into four categories as follows: 461 very low-income households; 287 low-income households; 307 moderate-income households; and 757 above-moderate income households.

The current housing element cycle requires cities to plan for needed housing for the period between 2006 and 2014. State law requires that housing elements be internally consistent with the city's general plan and include:

1. A Housing Needs Assessment that looks at existing needs including: overcrowding; condition of housing stock; assisted affordable units at risk of converting to market rate; and projected needs based on the RHNA.

2. A Sites Inventory and Analysis that provides a parcel-specific list of potential sites where the needed housing can be developed.
3. A Housing Constraints Analysis that identifies governmental and non-governmental constraints to housing production and to providing housing for persons with disabilities.
4. Identification of housing programs to remove or mitigate governmental constraints if appropriate, and for developing housing for low-and moderate income households.
5. Quantified objectives that estimate the maximum number of units by income level that the city intends to construct, rehabilitate and conserve during the Element's planning period.

The Housing Element Update will also consider recent state legislation and evaluate any potential impacts that it may have towards: Redevelopment Agency related housing projects; mixed-use housing; inclusionary/affordable housing programs; and housing involving special needs homeless/disabled populations.

California Assembly Bill No. 2348 (Mullin) amends state housing law to require that the housing element identify adequate sites for housing, including rental housing, factory-built housing, and mobile-homes. The bill amends the criteria for the inventory of sites to require sites to be identified that can be developed for housing within the planning period to accommodate that portion of a city's share of the regional housing need (RHNA) for all income levels as specified.

Carson is obligated to support and promote the production of new housing for all economic groups as a result of various planning and redevelopment laws. The success of Carson's housing policies will be as a result of private/public partnerships and effective programs that preserve and expand affordable housing opportunities for a range of income levels. The Draft Housing Element Update included a community outreach public forum held on February 25, 2009 at the Juanita Millender-McDonald Community Center and a housing needs survey to encourage broad participation from community stakeholders. A final public hearing will be conducted by the City Council to consider the recommendations of the Planning Commission and for adoption of the Housing Element.

General Plan Requirements

Existing housing element goals, policies and implementation measures are provided for in the current General Plan (Exhibit No. 2). The following are the 2002 Housing Element goals and "Draft Housing Element Update" goals.

- Goal: H-1: Improvement and maintenance of the existing housing stock while preserving affordability.
- Goal: H-2: Maintenance and enhancement of neighborhood quality.
- Goal: H-3: The city shall seek to provide an adequate supply of housing for all economic segments of the city.
- Goal: H-4: Protection of the existing supply of affordable housing.



- Goal: H-5: Housing opportunities to all persons regardless of race, religion, ethnicity, sex, age, marital status, household composition and other arbitrary factor.
- Goal: H-6: Long-term maintenance of private properties with common area ownership, such as condominiums and planned unit developments.
- Goal: H-7: Conservation of natural resources and reduction of energy consumption in all areas of residential development.
- Goal: LU-8: Promote mixed use development where appropriate.

Proposed “Draft Housing Element Goals”:

- Goal 1: Improvement and maintenance of the existing housing stock while preserving affordability.
- Goal 2: Maintenance and enhancement of neighborhood quality.
- Goal 3: The city shall seek to provide an adequate supply of housing for all economic segments of the city.
- Goal 4: Protection of existing supply of affordable housing.
- Goal 5: Housing opportunities to all persons regardless of race, religion, ethnicity, sex, age, marital status, household composition or other arbitrary factor.
- Goal 6: Long-term maintenance of private properties with common area ownership, such as condominiums and planned unit developments.
- Goal 7: Conservation of natural resources and reduction of energy consumption in all areas of residential development.

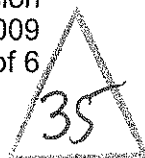
The above housing goals provide the city’s vision for quality/affordable housing opportunities for all of Carson residents in compliance with state housing law requirements. For a comprehensive review please see attached Exhibit No. 2 (existing General Plan Housing Element Goal, Policies and Implementation Measures) and the “Draft Housing Element” (page 69 Housing Plan/Goals & Policies).

III. Analysis

Proposal

Staff is recommending that the Planning Commission consider:

1. Whether the proposed “Draft Housing Element Update” adequately provides goals, objectives and implementation strategies for the production of safe, quality affordable diverse housing opportunities and:
2. Whether the proposed “Draft Housing Element Update” proposes adequate goals, objectives and implementation strategies for the preservation of existing quality housing stock and provides the necessary zoning ordinance recommendations to promote housing for the special needs population including the physically/mentally disabled and the homeless.



Topics for Discussion

- Affordable Housing Strategies
- New changes in state housing law
- Inclusionary Zoning
- Mixed-Use housing opportunities
- Green building standards
- Mobile home rent control/mobile home park conversions

IV. Conclusion

If, after receipt of public testimony and Commission discussion, the Commission concurs that the Housing Element update is ready for inclusion in the General Plan, staff recommends that it be forwarded to the State Housing and Community Development and to the City Council with a recommendation of adoption.

The draft Housing Element will be submitted to the State Department of Housing and Community Development (HCD) in accordance with state law. HCD will submit its comments on the Element and may request certain changes and additions. These changes will be incorporated into the draft Element reviewed by the Commission. If the changes are minimal and do not significantly impact policy decisions, staff recommends that the revised Element be submitted directly to the City Council. If the changes are more substantial in nature, the revised Element will be returned to the Planning Commission. Upon final adoption of the Element by the City Council, the Element will be re-submitted to HCD. Per Section 65585 of the Government Code, HCD will then review the adopted Housing Element within 90 days of receipt and submit its findings back to the City.

V. Recommendation


That the Planning Commission:

1. OPEN the public hearing and receive public testimony;
2. COMPLETE review of the Housing Element in light of testimony received; and
3. FORWARD the Housing Element to the State Housing and Community Development and to the City Council with a recommendation of adoption.


VI. Exhibits

1. Draft Housing Element (under separate cover/refer to previously provided copy)
2. Copies of Draft Housing Element Update revisions/summary
3. Affordable Housing Fact Sheets
4. Draft Housing Element Update Schedule

Prepared by: _____


Zak Gonzalez II, Associate Planner

Approved by: _____


Sheri Repp, Planning Manager