





Date: May 14, 2009

To: Honorable Mayor and Members of the City Council

From: Council Member Gerrie Schipske, Fifth District 
Council Member Tonia Reyes Uranga, Seventh District 

Subject: **AGENDA ITEM HEARING 1 – HOUSING ELEMENT OF THE GENERAL PLAN**

The City Council will consider adopting a resolution approving and adopting the 2008-2014 Housing Element of the General Plan and authorize submittal to the California Housing and Community Development Department (HCD) for certification at the next regular meeting of the City Council on Tuesday, May 19, 2009. The Staff report indicates that there is a timing consideration for the City to have a State certified housing plan in place by June 3, 2009 in order for the City to qualify for HCD sponsored grants for infill housing and transit-oriented development.

Included in the Staff report is a letter from HCD dated February 19, 2009 (Exhibit B) which states, "While the element address many statutory requirements, revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code)."

While the HCD comments were essential for the revision of the Draft Housing Element, this communication was not presented to the Planning Commission when it adopted the Revised Draft 2008-2014 Housing Element on May 7, 2009 as the final version that is being presented for City Council consideration. Additionally, the summary of HCD Comments and Revision (Exhibit C) referenced in the Staff report is not included with the agenda packet or made available for public review.

We are concerned that the incomplete information provided to the Planning Commission and the City Council may jeopardize the City's efforts to secure grant funding if the Housing Element is not adequately revised to the satisfaction of HCD. Due to the time constraint for certification by HCD, it is critical that the City submit a Housing Element that could be certified expeditiously without further revisions. We request that Staff include in its revision the proposed amendments submitted by the Legal Aid Foundation of Los Angeles dated May 7, 2009 that are consistent with the HCD comment letter or provide the City Council with a written explanation of why staff does not concur in the proposed amendments.

Attachments

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May 7, 2009

SUMMARY OF LEGAL AID'S PROPOSED AMENDMENTS TO THE CITY OF LONG BEACH'S REVISED HOUSING ELEMENT

1. Revise the Housing Element to contain a program to amend (not just review) the City's definition of "family" in the City's Zoning Code
2. Revise the definition of "medical" office in the Housing Element so that it no longer excludes mental health from the definition
3. Revise the City's coastal zone housing policy so that it actually results in the one-for-one replacement of affordable units demolished or converted in the coastal zone
4. Revise the Housing Element to analyze the City's reverse inclusionary housing policy (which requires affordable housing developers to include 20% market rate units in their developments) as a constraint to the development of affordable housing; Revise the Housing Element to include a program to discontinue use of this policy
5. Revise the Housing Element to include zones for emergency shelters that are appropriate and which have the capacity to accommodate the City's emergency shelter bed gap, as the IP port zone is not appropriate and PD 31 does not have capacity because it can only accommodate another 60 units or beds with its current entitlements
6. Revise the Housing Element to include the creation of an SRO ordinance that permits SRO's in any high density multi-family residential zone or commercial/light/industrial zone where multi-family housing is permitted
7. Revise the Housing Element to include an analysis of the City's requirement for legislative approval of multi-family developments in excess of 50 units and include a program to address the constraints of this policy

8. Revise the Housing Element's analysis of non-vacant sites identified for housing development to include information regarding whether or not redevelopment is feasible at those sites during the planning period (i.e., Do these businesses have plans to close or relocate?)
9. Revise the Housing Element's analysis of non-vacant sites identified for housing development to include information regarding whether or not future uses of those sites are likely to be residential as opposed to other uses such as office, commercial or retail
10. Revise the Housing Element to include an analysis of the current down housing market in the future development of identified sites
11. Revise the Housing Element to identify additional sites to address inadequate and inappropriate site identification
12. Revise the Housing Element to identify additional sites to prevent the segregation and overconcentration of affordable housing in particular parts of the City
13. Revise the Housing Element to include the number of net, new units built with redevelopment housing funds for low, very low and extremely low income households
14. Revise the Housing Element to commit a portion of redevelopment housing dollars to new construction, as opposed to rehabilitation of existing units, for lower income households
15. Revise the Housing Element to state the location of affordable units built with coastal zone housing funds and indicate whether they are located in or outside of the coastal zone
16. Revise the Housing Element to include a numerical objective for supporting and assisting funding applications for at-risk units
17. Revise the Housing Element to state: (a) how many Sec. 8 households the City assisted in the last planning period with security deposit and first months rent; (b) how the city intends to encourage property owners to accept Section 8; and (c) how many Sec. 8 households the City plans to assist with security deposit and first month's rent in the current planning period
18. Revise the Housing Element to identify another site for the development of efficiency units for extremely low income households, as the Villages at Cabrillo is nearing its development cap and can only include another 60 units or beds with its current entitlements
19. Revise the Housing Element to indicate how many extremely low income households benefited from the City's HOME Security Deposit Program over the last planning period

and how many extremely low income households the City intends to assist with this Program in the current planning period

20. Revise the Housing Element to include programs that will actually benefit extremely low income households, as loans to owners of multi-family properties will not benefit extremely low income households who are overwhelmingly renters
21. Revise the Housing Element to include programs that will actually benefit extremely low income households, as loans to mobile home owners will not benefit extremely low income households who are overwhelmingly renters
22. Revise the Housing Element to indicate what percent of the City's Acquisition and Rehabilitation Program will be targeted to extremely low income households, as the commitment to target part of the program without a numerical goal is meaningless
23. Revise the Housing Element to include the following programs to meet the needs of lower income and, in particular, extremely low income households:
 - A. Amend Program 4.2 (Adequate Sites) to include incentives to encourage and facilitate the development of affordable housing for low income households
 - B. Set aside a percentage of multi-family sites for low, very low and extremely low income affordable housing developments so that all sites are not taken for high cost rental housing. At a minimum, 50% of sites zoned for multi-family should be reserved for predominantly lower income affordable housing developments. (Such areas are often referred to as "affordable housing opportunity zones.")
 - C. Adopt a mixed income housing ordinance to assist in the development of affordable housing in the City. The City has hired 2 consultants to review the feasibility of such an ordinance and both have recommended in favor of adoption
 - D. Commit to adopting a funding plan for the Housing Trust Fund, which has been essentially unfunded since its creation in 2005, in the amount of at least \$10 million a year from the following revenue sources:
 1. Housing development impact fees
 2. Commercial linkage fees (to create a jobs/housing balance)
 3. Condominium conversion fees
 4. An increase of the redevelopment housing set aside from the minimum 20% to 30%
 - E. Amend the targeting of the Housing Trust Fund so that the entire Trust Fund is targeted to lower income households
 - F. Target at least 30% of the City's annual housing budget towards extremely low income households, as currently none of the City's housing budget is targeted to extremely low income households
 - G. Utilize community land trusts to create permanent affordable housing