



April 26, 2023

SB 343

Senate Bill 343 mandates supplemental materials that have been received by the City Clerk's office that relate to an agenda item after the agenda packets have been distributed to the City Council/Planning Commission be available to the public.

The attached documents were received in the City Clerk's office after distribution of the April 26, 2023, Joint City Council/Planning Commission meeting agenda packet.

Agenda Item # 2

Following are comments on the “Housing Plan Background Report Public Review Draft—March 2023.”

Our city is undertaking a difficult job to fulfill the State mandates for new housing sites and agreeing to rezone the sites to higher density. This is the major direction our attempt to meet the State mandate is taking. This rezoning will change the face of our town, both the Downtown and the neighborhoods.

This Housing Report also recommends multitudinous additional actions that will have major effects on our City budget and on the physical character of our town. Many of these actions are at the discretion of the City Council.

Following are some comments that we ask you to consider in the actions you take on the Housing Element.

General Comments:

1. The costs over which the Council has control in implementing the Housing Element are huge—in the millions of dollars.

The multitude of new programs, fee waivers and deferrals, added free services and other costs being recommended in the Report will be very expensive. Waiver of developer impact fees alone could potentially cost over \$5,000,000 (501 housing units x \$10,048/unit).

Many of these costs are at the discretion of the Council to implement or not. Before the Council can decide to approve them these added costs need to be delineated and costed out by the Staff and then reviewed carefully by the Council. Many of these costs are hidden in the Report details but there are a lot of them. For instance, almost every one of the 28 Housing Programs (pg. HP-6 through 36) lists “General Fund” as the first “Funding Source”.

We urge the Council to add a requirement in the Housing Element that staff must provide an estimate of cost in dollars and staff time for each of these discretionary actions and that the Council will pay strict attention to these costs before giving their approval. With our many other goals that require significant funding, like staff hiring and moving the marina forward,

we need to know what costs we would incur under the Housing Element before the Council votes to fund them.

See comment below on “Pg. HP-6 Program 1: Partnership for Affordable Housing” for more details.

2. The City will have the flexibility to determine some of the “bonuses” and incentives that developers can get by agreeing to including affordable housing. Some of the “bonuses” and incentives are mandated by the State, most importantly higher density. **But the Council can decide to offer additional ones. We urge the Council to not extend additional “bonuses” or incentives or replace discretionary approvals or extend ministerial (by-right) approvals without very careful thought and justification.**

Many concessions have already been made in the General Plan, and additional bonuses like added height or reduced parking or increased lot coverage will only increase the impact the new housing will have on what is special and cherished by us in our town, including particularly in our Downtown and waterfront areas.

See comment below on “Pg. HP-16 Program 11: Zoning...” for more details.

3. **The number of lots that have been designated in the report to be rezoned for more housing end up giving us more potential units than the State demands, 1877 housing units versus the State RHNA demand for 1345 units.** We assume we need a little buffer, but a decent number of the 532 excess units should not be rezoned if that is not needed.

That will reduce the impact on our neighborhoods and Downtown, and those units can be rezoned as necessary for the next 8-year cycle. Importantly, this may mean some lots Downtown would not need to be rezoned now.

Also, although it is not clear, **Map ID F appears to show John Muir School Park being rezoned for housing**, and that could be reversed. (We oppose rezoning open space/parks for housing unless that is the only option. That is

why we worked so hard to turn Measure I, the Martinez Open Space and Park Initiative, into law.)

4. We strongly recommend that you do a cost analysis on the entirety of the proposed new housing in the Housing Element as was done for the Annexation Study that gave a pretty complete idea of whether the City income from the annexed areas would cover the added costs the City would incur to support the areas. That would be valuable information to have on the housing mandated in the Housing Element for when the Council discusses all the optional added costs they could approve under the Housing Element (see Comment 1).

This information may also be useful if we are able to take some sites off the rezoning list as discussed in Comment 3 above. For instance, it may be able to help us choose sites that would have the best overall economic benefit to the City coffers from not being used for housing.

For example, it might show us the added tax benefit of repurposing the Telfer property, Map ID 201, from housing to light industrial or commercial use which would probably be beneficial on a net cost basis for the City and would be a safer use for the property and provide local jobs.

5. Under the possible funding sources for some programs the report notes the possible use of Infrastructure Finance District (IFD) which we do not support. IFDs are basically tax diversion devices that take property tax the new development should be paying to the General Fund to cover the day-to-day costs to the City of the new housing and population and diverting it to pay for infrastructure costs that are normally paid for by the developer or other sources.

Then the City has to divert funds from the General Fund to pay for those day-to-day costs to provide police/street repair/administration/etc. IFDs do not provide new money, they just divert our tax dollars from the General Fund to a specific purpose.

Specific comments:

Pg. HP-2 A. Introduction---Focuses. Preserving Housing Assets: "...ensuring development is consistent with the surrounding neighborhood context." We believe this should be a paramount goal.

Pg. HP-2 Policy H-1.5 Incentives and Concessions. See cost and "bonuses" Comments 1 & 2 above.

Pg. HP-3 Policy H-1.7 Annexation. The recent Annexation Study done by the City showed local annexations would be extremely costly for the City. This should not be in the Housing Element as a City goal.

Pg. HP-3 Policy H-2.3: Developer Incentives. See cost and "bonuses" Comments 1 & 2 above.

Pg. HP-3 Goal H-3 "Improve and preserve the existing housing stock...and ensure new residential development is consistent with the surrounding neighborhood context." We strongly support this Goal. See "bonuses" Comment 2 above.

Pg. HP-4 Policy H-4.1: State Bonus Law. We must comply with State requirements, but need to be very careful about going beyond those requirements. See "bonuses" Comment 2 above.

Pg. HP-4 Policy H-4.2: Regulatory Incentives and Concessions. See cost and "bonuses" Comments 1 & 2 above. NOTE this Policy says to provide these "...while protecting quality of life goals." We agree with that goal.

Pg. HP-4 Policy H-4.7: Fee Reduction and Waivers. See cost and "bonuses" Comments 1 & 2 above.

Pg. HP-4 Policy H-4.8: Parking Reductions. See "bonuses" Comment 2 above.

Pg. HP-6 through 36 C. Housing Programs Almost every one of the 28 separate Programs says this: "Funding Sources: General Fund..." In the majority of the Programs that is the only funding source noted. The Staff time

alone to run these programs appears to be immense and, therefore, costly. If any of these programs are at City Council discretion, the Council should look at reducing the number of them.

Pg. HP-6 Program 1: Partnership for Affordable Housing.

This Program recommends a multitude of new programs, added free services, fee waivers and deferrals and other costs that will be very expensive for the City. Waiver of developer impact fees alone could cost over \$5,000,000 (501 housing units x \$10,048,000/unit).

These developer impact fees are \$10,048 for a multifamily unit and \$14,041 for a single-family unit. These fees by law can only reimburse the City for costs of impacts the development would have on police/parks/transportation/childcare/cultural. Waiving them would be a major hit to the City's budget, as paying these costs would have to come out of the General Fund.

(It is critical to note that this Housing Report on pg. HBR-83 says, "The City of **Martinez's fees, which include planning, development impact, and outside agency fees...do not constrain the development of housing.**")

Free services and waivers include City or consultant design services up to a certain dollar limit; having the City complete project frontage improvements which appears to be an open-ended expense; waiving planning application and building permit fees; a free concierge program; free staff study sessions on projects; providing free architectural design services.

The Council will decide which, if any, of these to approve. The Council should get dollar estimates from staff for all of these waivers/free services before putting them in the Housing Element. Some may be so expensive that we don't even want to consider them. Regardless we should know what kind of dollars we are talking about before the Council votes on them.

One unpriced service, the "concierge" service, may actually be up for City Council approval now. That needs to be clarified.

It is our understanding that the other fee waivers/free service/new programs/etc. will not be approved at this time, but will be included in the Housing Element as official programs the City Council will look at and decide whether or not to approve at a later date. It may be wise to take some of the most expensive programs like waiver of developer fees off the table now so they are not carried forward in the Housing Element any further.

We request you put a statement in the Housing Element that cost estimates of dollars and staff time will be developed before any of these options are considered and that these cost estimates will be done for other potential costs called out in all other Programs.

We need to be supportive of affordable housing and our housing element will show we are. Waivers and free programs, although not required, may well be another way we want to be more supportive. But we believe we need to know what kind of costs we are talking about before the Council votes on them. We are not a rich city, and we also have some very large expenditure in our future.

Pg. HP-16 Program 11: Zoning...

Zoning must by law be changed to State requirements. But changes beyond what is required by the State should maintain local control to the greatest extent possible. Discretionary review should be left in place where not changed by State mandate, and ministerial (by-right) review should only be incorporated where State law requires it.

Allowing the community and City government the opportunity to influence development is preferable to ceding that right to the developer or other bodies.

This Housing Report supports local control in several places, including:

Pg. HP-2 A. Introduction---Focuses. Preserving Housing Assets: "...ensuring development is consistent with the surrounding neighborhood context"

Pg. HP-3 Goal H-3 “Improve and preserve the existing housing stock...and ensure new residential development is consistent with the surrounding neighborhood context.”

Pg. HP-4 Policy H-4.2: Regulatory Incentives and Concessions. NOTE this Policy says to provide these “...while protecting quality of life goals.”

Height, density, setbacks, lot coverage, parking and other building criteria are integral to making development a positive addition to our community and our quality of life. Leaving the City government and the public out of the process of development approval is a step in the wrong direction for our town. We urge you to not pursue that direction, but rather **cede development control only to the extent mandated by the State. Retention of local control to the greatest extent possible is in the best interest of all of us.**

Also see cost and “bonuses” comments above.

The comments regarding requiring cost estimates and ceding development design and construction control under “Pg. HP-16 Program 11: Zoning...” and “Pg. HP-6 Program 1: Partnership for Affordable Housing” and our General Comments above apply to all Programs, especially Program 15: “...Density Bonuses...”.

Tim Platt and Harlan Strickland

for Thousand Friends of Martinez Housing Element Study Group

April 24, 2023



Apr 25, 2023

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Re: Draft 6th Cycle Housing Element

Dear Martinez City Council,

The California Housing Defense Fund (“CalHDF”) writes to inform the City of shortcomings in its 6th Cycle Housing Element draft. Overall, the draft is not a bad first effort. CalHDF appreciates the work Martinez has put in and its sincerity in trying (belatedly) to comply with the law. Nevertheless, we do not believe the draft, as it stands, is close to compliance. We have outlined the draft’s major shortcomings in this letter, and we ask the City to correct them before submitting the draft to HCD.

I. The City Must Conduct a More Thorough Autopsy of the Prior Housing Element and Incorporate the Lessons into This Cycle’s Housing Element

Each cycle’s Housing Element must include a review of the successes and failures of the previous cycle’s. (Gov. Code § 65588.) The lessons from these successes and failures, furthermore, must be incorporated into the Housing Element’s programs and policies. Although the current draft analyzes the prior Housing Element (pp. 172-84 of the Housing Element Background Report (“HBR”)), it does not do so in sufficient detail, and the programs proposed for the current cycle do not adequately address the failures identified in the analysis. This is particularly worrying given that Martinez did not meet its Regional Housing Needs Determination (“RHND”) targets at any income level last cycle and produced *zero* units affordable at the low- and very low-income levels (against a RHND of 196) and *one* unit affordable at the moderate income level (against a RHND of 77).

Specifically, the draft should be revised on the following points:

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- Analyze the factors that led the City to fall so far short of its RHND last cycle and develop programs to fully address them. In particular, the draft should assess the extent to which the City's failure to follow through on many of the programs outlined in the previous Housing Element contributed to the egregious RHND misses. The City should provide concrete assurances that this will not happen in the current cycle.
- The draft identifies staff turnover as a barrier to the City's failures in the previous cycle (HBR pg. 173). It does not explain, however, what drove this high turnover, nor does it include any proposals to ensure staff retention rates increase to the level necessary to implement the programs in the draft. CalHDF further notes that long-term unfilled vacancies at the City's planning department contributed significantly to this draft's tardiness.
- The draft should provide greater detail on why Program 17 in the prior Housing Element (expedited review, fee reductions, and other support for affordable housing) did not succeed in producing any affordable housing project applications during the prior cycle. The City must do more in the current cycle to stimulate affordable housing development, and the vague language around "modifying" this program is inadequate; concrete solutions are called for.
- Despite Program 21 in the prior Housing Element (encouraging second units), only 29 accessory dwelling units ("ADUs") were built in the prior cycle. For a city of Martinez's size, with many single-family homes on large lots, this is a paltry output. The draft should assess where, specifically, Program 21 and the rest of the prior Housing Element fell short and include programs that will fix those shortcomings. This carries particular urgency given the draft's projection that ADU production will *double* in the current cycle (HBR pg. 107). For example, Martinez's ADU ordinance appears to be several years out of date with state law requirements. The city should explain whether it failed to implement state ADU standards under the prior Housing Element, and whether outdated local codes were an impediment to second unit permitting.
- The prior Housing Element included Program 24 to ensure residents with disabilities who needed reasonable accommodations to modify their home, but the draft indicates the City received no requests for reasonable accommodations. The draft should examine why this was and, to the extent it reflects deficiencies in the prior Housing Element, propose programs to correct the problem.
- The draft should explain why Program 22 (revisions to parking requirements for multifamily housing) was not implemented and analyze the extent to which this failure impeded multifamily housing production. The City should be especially

concerned here given the draft's comment that developers have flagged current parking requirements as "egregious" (HBR pg. 120).

Overall, the City did poorly in implementing the previous cycle's Housing Element, and the programs it did implement failed to produce more than a single unit of housing affordable to low- and moderate-income families. To achieve compliance, the current cycle's Housing Element should conduct a more detailed postmortem and, crucially, offer solutions to guarantee these problems do not recur.

II. Further Analysis of the Constraints on Housing Production, and Programs to Address These Constraints, Are Necessary

The Housing Element must identify governmental and non-governmental constraints on housing production (the "constraints analysis") and include programs to address them. (Gov. Code § 65583, subds. (a)(5)-(6).) The current draft's constraints analysis falls short. Although it lists a number of constraints on housing production, it makes little effort to quantify their impacts, either in relative or absolute terms.

A. Land Use Controls

Regarding setback requirements, the draft states merely that "the City's setback requirements are comparable to other communities throughout the region and do not constrain the permitted uses and densities." (HBR pg. 47.) Assertions like this require evidence. The City should also examine whether relaxed setback requirements would ease constraints on residential development before making such conclusory statements.

The treatment of the City's current height limits, site coverage maximums, floor area ratio ("FAR") limits, and landscaping and open space requirements is similarly lacking. Height limits are presented as "a potential constraint to multifamily projects," (HBR pg. 47) but the draft, although required to address this, makes no proposals to ameliorate this constraint. The draft goes into detail on current FAR limits and site coverage maximums but then makes no effort to evaluate the magnitude of their impact on housing production nor any effort to reduce that impact. Open space requirements, the draft tells us, "may preclude developments [...] at maximum densities." (HBR pg. 48.) Again, more is required! The draft should assess the impact in more concrete terms and take steps to address it. Finally, the current draft includes a promise to study waiving landscaping requirements for certain projects (pg. 18 in the Housing Plan ("HP")) but does not – though it should – analyze these as a constraint.

More broadly, the draft goes through current zoning and land use restrictions in great detail but skips analyzing their effect on housing production in any detail. Some efforts are promised to address these restrictions' ill effects, but the current draft gives the reader no confidence that these fixes are well-tailored to the problem. This bears special emphasis in

light of the draft's acknowledgement that "developments in Martinez have typically occurred at or slightly below the maximum permitted densities," (HBR pg. 86) suggesting that current density limits are a major barrier to more housing construction in the City.

B. Parking Requirements

The constraints analysis lays out Martinez's current off-street parking requirements for housing developments. But it does not explore how these requirements impact housing production and affordability. It states merely, "excessive parking standards can pose a significant constraint to the development of housing." Such cursory language does not satisfy the Housing Element Law. The City must take a closer look at precisely how much of an effect current parking requirements have, particularly in light of how high they are. The required 2.25 spaces per unit of multifamily housing merits particular attention, especially given that developers flagged them as a major concern and service providers suggested allowing developers to provide bus passes to tenants in lieu of parking spaces. (HBR pg. 120.) Also of note is the City's admission that the current supply of parking is more than adequate, at least in the downtown area. (HBR pg. 55.)

Once the draft includes this further analysis, the City must address it. The Housing Element should do more than "study" reducing parking requirements (Program 11), promise that rezoning efforts will establish new parking requirements (Program 13), and note that projects under the state's Density Bonus Law may provide less parking (Program 15). Parking requirements are a major cost driver for housing, and they deserve serious attention and serious policy commitments.

C. Emergency Shelters

The constraints analysis should identify and analyze constraints on construction of emergency shelters, specifically, as required by the Housing Element Law. The current draft addresses emergency shelters in many places, but the constraints analysis does not explicitly analyze the barriers to their construction or operation. This must be fixed before the draft can be deemed compliant.

D. Fees

Fees are a major impediment to housing production, and the constraints analysis should do more here as well. Although the draft provides an in-depth look at fees imposed on housing developments, it only minimally speaks to the impact of these fees on housing production, and it proposes no major programs to address that impact. The draft alleges, "the City's fees do not constrain housing supply or affordability," but the only support for this lies in the City's comparisons to neighboring jurisdictions and "ongoing development and input from the development community." (HBR pg. 81.) CalHDF does not mean to be a broken record

here, but – again – the statute demands more. The City cannot simply explain its fee burden in detail and then forgo serious analysis of that burden (ideally analysis that tries to quantify the problem). It must conduct such an analysis and then, crucially, tailor the Housing Element’s programs in response.

E. Permitting

With respect to permitting rules and procedures, a similar critique is in order. While the reader comes away with a clear picture of the City’s current practice, they gain little understanding of how permitting rules and procedures affect housing construction and costs. Among other things:

- The draft claims design guidelines “have not been identified as a constraint” but does not elaborate on why. (HBR pg. 76.) This is concerning because, on the same page of the draft, the City states multifamily projects must “file a design review application that typically takes between two to eight months to process.” That is a substantial delay, and claiming it has no impact on housing construction costs beggars belief. The City should engage more seriously with the effect design review has on housing production and costs, and it should consider policies to minimize that effect.
- In the analysis of non-governmental constraints, the draft mentions developers took nearly six years, on average, to request building permits for multifamily projects. (HBR pg. 86.) The draft conjectures this period will shorten in the future, but it offers scant evidence. In making revisions, the City should examine whether and how the current permitting rules and procedures – or any other aspect of city policy – delay requests for building permits. If problems are found, programs should be drafted to fix them.

F. Non-Governmental Constraints

The portion of the constraints analysis dedicated to non-governmental constraints on housing production misses the mark by a wide margin. The City seems to have taken the attitude that its ability to address these factors is “negligible,” and that its Housing Element therefore need not include programs to address them. (HBR pg. 84.) The draft describes non-governmental constraints but does little to blunt their impact. That will not suffice. The Housing Element Law states: “The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality’s planning for the development of housing for all income levels and the construction of that housing.” (Gov. Code § 65583, subd. (a)(6).) CalHDF urges the City to respond to this mandate rather than ignore it.

III. The Proposed Overlay Zones Will Not Satisfy the Law

The current draft describes a rezoning program to satisfy Government Code section 65583.2, subdivision (h). (HBR pg. 108.) This program relies on overlay zones in many places. A recent Court of Appeal decision, however, held that overlay zones do not satisfy section 65583.2, subdivision (h). (*See Martinez v. City of Clovis* (5th Dist. April 7, 2023) No. FO82914, --- Cal.App.5th ---, 2023 WL 2820092 (finding city's housing element non-compliant despite HCD certification because minimum densities beneath the overlay zone fell short of the standards in Gov. Code § 65583.2, subd. (h)).) The next draft of the Housing Element must eliminate the base zoning beneath the proposed overlay zones to the extent it falls below the Housing Element Law's minimum density requirements.

IV. The Current Draft Does Not Adequately Address Fair Housing Concerns

Housing Elements now need to include an assessment of fair housing problems in the jurisdiction, along with the jurisdiction's fair housing goals, metrics for progress on those goals, and strategies for achieving them. (Gov. Code § 65583(c)(10)(A).) Martinez's draft includes this assessment, but it leaves out crucial components and neglects analyzing important fair housing issues. Most notably, the draft does not lay out metrics for assessing progress towards the City's fair housing goals, nor does it analyze how likely its strategies are to succeed on those metrics. On top of that, the City should add the following to its fair housing assessment:

- An account of the historical contributors to patterns of segregation and poverty (and programs to rectify them as well as metrics to evaluate the programs' success).
- A discussion of the extent to which disproportionate increases in cost burdens for renters, as opposed to homeowners, presents a fair housing issue. The draft states, "From 2010 to 2019, renters saw a large rent increase of 43.9 percent while homeowners experienced a 3.9 percent increase in housing costs." (HBR pg. 33.) This is a fair housing concern, and it merits serious analysis (and corrective policy programs and metrics for those programs' success).
- An analysis of whether the City's relative dearth of multifamily housing, and the current geographic distribution of multifamily housing, contributes to fair housing problems. CalHDF notes "the southern portions of the City [which are predominantly single-family residential zones, many of which require large lot sizes] have census tracts with higher economic scores" than other areas of the City. (HBR pg. 154.)
- A look at whether the tendency among East Bay homeowners (identified on pg. 107 of the HBR) to make their ADUs available to friends and family rather than renters on the open market contributes to patterns of segregation and poverty. This trend may reduce the impact ADUs in single-family neighborhoods have on racial and

economic integration, and the City should analyze that potential effect, as well as devise ways to address it.

V. The Site Inventory Needs Additional Work

A key component of the Housing Element is its site inventory, which must meet numerous statutory requirements. The current draft's site inventory measures up to many of these requirements, but it falls short on others and must be amended.

A. Projected Number of Units for Sites in the Inventory

For each site in the inventory, the Housing Element must provide the number of units the site can be expected to produce, based on calculations following a specific methodology. (Gov. Code § 65583.2, subd. (c).) If a site is zoned with a minimum density, the City may use that as the basis for the projected number of units on the site. Otherwise, a more detailed analysis is necessary. (*Id.* at subd. (c)(1).) The projected number of units must also be adjusted up or down based on relevant information in the constraints analysis, typical densities of residential developments at similar affordability levels in the City, and the site's access to utilities. (*Id.* at subd. (c)(2).)

The draft fails to provide this statutorily required assessment of each site's capacity. It contains a high-level explanation of why the City expects vacant and underused sites to develop at 80 percent of the zoned capacity, but the sites are not assessed individually. The language and context of the statute makes clear such individual assessments are necessary to the extent that different sites face unique circumstances. HCD has issued guidance supporting this reading of the statute. (See Department of Housing and Community Development, Memorandum Concerning Housing Element Site Inventory, Jun. 10, 2020, available [here](#) (providing a sample capacity calculation tailored to an individual site, rather than endorsing a generalized analysis).) In the next draft, the City must ensure site-specific analysis is provided where appropriate.

B. Discontinuation of Existing Uses

Because the draft relies on non-vacant sites to accommodate more than half of its low-income RHND, the City must provide substantial evidence the existing uses of those sites is likely to be discontinued during the planning period. (Gov. Code § 65583.2, subd. (g).) The current draft does not adequately do this. Although it explains that non-vacant sites in the inventory were chosen according to criteria designed to ensure the existing uses would be discontinued, the City cannot rely on such a general level of analysis to satisfy the statute. As the non-vacant sites in the inventory differ from each other substantially, they must analyze the unique features of each site, including existing leases, before it concludes the site is suitable for housing development during the planning period. (See Department of

Housing and Community Development, Memorandum Concerning Housing Element Site Inventory, Jun. 10, 2020, available [here](#) (“nonvacant sites with differing existing uses and lacking in common ownership, whether contiguous or located in the same general area, may not rely on a generalized analysis”).)

C. Utilities Provision to Inventory Sites

The inventory must include a “description of existing or planned water, sewer, and other dry utilities supply, including the availability and access to distribution facilities” for each site. (Gov. Code § 65583.2, subd. (b)(5)(A).) This information is absent from the current draft and must be added before the City can achieve compliance.

D. The City’s ADU Projections Are Too Optimistic

The current draft anticipates 74 ADUs citywide during the planning period. (HBR pg. 107.) This rate exceeds historical ADU production levels by a factor of two, but the draft cites only “the City’s efforts to increase ADU production and the results of” a survey by the Association of Bay Area Governments as evidence for this optimism. Unless the City can provide a better rationale, it should revise its ADU projections downward to be in line with historical trends. Furthermore, the Housing Element should analyze whether the ADUs that are produced will be available to renters on the open market, given that many East Bay ADUs are occupied by friends or family of the owner (*id.*), and adjust ADU projections as necessary to account for this.



The City’s current draft housing element has many problems that will prevent it from achieving compliance. But these problems can be solved. CalHDF hopes the City will take this letter to heart and implement the necessary fixes so it can satisfy the Housing Element Law and receive HCD certification as quickly as possible.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

Dylan Casey
CalHDF Executive Director



Courtney Welch
CalHDF Director of Investigations and Enforcement



City of Martinez
City Council/Planning Commission Joint Meeting
Public Review Draft 2023 - 2031 Housing Element

April 26, 2023



Background

- In 1969, a Housing Element became required by State law, which compels all local governments to do their “fair share” of planning for adequate housing
- The Housing Element is a required section of the City’s General Plan and analyzes housing needs of the community and constraints to housing development
- It lays out the City’s housing policies and identifies goals and programs that guide housing related actions



Background - RHNA

The Association of Bay Area Governments (ABAG) allocates the Regional Housing Needs Allocation (RHNA) to local governments based on methodology, which considers:

- **Access to opportunity** (high resource areas receive more units)
- **Proximity to jobs** (by auto or transit – areas closer to job centers receive more units)
- **Social equity** (areas identified as exhibiting above-average racial and economic exclusion receive an allocation of lower-income units that is at least proportional to its share of households)

Income Level	ABAG RHNA	Martinez RHNA	County Income Range (3-person household)
Very Low-Income (0-50% AMI)	114,442	350	\$0 - \$64,300
Low-Income (50-80% AMI)	65,892	201	\$64,301 - \$98,650
Moderate-Income (80-120% AMI)	72,712	221	\$98,651 - \$154,200
Above Moderate-Income (>120% AMI)	188,130	573	\$154,200 +
Total	441,176	1,345	



Community Engagement

- Joint City Council/Planning Commission Meetings (3)
- Housing Workshop
- Housing Needs and Priorities Survey
- Stakeholder Focus Group Meetings (2)
- Stakeholder Survey
- Public Draft Housing Element 30-day review period



Community Engagement

Initiate

- Evaluate Current Element
- Develop Background Data
- Initiate Public Engagement
- Web Page Launch
- Community Workshop
- Online Community Survey

Summer-Fall
2022

Analyze

- Adequate Sites Analysis
- Assess Housing Needs and Opportunities
- Affirmatively Furthering Fair Housing Analysis

Fall-Winter
2022/23

Draft

- Public Review Draft Housing Element (30 days)
- Public Meetings
- Revise Housing Element to address public input

Spring 2023

Adopt

- HCD Review of Draft Housing Element (90 days)
- Revise to Address HCD Feedback
- Planning Commission & City Council Hearings
- Adopt Substantially Compliant Housing Element

Summer/Fall
2023



Community Engagement

- Public Review Draft Housing Element – Comment period closes April 30, 2023
- Revised Housing Element will be submitted to the Department of Housing and Community Development for a 90-day review period (May – August 2023)
- Adoption Draft Housing Element will be brought to the Planning Commission and City Council for consideration (September 2023)



Discussion: Housing Element Contents

Housing Plan

- Introduction
- Goals and Policies
- Programs

Background Report

- Introduction
- Housing Needs Assessment
- Housing Constraints
- Housing Inventory
- Affirmatively Furthering Fair Housing
- Evaluation of the 2015-2023 Housing Element
- Other Requirements

Appendices



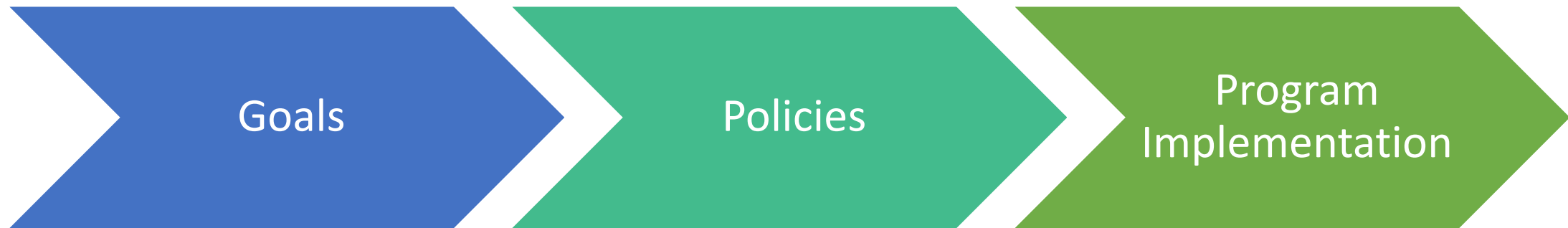
Discussion: Housing Element Contents

Background Report

1. Introduction
2. Housing Needs Assessment
3. Constraints
4. Inventory of Residential Sites
5. Affirmatively Furthering Fair Housing
6. Review of Past Performance
7. Other Requirements



Discussion: Housing Plan



- The **Goals** and **Policies** specify the City's plans for meeting the existing and projected comprehensive housing needs of Martinez
- The **Programs** specify the actions the City will take to ensure housing needs are met



Discussion: Housing Plan Goals

- Diversifying Housing. Providing a variety of housing types affordable to all income levels, allowing those who work in Martinez to also live here.
- Improving Housing Affordability. Encouraging a range of affordable housing options for both renters and homeowners.
- Preserving Housing Assets. Maintaining the condition and affordability of existing housing and ensuring development is consistent with the surrounding neighborhood context.
- Removing Governmental Constraints. Minimizing governmental constraints under the City's control to facilitate the provision of housing and encouraging innovation in housing design, ownership and living arrangements.
- Advancing Equal Housing Opportunities. Enabling opportunities for residents, including special needs populations, to reside in the housing of their choice.



Discussion: Housing Plan Programs

- There are 30 programs in the Housing Plan
- Each program includes the following:
 - Title
 - Description
 - Responsible Department/ Agency
 - Funding Sources
 - Program Objectives/ Timeframe

Example

PROGRAM 18: COORDINATE WITH HOUSING SUPPORT SERVICE AGENCIES

Support efforts of countywide social service agencies in their attempts to provide housing for special need groups. The City will provide information and referrals to County agencies and local service providers for those seeking health and human services assistance. Information on County programs and programs operated by local service providers and non-profits will be made available at the City's public counter and links to County agencies and local service providers will be provided on the City's website.

Responsible Department/Agency: Planning Division; City Manager's Office

Funding Sources: General Fund

Objectives and Timeframe:

1. Continue participating in the Contra Costa Continuum of Care (ESG funds) and Urban County/HOME Consortium (HOME funds), to ensure services are made available to Martinez. Provide information on County programs at City Hall and include program information, including health, human assistance, senior, and homeless programs, on the City's website.
2. Support efforts of countywide social service agencies in their efforts to provide housing for special needs groups through coordinating an annual meeting with County social service agencies to identify housing needs of the community, services available to meet the needs, and additional funding sources or programs that may be available to assist in meeting needs.



Discussion – Housing Plan Programs

1. Partnerships for Affordable Housing
2. Affordable Housing Funding Sources
- 3A. Public Property Conversion to Housing
- 3B. City-Leased Property: Relocate City Corporation Yard
4. Accessory Dwelling Units and Junior Accessory Dwelling Units
5. Provide Information on Housing Programs
6. Housing Choice Voucher Rental Assistance
7. Housing Element Monitoring/Annual Reporting
8. Preservation of Existing Affordable Housing
9. Housing Rehabilitation and Code Enforcement
10. Monitor Changes in Federal and State Housing, Planning, and Zoning Laws



Discussion – Housing Plan Programs

11. Zoning Ordinance Amendments
12. Downtown Specific Plan Implementation
13. Adequate Sites for Lower-Income Housing
14. Governmental Transparency
15. Access to Opportunities, Density Bonuses, and Incentives
16. Affirmatively Further Fair Housing
17. Coordinate with State, Regional, and Contra Costa County Agencies on Housing, Transportation, and Climate Change
18. Coordinate with Housing Support Service Agencies
19. Fair Housing Services
20. Affordable Housing Resources for Renters and Owners



Discussion – Housing Plan Programs

21. Monitor Residential Capacity (No Net Loss)
22. Replacement Housing
23. Universal Design and Accessibility
24. Reasonable Accommodation Procedures
25. Homeless Continuum of Care
26. Ongoing Community Education and Outreach
27. Green Building Program
28. Energy Conservation Initiative
29. Planning for Water Resources



Discussion: Comparison of RHNA to Inventory of Sites, Approved Projects, and ADUs (see Background Report Table 59)

	Very Low	Low	Moderate	Above Moderate	Total
2023 – 2031 RHNA	350	201	221	573	1,345
Vacant Sites	0	0	(24)	(156)	(180)
Underutilized Sites	(87)	(67)	(26)	(66)	(246)
Pending Projects	(5)	(4)	0	0	(9)
Approved/ Permitted Projects	(10)	0	(69)	(215)	(294)
ADU Capacity	(24)	(20)	(25)	(5)	(74)
Total Existing Capacity	126	91	144	442	803
Remaining Need	224	110	77	131	542



Discussion: Opportunity Sites to Accommodate the RHNA (see Background Report Table 60)

	Very Low	Low	Moderate	Above Moderate	Total
Alhambra Avenue Overlay	90	66	30	40	226
Affordable Housing Overlay	35	26	8	11	80
Community Service Overlay	107	72	0	0	179
Mixed-Use/Housing Overlay	139	105	38	53	335
R-6.0	0	0	0	12	12
R-10	0	0	0	2	2
CC	0	0	3	4	7
DG	13	11	4	4	32
DS	73	56	26	38	193
DT	0	0	8	0	8
Subtotal Opportunity Sites	457	336	117	164	1,074

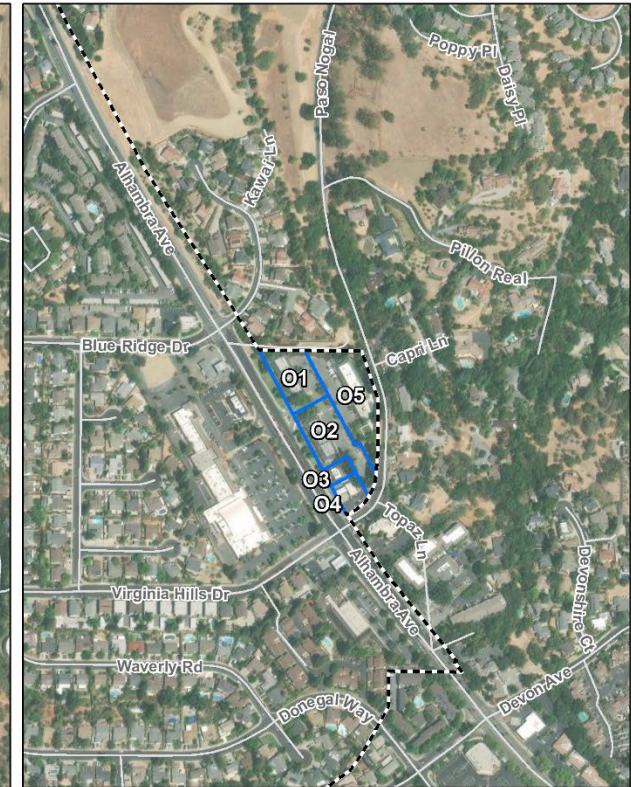
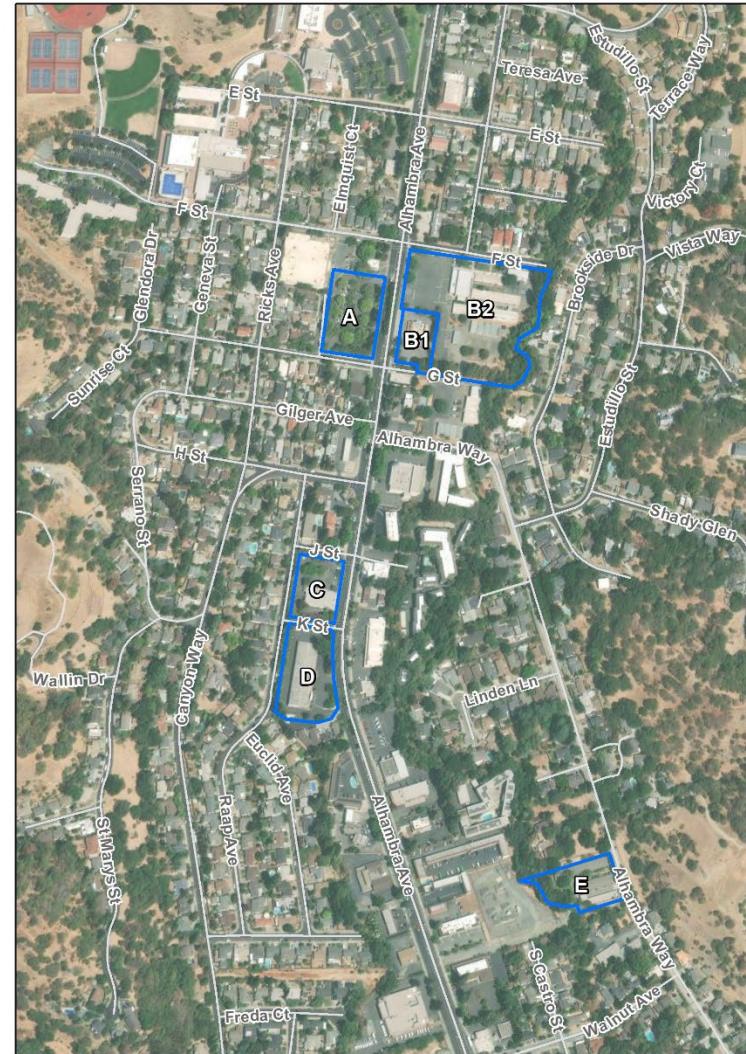


Discussion: Total Capacity - Inventory Sites plus Opportunity Sites (see Background Report Table 61)

	Very Low	Low	Moderate	Above Moderate	Total
Inventory of Residential Sites	126	91	114	442	803
Opportunity Sites	457	336	117	164	1,074
Total Capacity	583	427	261	606	1,877
2023 – 2031 RHNA	(350)	(201)	(221)	(573)	(1,345)
Excess Capacity	233	226	40	33	532



Discussion: Alhambra Avenue Overlay Sites



Alhambra Avenue Overlay Sites

- Martinez City Boundary
- Opportunity Site (Underutilized) with AAO



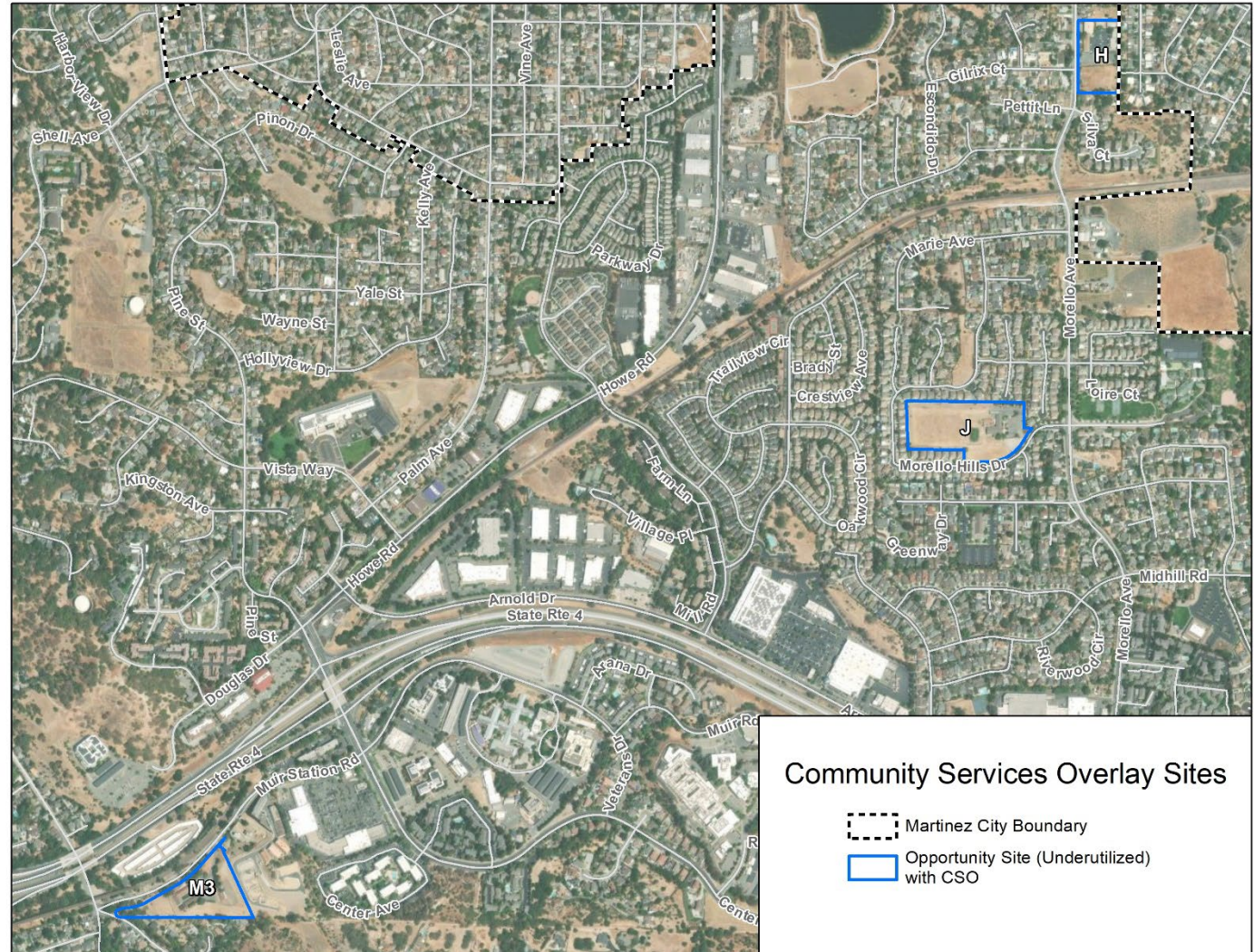
Discussion: Affordable Housing Overlay Sites



Public Review Draft 2023 - 2031 Housing Element



Discussion: Community Service Overlay Sites



Public Review Draft 2023 - 2031 Housing Element



Discussion: Mixed-Use Overlay Sites





Public Comments

Public comments received:

1. Thousand Friends of Martinez Housing Element Study Group, 4/23/23
2. California Housing Defense Fund, 4/25/23



Recommendation

Staff recommends that the City Council and Planning Commission provide feedback on the following:

1. Proposed Sites Inventory and if any sites should be added or removed.
2. Proposed programs in the Housing Plan.



Questions?

- Additional questions from City Council and Planning Commission?