

1. Introduction

1.1 PURPOSE

The purpose of this document is to update Orinda's Housing Element to plan for the housing needs of current and future residents of Orinda and to comply with state law. The element also plans for the conservation of the city's existing housing stock through programs that assist Orinda residents with home improvement and conservation. The element is intended to benefit all Orinda households, with a particular emphasis on seniors, persons with disabilities, and persons of low and moderate incomes.

Section 65302(c) of the California Government Code requires every county and city in the state to include a housing element as part of their adopted general plans. Article 10.6 of the Government Code indicates that the element shall consist of an "identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing."

This legislation further states that the element "shall identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and shall make adequate provision for the existing and projected needs of all economic segments of the community."

The Housing Element of the Orinda General Plan is an official policy statement of the City regarding the type and amount of housing to be provided in the community. In setting forth local housing policy, the Housing Element reflects existing conditions, constraints, and opportunities for improving and expanding the housing supply. As required by state law, this element addresses four specific aspects of housing in Orinda: (1) quantity; (2) quality; (3) affordability; and (4) accessibility.

As is characteristic of all General Plan elements, the Housing Element is both comprehensive and general in nature. It is *comprehensive* in that it includes discussions on population and employment trends, household characteristics, special housing needs, non-governmental and governmental constraints, the preservation of existing affordable housing, opportunities for energy conservation, and other topics. The element is *general* in that it discusses policies and programs rather than specific projects. Its policies are intended to guide housing decisions throughout the city rather than decisions on a particular site or for a particular target population. However, the element will be consulted in the future as specific projects are proposed.

This document is intended to be a dynamic, action-oriented planning tool. As such, it will be periodically reviewed and updated in response to changing conditions within the community. Unlike the other elements of the General Plan, which typically have a 15- to 20-year time frame, state law sets a shorter time frame for the Housing Element. The element covers an eight-year time frame. This element replaces a Housing Element adopted in 2013 that covered the period from 2007 to 2014. This element covers a period extending from 2015 to 2023.

1.2 CONTENT AND ORGANIZATION

The Housing Element is divided into six chapters and has been structured to comply with state housing element guidelines. The content of the chapters is listed below.

- Chapter 1 provides an overview of the Housing Element.
- Chapter 2 evaluates housing accomplishments over the prior planning period.
- Chapter 3 is a community profile, which includes discussions of population and housing characteristics in order to evaluate housing needs. The housing assistance needs of low- and moderate-income Orinda households are identified in this section.
- Chapter 4 examines the potential to develop additional housing in the city.
- Chapter 5 examines governmental and non-governmental constraints to the provision of housing.
- Chapter 6 includes goals, policies, and implementation programs.

Figure 1.1 shows the location of Orinda relative to the other communities and nine counties that constitute the San Francisco Bay Area.

INTRODUCTION

Figure 1-1: Regional Location



1.3 RELATIONSHIP TO OTHER ELEMENTS AND PLANS

The California Government Code requires internal consistency among the various elements of a general plan. Section 65300.5 of the Government Code states that the general plan (and the parts and elements thereof) shall comprise an *integrated and internally consistent and compatible statement of policies*. In addition to the Housing Element, the Orinda General Plan includes a Land Use Element; an Open Space, Parks, Schools, and Utilities Element; a Circulation Element; a Conservation Element; a Safety Element; a Noise Element; and a Growth Management Element. All of these elements must be internally consistent.

The consistency requirement means that the Orinda General Plan Land Use Map must provide adequate sites to accommodate the need for new housing as identified in this element. If the map does not meet this standard, it must be amended to increase housing capacity.

Similarly, development of the housing sites identified in this element should be facilitated by policies in the Circulation Element. That element proposes a transportation system which provides adequate access to workplaces, schools, shopping areas, and other destinations for existing and future residents, as well as policies addressing topics such as parking and public transit. Other elements of the General Plan relate to environmental quality, the preservation and conservation of natural resources, and public health and safety. The policies and programs in each of these elements were taken into account during the preparation of this Housing Element.

The Housing Element is subject to special requirements that do not apply to other elements of the General Plan. This includes an official state certification process through the California Department of Housing and Community Development (HCD). HCD reviews each section of the element to ensure it complies with the California Government Code. The agency then provides comments indicating the changes that must be made before certification can be granted. A finding of compliance is important to ensure the City remains eligible for state, federal, and county funds for a variety of services and programs, including transportation improvements.

1.4 USE OF RELEVANT AND CURRENT DATA

To properly understand housing, a complete review and analysis of the community's population characteristics and housing stock must be performed. The review and analysis in this element use the most current socioeconomic and building data available. Primary data sources are the 2010 US Census, California Department of Finance updates, and the American Community Survey (ACS). Wherever possible, this Housing Element utilizes data provided by the Association of Bay Area Governments (ABAG) in its Data Profiles for Housing Elements workbook. This information has been pre-approved by HCD. Where appropriate, data from Planning Department files, newspapers, online sources (e.g., median rents from craigslist), and other sources are used. Data sources are cited in tables or footnotes as appropriate.

Because the data was collected from various sources, there may be differences in the totals for the same factors. Moreover, the ACS data is based on a sample of the population and has an acknowledged margin of error. In most respects, the differences are small and should not detract from the overarching purpose of the data, which is to document trends and provide an assessment of housing needs.

1.5 CITIZEN PARTICIPATION

This Housing Element was developed through the combined efforts of City staff, the Planning Commission, the City Council, and Orinda residents. Opportunities for participation included community workshops and Planning Commission and City Council hearings.

Workshops and hearings were advertised on the City's website, newsletter (Orinda Way), weekly e-newsletter (Orinda Outlook), and in the Orinda News, Contra Costa Times, and Lamorinda Weekly newspaper, as well as through fliers posted in City buildings. The Orinda Way is mailed to all addresses in the City of Orinda and the Fall 2014 issue included an article on the Housing Element update. There are 1,718 subscribers to the Orinda Outlook and during the Housing Element update process, seven publications of the weekly e-newsletter included articles regarding the Housing Element. Notices were mailed to property owners and occupants of the six properties, as well as owners and residents within 300 feet of the six sites analyzed in the draft EIR. In addition, e-mail notifications were sent to local housing and service providers, community organizations, and residents and other stakeholders who expressed a desire to be notified of events related to the Housing Element update. The city provided notifications to 122 individuals through mail and email lists. The draft Housing Element was made available for public review at the City's Planning Counter and on the City's website beginning September 2, 2014.

Community Workshops

The City held workshops on June 26, 2014, and July 9, 2014, to provide an overview of the Housing Element and to solicit input from the community regarding housing needs and opportunities. The first workshop included a brief presentation followed by activity stations in an open house format. The second workshop was intended to provide a second opportunity for input from those who could not attend the first workshop and offered the same activity stations.

INTRODUCTION

Activity stations topics included an overview of the Housing Element, housing programs and services, housing types, environmental review, potential housing sites, and ideas and suggestions. Comments were also received via comment cards collected at the workshops and letters and emails following the workshops. A summary of input from both workshops is included in Appendix A.

Planning Commission and City Council Hearings

The City held a series of Planning Commission and City Council hearings to discuss housing sites and review the draft Housing Element. Members of the public were provided the opportunity to provide comments at each hearing. Meetings were held as follows:

City Council - July 15, 2014. City staff provided a report regarding the Housing Element update process and took direction regarding potential sites to accommodate higher-density housing.

City Council – August 5, 2014. The list of potential sites to accommodate higher-density housing for analysis in the Housing Element Environmental Impact Report (EIR) was refined.

Planning Commission – September 9, 2014. The Planning Commission reviewed the first draft of the Housing Element and provided comments to staff. The land inventory was not review as part of this meeting. .

City Council – September 30, 2014. The City Council reviewed the first draft of the Housing Element and provided comments to staff. The land inventory was not reviewed as of this meeting.

City Council – November 5, 2014. The City Council reviewed the second draft of the Housing Element and the draft EIR and directed staff to prepare a third draft of the Housing Element.

Planning Commission – November 17, 2014. The Planning Commission reviewed the third draft Housing Element and provided comments to staff.

City Council – December 9, 2014. The City Council reviewed the fourth draft Housing Element. The City council provided comments to staff and authorized the submittal of the draft to HCD.

INTRODUCTION

Comments

During its review of the draft Housing Element update, HCD received one letter from a resident, Ann Butler, which included a copy of a letter from an attorney, Craig Sherman, representing a local group that entered into a settlement agreement with the City arising from a legal challenge of the City's CEQA document prepared for the 4th Cycle Housing Element.

In her letter, Ms. Butler requests HCD “not consider the City's Housing Element until the City reviews and provides responses responsibly and sensibly to the submitted public input, and revises the DEIR and the draft Housing Element accordingly, as required by the California Environmental Quality Act.” Likewise, Mr. Sherman, requests the City complete the Final EIR prior to selecting an alternative.” In addition, Mr. Sherman raises a point pertinent to the City's CEQA review, not the Housing Element. Responses to comments on the Draft EIR are provided in the Final EIR.

As described in section 1.5, extensive public input was received and considered by the City Council resulting in six drafts of the Housing Element update before it was transmitted to HCD for review. Through the extensive public review process, among other things, the City is considering anew whether or not to continue to rely on the zoning on the Santa Maria site to accommodate a portion of the lower income housing allocation. The final decision regarding the existing zoning on the Santa Maria site will be made after the Final Environmental Impact Report prepared for the Housing Element is completed and will be reflected in Chapter Six in Action 3.E.

INTRODUCTION

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