



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** March 19, 2020  
**TO:** Christine Daniel, City Manager  
**FROM:** Charles S. Bryant, Community Development Director  
**SUBJECT:** **Resolution Of The City Council Of The City Of Emeryville Approving The 2019 General Plan Annual Progress Report And Authorizing Submittal To The Governor's Office Of Planning And Research And To The California Department Of Housing And Community Development**

### RECOMMENDATION

Staff recommends that the City Council adopt the resolution accompanying this report that approves the Emeryville 2019 General Plan Annual Progress Report, including the Housing Element Annual Progress Report and the Housing Successor Report, and authorizes submittal to the Governor's Office of Planning and Research and the California Department of Housing and Community Development.

### BACKGROUND

General Plan. California Government Code Section 65300 requires each city and county to adopt a general plan for the physical development of the jurisdiction. The Emeryville General Plan establishes a vision for the City's long-term growth and enhancement and provides strategies and implementing actions to achieve this vision. State law requires that general plans include seven elements which must cover the following topics: Land Use, Circulation, Housing, Safety, Noise, Conservation, and Open Space. Elements for other topics of local concern may also be included. The Emeryville General Plan includes two optional elements: Urban Design and Sustainability. The City of Emeryville adopted its General Plan, not including the Housing Element, in October of 2009. The current 2015-2023 Housing Element was adopted on November 18, 2014 and certified by the California Department of Housing and Community development on January 28, 2015.

Annual Progress Report. Section 65400 of the California Government Code requires the Planning Commission to prepare an Annual Progress Report addressing the status of the General Plan and progress made toward implementing its goals and policies, including the City's progress in meeting its share of regional housing needs. The progress report must be submitted by April 1 of each year to the City Council, the Governor's Office of Planning and Research (OPR), and the State Housing and Community Development Department (HCD).

Housing Successor Report. California Health and Safety Code Section 34176.1(f) also requires successor agencies to former redevelopment agencies to prepare an annual Housing Successor Report regarding the Low- and Moderate-Income Housing Asset fund.

Organization and Contents. OPR's 2017 General Plan Guidelines include a section on General Plan Annual Progress Reports. It suggests describing General Plan Amendments, development decisions, General Plan implementation, Housing Element implementation, and Housing Successor Annual Report. This General Plan Annual Progress Report is organized in response to that section of the General Plan Guidelines. The OPR Guidelines suggest that the annual report should assess whether any changes are needed to the General Plan; this report concludes that no changes to the General Plan are needed at this time.

## **DISCUSSION**

The 2019 General Plan Annual Progress Report is attached for the Council's review. This is the tenth progress report that is measured against the 2009 Emeryville General Plan. It is the fifth General Plan Annual Progress Report that is measured against the 2015-2023 Housing Element. The State of California has specific reporting rules for housing elements and requires a report format that consists of tables. Progress on the Housing Element is summarized starting on Page 6 of the report and detailed in Appendix B. Progress on the other elements, which are contained in the Emeryville General Plan document, is summarized starting on Page 4 of the report and detailed in Appendix A. The Housing Successor Report is summarized starting on Page 8 of the report and detailed in Appendix C.

### **General Plan Annual Progress Report**

General Plan Amendment. A General Plan amendment was adopted on September 3, 2019, when the City Council adopted Resolution No. 19-131, adopting the 2019-2024 Local Hazard Mitigation Plan and amending the text on Page 6-13 of the Safety Element of the General Plan and the text of Action CSN-A-10, Implementation Actions for Conservation, Safety and Noise and adding the Local Hazard Mitigation Plan as an appendix to the Safety Element of the General Plan.

Development Decisions. Development decisions made in 2019 included Planning Commission approval of an office/lab and retail project at Marketplace Parcel B on Shellmound Street (subsequently appealed to the City Council and approved by the Council in 2020), a temporary emergency shelter for families at the former City Recreation Center on San Pablo Avenue, renovation of an existing four-unit building adding floor area on 64th Street, and conversion of a house to a duplex on 55th Street.

Implementation of General Plan Actions. The General Plan includes 79 actions. Of these, 16 were completed before 2019, and the City made progress on 60 in 2019. No progress was made in 2019 on three actions: PP-A-11 locating a new Police Administration facility, UD-A-10 developing new sign regulations, or ST-A-6 developing an environmentally preferable municipal purchasing program.

## **Housing Element Annual Progress Report**

Housing Development Applications (Table A). In 2019, Planning applications were received for three development projects that would provide 882 new housing units: a duplex conversion adding one unit on 55<sup>th</sup> Street, a 638-unit tower on Christie Avenue named Onni, and a 244-unit midrise building called 58Fifty Shellmound. These projects combined would include 33 very low income, 52 low income, and 64 moderate income units, for a total of 149 affordable units.

Entitlements, Building Permits, and Occupancy (Table A2). In 2019, planning approval was granted for a conversion of a single-family house to a duplex. No building permits for residential units were issued in 2019. Certificates of occupancy were issued for three projects providing a total of 187 units: 125 in Avalon Public Market Parcel D, 61 in the Emeryville portion of the Estrella Vista project, which is partially in Oakland, and one second unit. These projects together include 46 very low income, 22 low income, and 9 moderate income units, for a total of 77 affordable units. One of the Housing Element programs is to update the housing sites inventory; that update is attached and is discussed below.

Regional Housing Needs Allocation (Table B). The implementation period for the Regional Housing Needs Allocation (RHNA) is from July 1, 2014, to June 30, 2022. Since July 2014, 581 dwelling units have received building permits – 39% of the RHNA (1,498 units) at 69% of the implementation period elapsed. Of these, 87 (32% of goal) are very low income units, 19 (9% of goal) are low income units, and 25 (10% of goal) are moderate income units.

Sites Identified or Rezoned to Accommodate Shortfall (Table C). Emeryville did not have a shortfall of housing sites, so the City did not need to identify or rezone additional sites.

Implementation of Housing Element Programs (Table D). The 2015-2023 Housing Element's action program includes 54 programs, many of which are on-going City activities. Progress was made on all but one of these programs, which is to provide education and technical assistance to homeowners' associations to keep at least half of their units in ownership to maintain eligibility of the whole complex for FHA loans. Staff plans to initiate this program next year.

Updated Site Inventory Map and Approved Developments Table. One of the programs in the Housing Element is to update Figure 4-1, Residential Site Inventory, and Table 4-2, Planned and Approved Residential Developments, of the Housing Element. The

update is to show progress on the projects listed in the Housing Element table and new projects that have come up since the Housing Element was adopted. The updated map and table are not part of the Housing Element Annual report that goes to the State.

The map, Figure 4-1, shows both the planned (applications submitted) and approved developments in Table 4-2 (sites 1-12) and the vacant and underutilized residential sites in Table 4-3 (sites 12-21) of the Housing Element. Sites 13-21 of the vacant and underutilized sites listed in Table 4-3 have not progressed to planned projects, so those sites are not listed in the updated Table 4-2. The updated table also shows new sites where residential development has been planned (applied for or approved) since the housing element was adopted (sites 22-30).

In Table 4-2, the Ocean Avenue Townhomes project on Site 5 was originally part of the Baker Metal Live/work Project. These projects are proceeding separately so are listed separately in the table. On the map in the Housing Element, the map numbers for those two sites were inadvertently reversed. The updated map has them located correctly - Site 4, Baker Metal, is shown on 65<sup>th</sup> Street, and Site 5, Ocean Avenue Townhomes, is shown on Ocean Avenue.

### **Housing Successor Annual Report**

The Housing Successor Annual Report shows that \$690,275.25 was deposited into the Low and Moderate Income Housing Asset fund in Fiscal Year 2018/19. Expenditures included \$5,364.68 on asset management, monitoring and administration; \$7,864.72 on low-income units, \$13,241.28 on very-low income units, and \$4,880.72 on extremely-low income units for a total of \$25,986.72 on affordable housing development spending. The Housing Successor is working on developing four properties. Of these, Estrella Vista at 3706 San Pablo is under construction; and 3602 Adeline, 6150 Christie, and 5890-5900 Christie are in the predevelopment stage.

### **Housing Committee Comments**

On February 6, 2020, the Housing Committee discussed the updated Housing Element Sites map and table (which are not part of the Housing Element Annual Report), the Housing Element Annual Progress Report, and the Housing Successor Report for 2019. The committee recommended approval of the 2019 Housing Element Annual Progress Report and the Housing Successor Report for Fiscal Year 2018-19.

### **Planning Commission Comments**

The Planning Commission reviewed the report on February 27, 2020. The Commissioners were pleased at the progress the City is making, especially on affordable housing. The Commission unanimously recommended Council approval of the General Plan Annual Progress Report, including the Housing Element Annual Report and the Successor Agency Annual Report.

## **FISCAL IMPACT**

None.

## **STAFF COMMUNICATION WITH THE PUBLIC**

This report was presented to the Housing Committee on February 5, 2020, and to the Planning Commission on February 27, 2020.

## **CONCLUSION**

Staff recommends that the City Council adopt the attached resolution approving the 2019 General Plan Annual Progress Report, including the Housing Element Annual Progress Report and the Housing Successor Report, and authorizing submittal to the Governor's Office of Planning and Research and the California Department of Housing and Community Development.

**PREPARED BY:** Diana Keena, Associate Planner  
Valerie F. Bernardo, Housing Coordinator

## **APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Christine Daniel, City Manager

## **ATTACHMENTS**

- Residential Sites Inventory Update
- Draft Resolution
- 2019 General Plan Annual Progress Report