# **SB 2 Planning Grants Program Application**



# State of California Governor Gavin Newsom

# Alexis Podesta, Secretary Business, Consumer Services and Housing Agency

# Ben Metcalf, Director Department of Housing and Community Development

2020 West El Camino, Suite 500 Sacramento, CA 95833

Website: http://www.hcd.ca.gov/grants-funding/active-funding/planning-

grants.shtml

Email: <a href="mailto:sb2planninggrant@hcd.ca.gov">sb2planninggrant@hcd.ca.gov</a>

March 28, 2019 Revised July 10, 2019

#### Planning Grants Program Application Packaging Instructions

The applicant is applying to the Department of Housing and Community Development (Department) for a grant authorized underneath the Planning Grants Program (PGP) provisions of SB 2 (Chapter 364, Statutes of 2017). The PGP program is intended for the preparation, adoption, and implementation of plans that streamline housing approvals and accelerate housing production. Please refer to the SB 2 Planning Grants Program Guidelines and Notice of Funding Availability (NOFA) for detailed information on eligible activities, applicants, and awards. If you have questions regarding this application or the PGP, email sb2planninggrant@hcd.ca.gov.

If approved for funding, this grant application will be a part of your Standard Agreement with the Department. In order to be considered for funding, all sections of this application, including attachments and exhibits if required, must be complete and accurate.

Pursuant to Section X of the NOFA, all applicants must submit a complete, signed, original application package and an electronic copy on CD or USB flash drive containing the following documentation, in the order listed below, to the Department by the specified due date in the Notice of Funding Availability (NOFA) in order to be considered for award:

- 1) A complete, signed, original application (the Department will only accept this fillable pdf as the application) with the following attachments:
  - a. Attachment 1: State and Other Planning Priorities (All applicants must submit this form to self-certify compliance)
  - b. Attachment 2: Nexus to Accelerating Housing Production NOTE: if the applicant is proposing only Priority Policy Areas (PPA), as defined in section VIII, subsection (3) of the NOFA, do not fill out Attachment 2. However, if the applicant is proposing to fund PPAs AND other activities that are not considered PPAs, the application must demonstrate how these other activities have a nexus to accelerating housing production by filling out Attachment 2 of this application.
- 2) A fully executed resolution authorizing application for, and receipt of, PGP funds (see Attachment 3: Sample Resolution).
- 3) A fully executed Government Agency Taxpayer ID Form (available as a download from the SB 2 Planning Grants webpage at http://www.hcd.ca.gov/grantsfunding/active-funding/planning-grants.shtml).
- 4) If the applicant is partnering with another local government or other entity pursuant to Article II, Section 200 of the SB 2 Planning Grant Program Guidelines (the "Guidelines"), include a copy of the legally binding agreement.
- 5) Other documentation (e.g., letters of support, scope of work, etc.) if needed.

**NOTE:** All local governments must submit a separate, signed application package, notwithstanding whether it will partner with another form of government or entity. Only one application per locality will be accepted by the Department. Joint applications are not allowed.

#### A. Applicant Information

Pursuant to Article II, Section 200 of the Guidelines, local governments may partner through legally binding agreements with other forms of governments or entities. However, all local governments must submit separate, signed application packages that identify their respective responsibilities and deliverables, even if partnering with other entities.

Is the	applican	t partnering with another eligible local government entity?
	*Yes	*If Yes, the application package must include a fully executed copy of the legally binding
	No	agreement. Provide the partners' name(s) and type(s) below for reference only.

Comple	te the following Appli	cant	information				
Applicant's Name			City of Emeryville				
Applican	t's Agency Type		City				
Applican	t's Mailing Address		1333 Park Avenue				
City			Emeryville				
State	California		Zip Code	94608			
County			Alameda				
Website			http://www.emeryvill	e.org/			
Authorized Representative Name			Christine Daniel	Christine Daniel			
Authorized Representative Title			City Manager				
Phone	510-596-4371		Fax	510-450-7831			
Email cdaniel@emeryville.org							
Contact Person Name			Diana Keena				
Contact	Person Title		Associate Planner				
Phone	510-596-4335		Fax	510-658-8095			
Email dkeena@emeryville.org							
Partner(s) Name (if applicable)			-				
Partner Agency Type			-				
Partner(s) Name (if applicable)			-				
Partner Agency Type			-				
Propose	d Grant Amount	\$	160,000				

#### **B. Applicant Certification**

b. Applicant Ce	ICATION	
Planning Grants I	ted by the governing body, I hereby certify that if approved by HCD for funding through ogram (PGP), the City of Emeryville assumes ied in the 2019 Notice of Funding Availability and PGP guidelines, and certifies that ts, and other contents contained in this application are true and correct.	the
Signature:	Christine Daniel, City Manager	
Data	Title	

#### C. Threshold Requirements

Pursuant to Section 201(a) through (d) of the Guidelines, all applicants must meet the following threshold criteria in items 1-4 below to be eligible for an award.

			have an adopte										
$\overline{}$	Yes	Date of H	CD Review Letter	01/28/20	15								
	No												
			quests HCD to co					ance	threshold	as met	due to	signif	icant
Ш	progr	ess achieve	ed in meeting hous	sing eleme	nt requ	irement	S.						
			submitted to the e the date of sub									currei	nt <u>or</u>
$\overline{V}$	Yes		A	\PR					Da	ate Subr	mitted		
	<b>\</b>			CY Report				03/2	1/2018				
	V		2018 (	CY Report				03/2	8/2019				
	No												
		oplicant ut (3) of the l	ilizing one of th	e Priority	Policy	/ Areas	iste	d be	elow (as d	defined	in se	ction	VIII,
			licant is proposing										
	*Yes		ant is proposing to										
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			cant is not propos nent the plans or p										
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		pursuant t	o section VIII, sub	section (3	) of the	NOFA.							
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			proposing PPAs ar nexus to accelera								lialing	HOW U	iese
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			orities, as certifie		•		FIIL VVIL	St	ale	Yes		*No	
*If No	, consi	stency may	be demonstrated st five years, as ce	through a	ctivities	(not ne	cessai	rily p	roposed fo	or SB 2 f	unding	) that	were
			signed resolutio	n include	d with	the app	licatio	on pa	ackage?	Yes		No	
See A	Attachr	nent 3, "Sai	mple Resolution"							100	Ľ		

#### D. Proposed Activities Checklist (Section VI, items (1) through (17) of the NOFA)

Check all activities the locality is undertaking for their PGP efforts below. Activities must match **Section E. Project Description**, and **Section F. Timeline and Budget**.

1	updates to general plans, community plans, specific plans, local planning related to implementation of sustainable communities strategies, or local coastal plans
2	updates to zoning ordinances
3	environmental analyses that eliminate the need for project-specific review
4	local process improvements that improve and expedite local planning
5	a smaller geography with a significant impact on housing production including an overlay district, project level specific plan or development standards modifications proposed for significant areas of a locality, such as corridors, downtown or priority growth areas
6	the creation or enhancement of a housing sustainability district pursuant to AB 73 (Chapter 371, Statutes of 2017)
7	workforce housing opportunity zone pursuant to SB 540 (Chapter 369, Statutes of 2017)
8	zoning for by-right supportive housing, pursuant to Government Code section 65651 (Chapter 753, Statutes of 2018)
9	zoning incentives for housing for persons with special needs, including persons with developmental disabilities
10	rezoning to meet requirements pursuant to Government Code Section 65583.2(c) and other rezoning efforts to facilitate supply and affordability
11	rezoning for multifamily housing in high resource areas (according to Tax Credit Allocation Committee/Housing Community Development Opportunity Area Maps)
12	pre-approved architectural and site plans
13	regional housing trust fund plans
14	funding plans for SB 2 Year 2 going forward
15	infrastructure financing plans
16	environmental hazard assessments; data collection on permit tracking; feasibility studies, site analysis, or other background studies that are ancillary and part of a proposed activity with a nexus to accelerating housing production
17	Other activities demonstrating a nexus to accelerating housing production

#### **E. Project Description**

Provide a description of the project and the scope of work to be performed below. Use Appendix A for additional information if necessary. **Note**: If partnering with another local government or entity, be sure to clarify the responsibilities and deliverables of your locality pursuant to such partnership.

The City of Emeryville wishes to hire a consultant to prepare Objective Development Standards for use in required ministerial approval of residential housing projects, in order to ensure that the design of each such project meets the City's minimum design standards. The goal is to express as much as possible of the residential development standards in Emeryvlle's Zoning Ordinance (Planning Regulations) and the Emeryville Design Guidelines as ministerial checklists of measurable, yes-or-no standards. These checklists will be adopted as new sections of the Zoning Ordinance and Design Guidelines, along with a section of the Zoning Ordinance stating that projects under SB 35, AB 2162 and any similar state laws that limit the City to ministerial review only require Zoning Compliance. The ministerial standards will be applied through Zoning Compliance review for those projects. The application requirements for this type of project will include submittal of a traffic analysis with recommendations and incorporation of the recommendations into the project.

The scope of work includes reviewing the Zoning Ordinance and Design Guidelines to identify standards that can be stated in ministerial form, then write new Objective Design Standards for both of those documents, along with the addition to the Zoning Compliance section of the Zoning Ordinance. The next steps are preparation of a checklist and administrative and public review drafts for Planning Commission and City Council study sessions, revisions per Council direction, and preparation of administrative and public review documents for a Planning Commission hearing and a City Council adoption hearing. Any Council edits from the adoption hearing will be made before the new sections are incorporated into the Zoning Ordinance and Design Guidelines.

These checklists will minimize "personal or subjective judgment by a public official" and minimize delays in processing development applications where SB35 or AB2162 is invoked by providing an "external and uniform benchmark or criterion available and knowable by the the development applicant or proponent and the pubic official prior to submittal." The anticipated outcome is that time needed for approval of such development projects will be reduced. This project will enable developers who invoke State law requiring ministerial review to skip the Planning Commission hearing process. Staff will be able to review the proposed project within 2 months of receipt of a complete application, rather than 8 months for the Planning Commission process.

# F. Project Timeline and Budget

Project Name							
Objective	Responsible Party	Est. Cost	Begin	End	Deliverable	*PPA	Notes
Review Zoning Ordinance	Applicant	32,000	Feb 2020	Mar 2020	List of standards to put in OS	Yes	
Review Design Guidelines	Applicant	12,000	Apr 2020	Apr 2020	List of guidelines to put in OS	Yes	
Write Zoning Objective Stds	Applcant	66,000	May 2020	Aug 2020	Zoning Objective Standards	Yes	
Write Design Guidelines OS	Applcant	22,000	Sep 2020	Sep 2020	Design Guidelines Obj Stds	Yes	
Write Zoning Compliance	Applcant	3,000	Oct 2020	Oct 2020	Zoning Compliance Section	Yes	
Prepare Admin Draft Docs	Applcant	3,000	Nov 2020	Nov 2020	Nov 2020 Compiled docs and Checklist		
Revise per Staff Comments	Applcant	3,000	Dec 2020	Dec 2020	Public Review Draft Docs		
Plan Com & Council Review	Applcant	4,000	Jan 2021	Apr 2021	Notes PC & CC Comments		
Revise per Council Direction	Applcant	4,000	May 2021	May 2021	Admin Draft Docs	Yes	
Revise per Staff Comment	S Applcant	3,000	Jun 2021	Jun 2021	Public Review Draft Docs	Yes	
Plan Com & Council Hearing	Applcant	4,000	Jul 2021	Oct 2021	Adopted docs, CC edits	Yes	
Make Council-directed edit	S Applcant	1,000	Nov 2021	Nov 2021	Final Adopted Docs	Yes	
Incorporate into ZO & D GI	Applcant	3,000	Dec 2021	Dec 2021	ZO & DG with Obj Stds	Yes	
	Applcant					Yes	
	Total Est. Cost \$	\$160,000					

<sup>\*</sup>Priority Policy Area (PPA)

#### G. Legislative Information

District	#	Legislator Name
	13	Barbara Lee
Federal		
Congressional District		
	15	Buffy Wicks
State Assembly		
District		
	9	Nancy Skinner
State Senate		
District		

Applicants can find their respective State Senate representatives at <a href="https://www.senate.ca.gov/">https://www.senate.ca.gov/</a>, and their respective State Assembly representatives at <a href="https://www.assembly.ca.gov/">https://www.assembly.ca.gov/</a>.

#### Attachment 1: State and Other Planning Priorities Certification (Page 1 of 3)

Pursuant to Section 201(d) of the Guidelines, <u>all applicants</u> must demonstrate that the locality is consistent with State Planning or Other Planning Priorities by certifying that at least one activity was completed in 1) State Planning Priorities (i.e., Infill and Equity, Resource Protection, Efficient Development Patterns) or 2) Other Planning Priorities (i.e., Affordability, Conservation, or Climate Change). Consistency may be demonstrated through activities (not necessarily proposed for SB 2 funding) that were completed within the last five years.

Complete the following self-certification by selecting one or more of the policy areas in the following tables by inserting the date completed for each applicable action, briefly describing the action taken, and certifying.

**State Planning Priorities** 

Date Completed	Brief Description of the Action Taken
Promote Infill	and Equity
Rehabilitating,	maintaining, and improving existing infrastructure that supports infill development and
appropriate reu	ise and redevelopment of previously developed, underutilized land that is presently served by
transit, streets,	water, sewer, and other essential services, particularly in underserved areas.
11/30/2018	Annual street paving and slurry seal
09/27/2019	Street light LED retrofit
03/21/2013	ou cot light LLB follont
Seek or utilize	funding or support strategies to facilitate opportunities for infill development.
11/29/2019	Used grant from HCD's Affordable Housing and Sustainable Communities Program to
11/20/2010	renovate San Pablo Avenue median at Estrella VIsta affordable family housing project
	project
Other (describe	e how this meets subarea objective)
Promote Reso	urce Protection
Protecting, pre	eserving, and enhancing the state's most valuable natural resources, including working
	ch as farm, range, and forest lands; natural lands such as wetlands, watersheds, wildlife habitats,
	ands; recreation lands such as parks, trails, greenbelts, and other open space; and landscapes
	que features and areas identified by the state as deserving special protection.
	,
Actively seek a	variety of funding opportunities to promote resource protection in underserved communities.
Other (describe	e how this meets subarea objective)
	icient Development Patterns
	any infrastructure associated with development, other than infill development, supports new
development th	nat does the following:
(1) Uses land e	fficiently.

Attachment 1: State and Other Planning Priorities Certification (Page 2 of 3)

	cent to existing developed areas to the extent consistent with environmental protection.
(=) 10 10 am a a ga	
(0) In Income in	
(3) Is located if	n an area appropriately planned for growth.
(4) Is served by	y adequate transportation and other essential utilities and services.
(5) Minimizes of	ongoing costs to taxpayers.
Other (describe	e how this meets subarea objective)
( 0 0 0 0 1 1 1 1	
	Other Planning Priorities
Affordability	Other Planning Priorities nd Housing Choices
	other mechanisms beyond State Density Bonus Law to encourage housing with affordability
terms.	other modulation boyona state bondity bonds baw to endedrage neading with anorthability
2/22/2018	The City entitled the 500-unit Sherwin-Williams site developmentproject providing 85
	affordable units under Emeryville's local bonus points ordinance.
Efforts beyond	state law to promote accessory dwelling units or other strategies to intensify single-family
	with more housing choices and affordability.
Upzonina or otl	her zoning modifications to promote a variety of housing choices and densities.
10/30/2018	The City upzoned 2.5 acres on the north side of San Pablo Avenue, increasing residential density from 50 units per acre by right/60 with bonus to 85 by right/100 with bonus.
Utilizing surplus	s lands to promote affordable housing choices.
9/24/2019	The City issued an RFP for affordable senior or intergenerational housing at 4300 San Pablo,
	on the site of the former Recreation Department, which had moved to a new City-School facility.
Efforts to addre	ess infrastructure deficiencies in disadvantaged communities pursuant to Government Code
Section 65302.	
Other (describe	how this meets subarea objective)
3 (3.000/100	

Alla	chinent 1: State and Other Planning Phorities Certification (Page 3 of 3)				
Conservation of	of Existing Affordable Housing Stock				
Policies, progra	ms or ordinances to conserve stock such as an at-risk preservation ordinance, mobilehome park				
overlay zone, d	condominium conversion ordinance and acquisition and rehabilitation of market rate housing				
programs.					
2016	The affordable housing rehabilitation program was contracted out to Alameda County Healthy				
	Homes Department, which publicizes the program in Emeryville.				
	ms and ordinances to protect and support tenants such as rent stabilization, anti-displacement				
_	right of refusal policies, resources to assist tenant organization and education and "just cause"				
eviction policies	),				
04/01/2017	An ordinance took effect that limits reasons for evictions, prohibits harassment of tenants,				
	requires notice of tenants rights, and requires landlords notify the City of eviction notices.				
Othory (along with a	how this property only and a his office)				
Otner (describe	how this meets subarea objective)				
	-				
Climate Adapta	ation				
	rds, zoning and site planning requirements that address flood and fire safety, climate adaptation				
and hazard miti					
and nazara mit	gation.				
Long-term plani	ning that addresses wildfire, land use for disadvantaged communities, and flood and local hazard				
mitigation.					
09/03/19	The City adopted a new Local Hazard Mitigation Plan as an amendment to the				
00,00,10	General Plan.				
	gagement that provides information and consultation through a variety of methods such as				
	shops, and surveys and that focuses on vulnerable populations (e.g., seniors, people with				
disabilities, hom	neless, etc.).				
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Othor (docoribo	how this mosts subgress ship stire)				
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01-1 01	an Blancina Briggitias Cartification				
State and Otr	ner Planning Priorities Certification				
L cortifu under	nanalty of nativey that all of the information contained in this DCD State Diagning and Other				
	penalty of perjury that all of the information contained in this PGP State Planning and Other ies certification form (pages 9, 10, and 11 of this application) is true and correct.				
Flaming Fliont	les certification form (pages 9, 10, and 11 of this application) is true and correct.				
Contifuing Offici	ials Name:_Diana Keena				
Certifying Offici	ials Name: Dialia Reella				
Certifying Offici	ial's Title: <u>প্রিপ্রপ্রেপ্রিপ্রিপ্রপ্রি</u> City Manager				
Certifying Offici	ial's Signature:				
Certification Date:					

#### **Attachment 2: Application Nexus to Accelerating Housing Production**

Fill out Attachment 2 <u>only if the applicant answered "No" to item 3 in Section C or is utilizing Policy Priority Areas AND other activities not designated as such.</u> Applicants answering "Yes" to question 3 in Section C and utilizing <u>ONLY Priority Policy Areas</u> are automatically deemed to demonstrate a nexus to accelerating housing production, and do not need to complete this form.

Pursuant to section VIII, subsection (4) of the NOFA, applicants shall demonstrate how the application includes a nexus to accelerating housing production. Please complete the following chart by providing information about the current conditions and expected outcomes with respect to the planned activity and housing production. Please attach documentation as necessary and see the NOFA for additional details.

Quantify how the activity accelerates production below and use Appendix B to explain the activity and its nexus to accelerating housing production if necessary.

Type (Select at least one)	*Baseline	**Projected	***Difference	Notes
Timing (e.g., reduced number of processing days)				
Development cost (e.g., land, fees, financing, construction costs per unit)				
Approval certainty and reduction in discretionary review (e.g., prior versus proposed standard and level of discretion)				
Entitlement streamlining (e.g., number of approvals)				
Feasibility of development				
Infrastructure capacity (e.g., number of units)				
Impact on housing supply and affordability (e.g., number of units)				

<sup>\*</sup> Baseline – Current conditions in the jurisdiction (e.g. 6-month development application review, or existing number of units in a planning area)

<sup>\*\*</sup>Projected – Expected conditions in the jurisdiction because of the planning grant actions (e.g. 2-month development application review)

<sup>\*\*\*</sup>Difference – Potential change resulting from the planning grant actions (e.g., 4-month acceleration in permitting, creating a more expedient development process)

#### **Attachment 3: Sample Resolution**

# RESOLUTION NO. 2019-XX A RESOLUTION OF THE [CITY COUNCIL/COUNTY BOARD OF SUPERVISORS] OF \_\_\_[CITY, COUNTY NAME]\_\_\_ AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and
WHEREAS, the [City Council/County Board of Supervisors] of (City/County) desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and
WHEREAS, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.
NOW, THEREFORE, THE [CITY COUNCIL/COUNTY BOARD OF SUPERVISORS] OFRESOLVES AS FOLLOWS:
SECTION 1. The [City Council/County Board of Supervisors] is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application released March 28, 2019 in the amount of \$
SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the [insert designee title, e.g. City Manager, Executive Office, etc] is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the [City/County's] obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").
SECTION 3. The [City/County] shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The [City Council/County Board of Supervisors] hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.
SECTION 4. The [insert the title of City Council/County Board of Supervisors Executive or designee] is authorized to execute the [City/County] of Planning Grants Program application, the PGP Grant Documents, and any
amendments thereto, on behalf of the [City/County] as required by the Department for receipt of the PGP Grant.
ADOPTED, 2019, by the [City/County] Board of Supervisors of the County of by the following vote:
AYES: NOES: ABSENT: ABSTAIN: County Executive ATTEST: APPROVED AS TO FORM:
County Clerk County Attorney

## Appendix A

#### **Appendix B**

Use this page to explain the nexus to accelerating housing production or for project description.