



2023-2031

HOUSING ELEMENT

Town of Danville

Appendix E

Review of Prior Housing Element



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Review of the Prior Housing Element

Goal 1.0: Increase the supply of housing with a priority on the development of affordable housing, including housing affordable to lower income households.

POLICY 1.1: DEVELOP A COMPREHENSIVE STRATEGY TO FACILITATE INFILL RESIDENTIAL DEVELOPMENT THAT PROVIDES AFFORDABLE HOUSING AND/OR HOUSING FOR SPECIAL NEEDS POPULATIONS.

Notes:

As Danville approaches a built out condition, infill development becomes a more important component for meeting future housing needs. Implementation of an effective infill development strategy will require the use of a variety of related strategies, including: (i) mixed use development; (ii) density bonuses; (iii) intensification of underdeveloped lots; (iv) development of second units; and (v) rezoning non-residential land for residential use. The objective of this policy is to facilitate the development of small infill single family and multifamily residential projects that might otherwise not occur, with assistance coming in the form of authorizing project densities to exceed those otherwise allowed by right under current zoning. Authorization of development should be linked to the inclusion of an affordable component and/or the accommodation of the needs of special housing populations.

Programs and Actions Taken:

1.1.1. By the end of 2016, review the merits of establishing, and approve where deemed appropriate, alternatives to density standards (e.g., floor area ratio standards, lot coverage standards and/or other design standards) that would serve as a catalyst for the development of small infill projects.

Actions Taken:

1. Adopted TC Resolution No. 21-2018 approving General Plan Amendment request LEG17-01 (GPA) changing the General Plan land use designation for the east side of El Dorado Avenue from Residential - Single Family - Low Density (1 to 3 units per acre) to Residential - Multifamily - Low/Medium Density (13 to 20 units per acre). Concurrently approved Ordinance No. 2018-03 approving P-1; Preliminary Development Plan - Rezoning request (LEG17-02 PUD) as a Town-initiated rezoning of a 3.24-acre subarea on the east side of El Dorado Avenue from M-30; Multiple Family Residential District to a P-1; Planned Unit Development District and creating area-specific zoning standards to facilitate small lot multifamily development. The P-1 action served to eliminate the need for future development projects proposed in the area to need to secure a legislative action (i.e., a zoning approval) while also implementing design standards that would provide future projects with flexibility in building setback standards as compared with the standards set forth by previously applicable M-30; Multiple Family Residential District standards.
2. Adopted TC Resolution No. 22-2018 approving General Plan Amendment request LEG17-03 amending the definition of net density for the small number of remaining undeveloped or underdeveloped properties designated as Residential - Single Family - Low Density (1 to 3 units per acre) and Residential - Single Family - Medium Density (3 to 5 units per acre) under the 2030 General Plan. The GPA change was made to accommodate development at historic, pre-2030 General Plan residential densities – which based density on gross rather than net acreages. With this change, a projected 15%-25% more individual lots are anticipated to than could have been requested on the affected properties. The potential additional development was an estimated 20-40 additional single family residences between 2017 and 2030 - the horizon year established in the Danville 2030 General Plan.

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3. As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - “In recognition of the staff effort committed from Fall 2019 through to June 2020 to roll out three “permit-ready” ADU options, as well recognition of anticipated enhanced staff effort to process ADUs once the program is operational (an annual tripling of ADUs is anticipated), no additional work on Housing Implementation Measure 1.1.1. is anticipated to occur through the end of the current Housing Element Planning Period. With options for permit ready ADUs of 600 square foot, 850 square foot and 1,000 square foot, the permit ready ADU program will result in a measurable increase in the production of housing units in Danville appropriate for low- and moderate-income households by simplifying the design, permitting and construction need for ADUs and by reducing the costs associated with ADUs.”
 4. (As a follow up to approval of LEG17-01 GPA discussed in Entry #1 above) Adopted PC Resolution No. 2020-12 approving Major Subdivision – Tentative Map and Final Development Plan request DEV20-0011 to create a five-unit “motor court” project on the east side of El Dorado Avenue consistent with prior “motor court” projects developed in the area.
 5. In 2021, formalized Residential Development Standards consistent with Senate Bill SB 330 (“The Housing Crisis Act (HCA) of 2019”) to reduce the time it takes to process development applications for new housing and creating a “preliminary application” process that serves to provide developer-certainty on development standards, design guidelines, policies, and fees – with these aspects of the development review process locked in upon the submittal of a preliminary application deemed complete for processing.
 6. Adopted TC Resolution No. 85-2021 identifying applicable objective development standards, subdivision standards, design standards, and minimum submittal requirements related to the implementation of the mandated requirements of State Senate Bill 9 whose passage was intended to “facilitate the process for homeowners to build a duplex or split their current residential lot, expanding housing options for people of all incomes that will create more opportunities for homeowners to add units on their existing properties.” Any application submitted under SB 9 is subject to a ministerial review process, requiring action to be taken based on nondiscretionary, objective development standards, with no public notification nor public hearings. Furthermore, applications submitted under SB 9 are exempt from all otherwise applicable requirements of the California Environmental Quality Act (CEQA). While the State law limits the Town’s discretionary review process for both two-unit housing developments and urban lot splits, the Town may apply objective development standards, objective subdivision standards, and objective design standards contained within various sections of the Town’s Municipal Code. In addition, the Town may establish minimum application submittal requirements which will allow for a thorough and timely review of these applications.
- 1.1.2. By the end of 2016, review, and approve where deemed appropriate, a tiered density bonus program based on lot size to encourage consolidation of small lots for multifamily residential projects.
- Actions Taken: No action taken during the 2015-2022 Planning Period to consider change to a tiered density bonus program.
- 1.1.3. By the end of 2016, review the merits, and approve where deemed appropriate, reduced side and rear yard minimum setbacks for smaller multifamily properties to facilitate their development.
- Actions Taken: As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - “No additional work on Housing Implementation Measure 1.1.3. is anticipated to occur through the end of the current Housing Element Planning Period. The impending delivery by Danville of three options for permit ready ADUs. when coupled with the anticipated effects of statewide changes dealing with ADUs going into effect in early 2020, will reasonably result to production of an additional 25 to 50 ADUs each year over historic production rates. This enhanced yield of ADUs will result in the equivalent of adding one to two acres of multifamily residential in Danville annually – and will result in development of units that are more appropriate for low-

and moderate-income households than could be anticipated to be delivered by market rate housing projects on multifamily designated property without significant financial subsidy.”

- 1.1.4. On an ongoing basis, continue to encourage and facilitate the consolidation of smaller multifamily development sites through a variety of incentives including, but not limited to, financial incentives; land write-downs; assistance with on- or off-site infrastructure costs; and other pre-development costs associated with the assemblage of multiple parcels.

Actions Taken: No actions were taken specifically addressing this implementation measure during the 2015-2022 Planning Period.

Housing Unit Production:

Projected Unit Production: Not quantified at the time of adoption of the 2015-2022 Housing Element. Actual Unit Production: For other than Entry #6 for Policy 1.1.1., the potential additional development with these actions is estimated to be in the range of 40-80 units (30-65 units net - after accounting for related demolitions of existing units) that would not otherwise have occurred between 2015 and 2030 - the horizon year established in the Danville 2030 General Plan. The net added units resulting from SB 9 (Entry #6 for Policy 1.1.1.) could be relatively extensive by 2030, with initial yield pointing a likelihood of 6-12 net additional units per year.

Evaluation and Recommendation:

Direction contained in Policy 1.1. but should be modified to tie into the development yield tied to implementation of SB 9. In the current draft of the updated Housing Element the policy directive for Policy 1.1. appears as Policy 8.1. and the intent of Programs 1.1.1. is covered in Program 8.1.b. The policy directive for existing Program 1.1.4. is covered by draft Policy 10.2 and draft Program 10.2.a.

POLICY 1.2 PROMOTE MIXED USE DEVELOPMENT PROJECTS THAT SUPPLY HOUSING LOCATED IN CLOSE PROXIMITY TO URBAN SERVICES, SHOPPING AND/OR PUBLIC TRANSPORTATION.

Notes:

Mixed use development combines residential uses with one or more other uses, typically office use and/or retail use. Mixed use development can be either “vertical” integration (i.e., mixing uses within a single structure) or “horizontal” (i.e., mixing uses on a large site, with each use confined to a separate building or portion of the site). The intent of this policy would be to facilitate the development of mixed use projects containing housing that might otherwise not occur, with assistance coming in the form of authorizing underutilized parcels to redevelop at higher densities than would be allowed by right under current zoning. Qualifying projects would be eligible for relaxed development criteria (e.g., would be allowed to provide less parking in recognition that residential uses have a parking demand that is off-peak from the parking demand of most commercial uses).

Programs and Actions Taken:

- 1.2.1. On an ongoing basis, refer commercial project developers to successful housing developers when commercial sites are in the early stages of review so as to encourage developers to consider a mixed use approach inclusive of a residential component.

Actions Taken:

Discussions and referrals occurred over the course of the 2015-2022 Planning Period as called for by this policy.

- 1.2.2. On an ongoing basis, provide incentives, such as density bonuses and increases in floor area ratios, when proposed mixed use development projects include a housing component.

Actions Taken:

1. Adopted TC Resolution No. 56-2016, vacating excess street right-of-way for a mixed use project at 501 Hartz Avenue to facilitate creation of ground floor commercial and three second story residential rental units - in conjunction with a Historic Resource designation for an existing structure on the property and the waiver of a majority of associated development fees and waiver or relaxation of several development standards, including a numerical parking reduction.
2. Adopted PC Resolution No. 2019-07 approving Development Plan (DEV18-20) to allow the construction of a 10,600 square foot two-story mixed-use building on a 0.38 site located at 198 Diablo Road with a concurrent Land Use Permit request (LUP18-0011) to allow inclusion of two proposed second-story residential units (a one-bedroom unit and a two-bedroom unit) with a Variance request (VAR18-0010) to allow the project to have a 38% dependency on off-site municipal parking.

Evaluation and Recommendation:

Policy 1.2 is recommended for retention. Programs 1.2.1. and 1.2.2. are recommended for retention but should be reviewed as far as wording and scope after taking into consideration the characteristics of new housing sites created by land use designation changes in response to the Town's very low-, low-, and moderate-income assignments from its 2022-2030 RHNA. The intent of the directive contained in existing Policy 1.2 and existing Programs 1.2.1. and 1.2.2. are covered in draft Policies 2.1, 2.2, 8.1 and 10.2 and draft Programs 2.1.a, 8.1.a, 8.1.b and 10.2.a.

POLICY 1.3 CONSISTENT WITH THE 2002 AMENDMENT TO CALIFORNIA GOVERNMENT CODE §65852.2 AND DANVILLE'S SECOND DWELLING UNIT ORDINANCE, FACILITATE THE DEVELOPMENT OF SECOND UNITS AS AN AFFORDABLE HOUSING ALTERNATIVE.

Notes:

The objective is to increase upon the relatively strong historic production rate of second units within existing single family neighborhoods. In areas where the dominant land use is single family residential, second units provide a substantial source of housing, typically being housing affordable-by-design to lower income households. A second dwelling unit is an attached or detached residential dwelling unit that includes permanent provisions for living, sleeping, eating, cooking, and sanitation and which is located on the same lot as the corresponding primary residence. It is the Town's objective to increase upon the relatively strong historic production rate of second units within existing single family neighborhoods. To that end, the Town made another round of amendments to the Second Dwelling Unit Ordinance in 2014. In areas where the dominant land use is single family residential, second units provide an important source of housing, typically being housing affordable "by-design" to lower income households.

Programs and Actions Taken:

- 1.3.1. On an ongoing basis, continue encourage development of second units through application of the Town's second dwelling unit ordinance.

Actions Taken:

The 2015-2022 Planning Period saw the majority of units that were developed that were appropriate for low-income households having been developed as second dwelling units (aka "Accessory Dwelling Units" or "ADUs").

- 1.3.2. On an ongoing basis, continue to encourage second units in new construction as a development option to meet the requirements of the Town's Inclusionary Housing Ordinance.

Actions Taken:

1. The 22-unit single family project (“Red Hawk”) at the western terminus of Midland Way complied with the project inclusionary housing requirements by provision of two of twenty-two overall single family single family residential-detached units being built with attached accessory dwelling units (ADUs). As the ADUs were less under 500 square feet in size, they aligned with the HCD-certified 2015-2022 Housing Element framework as “affordable-by-design” units appropriate for low-income households.
2. Adoption of Ordinance No. 2019-04 and approval of TC Resolution No. 31-2019 rezoning the 5.05-acre Tassajara Nursery property at 2550 Camino Tassajara and authorizing development of a single family residential project (“The Collection”) through approval of PUD 18-01/SUB 18-01/DEV 18-09 into 18 single family homes and associated second dwelling units with associated approval of the applicant-requested 20% density bonus resulting in the provision of eight attached square foot Junior ADUs whose size met the standards under the 2015-2022 Housing Element for acceptance as affordable as design ADUs appropriate for use by low-income households.
3. Adopted Ordinance No. 2019-06 and approved TC Resolution No. 46-2019 approving Preliminary Development Plan - Rezoning request LEG 10-04, Major Subdivision request SD 9291, Final Development Plan request DEV 10-72 and certifying a Final Revised Environmental Impact Report and adopting Findings and a Statement of Overriding Considerations, Mitigation Measures and a Mitigation Monitoring and Reporting Program (Magee Preserve - Davidon Homes) authorizing the development of approximately 29 acres (7%) of a 410-acre project site with 69 single family homes seven attached accessory dwelling units (ADUs) with the remaining 381 acres (93%) of the project site to be preserved as permanent open space and public trails.
4. As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - “Significant changes that will affect the review process for ADUs and will lead to an increase in the production of ADUs were put in motion at the state level in 2019, culminating with the adoption of revised statewide ADU legislation that went into effect on January 1, 2020. Danville prepared and posted an update to its ADU Handout reflective of early summaries of the new state regulations. Danville also launched efforts to prepare and approve permit-ready ADUs to incentivize construction of ADUs. The program will ultimately provide Danville residents with three size options of pre-approved permit-ready detached ADU building plans. These plans will be available for free-of-charge downloading. Because these ADU plans will have been pre-plan checked, they will be eligible for expedited processing and lower building permit fees. Taken together, the state changes for ADU standards (importantly leading to Danville’s removal of owner-occupancy requirements and, under certain circumstances, the ability for properties to provide two ADUs per residential property) will lead to a reduction in market rental rates of ADUs as the changes will result in a measurable increase in the number of ADUs built in Danville. Other jurisdictions that have created permit ready ADU programs (e.g., the City of Encinitas) experienced a tripling of the annual output of ADUs after the programs were introduced. A change in the relative scarcity of number of ADUs that are available will make both existing and future ADUs more affordable to low- and moderate-income households. Significantly, the increase in the number of ADUs moving forward will have occurred at a time where the “buying power” of low- and moderate-income households in the area has substantially increased. The 2014 HCD-published income figures indicated a two-person low income household had an income range that would make rental housing affordable (i.e., <30% of gross household income) where rents were in the range of \$935 to \$1,350 a month. The 2020 HCD-published income figures indicate a two-person low income household now has an income range that would make rental housing affordable (again holding housing costs to <30% of gross household income) where rents were in the range of \$1,305 to \$2,090 a month. At the high end of the ranges, this is a \$740 a month (55%) swing on the relative “buying power” of low income households in the area. With these changes, Danville will recalibrate the size of ADUs it will consider to be affordable by design for low- and moderate-income households

for the 2015-2022 Planning Period. Danville will assume new ADUs delivered in the eight year period to be affordable by design for one- or two-person low income households where the ADU is <851 square feet in size. Additionally, Danville will assume new ADUs delivered in the eight year period to be affordable by design for one- or three-person moderate income households where the ADU is in a size range of 851 square feet to 1,200 square feet.”

- 1.3.3. By the end of 2016, initiate multi-jurisdictional discussions (using the Tri-Valley Affordable Housing Committee or an equivalent forum) with a goal of presenting a coordinated, multi-jurisdictional voice to pertinent utility agencies seeking reduction of capital facility and/or connection fees assessed on new second units.

Actions Taken:

1. Adopted TC Resolution No. 39-2015 adjusting the Tri Valley Transportation Development Fee Schedule pursuant to the requirements of the Tri Valley Transportation Council’s Joint Exercise of Powers Agreement, in part eliminating traffic impact fees on ADUs.
2. Legislative action taken at the State level in 2017 served to restrict utility agencies from assessing capital facility fees for provision of sewer or water service for new ADUs. That action fully addressed the issue identified in this implementation policy. As a result, during the remainder of the 2015-2022 Planning Period, the Town saw a measurable increase in ADU requests as this action served to significantly reduce the development costs associated with construction of ADUs.
3. As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - “The primary focus of the Tri-Valley Affordable Housing Committee during 2019 was tracking statewide housing legislation. Housing legislation going into effect on January 1, 2020, further advanced changes made at the state level in 2017 as regards restrictions on the amount of capital facility fees that may be assessed on new ADUs.

- 1.3.4. By the end of 2015, update and make general distribution (posting on the Tow’s website) of the Town’s “How-To” brochure for development of second units, with updates to include “value engineering” suggestions to assist potential applicants as to ways to minimize development costs associated with construction regulations, impact fees, and capital facility and/or connection fees.

Actions Taken:

1. The “How-to” brochure was updated in early 2015 and then subsequently updated again in mid-2017 to reflect changes to the Town’s Second Dwelling Unit Ordinance (referred to as the Accessory Dwelling Unit Ordinance moving forward) to address changes in state legislation pertaining to accessory dwelling units (i.e., SB 1009, AB 2299 and AB 2406).
2. Another round of updates occurred in 2019 as Danville prepared and posted an update to its ADU Handout reflective of early summaries of the new state regulations.
3. Adopted TC Resolution No. 19-2020 appropriating \$160,000 secured as a Senate Bill 2 grant to develop construction-detailed plans for “Permit-Ready Accessory Dwelling Units”, with the goal to offer property owners a selection of pre-approved and ready-to-construct ADU building plans that met the State ADU unit size restrictions (i.e., ≤ 850 SF) where the plans had completed the plan check review process and were accompanied with a ADU construction guide.
4. These ADU handouts have been revised several times since the initial round of changes and serve to advise residents of the permit-ready ADU program.

- 1.3.5. By the end of 2017, review, and approve where deemed appropriate, amendments to the regulations set forth in the Town’s Second Dwelling Unit Ordinance relative their effectiveness in meeting the intent of Policy 1.3 and the purpose of the Ordinance.

Actions Taken:

1. In late 2014, the Town amended the Second Dwelling Unit Ordinance to be consistent with the directive of SB 2.
 2. Adopted Ordinance No. 2017-05 in 2017 repealing the existing Second Dwelling Unit Ordinance and adopting the Accessory Dwelling Units (ADUs) Ordinance through approval of Zoning Text Amendment ZTA 17-01 – with the new standards incorporating regulations from three state bills (i.e., SB 1069, AB 2299 and AB 2406).
 3. As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - “Danville’s Accessory Dwelling Unit Ordinance was rendered moot by the adoption of new statewide ADU legislation that went into effect on January 1, 2020. The Town has begun the process of amending the prior ordinance to have it align with the new state standards, while working to develop a new local ordinance consistent with the State Law.”
 4. Adopted Ordinance No. 2021-01 approving amendments to the Town’s Accessory Dwelling Unit Ordinance to comply with the requirements of the five separate State laws that went into effect on January 1, 2020, to reduce barriers to ADU development, provide better streamlining of the review and approval processes and to expand capacity to accommodate the development of ADUs and Junior Accessory Dwelling Units (JADUs) while setting minimum development standards.
- 1.3.6. On a unit-by-unit basis, strive to legalize illegal second units if these units meet the requirements specified in the zoning regulations and are modified to address deficiencies identified through a life/safety inspection performed by the Town Building Division.

Actions Taken:

On a unit-by-unit basis the Town actively worked to identify pathways to legalize illegal second units throughout the course of the 2015-2022 Planning Period. Changes to state regulations pertaining to ADUs altered the available options for legalization – e.g., applying retroactive minimum setbacks and height standards that would be available for such units.

- 1.3.7. With a minimum frequency of once every three years, survey second dwelling unit rents to see which income groups they are serving.

Actions Taken:

Reflective of HCD input and concurrence, the Danville 2007-2014 Housing Element assumed accessory dwelling units (ADUs) of up to 750 square feet in size could be reasonably assumed to be appropriate for low-income households and that ADUs between 751 and 1,000 square feet in size could be reasonably assumed to be appropriate for moderate-income households. Changes in market rental rate conditions leading into the start of the 2015-2022 Planning Period prompted Danville, again with HCD input and concurrence, to adjust the assumptions on affordability of ADUs. With the adoption of the 2015-2022 Housing Element, Danville documented that ADUs that were up to 550 square feet in size could be reasonably assumed to be appropriate for low-income households and that ADUs between 551 and 1,000 square feet in size could be reasonably assumed to be appropriate for moderate-income households.

As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - “In recognition of discussion (for Policy TBD) regarding the size of ADUs that may be considered affordable by design to low- and moderate-income households, Danville will review market rate rent conditions once the permit-ready ADU program comes online.”

Housing Unit Production:

Projected Unit Production: 35-70 traditional second units and 20-40 inclusionary second units.

Actual Unit Production: Not calculated as production came on many different “fronts” and is prone to potential double-counting.

Evaluation and Recommendation:

Policy 1.3 and Programs 1.3.1., 1.3.2, 1.3.4., 1.3.6. and 1.3.7. are recommended for retention. The intent of the directive contained in existing Policy 1.3 is covered in draft Policy 6.3. The intent of the directives contained in the Programs recommended for retention are covered in draft Programs 6.3.a (Permit-Ready ADUs – aligning with existing Program 1.3.1.), 6.3.b (ADU regulations - aligning with existing Program 1.3.5.), Program 6.3.c (ADU fee reductions – aligning with existing Program 1.3.4.) and Program 6.3.d (ADU Occupancy Survey – aligning with existing Program 1.3.7.). Existing Program 1.3.3. can be dropped as the state’s action on ADUs relative the ability of utility hookup fees now no longer being able to be assessed for ADUs eliminated the need for its retention. Program 1.3.2. directs support of ADUs to meet Inclusionary Housing obligations and has the intent of the directive covered in draft Policy 6.1 and draft Program 6.1.c. as the existing Inclusionary Housing Ordinance explicitly provides the option of using ADUs to satisfy residential project inclusionary housing obligation.

POLICY 1.4 CONTINUE TO PARTICIPATE IN SUB-REGIONAL INITIATIVES TO GENERATE FUNDING FOR AFFORDABLE HOUSING AND TO PROMOTE THE DEVELOPMENT OF AFFORDABLE HOUSING.

Notes:

The Tri-Valley Affordable Housing Committee (TVAHC) continues to function as the sub-region’s affordable housing forum and Danville will continue to be an active participant. A continuing focus of the TVAHC is the continued support of the Tri-Valley Housing Opportunity Center (TVHOC) in Livermore, operating as a non-profit organization with initial financial support from HUD and the five member cities. The TVHOC offers classes on how to find, qualify for, and buy a home as well as credit counseling and financial preparation. Participants can also obtain information about local (Town/City/County) and lender programs, including down payment assistance programs, first-time homebuyer programs, as well as receiving housing counseling, introduction to mortgage products, etc.

Programs and Actions Taken:

1.4.1. Continue participation in the Tri-Valley Affordable Housing Committee and related support of the Tri-Valley Housing Opportunity Center.

Actions Taken:

(Note the following items are not specifically related to the Tri-Valley Affordable Housing Committee but pertain to sub-regional and regional analysis that occurred during the 2015-2022 Planning Period of pending housing legislation and housing issues.)

1. Adopted TC Resolution No. 16-2019 accepting the Danville analysis and adopting policy positions related to the CASA Compact: A 15-Year Emergency Policy Package to Confront the Housing Crisis in the San Francisco Bay Area.
2. Adopted TC Resolution No. 17-2019 supporting the Tri-Valley Cities Housing and Policy Framework as a supplement to the Tri-Valley Cities Legislative Framework on housing matters.
3. Town Council support (separate from Tri-Valley Housing Committee) of AB 1335 Atkins to generate up to 700 million dollars annually for affordable rental or ownership housing, supportive housing, emergency shelters, transitional housing and other housing needs via a recordation fee on certain real estate transactions.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

To the extent that the Tri-Valley Affordable Housing Committee and the Tri-Valley Housing Opportunity Center (or their successor equivalent entities) continue to be viable and deemed to be a productive option to serve the interests of Town of Danville residents, Policy 1.4 and Program 1.4.1. should be pulled forward into the 2022-2030 Housing Element. The intent of the directive contained in existing Policy 1.4 and existing Program 1.4.1. would be best pulled into modified language for draft Policy 7.2 and draft Program 7.2.a.

POLICY 1.5: MAINTAIN AN UP TO DATE SITE INVENTORY THAT DETAILS THE AMOUNT, TYPE AND SIZE OF VACANT AND UNDERUTILIZED PARCELS TO ASSIST DEVELOPERS IN IDENTIFYING LAND SUITABLE FOR RESIDENTIAL DEVELOPMENT.

Notes:

As part of the 2014-2022 Housing Element update, an analysis of the residential development potential in Danville was conducted. (Refer to Tables 32, 33 and 34 and Figure A of the 2015-2022 Housing Element) Based on that assessment, Danville can potentially accommodate between 875-1,075 new units on vacant or underutilized properties during the current planning period. Sharing this information with potential developers will facilitate the development of new housing.

Programs and Actions Taken:

1.5.1. Annually update the residential development site inventory of the housing element (i.e., Tables 28, 29 and 30 and Figure A) to facilitate the dissemination of the amount, type, location and size of vacant and underutilized land suitable for residential development.

Actions Taken:

1. The residential development site inventory was updated in conjunction with 2016 Contra Costa County ULL Review.
2. The residential development site inventory was again updated in 2018 in conjunction with the review of how development densities are calculated for single family low density and single family medium density properties.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Policy 1.5 and Program 1.5.1. is recommended to be pulled forward into the 2022-2030 Housing Element. The intent of the directives for Policy 1.5 and Program 1.5.1. are covered in draft Policy 10.2 and draft Program 10.2.a.

POLICY 1.6: SUPPORT THE DEVELOPMENT OF ADDITIONAL AFFORDABLE HOUSING BY NON-PROFIT AND FOR-PROFIT DEVELOPERS THROUGH FINANCIAL ASSISTANCE AND / OR USE OF ZONING INCENTIVES.

Notes:

The Town partnered with Bridge Housing, Inc. to develop of a 74-unit rental project in the Downtown area. Subsidies required to make the project affordable to extremely low- and very low-income senior households required Danville's Community Development Agency to pre-assign the majority of future housing set-aside funds

to the payoff of bonds issued for the project. Similar, smaller subsidized housing projects may be possible for other sites in the Downtown area and/or its periphery.

Programs and Actions Taken:

1.6.1. On an ongoing basis, support affordable housing development by fee waiver or reduction, through direct financial assistance, by way of zoning incentives (e.g., density bonuses, relaxation of parking requirements, etc.).

Actions Taken:

Adopted TC Resolution No. 78-2016 accepting and approving the 2016 Downtown Parking Utilization Assessment Study - Final Report implementing effective parking management strategies and identifying the need to develop new public parking resources for the long term economic health of the Downtown and to facilitate additional development in the Downtown.

1.6.2. Continue to direct Successor Agency funds towards the payoff of bonds issued for the existing Bridge Housing senior apartment project).

Actions Taken:

1. Adopted TC Resolution No. 81-2015 SA approving and adopting Recognized Obligation Payment Schedule Successor Agency to the former Community Development Agency of the Town of Danville – in part covering the ongoing bond payment obligations for the Bridge Housing extremely low- and very low-income Senior housing rental project to maintain project affordability.
2. Adopted TC Resolution No. 92-2018 SA appropriating funds from the Low and Moderate income Housing Special Revenue Fund For architectural studies or the BRIDGE Housing-Sycamore Place Seniors Housing Project at 35 Laurel Drive which opened in 2003 and provides 75 units of affordable housing for Extremely Low and Very Low income senior households in downtown Danville. (Note: The Town and former CDA' s financial contribution to the project was funded from the low and moderate housing fund that all redevelopment agencies were required to maintain. Although the CDA was dissolved in 2011, the Town retained the fund balance from the housing fund and is obligated to spend those funds on the creation and/ or rehabilitation of affordable housing units in Danville. The current fund balance in the Low and Moderate Housing Fund at the time of this appropriation was approximately \$1,156,000.)

1.6.3. On an ongoing basis, continue to encourage, through incentives (e.g., parking reductions, etc.), the development of senior housing that offers a wide range of housing choices, for both affordable and market-rate, from independent living to assisted living with services on site, including healthcare, nutrition, transportation and other appropriate services.

Actions Taken:

Beyond ongoing discussions with potential developer interests seeking information about the potential to develop new senior housing, no actions were taken specifically addressing this implementation measure during the 2015-2022 Planning Period.

Housing Unit Production:

Projected Unit Production: 25-50 affordable units.

Actual Unit Production: No additional new residential units associated with a project using financial assistance occurred during the 2015-2022 Planning Period. New residential units associated with a project provided a zoning incentive are not counted here but are tabulated under Housing Unit Production reviews for other Programs (e.g., under section tying back to density bonus).

Evaluation and Recommendation:

Policy 1.6 and Programs 1.6.1., 1.6.2., and 1.6.3. are recommended to be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 1.6. is covered in draft Policy 6.1 and draft Program 6.1.b (Funding Sources to Support Affordable Housing Development) and Program 6.1.e (Waive Processing Fees for Multifamily Lot Consolidations). Draft Policy 6.4 (Available Funding Sources) also overlaps with the intent of the directives for existing Policy 1.6. Draft Program 6.1.b (Funding Sources to Support Affordable Housing) contains language aligned with the intent of existing Program 1.6.2. (Direction on use of Successor Agency Funds). Draft Program 6.1.d (Parking Standards for Different Housing Types) aligns largely with the intent of existing Program 1.6.3. (Use of Incentives – e.g., parking reductions).

POLICY 1.7: STRIVE TO MAINTAIN THE VIABILITY FOR MULTIFAMILY DEVELOPMENT ON THE SITES REDESIGNATED BY THE 2030 GENERAL PLAN IN RESPONSE TO THE 2007 - 2014 RHNA IDENTIFIED IN THE 2007-2014 HOUSING ELEMENT.

Notes:

Analysis done in conjunction with the preparation of the 2007-2014 Housing Element identified a RHNA “shortfall”. The shortfall was established to be a need to designate an additional 8.75 acres of land to a multifamily land use designation with a 25 unit per acre minimum development density (to accommodate 187 extremely low- and very low-income units from the 2007-2014 RHNA) and to designate an additional 1.7 acres to a multifamily land use designation with a 20 unit per acre minimum development density (to accommodate 34 low-income units from the 2007-2014 RHNA). In response to the RHNA shortfall, the Town, by way of the adoption of the 2030 General Plan, designated 8.75 acres to a newly established Residential - Multifamily - High (25-30 units/acre) land use designation and designated an additional 2.0 acres to the Residential - Multifamily - High/Medium (20-25 units per acre) land use designation. The 2030 Plan also served to recalibrate multifamily residential density ranges to accommodate the requisite minimum development densities to serve the extremely low-, very low- and moderate-income components of Danville’s 2007-2014 RHNA. Both properties securing new multifamily residential land use designations were subsequently rezoned by a Town-initiated rezoning action to establish the right to develop at the cited densities as an at-right land use.

Programs and Actions Taken:

1.7.1. On an ongoing basis, continue to work with pertinent individuals and groups (e.g., property owners and prospective multifamily developers) to maintain the continued availability and development feasibility of the properties designated for multifamily use as a result of the 2007-2014 RHNA shortfall analysis.

Actions Taken:

1. Through its approval of a 150-unit for-rent project, the Alexan/Diablo Road RHNA shortfall site on the 3.75 acres abutting the south side of Diablo Road along the east side of the southbound onramp for I-680, the Town culminated a several-year effort to facilitate the redevelopment of an aging office project to a multifamily use. The project site had been identified as a RHNA shortfall site in the Danville 2030 General Plan and secured Residential - Multiple Family - High Density (25 to 30 units per acre) land use designation with the adoption of the 2030 General Plan. That action was followed by a Town-initiated rezoning of the site, eliminating the need for a future development project for the property to secure a legislative action while also implementing design standards that would provide the future project with flexibility in building setback standards when compared with the standards set forth M District standards in the municipal code. As a for-rent project on a RHNA shortfall site, the project was determined to be exempt from an additional CEQA review beyond the program level review secured through the EIR prepared for the 2030 General Plan. As a project invoking a density bonus, the project secured

a 10% relaxation in otherwise applicable maximum allowable floor area ratio – provided as a density bonus project development concession. As a density bonus project, the baseline yield for the site was allowed to increase from 113 units to 150 units - being a 35% density bonus above the top end of the site's 25-30 units per acre density range. The target affordable units to occur on the site were for very low-income households, with a minimum of thirty years of affordability term per density bonus standards.

2. Adopted TC Resolution No. 72-2017, affirming compliance with the Surplus Land Act (Assembly Bill 2135) which requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of surplus land to strengthen priorities for affordable housing in the state's Surplus Land Act.
3. During the later stages of 2017, the Town actively worked with Trammell Crow Residential (TCR) as they were transitioning into the role of project developer for the Alexan/Diablo Road RHNA shortfall project. The effort resulted in an issuance of a determination of "substantial conformance" for project changes proposed by TCR - with all changes having been deemed by the Town to be project upgrades. Securing a "substantial conformance" determination allowed the project to progress with a smoother and faster transition from the 2017 entitlement approval to TCR's building permit submittal – thus avoiding project uncertainty that could have occurred if another round of project public hearings was determined to be required. As a result, TCR moved forward and submitted building permits and ultimately constructed the project.
4. Frequent discussions with potential residential builders occurred in 2019 through 2020 involving the EBRPD/Borel site (being two acres of Residential - Multifamily - High/Medium Density (20-25 units per acre) and five acres of Residential - Multifamily - High Density (25 to 30 units per acre) - as well as being the last undeveloped RHNA shortfall sites created by the adoption of the 2030 General Plan.
5. Frequent discussions with potential residential builders occurred in 2019 through 2020 regarding the Mixed Use Faz Restaurant property in the Downtown Core Area - with a land use designation that would provide residential uses in a 20-25 units per acre range.
6. Ongoing discussions pertaining other, smaller mixed use and multifamily sites were occurred over the course of the 2015-2022 Planning Period.

1.7.2. By the end of 2017 review, and approve where deemed appropriate, amendments to the regulations contained in the Municipal Code that address non-conforming uses to assure significant non-residential reuse of sites designated for multifamily use does not occur without careful consideration through a land use permit review as to whether the proposed reuse of the site would preclude conversion of the site for residential use in the reasonable future.

Actions Taken:

In advance of processing the Development Plan request for the for-rent density bonus Alexan/Diablo Road RHNA shortfall site project, the Town denied the property owner's request for a land use permit to expand and extend the life of the non-conforming office uses that occupy the 3.75 acre site.

Housing Unit Production:

Projected Unit Production: Not quantified

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Policy 1.7 and Programs 1.7.1. and 1.7.2. are recommended to be pulled forward into the 2022-2030 Housing Element. The intent of the directives for Policy 1.7 and Programs 1.7.1. and 1.7.2 are covered in draft Policy 10.3 (Town Leadership) and draft Programs 10.2.a (RHNA Monitoring Program) and 10.3.a. (Zoning to Accommodate RHNA).

POLICY 1.8: SUPPORT THE ISSUANCE OF INCENTIVES TO ENCOURAGE THE REUSE OF UNDERUTILIZED PROPERTIES WHERE MULTIFAMILY HOUSING IS A PERMITTED USE.

Notes:

Several of the remaining vacant or underutilized multifamily residential parcels in Danville are less than one acre in size. (Refer to Table 33 of the 2015-2022 Housing Element) Their relatively small size may serve as a barrier from their being redeveloped with multifamily uses or, as applicable, denser multifamily uses than current present. A zoning text amendment review should be initiated to allow application of a zoning overlay that applies floor area ratio, building coverage and building height standards for these smaller multifamily properties to facilitate their redevelopment with newer, denser multifamily residential uses.

Programs and Actions Taken:

1.8.1. Consistent with Policies 1.03, 1.04, 1.05, and 3.08 of the Danville 2030 General Plan initiate a zoning text amendment by the end of 2017 to create a zoning overlay district for smaller, underutilized multifamily residential parcels to facilitate their redevelopment with new, or denser, multiple family residential uses.

Actions Taken:

1. The Town-initiated reconciliation of the existing zoning/general plan inconsistency along the east side of El Dorado Avenue to correct a mapping error in the 2030 General Plan served to allow the remaining parcels with single family or duet units to be redeveloped in a pattern consistent with the predominant multifamily land uses on the east side of El Dorado Avenue.
2. As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - "In recognition of the staff effort committed from Fall 2019 through to June 2020 to roll out three "permit-ready" ADU options, as well recognition of anticipated enhanced staff effort to process ADUs once the program is operational (an annual tripling of ADUs is anticipated), no additional work on Housing Implementation Measure 1.8.1. is anticipated to occur through the end of the current Housing Element Planning Period. With options for permit ready ADUs of 600 square foot, 850 square foot and 1,000 square foot, the permit ready ADU program will result in a measurable increase in the production of housing units in Danville appropriate for low- and moderate-income households by simplifying the design, permitting and construction need for ADUs and by reducing the costs associated with ADUs."

1.8.2. By the end of 2017 review, and approve where deemed appropriate, amendments to the regulations contained in the Density Bonus Ordinance relative the merits of offering a tiered density bonus program based on lot size to encourage of small lots for multifamily development.

Actions Taken:

As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - "In recognition of the staff effort committed from Fall 2019 through to June 2020 to roll out three "permit-ready" ADU options, as well recognition of anticipated enhanced staff effort to process ADUs once the program is operational (an annual tripling of ADUs is anticipated), no additional work on Housing Implementation Measure 1.8.2. is anticipated to occur through the end of the current Housing Element Planning Period. With options for permit ready ADUs of 600 square foot, 850 square foot and 1,000 square foot, the permit-ready ADU program will result in a measurable increase in the production of housing units in Danville appropriate for low- and moderate-income households by simplifying the design, permitting and construction need for ADUs and by reducing the costs associated with ADUs."

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable

Evaluation and Recommendation:

Policy 1.8 and Programs 1.8.1. and 1.8.2. are recommended to be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 1.8. is covered in draft Policy 8.1 (Infill Development) and draft Program 8.1.b (Lot Consolidation and Redevelopment of Non-Vacant Sites) and Program 6.1.e (Waive Processing Fees for Multifamily Lot Consolidations).

POLICY 1.9: IN PREPARATION OF THE HOUSING ELEMENT PLANNING PERIOD THAT FOLLOWS THE CURRENT 2014-2022 PLANNING PERIOD, MAKE EARLY IDENTIFICATION OF POSSIBLE SITES WHERE RESIDENTIAL DENSIFICATION MIGHT HAVE MERIT.

Notes:

The current RHNA indicates the need for Danville to accommodate the development of 583 new housing units during the 2015-2022 Planning Period. With the provision of these units, Danville will have moved yet closer to a built out condition. While it is not possible to estimate Danville's RHNA for the housing element Planning Period that follows the 2015-2022 Planning Period, it is likely that Danville will need sites for residential densification for that subsequent Planning Period. To be in a position to have those sites available early in the that Housing Element Planning Period, related studies should commence during the later stages of the current Housing Element Planning Period.

Programs and Actions Taken:

1.9.1. During the later stages of the current Housing Element Planning Period, update the Downtown Master Plan and/or prepare one or more planning studies for the area along San Ramon Valley Boulevard between downtown and the south end of the commercial district to facilitate redevelopment and the introduction of additional housing serving the Downtown.

Actions Taken:

1. Approvals in September 2014 updated relevant sections of the Municipal Code necessary to qualify the Danville 2015-2022 Housing Element for expedited review by HCD - with affected code sections including the R-Single Family Residential Ordinance; the D-1: Two Family Ordinance; the M-Multiple Family Ordinances; the Inclusionary Housing Ordinance; the Density Bonus Ordinance; and the Second Dwelling Ordinance while also adding a new Reasonable Accommodation Ordinance and a new Condominium Conversion Ordinance. (i.e., a starting point for the baseline policy document for the 2015-2022 Housing Element Planning Period).
2. Adopted TC Resolution No. 35-2015 approving a Negative Declaration of Environmental Significance and approving General Plan Amendment request GPA 14-01, the update to the Housing Element of the Danville 2030 General Plan (i.e., a starting point for the baseline policy document for 2015-2022 Housing Element Planning Period).
3. As a follow-up to the adoption of the 2016-2021 Comprehensive Economic Development Plan (CEDP), which focused on the enhancement and promotion of a thriving and economically viable downtown, a "white paper" was prepared and presented to the Town Council which, in part, discussed the merits and feasibility of amending the DBD Ordinance to adapt current land use and development standards and to conduct an in-depth feasibility analysis of the "North Hartz" Avenue area. This was followed up by the adoption of TC Resolution No. 18-2017, appropriating \$30,000 to execute a contract to update the Downtown Business District (DBD) Ordinance related to the Downtown Core area and then consideration of Zoning Text Amendment ZTA 17-10 to receive information on economic and market trends, and discuss potential future Commission and Council consideration of amendments to Downtown Business District Areas 1, 2, 2A, 3 and 11. Ultimately no changes were deemed necessary or feasible..

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4. Conducted a Joint Town Council and Planning Commission Study Session to consider proposed changes to the Town's Downtown Business District Ordinance, with potential amendments including updating the use definitions and allowable uses to adapt to changing market demand as well as simplifying and streamlining the land use regulatory process.
 5. Adopted TC Ordinance No. 2017-07, amending the DBD: Downtown Business District to, in part, streamline the regulatory review process.
 6. Adopted TC Resolution No. 41-2021 initiating consultant services for the preparation of a Programmatic Environmental Impacts Report related to the adoption of the 2023-2031 General Plan Housing Element, recognizing that in order for the Town to meet its RHNA a number of parcels throughout the Town will need to be considered for General Plan land use designation amendments and associated rezoning's to provide for additional by-right housing development sites.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Policy 1.9. and Program 1.9.1. are recommended to be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 1.9. is covered in draft Policy 10.3 (Town Leadership) and draft Programs 10.2.a (RHNA Monitoring Program) and 10.3.a. (Zoning to Accommodate RHNA).



Goal 2.0: Improve housing affordability for both renters and homeowners.

POLICY 2.1: SUPPORT THE DEVELOPMENT OF ADDITIONAL AFFORDABLE HOUSING THROUGH REGULATORY INCENTIVES SUCH AS THE DENSITY BONUS ORDINANCE OR FLEXIBLE DEVELOPMENT STANDARDS THROUGH PLANNED UNIT DEVELOPMENT.

Notes:

Consistent with Government Code §65915 and Danville's Density Bonus Ordinance, Danville provides density bonuses and additional housing incentives to qualified new housing projects. The obligation to provide a density bonus is triggered when a residential development sets aside units for one or more of the following: (i) at least 5 percent of the total units as units affordable to very low income households; (ii) at least 10 percent of the total units as units affordable to low-income households; (iii) at least 10 percent unit ownership in a planned development for moderate income households; or (iv) 100 percent of the units for occupancy by senior citizens. Development concessions or incentives may include but are not limited to: (i) a reduction in site development standards; (ii) a modification of zoning code requirements (e.g., a reduction in setbacks); (iii) approval of mixed use zoning (under specified conditions); or (iv) other regulatory incentives or concessions proposed by the developer or the Town which result in identifiable cost reductions. A project that receives a density bonus and concession or incentive must retain affordability of the units for at least 30 years.

Programs and Actions Taken:

2.1.1. Utilize the applicable density bonus regulations to encourage the development of affordable housing.

Actions Taken:

1. Adopted TC Resolution No. 32-2017, denying the appeal of Danville Citizens for Responsible Growth and upholding the Planning Commission's approval of Final Development Plan Request DEV 2016-74 for a 150-unit apartment project at 373-383 Diablo Road that included the provision of rental units for 13 very low-income households. With the action, the appeal was denied and the project approval was upheld – with such action based on the proposed project's conformance with the Town's General Plan, in consideration of Government Code Section 65583.2(D)(i) ("use by right" status for development applications for rental multifamily residential housing), and under Government Code Section 65915 (density bonus statutes).
2. Adopted of Ordinance No. 2018-02 approved "Abigail Place" (SD 9437/FDP 16-0107/ PUD16-0110) rezoning 2.97+/- acre site at 3743 and 3755 Old Blackhawk Road to a new P-1; Planned Unit Development District with applicant-initiated density bonus leading to the creation of a duet unit to supply two single family attached for-rent units for moderate-income households with a thirty-year term of affordability among 19 overall project units.
3. Related action - Adopted TC Resolution No. 80-2020 authorizing the execution of a Regulatory Agreement and Declaration of Restrictive Covenants for the below market rate attached accessory dwelling units (BMR ADUs) required through approval of Final Development Plan request DEV18-09 (Edendale – 2550 Camino Tassajara) – a project with an applicant-initiated density bonus.
4. Related action - Adopted TC Resolution No. 4-2019 authorizing execution of a Regulatory Agreement and Declaration of Restrictive Covenants for the below market rate (BMR) residential units required in Alexan Riverwalk - DEV16-0014 at 373 Diablo Road with the new developer (Trammell Crow Residential - dba MM Danville Apartments, LLC) electing to reduce the project size to 144 units change the project density bonus from 35% to 30% and correspondingly reducing the number of required BMR Units in the project from 13 to 10.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Net added housing units resulting from projects invoking density bonus not calculated.

Evaluation and Recommendation:

Policy 2.2 should be retained and the intent of the directive in Programs 2.2.1. through 2.2.4. should be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 2.2. is covered in draft Policy 8.3 (Density Bonus) and draft Program 8.3.a (Density Bonus Regulations).

POLICY 2.2: PROMOTE ENERGY CONSERVING PRACTICES IN THE LOCATION, CONSTRUCTION, RENOVATION, AND MAINTENANCE OF HOUSING IN DANVILLE.

Notes:

Conservation of energy remains an important issue in housing policy because of historic and projected rises in energy costs. The residential sector offers an opportunity to achieve energy savings through conservation measures, awareness and the application of appropriate technology. Energy consumption can be reduced by assuring new residential development is compact in design; is located near jobs, services, and public transportation; takes into consideration solar orientation; and/or complies with State energy conservation. Conserving energy reduces the percentage of household income devoted to housing related costs through utility bill savings.

Programs and Actions Taken:

.2.1. Using the development review process, integrate new multifamily housing developed in and around the Downtown area through linkages to shopping, transit facilities, and civic uses - maximizing the walkability of the ultimate project design.

Actions Taken:

1. The Alexan/Diablo Road RHNA shortfall project discussed above under Policy 1.2.2 will lead to an installation of a critical pedestrian linkage in the Downtown Area, with the project cost to be initially split 50/50 between developer and the Town and with provision of possible future reimbursement to the developer if abutting private properties redeveloped.
2. The Trammell Crow Residential project was under construction throughout 2019 and the developer is taking the lead to assure the construction of the pedestrian bridge over San Ramon Creek in a partnership with the Town.

2.2.2. Allow minor variations to minimum zoning setbacks where such flexibility serves to increase energy efficiency of new housing units.

Actions Taken:

No variances received during the 2015-2022 Planning Period requesting deviation from underlying zoning setbacks to secure energy efficiency. (Note: The Town has changed the review process for ground mounted solar panels in areas subject to discretionary design review to make these permits ministerial - i.e., building permit only).

2.2.3. Enforce the State's energy efficiency standards for new residential construction and renovations to existing structures (i.e., the 2013 California Energy Code).

Actions Taken:

Standards enforced as required.

2.2.4. Encourage innovative design to maximize passive energy efficiencies. Take into consideration goals and policies of the Sustainability Action Plan (SAP) adopted in March 2013 when reviewing new residential development proposals to help the Town goal of reducing the current level of greenhouse emissions by 15% by the year 2020.

Actions Taken:

1. Adopted Ordinance No. 2015-03 establishing a streamlined permitting process for small residential rooftop solar systems.
2. In 2019 launched an Environment and Sustainability section on the Danville website.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Policy 2.1. and Program 2.1.1. are recommended to be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 2.1. is covered in draft Policy 3.1 (Energy Conservation, Sustainability and Climate Change), Policy 3.2 (Energy Conservation) and Policy 3.4 (Home Energy Retrofit) and, collectively for these three policies, draft Programs 3.1.b (Electrification for New Residential Construction) and 3.1.c (Green Building Incentives).

POLICY 2.3: INCREASE THE SUPPLY OF AFFORDABLE HOUSING AND ENCOURAGE THE DEVELOPMENT OF MIXED-INCOME HOUSING THROUGH THE INCLUSIONARY HOUSING ORDINANCE.

Notes:

The Town's Inclusionary Housing Ordinance was reviewed and updated in 2014. Through the regulations contained in the Ordinance, the Town requires between 10 and 15 percent of housing in new developments be provided as low- or moderate-income housing. Pursuant to the inclusionary regulations, this housing is to be provided with appropriate deed restrictions to assure long term affordability of the below market rate units is maintained. While the ordinance provides an opportunity to use an "in lieu" fee, the Town will continue to use its discretion to push for development of affordable housing within each new qualifying project.

Programs and Actions Taken:

2.3.1. Continue to require new developments to provide the requisite minimum percentage of low or moderate income housing in their project through imposition of the regulations contained in the Town's Inclusionary Housing Ordinance.

Actions Taken:

1. In September 2014, the Town amended the Town's Inclusionary Housing Ordinance – no subsequent amendment of the regulations occurred during the 2015-2022 Planning Period.
2. Adopted TC Resolution No. 8-2015 authorizing execution of a Regulatory Agreement and Declaration of Restrictive Covenants for the Danville Hotel Project for the two below market rate inclusionary units that were required to be made available for moderate-income households for a thirty year term.

3. Adopted TC Resolution No. 55-2018 authorizing execution of a Regulatory Agreement and Declaration of Restrictive Covenants for the below market rate inclusionary unit appropriate for a moderate-income household that was required in the Abigail Place - PUD16-0110/SD 9437/DEV16-0107 project.
4. Adopted Ordinance No. 2010-02 approved on February 16, 2010 (SD 9204/FDP 2007-14/ PUD2007-01) rezoning 0.75+/- acre site at 943 Camino Ramon from M-9: Multiple Family Residential District to P-1: Planned Unit Development District and to subdivide the site to allow development of nine attached single family lots with one below market rate inclusionary unit appropriate for moderate-income households required to maintain a twenty-year term of affordability.
5. Projects greater than eight units in size continued to be required to address Danville's Inclusionary Housing Ordinance. Related actions have been the preparation of a new handout describing the process that would need to be taken to allow temporary rental of ownership below market rate units. That handout was last updated in October 2014.
6. Two significant residential projects secured approvals the later portion of the 2015-2022 Planning Period that will lead to development of units appropriate for low- or moderate-incomes households as a result of the imposition of the Town's inclusionary housing requirements – specifically the Magee Ranch/Davidon Homes project (which would supply ADUs appropriate for low-income households) and the West El Pintado project (which will supply for-sale moderate-income condominiums).

2.3.2. By the end of 2017 review, and approve where deemed appropriate, amendments to the regulations set forth in the Inclusionary Housing Ordinance to assure they continue to meet the intent of Policy 2.3 and the stated purpose of the Ordinance.

Actions Taken:

Merits of making changes were considered during the update of the inclusionary requirements under ZTA 14-06 – with the updated ordinance not changing the threshold for project size (deemed to constitute too large a burden on smaller projects) and not changing the term of affordability (deemed to potentially make units overly burdensome to sell). No subsequent additional review occurred during the 2015-2022 Planning Period.

2.3.3. Review current regulations contained in the Town's Inclusionary Housing Ordinance to address both constraints and opportunities associated with small infill developments.

Action Taken:

This review occurred as part of the review for ZTA 14-06.

Housing Unit Production:

Projected Unit Production: Annual production of 4-8 moderate units and 4-8 low income units.

Actual Unit Production: Not calculated as production came on many different “fronts” and is prone to potential double-counting.

Evaluation and Recommendation:

Direction contained in Policy 2.3 and Programs 2.3.1. and 2.3.2. should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 6.1 (Production of New Lower-Income Units) and Program 6.1.c (Update Inclusionary Housing Ordinance).

POLICY 2.4: CONTINUE TO FACILITATE THE DEVELOPMENT OF HOME OCCUPATIONS TO ENHANCE NEIGHBORHOOD SAFETY, TO CONTRIBUTE TO THE SENSE OF COMMUNITY, TO SUPPORT LOCAL RETAIL BUSINESSES, AND TO LESSEN THE BURDEN OF HOUSING COSTS.

Notes:

Working at home is linked to the affordability of housing because a home-based business may reduce the need to rent business space elsewhere and thereby can lessen a household's overall financial burden by leveraging housing expenses. Home businesses can also save considerable time and expense associated with commuting and allows residents who must be at home a means to supplement their income. The changes the Town has made since the initial adoption of the regulations (including updates made in 2014) have consistently liberalized the range of businesses that may be considered for operation out of the home and the operational restrictions for home occupations (e.g., loosening of restrictions regarding presence of non-occupant employees and allowed daily client visits).

Programs and Actions Taken:

2.4.1. By the end of 2017 review, and approve where deemed appropriate, amendments to the home occupation regulations to assure they continue to meet the intent of Policy 2.4 and of the stated purpose of the regulations.

Actions Taken:

Through the September 2014 approvals of ZTA 14-01, ZTA 14-02 and ZTA 14-03, the Town made a new round of revisions to the regulation further liberalizing what it allows as home occupations. No subsequent additional review occurred during the 2015-2022 Planning Period.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 2.4 and Program 2.4.1. does not need to be pulled forward into the 2022-2030 Housing Element. Ongoing review of the regulations can be assumed to be handled by implementation of the Comprehensive Economic Development Plan (CEDP)

POLICY 2.5: CONVENE THE TOWN COUNCIL IN ITS ROLE AS THE HOUSING ADVISORY COMMITTEE TO PROVIDE A FORUM OF ONGOING REVIEW AND SUPPORT OF THE GOALS, POLICIES AND IMPLEMENTATION MEASURES OF THE 2014-2022 HOUSING ELEMENT AND TO MAKE THE REQUISITE ANNUAL REPORTS OF HOUSING EFFORTS TO HCD.

Notes:

Providing a forum for regular, ongoing review of progress made to implement adopted housing goals, policies and implementation measures will help assure the Town stays on point to develop and implement the programs set forth in the 2015-2022 Housing Element in a timely and thorough manner.

Programs and Actions Taken:

2.5.1. On a minimum once-a-year basis, conduct a noticed public hearing before the Town Council to review progress made to further the goals, policies and implementation measures of the 2014-2022 Housing Element, with such effort to parallel the preparation and submittal of the Housing Element Progress Report to HCD.

Actions Taken:

Following the preparation and Town Council review of Annual Progress Reports (APRs) covering the first couple of calendar years for the 2015-2022 Planning Period, the Town Council has regularly reviewed APRs for the Danville 2015-2022 Housing Element with those reviews being followed by submittal of the APRs to HCD in the requisite format.

2.5.2. Secure direction from the Town Council to prioritize housing implementation efforts on an ongoing basis.

Actions Taken:

See comments for 2.5.1 above.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Policy 2.5. and Programs 2.5.1. and 2.5.2. are recommended to be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 2.5. is covered in draft Policy 10.4 (Annual Report of Housing Element Implementation) and draft Program 10.4.a (Annual Report).

POLICY 2.6: CONTINUE TO EXPLORE OPPORTUNITIES TO UTILIZE RESOURCES OF THE SUCCESSOR AGENCY.

Notes:

With the elimination of redevelopment agencies throughout the state, the Town agreed to take on the task of serving as the Successor Housing Agency to the former Community Development Agency (CDA) of the Town. While the former CDA had actively facilitated the provision of affordable housing in the downtown project area through the use of the CDA's 20% housing set aside funds, the resources of the Successor Housing Agency are considerably more limited and the legal powers/obligations of the Successor Housing Agency have not been clearly defined as of the time of the adoption of the 2014-2022 Housing Element. The Successor Housing Agency does have assets, including ownership of two small parcels of land in the Downtown, which could potentially be sold or used for the provision of affordable housing.

Programs and Actions Taken:

2.6.1. Explore opportunities of the Successor Housing Agency to leverage its remaining assets towards provision of affordable housing units in the community.

Actions Taken:

1. Adopted TC Resolution No. 92- 2018 appropriating funds from the Low and Moderate income Housing Special Revenue Fund For architectural studies or the BRIDGE Housing-Sycamore Place Seniors Housing Project at 35 Laurel Drive. The project opened in 2003 and provides 75 units of affordable housing for extremely low- and very low-income senior households in Downtown Danville. The Town and former CDA's financial contribution to the project was funded from the low and moderate housing fund that all redevelopment agencies were required to maintain. Although the CDA was dissolved in 2011, the Town retained the fund balance from the housing fund and is obligated to spend those funds on the creation and/or rehabilitation of affordable housing units in Danville. The current fund balance in the Low and Moderate Housing Fund at the time of this appropriation was approximately \$1,156,000.00.

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2. The marketing and sale of properties in the Downtown Area held by the Successor Housing Agency prompted parallel consideration and discussion of how to use the proceeds from the sales to further the Town's Housing Element Implementation policies.
 3. Adopted TC Resolution No. 22-2016, approving the purchase of real property located at 115-125 Hartz Avenue from the Successor Agency to the former Community Development Agency of the Town of Danville, appropriating funds for CIP Project C-319 and approving the transfer to funds from CIP Project C-319 related to the purchase.
 4. Adopted TC Resolution No. 23-2016 SA, approving the purchase of real property located at 341 Rose Street from the Successor Housing Agency to the former Community Development Agency of the Town of Danville and appropriating funds for CIP Project C-592 related to the purchase.

Housing Unit Production:

Projected Unit Production: Two replacement units needed at the time of adoption of the 2015-2022 Housing Element.

Actual Unit Production: Need met by the 74-unit extremely low and very low income Bridge/Danville senior apartment project.

Evaluation and Recommendation:

Policy 2.6 and Program 2.6.1 should be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 2.6. is covered in draft Policy 6.1 and draft Program 6.1.b (Funding Sources to Support Affordable Housing Development).

POLICY 2.7: ASSURE THAT ALL AFFORDABLE HOUSING DEVELOPMENT RECEIVING GOVERNMENTAL SECTOR AND/OR PRIVATE SECTOR SUBSIDIZES CONTAIN MECHANISMS PROVIDING FOR LONG TERM AFFORDABILITY.

Notes:

Once affordable housing is developed, it is important to determine ways to assure that the housing continues to be affordable for as long

as feasible. This is especially true of housing projects benefiting from governmental and/or private sector subsidies since the typical magnitude of the required subsidy that is provided to make units available to lower income households is so large that it would be an irresponsible expenditure of funding if a long term of affordability was not built into the project's affordability program.

Programs and Actions Taken:

2.7.1. Maintain affordability for intended period of time through well written contracts and/or deed restrictions and ongoing monitoring for compliance.

Actions Taken:

The Town continued to use deed restrictions to address term of affordability obligations for affordable housing established in Town.

2.7.2. Monitor affordability of units developed through the Town's inclusionary housing program to assure that rents paid and incomes of occupants are consistent with applicable guidelines and/or recorded affordable housing agreements.

Actions Taken:

Note is made of the conversion of the 54-unit Rose Garden and 38-unit Podva/Sequoia Grove apartment projects from their original affordable-by-design status. Both projects had been deemed affordable-by-design as long as all the units in the respective projects were subject to a rental schedule making them affordable to households earning median income. With the change, 15% of the units in the respective projects were required to be documented to be occupied by qualifying households whose incomes have been reviewed by the Town to assure incomes are at, or below, 110% of median income. Parallel to this effort is the ongoing oversight of the Quail Ridge BMRs to assure full compliance with the requirement to have seven of the thirteen for-rent multifamily units in that project occupied by very low-income households.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Policy 2.7 and Programs 2.7.1. and 2.7.2 should be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 2.6. is covered in draft Policy 6.2 (Retention of Lower-Income Units) and associated draft Program 6.2.b. (Retention of Affordable Rental Units) as well as Policy 6.5 (Ongoing Monitoring of Conversion Units).

POLICY 2.8: INCREASE THE NUMBER OF LOWER INCOME AND MODERATE INCOME HOUSEHOLDS THAT OWN THEIR HOMES THROUGH PARTNERSHIP IN VARIOUS COUNTY-ADMINISTERED FIRST-TIME HOMEBUYER PROGRAMS.

Notes:

Participate with Contra Costa County, non-profit organizations, and other agencies, as applicable, to offer first-time homeownership programs.

Programs and Actions Taken:

2.8.1. Participate, where opportunities present themselves through County-administered housing programs, with first-time homeownership programs.

Actions Taken:

The Town's participation as part of the Urban County translates to the availability of more funding to programs like the County administered Mortgage Credit Certificate program. The criteria used to determine qualifying buyers means few existing units in Danville qualify for the program due to high cost of housing in Danville. Actions that can, and should continue to be taken by the Town, includes the dissemination of information to the public about this and other County-administered programs.

Housing Unit Production:

Projected Unit Production: Not applicable.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Policy 2.8 and Program 2.8.1. should be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 2.8. is covered in draft Policy 6.4 (Available Funding Sources) and Draft Program 6.1.b (Funding Sources to Support Affordable Housing) under draft Policy 6.1 (Production of Newer Lower-Income Units).

POLICY 2.9: RESEARCH THE OPPORTUNITIES AND MERIT OF SUPPORTING SHARED HOUSING OPPORTUNITIES IN DANVILLE THROUGH TOWN-CONTRIBUTION TO APPROPRIATE COUNTY AGENCIES AND/OR COMMUNITY-BASED ORGANIZATIONS.

Notes:

Contra Costa County has established programs to encourage and support the provision of shared housing. Under a shared housing program, a person who has a home to share is matched with a person, or persons, in search of a home to share. Typically, providers are senior residents with living space to share while home seekers are typically lower income adults in need of an inexpensive place to stay. To support such a program, Danville could make contributions to County agencies already providing the service and/or could support community-based organizations to support programs that would help residents find affordable housing opportunities, including shared housing and roommate referrals.

Programs and Actions Taken:

2.9.1. By the end of 2015, research the opportunities and merits of supporting shared housing opportunities in Danville through Town-contribution to appropriate County agencies and/or community-based organizations.

Actions Taken:

No actions taken beyond dissemination of information about County-administrated programs. Housing options made available under the heading of small family or large family residential care facilities have the potential to address this policy as well.

Housing Unit Production:

Projected Unit Production: Not applicable.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Policy 2.9 and Program 2.9.1. are recommended to not be pulled forward into the 2022-2030 Housing Element.



Goal 3.0: Increase the supply of appropriate supportive housing for special needs populations.

POLICY 3.1: CONTINUE EFFORTS TO IDENTIFY AND MEET THE HOUSING NEEDS FOR SPECIAL NEEDS POPULATIONS.

Notes:

In addition to the development of affordable housing in general, Danville should work to identify and address the housing needs of special needs households and individuals in Danville, including the mentally and physically disabled persons, seniors, large family households, persons with developmental disabilities, etc.

Programs and Actions Taken:

3.1.1. Allow techniques such as use of smaller unit sizes, parking standard reductions and common dining facilities and fewer amenities for senior projects and other special needs groups as deemed appropriate to increase affordability.

Actions Taken:

Senior independent living facilities entitled by the Town (e.g., Danville Lodge and Sycamore Place) have been authorized with reduced parking standards – with such review being on a project-by-project basis. No state housing laws approved during the 2015-2022 Planning Period provide residential developers that option to utilize default parking standards that would be less than the Town's standards.

3.1.2. Facilitate the development and operation of proposed small family residential care facilities (6 or fewer beds) and large family residential care facilities (7 - 12 beds) serving special needs households and individuals, with special emphasis on meeting the housing needs of Danville residents with developmental disabilities.

Actions Taken:

Consistent with the requirements of SB2, ZTA 14-01 (Single Family Residential Districts), ZTA 14-02 (Two Family Residential District), and ZTA 14-03 (Multifamily Residential Districts), amended the municipal code to all to the list of allowed uses group homes, transitional housing, and supportive housing including six or fewer residents. These three ZTAs also amended the municipal code to establish group homes, transitional housing, and supportive housing including more than six residents to be added in those districts as uses that may be considered through the conditional uses permit process.

3.1.3. Where deemed appropriate and on an ongoing basis, support the development of housing for special needs populations through direct financial assistance, zoning incentives (e.g., density bonuses) and/or land write-downs (e.g., fee waiver or reduction), with a priority given to the housing needs of extremely low income households.

Actions Taken:

Beyond “by-right” facilities serving six or fewer persons, no projects proposed for cited special needs population were established during the 2015-2022 Planning Period. Town regularly cites the Morris/Storer rental project, which serves up to six developmentally disabled persons, as a means to meet inclusionary housing requirements in a manner where the below market rate units are small (one-bedroom or studio) and where the units do not need to be supplied with corresponding parking.

3.1.4. By the end of 2017 review, and approve where deemed appropriate, amendments to existing land use controls, building codes, and permit and processing procedures relative their potential to constrain development, maintenance, and improvement of housing for persons with disabilities.

Actions Taken:

Adopted TC Resolution No. 14-2020 establishing residential development standards consistent with the directives from Senate Bill SB 330 “The Housing Crisis Act (HCA) of 2019” with the intent to reduce the time it takes to approve housing development proposals - including residential developments of any size, mixed use where at least two-thirds of the square footage is residential, and transitional or supportive housing – by creating a “preliminary application” process that provides developer certainty by locking in development standards, design guidelines, policies, and fees in affect at the time a preliminary application is submitted and deemed complete.

3.1.5. By the end of 2017 review, and approve where deemed appropriate, amendments to the Reasonable Accommodation Ordinance relative its effectiveness to provide relief to Code regulations and permitting procedures that may have a discriminatory effect on housing for individuals with disabilities, with the monitoring to include a review of the procedures for requesting accommodation, the timeline for processing requests and appeals, and the criteria used for determining whether a requested accommodation is reasonable.

Actions Taken:

As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - “Changes in state legislation that went into effect in both January 1, 2018, and January 1, 2020, will be reviewed to determine if revisions to Danville’s regulations that might serve to constrain development, maintenance, or improvement for persons with disabilities need to be made to assure the regulations remain consistent with the intent and requirements state housing law.” That review had not occurred as of the end of the 2015-2022 Planning Period and should occur early in the 2022-2030 Planning Period.

3.1.6. Enforce Universal Design requirements issued by California Department of Housing and Community Development.

Actions Taken:

Standards are enforced through efforts of the Development Services Department - Building Division.

3.1.7. Encourage (through incentives such as parking reductions, etc.) the development of senior housing that offers a wide range of housing choices, for both affordable and market-rate, from independent living to assisted living with services on site, including healthcare, nutrition, transportation and other appropriate services.

Actions Taken:

No direct action taken on this Policy during the 2015-2022 Planning Period.

Housing Unit Production:

Projected Unit Production: 6 to 12 beds yearly.

Actual Unit Production: Not quantified as small family facilities do not require planning entitlements or planning review.

Evaluation and Recommendation:

Direction contained in Policy 3.1. framing policies and programs to serve special populations should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and related work programs appear as Goal 7, Policies 7.1 and 7.2, and Programs 7.1.a, 7.1.b, 7.1.c. and 7.2.a.

POLICY 3.2 STRIVE TO ENSURE THAT HOMELESS INDIVIDUALS AND FAMILIES CAN OBTAIN DECENT, SUITABLE AND AFFORDABLE SHELTER.:

Notes:

Emergency shelters provide housing, with minimal supportive services, for homeless persons. Occupancy in emergency shelters is limited to six months or less, with such occupancy not to be denied because of an inability to pay. While there are not any homeless shelters within the San Ramon Valley, there are various facilities in Contra Costa County operating as a result of funding made available to the Urban County. As a member-jurisdiction of the Urban County, these facilities are available to qualifying households and individuals from Danville. In recognition of Senate Bill 2, the Town's zoning regulations were amended in 2014 to make emergency shelters a permitted use upon issuance of a ministerial permit for properties with DBD Area 3 zoning. Elsewhere in the Town, emergency shelters currently may be considered only upon issuance of a land use permit.

Programs and Actions Taken:

3.2.1. Continue to support the creation and operation of transitional housing programs operated by Contra Costa County and non-profit housing groups.

Actions Taken:

The Town's participation is as a member of the Urban County - with Danville's population contributing to the funding received for use on the various programs associated with transitional housing. Transitional housing in specified context became an allowed use in residential districts.

3.2.2. Establish and maintain an active relationship with agencies serving the Tri-Valley's homeless population (e.g., Shelter, Inc.) to secure up-to-date information about the number, type, and needs of the homeless population in the Tri-Valley.

Actions Taken:

Information on the location and use restrictions/regulations of Contra Costa County facilities and facilities serving the Alameda County cities of the Tri-Valley are disseminated to Danville staff that may have contact with homeless.

3.2.3. By the end of 2017 review, and approve where deemed appropriate, amendments to the current regulations pertaining to emergency shelters (amended in 2014 by way of approval of LEG 13-02) relative their effectiveness to meet the intent and requirements of Policy 3.2 and the intent and requirements of SB 2 approved by the state in 2007.

Actions Taken:

As reported to HCD for the 2015-2022 Housing Element Annual Progress Report for 2019 - "Changes in state legislation that went into effect in both January 1, 2018, and January 1, 2020, will be reviewed to determine if revisions relative to Danville's regulations pertaining to emergency shelters need to be made to assure the regulations remain consistent with the intent and requirements state housing law."

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Policy 3.2 and Programs 3.2.1., 3.2.2. and 3.2.3 should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 7.1 (Special Populations Housing Needs) and as Program 7.1.d (Transitional and Supportive Housing), Program 7.1.e (Transitional and Supportive Housing Regulations), 7.1.f (Homeless Population) and Program 7.1.g (Homeless Shelter Regulations).

POLICY 3.3: CONSISTENT WITH THE INTENT AND REQUIREMENTS OF SB 2, FACILITATE AND ENCOURAGE THE CREATION AND OPERATION OF SUPPORTIVE HOUSING.

Notes:

California Health and Safety Code §50675.2 defines supportive housing as housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. To facilitate and encourage the provision of an adequate amount of supportive housing in Danville, the Municipal Code was amended in 2014 to define supportive housing and to identify zoning districts that permit or conditionally permit supportive housing.

Programs and Actions Taken:

3.3.1. By the end of 2017 review, and approve where deemed appropriate, amendments to the current regulations pertaining to supportive housing relative their effectiveness to meet the intent of Policy 3.3 and the intent and requirements of SB 2 approved by the state in 2007.

Actions Taken:

1. In September 2014, the Town amended the municipal code to provide a definition of Supportive Housing consistent with the directive of SB 2 and amended the regulations in the single family, two family, and multifamily zoning districts allowing Supportive Housing serving six or fewer residents as an allowed use and allowing consideration of Supportive Housing serving more than six residents as a conditional use (see “Action” note for Policy tbd).
2. As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - “Changes in state legislation that went into effect in both January 1, 2018, and January 1, 2020, will be reviewed to determine if revisions to Danville’s regulations that might serve to constrain development, maintenance, or improvement for persons with disabilities need to be made to assure the regulations remain consistent with the intent and requirements state housing law.”

Housing Unit Production:

Projected Unit Production: 6 to 12 beds for Planning Period.

Actual Unit Production: Not quantified as small family facilities do not require planning entitlements or planning review

Evaluation and Recommendation:

Policy 3.3 and Program 3.3.1. should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 7.1 (Special Populations Housing Needs) and as Program 7.1.d (Transitional and Supportive Housing) and Program 7.1.e (Transitional and Supportive Housing Regulations).

POLICY 3.4: CONSISTENT WITH THE INTENT AND REQUIREMENTS OF SB 2, FACILITATE AND ENCOURAGE THE CREATION AND OPERATION OF TRANSITIONAL HOUSING.

Notes:

Transitional housing means buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. To facilitate and encourage the provision of an adequate amount of transitional housing in Danville, the Municipal Code was amended in 2014 to define transitional housing and to identify zoning districts that permit or conditionally permit transitional housing.

Programs and Actions Taken:

3.4.1. By the end of 2017 review, and approve where deemed appropriate, amendments to the current regulations pertaining to transitional housing relative their effectiveness to meet the intent of Policy 3.4 and the intent and requirements of SB 2 approved by the state in 2007.

Actions Taken:

In September 2014, the Town amended the municipal code to provide a definition of Transitional Housing consistent with the directive of SB 2 and amended the regulations in the single family, two family, and multifamily zoning districts allowing Transitional Housing serving six or fewer residents as an allowed use and allowing consideration of Transitional Housing serving more than six residents as a conditional use.

Housing Unit Production:

Projected Unit Production: 8 to 14 beds for Planning Period.

Actual Unit Production: Not quantified as small family facilities do not require planning entitlements or planning review

Evaluation and Recommendation:

Policy 3.4 and Program 3.4.1. should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 7.1 (Special Populations Housing Needs) and as Program 7.1.d (Transitional and Supportive Housing) and Program 7.1.e (Transitional and Supportive Housing Regulations).



Goal 4.0: Maintain and improve the quality of existing housing stock and residential neighborhoods.

POLICY 4.1: ASSIST LOW-INCOME HOMEOWNERS IN MAINTAINING AND IMPROVING RESIDENTIAL PROPERTIES THROUGH HOUSING REHABILITATION AND ENERGY EFFICIENCY ASSISTANCE PROGRAMS.

Notes:

The County-administered weatherization program provides free energy efficiency upgrades for eligible low income households to lower their monthly utility bills. The Contra Costa County Employment & Human Services Department, Community Services Bureau (County Bureau CSD) administers the federally funded Low-Income Home Energy Assistance Program (LIHEAP), which assists with energy bills and offset heating and/or cooling energy costs for eligible low income households. CSD also administers the Energy Crisis Intervention Program (ECIP), which provides payments for weather-related or energy-related emergencies to low-income households.

Programs and Actions Taken:

4.1.1. Through the Town's website disseminate information on the Weatherization Program and the LIHEAP and ECIP Programs.

Actions Taken:

The information was posted on the Town's website as a part of the 2015-2022 Housing Element.

4.1.2. Provide education on energy conservation.

Actions Taken:

The information was posted on the Town's website as a part of the 2015-2022 Housing Element. Related "Sustainability" actions - Joined MCE Clean Energy, a Community Choice Energy program, providing ratepayers with greater choices for renewable energy options; Planned for the installation of additional EV charging stations in the new Village Theatre Municipal Parking Lot; and continued a reduction in electricity usage through operation of photovoltaic arrays at four separate Town facilities.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

The policy directives set forth in Policy 4.1. and Programs 4.1.1. are recommended to be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 4.1. is covered in draft Policy 3.1 (Energy Conservation, Sustainability and Climate Change), Policy 3.2 (Energy Conservation) and Policy 3.4 (Home Energy Retrofit) and, collectively for these three policies, draft Programs 3.1.b (Electrification for New Residential Construction) and 3.1.c (Green Building Incentives).

POLICY 4.2: PARTICIPATE IN THE COUNTY-ADMINISTERED HOUSING CHOICE VOUCHER AND SHELTER CARE PLUS PROGRAMS TO PROVIDE RENTAL ASSISTANCE TO QUALIFYING EXTREMELY LOW AND VERY LOW INCOME HOUSEHOLDS, INCLUDING FAMILY, SENIOR AND DISABLED HOUSEHOLDS.

Notes:

The Contra Costa County Housing Authority administers the Housing Choice Voucher and Shelter Care Plus programs, providing housing and rental assistance to lower income individuals and families. The Authority actively seeks to reduce the historic geographic isolation of lower income households and has established payment standards applicable to the Danville area, thereby promoting tenant mobility and addressing a goal of de-concentration of tenant-based assistance in some of the County’s historically concentrated lower income areas. The relatively high rental costs for housing in Danville can serve as a barrier for use of this program, but the program criteria may allow some number of existing or future rental units in Town to qualify. Educating property owners of rental properties about the program may lead to higher utilization of the program in Danville.

Programs and Actions Taken:

4.2.1. Through the Town’s website, disseminate information about federal rental assistance programs that provide rent subsidies to apartment project owners/managers and to potential program recipients.

Actions Taken:

Meetings with prospective builders whose projects would be subject to inclusionary requirements and/or are considering invoking density bonus for the project includes discussion of how very low income households might be an option where Section 8 vouchers could be utilized.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

The policy directives set forth in Policy 4.2. and Programs 4.2.1. are recommended to be pulled forward into the 2022-2030 Housing Element. The intent of the directive for Policy 4.2. is covered in draft Policy 6.8 (Support Ongoing Rental Subsidies in Danville) – with no corresponding programs set forth in the current draft of the 2022-2030 Housing Element.

POLICY 4.3: PARTICIPATE IN THE COUNTY-ADMINISTERED NEIGHBORHOOD PRESERVATION PROGRAM TO PROVIDE REHABILITATION LOANS TO QUALIFYING LOW AND MODERATE INCOME PROPERTY OWNERS.

Notes:

The Neighborhood Preservation Program provides loans both to low income households (potentially as no-interest, deferred payment loans) and to moderate income households (potentially as three percent interest loans). Recipients must be owner-occupants of their homes, with a minimum ownership of six months required. The loans are to correct health and safety problems and improving livability. The program is administered by the County through the County Building Inspection Department and is available to residents of communities that are part of the Urban County.

Programs and Actions Taken:

4.3.1. Through the Town's website, disseminate information about the Neighborhood Preservation Program to owners of rental projects.

Actions Taken:

The information was posted on the Town's website as a part of the 2015-2022 Housing Element.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 4.3 and Program 4.3.1 should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive is covered in draft Policy 10.1 (Housing Rehabilitation and Preservation) – with no corresponding programs set forth in the current draft of the 2022-2030 Housing Element.

POLICY 4.4: MAINTAIN AND IMPROVE PUBLIC FACILITIES SUCH AS ROADS, SIDEWALKS, STREET LIGHTING, LANDSCAPING, UTILITIES AND OTHER IMPROVEMENTS WHICH ENHANCE AND IMPROVE RESIDENTIAL NEIGHBORHOODS AND ASSIST IN PRIVATE EFFORTS TO IMPROVE NEIGHBORHOODS.

Notes:

Continue the high level of maintenance of public improvements.

Programs and Actions Taken:

4.4.1. Continue to develop and maintain critical infrastructure through the Capital Improvement Program and the Lighting and Landscape District.

Actions Taken:

Substantial annual investment in maintenance of public improvements continued through the Planning Period. Review of proposed private improvements assured their design and construction was compatible in quality to public improvements. Facilitating the development of a particular density bonus project at the southeast quadrant of the Town adopted TC Resolution No. 96-2015, appropriating funds for CIP Project C-586 to complete the purchase of right-of-way at 1435 San Ramon Valley Boulevard for improvements associated with the Elworthy/KB Homes PUD project that provided seven Very Low Income units through its approved Density Bonus.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 4.4 and Program 4.4.1 should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 1.1, Program 1.1.a and Policy 1.3.

POLICY 4.5: ENFORCE BOTH STATE AND LOCAL REGULATIONS GOVERNING THE MAINTENANCE OF BUILDINGS AND PROPERTIES.

Notes:

Continue code enforcement and inspection activities as a means to preserve and maintain the appearance and safety, and prevent deterioration, of residential neighborhoods. The code enforcement function is handled through the Planning Division of the Community Development Department. Where applicable and feasible, investigation efforts should be directed to County-administered rehabilitation loan and grant programs.

Programs and Actions Taken:

4.5.1. Continue to carry out code enforcement activities as a means to maintain the quality of the housing stock and residential neighborhoods.

Actions Taken:

1. The implementation of Program 4.5.1. is met through ongoing code enforcement efforts.
2. Adopted TC Ordinance No. 2016-06 amending the Municipal Code strengthening the code enforcement process by authorizing the recordation of Notices of Non-Compliance for violations of the Town's building codes.

4.5.2. Continue to refer eligible homeowners and rental project owners to appropriate County-administered programs for assistance.

Actions Taken:

Referrals are made as inquiries are received by the Town.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 4.5 and Programs 4.5.1. and 4.5.2. should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 10.1 (Housing Rehabilitation) and Program 10.1.a (Code Enforcement).



Goal 5.0: Mitigate potential governmental constraints to housing development and affordability.

POLICY 5.1: PERFORM REGULAR REVIEWS OF REGULATIONS FOR THE ENVIRONMENTAL AND DEVELOPMENT REVIEW AND PERMITTING PROCESS FOR STATE LAW CONSISTENCY.

Notes:

The Town engages in an ongoing process of review of its regulations for the environmental and development review and permitting process for consistency with State laws to ensure that Danville's requirements do not act as a constraint to new development.

Programs and Actions Taken:

5.1.1. By the end of 2017 review, and approve where deemed appropriate, amendments to the Subdivision Ordinance to ensure that Danville's subdivision policies and regulations do not constrain housing development and affordability.

Actions Taken:

This work program was not undertaken during the 2015-2022 Planning Period.

5.1.2. By the end of 2017 complete Phase 2 of the update to the zoning and land use sections of the Municipal Code, including a review of opportunities to provide for more housing on lands within the Downtown Business District.

Actions Taken:

Completed.

5.1.3. Expedite the development review process for housing projects with long-term affordability restrictions.

Actions Taken:

Program directive met, projects with long-term affordability components received expedited review.

5.1.4. Through various outreach efforts, promote the Town's interests in working cooperatively to increase housing development.

Actions Taken:

Accomplished with workshops, study sessions for the Town Council and Planning Commission, and through dissemination of information on the Town website – with a focused effort at the end of the 2015-2022 Planning Period to secure public understanding and input of the large increase in the Town's RHNA for 2022-2030.

5.1.5. Promote the utilization of the Town's pre-development application review.

Actions Taken:

The vast majority of proposals for residential development handled each year benefit from one or more pre-submittal meetings, where significant feedback on the submittal is generated and supplied to the applicants, along with where clear and detailed direction on the review process that will be utilized.

5.1.6. On an on-going basis, pursue technological enhancements to the Town's development review process that will speed up and/or simplify the process.

Actions Taken:

1. Adopted TC Resolution No. 80-2015, appropriating \$78,000 in FY 2015/16 designated Technology Upgrades funds and authorizing amendment to the EnerGov-Tyler Technologies contract to implement the Land Management System for processing building permits.
2. Adopted TC Resolution No. 32-2016, appropriating \$225,000 for the continued implementation of the Information Technology Master Plan which focused on permit processing software update.
3. Adopted TC Resolution No. 77-2016, appropriating \$155,000 designated Technology Upgrades for Phase 2 of its implementation.
4. In 2019 - Increased efficiencies within the MUNIS Financial System, EnerGov Permitting and Land Management System and Office 365 suite by completing the move to cloud-based services that offer 24/7/365 availability with ISO 9000 security levels and automatic updates.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 5.1 and Programs 5.5.1. through 5.5.6. should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 9.1 (Design and Aesthetics) and Program 9.1.a (Objective Design Standards) as well as in Policy 10.5 (Public Participation) – with no corresponding programs set forth in the current draft of the 2022-2030 Housing Element.

POLICY 5.2: CONTINUE TO ENCOURAGE USE OF THE PLANNED UNIT DEVELOPMENT (P-1) PROCESS TO ALLOW MORE CREATIVE AND FLEXIBLE DESIGN FOR RESIDENTIAL DEVELOPMENTS.

Notes:

The use of the Planned Unit Development (P-1) process leads to the development of more creatively and flexibly designed residential projects than under conventional zoning regulations. The flexibility allowed often leads to variation in otherwise applicable development standards and enables the development plan to better respond to specific needs or environmental constraints that are present at the development site. The P-1 regulations also allow more flexibility to mix different structure type or different housing product within the same project. The Town eliminated the five acre minimum parcel size restriction for P-1 projects in the mid-1990s, making the process available for use by most new projects.

Programs and Actions Taken:

5.2.1. Encourage utilization of the Planned Unit Development (P-1) to allow use of, where deemed appropriate and warranted on a project-specific/location-specific basis, reduced street widths, reduced number and/or size of sidewalks, and/or use of utility or sidewalk easements instead of right-of-ways.

Actions Taken:

1. 2015 action for 943 Camino Ramon rezoned a 0.75 acre site from M-9: Multiple Family Residential District to P-1 to allow development of nine attached single family lots, including one BMR Moderate Income Household Unit;

2. Adopted TC Resolution No. 46-2019 certifying a FEIR and approving Preliminary Development Plan - Rezoning request LEG 10-04, Major Subdivision request DEV 10-71, Final Development Plan request DEV 10-72, and Tree Removal request TR 10-28 for the 410 +/- acre site located on the south side of Diablo Road and Blackhawk Road extending approximately two miles east from the intersection of Diablo Road/Green Valley Road/McCauley Road. The actions served to rezoned the property from A-4; Agricultural Preserve District, A-2; General Agricultural District, and P-1; Planned Unit Development District to P-1; Planned Unit Development District; to authorize the subdivision of the site to create 69 single family residential lots and associated parcels; to authorize a minimum of 10% of the lots created to include an Accessory Dwelling Units (“ADUs” – designed to qualify under the policies of the 2015-2022 Housing Element to be deemed as affordable-by-design units available to low- or moderate-income households in accordance with the Town’s inclusionary housing requirements); to establish architectural design and landscape details for the development; to authorize the removal of 15 Town-protected trees; to permanently set aside over 375 acres of the project site as open space; and to provide for the development of approximately two miles of trails for public dedication that will create connections to the Sycamore Valley Open Space.
3. Adopted Ordinance No. 2019-07 and approved TC Resolution No. 55-2019 approving General Plan Amendment request GPA 2015-01, Preliminary Development Plan – Rezoning request PUD 2015-01), Major Subdivision/Final Development Plan request DP 2015-65), and Tree Removal permit request TR 2015-39) to allow for the development of a 37-unit townhouse development at a 1.9 +/- acre site identified as 359 and 375 West El Pintado Road. The residential project approval would provide for the construction of eight new multifamily townhome buildings with six of the units (15 percent of the total project) required to be made available as below market rate units in accordance with the Town’s inclusionary housing requirements.,
4. Approved Final Development Plan request for the 1.19-acre parcel located at 600 Hartz Avenue (site of the FAZ Restaurant) to authorize the construction of 2,700 square feet of commercial space, thirty-three residential condominium units within a two-story building and an 83-space subterranean parking garage with five of the units (15 percent of the total project) required to be made available as below market rate units in accordance with the Town’s inclusionary housing requirements.

5.2.2. Encourage utilization of the Planned Unit Development (P-1) process, particularly in areas where the underlying general plan land use designation is Residential - Multifamily – Medium, High/Medium, or High.

Actions Taken:

PUD and General Plan Amendment Study approval for West El Pintado project for 38 townhomes – GPA and flexible development standards implemented serve to accommodate transition from multifamily to abutting single family development.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 5.2 and Programs 5.2.1. and 5.2.2. should be pulled forward into the 2022-2030 Housing Element. In the current draft of the 2022-2030 Housing Element the policy directive and work programs do not overtly appear, with the nearest direction focusing just on the Downtown Area within policy direction in Policy 2.1 (Downtown Development) and Policy 2.2 (New Mixed-Use Development) Program 9.1.a (Objective Design Standards) as well as in Policy 10.5 (Public Participation) - with no directly aligned corresponding programs set forth (i.e., programs supporting the utilization of the Planned Unit Development (P-1) process) in the current draft of the 2022-2030 Housing Element.

POLICY 5.3: OFFER FEE DEFERRALS, REDUCTIONS, OR FEE WAIVERS TO DEVELOPERS OF HOUSING PROJECTS WITH LONG-TERM AFFORDABILITY RESTRICTIONS.

Notes:

Planning, Building and Engineering fees, combined with costs for required site improvements imposed through the development review process, add to the end-cost of housing. While Danville’s processing fees are comparable to fees levied by other Contra Costa County jurisdictions and Alameda County Tri-Valley Region jurisdictions, fee deferrals, reductions, or waivers provided to affordable housing projects would assist the development of such projects.

Programs and Actions Taken:

5.3.1. In conjunction with the annual review of the fee schedule, review, and approve where deemed appropriate, fee deferrals, reductions, or waivers to developers of housing projects with long-term affordability restrictions.

Actions Taken:

1. Implementation measure met through the annual budget process where adjustments to application fees and mitigation impact fees are considered.
2. As a related actions - adopted TC Resolution No. 32-2020 accepting the Development Impact Fees AB 1600 Report for Fiscal Year 2018/19, adopted TC Resolution No. 13-2021 accepting the Development Impact Fees AB 1600 Report for Fiscal Year 2019/20, and Adopted Resolution No. 33-2022, accepting the Development Impact Fees AB 1600 Report for Fiscal Year 2020/21 – with each review reporting on the accounting, spending and reporting status of each mitigation impact fee fund imposed on new development.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 5.3 and Program 5.3.1 should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive is covered in draft Policy 1.2 (Funding) and Programs 1.2.a (Nexus Study), 6.1.a (Waive Processing Fees for Multifamily Lot Consolidations) and Program 6.3.c (ADU Fee Reductions).



Goal 6.0: Promote equal opportunity for all residents to reside in the housing of their choice.

POLICY 6.1: CONTINUE TO SUPPORT LOCAL NON-PROFIT ORGANIZATIONS FOR FAIR HOUSING COUNSELING AND LEGAL SERVICES.

Notes:

Fair housing is defined as a condition in which individuals of similar income levels in the same housing market have a like range of choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, or any other arbitrary factor. The County allocates CDBG funds to local non-profit organizations for fair housing counseling and legal services. Services offered typically include advocacy and collaboration in support of fair housing for all; public outreach and education regarding fair housing rights; specialized property owner, management, and lender training; rental home seeking and relocation services; and discrimination complaint processing and investigation. The Contra Costa Consortium (which Danville is a participant) has adopted the HUD-mandated Analysis of Impediments (AI) to Fair Housing Choice. The AI includes: a comprehensive review of the County's laws, regulations, and administrative policies; an assessment of how those laws affect the location, availability, and accessibility of housing; and an assessment of conditions, both public and private, affecting fair housing choice.

Programs and Actions Taken:

6.1.1. On a minimum basis of every two years, evaluate the effectiveness of existing outreach and community education efforts and develop a comprehensive outreach strategy, with the effort to include consideration of the various methods of delivery, including print media, mailers, web-based information and other methods.

Actions Taken:

Program action was taken in the form of Town and County referrals to local non-profit organizations for fair housing counseling and legal services that were supported by allocation of CDBG funds and, for the short period that similar services were being provided by Tri-Valley Housing Opportunity Center (TVHOC) by the TVHOC.

6.1.2. Continue to support local non-profit organizations for fair housing counseling and legal services.

Actions Taken:

Program action was taken in the form of Town and County referrals to local non-profit organizations for fair housing counseling and legal services that were supported by allocation of CDBG funds and, for the short period that similar services were being provided by Tri-Valley Housing Opportunity Center (TVHOC) by the TVHOC.

6.1.3. Provide referral to appropriate agencies for services.

Actions Taken:

Program action was taken in the form of Town and County referrals to local non-profit organizations for fair housing counseling and legal services that were supported by allocation of CDBG funds and, for the short period that similar services were being provided by Tri-Valley Housing Opportunity Center (TVHOC) by the TVHOC.

6.1.4. Actively enforce building regulation accessibility requirements for new multifamily housing and for housing that requires extensive renovation.

Actions Taken:

Building regulation accessibility requirements for multifamily housing were consistently enforced during the Planning Period.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 6.0 and Programs 6.1.1., 6.1.2., and 6.1.3 should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Goals 4 and 5, Policies 4.1 and 4.2 and as Programs 4.1.a and 4.1.c. Program tasks contained in Program 6.1.4. should also be pull forward into the current draft of the updated 2022-2030 Housing Element. In the current draft of the 2022-2030 Housing Element. The policy directive appears as Goal 5 (Affirmatively further fair housing by taking meaningful actions that overcome patterns of segregation and foster inclusive communities) – with no corresponding policies or programs set forth in the current draft document.

POLICY 6.2: CONDUCT ONGOING OUTREACH AND EDUCATIONAL EFFORTS TO COMMUNICATE THE NEEDS AND THE BENEFITS OF PROVIDING AFFORDABLE HOUSING IN THE COMMUNITY.

Notes:

Ongoing public education on housing issues would facilitate the housing element implementation process. Use of the annual progress report meetings presents an opportunity to highlight successes in housing development and to educate the public about local land-use and development issues.

Programs and Actions Taken:

6.2.1. Organize housing tours of successful affordable housing developments (e.g., the annual Tri-Valley Affordable Housing Committee tour) with invitations extended to community leaders and the public.

Actions Taken:

Organized tours occurred with Councilmembers, Commissioners and staff representatives of the member cities of the Tri-Valley Affordable Housing Committee.

6.2.2. Expand the scope of the annual progress report on the goals, policies and implementation measures of the Housing Element to communicate the needs and the benefits of providing affordable housing in the community.

Actions Taken:

Following the preparation and Town Council review of Annual Progress Reports (APRs) covering the first couple of calendar years for the 2015-2022 Planning Period, the Town Council has regularly reviewed APRs for the Danville 2015-2022 Housing Element with those reviews being followed by submittal of the APRs to HCD in the requisite format.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 6.2. and Program 6.2.1. should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 10.5.

Goal 7.0: Promote equal opportunity for all residents to reside in the housing of their choice.

POLICY 7.1: PRESERVE EXISTING AFFORDABLE HOUSING DEVELOPMENTS AT RISK OF CONVERTING TO MARKET RATE HOUSING.

Notes:

As of the start of 2014, a total of 74 housing units in Danville that utilized public funding for project development. All 74 units are located in the Bridge Housing/Town of Danville senior housing apartment project. Because they are in a project owned by a non-profit affordable housing developer, they are not at risk of conversion.

Programs and Actions Taken:

7.1.1. Continue to work with sellers of the below market rate units established through the inclusionary housing program to reset the twenty year resale restriction upon sale of the units.

Actions Taken:

1. Approximately eight for-sale below market rate units (BMR) have had their term of affordability extended as a result of staff actions with the sellers of the BMRs.
2. As a related action - adopted TC Resolution No 92-2014 authorizing execution of an addendum to the Resale Restriction Agreement associated with 438 Antelope Ridge Way to allow the owner of this below market rate unit to temporarily not reside in the unit and allowing the owner to temporarily make the unit available as a rental unit to a qualifying moderate income household policies.
3. As a related action - adopted TC Resolution No. 83-2017 approving the release from the 20-year term restriction imposed as part of the Resale Restriction Agreement for the below market rate unit located at 438 Antelope Ridge Way to allow the sale of the unit at a market rate price in recognition of demonstrated financial need and the property owner's ongoing health issues
4. As a related action – Approved TC Ordinance No. 2016-02 for Zoning Text Amendment ZTA 15-02, prohibiting Short Term Residential Rentals in the Town of Danville to, in part, retain the availability of second dwelling units or multifamily dwellings for long term tenants to meet the Town's affordable housing needs.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Goal 7.0, Policy 7.1 and Program 7.1.1. should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 6.2 and as Program 6.2.b.

POLICY 7.2: MAINTAIN A CONDOMINIUM CONVERSION ORDINANCE MITIGATING THE IMPACTS TO DISPLACED TENANTS AND ENSURING QUALITY OF THE UNITS SOLD TO HOMEOWNERS.

Notes:

By the end of 2017 review, and approve where deemed appropriate, amendments to the current Condominium Conversion Ordinance (adopted in 2014) relative its effectiveness in protecting existing affordable housing and relative to its conformity to state legislation pertaining to the residential condominium conversion process.

Programs and Actions Taken:

7.2.1. By the end of 2017 review, and approve where deemed appropriate, amendments to the current Condominium Conversion Ordinance relative its effectiveness in protecting existing affordable housing and relative to its conformity to state legislation pertaining to the residential conversion process.

Actions Taken:

1. The Town amended the municipal code to create a new Condominium Conversion Ordinance in September 2014.
2. No residential condominium conversions occurred during the 2015-2022 Planning Period. (One commercial condominium conversion was processed by the Town during that time.)
3. As reported to HCD in the 2019 APR for the 2015-2022 Housing Element - “Changes in state legislation that went into effect in both January 1, 2018, and January 1, 2020, will be reviewed to determine if revisions to Danville’s Condominium Conversion regulations need to be made to assure the regulations remain consistent with the intent and requirements state housing law.” That review had not occurred as of the end of the 2015-2022 Planning Period and should occur early in the 2022-2030 Planning Period.

Housing Unit Production:

Projected Unit Production: Not quantified.

Actual Unit Production: Not applicable.

Evaluation and Recommendation:

Direction contained in Policy 7.2 and Program 7.2.1. should be pulled forward into the 2022-2030 Housing Element. In the current draft of the updated Housing Element the policy directive and work programs appear as Policy 6.2 and as Program 6.2.c.



Effectiveness in Addressing Special Housing Needs

With limited resources, the Town's ability to address the affordable housing needs of special needs populations is limited. However, the Town was able to expand affordable housing opportunities for these group through the following specific accomplishments:

- Worked closely with Trammell Crow Residential (TCR) to facilitate development of the 144-unit Alexan at Riverwalk apartments, which included a range of unit sizes including three-bedroom units and an affordable component. This project offered rental housing opportunities for large households and was the first new apartment project in the Town for a very long time.
- Contributed to the County's Shared Housing program which benefited seniors by matching seniors with living space to share to typically lower income persons.
- Facilitated development of senior independent living facilities (Danville Lodge and Sycamore Place) with reduced parking standards.

For the 2023-2031 planning period, the Town will actively pursue affordable housing development, including those for special needs groups and those with extremely low incomes. The Town rezoned multiple properties to M-35 and DBD-13, allowing developments at 30-35 units per acre. This density increase will enhance project feasibility for lower income and special needs households.

