



Planning Division

PLANNING COMMISSION STUDY SESSION

TO: Planning Commission

FROM: Christopher Williamson, Principal Planner

DATE: March 3, 2011

SUBJECT: Focused Study Session on the All Affordable Housing Overlay Program (AAHOP) Component of the 2006-2014 Housing Element

- 1) **Recommendation:** That the Planning Commission receive a presentation and provide direction on the proposed AAHOP component of the Draft 2006-2014 Housing Element.
- 2) **Description and Applicant:** This is the first of two focused study sessions on the Draft 2030 Oxnard 2006-2014 Housing Element. The second study session would focus on all components other than the AAHOP. The Housing Element identifies and analyzes the current and future housing needs within the City of Oxnard and policies and proposed actions to provide housing to meet the needs of residents of all income levels and needs. The planning period is January 1, 2006 to June 30, 2014. Filed by the City of Oxnard, Housing and Development Services Departments.
- 3) **Background:** The State Legislature requires that all jurisdictions prepare a General Plan Housing Element in a prescribed format and schedule different from the rest of the General Plan. After adoption, the Housing Element would become Chapter 8 of the 2030 General Plan. The City's previous housing element covered the period 1998 to 2005 and the current planning period is 2006 to 2014. By Government Code Section 65583, a housing element must contain "...an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled program actions for the preservation, improvement, and development of housing." The Housing Element does not obligate the City to actually develop all the identified affordable housing but does require the City to encourage, facilitate, accommodate, and otherwise make a best-effort towards meeting the goals.
- 4) **All Affordable Housing Overlay Program (AAHOP):** The AAHOP is a significant change in the approach to achieving the City's remaining Regional Needs Housing Assessment (RHNA) target of about 3,100 affordable housing units. Since 1998, the City's inclusionary program and the efforts of several affordable housing non-profit developers produced the majority of the 929

affordable units completed by 2005, 624 units completed between 2006 and 2010, and another 389 units approved and/or under construction – a cumulative total of 1,942 affordable housing units. None of the inclusionary programs or cooperative efforts with the affordable housing development community would change with AAHOP. AAHOP is proposed, in part, to satisfy the California Department of Housing and Community Development's (HCD) requirement that the City's Housing Element document affordable housing potential with a "high level of certainty." From HCD's point of view, the City's inclusionary programs are not certain enough in that the City Council may allow a developer to pay in-lieu fees, even though the fees are then used to leverage private funds and grants and have a record of affordable housing production.

The only feasible approach for the City to demonstrate the potential development of approximately 3,100 affordable housing units by 2014 is to take advantage of State Law (GC 65583) wherein available development sites zoned at 30 units per acre or higher are assumed to be completely affordable for purposes of achieving the RHNA target. A lower "default" density is allowed with evidence of completed projects and the AAHOP establishes a second default density of 24 units per acre for selected sites and types of AAHOP projects. AAHOP is a pre-approved residential density bonus for all-affordable housing projects on mostly commercial sites of over one acre in size that already allow housing at 18 units per acre. With AAHOP, the documentation of achieving the remaining RHNA target becomes fairly straightforward: identify available and suitable sites and multiply the net acres by either the 30 unit/acre or 24 unit/acre default densities. AAHOP sites are not committed to be developed as affordable housing and the AAHOP sites may change if the sites develop for other uses and/or otherwise become infeasible for housing.

AAHOP has 17 components described below:

1. An AAHOP project is defined as a housing or mixed-use development wherein all housing units are affordable and the density is exactly the AAHOP site's specified default density listed in Supplement II.
2. AAHOP utilizes 24 and 30 units per acre as default densities wherein all housing units on AAHOP sites are counted towards meeting the City's Housing Element RHNA allocation. GC 65583.2(3) establishes 30 units per acre as the default density for cities such as Oxnard and GC 65583.2(3) allows a jurisdiction to establish an alternative default density. The Housing Element Supplement, Part I, Table S-1, lists 15 recently completed all-affordable multi-family projects as evidence that a density of 24 units per acre is feasible and appropriate for a limited number of sites where the lower default density is more compatible with the immediate neighborhood, where significant environmental constraints exist, or where mixed use development is appropriate.
3. AAHOP designated parcels and aggregations of parcels are shown in the Housing Element Supplement, Part II. AAHOP sites do not necessarily have to be available for sale or require owner permission, although both conditions are preferred. Supplement II may be amended to add, remove, or modify the AAHOP sites by the City Council as a General Plan Amendment.

4. AAHOP designation does not replace the 2030 General Plan and zoning designations and, by nature of this Housing Element being a chapter within the 2030 General Plan, an AAHOP designation is consistent with the 2030 General Plan. Any proposed use or development other than an AAHOP project shall be governed by the underlying 2030 General Plan and zoning designations and applicable standards and guidelines.
5. If an AAHOP Site is approved for another use, the City and/or the applicant shall provide an alternative AAHOP site (or combination of sites) so as to maintain a rolling AAHOP Site inventory that meets or exceeds the then-remaining RHNA allocation for the 2006-2014 RHNA planning period. The alternative site or sites shall be required as part of a General Plan or zoning amendment, use permit, or other action that effectively removes the AAHOP Site as suitable and/or available for development.
6. A Development Design Review (DDR) (§16-525) is required for all AAHOP projects and Attached Dwelling Unit Development Standards apply (§16-360 to 16-363).¹ An AAHOP DDR incorporates a density bonus in an amount required to increase the density from that allowed by the underlying zoning to the AAHOP site-specific default density of either 24 or 30 units per acre. A separate density bonus permit is required for a project that proposed a density below or above the AAHOP site default density.
7. All or partially affordable housing projects may be proposed and approved on non-AAHOP sites pursuant to the applicable General Plan and zoning designations, density bonus permit process, development standards, CEQA review, and applicable permitting procedures.
8. AAHOP projects shall be consistent with an adopted specific plan, Urban Village strategy or concept plan, and the Downtown Strategic Plan wherever possible except for density and/or development standards necessary for the AAHOP project's feasibility.
9. The AAHOP project applicant shall identify and request up to three development standard waivers and concessions as part of the AAHOP project application, may utilize State-density bonus parking requirements and standards, and comply with density bonus procedures consistent with GC § 65915.
10. Nothing in the AAHOP shall be interpreted to require the City to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined by paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, the physical environment, or any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
11. AHOP projects require an appropriate level of CEQA documentation and are required to pay applicable impact fees, provide appropriate design and engineering studies, and otherwise follow the applicable entitlement process for a project of comparable size and use.² The City would continue to consider alternative sources for and/or deferment of development impact and project reviews fees to enhance the financial feasibility of affordable projects, including

¹ City of Oxnard Municipal Code, Chapter 16 "Zoning"

² An AAHOP project may be exempt from CEQA under certain conditions.

the use of Affordable Housing Agreements.

12. AAHOP projects may incorporate commercial, office, civic, educational, and/or other compatible uses that contribute to neighborhood and community compatibility, establishment of a sense of place, and/or further the goals and objectives of a draft or adopted Sustainable Community Strategy (SB-375) and related traffic reduction policies and programs provided the AAHOP project proposes a default density of 24 units per acre.
13. AAHOP projects may be subdivided in a manner that portions of the project may exceed the designated housing density or have a different compatible use, so long as the overall applicable default density is achieved.
14. AAHOP project density is based on the site size less land dedications for roadway widening based either on the 2030 General Plan or the mitigation of AAHOP project traffic impacts.
15. AAHOP projects shall incorporate good design principals and include on-site amenities appropriate for the resident population to be served.
16. The initial distribution of AAHOP affordable units by affordability class (Extremely Low Income, Very Low, Low, and Moderate) shall match the proportional remaining need by affordability category as determined by the Director of the Housing Department consistent with applicable funding requirements and the City's Five-Year Plan. An AAHOP project applicant may request an alternative distribution by providing evidence of infeasibility and/or funding restrictions to the satisfaction of either the Director of the Housing Department or Community Development if the AAHOP project is located within a redevelopment project area or receives redevelopment and/or Community Development Commission funding.
17. AAHOP projects applicants shall participate in at least one community workshop to present the AAHOP project site design, circulation, and architectural elevations and receive public suggestions regarding design compatibility with surrounding uses and possible environmental impacts.

AAHOP sites are divided into four categories as follows:

- A. **Vacant** (5 potential sites, A-01 to A-05). Land is undeveloped (no structures) or is in agricultural use (but within the land area assumed develop by the 2030 General Plan and certified environmental impact report). These sites are largely ready to develop with minimal site preparation.
- B. **Largely Vacant** (14 potential sites, B-01 to B-14). Minor structures and/or paving to be demolished, and several homes and small business to be relocated.
- C. **Large Vacant Structure** (4 potential sites, C-01 to C-04). Possibility of commercial and/or market-rate housing mixed use due to location opportunity and/or need to create financial feasibility to remove a large vacant commercial structure.
- D. **Constrained Sites** (11 potential sites, D-01 to D-11). Sites with unique environmental or urban infill situations. These sites have challenges associated with their development, and

their potential development was reduced accordingly, but none were considered significant enough to eliminate these sites as potential areas to provide affordable housing.

Table S-1 below summarizes the AAHOP sites and the attached Figure F-2 map shows their locations. The Supplement, Part II, provides required information and profiles for each of the 34 AAHOP sites that combined have a potential for over 4,000 affordable units, as shown below.

Site Type Number	TABLE S-1	Net Affordable Units	Extremely Low 18%	Very Low 18%	Low 24%	Moderate 40%	Redevelopment ?
Vacant							
A-01	2501 North Ventura Road	240	43	43	58	96	N
A-02	1800 Camino Del Sol	75	14	14	18	30	Y
A-03	Meta Street District Sites	89	16	16	21	36	Y
A-04	1210 Oxnard Boulevard	357	64	64	86	143	Y
A-05	2593 Etting Road	330	59	59	79	132	N
	Subtotal	1,091	196	196	262	436	
Largely vacant							
B-01	2121 North Oxnard Boulevard	135	24	24	32	54	N
B-02	705, 749, and 815 North Oxnard Boulevard	94	17	17	23	38	Y
B-03	600 Block South C Street	29	5	5	7	12	Y
B-04	800 Block South A Street	38	7	7	9	15	Y
B-05	1227 and 1239 South C Street	22	4	4	5	9	N
B-06	1331 to 1369 Saviers Road	24	4	4	6	10	Y
B-07	3481 Saviers Road	100	18	18	24	40	Y
B-08	2295 Etting Road	179	32	32	43	72	N
B-09	234 to 320 Johnson Road	50	9	9	12	20	Y
B-10	5536 Cypress Road	150	27	27	36	60	Y
B-11	5690 Cypress Road	36	6	6	9	14	Y
B-12	Saviers and Hueneme Roads	142	26	26	34	57	Y
B-13	Saviers and Pleasant Valley Roads	24	4	4	6	10	Y
B-14	2nd Street between A and B Streets	39	7	7	9	16	Y
	Subtotal	1,062	191	191	255	425	
Large Vacant Structure							
C-01	2600 North Vineyard Avenue	300	54	54	72	120	Y
C-02	2420 North Oxnard Boulevard	213	38	38	51	85	Y
C-03	1345 West Channel Islands Boulevard	168	30	30	40	67	N
C-04	207 to 631 West Hueneme Road	360	65	65	86	144	Y
	Subtotal	1,041	187	187	250	416	
Constrained Site							
D-01	North of Catamaran Street	168	30	30	40	67	N
D-02	Wooley Road and Harbor Boulevard	144	26	26	35	58	N
D-03	624 and 750 West Wooley	24	4	4	6	10	Y
D-04	1132 and 1158 South C Street	24	4	4	6	10	Y
D-05	1450 Rose Avenue	24	4	4	6	10	N
D-06	Pleasant Valley Shopping Center	72	13	13	17	29	Y
D-07	1345 N. Oxnard Blvd. (Today)	192	35	35	46	77	Y
D-08	1205 N. Oxnard Blvd. (Schuss)	60	11	11	14	24	Y
D-09	760 to 830 S. Oxnard Blvd.	36	6	6	9	14	Y
D-10	950 S. Oxnard Blvd.	42	8	8	10	17	Y
D-11	1111 S. Saviers Road	31	6	6	7	12	Y
	Subtotal	817	147	147	196	327	
TOTAL ALL SITES		4,011	722	722	963	1,604	

Many AAHOP sites are located along major arterials where current or future transit service would help reduce vehicle trips. Many AAHOP sites are located in the City's several redevelopment project areas. Under Program 3 in Chapter G of the Housing Element, AAHOP would be implemented by ordinance after the Housing Element is adopted by the City Council.

Attachments:

- A. Draft No. 3, 2006-2014 Housing Element (previously distributed)
- B. Supplement Part I (previously distributed)
- C. Supplement Part II (previously distributed)
- D. Figure F-2 (map) AAHOP Affordable Residential Sites

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