

EMERYVILLE GENERAL PLAN UPDATE



EMERYVILLE HOUSING ELEMENT 2009-2014



CITY OF EMERYVILLE | JUNE 2010

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CITY OF EMERYVILLE FIVE YEAR HOUSING ELEMENT – 2009-2014

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EXECUTIVE SUMMARY

This Emeryville Housing Element establishes the City's housing goals, policies and programs for the period of 2009 to 2014. Its primary purpose is to guide decisions and identify programs that will facilitate housing availability during the five year period.

Included in this document is information on existing conditions and characteristics that provides the basis for its goals and policies. These goals and policies will be achieved through a Housing Action Plan specifically designed to fit the local needs and opportunities. Key findings and goals of the 2009-2014 Emeryville Housing Element are summarized as follows:

Housing Needs Assessment

Population and Households

- **Emeryville's population is growing at a rapid rate:** Since the 2000 Census, Emeryville's population has grown 41%, from 6,822 to 9,727 persons.
- **Non-family households represent the bulk of this growth:** Non-family households were the fastest growing household type between 1990 and 2000, and comprise 70% of all households in Emeryville. In 2000, 51% of Emeryville's population lived in non-family households, up from 44% in 1990.
- **One- and two- person households comprise the majority of all households:** One-person households grew at a faster rate than all households combined, and increased their share of total households to 55%, followed by two person households at 30%.
- **Emeryville is increasingly attractive to those 21-24 years old, and those older than 45 years old:** 21-24 year olds represented 33% of total population growth between 1990 and 2000, but those 45-64 accounted for 48%.
- **Emeryville's racial and ethnic composition is very diverse:** In 2000, of the non-Hispanic population (91% of the total population), 42% was white, 19% was black or African-American, 1% was American Indian or Alaskan Native, and 26% was Asian, Native Hawaiian, or Pacific Islander. Nine percent of the population was Hispanic. The greatest population growth from 1990 to 2000 was in the Non-Hispanic Asian, Native Hawaiian, or Pacific Islander group.
- **Special Needs Populations:** Large families and single parent families may face housing affordability issues, particularly female-headed households. Seven percent of Emeryville's families with a female head of household and no spouse present were below the poverty level in 2000. Other special needs groups identified in the Housing Element that may have affordable housing issues include Emeryville's seniors and disabled people. Those at risk of homelessness or who are homeless also are

identified as special needs because they are likely to have greater difficulty obtaining affordable housing with appropriate supportive services.

- **Local Opportunity Groups:** The Housing Element identifies certain groups that are important to the Emeryville community including families with children, artists, city employees, and employees of the Emery Unified School District.

Housing Characteristics

- **Emeryville's housing stock expanded even faster than the population between 2000 and 2008:** Since 2000, the city has added 1,997 housing units, a 47% increase.
- **Housing in Emeryville increasingly consists of large-scale projects with few rooms per unit:** 71% of all housing in Emeryville in 2008 was in structures with over 50 units, and the average unit has about 3 rooms, compared with 5 in Alameda County.

Income Characteristics

- **Emeryville is attracting households with higher incomes faster than those with lower incomes:** Only households earning \$50,000 and more grew at a faster rate than total household growth; they accounted for 49% of all households in 2006.
- **There are income differences amongst renter and owner households:** More than half of Emeryville's renter households in 2000 (55%) were extremely low, very low, or low income. 30% of owner households were in these income levels.
- **Housing costs remain high for many Emeryville renters:** 45% of renting households pay greater than 30% of their income to rent; the majority of these households were extremely low, very low, or low income.

Economic Characteristics

- **Industry trends in Emeryville indicate growth in high and low income jobs, and a decline in middle income jobs:** The fastest growing industries in Emeryville are finance, retail, and food service and accommodation, while manufacturing, wholesaling, and administrative support are in decline.

Resources and Constraints to Housing Development and Affordability

Land Use and Zoning

- **Emeryville's land use policies and zoning regulations encourage residential and mixed use development:** Multi-family developments of five or more units represent 78 percent of the total housing stock. The zoning ordinance allows residential development and/or live work in six of the nine zoning districts.
- **Constraints imposed by the zoning regulations are related to development standards:** Parking requirements are particularly difficult to achieve in infill development, frequently resulting in a scaled-back project.

Sites and Facilities

- **For a small city, Emeryville has been aggressively developing housing in recent years and has opportunity sites for additional housing:** Building permits for approximately 1,281 dwelling units are anticipated by 2014. The city's most significant constraint is its small size.

Housing Costs

- **Housing development costs continue to increase as a result of increasing costs of land, materials, labor, site preparation and insurance:** A sampling of recent developments in Emeryville show construction costs range from \$360,000 to \$450,000 per unit.
- **Recent market rate for-sale housing prices in Emeryville significantly exceed the prices considered affordable by redevelopment law and the gap between affordable rents and market rents is largest for very low and low income households.**

Housing Resources

- **There are a variety of Federal, State and City programs to support housing supply and affordability:** Emeryville programs include the Affordable Housing Set Aside ordinance, the Redevelopment Agency's Low and Moderate Income Housing Fund, the Ten-Year Housing Compliance Plan, and several developer and homebuyer subsidy programs.
- **There are several non-governmental resources:** housing developers, lenders, and non-profit housing advocacy organizations.

Achievement of 2002 Housing Element

The City annually reports on implementation of the adopted housing element. Key outcomes on the four goals of the 2002 housing element, during the period of January 1, 2002 to December 31, 2008 are summarized below:

- **Goal I. Preserve existing housing stock:** The City offers a wide range of grant and loan programs through the Housing Rehabilitation Program with the goal of preserving the City's older, existing housing stock. Between 2002 and 2008, the City assisted with improvements to 103 dwelling units.
- **Goal II. Promote a variety of housing types and affordability levels:** The City has a strong record of expanding its housing supply and will continue to support development of a wide range of housing types and affordability levels in the coming years. Between January 1, 1999 and June 30, 2006, the previous Regional Housing Need Allocation period, over 1,800 units were added to the City's housing stock.
- **Goal III. Promote housing for special needs groups:** The Courtyards apartment project includes 3 units for developmentally disabled households. In 2006, the City approved AgeSong Assisted Living project, which will feature 121 assisted living units, 28 independent living units, a dining room, and a publicly accessible café. In 2008, the Redevelopment Agency approved a new project to renovate a four-plex building as an affordable supportive housing project for five developmentally disabled adults.
- **Goal IV. Promote equal opportunity in housing:** Anti-discrimination clauses are standard in the City and Agency's agreements with housing developers, and failure to comply with fair housing laws is a violation of the City and Agency's agreements. The City contracts with Housing Rights, Inc. to provide fair housing counseling services to both tenants and landlords, including counseling, tenant/landlord mediation, attorney and small claims court referral, and housing discrimination investigation.

Housing Goals and Implementation

There are seven housing goals for this 2009 to 2014 housing element:

- **Goal I. Preserve existing housing stock.**
- **Goal II. Promote a range of affordability levels.**
- **Goal III. Promote development of affordable housing for persons with special needs.**
- **Goal IV. Ensure that the City has a variety of housing types to meet the diverse needs of its residents as well as attract new residents.**
- **Goal V. Maintain and expand activities designed to prevent those currently housed from becoming homeless and to assist those who are homeless.**
- **Goal VI. Promote equal opportunity in housing.**
- **Goal VII. Promote environmental responsibility and long-term sustainability of City's housing development through remediation of brownfields and promotion of "green" housing development.**

Each goal is supported with objectives, policies, and implementation programs. The Housing Action Plan specifies the measurable outcomes, funding sources, responsible agents for implementation, and action steps.

CHAPTER 1. INTRODUCTION

The city of Emeryville is located in the San Francisco Bay Area region at the gateway to the East Bay. Emeryville is one of the smallest cities in the Bay Area, covering an area of just 1.2 square mile. It is located between the city of Berkeley to the north, Oakland to the south, and the San Francisco Bay to the west. Emeryville is located at the eastern end of the San Francisco Bay Bridge, a major crossing between the East Bay and San Francisco. Emeryville was incorporated in 1896 as a city of industry and business at transportation cross roads. Today Emeryville is a bustling mixed use city that includes a and vibrant arts community, high-tech industries such as software, animation, and biotechnology, retail and entertainment destinations, and a wide range of residential housing, from older single family neighborhoods, to converted live/work lofts, and higher-density rental and ownership housing. This Housing Element is intended to guide decisions that will facilitate the development, rehabilitation and availability of housing in the city of Emeryville over the five-year period from July 1, 2009 to June 30, 2014. Included in this Housing Element is an action program to implement its goals and policies.

Legal Context

The housing element is one of seven State-mandated elements of the Emeryville General Plan. Emeryville's Housing Element was last revised in 2000, adopted in 2001, and certified by the State Housing and Community Development Department (HCD) in 2002. By State law, housing elements are required to be updated every five years. Due to extensions in the State schedule, this five-year planning document applies for the period of July 1, 2009 to June 30, 2014, and replaces the 2002 Housing Element. It fulfills the State requirement for planning to meet the housing needs of all economic segments of the community. It also meets the mandate for consistency with the other elements of Emeryville's General Plan.¹

State requirements for housing elements are more detailed and specific than for other general plan elements. This housing element meets the requirements of housing law specified in California Government Code Article 10.6, Sections 65580-65589.5. The law emphasizes the availability of housing as a statewide priority and requires participation from regional and local governments as well as the private sector. State law says that the housing element "shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives and scheduled programs for the preservation, improvement, and development of housing".

Regional Housing Need Allocation

This housing element addresses the requirements of Section 65584 of Article 10.6 of the Government Code, namely, the identification of sites suitable for residential development to accommodate Emeryville's housing need allocation assigned through the Regional Housing Need

¹ Concurrently with this Housing Element, the other six mandatory elements of Emeryville's General Plan, plus two optional elements, are being updated, as are the City's zoning regulations. A new comprehensive general plan and regulations, and a set of design guidelines, were completed in early 2009 and are anticipated to be adopted in mid-2009. This Housing Element and the progress of the other elements will be regularly evaluated and adjusted for consistency up until adoption.

Allocation (RHNA) process. On March 20, 2008, the Association of Bay Area Governments (ABAG), the Council of Local Government for the nine-County Bay Area region, approved the final housing need allocation for the RHNA for each jurisdiction in the Bay Area for the 2007 through 2014 period. Emeryville's allocation for this period is 1,137 units, broken down by income category as shown below. Chapter 3 of this housing element provides an analysis of potential sites for additional housing that will accommodate the 1,137 housing units assigned through the RHNA process.

Very low income units:	186	(16.4% of total)
Low income units:	174	(15.3% of total)
Moderate income units:	219	(19.3% of total)
<u>Above-moderate income units:</u>	<u>558</u>	<u>(49.0% of total)</u>
TOTAL:	1,137 units	

Contents

Emeryville's Housing Element identifies development sites adequate to accommodate a variety of housing types for all income levels, analyzes resources as well as constraints to housing development and affordability, and outlines policies to promote housing opportunities for all persons. Following this introductory chapter, the Housing Element's components are arranged as follows:

- Chapter 2: An assessment of local housing needs, including demographic information.
- Chapter 3: An analysis of government and non-government resources and constraints to housing development and affordability.
- Chapter 4: A progress report outlining the City's achievement with respect to goals, policies, and programs found in the 2001 Housing Element for the reporting period of January 1, 2002 through December 31, 2008.
- Chapter 5: The new goals, objectives, policies and programs that will be implemented during the Housing Element period.
- Chapter 6: A housing action plan for implementing the new goals, objectives, policies and programs identified in Chapter 5.
- Appendices: Technical data and background information supporting the Housing Element.

Review Process and Public Participation

The City of Emeryville began working on the Housing Element Update in summer 2007, with the intention of completing a first draft by summer 2008 that could be submitted to the State of California Department of Housing and Community Development (HCD) for its initial review and comment. Over a period of eight months, from August 2007 through April 2008, the Emeryville Housing Committee worked with city staff to create a draft document for further public review. A citywide public workshop on the first draft of the Housing Element was held on March 15, 2008 and attended by over twenty people not including staff. The draft was presented by staff and followed by a discussion and comment period. The draft was presented to the Planning Commission on April 24, 2008 as part of a public hearing and to the City Council on May 20, 2008 for comments and acceptance prior to forwarding to State HCD. All Housing Committee, Planning Commission and City

Council meetings during this period were fully noticed and open to the public. Over 400 individuals on a Housing Element interest list were notified of the March 15, 2008 workshop as well as the Planning Commission meeting.

To encourage full public participation, an article was published in the February 2008 edition of the *Emeryville Connection*, a Chamber of Commerce newsletter that is sent to all Emeryville addresses. The article announced the housing element update and community workshop and invited community members to get involved. The article listed upcoming opportunities for public participation including the March workshop and the public meetings. An informational flyer was broadly distributed and posted in store windows, at local restaurants, and in other visible locations. Information was also posted on the City's website. The first draft of the Housing Element was made available on the City's website, at City offices, and at the local library.

In August 2008, State HCD provided written comments on the City's first draft Housing Element. These comments were addressed and incorporated into the current version of the Housing Element. In fall 2008 and early 2009, City staff began its update to the draft Housing Element, based on the written comments from HCD. A second community workshop was held on March 28, 2009 to discuss and comment on the revised Housing Element. A number of public outreach efforts were made to encourage attendance at the workshop. Announcements were made via Emeryville's public access television station, E-TV, which reaches all households in Emeryville, with information regarding the Housing Element Workshop. An article announcing the Housing Element Update was included in the March 2009 Emeryville Chamber of Commerce newsletter which reaches all households and businesses in Emeryville. Flyers announcing the Workshop were posted around town at coffee shops, retail stores, and restaurants, at Emeryville City Hall, and at outlying departments that serve a broad range of the population, including the Emeryville Child Development Center, the Emeryville Senior Center, and the Emeryville Recreation Department which runs the after-school programs for the Emery Unified School District serving many of the families in Emeryville. Flyers were also provided to the Public Information Exchange Officer at the Emery Unified School District. To encourage participation in the Housing Element review process by lower and moderate income persons, the flyers were sent with a cover letter directly to the Home Owner Association contacts and Property Management Offices for housing developments in Emeryville that contain Below Market Rate rental apartments or ownership units. The contacts were requested to post the flyer in public notice locations within their buildings to encourage participation. The flyer was also sent electronically to several residents in the community who maintain list-servs for their neighborhoods. Postcard announcements were sent to over 350 individuals on the City's Housing Element update interest list, as well as City Committees, the Emeryville Planning Commission, the Emeryville City Council, housing developers, and housing advocacy organizations with an interest in housing issues in Emeryville. Along with these public outreach efforts, Emeryville's mayor announced the Housing Element update and March 28th workshop at the March 17th City Council meeting which is televised to Emeryville residents on the local cable access station. The proposed Housing Element was made available in its entirety online, with a request feature to sign up for the Housing Element interest list.

The revised Housing Element was presented to the Housing Committee at its April 1, 2009 meeting, to the Planning Commission on April 23, 2009 as part of a public hearing and to the City Council on June 16, 2009 for comments and acceptance prior to forwarding to State HCD. All Housing Committee, Planning Commission and City Council meetings during this period were fully noticed and open to the public. Copies of related public information materials may be found in Appendix H.

CHAPTER 2. HOUSING NEEDS ASSESSMENT

Population Characteristics

Population, Households, and Families

Emeryville's Housing Element was last updated in 2001. Since the 2001 update Emeryville has experienced rapid population and housing growth. Between 1990 and 2000 the city's population grew by almost 20% from 5,740 to 6,882 persons. From the 2000 Census through January 1, 2008, the estimated population increase has been 2,845 persons, a 41% gain to the estimated population of 9,727 persons as of January 1, 2008, the date for which the most current population estimate is available from the State Department of Finance. This growth rate exceeded that of Alameda County, whose population increased by 4.6% between 2000 and 2006. Projections by the California Department of Finance predict 9,300 residents in Emeryville by 2010. Table 2-1 provides data on the total Emeryville population between 2000 and 2008, as well as the breakdown of households by family type between 2000 and 2006. Overall, Emeryville's total population increased 41% from 2000 to 2008, with the addition of 2,845 persons so far this decade. Non-family households have been and remain the largest share of all households (70%), and grew at a slightly faster rate than family households between 2000 and 2006. Non-family households are defined as those in which the householder lives alone or with non-relatives only. In terms of household size trends since 1990, household size and family size have remained relatively steady since 1990, at 1.7 and 2.8 persons in 2000, respectively. Alameda County's average family size of 2.9 in 2000 was similar to that of Emeryville's. Non-family households, which account for a majority of Emeryville's households, had 1.3 persons on average in 2000. Emeryville's non-family households have markedly fewer persons than those in Alameda County where the average non-family household had 2.7 persons in 2000.

Table 2-1: Population and Households

	<u>2000</u>		<u>2008</u>		<u>% change 2000 - 2008</u>
Population	6,882		9,727		41%
In Households	6,815		9,660		42%
In Group Quarters	67		67		0%
	<u>2000</u>	<u>% of Total Population</u>	<u>2006</u>	<u>% of Total Population</u>	<u>% change 2000 - 2006</u>
Total Households	3,968	100%	5,056	100%	27%
Family Households	1,186	30%	1,484	29%	25%
Non-family Households	2,782	70%	3,572	71%	28%
Persons per Household	<u>1990</u>	<u>2000</u>	<u>2007</u>		
Average Household Size	1.8	1.7	1.8		
Average Family Size	2.9	2.8	not available		
Average Non-family Size	1.2	1.3	not available		

Sources: US Census, 1990, 2000 SF3; California Dept. of Finance 2008; Claritas Demographic Snapshot Report, 2007

Table 2-2 provides data on changes in household composition in Emeryville between 1990 and 2000. Household growth in Emeryville was robust between 1990 and 2000, with the city adding 764 total households, for an increase of 24%. The rate of growth for non-family households was greater than family households by a wide margin, increasing the share of non-family households from 65% to 70% citywide. In absolute terms, the city added 698 non-family households, a household type which represents 91% of all households added in that period.

For family households, married couples with children under 18 years increased at twice the rate of total household growth, and continued to make up the largest single share of family households (68%). There was a marked increase in the number of male family householders with children under 18 years, though in absolute numbers it was small (9 in 1990 to 87 in 2000). Female family householders decreased over the same period, falling by approximately 20% from 282 to 226. Female family householders with children fell even more precipitously, declining from 208 to 131 (37% decrease).

Table 2-2: Household Types

	<u>1990</u>	<u>% of Total Households</u>	<u>2000</u>	<u>% of Total Households</u>	<u>% Change 1990 - 2000</u>
Total Households	3,204	100%	3,968	100%	24%
Family households:	1,120	35%	1,186	30%	6%
Married-couple family:	746	23%	805	20%	8%
With own children under 18 years	187	6%	282	7%	51%
No own children under 18 years	559	17%	523	13%	-6%
Male householder, no wife present:	92	3%	155	4%	68%
With own children under 18 years	9	0%	87	2%	867%
No own children under 18 years	83	3%	68	2%	-18%
Female householder, no husband present:	282	9%	226	6%	-20%
With own children under 18 years	208	6%	131	3%	-37%
No own children under 18 years	74	2%	95	2%	28%
Non-family households	2,084	65%	2,782	70%	33%

Sources: US Census, 1990, 2000 SF3

As shown in Table 2-3, which tracks household composition trends between 1990 and 2000, in addition to the number of family households declining in relation to non-family households, the share of Emeryville's population that lives in family households grew only slightly (1%) but shrank proportionally. In contrast, the non-family population increased at a rate of 41%, over twice the rate of the city's growth as a whole. In 2000, 51% of the city's population lived in non-family households, up from 44% in 1990.

The composition of family households in Emeryville was relatively unchanged between 1990 and 2000, although the number of grandchildren in Emeryville families decreased dramatically, from 86 to 15. The total number of children in Emeryville family households declined slightly as well. “Other relatives” living in family households marked the biggest percentage increase from 1990 to 2000. In sum, families in Emeryville in 2000 had slightly fewer children and grandchildren but had more of other relatives than in 1990. For non-family households, there were two remarkable shifts. First, the share of total females heading non-family households grew at a much faster rate than the total population, so that by 2000 there was roughly an equal number of female and male non-family householders. Most of these females in 2000 lived alone (83%), comparable to 1990 (82%). In contrast, the proportion of male heads of household living alone declined from 1990 to 2000 (79% and 75%, respectively). Second, non-relatives living in non-family households also increased dramatically (79%) from 423 to 756.

Table 2-3: Household Composition

	<u>1990</u>		<u>2000</u>		<u>% Change 1990 - 2000</u>
Total Population:	5,740	100%	6,882	100%	20%
In Households	5,740	100%	6,815	99%	19%
In family households:	3,233	56%	3,277	48%	1%
Householder	1,120	20%	1,186	17%	6%
Spouse	767	13%	806	12%	5%
Child	916	16%	902	13%	-2%
Grandchild	86	1%	15	0%	-83%
Other relatives	255	4%	290	4%	14%
Non-relatives	89	2%	78	1%	-12%
In non-family households:	2,507	44%	3,538	51%	41%
Male householder:	1,135	20%	1,400	20%	23%
Living alone	897	16%	1,045	15%	16%
Not living alone	238	4%	355	5%	49%
Female householder:	949	17%	1,382	20%	46%
Living alone	786	14%	1,157	17%	47%
Not living alone	163	3%	225	3%	38%
Non-relatives	423	7%	756	11%	79%
In group quarters:	-	0%	67	1%	n/a
Institutionalized persons	-	0%	-	0%	
Other persons in group quarters	-	0%	67	1%	

Sources: US Census, 1990, 2000 SF3

Table 2-4 shows the number of persons per occupied housing unit. Between 1990 and 2000 the number of units with one occupant increased 31%, a faster rate than all other categories, increasing the share from 53% to 55%. In 2000, there were 2,205 occupied units in Emeryville with one person living in them. Units with three and four persons declined proportionally while units with 5 or more persons maintained a 3% share.

Table 2-4: Persons Per Occupied Housing Unit 1990 - 2000

	<u>1990</u>	<u>% of Total Housing Units</u>	<u>2000</u>	<u>% of Total Housing Units</u>	<u>% Change 1990-2000</u>
Total Occupied Housing Units	3,204	100%	3,975	100%	24%
1 Person	1,683	53%	2,205	55%	31%
2 Persons	977	30%	1,175	30%	20%
3 Persons	280	9%	309	8%	10%
4 Persons	172	5%	172	4%	0%
5 or more Persons	92	3%	114	3%	24%

Source: US Census, 1990, 2000 SF3

In summary, between 1990 and 2000 the total share of Emeryville's population that lived in family households declined from 56% to 48%. Married couples and male heads of households with children increased at a rate faster than general household growth while female headed households, especially those with children, declined. In 2000, 48% of the city's population lived in family households (down from 56% in 1990). One third of the population lived alone, and 11% were unrelated individuals living in non-family households (up from 7% in 1990). Female householders living alone were one of the fastest growing groups, and in 2000 they represented 17% of the city's population.

Age Characteristics

Emeryville's age profile (Table 2-5) marked an increase in the overall age of the population between 1990 and 2000. The population of people 18 years and younger declined, while population of 35 years and older grew. The population of people over 65 remained more or less the same even though its largest growth occurred among those 75 and older. These trends are reflected in an overall increase in the median age in Emeryville by two years from 1990 to 2000, from 34.4 years to 36.4 years.

Table 2-5: Median Age (years)

	<u>1990</u>	<u>2000</u>
Emeryville	34.4	36.4
Alameda County	32.7	34.7

Source: US Census, 1990, 2000 SF3

As shown in Table 2-6, between 1990 and 2000, the total share of the population under 18 fell from 14% to 11%, reflecting an 8% decline. Growth in the 18-65 age bracket was greater than growth for the population as a whole, having its most dramatic increase among 21- 24-years old (91% increase). 21-24 years old registered the largest proportional increase in population share from 7% to 11% (366 out of 1,142), to which one third of the population growth in the city from 1990 to 2000 can be attributed. In contrast, there was no growth in the 25-34 age bracket which comprised the largest bracket at 22%, (down from 27%). Combined, the 21-24 and 25-34 age brackets make up 33% of the city's total population. Those in the age brackets between 35 and 64 years increased their share of the city's population from 38% to 43%; this group made up 66% of the total population increase between 1990 and 2000. The majority of this population is clustered in the 35-44 age bracket, representing 19% of the city's population (unchanged from 1990). Those 45-64, while evenly distributed, made up 48% of the city's population growth. In sum, the city's 35-64 age bracket lost population, while people in older brackets added population. The population of people over 65 increased by 12%; this increase helped maintained its number at 9% of the total population. On average, there was a larger group of people over 65 in 2000 than there was in 1990, with a net loss in the 65- to 74- year bracket and dramatic growth among 75-84 and 85 and older.

Table 2-6: Age Distribution

	1990		2000		% Growth 1990-2000
Total Population	5,740	100%	6,882	100%	20%
Age 0 - 4	252	4%	236	3%	-6%
Age 5 - 9	160	3%	168	2%	5%
Age 10 - 14	247	4%	172	2%	-30%
Age 15 - 17	132	2%	154	2%	17%
Under 18	791	14%	730	11%	-8%
Age 18 - 20	261	5%	269	4%	3%
Age 21 - 24	402	7%	768	11%	91%
Age 25 - 34	1,522	27%	1,529	22%	0%
Age 35 - 44	1,105	19%	1,318	19%	19%
Age 45 - 49	302	5%	485	7%	61%
Age 50 - 54	279	5%	497	7%	78%
Age 55 - 59	234	4%	344	5%	47%
Age 60 - 64	306	5%	341	5%	11%
18 to 64	4,411	77%	5,551	81%	26%
Age 65 - 74	383	7%	293	4%	-23%
Age 75 - 84	117	2%	219	3%	87%
Age 85 and over	38	1%	89	1%	134%
65 and over	538	9%	601	9%	12%

Sources: US Census, 1990, 2000 SF3

A comparison of growth rates in each age bracket illustrates Emeryville's population shifting towards people of older age. Compared with the citywide population growth rate of 20%, the under-18 age brackets grew slowly, or declined (ages 10-14), and thus, declined in its share of the population. On the other end of the scale, strong growth among those 45-59 helped push the city's age profile up. Notably, the 21-24 age bracket grew dramatically. However, the 25-34 age bracket remained unchanged from 1990 levels. While those age 84 and over grew at the fastest rate (134%), their absolute numbers represent just 1% of the total population.

The proportional decline of those under 18 years old prompts several interpretations. One is that the need for housing that can accommodate families is in decline; another is that new housing construction that occurred during the 1990-2000 period was not designed to be family-oriented (i.e. projects were built with predominantly smaller units with fewer bedrooms). It appears that Emeryville has been very attractive to those who are typically younger than most new parents (i.e. those 21-24, recently out of college) and those who are older than the typical childbearing years (i.e. those 45-59 and older than 65).

Comparing Emeryville's population to that of Alameda County will help highlight Emeryville's unique context: The proportion of Emeryville's population that was under 18 years old in 2000 was 11%; in Alameda County it was 24%. Concurrently, those 18-65 years old in Emeryville made up 81% of the population; in Alameda County it was 65%.

The upshot is that a third of the population, those in the 21-24 and 25-34 brackets, is more likely to need housing units that are smaller than single-family detached homes. Studios and one-bedroom units are likely to be the most attractive housing type for those 21-24, while one and maybe two-bedroom units may be more attractive to young couples in the 25-34 year old bracket. The high rate of growth of individuals living alone (32% of the population in 2000) also reflects a trend in the residential units types being developed in that a greater percentage of new units are one-bedrooms than larger sized units. This is discussed further below in the section on Housing Unit Characteristics.

The 45-59 age group is more likely to already have children, but the absolute decline in children between 1990 and 2000 suggests that those who moved to Emeryville either did not have children or had children who are grown or moved to college etc. Current or future "empty nesters" appear to have been attracted to Emeryville. One and two bedroom unit lofts are likely to be popular housing products for this group.

Finally, although proportionally small, the growth in population over 65 is worthy of discussion. Combined, this group represented 9% of the city's population in 2000, and was skewed toward those 75 and older. Indeed, the number of people in the age 85 and over age group grew from 38 people in 1990 to 89 people in 2000, a 134% increase. Managed care and independent living units may be needed to accommodate this population.

Education Characteristics

In 2000 Emeryville's educational attainment profile was that of a fairly highly educated population. As shown in Table 2-7, over half of the population held at least a bachelor's degree (54%), compared with about one-third in Alameda County (34%). Because incomes typically rise with educational attainment, a greater share of Emeryville's population has more financial resources to devote to housing than Alameda County as a whole.

Table 2-7: Educational Attainment for Residents 25 Years and Over

	<u>Emeryville</u>	<u>% of Total Population</u>	<u>Alameda County</u>	<u>% of Total Population</u>
Total Population 25 years and over	5,115	100%	953,716	100%
Less than 9 th Grade	135	3%	76,513	8%
Some High School, no diploma	394	8%	91,768	10%
High School Graduate	583	11%	181,668	19%
Some College, no degree	1025	20%	206,013	22%
Associate Degree	240	5%	64,800	7%
Bachelor's Degree	1439	28%	202,586	21%
Master's Degree	871	17%	85,704	9%
Professional School Degree	190	4%	24,450	3%
Doctorate degree	238	5%	20,214	2%
Source: US Census 2000, SF3				

As shown in Table 2-8, a sizable minority of Emeryville's population, 16%, was enrolled in undergraduate or graduate school in 2000. This was respectively greater than the Alameda County and Statewide figures of 9% and 8%. Emeryville's proximity to the University of California, Berkeley and other institutions in Emeryville and Oakland likely explains this figure.

Table 2-8: School Enrollment		
	<u>2000</u>	<u>% of Total Population</u>
Total Population 3 years and over	6,702	100%
Enrolled in nursery school, preschool:	50	1%
Enrolled in kindergarten:	29	0%
Enrolled in grade 1 to grade 4:	131	2%
Enrolled in grade 5 to grade 8:	130	2%
Enrolled in grade 9 to grade 12:	235	4%
Subtotal K-12	525	8%
Enrolled in college, undergraduate years:	746	11%
Enrolled in graduate or professional school:	367	5%
Subtotal college (incl. graduate/prof)	1,113	16%
Alameda County Enrollment in undergraduate or graduate school		9%
State of California Enrollment in undergraduate or graduate school		8%

Source: US Census 2000, SF3

Racial and Ethnic Characteristics

Table 2-9 compares race and ethnicity changes from 1990 to 2000 in Emeryville. Between 1990 and 2000, all racial and ethnic groups in Emeryville increased in number, though not all at the same rate as the total population increased. The result was a modest evening out of racial and ethnic distribution in the form of a proportional decrease of Whites and Blacks, corresponding with the growth of Asians and those identifying as "Other".

In general, Emeryville's population remained predominantly Non-Hispanic in 2000 (91%). Non-Hispanic Whites still remain the largest racial group even though it fell proportionally from 49% to 42% of the total population. Non-Hispanic Asians, Native Americans, and Pacific Islanders became the second largest racial group, over 25%. This group essentially switched places with Non-Hispanic Black or African Americans, whose share declined from nearly a quarter to about one fifth of the total population. Those identifying as Non-Hispanic "Other" increased from 1% to 4% of the total population, representing the largest growth rate of all racial groups. The Hispanic population increased, but in 2000, it still made up about one tenth of the city's population (the same as it was in 1990). Approximately half of the Hispanic population identified as "Other race," with the next largest share identified as White (38%).

In summary, the population of Non-Hispanic Asians, Native Hawaiians, and Pacific Islanders grew most substantially at a rate of 69% and accounted for the largest share of total population added to the city from 1990 to 2000, 724 people (63%). The growth rate of Non-Hispanic Whites and Non-Hispanic Black or African American population was small, respectively 3% and 1%. The dramatic increase (33%) in Non-Hispanic "Other race" is likely attributed to changes to the reporting formats between the 1990 and 2000 Decennial Census. The Hispanic population grew at a rate somewhat faster than the total population, but overall, Hispanics in 2000 made up the same proportion of the total population as in 1990. The "Other race" group represented the most substantial increase within the Hispanic category, accounting for 78 of the 122 persons added (63%).

Table 2-9: Race and Ethnicity

	<u>1990</u>		<u>2000</u>		<u>% change 1990 - 2000</u>
Total Population	5,740	100%	6,882	100%	20%
Non-Hispanic	5,252	91%	6,272	91%	19%
White	2,784	49%	2,859	42%	3%
Black or African American	1,308	23%	1,322	19%	1%
American Indian and Alaska Native	33	1%	45	1%	36%
Asian, Native Hawaiian, and Pacific Islander	1,048	18%	1,772	26%	69%
Other race	79	1%	274	4%	247%
Hispanic	488	9%	610	9%	25%
White	217	4%	234	3%	8%
Black or African American	17	0%	36	1%	112%
American Indian and Alaska Native	0	0%	0	0%	0%
Asian, Native Hawaiian, and Pacific Islander	20	0%	28	0%	40%
Other race	234	4%	312	5%	33%

Source: US Census 1990, 2000 SF3

Special Needs Populations

This section describes groups in the City of Emeryville with a range of housing and supportive service needs, including groups defined in State Housing Element law as having special needs. These groups consist of agricultural workers, large families, female-headed households, the elderly, persons with disabilities, and homeless people.

Agricultural Workers

According to the 2000 Census, only 12 people, or 0.3% of Emeryville's population, work in the fields of agriculture, forestry, fishing and hunting, or mining. Emeryville's agricultural worker population is generally composed of boat workers and garden store employees. Neither of these groups requires special housing.

Emeryville's Large Families

Large families are identified as a special needs population in State Housing Element law because with a limited supply of adequately sized units to accommodate larger households, large families can face difficulty located adequately-sized affordable housing. Large households are defined by the U.S. Census Bureau as households containing five or more persons (related or unrelated). As shown previously in Table 2-4, the majority of households in Emeryville in 2000 were occupied by one or two persons, although in this year there were also 114 households with five or more persons, representing 3% of total occupied units. This was a 24% increase in the number of large family units since 1990 (22 more units). The break-down by tenure is shown in Table 2-10 below. Two percent of owner-occupied housing units were occupied by households with five or more persons (24 units), and 5% of renter-occupied housing units were occupied by households with five or more persons (90 units).

Table 2-10: Family Size by Tenure

	<u>1-4 persons</u>		<u>5+ persons</u>		<u>Total</u>	
	Number	Percent	Number	Percent	Number	Percent
Owner Occupied	1,440	98%	24	2%	1,464	100%
Renter Occupied	2,421	95%	90	5%	2,511	100%
Total	3,861	97%	114	3%	3,975	100%

Source: US Census 2000 SF3

Emeryville's Single Parent Families

State housing element law considers single female-headed households to have special needs. Single mothers often rely on one income to meet all household expenses, and on average, women earn less than men in similar occupations. As shown in Table 2-11, the 2000 Census identified 131 single-mother households (with their own children) in Emeryville, 3% of Emeryville's total households.

According to the 2000 Census, 7.1% of Emeryville families with a female householder and no husband present were below poverty level. These single-mother households may experience a significant housing affordability gap.

In addition to economic problems, single mother families are often vulnerable to displacement due to domestic violence. According to the Alameda Countywide Homeless and Special Needs Housing Plan, published in April 2006, assistance is only available to a small percentage of these families. In Alameda County there are over 150 shelter beds available exclusively for women escaping domestic violence. There are over 70 units of transitional or permanent housing specifically for victims of domestic abuse. The City of Emeryville annually allocates a portion of its federal CDBG allocation to the Berkeley Food and Housing Project (BFHP) in support of that organization's transitional housing project for women and children.

It is interesting to note that single-mother households in Emeryville declined between 1990 and 2000, whereas single-father households grew, as shown in Table 2-11. This may be due to changes in family law courts resulting in an increasing number of fathers receiving custody of their children. In Alameda County, single-father and single-mother households both grew from 1990 to 2000, though single-father households experienced greater growth.

Table 2-11: Single-Parent Households

	<u>1990</u>	<u>% of Total Households</u>	<u>2000</u>	<u>% of Total Households</u>	<u>% Change 1990-2000</u>
<u>Alameda County</u>					
Single-father households	7,833	2%	10,853	2%	39%
Single-mother households	34,478	7%	35,482	7%	3%
<u>City of Emeryville</u>					
Single-father households	9	0%	87	2%	867%
Single-mother households	208	6%	131	3%	-37%

Sources: US Census, 1990, 2000, SF3

Emeryville's Elderly People

As of the 2000 Census, 9% of Emeryville residents were 65 years of age or older and the group was skewed toward those 75 and older (see Table 2-6). Many seniors live on fixed incomes, which can translate to seniors having difficulty with housing costs if rents or ownership housing costs increase. The tenure profile of Emeryville's seniors is shown in Table 2-12. Of the total 537 units occupied by seniors ages 65 years and older, 44% were occupied by renter households (236 units) and 56% by owner households (301 units).

Table 2-12: Occupied Units by Tenure by Age

Household Age	Renters		Owners		Total	
65 to 74 years	96	40.7%	124	52.5%	220	41.0%
75 to 84 years	102	43.2%	127	53.8%	229	42.6%
85+ years	38	16.1%	50	21.2%	88	16.4%
Total	236	100.0%	301	127.5%	537	100.0%

Source: US Census 2000 SF3

This is a fairly high rate of ownership by senior households for a group that comprises just 9% of Emeryville's population. Seniors' ownership rate is higher than the City's overall ownership rate, which was 37% in 2000. As shown in Table 2-13, however, most seniors have low or very low incomes. Among elderly renter households, fully 74% have incomes that are extremely or very low income. Among elderly owner households, there is also a high percentage who are extremely or very low income (49%). Table 2-13 also shows that all lower income elderly renter households (those less than 80% of the area median income) had some form of housing problems (either experienced cost burden, paying more than 30% of their income on housing costs, overcrowding, and/or substandard kitchen or plumbing facilities). (Housing problems and overpayment issues are described later in this chapter under "Housing Affordability" section.) Among elderly owner households, a majority of extremely low income and very low income seniors experienced housing problems.

Table 2-13: Elderly Households by Income and Tenure; % with Housing Problems

Household Age	Elderly Renter Households	As % Total	% with Housing Problems	Elderly Owner Households	As % Total	% with Housing Problems	Total	As % Total
Below 30% MFI	140	51.9%	67.9%	70	16.5%	50.0%	210	30.2%
31-50% MFI	60	22.2%	100.0%	70	16.5%	78.6%	130	18.7%
51-80% MFI	10	3.7%	100.0%	60	14.1%	41.7%	70	10.1%
>80% MFI	60	22.2%	0.0%	225	52.9%	13.3%	285	41.0%
Total	270	100.0%		425	100.0%		695	100.0%

Source: CHAS Data, Housing Problems, 2000

Two apartment buildings in Emeryville are reserved for very low-income seniors including Emery Villa (which contains 50 units) and Avalon Senior Apartments (which contains 66 units). By reserving units at very low income rents for seniors, these two developments assist in alleviating the cost burden issues that many seniors face.

According to the Alameda County Social Services Department, 130 Emeryville residents are involved with the In-Home Supportive Services Program (IHSS). The percentage of those receiving support has increased by only 0.1% since 2004.

The Alameda County Area Agency on Aging is the local arm of the national aging network that works to advance the social and economic health of elders (60 and over) within the county. In 1994 they completed a study expressing the need for a higher level of

care and assistance for the elderly within Emeryville. Since then, a Needs Assessment Report has been completed concerning issues facing seniors. This 2005 report includes data and surveys from those residing in the North County (defined as the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont). Twenty-eight percent of North County seniors have been residents for over 30 years, and 72% of the elderly in the North County are female.

According to data collected through a focus group survey as part of the 2005 Needs Assessment, 15% of respondents think that housing is a serious problem for seniors, many of whom in the low income range. The 2005 Needs Assessment also reveals that 64% of married North County seniors have a monthly income below \$1,781, with the county wide average being 51%. Fifty-nine percent of single seniors in the North County have a monthly income of below \$937 while the countywide average is 47%. Given that the estimated mean rent for a one-bedroom apartment in Emeryville exceeds \$1,300 (based on a March 2007 City of Emeryville survey), there is a significant imbalance between rents and what seniors can pay. It may be surmised that some seniors are living in substandard housing, are living with relatives, or have been able to secure subsidized housing.

The second phase of the 2005 Needs Assessment was the facilitation of six focus groups, each with ten to twenty participants. Housing was a key topic of discussion. The participants identified financial abuse as a significant concern, as well as home safety. Difficulty with landlords was a recurrent theme, especially when modifications to the home were requested (such as grab bars and banister repair). Many seniors said that they were unfamiliar with what resources were available to them and were afraid of being overcharged for services. Two seniors suggested an agency be created that cater to 'senior friendly' services. The majority of seniors were unwilling to consider shared housing situations for fear that they would become the caregiver of someone who became disabled. This conclusion was unanimous across regions. Participants were reluctant to burden family members but welcomed the idea of supportive housing and more structured care. None expressed an aversion to a nursing home or institutional care, but they feared a lack of resources would not give them any choice in the type of housing they would be able to have. Lower income seniors from the North County were more averse to institutional care. The majority viewed new housing developments as less than accessible, feeling that what developers propose for low income seniors rarely resulted in truly 'low-income' housing.

The 2005 Needs Assessment also indicates that many of the elderly in Emeryville may need assistance performing daily tasks. Thirty-seven percent of seniors in the North County reported an inability to do heavy housework, 26% are unable to shop, 23% can not prepare their own meals, and 28% have no means of transportation. Of those unable to manage or who have serious difficulty with certain activities, 66% of seniors in the North County had no help managing money, 74% had no help getting to the bathroom, 65% had no help bathing, and 46% had no help preparing meals.

Forty-seven percent of North County seniors live alone. Of those that live with others, 38% of North County seniors share their home with a spouse or partner, 22% live with other family members, and 2% live with a friend or caregiver. The largest percentage (49%) of North County seniors reside in a house while 38% live in an apartment or condominium/townhouse; 4% live in senior housing, an assisted living facility, or a residential care home; and 1% are homeless.

The Emeryville Senior Center functions as a community focal point for older adults in Emeryville and the surrounding community. It provides an array of services that promote healthy aging, such as in-home care, health services, financial counseling, subsidized transportation, and social activities. In 2006, the Emeryville Senior Center served an average of 430 seniors per month and a total of 5,152 seniors during the year.

Emeryville's Disabled People and Housing Resources for People with Disabilities

Disabled households (either elderly or non-elderly) include households that have members who are disabled due to a physical handicap, a mental illness, or developmental disabilities. In general, persons with disabilities have lower incomes, especially in those cases where the disability limits the ability to hold a job. Moreover, disabled people often experience significant barriers to adequate housing due to physical or structural obstacles.

According to the 2000 U.S. Census, 1,029 (19.5%) of Emeryville residents between the ages of 21 and 64 years had some type of disability. Employment disability, where a physical, mental, or emotional condition lasting 6 months or more that makes it difficult for an individual to work, was the most prevalent disability type. Of those individuals with one disability, 57% reported having an employment disability. Other disability types included sensory disability (blindness, deafness), physical disability (difficulty walking or reaching), mental disability (difficulty learning, remembering, or concentrating), self-care disability (difficulty dressing, bathing, or getting around inside the home), and going outside the home disability (difficulty shopping or visiting a doctor's office alone).

According to the 2000 U.S. Census, 42% of the population over 65 years of age had a disability. Over 25% of those over age 65 had more than one disability. Of those with one disability, 73% were physically disabled.

The cost and availability of housing is a significant barrier. Disability incomes in Alameda County were just \$870 per month in 2008. Many with disabilities depend on Supplemental Security Income (SSI) as their sole source of income, and would be considered as extremely low-income. The area median income for a one-person household in Alameda County was \$60,300 in 2008. In comparison, in 2008 SSI was an equivalent of \$10,440 per year to a disabled single person under 65. This is just 17% of Alameda County's median income for an individual. SSI payments alone leave recipients near the poverty level, established at \$10,400 per year in 2008.

Physical Disabilities. Table 2-14 lists permanent housing located in or near Emeryville that is available to physically disabled people and people with limited mobility. The majority of the developments listed below are affordable senior housing projects that also allow physically disabled residents over the age of 18. Therefore, though there appears to be a large number of units available for the physically disabled, it should be noted that a large portion of these units are occupied by seniors who may or may not have a physical disability. Providence House in Oakland, Adeline Street Apartments in Berkeley, and Ocean Avenue Apartments in Emeryville are dedicated solely to very low income, physically disabled individuals and their families. Ocean Avenue Apartments is located in Emeryville and consists of six affordable units; this development was built in 1997.

Table 2-14: Permanent Housing For People with Physical Disabilities

<u>Sponsor/Owner</u>	<u>Project Name</u>	<u>Number of Units</u>
Alameda County Housing Authority	Ocean Avenue Apartments (Emeryville)	6
Providence Health System	Providence House (Oakland)	34 1-BR, 6 2-BR
Satellite Housing	Valdez Plaza (Oakland)	150
1 st Congregational Church	Amistad House (Berkeley)	6
Resources for Community Development	Adeline Street Apartments (Berkeley)	19
Interstate Realty	Harriet Tubman Terrace (Berkeley)	90 (studios & 1-BR)
John Stewart Company	Redwood Gardens (Berkeley)	17
American Baptist Homes of the West	Allen Temple Arms II (Oakland)	38 1-BR, 13 studios
John Stewart Company	Baywood Apartments (Oakland)	5
Oakland Community Housing	Beth Eden (Oakland)	50 (studios & 1-BR)
Christian Church Homes of Northern California	Casa Velasco (Oakland)	8 1-BR, 12 studios
E.E. Cleveland Manor	E.E. Cleveland Manor (Oakland)	13 studios, 40 1-BR
A.F. Evans	Hotel Oakland (Oakland)	77 studios, 237 1-BR
Christian Church Homes of Northern California	J.L. Richards Terrace (Oakland)	20 studios, 60 1-BR
G & K Management	Lake Merritt Apartments (Oakland)	54 1-BR
Related Management Co.	Noble Towers (Oakland)	195 1-BR
Christian Church Homes of Northern California	Posada de Colores (Oakland)	99 1-BR, 1 2-BR
Alton Management	Rose of Sharon (Oakland)	83 studios, 56 1-BR
Christian Church Homes of Northern California	Sister Thea Bowman Manor (Oakland)	14 studios, 41 1-BR
Christian Church Homes of Northern California	Sojourner Truth Housing (Oakland)	74 studios, 13 1-BR
Christian Church Homes of Northern California	Southlake Tower (Oakland)	129 1-BR, 1 2-BR

Mental Illness. People with behavioral health problems, including mental illness and/or substance abuse, face substantial challenges obtaining and maintaining stable housing. In Alameda County, there are approximately 30,000 adults and children with serious mental illness or serious emotional disturbance living in households with incomes at or below 200 percent of the poverty level (State of California Department of Mental Health Statistics and Data Analysis, Prevalence Rates of Mental Disorders, Updated October 2004). Table 2-15 below provides data on the housing situation of adults living with mental illness who are in care managed by the Alameda County Behavioral Health Care Services (BHCS). BHCS served more than 18,000 adults in 2002. Consumers who are seriously and persistently mentally ill and have the most acute service needs are assigned by BHCS to Service Teams for care. In July 2004, there were 4,074 adults on Service Teams.

Available data from the “Alameda Countywide Homeless and Special Needs Plan” published in April 2006 (now known as the “EveryOne Home Plan”) indicates that 866 adults with mental illness are homeless at any given time in Alameda County. Because of the extremely low incomes of the majority of single adults and households with someone living in them with serious mental illness, the *EveryOne Home Plan* estimates a need for housing assistance for approximately 17,818 low income adults and heads of family household with mental illness who are at-risk of homelessness.

BHCS operates a short-term partial rent subsidy program referred to as ‘20% Rent Subsidies’. This program provides 20% of monthly rent to help people with mental illness move from homelessness to stable housing. A total of 494 permanent supportive housing units at seven sites in Oakland and Berkeley are linked to supportive services through the Health, Housing, and Integrated Service Network (HHISN) Pathways Project in Alameda County. Teams of public and private nonprofit organizations deliver integrated services to residents. Evaluations have shown that service-enriched housing improved access to care and reduced total public costs by 15% by shifting demand towards less expensive services.

Table 2-15: Housing Situation of Adults in care of Alameda County Behavioral Health Care Services (July 2004 and 2002)

<u>Housing Situation</u>	Seriously and Persistently Mentally Ill Adults Care Managed by BHCS (July 2004)		All Adult Clients served by BHCS Mental Health Services in 2002	
	<u>Number</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Independent Living	2,326	57%	3,908	22%
Independent With Support	574	14%	1,631	9%
Board & Care	302	7%	1,103	6%
Treatment Facility	213	5%	1,008	6%
Criminal Justice System	5	<1%	3,185	18%
Homeless	164	4%	1,077	6%
Temporary	41	1%	184	1%
Unknown	423	10%	5,660	31%
Other	26	<1%	268	1%
Total	4,074	100%	18,024	100%

Source: Alameda County Behavioral Health Care Services, *Companion Materials, 9 Behavioral Health in Alameda County: Expanded Version. (2006).*

Throughout Alameda County, there are six family units, 16 family beds, and 118 individual beds reserved for people with mental illness. Table 2-16 lists the permanent housing units near Emeryville which are dedicated solely to serving people with mental illness.

Table 2-16: Permanent Housing For People With Mental Illness

<u>Sponsor/Owner</u>	<u>Project Name</u>	<u>Family Units</u>	<u>Family Beds</u>	<u>Individual Beds</u>
Alameda County Behavioral Health Care Services	Lakehurst SRO (Oakland)	--	--	3
Alameda Point Collaborative	Multiple Sites (Alameda)	--	--	10
Bay Area Community Services	Amber House (Oakland)	--	--	6
Bay Area Community Services	Humphrey Lane (Oakland)	--	--	12
Bonita House	Channing Way (Berkeley)	--	--	4
Bonita House	Hearst Street (Berkeley)	--	--	12
Bonita House	Martin Luther King Street (Berkeley)	--	--	7
City of Berkeley Housing Department/Bonita House and Berkeley Mental Health	Shelter Plus Care (tenant-based)	2	6	37
Fred Finch Youth Center	Coolidge Court (Oakland)	--	--	19
Resources for Community Development (RCD)/Oakland Community Housing Inc. (OCHI)	MLK House (Berkeley)	--	--	8
Total		2	6	118

Source: Alameda County Behavioral Health Care Services; Alameda Countywide Homeless and Special Needs Housing Plan, April 2006

Developmental Disabilities. The Courtyards Apartments in Emeryville, a project built in 2004, has 331 units. Sixty-three units in the development are reserved as Below Market Rate (BMR) units pursuant to the City's Affordable Housing Set Aside Ordinance. When the City entered into an Agreement on Affordable Units with the owner, the City negotiated the inclusion of three of the BMR units as reserved for households living with developmental disabilities. Two of these units are reserved for moderate income households; one unit is for a very low income household. The Affordability Agreement requires the owner to obtain referrals from the Regional Center of the East Bay, which is the local agency for the East Bay serving this population. In 2008, the Emeryville Redevelopment Agency issued a Request for Proposals to solicit affordable housing projects for a four-plex structure that it owns at 4001 Adeline Street. The Agency has selected Housing Consortium of the East Bay (HCEB), whose mission is to provide affordable housing opportunities for persons living with developmental disabilities, to renovate the four-plex as five units serving extremely low income developmentally disabled households with support services provided through HCEB and the Regional Center. The project is anticipated to be completed by fall 2010.

Emeryville's Persons Living with HIV/AIDS. The number of AIDS cases and case rates for the seventeen cities in Alameda County has decreased over time. Historically, the largest number of cases and the highest case rate has been in Oakland, the largest city in the county. Case rates (per 100,000 residents) in Emeryville have been higher than in Oakland in recent years (67% in Emeryville and 26% in Oakland from 2003 to 2005); as only 16 cases (versus 324 in Oakland) were actually diagnosed during this time period, this high case rate is most likely due to the small overall population of Emeryville.

According to the AIDS Epidemiology Report from Alameda County prepared by the Alameda County Public Health Department and released in August 2006, the number of cases diagnosed in a single year peaked in 1992 (621 cases) and has been declining steadily since, with 143 cases diagnosed in 2005. This decreasing trend is similar to that observed in California and the United States as a whole. As of December 31, 2005, the majority of people living with AIDS in Alameda County were male (82%) and the racial/ethnic group with the highest proportion of cases was African American (47%). Fifty-four people in Emeryville were diagnosed and living with AIDS as of 2005; 85% of these residents were male, 48% of were white, and 43% were African American.

People with HIV and AIDS often encounter significant housing problems similar to the elderly and disabled. This can be due either to limited incomes or to the structural capacity of the housing supply to accommodate their physical needs. There are few available services within Emeryville that cater to those with HIV and AIDS. However, the Baybridge Apartments project in Emeryville includes six units for very low income households living with HIV/AIDS.

The HIV/AIDS services system within Alameda County updated a housing plan in 1998. Two new programs were developed as part of the implementation of that plan: Project Independence and the AIDS Housing Information Project. The current housing and service system is supported by two federal programs: HUD's Housing Opportunities for Persons with AIDS (HOPWA) program and the Ryan White CARE Act. HOPWA funds are used for the development of emergency, transitional, and permanent housing. Since 1999, the US Health Resources and Services Administration, HRSA, has determined that Ryan White funds can no longer be used for permanent rental or ownership housing, and the use of HOPWA for services should be limited to 35% of the total grant amount in a given project.

Alameda County has implemented a partial rent subsidy program for people living with HIV/AIDS since 1996. Project Independence provides partial rent subsidies, support service coordination, and accessibility improvements to people living with HIV/AIDS who are at risk of homelessness. The project was initiated in the 1996 *Alameda County Multi-Year AIDS Housing Plan*, and its funding has since been renewed.

Table 2-17 provides a complete list of permanent housing available for people living with AIDS/HIV in Alameda County. Emeryville's Bay Bridge Apartments is reserved for six very low income households living with AIDS/HIV.

Table 2-17: Permanent Housing for People Living With HIV/AIDS in Alameda County

<u>Sponsor/Owner</u>	<u>Project Name</u>	<u>Family Units</u>	<u>Family Beds</u>	<u>Individual Beds</u>
Affordable Housing Associates	University Neighborhood Apartments (Berkeley)	2	6	--
Affordable Housing Associates/Building Opportunities for Self Sufficiency (BOSS)	Peter Babcock House (Berkeley)	--	--	5
Alameda Point Collaborative/Housing and Community Development (HCD)	Spirit of Hope (Alameda)	4	13	--
Alameda Point Collaborative/Resources for Community Development	Miramar Apartments (Alameda)	12	36	--
Allen Temple Housing Corporation	Allen Temple Manor (Oakland)	2	4	21
East Bay Asian Local Development Corporation	Swans Market (Oakland)	4	12	--
Resources for Community Development (RCD)	Providence House (Oakland)	--	--	40
Resources for Community Development (RCD)	Bay Bridge Apartments (Emeryville)	--	--	6
Resources for Community Development (RCD)	Concord House (Hayward)	--	--	8
Resources for Community Development (RCD)	Dwight Way (Berkeley)	--	--	2
Resources for Community Development (RCD)	Eastmont Court (Oakland)	--	--	4
Resources for Community Development (RCD)	Harrison Hotel (Oakland)	--	--	14
Resources for Community Development (RCD)	Marlon Riggs (Oakland)	--	--	12
Total		24	71	112
Permanent Housing In Development				
Allied Housing, Inc.	Housing Alliance (Hayward)	--	--	2
Affordable Housing Associates	Sacramento Senior Homes (Berkeley)	--	--	4
Total		--	--	6

Homeless Profile in Emeryville and Alameda County

Homelessness and housing crises have wide-ranging negative impacts. When individuals are homeless or at-risk of becoming homeless, they are unable to reach their full potential at home, at work, at school, or in the community. Homelessness is a symptom of a wide range of challenges and characteristics. The high cost of housing in Alameda County increases cases of homelessness and presents a barrier to its prevention. According to the National Low Income Housing Coalition, Alameda County is one of the ten least affordable counties in the nation. Approaches to end homelessness need to combine services with housing and emphasize the importance of permanent housing options that are affordable to households with extremely low incomes. Many homeless adults and youth are living with mental illness, substance abuse issues, HIV or AIDS-related illness, and/or other disabilities. The profile of people who are homeless is wide-ranging as well. There are single adults who are homeless (men and women), youth who are emancipated out of the foster system, families with children, and seniors.

Alameda County, of which Emeryville is a part, has made a significant investment in affordable housing and services related to homelessness, behavioral health, and HIV/AIDS. In April 2006, the “Alameda Countywide Homeless and Special Needs Plan” (now known as the “EveryOne Home Plan”) was released by a collaborative of sponsoring agencies, including the Alameda County Housing and Community Development Department, Alameda County Behavioral Health Care Services, Alameda County Social Services Agency, Alameda County Public Health Department Office of AIDS Administration, the Cities of Oakland and Berkeley, and the Alameda County Homeless Continuum of Care Council. As of early 2009, nearly every jurisdiction in Alameda County as well as numerous other organizations, have endorsed the *EveryOne Home Plan*.

EveryOne Home Plan

The vision of the *EveryOne Home Plan* is to end chronic homelessness in Alameda County by 2020 through five major goals: preventing individuals from becoming homeless in the first place by focusing on providing appropriate services for those exiting foster care, hospitals, or prison; increasing housing opportunities for those who are homeless or have special needs through delivery of 15,000 new units County-wide of housing for people who are homeless or living with AIDS/HIV or mental illness; delivering flexible services to support stability and independence; measuring success and reporting outcomes so that successful programs can be identified; and developing long-term leadership, community support, and political will to implement the Plan. The *EveryOne Home Plan* is seeking to address homelessness, which crosses borders in its effects and characteristics, through a collaborative, regional, county-wide approach.

Homeless Count

The findings of the Alameda Countywide Shelter and Services Survey May 2004 Report formed the background data for the recommendations of the *EveryOne Home Plan*. The report was based on a comprehensive homeless count the Alameda County Continuum of Care Council sponsored in February 2003. The 2003 count was based on surveys conducted with clients at homeless services sites over a four-week period in February 2003. The survey involved an in-depth interview of clients and data was subdivided amongst the cities of Oakland, Berkeley, the south and east county, and the mid- and north county. The survey revealed that there are as many as 16,000 people who are homeless during the course of a year in Alameda County, and more than 6,000 who are homeless on any given night. Children comprise 28% of the county's homeless population and families comprise 43% of the county's homeless. The urbanized areas of the north part of the County, Berkeley and Oakland, have higher percentages of adults unaccompanied by children. More suburban areas of the County have higher percentages of families with children (including single parent families). The 2004 Survey also included these findings:

- 58% of homeless adults have one or more disabilities.
- Over 30,000 people with mental illness have extremely low incomes and are at-risk of homelessness in Alameda County.
- Homeless persons are more likely to rely on emergency room care.
- 20% of homeless adults have been in an institution such as foster care or juvenile justice prior to age 18.
- In Alameda County, there are nearly 5,000 people living with AIDS/HIV who are extremely low income and at risk of becoming homeless.

In the 2003 Count, the City of Emeryville was included in data collected at the "Mid- and North-County" level, which also included the cities of Alameda, Hayward, and San Leandro as well as the mid-county unincorporated areas including Castro Valley. The survey found that a much higher number of single adults were amongst the homeless in the cities of Oakland and Berkeley, while the "Mid and North County" region and South and East County had a higher proportion of adults with children. The findings of the homeless county by sub-regional area are shown in Table 2-18.

Table 2-18: Homeless Count Estimates by Sub-Regional Area, 2003 Count

Definition (See Notes)	Oakland	As % of Total	Berkeley	As % of Total	Mid & North	As % of Total	South & East	As % of Total	Totals
<i>HUD Homeless</i>									
Adults	1,921	78%	773	94%	436	47%	474	54%	3,604
Children with surveyed adult	529	22%	48	6%	489	53%	411	46%	1,477
Total	2,450	100%	821	100%	925	100%	885	100%	5,081
<i>Community Homeless</i>									
Adults	2,475	81%	785	94%	532	50%	668	53%	4,460
Children with surveyed adult	571	19%	50	6%	532	50%	592	47%	1,745
Total	3,046	100%	835	100%	1,064	100%	1,260	100%	6,205

Notes: HUD Homelessness includes persons living on streets, abandoned buildings, or residing in shelter, transitional housing, or hotels paid by service agency, in vehicle, or place not meant for human habitation. Community homelessness extends HUD definition to include persons whose living situation is transient and those who lack place of their own, or for whom homelessness may be imminent.

Source: Alameda countywide Shelter and Services Survey County Report, May 2004. The complete report may be downloaded at the EveryOne Home website, at www.everyonehome.org.

Emeryville's inclusion in the Mid and North County totals in the 2003 survey may be problematic in that Emeryville's profile of homelessness tends to be more similar to that found in the cities of Oakland and Berkeley, in terms of greater numbers of single adults. This is based on anecdotal evidence provided by the Emeryville Police Department, as well as the data for clients using shelter services at the Berkeley Food and Housing Project.

County-wide Housing Resources for Homeless Populations

According to the *EveryOne Home Plan*, there are approximately 20,000 units of subsidized housing in Alameda County, 20% of which is owned and operated by public housing authorities, and 80% of which is owned by nonprofit and private owners. While these units are an important resource, many of them are still not affordable to people who are homeless, mentally ill, or living with HIV/AIDS. According to the Plan, housing resources for these latter populations in Alameda County include:

- 747 emergency shelter beds for single individuals and 73 emergency shelter units for families that can accommodate 485 people in families.
- 543 transitional housing beds for single individuals and 326 transitional units for families that can accommodate 1,077 people in families.

- 1,369 permanent housing beds or units for single individuals plus 650 beds for individuals in Board and Care homes and 10 beds in a residential care facility. For families, the unduplicated permanent housing inventory includes 358 permanent housing units that can accommodate 1,022 people in families.

Local Efforts

Due to the small size of its city staff, the City of Emeryville does not collect data on the number of homeless persons in the City. City staff consulted with the Emeryville Police Department about the nature and profile of homeless persons that the Police Department encounters and how it addresses providing referrals to these individuals. Because of the proximity of Emeryville to Oakland and Berkeley, the Police Department indicates that most homeless persons who officers encounter tend to be single adults. There is also a recycling center located in Oakland on Peralta Street, about five blocks south of Emeryville's border, where many individuals bring bottles and cans that they have collected. It is presumed that a fair number of the individuals that are seen on-foot travelling to this recycling center are homeless. For those homeless individuals the Police encounters, police personnel provide resources including providing information on the county-wide "2-1-1" phone hot-line that provides emergency service and housing information, and directing homeless individuals to the City of Berkeley Men's Shelter and Women's Shelter, operated by the Berkeley Food and Housing Project in Berkeley.

The emergency shelters nearest to Emeryville are those operated by the Berkeley Food and Housing Project (BFHP). BFHP provides emergency shelter, transitional housing, food, services, and outreach services. Emeryville contributes to the program's operating budget in order to cover the cost of providing shelter to those who come from Emeryville, using funds from the City's allocation of Community Development Block Grant (CDBG) funds. The City's contract with BFHP includes the goal to serve nine homeless clients per quarter who indicate Emeryville as a former place of residence.

In addition to supporting BFHP, the City of Emeryville provides CDBG funding to the Emeryville Community Action Program (ECAP), which is in charge of collecting food donations and providing hot meals to community members in need. This service continues throughout the year with additional special holiday programs. ECAP provides food bags every week on Monday through Thursday as well as Saturday. The program director indicated that each day in excess of 200 people are provided emergency food bags. While ECAP does not collect data on how many of these clients are housed versus homeless, the program director told city staff that it is likely that a fair number of the clients are homeless or extremely low income. The high demand for this program is evident of the fact that a large number of people are living with very little means and in need of emergency food assistance.

Another major support service location for the homeless is one mile south of Emeryville on the San Pablo Avenue corridor (an AC Transit bus route) -- the Society of St. Vincent de Paul of Alameda County (SVdP). SVdP's main Community Center is located at this site and provides a wide range of services, including a free dining room which serves a hot daily meal to 1,000 people in need, food bank, drop-in health clinic two to four times per month, referral services for homeless and very low income men, women and children, and job training assistance. The SVdP Community Center also serves as one of the host sites for the Alameda County Homeless

Court, a program instituted in 2004 to assist homeless individuals with non-violent, low-level misdemeanors to solve legal issues if they are actively working to seek support services to work on obtaining a “clean slate.” The Homeless Court is a collaborative effort by the Superior Court of California for Alameda County, the County District Attorney’s Office, the EveryOne Home Program, and the Alameda County Public Defender’s Office.

Each year, the City of Emeryville provides an allocation of CDBG funds to support the *EveryOne Home Plan*’s “InHOUSE Housing Management Information System” (HMIS). Beginning in 2005, this program has been implemented to track the number of homeless individuals receiving housing and service throughout Alameda County.

The *EveryOne Home Plan* sponsored an update to the 2003 Homeless Count in late January 2009. In this recent count, a similar service-site methodology was employed at 27 service sites throughout the County, conducted on one day, January 27, 2009. Over 1,200 surveys were completed, which will provide a very robust data set. The data from 2009 Homeless Count is expected to be available by late 2009. In the new Homeless Count, the data will be provided at the Berkeley and Oakland city levels, other North County (including Albany, Emeryville and Alameda), South County, and East County. Having Emeryville’s data included with other North County cities, and not included with Mid-County jurisdictions, will be helpful in achieving a better profile of the sub-regional nature of homelessness in the Emeryville area.

The Action Plan of this Housing Element includes objectives and policies supporting the broad efforts of the *EveryOne Home Plan* to provide supportive housing with services for extremely low income, special needs populations as well as those who are homeless or at-risk of homelessness. The Emeryville City Council has endorsed the *EveryOne Home Plan* and is the City is represented through a staff person on the EveryOne Home Leadership Board. The Housing Element Appendices contain excerpts from the *EveryOne Home Plan* and a homelessness fact sheet. The full plan may downloaded at the EveryOne Home website at www.everyonehome.org.

Local Opportunity Groups

Based on the review of this Housing Element by the Emeryville community, Housing Advisory Committee, Planning Commission, and City Council, several local opportunity groups have been identified for which the City would like to also focus its housing efforts. The Action Plan for this Housing Element identifies specific objectives to encourage housing opportunities for these groups. The local opportunity groups are identified as families with children, artists, City employees, and employees of the Emery Unified School District (EUSD).

Emeryville's Families with Children

According to the 2000 Census, 30% of Emeryville's total 3,968 households at the time were family households and 70% were non-family households. A total of 500 family households had children living with them under 18 years of age. This data is shown earlier in this chapter at Table 2-2. As shown in Table 2-19, there were 75 Emeryville families living below the poverty level in 1999 which represented 6.3% of all families, slightly less than Alameda County's rate of 7.7%. 2006 projections show an increase to 106 families living in poverty, representing 7.1% of families citywide, with the largest increases occurring in female headed households, from 16 to 31 families. As of 2007, 8.2% of Alameda County families lived in poverty.

Table 2-19: 1999 Families Below Poverty Level

	<u>Emeryville</u> <u>1999</u>	<u>% of Total</u> <u>Families</u>	<u>Alameda</u> <u>County 1999</u>	<u>Emeryville</u> <u>2006</u>	<u>% of Total</u> <u>Families 2006</u>	<u>% Change</u> <u>2000 - 2006</u>
Total Families Citywide	1,186	100%		1,484	100.0%	25%
Families Living Below Poverty						
Line	75	6.3%	7.7%	106	7.1%	41%
Married-couple family	35	3.0%	3.1%	43	2.9%	23%
With children under 18 years	-	0.0%	2.2%	-	0.0%	0%
Male householder	24	2.0%	0.8%	32	2.2%	33%
With children under 18 years	14	1.2%	0.5%	14	0.9%	0%
Female householder	16	1.3%	3.8%	31	2.1%	94%
With children under 18 years	5	0.4%	3.3%	9	0.6%	80%

Sources: US Census 2000, SF3; Claritas Demographic Snapshot Report, 2007

Based on Census data collected at the School District level, Table 2-20 provides a comparison of child poverty in the Emery Unified School District (EUSD) with three other Alameda County school districts, Albany, Berkeley, and Oakland, based on 2007 estimates released in December 2008. The Census estimate is based on the number of children living in the district. Out of a total of an

estimated 501 school age children (children ages 5 to 17) living in the EUSD, 74 children (14.9%) lived in families with incomes below the federally defined poverty threshold. This compares to 7.5% in Albany, 11.5% in Berkeley, and 20.3% in Oakland.

Table 2-20: Children in Albany, Berkeley, Emeryville and Oakland, 2007 Estimates

	<u>Population</u>	<u>Age 5-17</u>	<u>Percent Children</u>	<u>Age 5-17 in families in poverty</u>	<u>Percent children in poverty</u>
Albany	16,697	2,640	15.8%	197	7.5%
Berkeley	104,104	9,889	9.5%	1,135	11.5%
Emeryville	6,980	501	7.2%	74	14.8%
Oakland	405,237	68,084	16.8%	13,842	20.3%

Source: US Census Small Area Income and Poverty Estimates (SAIPE) Program; December 2008 Release of 2007 Estimates

The Emeryville estimate above does not take into account inter-district transfers. The EUSD has approximately 800 students, of which 446 live in Emeryville. The City has taken efforts to promote affordable housing opportunities for Emeryville families. The City's Affordable Housing Set Aside (AHSA) Ordinance (inclusionary housing ordinance) requires that a preference be applied in the lotteries for new Below Market Rate housing, which enables Emeryville families to have an opportunity to apply for and obtain affordable rental or for-sale BMR housing. In some Redevelopment Agency-assisted developments, such as the Oak Walk renovated single family homes, and Adeline Place, both of which are opening in 2009, the top preference is applied for lower and moderate income families with children in the Emery Unified School District. A secondary preference for EUSD teachers with children is also being applied at the Oak Walk project.

Based on the housing needs for families with children in Emeryville, the Action Plan of the Housing Element contains policies to encourage the development of family-oriented affordable housing development which would contain appropriate unit sizes (such as three- or more bedrooms) and inclusion of amenities such as community rooms, computer lab space, and outdoor play space for a variety of ages.

Emeryville's Artists

Emeryville is a city well endowed with artists. Various groups within the city enrich the area with their talent. According to the numbers of participants who participated in the Emeryville Arts Exhibition, there are an estimated 400 artists living in the city. The Emeryville Artist Co-Op, set up by the Emeryville Redevelopment Agency, consists of 56 live-work units that are affordable to low and moderate income persons. It provides some space for resident artists, but not nearly enough to support the already sizeable

community. The City has and continues to recognize the artists currently living here and encourages the growth of the community within Emeryville. Seventeen projects in Emeryville include live-work units. The majority of these projects were completed by 2006. The Housing Action Plan contains policies to support a variety of housing types, including live/work housing and housing designed to accommodate groups such as artists.

Emeryville's City and School District Employees

It can be seen as in the public interest for city and school district employees to live in Emeryville. Workers who live nearby can spend less time and energy commuting, and essential service employees such as Fire Department and Police Department personnel are closer in case of emergency. City employees also might have more of an interest in the community than non-residents and can get to work if the regional transportation fails. The City has 163 full-time, 8 permanent part-time, and 74 seasonal employees in its employment. As of January 2009, these include 26 sworn fire personnel, 38 sworn police officers and 16 non-sworn other police personnel. Currently, 21 City employees live in Emeryville.

To encourage city and Emeryville Unified School District (EUSD) employees to live in Emeryville, the City has special assistance available through its First Time Homebuyer Program (FTHB) for both market rate units and Below Market Rate (BMR) units for these groups. The FTHB Program offers special assistance for city employees and teachers in the EUSD in which the City will provide silent-second downpayment assistance loans of up to 20% of the purchase price, with no downpayment requirement. This is greater than the maximum loan amount offered to other applicants through the FTBB equal to one and a half times the buyer's downpayment up to 15% of purchase price. Also, the City waives its first-time homebuyer requirement and the income limits, if the applicant is a teacher in the EUSD or is a City employee, although applicants purchasing BMR units must have incomes that do not exceed the moderate income limits.

Two City employees and one EUSD teacher has taken advantage of these special financing terms to purchase homes in Emeryville. While the City has made these loans available, some City employees, particularly Fire Department and Police Department personnel, and EUSD teachers have indicated that they wanted to keep their personal and work lives separate by living in a different community, to protect both their own privacy and the privacy of the residents whom they serve.

Another mechanism for encouraging residency in Emeryville is that the AHSA Ordinance includes a preference, employed when lotteries are conducted for BMR units, in which people who work in Emeryville are given second preference after people who live in Emeryville. The combination of these preferences has enabled many individuals seeking affordable rental and for-sale housing who either live or work in Emeryville to have a better chance of obtaining the housing.

Housing Characteristics

Housing Unit Production

Since 2000, Emeryville has added a substantial number of new housing units, shown in Table 2-21. According to data maintained by the Emeryville Department of Housing and Economic Development, 1,822 housing units were permitted and completed over the course of the previous January 1, 1999 – June 30, 2006 Association of Bay Area Governments (ABAG) Regional Housing Needs Allocation (RHNA) period. This represents a 42% increase in total housing units over the period, and it exceeded the City's total goal under the RHNA by 234%. A detailed accounting of the housing projects permitted and constructed during the previous RHNA period may be found in Table 2-55. An additional 175 units were completed in 2007 and 2008, for a total of 6,271 units in the City as of the end of 2008, a 47% increase over the 2000 level.

Table 2-21: Housing Unit Production 2000-2008

Total Housing Units as of 2000 Census	4,274
Units Produced Previous RHNA Period 1999-2006	1,822
Units Produced 2007-2008	175
Total Housing Units through 2008	6,271
Percent Change 2000 - 2008	47%

Source: US Census 2000, SF3, Emeryville Department of Housing and Economic Development 2008

Housing Tenure

As shown in Table 2-22, between 2000 and 2008, the balance of housing tenure (renter- versus owner-occupied) in Emeryville shifted slightly. The citywide increase in housing units between 2000 and 2008 was 47% (1,997 units), but owner occupied units were added at a faster rate (66%). The number of rental units grew substantially, but at a lower rate of growth (41%) than overall housing production. As a result, ownership units increased as a proportion of the total housing stock, from 37% of the total housing stock in 2000 to 41% of the total housing stock in 2008. Alameda County's tenure profile is still more heavily weighted toward ownership than Emeryville's. Fifty-five percent (55%) of units in the County were owner-occupied in 2000.

The growth in ownership housing built in Emeryville during the first several years of this decade reflects, in part, Bay Area-wide market conditions that favored condominium over rental apartment development. Availability of financing for condominium development and high demand fueled much of the condominium market growth during the decade. However, the downturn of the real estate market and broader economy that the Bay Area and nation have experienced since the beginning of 2008 have significantly

changed the outlook for residential development for the next several years, particularly the development of condominium projects, which are likely to not be developed in the coming two to three years.

Table 2-22: Housing Tenure Changes 2000-2008

	<u>2000</u>	<u>% of Total Units</u>	<u>2008*</u>	<u>% of Total Units</u>	<u>% Change</u>
Total Occupied Housing Units	3,975	100%	5,972	100%	50%
Owner Occupied	1,464	37%	2,433	41%	66%
Renter Occupied	2,511	63%	3,539	59%	41%

*Includes 1999-2006 ABAG RHNA Period as well as completed units through 12/31/08. 2000 figure based on Census and represents occupied units. 2008 figure based on City's count of completed units 2000-2008; this explains the discrepancy in total count between Table 15 and Table 16.

Source: US Census SF3, Emeryville Department of Economic Development and Housing

Housing Production by Project Size

Emeryville's housing stock was primarily shaped by three major phases of construction. Prior to 1970, single family homes and small apartments in the eastern neighborhoods typified residential housing in the City. In the 1970s and 1980s two large residential projects (Pacific Park Plaza and Watergate) together added 1,830 units. In 2000 these two projects represented 30% of the city's total housing stock. In the 1990's construction of live-work lofts, medium-density, mixed-use, and single-use residential projects typified development. Since 2000, this pattern of adding medium- to high- density housing and mixed-use housing has continued.

Both the 1990 and 2000 Census included a rough measure of housing project size by tabulating how many units were in a structure (e.g. 1 unit, 2-4 units, etc.). As shown in Table 2-23, between 1990 and 2000 Emeryville added 713 occupied housing units, an increase of 20%. The largest increase took place in structures with 50 or more units, adding 689 units; projects with 50 or more units represented 65% of the total housing stock in 2000, up from 59% in 1990. Structures with 5-19 units also registered strong growth, adding 123 units for a 52% increase. One and 2-4 unit structures made up about a quarter of the city's housing stock in 2000, down from nearly a third in 1990.

Table 2-23: Distribution of Units per Structure 1990-2000

	<u>1990</u>	<u>% of Total Units</u>	<u>2000</u>	<u>% of Total Units</u>	<u>% Change 1990 - 2000</u>
Total Housing Units*	3,524	100%	4,237	100%	20%
1 Unit (attached or detached)	515	15%	542	13%	5%
2-4 Units	505	14%	484	11%	-4%
5-19 Units	238	7%	361	9%	52%
20-49 Units	203	6%	198	5%	-2%
50 or more	2,063	59%	2,752	65%	33%

*Does not include "Other" (n=116) in 1990 or "RV, Vans, Boats" (n=26) in 2000

Source: US Census 1990, 2000, SF3

An estimate of unit production since 2000 shows that the city's housing production has continued to be concentrated in larger structures of 20 or more units; all other structure sizes added few or no units. As shown in Table 2-24, the largest buildings (those with 50 or more units) still make up a substantial share of new housing production, adding 1,670 units for a 61% increase. Medium sized structures (20-49 units) also more than doubled their contribution by accounting for 272 units; this category grew at a faster rate than the largest projects. In fact, the two largest categories (20-49 units and 50 and more units) were the only two to increase their proportional share of the city's housing stock.

As the largest parcels in Emeryville are developed, projects with fewer units will probably fill in the gaps. But for the time being, Emeryville's housing production is primarily in the form of large projects that can make use of economies of scale to overcome high land and remediation costs.

Table 2-24: Estimated Distribution of Units per Structure in 2000-2008

	<u>2000*</u>	<u>% of Total Units</u>	<u>2008**</u>	<u>% of Total Units</u>	<u>% Change 2000 - 2008</u>
Total Housing Units	4,237	100%	6,234	100%	47%
1 Unit (attached or detached)	542	13%	542	9%	0%
2-4 Units	484	11%	487	8%	<1%
5-19 Units	361	9%	373	6%	3%
20-49 Units	198	5%	470	8%	137%
50 or more	2,752	65%	4,422	71%	61%

*Does not include "Other" (n=116) in 1990 or "RV, Vans, Boats" (n=26) in 2000.

**Figures are imputed and use vacancy rate from 2000

Sources: US Census 2000, SF3; Emeryville Department of Housing and Economic Development, 2008

Housing Unit Characteristics

As defined by the U.S. Census Bureau, “rooms” include living rooms, dining rooms, bedrooms, and dens, but not kitchens, bathrooms, or closets. Emeryville’s average housing unit has fewer rooms than those in Alameda County or statewide, by a factor of almost two. Interestingly, the city’s rooms per capita figure in 2000 was somewhat higher than in Alameda County or California. This means that while Emeryville’s units tend to have fewer rooms, its households also tend to be proportionally smaller.

Table 2-25: Rooms per Unit Indices 1990 - 2000

	<u>1990</u>	<u>2000</u>	<u>Alameda County</u>	<u>California</u>
Median Rooms per Unit	n/a	3	4.8	4.8
Average Rooms per Unit	3.4	3.3	5	5
Rooms per Capita	2.1	2.3	2	1.7

Source: US Census 1990, 2000 SF3

Emeryville tripled the number of one-room housing units between 1990 and 2000, from 311 to 944. As a share of total occupied housing units, one-room units increased from 9% to 22%. There is no information available about the total square footage of these units, but it can be assumed that they consist of studios or lofts. Two-room units grew modestly. Interestingly, there was a net decrease in three- and five-room units. This could be attributed to the subdivision of houses into separate condo units, differences in interpretation of "room" between 1990 and 2000 census, and/or a statistical aberration due to sampling variation.

Table 2-26: Rooms Per Unit 1990 - 2000

	<u>1990</u>	<u>% of Total Units</u>	<u>2000</u>	<u>% of Total Units</u>	<u>% Change 1990 - 2000</u>
Total Housing Units	3,640	100%	4,274	100%	17%
1 Room	311	9%	944	22%	204%
2 Rooms	632	17%	739	17%	17%
3 Rooms	1,186	33%	877	21%	-26%
4 Rooms	749	21%	955	22%	28%
5 or more	762	21%	759	18%	0%

Source: US Census 1990, 2000, SF3

Another example of Emeryville’s unique housing stock is the preponderance of studio or loft, one-bedroom, and two-bedroom units. In 2000 these unit types accounted for 93% of the city’s housing stock, compared with 54% in Alameda County. Growth in no-bedroom units has been the strongest; between 1990 and 2000 the city added 560 studio or loft units, a 119% increase. One-bedroom units declined slightly, but still comprise the largest share of Emeryville’s housing stock. It is notable that three-bedroom units grew at approximately the same rate as overall housing units, and in 2000 represented 6% of the city’s housing stock (compared with 29% in Alameda County).

Table 2-27: Bedrooms per Unit 1990 - 2000

	<u>1990</u>	<u>% of Total Units</u>	<u>2000</u>	<u>% of Total Units</u>	<u>% Change 1990 - 2000</u>
Total Housing Units	3,640	100%	4,274	100%	17%
No Bedroom	471	13%	1,031	24%	119%
1 Bedroom	1,812	50%	1,758	41%	-3%
2 Bedrooms	1,080	30%	1,182	28%	9%
3 Bedrooms	219	6%	253	6%	16%
4 Bedrooms	58	2%	45	1%	-22%
5 or more	0	0%	5	0%	n/a

Source: US Census 1990, 2000 SF3

Overcrowding

Overcrowded units, as defined by the U.S. Census Bureau, have 1.10 to 1.50 persons per room; "Severely Overcrowded" units have 1.51 or more persons per room. The number of Emeryville's overcrowded units increased dramatically between 1990 and 2000, at an overall rate of 66%, and increased the proportion of overcrowded units to total occupied housing units from 7% to 9%, as noted in Table 2-28. Broken down by "overcrowded" and "severely overcrowded", the former more than doubled. Severely overcrowded units increased at a high rate (41%), and continued to represent the highest proportion of overcrowded units, 5% of the citywide occupied housing units.

It should be noted, however, that this definition may overstate whether there is, indeed, an overcrowding problem in Emeryville. For example, a large loft unit that technically consists of one room housing two people would be considered "Severely Overcrowded" (2 persons per room). A two-bedroom, two-bath unit with a living room housing a family of four would be classified as "Overcrowded" (1.33 persons per room). Furthermore, Emeryville's overcrowding rates are somewhat lower than those of Alameda County or the State of California. In 2000 Alameda County's overcrowded units accounted for 12% of all occupied units (5% overcrowded, 7% severely overcrowded), and statewide, 15% of all units were overcrowded (6% overcrowded, 9% severely overcrowded).

Table 2-28: Overcrowded Housing Units

	<u>1990</u>	<u>% of Total Units</u>	<u>2000</u>	<u>% of Total Units</u>	<u>% Change 1990 - 2000</u>
Total Occupied Housing Units	3,227	100%	3,975	100%	23%
Total Overcrowded Units	223	7%	370	9%	66%
Overcrowded Units	71	2%	155	4%	118%
Severely Overcrowded Units	152	5%	215	5%	41%

Source: US Census 1990, 2000, SF3

Table 2-29 shows overcrowding data by tenure. In 2000, most overcrowded units were renter-occupied (288 out of 370 total overcrowded units, or 78%), with an even split between overcrowded and severely overcrowded. Overcrowded owner-occupied units represent a very small share of the total 3,975 occupied housing units in 2000 (82 units, or 2%), but the vast majority of them are classified as severely overcrowded. To address overcrowding, the Housing Element includes policies to promote the supply of larger sized family units with three and more bedrooms, and to expand affordability by working with affordable housing developers to develop multi-family rental developments with larger sized units.

Table 2-29: Overcrowding by Tenure in 2000

	<u>Owner Occupied</u>	<u>% of Total Units</u>	<u>Renter Occupied</u>	<u>% of Total Units</u>
Total Occupied Housing Units	1464	100.0%	2511	100.0%
Overcrowded Units	9	0.2%	146	3.7%
Severely Overcrowded Units	73	1.8%	142	3.6%
Combined Overcrowded Units	82	2.1%	288	7.2%

Source: US Census 2000, SF3

Table 2-30 reports densities for a selection of projects and neighborhoods in Emeryville. Density is equal to units per gross residential acre (an acre being 43,560 square feet). Gross residential acres include public or private internal roads and open spaces in addition to the building coverage area. The projects are listed in descending order by density. The 30-story Pacific Park Plaza is the densest project in the city. Emeryville's early 20th century neighborhoods have lower densities. Those projects completed or proposed after 2000 have densities of at least 39 units to the acre. Interestingly, the second densest prospect is a midrise building

Table 2-30: Densities of Selected Projects and Residential Areas

<u>Project</u>	<u>Location</u>	<u>Units</u>	<u>Acres</u>	<u>Units/Gross</u>	<u>Year Built</u>
				<u>Acre</u>	
Pacific Park Plaza	6363 Christie Ave.	583	5.86	99.5	1981
Icon at Park Apartments	1401 Park Ave.	54	0.60	90.0	2007
Bridgewater Condos	6400 Christie Ave.	424	5.90	71.9	1988
Archstone-Emeryville	6401 Shellmound	260	3.70	70.3	1993
Emeryville Warehouse Lofts	1500 Park	141	1.70	82.9	2000
Andante Condos	3998 San Pablo Ave.	125	1.83	68.3	2006
Courtyards at 65th Apartments	1465 65th St.	331	4.80	69.0	2004
Key Route Lofts	Adeline and 40th	22	0.30	73.3	2006
Bridgecourt Apartments	1325 40th St.	220	3.90	40.2	1997
Avalon Senior Apartments	3850 San Pablo Ave.	67	1.19	56.3	2000
Terraces at Emery Station	5855 Horton St.	101	2.00	50.5	2002
Glashaus Condos	65th St./Hollis St.	145	3.60	40.3	2008
Watergate Condominiums	Powell St.	1,247	25.90	48.1	1971
Oliver Lofts Condos	1200 65th St.	50	1.07	46.7	2002
Blue Star Corner	Hubbard St.	20	0.50	40.0	2007
Windsor at Bay Street Apartments	Bay St.	284	19	19.9	2006
Bay Street One Condos	Bay St.	95	2.40	39.6	2006
Liquid Sugar Condos	1284 65th St.	55	1.40	39.3	2003
Oak Walk Condos / Townhomes	41st and San Pablo	53	1.49	39.0	2009
Elevation 22 Condos	1300 Powell St.	71	1.82	39.0	2004
Triangle Court Apartments	1063 – 69 45 th St.	20	0.91	22.0	1994
Emery Bay Village Condos	Temescal/Emery Bay	112	6.80	16.5	1979
<u>Neighborhood</u>					
Triangle (East of San Pablo)				22.3	
53rd-54th Street				22.0	
Doyle Street – south of Powell				21.9	
Doyle Street – north of Powell				20.8	
Source: City of Emeryville Planning Department 2007					

Housing Conditions

In 2007 city staff surveyed the exterior conditions of houses in the city's original early 20th century neighborhoods, using a uniform rating system to classify each structure. The survey results (shown in Table 2-31) found that 75% of the units in these neighborhoods had only one or two minor problems or no problems at all (Units with an "A" or "B" rating). This was a reduction from city staff's 2001 survey, which found that 78% of the units had an "A" or "B" rating. Units with a "C" rating--two to three major problems or three to four minor problems--comprised about a quarter of these units (compared with 19% in 2001). While it may appear that these neighborhoods have higher proportion of "C"-rated units than in 2001, it should be noted that the survey method and interpretation of structural problems were not exactly the same.

Table 2-31: Conditions Survey of Early 20th Century Neighborhoods

Neighborhood	Structures	Units	Unit Condition Ratings							
			A*		B		C		D	
Adeline South	13	23			22	96%	1	4%	0	
Triangle	281	601	81	13%	340	57%	178	30%	2	0.3%
Doyle South	72	132	34	26%	60	45%	37	28%	1	1%
Doyle North	150	305	40	13%	218	71%	40	13%	7	2%
Total and % of Total**	516	1061	155	15%	640	60%	256	24%	10	3%

*Grades: A (no problems), B (1-2 minor problems), C (2-3 major/3-4 minor), D (3-4 major), F (>5 major; dilapidated)

**Total percentages do not equal 100%, due to rounding.

Source: City of Emeryville Planning Division

The housing conditions survey rated the housing stock on nine different factors including roofs, walls, foundations, paint, and yard upkeep. Overall, the majority of problems were minor in nature. None of the four neighborhoods surveyed had a disproportionately large share of minor or major problems, with the exception of paint; about 10% of units in both Doyle Street neighborhoods had major paint problems. Eleven percent of the units in the Doyle Street South neighborhood had major landscaping problems.

The incidence of minor problems consisted mainly of paint (chipping or fading) and landscaping (unkempt lawns, broken concrete walkways, etc.). Major problems also consisted mainly of paint, with 75 units (7% of total units surveyed) in structures that have severely deteriorated paint on one or more exterior walls. Units accessed by badly sagging or deteriorated porches or stairs made up 57 or 5% of total units surveyed.

Table 2-32: Housing Problem Breakdown by Units

Maintenance or repairs needed by building component (# and % of units needing work)																				
Neighborhood	Units	Severity	Roof		Walls		Foundation		Porch/ Stairs		Paint		Doors		Windows		Trash		Landscaping	
Adeline South	23	Minor	2	9%	1	4%	1	4%			3	13%			4	17%	4	17%	10	43%
		Major																		
Triangle	601	Minor	67	11%	124	21%	16	3%	125	21%	203	34%	29	5%	123	20%	17	3%	205	34%
		Major	18	3%	3	0%	1	0%	46	8%	29	5%			23	4%	12	2%	7	1%
Doyle South	132	Minor	31	23%	19	14%			16	12%	44	33%	8	6%	17	13%	21	16%	30	23%
		Major							4	3%	15	11%			3	2%			15	11%
Doyle North	305	Minor	41	13%	34	11%			52	17%	131	43%	14	5%	61	20%	4	1%	107	35%
		Major	7	2%					7	2%	31	10%					16	5%	1	0%
Total	1,061	Minor	141	13%	178	17%	17	2%	193	18%	381	36%	51	5%	205	19%	46	4%	352	33%
		Major	25	2%	3	0%	1	0%	57	5%	75	7%	0	0%	26	2%	28	3%	23	2%

Source: City of Emeryville Planning Division

The survey also broke down problems by structure, because many of the housing units in these neighborhoods are in multi-unit buildings. Because incidence of problems is divided by the number of structures and not units, in general the percentage of incidence is higher. Conversely, of course, repairs and maintenance performed on multi-unit buildings will reduce the number of units with problems at a higher rate.

As with units, the distribution of minor and major problems in each factor across the four neighborhoods was fairly even. Landscaping and paint top the incidence of factors, with 67% and 65% of structures having these problems, respectively. The top major factor was paint, with 16% of all structures having seriously deteriorated paint on one or more exterior wall.

Table 2-33: Housing Problem Breakdown by Structures

Neighborhood	Structures	Severity	Roof		Walls		Foundation		Porch/ Stairs		Paint		Doors		Windows		Trash		Landscaping	
Adeline South	13	Minor	2	15%	1	8%	1	8%			3	23%			1	8%	2	15%	5	38%
		Major																		
Triangle	281	Minor	36	13%	56	20%	6	2%	62	22%	89	32%	17	6%	49	17%	12	4%	95	34%
		Major	8	3%	2	1%	1	0%	10	4%	14	5%			9	3%	9	3%	4	1%
Doyle South	72	Minor	13	18%	13	18%			9	13%	25	35%	4	6%	10	14%	9	13%	20	28%
		Major	3	4%					3	4%	10	14%			2	3%			5	7%
Doyle North	150	Minor	23	15%	23	15%			30	20%	49	33%	4	3%	27	18%	2	1%	51	34%
		Major	4	3%	4	3%			3	2%	16	11%					9	6%	1	1%
Total	516	Minor	74	29%	93	36%	7	3%	101	40%	166	65%	25	10%	87	34%	25	10%	171	67%
		Major	15	6%	6	2%	1	0%	16	6%	40	16%	0	0%	11	4%	18	7%	10	4%

Source: City of Emeryville Planning Division

Emeryville's Housing Rehabilitation Program provides funding for the replacement of chain-link fences with wrought iron. The City had a Security Bar Retrofit program which replaced fixed bars with operational bars. The program was put on hold due to issues regarding approved bars and uses. The housing condition survey found the highest concentration of units with door bars in the Doyle South neighborhood, where 25% had them installed. Window bars were evenly distributed, for an average of 7% of units in all four neighborhoods. Chain-link fences were most common in both Doyle North and South neighborhoods, with 8% and 9%, respectively.

Table 2-34: Units with Doors/Window Bars, and Chain-link fences

Neighborhood	Door bars	% of Neighborhood	Window bars	% of Neighborhood	Chain-link fences	% of Neighborhood
Adeline South	3	13%	5	22%	4	17%
Triangle	102	17%	46	8%	23	4%
Doyle South	33	25%	8	6%	11	8%
Doyle North	39	13%	22	7%	27	9%
Total and % of All Units	177	16%	81	7%	65	6%

Source: City of Emeryville Planning Division

Income Characteristics

Mean and Median Incomes

Table 2-35 shows the reported and projected Mean Household Income from 2000 to 2010 for Emeryville, its surrounding cities, and Alameda County. Household median income steadily increased in Emeryville between 2000 and 2005 and is projected to increase at the same pace through 2010.

Table 2-35: Mean Household Income for Emeryville and Surrounding Cities			
	<u>2000</u>	<u>2005</u>	<u>2010</u>
Emeryville	\$70,900	\$73,200	\$75,400
Oakland	\$70,500	\$68,800	\$72,600
Berkeley	\$84,300	\$83,500	\$88,500
Alameda County	\$90,300	\$88,500	\$92,900
Source: ABAG 2000 and 2007 Projections			

Table 2-36 compares median income by family type in Emeryville and the County as of 1999. In 1999 Emeryville's median non-family household income was almost \$2,000 higher than that of Alameda County. However, the median family household in Emeryville earned almost \$8,800 less than its Alameda County counterpart. Per capita income in Emeryville was higher than Alameda County, reflecting a population made up of proportionally fewer children and a smaller non-working population.

Table 2-36: Household Income Indices in 1999		
	<u>Emeryville</u>	<u>Alameda County</u>
Median household income	\$ 45,359	\$ 55,946
Median Family Income	\$ 57,063	\$ 65,857
Median Non-family Income	\$ 38,664	\$ 36,795
Per Capita Income	\$ 33,260	\$ 26,680
Source: US Census 2000, SF3		

Median household income projections between 1999 and 2006 are shown in Table 2-37. In 2006 the median household income in Emeryville was estimated at \$48,876, an 8% increase over 1999. The median family household fared better than all households, experiencing a 19% increase. Per capita income also increased at a healthy rate of 13%. In both 1999 and 2006 the median Emeryville household had an income about 80% of that in Alameda County. Similarly, the median family income in Emeryville was about 90% of that in Alameda County. Non-family median income information was not available for 2006.

Table 2-37: Projected Comparative Income Indices 1999-2006

	Emeryville			Alameda County		
	1999	2006	% Change	1999	2005	% Change
Median household income	\$ 45,359	\$ 48,876	8%	\$ 55,946	\$ 61,014	9%
Median Family Income	\$ 57,063	\$ 68,080	19%	\$ 65,857	\$ 74,662	13%
Median Nonfamily Income	\$ 38,664	n/a		\$ 36,795	n/a	
Per Capita Income	\$ 33,260	\$ 37,472	13%	\$ 26,680	\$ 30,943	16%

Source: US Census 2000, SF3; ACS 2005; Claritas Demographic Snapshot Report, 2007

Household Income Characteristics

Table 2-38 shows projections of Emeryville's households by income level from 1999 to 2006. There is a trend toward growth in higher earning households. Only households earning \$50,000 and more grew at a faster rate than total household growth (27%). Households earning less than \$50,000 all increased in number but declined slightly as a proportion of total households. The fastest growth rate was among households earning \$150,000 and more, at 57%. Households earning \$50,000 or more accounted for 49% of all households, up from 45% in 1999.

Table 2-38: Household Incomes 1999

	1999		2006		% Growth in Income Bracket 1999-2006
Total Households	3,968	100%	5,056	100%	27%
Less than \$15,000	622	16%	749	15%	20%
\$15,000 to \$24,999	502	13%	560	11%	12%
\$25,000 to \$34,999	433	11%	522	10%	21%
\$35,000 to \$49,999	628	16%	753	15%	20%
\$50,000 to \$74,999	746	19%	982	19%	32%
\$75,000 to \$99,999	443	11%	587	12%	33%
\$100,000 to \$149,999	391	10%	584	12%	49%
\$150,000 and more	203	5%	319	6%	57%

Sources: US Census 2000, SF3; Claritas Demographic Snapshot Report, 2007

Family households demonstrate an even more dramatic shift in income levels, shown in Table 2-39. According to projections, the only family household income group earning below \$75,000 per year to increase at a greater rate than the overall family household growth rate were those earning \$15,000 to \$24,999. This income group maintained its proportional share of 5% total family households, while the remaining groups below \$75,000 declined. The largest percentage increase was among those earning \$150,000 or more, at 82%. Families earning \$50,000 or more in 2006 accounted for 63% of the city's total family households, up from 58% in 1999.

Table 2-39: Emeryville Family Household Income

	<u>1999</u>		<u>2006</u>		<u>% Growth in Income Bracket 1999-2006</u>
Total Family Households	1,186	100%	1,484	100%	25%
Income Less than \$15,000	132	11%	131	9%	-1%
Income \$15,000 - \$24,999	60	5%	76	5%	27%
Income \$25,000 - \$34,999	119	10%	132	9%	11%
Income \$35,000 - \$49,999	201	17%	210	14%	4%
Income \$50,000 - \$74,999	247	21%	267	18%	8%
Income \$75,000 - \$99,999	162	14%	266	18%	64%
Income \$100,000 - \$149,999	173	15%	235	16%	36%
Income \$150,000 - or more	92	8%	167	11%	82%

Sources: US Census 2000, SF3; Claritas Demographic Snapshot Report, 2007

Non-family households, which in 2000 represented 70% of Emeryville's population, exhibit a slightly more even growth by income bracket, but have also tended to skew toward the higher income levels, shown in Table 2-40. Only those earning \$15,000 to \$24,999 and \$75,000 to \$99,999 grew at markedly lower rates than the overall non-family growth rate of 28% (10% and 14%, respectively). The highest growth rates were clustered in those groups earning \$50,000 and above (with one exception, those earning \$75,000-\$99,999), with the highest growth rate among those earning \$100,000 to \$149,999 (60%). Non-family households earning \$50,000 or more represented 43% of non-family households in 2006, a slight increase from 40% in 1999.

Table 2-40: Emeryville Non-family Income

	<u>1999</u>		<u>2006</u>		<u>% Growth in Income Bracket 1999-2006</u>
Total Non-family Households	2,782	100%	3,572	100%	28%
Income Less than \$15,000	490	18%	618	17%	26%
Income \$15,000 - \$24,999	442	16%	484	14%	10%
Income \$25,000 - \$34,999	314	11%	390	11%	24%
Income \$35,000 - \$49,999	427	15%	543	15%	27%
Income \$50,000 - \$74,999	499	18%	715	20%	43%
Income \$75,000 - \$99,999	281	10%	321	9%	14%
Income \$100,000 - \$149,999	218	8%	349	10%	60%
Income \$150,000 - or more	111	4%	152	4%	37%

Sources: US Census 2000, SF3; Claritas Demographic Snapshot Report, 2007

In sum, family households added to Emeryville between 1999 and 2006 have tended to be wealthier. In 2006 they made up approximately half of the top earning households in the city, while representing just a minority of total households. In contrast, growth of non-family households was more evenly distributed, but also skewed toward the higher income brackets. See Figures 2-1 and 2-2.

Figure 2-1

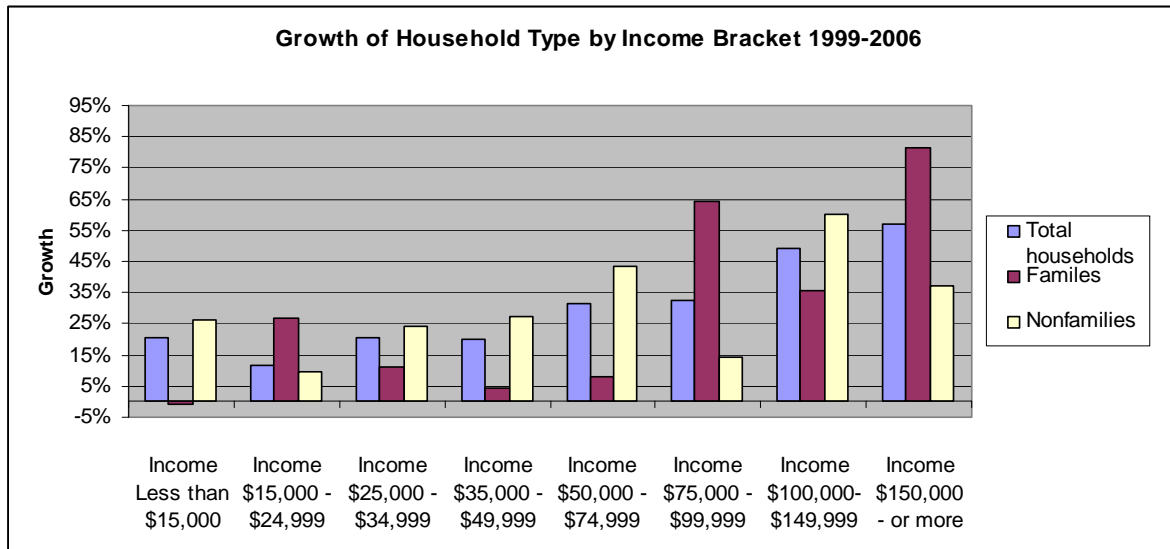
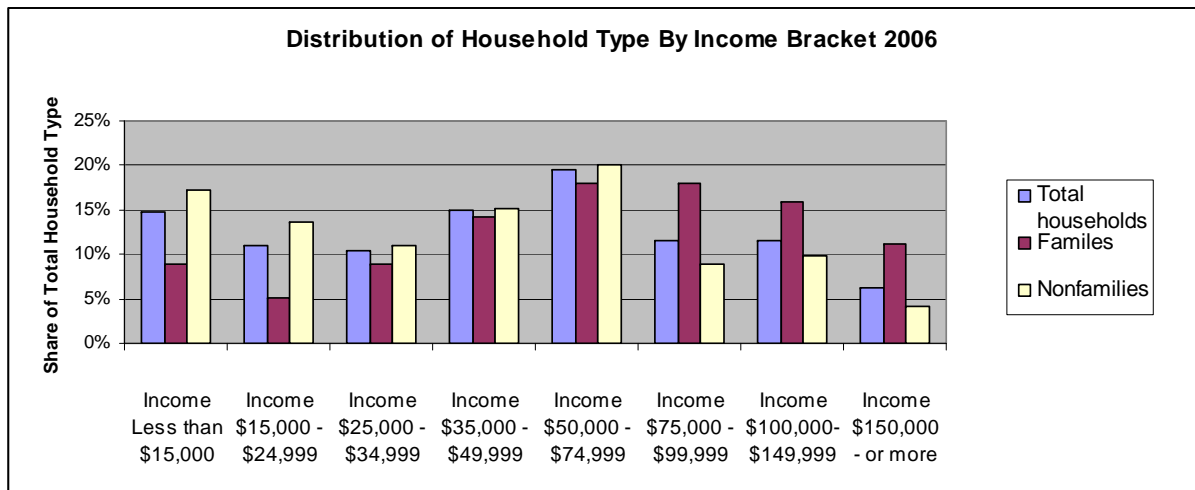


Figure 2-2



Emeryville's Public Benefits Recipients

In 1999, 13% of Emeryville residents had incomes below the federal poverty level, which at that time was \$17,050 (U.S. Census, 2000). The federal poverty level was established in 1964 and has been adjusted only for inflation since that year. It does not take into account regional variations in the cost of living. Therefore, many localities use the Self-Sufficiency Standard to measure poverty as it is modified to account for geographical differences in the costs of child care, housing, transportation, and health care. The Self-Sufficiency Standard for Alameda County in 2000 was calculated to be \$46,976 (\$45,965 in 1999 dollars) annually for a family of two adults with a preschooler and a school-age child; this is 276% of the 2000 federal poverty guideline of \$17,050. In 1999, 39% of 4-person families in Emeryville had a family income of less than \$45,000 (U.S. Census, 2000), indicating that a large proportion of Emeryville families may not be meeting this Self-Sufficiency Standard.

While data is not available for 1989, approximately 4% of the city's households received Supplemental Social Security (SSI) in 1999. The number of households receiving public assistance income declined by about one-third between 1989 and 1999. This could be attributable to Federal Welfare reform in the mid-1990s, successful transition to full-time employment, or these households moving out of the city. The number of households with retirement income increased slightly, indicating that retirees did not move to Emeryville at the same rate as the working population during this period. In all, 10% of Emeryville's households in 1999 received some form of retirement income, with an average annual income of \$18,000. Data is shown in Table 2-41.

Table 2-41: SSI, Public Assistance, Retirement Income

	<u>1989</u>	<u>% of Total Households</u>	<u>1999</u>	<u>% of Total Households</u>	<u>% Change 1989 - 1999</u>
Total Households	3,204	100%	3,968	100%	24%
Receiving Supplemental Social Security (SSI)*	n/a		153	4%	
Mean SSI Income			\$ 8,175		
Receiving Public Assistance Income	165	5%	113	3%	-32%
Mean Public Assistance Income			\$ 3,794		
With Retirement Income	401	13%	413	10%	3%
Mean Retirement Income			\$ 18,135		
*Not collected in 1990 Census					
Source: US Census 1990, 2000 SF3					

According to the Alameda County Social Services Agency, the distribution of public benefits recipients in Emeryville was as follows for the third quarter of 2004: 123 CalWORKs recipients; 438 MEDI-CAL only recipients; 168 food stamps recipients; 33 general

assistance recipients. Based on these figures, the percentage of public benefits recipients in the City (0.6 – 0.7% of the Alameda County recipients per category) appears to be in line with the City's current share of Alameda County's population (0.5% of the Alameda County population).

CalWORKs (California Work Opportunity and Responsibility to Kids), a state-wide program operated locally by county welfare departments, is a temporary financial assistance program for low-income families with children; as an employment-based program, it requires employable adults to participate in work-related activities in order to receive aid. A report on the Alameda County CalWORKs Needs Assessment and Outcomes Study, released in December 2002, was conducted to assess the associations of barriers with welfare, work, and income and to determine critical service and treatment elements for programs that may assist Alameda County in better addressing the service needs of its welfare clients. During this study, over 400 CalWORKs cash benefit recipients were interviewed at a baseline date and then again 15 months and 27 months later.

Barriers to employment and successful welfare departure were experienced by the majority of the respondents in the CalWORKs Needs Assessment and Outcomes Study. Over 80% of those interviewed were facing one or more of these barriers, including logistic barriers (such as problems with transportation), health-related barriers (such as alcohol dependency, daily illegal drug use, partner violence), and family responsibility barriers (such as lack of child care or a new pregnancy). During the course of the CalWORKs Needs Assessment study, the prevalence of those facing a housing barrier (defined as living in temporary housing or homeless in the past year) increased by 1.2%.

Housing Affordability

Household Income Characteristics

Table 2-42 provides detail on the tenure by income level for households in Emeryville. In 2000, 45.2% of Emeryville's households were at less than 80% of the Median Family Income (MFI) for Alameda County. The MFI for Alameda County was \$69,200. Renter households were more likely to be below 80% of the MFI than owner households, with approximately 55% of renter households in this category and just 30% of owner households in this category. Forty percent (40%) of renter households were either extremely low income (defined as households with less than 30 percent of area median income) or very low income (households between 31 and 50 percent of area median income), for a total of 982 households. Together, extremely and very low income owner households represented 17.6% of total owner households.

Table 2-42: Households by Income Level, 2000

	<u>Renter Households</u>	<u>As % of Total Renter Hhs</u>	<u>Owner Households</u>	<u>As % of Total Owner Hhs</u>	<u>Total Households</u>	<u>As % of Total Households</u>
Extremely Low Income <30% MFI	560	22.4%	115	7.8%	675	16.9%
Very Low Income 31-50% MFI	422	16.9%	145	9.8%	567	14.2%
Low Income 51-80% MFI	374	15.0%	184	12.4%	558	14.0%
Above Low Income >80% MFI	1,144	45.8%	1,039	70.1%	2,183	54.8%
Total Households	2,500	100.0%	1,483	100.0%	3,983	100.0%

Note: "MFI" is Median Family Income

Extremely Low Income level - \$20,750; Very Low Income - \$34,600; Low Income - \$50,050; MFI - \$69,200

Source: State of the Cities Data Systems: Comprehensive Housing Affordability Strategy (CHAS) Data

Extremely Low Income Households Needs

In 2000, there were 675 households in Emeryville who were extremely low income (nearly 17% of the total households). This corresponds to an annual income of \$20,750 or less for a four-person household. Of these, the majority were renter households (560 households, representing 22.4% of total renter households) and 115 were owner households (7.8% of the total owner households). Households with extremely low incomes have a variety of housing situations and needs. Most families receiving public assistance income or disability insurance are considered extremely low income households. Depending on household size, many minimum wage occupations would be considered extremely low income with an annual income of \$16,640 or less based on the State of California minimum wage of \$8.00 in effect as of January 1, 2008.

Housing Element law requires analysis of the projected housing needs for extremely low income households, including an estimate of the number of projected households with extremely low incomes. Since updated Census data is not available from the 2000 Census on

the number of households in this subset of the very low income category, pursuant to State Housing Element law the City has presumed that one half of the Regional Housing Need Allocation (RHNA) for the very low income level qualifies as extremely low income households. The RHNA assigned for the very low income level for the 2006-2014 period is 186 units; as a result, half of this amount, or 93 units, is the projected extremely low income housing need. It is likely, based on the 2000 Census CHAS data, that most of these households will face cost burden unless housing is provided at an affordable housing cost. Some of the households may be special needs households and require supportive services. To address the needs of extremely low income households, the Housing Element includes in its Housing Action Plan programs and policies to support the inclusion of affordable units for this income level in Redevelopment-Agency sponsored projects where possible, to seek leveraging of Redevelopment Agency funding by other state and federal funding sources to support deeper targeting of units' affordability, the promotion of a variety of housing types, and encouraging the provision of supportive services in affordable housing developments for specific special needs populations.

Rent Burden and Housing Costs

It is important to consider housing affordability and housing problem measures for lower income households, particularly extremely low income households, to determine housing needs. An important measure of housing affordability is how much of a household's income is devoted to rent. A household is considered to be overpaying for housing, and is "cost burdened" if it spends more than 30% of its gross income on housing. Severe housing cost burden occurs when a household pays more than 50% of its income on housing. The prevalence of overpayment varies by income, tenure, household type and household size.

Data from the Comprehensive Housing Affordability Strategy documents cost burden as well as other housing problems. "Housing problems" are defined as cost burden greater than 30% of income and/or overcrowding and/or without complete kitchen or plumbing facilities. As shown in Table 2-43, nearly half (49.3%) of all households in Emeryville in 2000 had housing problems, 42% were cost burdened and 20.7% were severely cost burdened. Renter households were relatively more likely to have housing overpayment problems than owner households overall.

Table 2-43: Emeryville Households with Cost Burden and other housing problems

	<u>Renter Households</u>	<u>Owner Households</u>	<u>Total Households</u>
Extremely Low Income <30% MFI	560	115	675
% Hhs with any housing problems	72.3%	60.9%	70.4%
% Hhs with Cost Burden	65.2%	60.9%	64.4%
% Hhs with Severe Cost Burden	58.0%	52.2%	57.0%
Very Low Income 31-50% MFI	422	145	567
% Hhs with any housing problems	91.7%	89.7%	91.2%
% Hhs with Cost Burden	87.4%	89.7%	88.0%
% Hhs with Severe Cost Burden	45.0%	55.2%	47.6%
Low Income 51-80% MFI	374	184	558
% Hhs with any housing problems	76.2%	73.4%	75.3%
% Hhs with Cost Burden	57.5%	67.9%	60.9%
% Hhs with Severe Cost Burden	10.7%	32.6%	17.9%
Above Low Income >80% MFI	1,144	1,039	2,183
% Hhs with any housing problems	21.8%	29.3%	25.3%
% Hhs with Cost Burden	15.6%	22.1%	18.7%
% Hhs with Severe Cost Burden	0.0%	5.8%	3.2%
Total Households	2,500	1,483	3,983
% Hhs with any housing problems	53.0%	43.1%	49.3%
% Hhs with Cost Burden	45.1%	37.4%	42.3%
Total Hhs with Cost Burden	1,128	555	1,685
% Hhs with Severe Cost Burden	22.6%	17.5%	20.7%
Total Hhs with Severe Cost Burden	565	260	824

Note: MFI is Median Family Income; Source: State of the Cities Data Systems: Comprehensive Housing Affordability Strategy (CHAS) Data, 2000

Table 2-43 demonstrates how housing problems, particularly cost burden, affect households living below 80% of the area median income. Amongst extremely low income and very low income households, the problems of overpayment are most acute, as the majority of households in these income categories experience housing problems of some kind, whether they are renter or owner

households. This data suggests the affordability gap between market rents and for-sale housing and affordable housing costs for lower income households.

Cost burden (overpayment) also fluctuates by household type and size in Emeryville, as shown in Table 2-44. Overall, cost burden is predominantly found in the “All Other Households” category. Sixty-six percent of all renter households with cost burden fell into this category, followed next by small related households (19.3% of the total.) Fifteen percent of renter households with cost burden were elderly. The statistics shift somewhat for owner households. The “other households” category had the majority of those with cost burden, followed next by elderly households, representing 26% of the total owner households with cost burden, followed by small related households (20.7%). Large families represented a small portion of total households with cost burden issues. Most housing problems related to this household type relate to overcrowding issues.

Table 2-44: Households with Cost Burden by Household Type

	<u>Renter Households</u>	<u>As % of Total Renter Hhs with Cost Burden</u>	<u>Owner Households</u>	<u>As % of Total Owner Hhs with Cost Burden</u>
Elderly 1 and 2 member households	165	14.6%	145	26.1%
Small Related (2-4)	218	19.3%	115	20.7%
Large Related (5 or more)	0	0.0%	10	1.8%
All other households	745	66.0%	285	51.4%
Total Households with Cost Burden	1,128	100.0%	555	100.0%
Table shows number of households with cost burden by particular household type. Source: State of the Cities Data Systems: Comprehensive Housing Affordability Strategy (CHAS) Data, 2000				

To address the housing issues raised by overpayment and other housing problems, the Housing Action Program of this Housing Element promotes the development of affordable housing for a range of income levels in order to reduce the incidence of housing problems including cost burden, particularly for those living at the lower income levels.

Rental Market Conditions

In February 2009, city staff sampled the average market rents and units of several large rental projects. The data from this rent survey is shown in Table 2-45. Rents for a studio ranged from \$1,645 to \$1,850 per month; one bedroom units ranged from \$1,423 to \$2,235; two bedroom units had rents ranging from \$1,865 to \$2,860; and three bedroom units (or two bedroom with loft) ranged from \$1,945 to \$3,795.

Table 2-45: Rental Housing Market Rent and Unit Size

<u>Unit Type</u>	<u>Project</u>	<u>Average Rent</u>	<u>Average Sq Ft</u>	<u>Rent/Sq Ft</u>
Studio	Archstone	\$1,645	575	\$2.86
	Avenue 64	\$1,703	549	\$3.10
	Bakery Lofts	\$1,850	720	\$2.57
1BR/1BA	Archstone	\$1,930	695	\$2.78
	Avenue 64	\$2,063	751	\$2.75
	Bakery Lofts	\$1,925	1,100	\$1.75
	Bay Street by Windsor	\$1,581	695	\$2.27
	Bridgecourt	\$1,423	788	\$1.81
	Courtyards @ 65th	\$2,235	714	\$3.13
2BR/1BA	Archstone	\$2,381	935	\$2.55
2BR/2BA	Avenue 64	\$2,763	1,095	\$2.52
	Bay Street by Windsor	\$2,860	1,229	\$2.33
	Bridgecourt	\$1,865	1,052	\$1.77
	Courtyards @ 65th	\$2,198	1,025	\$2.14
3BR/2BA or 2BR Loft	Archstone	\$2,660	1,208	\$2.20
	Bay Street by Windsor	\$3,795	1,424	\$2.67
	Bridgecourt	\$1,945	1,194	\$1.63

Source: City of Emeryville, Economic Development and Housing Department, Survey conducted February 2009

Table 2-46 shows a sample of occupational wages and the maximum affordable monthly housing expenses corresponding to that wage.

Table 2-46: Sample of Occupational Wages				
Profession	<u>Hourly Wage</u>	<u>Average Annual Wage</u>	<u>Percent of Area Median Income (a)</u>	<u>Maximum Affordable Housing Expense (b)</u>
Moderate Income Occupations (up to \$90,500 for a family of 3)				
Financial Analyst	\$ 41.63	\$ 86,590	115%	\$ 2,526
Architect	\$ 40.63	\$ 84,510	112%	\$ 2,465
Computer Systems Analyst	\$ 38.73	\$ 80,558	107%	\$ 2,350
Real Estate Sales Agent	\$ 33.16	\$ 68,973	91%	\$ 2,012
Chemist	\$ 31.57	\$ 65,666	87%	\$ 1,915
Low Income Occupations (Up to \$59,600 for a family of 3)				
Drywall Installer	\$ 27.32	\$ 56,826	75%	\$ 1,421
Property, Real Estate & Community Association Mgr	\$ 26.42	\$ 54,954	73%	\$ 1,374
Graphic Designer	\$ 25.89	\$ 53,851	71%	\$ 1,346
Chemical Technician	\$ 19.32	\$ 40,186	53%	\$ 1,005
Secretary, Except Legal, Medical, and Executive	\$ 18.11	\$ 37,669	50%	\$ 942
Very-Low Income Occupations (Up to \$37,700 for a family of 3)				
Order Clerk	\$ 15.91	\$ 33,093	44%	\$ 827
Bus Driver, School	\$ 15.20	\$ 31,616	42%	\$ 790
Cook	\$ 13.72	\$ 28,538	38%	\$ 713
Retail Salesperson	\$ 12.88	\$ 26,790	36%	\$ 670
Maids and Housekeeping Cleaner	\$ 10.98	\$ 22,838	30%	\$ 571

Source: 2007 CA EDD Occupational Employment Statistics for the Oakland Primary Metropolitan Statistical Area, 2006

Notes: (a) Assumes one wage earner per family of three, (b) Maximum monthly housing expense defined as 35% of total income for moderate income households and 30% of income for low and very-low income households

When comparing average rents and the selection of representative occupations, families of three persons with incomes between \$38,750 and \$59,600 per year (i.e. low income families with incomes between 51 and 80% of the area median income for 2008) have to spend more than 30% of their income on rent for a typical market rate two-bedroom unit in Emeryville. For example, a three-person family where the sole earner works as a drywall and ceiling tile installer and can devote \$1,421 a month to rent, but the lowest average two bedroom unit identified by the survey is \$1,865 per month. Furthermore, housing production in the city has been overwhelmingly concentrated in studio and loft units without separate bedrooms. Another perspective, however, is that rents in Emeryville are high because many more households have dual incomes and no children, thus allowing more income to be devoted to housing than otherwise.

Ownership Market Conditions

A significant amount of for-sale ownership housing was added to Emeryville's housing stock between 2000 and 2008, as was described earlier in this chapter. During this period, the cost of ownership housing also increased. Table 2-47 shows a comparison between 2007 and 2008 median sales prices for single family homes and condominiums, as well as the high and low prices in each category. The median sales price for a condominium in 2001 was \$277,000. This had risen by \$119,500 by 2007. The increased cost of single-family homes was considerably higher. The median price in 2001 was \$242,000. The median price in 2007 was \$486,000. The median sales price of single family homes decreased from 2007 to 2008 by 18% due to the downturn in the economy. The median sales price of condos increased modestly, by 7% between 2007 and 2008; however, due to the slumping economy it is anticipated that sales prices in both single family homes and condominiums will decrease from 2008 levels during 2009.

Table 2-47: Sales Prices in 2007 and 2008

		<u>12-Month Period</u> <u>2007</u>	<u>12-Month Period</u> <u>2008</u>	<u>% Change</u> <u>2007-2008</u>
Condominiums				
	High	\$800,000	\$925,000	16%
	Median	\$396,500	\$425,000	7%
	Low	\$205,000	\$230,000	12%
Single Family Homes				
	High	\$539,500	\$437,500	-19%
	Median	\$486,000	\$399,000	-18%
	Low	\$380,000	\$321,000	-16%

Source: Realquest 2009; City of Emeryville Department of Economic Development and Housing

Broken down by the year the housing unit was built, average sales prices per square foot (when available and not including BMR units) from 2005 through 2008 show some interesting patterns, shown in Table 2-48. Overall, price per square foot increased between 2005 and 2006, but it has been falling steadily since then, with a 25% decrease overall between 2005 and 2008. Price per square foot

rose between 2005 and 2006 for the oldest units (those built 1900-1950) as well as the newest units (those built 2001-2008). The most dramatic decrease over the period has occurred with the newer housing, which has experienced a 28% decline between 2005 and 2008. If looking at the decline of average sales price for the housing built since 2001 between 2006 (its highest point) and 2008, the decline is more steep, with a 32% drop. The lower average sales prices for housing in Emeryville provides some relief for the affordability gap; however, with the difficult conditions for obtaining mortgage financing in the current recession, and unemployment on the rise, the lower priced housing is likely still out of reach for many households.

Table 2-48: Average Sales Cost Per Square Foot by Year Unit Built

Year of Sale	Overall Average \$/SQFT	Year Unit Built			
		1900-1950	1951-1980	1981-2000	2001-2008
2005	\$517	\$443	\$532	\$540	\$488
2006	\$521	\$481	\$515	\$537	\$513
2007	\$478	\$447	\$392	\$485	\$467
2008	\$390	\$433	\$511	\$428	\$349
% Change 2005-2008	-25%	-2%	-4%	-21%	-28%

Sources: Realquest 2009; City of Emeryville Department of Economic Development and Housing

Foreclosure Crisis

In 2007, the number of foreclosures in the Bay Area, California, and nationwide rose dramatically, due to a number of factors including home values leveling off or depreciating and the wide-spread use of looser loan underwriting and riskier loans, including sub-prime mortgages. The number of Bay Area homes lost to foreclosure in the second quarter of 2007 was the highest level in two decades. Nearly half of the notices of default resulted in homes being lost to foreclosure, as compared to just 12% the year prior. Notices of Default in Alameda County, as reported by East Bay Economic Development Alliance in their East Bay Indicators 2007 report, increased 252% from the second quarter of 2005 to the same quarter of 2007. The Center for Responsible Lending estimated in its “Losing Ground: Foreclosures in the Subprime Market and Their Cost to Homeowners” report that 19% of all subprime loans originated in 2005 and 2006 would result in foreclosure.

High foreclosure rates destabilize communities and can also cause displacement of tenants who are impacted if their property owners default and foreclose. A November 18, 2007 New York Times article reported that, according to ForclosureRadar.com, 22% of foreclosed properties in California were non-owner-occupied. Rents have also escalated, in part, due to increased demand for rental units by residents displaced by foreclosures, so that it is more difficult for displaced residents to find affordable rentals.

In December of 2007, the Emeryville City Council adopted an 8-point Predatory Lending Prevention and Foreclosure Prevention Strategy to take a proactive approach to addressing the foreclosure crisis. The Strategy has been implemented throughout 2008 and will continue to be implemented in 2009 and beyond depending on the on-going nature of the foreclosure crisis. The Strategy includes a number of components, including providing resource information to Emeryville residents, sponsoring information workshops, and offering individual counseling to owners facing foreclosure. In addition, the Strategy includes keeping monthly track of foreclosure incidence in Emeryville.

Unfortunately, the incidence of foreclosures throughout the Bay Area has increased during 2008 due to the general economic recession. From December 2007 through February 2009, there have been 138 Emeryville properties in some phase of foreclosure, including homes that have received Notices of Default (NOD's) (91 properties); foreclosure auctions currently scheduled or the auctions have been postponed (12 properties); and homes that have been lost through foreclosure (35 properties). Of the total 138 properties, four homeowners who have participated in City homeowner programs are in default or are having difficulty making mortgage payments. Of these, three are occupied by homeowners who own BMR unit and one has a grant through the City's Rehabilitation Program. As part of the Strategy, the City works directly with these individuals to refer them to HUD-certified organizations who provide homeowner foreclosure counseling. Emeryville has historically had a very low foreclosure rate in its homebuyer programs. Up through Fiscal Year 2006/2007, there was just one foreclosure on the first mortgage financing out of over 440 loans issued through the City's First Time Homebuyers Program, representing a 0.23% default rate.

Below Market Rate Housing Production

The City of Emeryville's inclusionary housing ordinance (called the Affordable Housing Set Aside Ordinance) and the Redevelopment Agency's use of its Low and Moderate Income Housing Fund "housing set-aside" funds have helped facilitate the production of 362 Below Market Rate (BMR) housing units during the previous 1999-2006 Regional Housing Need Allocation (RHNA) period of January 1, 1999 through June 30, 2006. While the city produced 234% of the total 777 units set out as the total goal for the previous RHNA period, the majority of added units were market rate. The city was able to perform very strongly, however, in the Very Low, Low, and Moderate Income categories, by meeting 71%, 66%, and 76%, respectively, of the RHNA goals. The comparison of the actual production during the previous RHNA cycle compared to the RHNA goals is shown in Table 2-49. Detailed project-specific information for the RHNA period may be found in Table 2-55 at the end of this chapter.

Table 2-49: Housing Production by RHNA Period of January 1, 1999 – June 30, 2006, by Affordability Level

	<u>Total Number of</u>				
	<u>Units</u>	<u>Very Low</u>	<u>Low</u>	<u>Moderate</u>	<u>Market Rate</u>
ABAG RHNA 1999-2006 Period					
Permitted Units	1,822	127	63	172	1,460
ABAG RHNA Goals	777	178	95	226	278
% of Goals Met	234%	71%	66%	76%	525%

Source: City of Emeryville, Economic Development and Housing Department, 2009

As shown in Table 2-50, during the 1999-2006 RHNA period, 61% of the BMR units (220 out of 362) produced were rental units, of which 58% (127 out of 220 units) were designated at the very low income level. This data is shown in Table 2-50. Two projects account for virtually all of the very low income rental units produced during the cycle -- Avalon Senior Apartments (with 66 very low income units) and the Windsor Apartments at Bay Street (formerly called Metropolitan Apartments at Bay Street) with 57 very low income units. A majority of the moderate income rental units (62 units) are included in the Courtyards Apartment project. These figures illustrate how the production of rental apartments in Emeryville is concentrated in large-scale projects between 200 and 350 units. There is no similar concentration of ownership BMR units. BMR ownership units are distributed amongst eleven different developments, with the largest concentrations (about 20 units each) in three projects: Emeryville Warehouse Lofts, Terraces at Emery Station, and the Andante. The majority of BMR ownership units designated during the previous cycle were designated as Moderate Income (61%), with 39% designated as Low Income. No very low income units were designated as for-sale units during the 1999-2006 RHNA period.

Table 2-50: Below Market Rate Unit Production January 1, 1999 – June 30, 2006 by Tenure

	<u>BMR Units</u>	<u>Very Low</u>	<u>Low</u>	<u>Moderate</u>
		<u>Income</u>	<u>Income</u>	<u>Income</u>
Total	370	124	63	183
Ownership	142	0	55	87
Rental	228	124	8	96

Source: City of Emeryville, Economic Development and Housing Department, 2009

Economic Characteristics

Employment and Unemployment

Unemployment in Emeryville and in Alameda County has been on the increase since 2006, due to the downturn and recession in the economy. The unemployment rates for both the city and county are shown in Table 2-51. As of January 2009, the State of California calculated the unemployment rate of Emeryville residents at 4.5%, and Alameda County's rate was 6.2%. Historically, Emeryville has had a lower rate of unemployment than Alameda County as a whole, which could be a result of Emeryville's more highly educated population.

Table 2-51: Unemployment Rates 2000-2008

<u>Year</u>	<u>Emeryville</u>	<u>Alameda County</u>
2000	2.6%	3.6%
2001	3.5%	4.8%
2002	4.9%	6.7%
2003	5.0%	6.9%
2004	4.3%	5.9%
2005	3.7%	5.1%
2006	3.2%	4.5%
2007	3.5%	4.8%
2008	4.5%	6.2%

Source: California Employment Development Department, 2009

Industry Characteristics

Table 2-52 provides data on the number of jobs by job sector in Emeryville and Alameda County. Emeryville has a larger share of jobs in the Retail, Financial and Professional Services sectors than Alameda County. The city's proportional share of Health, Educational, and Recreational Service jobs is less than half of that in Alameda County, however, while Manufacturing and Wholesale is also somewhat lower. These differences are likely explained by Emeryville's large regional shopping centers found at and around Bay Street and the East BayBridge shopping center, large companies such as Novartis (formerly Chiron biotech company) and Pixar Animation Studio, and a concentration of professional office buildings on the city's peninsula.

Table 2-52: Jobs by Industry 2005

		<u>Emeryville</u> <u>% of Total</u>	<u>Alameda County</u> <u>% of Total</u>
Total	19,670	100%	100%
Manufacturing and Wholesale	3,960	20%	24%
Retail	3,240	17%	11%
Financial and Professional Service Job	6,530	33%	20%
Health, Educational and Recreational Service	2,760	14%	30%
Other	3,180	16%	15%

Source: ABAG Projections 2007

Another way to view Emeryville's employment breakdown is by the change in the number of establishments in each industry type. By looking at a snapshot of how the number and distribution of businesses has changed over time, it is possible to make some inferences about Emeryville's housing needs. The US Census provides business pattern information at the zip code level; Emeryville's zip code, 94608, includes the entire city and a small portion of neighboring Oakland.

Between 1998 and 2005, the growth in establishments (individual businesses, not classified by size of payroll) was highest among typically high wage industries, Finance and Insurance, Information, Real Estate and Leasing, and Professional, Scientific, and Technical Services. Retail trade establishments, a typically low-wage industry, grew at the second fastest rate over the same period. As a proportion of total establishments, Professional, Scientific, and Technical Services increased from 16% to 18%. The only other industry to represent over 10% of the zip code's establishments in 2005 was Retail trade, which increased from 10% to 14%.

Generally, the changes in industry make-up in Emeryville appear to mirror those among the population. The growth of establishments in high-skill, high-wage industries is matched by the greater rate of growth in high income and highly educated households. For example establishments in the Finance and Insurance, Information, Real Estate and Leasing, and Professional, Scientific, and Technical Services industries increased from 27% of total establishments in 1998 to 32% in 2005, as shown in Table 2-53. In contrast, establishments in industries that have typically paid middle class wages, Transportation and Warehousing, Manufacturing, and Wholesale Trade declined in number and share of total establishments. Perhaps most important for affordable housing policy is the fact that Retail Trade and Accommodation and Food Services represent 22% of all establishments in the zip code area. Workers in these industries are likely to be on the lower end of pay scales are some of the most likely to qualify for affordable housing.

Table 2-53: Growth in Business Establishments in 94608 ZIP Code 1998-2005

<u>Industry Code Description</u>	<u>1998</u>	<u>% of Total</u>	<u>2005</u>	<u>% of Total</u>	<u>% Change 1998-2005</u>
Total	1,028	100%	1,098	100%	6%
Finance & insurance	37	4%	58	5%	36%
Retail trade	104	10%	153	14%	32%
Accommodation & food services	64	6%	84	8%	24%
Information	41	4%	53	5%	23%
Real estate & rental & leasing	28	3%	36	3%	22%
Educational services	13	1%	16	1%	19%
Professional, scientific & technical services	168	16%	201	18%	16%
Construction	66	6%	69	6%	4%
Arts, entertainment & recreation	16	2%	16	1%	0%
Transportation & warehousing	20	2%	19	2%	-5%
Other services (except public administration)	79	8%	75	7%	-5%
Health care and social assistance	56	5%	49	4%	-14%
Manufacturing	123	12%	101	9%	-22%
Wholesale trade	127	12%	104	9%	-22%
Management of companies & enterprises	18	2%	14	1%	-29%
Admin, support, waste mgt, remediation services	68	7%	50	5%	-36%

Source: US Census Bureau, Business Patterns

Jobs-Housing Balance

In general, jobs/housing balance is an indicator of how many vehicle miles workers must commute to their jobs. A highly skewed ratio often means workers must commute far from where they live. Compared to Alameda County, Emeryville has a very high number of jobs versus housing units, also known as jobs/housing balance. However, the large increase in housing units in Emeryville between 2000 and 2005 contributed to a sizable decline in that ratio, from 4.4 to 3.1. This data is shown in Table 2-54.

Table 2-54: Jobs-Housing Balance in 2000 and 2005

	<u>2000</u>	<u>2005</u>	<u>Emeryville</u> <u>% Change</u>	<u>2000</u>	<u>2005</u>	<u>Alameda County</u> <u>% Change</u>
Total Employed Residents	4,600	4,500	-2%	694,600	733,500	6%
Total Jobs	19,300	19,670	2%	750,160	730,270	-3%
Housing units	4,431	6,421	45%	531,166	562,479	6%
Jobs-Housing Balance	4.4	3.1	-30%	1.4	1.3	-5%

Source: CA EDD, ABAG Projections 2007, City of Emeryville, County of Alameda

Another perspective on Emeryville's jobs-housing balance is to look at how many Emeryville residents live and work in the city. The latest data available from the 2000 Census found that 22% of employed residents worked in Emeryville (920 of 4,214); the remaining employed residents commuted outside the city for work. Those who both lived *and* worked in Emeryville in 2000 represented about 5% of the total 18,000 people employed in the city. Emeryville's rapidly expanding housing supply provides a greater opportunity for those who work in Emeryville to move here. While current data is not available, it is not unreasonable to assume that the proportion of workers who also live in Emeryville has grown.

**Table 2-55
EMERYVILLE HOUSING PRODUCTION**

JANUARY 1971 - DECEMBER 1998*									
Project Name	Address	Year Built	Tenure	Total Number of Units	Very Low	Low	Mode-rate	Market Rate	Live/ Work
Watergate Condominiums	Powell Street	1971	OWN	1247	0	0	0	1247	
Emery Bay Village	Temescal/Emery Bay	1979	OWN	112	0	0	0	112	
Hollis Street Complex	6221 Hollis	1980	RENT	40	0	0	0	40	L/W
Pacific Park Plaza	6363 Christie	1981	OWN	583	0	0	0	583	
Emery Glen	6200 Doyle	1983	RENT	36	36	0	0	0	
Besler Building Art Center	4053 Harlan	1986	OWN	52	0	0	0	52	L/W
Monthly Building	1301 59th	1986	RENT	16	0	0	0	16	L/W
Hollis Street Project	5900 Hollis	1986	RENT	20	0	0	0	20	L/W
Artist Co-Op	1420 45th	1986	OWN	53	29	4	6	14	L/W
Bridgewater (formerly Emery Bay Club & Apts I, a rental project)	6400 Christie	1988	OWN	424	0	0	0	424	
Krausen/Doyle St. Townhomes	Doyle/64 SE	1989	RENT	5	0	0	0	5	
Krausen/Vallejo		1990	RENT	2	0	0	1	1	
Beaudry Second Unit		1990	RENT	1	0	0	0	1	
Emeryville Business Center	1250 45th Street	1990	RENT	6	0	0	3	3	L/W
47th Street Second Unit	47th Street	1990	RENT	1	0	0	0	1	
Sailer et al units	1053 47th	1990	OWN	3	0	0	1	2	
Co-Housing	5512 Doyle	1991	OWN	12	0	0	5	7	
1423-33 Park	1423-33 Park	1991	OWN	6	0	0	3	3	L/W
Emery Villa Senior Apartment	4320 San Pablo	1992	RENT	50	50	0	0	0	
Archstone-Emeryville (formerly Emery Bay Club & Apts. II)	6401 Shellmound Street	1993	RENT	260	52	0	0	208	
Affordable Condos (VHP)	1292/94 63rd	1993	OWN	4	0	3	1	0	
Affordable Condos (VHP)	1056 48th	1993	OWN	2	0	1	1	0	
Horton Street Lofts	4300 Horton	1993	OWN	15	0	0	7	8	L/W
Triangle Court	1063-69 45th	1994	RENT	20	9	11	0	0	
Powell Street Lofts	1250 Powell	1994	OWN	10	0	0	5	5	L/W
3622/24 Adeline	3622 Adeline	1994	RENT	2	0	0	1	1	L/W
Temescal Lofts	1001 47th	1995	OWN	4	0	0	2	2	L/W
Ocean Avenue Court	1265-69 Ocean	1996	RENT	6	6	0	0	0	
Bridgecourt Apartments	1325 40th	1997	RENT	220	24	64	0	132	
Ocean Avenue Lofts	Ocean/Doyle	1997	OWN	5	0	0	2	3	L/W
Holden Live/Work	Holden	1997	OWN	1	0	0	0	1	L/W
Affordable Condos (VHP)	1258 and 1268 64th Street	1998	OWN	5	0	3	2	0	
Baybridge Apartments	1034-44 36th Street	1998	RENT	6	6	0	0	0	
SUBTOTAL CONSTRUCTED 1971-1998				3229	212	86	40	2891	
*Total estimated number of units built prior to 1971 is 1,194 units. This includes single family units and small buildings.									

**Table 2-55
EMERYVILLE HOUSING PRODUCTION**

JANUARY 1999 - JUNE 2006 (Previous Regional Housing Need Allocation Period)									
Project Name	Address	Year Completed	Tenure	Total Number of Units	Very Low	Low	Mode-rate	Market Rate	Includes Live/Work
Emeryville Warehouse Lofts	1500 Park	2000	OWN	141	0	2	24	115	L/W
Dollar Lofts	5950 Doyle	2000	OWN	20	0	0	0	20	
Avalon Senior Apts.	3850 San Pablo	2000	RENT	67	66	0	0	1	
Gateway Commons Townhouses**	48th/San Pablo	2000	OWN	6	0	1	5	0	L/W
Oliver Lofts	1200 65th	2002	OWN	50	0	5	5	40	
Bakery Lofts I & II **	1001 46th	2002	RENT	41	0	0	8	33	L/W
Terraces at EmeryStation	5855 Horton	2002	OWN	101	0	9	11	81	
Liquid Sugar Lofts	1284 65th	2003	OWN	55	0	5	6	44	
The Courtyards	1465 65th	2004	RENT	331	1	0	62	268	
Elevation 22	1300-1350 Powell	2004	OWN	71	0	7	7	57	
CityLimits**	1165 67th	2005	OWN	31	0	4	5	22	
Green City Lofts**	4050 Adeline	2006	OWN	31	0	3	3	25	
Key Route Lofts	Adeline and 40th	2006	OWN	22	0	0	0	22	L/W
Andante I and II	3998 San Pablo	2006	OWN	125	0	15	10	100	
Bay Street One Condos	Bay Street	2006	OWN	95	0	0	0	95	
Windsor Apartments at Bay Street	5684 Bay Street	2006	RENT	284	57	0	0	227	
Artisan Walk**	66th/Vallejo	2006	OWN	6	0	1	5	0	
Blue Star Corner	Hubbard Street	2007	OWN	20	0	0	0	20	
Avenue 64	64th and Christie	2007	RENT	224	0	8	15	201	
Icon at Park Apartments	1401 Park	2007	RENT	54	3	0	0	51	L/W
Vue46**	Adeline/46th	2007	OWN	47	0	3	6	38	
SUBTOTAL CONSTRUCTED OR BUILDING PERMITS PULLED IN ABAG				1,822	127	63	172	1,460	
ABAG GOALS FOR PERIOD				777	178	95	226	278	
% OF ABAG GOALS MET				234%	71%	66%	76%	525%	
**These developments are partially in Oakland. Units listed are in Emeryville portion only. Total unit counts for each development are as follows: Gateway Commons: 17; Bakery Lofts: 57; CityLimits: 92; Vue 46: 79; Green City Lofts: 62; Artisan Walk: 72.									

**Table 2-55
EMERYVILLE HOUSING PRODUCTION**

JULY 2006 - JUNE 2014 (Current Regional Housing Need Allocation Period) (Note 1)

Project Name	Address	Est. Compl. Year	Tenure	Total Number of Units	Very Low	Low	Moderate	Market Rate	Status (Note 3)	Affordability Mechanism (Note 4)
Icon at Doyle Apartments	Stanford at Doyle	2007	OWN	27	0	0	0	27	Completed	Not applicable; project under the AHSA Ordinance threshold.
Salem Manor	4333 Salem St	2008	OWN	3	0	0	0	3	Completed	Not applicable; project under the AHSA Ordinance threshold.
Glashaus Lofts	65th/Hollis	2008	OWN	145	5	6	18	116	Completed	AHSA Ordinance; Affordability Agmt executed and recorded; BMR-price restricted; owners enter Resale Restriction Agmt with City. Agency provided \$1.76M Ownership Housing Assistance Program (OHAP) downpayment funds for low and very low income units.
Oak Walk New Construct Condos	4098 San Pablo	2009	OWN	53	0	4	0	49	Completed	AHSA Ordinance; Affordability Agmt executed and recorded; BMR-price restricted; owners enter Resale Restriction Agmt with City. Agency provided \$440K in OHAP funds for low income units.
Oak Walk - 5 houses renovation	1077-1085 41st Street	2009	OWN	5	0	0	5	0	Completed	Owner Participation Agreement signed between Redevelopment Agency & developer; \$1.6 million subsidy provided to provide Moderate Income BMRs.
Adeline Place	3801 San Pablo	2009	OWN	36	0	3	10	23	Completed	AHSA Ordinance; Affordability Agmt executed and recorded; BMR-price restricted; owners enter Resale Restriction Agmt with City; Agency entered Disposition and Development Agmt (DDA) with developer to provide \$4.5M Agency financial assistance to provide BMR units.
AgeSong Assisted Living	4050 Horton	2009	RENT	28	0	0	0	28	Completed	Not applicable; project under the AHSA Ordinance threshold.
Magnolia Terrace	4001 Adeline Street	2011	RENT	5	5	0	0	0	Approved	Agency has entered into DDA with developer and Regulatory Agreement for 55-year term of affordability; also provided land write down and \$1.38 million development subsidy; construction to begin May 2010.
San Pablo Townhouses	4520 San Pablo Avenue	2012	OWN	29	0	0	0	29	Approved	Not applicable; project under the AHSA Ordinance threshold.
Ambassador Homes	1168 36th Street	2012	RENT	69	68	0	0	1	Approved	Agency has entered into Exclusive Negotiating Rights Agreement with developer and anticipates entering into DDA with developer to provide land write-down and housing development subsidy to provide BMR units. Developer will be required to enter into a Regulatory Agreement with Agency to provide units for 55-year term of affordability.
Bakery Lofts IV	53rd/Adeline	2012	RENT	18	0	0	0	18	Approved	Not applicable; project under the AHSA Ordinance threshold.
Papermill Mixed Use	1255 Powell	2012	RENT	173	10	0	16	147	Approved	Project is subject to the AHSA Ordinance. Rental project requires 6% Very Low Income BMRs and 9% Moderate Income BMRs. City expects to enter into Affordability Agmt with developer in 2010.
39th/Adeline Apartments (Note 2)	3900 Adeline	2012	RENT	80	5	0	7	68	Approved	Project is subject to the AHSA Ordinance. Rental project requires 6% Very Low Income BMRs and 9% Moderate Income BMRs. City expects to enter into Affordability Agmt with developer in 2010.
Christie Park Towers	6150 Christie	2013	OWN	60	0	6	6	48	Approved	City has entered into Affordability Agmt with developer and appropriated \$660K in OHAP funds for the 6 Low Income BMRs.
Baker Metal Live Work and Townhouses	1265 65th Street	2013	OWN	22	0	0	0	22	Approved	Not applicable; project under the AHSA Ordinance threshold.

**Table 2-55
EMERYVILLE HOUSING PRODUCTION**

Project Name	Address	Est. Compl. Year	Tenure	Total Number of Units	Very Low	Low	Moderate	Market Rate	Status (Note 3)	Affordability Mechanism (Note 4)
Marketplace Redevelopment Phase I- Shellmound Site (Tower & Parking Structure: 196 units plus 10 townhomes)	Shellmound Street and Christie Street	2013	OWN	206	0	20	21	165	Proposed	Project would be subject to the AHSA Ordinance requiring 20% of units set aside at moderate income (41 total units). Agency would provide downpayment assistance to enable a portion of units to be provided for low income households instead, and First Time Homebuyer Assistance for moderate income BMR units. City would enter into Affordability Agreement with developer. Overall BMR inclusionary level is 20% of the total.
Marketplace Redevelopment Phase I- 64th/Christie Site	64th & Christie	2012	RENT	185	28	0	0	157	Proposed	Project is subject to the AHSA Ordinance requiring inclusion of 6% at very low income and 9% at moderate income. Agency contemplating entering into Owner Participation Agreement with developer to provide financial assistance for provision of all BMR units as very low income units for a 55-year term of affordability.
SUBTOTAL CONSTRUCTED OR BUILDING PERMITS PULLED IN ABAG GOAL PERIOD OF JULY 2006 - JUNE 2014				1,144	121	39	83	901		
ABAG GOALS FOR PERIOD				1,137	186	174	219	558		
% OF ABAG GOALS MET				101%	65%	22%	38%	161%		
Note 1: This table includes those projects for which building permits were pulled or received Planning Approvals July 1, 2006 through December 31, 2009, and those projects for which building permits are anticipated to be pulled during the RHNA period through June 30, 2014.										
Note 2: This development is partially in Oakland; units listed in the table are those located in Emeryville portion only. The development includes 101 total units.										
Note 3: Status refers to whether project has been completed, is under construction, is "Approved" by Planning Commission, or has been "Proposed" to City but has not yet received Planning Commission approvals.										

CHAPTER 3. RESOURCES AND CONSTRAINTS

This chapter analyzes the availability of sites suitable for housing and describes both governmental and non-governmental resources and constraints on the housing supply and affordability. Local land use controls, availability of sites, housing market conditions, and financial resources are also discussed in this chapter. The chapter starts with an analysis of previous housing production to establish a baseline for future production. Although Emeryville is a small, built-out city, with no opportunity for outward expansion, it has been successful at capitalizing on favorable market conditions to recycle older industrial and commercial properties into sites with new housing development. As indicated in Chapter 2, the citywide increase in housing units between 2000 and 2008 was 1,997 units, a 47% increase. Sufficient sites are identified to meet the RHNA housing goals for 2014. However, it is important to understand the constraints of a built out city of only 1.2 square miles. The housing growth rate experienced over the past 10 years will not be sustainable into the future.

Housing Production 1999 to 2006

Table 3-1 below lists projects that resulted in new housing from January, 1999 through June, 2006. The table demonstrates that Emeryville has been highly successful at developing housing units at a range of affordability levels on sites that were contaminated, on non-vacant sites, and on properties that are zoned for non-residential uses or mixed-use. Table 2-55 in Chapter 2 provides additional detail on the affordability levels within each of the projects shown. Of the 21 projects, 17 (80%) were contaminated and successfully remediated for residential use. Sixteen were on sites formerly used for industry, and the remaining five were commercially used sites or vacant property.

Table 3-1. Analysis of Previous Housing Production

Housing Sites Where Building Permits Were Issued – January 1999 through June 2006

Project Name	Project Address	Total Units	Site Acres	Units/Acre	BMR Units	Zoning District	Mixed Use or Live Work	Previous Use of Site	Toxic Remediation	Access to Services & Amenities				
										Distance in Miles				
										Grocery Store	Park	Schools		Transit
												Secondary	Elementary	
Emeryville Warehouse Lofts (rehab & new construction)	1500 Park Avenue	141	1.7	82.9	26	I-L	L/W	Vacant warehouse	Yes	0.6	0.6	0.7	0.7	0.2
Dollar Lofts	5950 Doyle Street	20	0.5	40.0	0	M-U		Industrial building	Not needed	0.7	0.1	0.7	1.2	0.2
Avalon Senior Apts	3850 San Pablo Avenue	67	1.2	56.3	66	C-G	MU	Commercial buildings	Yes	0.1	0.5	0.5	0.2	0
Gateway Commons Townhouses	48 th /San Pablo Avenue	6	0.3	20.0	6	C-G	L/W	Commercial buildings	Yes	0.2	0.2	0	0.4	0
Oliver Lofts	1200 65 th Street	50	1.1	46.7	10	I-L		Oliver Tire & Rubber	Yes	1.0	0.3	1.0	1.4	0.2

Table 3-1. Analysis of Previous Housing Production**Housing Sites Where Building Permits Were Issued – January 1999 through June 2006**

Project Name	Project Address	Total Units	Site Acres	Units/Acre	BMR Units	Zoning District	Mixed Use or Live Work	Previous Use of Site	Toxic Remediation	Access to Services & Amenities				
										Distance in Miles				
										Grocery Store	Park	Schools		Transit
Secondary	Elementary													
Bakery Lofts I and II* (rehab & new construction)	1001 48 th Street	41	1.3	31.5	8	R-M	L/W	Remar Bakery	Not needed	0.3	0.1	0.3	0.4	0.3
Terraces at EmeryStation	5855 Horton Street	101	2.0	50.5	20	M-U		Westinghouse Factory	Yes	0.3	0.3	0.8	1.2	0.1
Liquid Sugar Lofts	1284 65 th Street	55	1.4	39.3	11	I-L		Food processing plant	Yes	1.0	0.3	1.0	1.4	0.2
The Courtyards	1465 65 th Street	331	4.8	69.0	63	I-L	MU	Ryerson Steel Mill	Yes	0.9	0.3	1.2	1.6	0
Elevation 22	1300 Powell Street	71	1.8	39.0	14	M-U	MU	Industrial buildings	Yes	0.5	0.1	0.6	1.0	0
City Limits	1165 67 th Street	31	1.1	29.0	9	I-L		Fabco Auto Parts	Not needed	1.1	0.4	1.1	1.5	0.2
Green City Lofts*	4050 Adeline Street	31	0.4	77.5	6	C-G		Vacant industrial building	Yes	0.3	0.4	0.6	0	0.1
Key Route Lofts	Adeline/40 th Streets	22	0.3	73.3	0	C-G	L/W	Commercial buildings	Not needed	0.3	0.5	0.6	0.2	0.1
Andante I and II	3998 San Pablo Avenue	125	1.8	68.3	25	C-G	MU	Vacant commercial buildings & RR r-o-w	Yes	0.1	0.5	0.4	0.2	0
Bay Street One Condos	Bay Street	95	2.4	39.6	0	PUD	MU	Elementis paint factory	Yes	0.2	0.5	1.1	1.5	0
Windsor Apartments at Bay Street	Bay Street	284	19.0	19.9	57	PUD	MU	Elementis paint factory	Yes	0.2	0.5	1.1	1.6	0
Artisan Walk*	66 th /Vallejo Street	6	0.3	20.0	6	I-L		Myer Drum factory	Yes	1.1	0.4	0.9	1.2	0
Blue Star Corner	Hubbard Street	20	0.5	40.0	0	I-L		Vacant lot	Yes	0.6	0.6	0.7	0.7	0.2
Avenue 64	64 th /Christie Avenue	224	3.1	72.3	23	M-U		Industrial businesses	Yes	0.5	0.1	1.3	1.7	0
Icon at Park Apts	1401 Park Avenue	54	0.6	90.0	3	I-L	L/W	Eletro-coating chrome plating	Yes	0.5	0.4	0.6	0.5	0.1
Vue 46* (rehab & new construction)	46 th /Adeline Avenue	47	0.6	78.3	9	R-M		Flecto stain factory	Yes	0.3	0.1	0.4	0.3	0.2
Subtotal/Average January 1999 – June 2006		1,822	46.2	39.4	362					0.5	0.3	0.7	0.9	0.1
Median				46.7										
* Emeryville units in border projects														

Inventory and Analysis of Sites and Facilities

On March 20, 2008 the Association of Bay Area Governments approved the Regional Housing Needs Allocation (RHNA) for jurisdictions in the nine-county Bay Area. Emeryville's share of the regional housing need is 1,137 units in the following affordability categories:

Very low income units:	186	(16.4% of total)
Low income units:	174	(15.3% of total)
Moderate income units:	219	(19.3% of total)
<u>Above-moderate income units:</u>	<u>558</u>	<u>(49.0% of total)</u>
TOTAL:	1,137	

As required under Government Code Sections 65583 and 65583.2, this section of the element provides a parcel-specific inventory of suitable and appropriately zoned sites for the provision of housing for all affordability ranges. The inventory was developed by compiling information from the City's Major Development Projects listing (which is updated monthly) and the Redevelopment Agency's project list. This inventory includes a listing of sites for which housing is anticipated to be developed within the planning period and a second list of more tentative future housing sites. This inventory shows the sites which will provide housing to meet the RHNA goal of 1,137 units.

A new Emeryville General Plan, including the Land Use Element, became effective on November 12, 2009. New zoning regulations consistent with the new General Plan are being prepared and will be adopted in 2011. Interim zoning regulations are currently in place to insure that development coming forward prior to the adoption of new zoning is consistent with the General Plan, including this Housing Element. The housing sites inventories below and the section on zoning that follows reflect the interim zoning that is currently in place. Although the projects listed in Table 3-2 below were developed under the old General Plan and under previous zoning regulations they are generally consistent with the new General Plan and interim zoning.

Sites Appropriate for Residential Development within the Planning Period

Table 3-2 below lists the sites where building permits are anticipated to be pulled during the July 2006 through June 2014 RHNA period. Projects listed in Table 3-2 mirror those listed in Table 2-55 in Chapter 2, which provides greater detail on the affordability levels of Below Market Rate units and the mechanism for achieving affordability. The Sites found in Table 3-2 are mapped in Diagram 3-1. Table 3-2 includes, for the July 2006 through June 2014 period, completed housing projects, approved housing projects, and proposed housing projects.

As shown in Table 3-2, the City provides the appropriate zoning for the development of 1,144 units during the 2006-2014 RHNA period which is within the horizon of this Housing Element. This number exceeds the RHNA goal by 7 units. The sites where this housing will occur are detailed in Table 3-2 below.

Table 3-2: Inventory and Analysis of Housing Sites – Appropriate and Available for Residential Use in the Planning Period

Sites Where Building Permits are Anticipated through June 30, 2014 – Completed and Proposed Projects

Map #	APN	Project Name & Description	Status of Approvals & Construction Schedule	Units approved or proposed	Acres	Units per acre	Below Market Rate	General Plan Land Use*	GP Density - units per acre (base/bonus)*	Current Zone*	Existing or pre-existing use	Environmental Issues Site Remediation	Access to Services & Amenities				
													Distance in Miles				
													Grocery Store	Park	Schools		Transit
															Secondary	Elementary	
1	049-1313-001-03+	Icon at Doyle Street; Stanford & Doyle	Completed	27	0.5	54.0	0	MD-Res	20/35	RM	Industrial building	None	0.8	0	0.6	1	0.1
2	049-1079-006	Salem Manor 4333 Salem St.	Completed	3	0.1	30	0	MD-Res Major Transit Hub	20/35	RM	Single dwelling	None	0.2	0.7	0.7	0.3	0.2
3	049-1404-192+	Glashaus Lofts; SE 65 th St & Hollis St; MU, res, live/work, commercial	Completed	145	3.6	40.3	29	MHD-Res N-Retail Overlay	50/60	RMH North Hollis Overlay	Industrial and commercial buildings	Remediated	0.9	0.3	1.2	1.6	0
4	049-1025-021-05+	Oak Walk, MU, condos/commercial	Completed	53	1.5	35.3	4	MU-Res Major Transit Hub N-Retail Overlay	20/35 50/60	MUR	Commercial buildings	Remediated	0.2	0.4	0.4	0	0
5	049-1025-005+	Oak Walk; 41 st St; housing rehab	Completed	5	0.2	25.0	5	MU-Res Major Transit Hub	20/35	MUR	Single dwellings, duplexes.	None	0.2	0.4	0.4	0	0

Table 3-2: Inventory and Analysis of Housing Sites – Appropriate and Available for Residential Use in the Planning Period

Sites Where Building Permits are Anticipated through June 30, 2014 – Completed and Proposed Projects

Map #	APN	Project Name & Description	Status of Approvals & Construction Schedule	Units approved or proposed	Acres	Units per acre	Below Market Rate	General Plan Land Use *	GP Density - units per acre (base/bonus) *	Current Zone *	Existing or pre-existing use	Environmental Issues Site Remediation	Access to Services & Amenities				
													Distance in Miles				
													Grocery Store	Park	Schools		Transit
															Secondary	Elementary	
6	049-0481-002	Adeline Place; 3801 Adeline St.	Completed	36	0.3	120.0	13	MU-Res Major Transit Hub N-Retail Overlay	85/100	MUR	Commercial building & parking	None	0.1	0.9	0.5	0.3	0
7	049-0617-016-02	AgeSong Assisted Living; 4050 Horton St. Senior housing	Completed	28	0.7	40	0	MU-Res	50/60	MUR Park Avenue Overlay District	Commercial building	Remediated	0.5	0.5	0.8	0.6	0
8	049-1025-026-03	Magnolia Terrace; 4001 Adeline St.	Approved	5	0.07	71.0	5	MD-Res Major Transit Hub	20/35	RM	Vacant lot	Needs small clean up	0.2	0.6	0.4	0	0
9	049-1174-031-03	San Pablo Townhomes; 4520 San Pablo Ave	Planning Permit extension approved 12-11-2008	29	0.9	32.2	0	MU-Res N-Retail Overlay	50/60	C-G R-M	Commercial buildings and surface pkg.	Remediated	0.1	0.3	0.2	0.3	0
10	049-0481-016 & 017	Ambassador Homes; 1168 36 th St; affordable rental housing	Approved 12-10-2009; in DDA negotiations	69	0.79	87.3	68	MU-Res Major Transit Hub	85/100	MUR	Vacant, previous industrial building demolished	Remediation in process	0.2	0.4	0.6	0.4	0.1
11	049-1173-003	Bakery Lofts IV; SE 53 rd & Adeline Sts.; MU w/ res.; partially in Oakland	1 year extension approved 12-10-2009	18	0.3	60.0	0	MU-Res	50/60	MUR	Vacant commercial building	None	0.3	0.8	0.3	0.4	0.3

Table 3-2: Inventory and Analysis of Housing Sites – Appropriate and Available for Residential Use in the Planning Period

Sites Where Building Permits are Anticipated through June 30, 2014 – Completed and Proposed Projects

Map #	APN	Project Name & Description	Status of Approvals & Construction Schedule	Units approved or proposed	Acres	Units per acre	Below Market Rate	General Plan Land Use*	GP Density - units per acre (base/bonus) *	Current Zone *	Existing or pre-existing use	Environmental Issues Site Remediation	Access to Services & Amenities				
													Distance in Miles				
													Grocery Store	Park	Schools		Transit
															Secondary	Elementary	
12	040-1317-001-01	Papermill Mixed Use; 1255 Powell St.; res, live/work flex	Approved 11-18-08; 1 year extension approved 12-01-2009	173	2.4	72.0	26	MU-Res Major Transit Other Park Opport.	50/60	MUR	Commercial buildings	Needs soil study	0.5	0.3	0.7	1.0	0
13	012-0953-033	39 th & Adeline Project; 39 th /Adeline/ Yerba Buena; MU (Note 2)	Approved 1-20-09	80	0.8	100.0	12	MU-Res Major Transit Hub	85/100	MUR	Single-story commercial bldg, surface parking	None	0.2	0.5	0.6	0.2	0
14	049-1493-003	Christie Park Towers; 6150 Christie Ave; residential/live work	Building permit issued 3-30-05; construction not commenced	60	0.6	100.0	12	MU-Res Major Transit Hub	115/170	MUR	Vacant, building foundation	None	0.3	0	1.2	1.6	0
15	049-1504-002	Baker Metal; 17 Live/Work & 5 Townhouses; 1265 65 th St.	Approved 08-27-2009	22	0.3	73.3	0	MHD-Res MD-Res	50/60	RMH RM	Vacant industrial building	Needs soil study	0.4	0	.7	.9	0
16	049-1494-03-02	Marketplace Redevelopment; Shellmound Bldg. MU	PUD Approved	206	1.5	137.3	41	MU-Res Major Transit Hub	115/170	PUD	Surface parking	Remediation needed	0.4	0	1	1.5	0
17	049-1492-006-01	Marketplace Redevelopment I; 64 th & Christie Av building; Res + Shopkeeper Units	PUD Approved	185	1.2	154.2	28	MU-Res	115/170	PUD	Commercial buildings & surface parking	Remediation needed	0.4	0	1	1.5	0
Total Units and Average Density				1,144	15.8	72.4	243										
Median Project Density						71											

Table 3-2: Inventory and Analysis of Housing Sites – Appropriate and Available for Residential Use in the Planning Period**Sites Where Building Permits are Anticipated through June 30, 2014 – Completed and Proposed Projects**

Map #	APN	Project Name & Description	Status of Approvals & Construction Schedule	Units approved or proposed	Acres	Units per acre	Below Market Rate	General Plan Land Use*	GP Density - units per acre (base/bonus) *	Current Zone *	Existing or pre-existing use	Environmental Issues Site Remediation	Access to Services & Amenities				
													Distance in Miles				
													Grocery Store	Park	Schools		Transit
															Secondary	Elementary	
Note 1: Zoning information is based upon interim zoning regulations that were enacted on November 12, 2009. New permanent zoning regulations consistent with the 2009 General Plan will likely be completed in 2011.																	
Note 2: This development is partially in Oakland. Units listed are in the Emeryville portion only. The total unit count for the development is 101.																	

Housing Capacities - Table 3-2: The majority of the projects listed in Table 3-2 already have entitlements in place. Seven were recently completed and another eight projects totaling 456 units have received planning approvals. The unit capacities are based upon the actual number of completed project units, the approved number of units in projects that have received entitlements, or the proposed number of units for the site, which have been determined to be feasible in accordance with the General Plan land use and zoning. Therefore it is not instructive to provide an analysis of the impacts of development standards for each site. Current residential development standards are discussed in the section on Land Use and Zoning below. Examples of the impact of development standards on density are provided under the discussion of Government Constraints to Housing Development.

Like Table 3-1, Table 3-2 above, which correlates to the Regional Housing Need Allocation period of 2006-2014, demonstrates a successful housing production record for both completed projects as well as projects anticipated to be completed during the period. As noted in Table 2-55 in the previous Chapter 2, an additional 243 units are projected to be produced at the very low, low, and moderate income levels, representing 21% of the total 1,144 units projected.

For the projects list in Table 3-2 above the planning permits required and density capacities varied from project to project. Three examples are provided as follows:

Salem Manor (#2) is a triplex in the R-M zone. This project involved demolition of an existing single family residence and construction of three units on a 6,418 square foot parcel. A conditional use permit (CUP) was required for multi-family residential development, which is defined as any residential development of 3 units or more, in the R-M district. The project also required Planning Commission approval to demolish a single family dwelling. The CEQA determination was Categorical Exemption for urban infill housing.

Adeline Place (#6) is a 36 unit mix-use project. Multi-family residential development is a conditionally permitted use in what was formerly the C-G zone so this project required a CUP. The maximum allowable height in this district is 40 feet, which can be increased to 55 feet with a Conditional Use Permit. The project height is 49 feet 4 inches with an additional two and a half foot parapet wall. The project therefore required a CUP for the proposed height. Design review was also required. As an urban infill housing project Adeline Place was deemed categorically exempt from CEQA.

The Papermill Mixed Use project (#12) will have 168 residential units, 5 live-work units, 3 flex space units, 10,222 square feet of retail space, and 299 parking spaces, and a new park. The project required design review and a conditional use permit. The project is considered a multi-family residential use with ground level commercial use. Live-work units are considered as a separate use. Flexible space can be live-work space or commercial space. All three use categories were allowed with a CUP in the former M-U district. The project required a conditional use permit for a building height of 55 feet but is in conformance with setback, parking and floor area ratio requirements. Additionally the project required a demolition permit for removing a commercial building. An Initial Study/Mitigated Negative Declaration was prepared.

All three of the examples listed above were entitled under the previous General Plan and zoning regulations.

Table 3-2 demonstrates an increasing density over the previous housing cycle with an average 72.4 units per acre and a median density of 71. This period will experience more infill development of underutilized commercial properties and surface parking areas. Four of the sites are former industrial properties. Six of the sites listed have completed soil remediation and another four sites need further clean up or study.

Infill Development: Table 3-2 also demonstrates the City's ability to produce housing in mixed use, commercial, and industrial zones, on non-vacant properties, and on sites where toxic remediation is required. Only a small percentage of the sites listed were in residentially zoned districts, in this case the R-M Medium Density Residential District. The mechanism for determining how these units have or will accommodate the very low, low and moderate income regional housing need is described in Table 2-55 in Chapter 2.

Variety of Housing Types: As the above table shows, Emeryville is able to attract a wide range of housing types, including rental and ownership housing; live/work; small-, medium-, and large-size units; and townhomes as well as higher density buildings in mixed use, urban environments. Emeryville does not have the land capacity for subdivision and construction of single-family homes. Projects on the lower end of the density scale include rehabilitation of existing single-family homes (Oak Walk #5), and replacement of single dwellings with small multi-plexes (Salem Manor #2) in the older neighborhoods. (Further discussion of housing types is included below in the Land Use and Zoning section and under Zoning Constraints in the Government Constraints section.)

Tentative Future Housing Sites

In addition to the sites inventoried in Table 3-2, there are other sites in Emeryville that are appropriate for future housing development. Because these additional sites are more tentative than those listed in Table 3-2, they are inventoried separately. Table 3-3 below evaluates six sites that have capacity to yield additional housing in the future.

Table 3-3: Inventory and Analysis of Tentative Future Housing Sites Appropriate for Residential Use

Map #	Project Name: Address	APN	Estimated Completion Year	Projected Tenure	Site Acres	GP Density	GP Land Use	Current Zone	Existing or pre-existing use	Environmental Issues	Access to Services and Amenities (Distance in Miles)
18	Golden Gate Site Redevelopment; 3706 San Pablo	Three-parcel site under one ownership (First Citizens Bank). Parcel 1: 049-0951-004-02 (23,560 sf); Parcel 2: 049-0951-005-01 (8,964 sf); Parcel 3: 049-0951-006-01 (5,133 sf); Total: 37,657 sf site.	2013	RENT	0.86	85/100	MU-Residential Neighborhood Retail Overlay Major Transit Hub	MUR	Commercial building; vacant	Some past automotive uses; soil testing underway spring 2010; some remediation may be needed	Grocery Store: 0.1 ; Park: 0.7; Secondary School: 0.6; Elementary School: 0.3, Transit: 0
			Potential Units (General Plan units/acre x 80%)				Potential Units (General Plan Units @ 80% with BONUS)			Affordability Assumptions: Affordability based on assumption that this would be a Redevelopment-Agency sponsored housing development where developer would obtain financial assistance through Agency and Agency funds would be leveraged with outside sources to achieve given affordability levels.	
			Total units	58			Total units	69			
			Very low	29			Very low	23			
			Low	28			Low	45			
			Moderate	0			Moderate	0			
			Market Rate	1			Market Rate	1			
Redevelopment Potential: This site is currently comprised of the vacant Golden Gate commercial buildings and surface lots overgrown with weeds; the site has become blighted with vandalism. The property went into foreclosure and is bank-owned. Site is located on major transit corridor (San Pablo Avenue) with access to retail and services. The Site is located on the San Pablo Avenue corridor with transit access north to Berkeley and south to downtown Oakland. Redevelopment of Site with mixed use residential and retail uses would be highly desirable for bringing about revitalization of the area and providing needed housing.											
19	MAZ Site Redevelopment; 3800 San Pablo	One-parcel site under one ownership. FCM Props San Pablo Avenue LLC. Parcel 1: 049-0952-007. Total: 38,768 sf site.	2013	RENT	0.89	85/100	MU-Residential Neighborhood Retail Overlay Major Transit Hub	MUR	Auto-related commercial	Soil Study Needed	Grocery Store: 0; Park: 0.6; Secondary School: 0.5; Elementary School: 0.5, Transit: 0
			Potential Units (General Plan units/acre x 80%)				Potential Units (General Plan Units @ 80% with BONUS)			Affordability Assumptions: Affordability based on rental inclusionary requirements of City's Affordable Housing Set Aside Ordinance -- 6% of units at Very Low and 9% at Moderate Income.	
			Total units	61			Total units	71			
			Very low	4			Very low	4			
			Low	0			Low	0			
			Moderate	5			Moderate	6			
			Market Rate	52			Market Rate	61			
Redevelopment Potential: The MAZ building is currently vacant. The Site is located on major transit corridor (San Pablo Avenue) with access to retail and services. The Site is located on the San Pablo Avenue corridor with transit access north to Berkeley and south to downtown Oakland. Redevelopment of this Site with mixed use residential and retail uses would be highly desirable for bringing about revitalization of the area and providing needed housing.											

20	Gateway/Equity Building Redevelopment (BRE Properties); NE corner Powell/Christie	Three-parcel site. Each parcel has separate ownership. Parcel 1: 049-1494-004-07 (27,000 sf); owned by Dennys Realty; Parcel 2: 049-1494-004-08 (91,475 sf) owned by BRE Properties; Parcel 3: 049-1494-004-10 (18,295 sf) owned by Delta Fair. Total: 136,770 sf site.	2013	RENT	3.14	115/170	MU-Residential Neighborhood Major Transit Hub	MUR	Office building, gas station, restaurant, surface parking	Remediation Needed	Grocery Store: 0.2; Park: 0.2; Secondary School: 1.1; Elementary School: 1.3, Transit: 0
			Potential Units (General Plan units/acre x 80%)				Potential Units (General Plan Units @ 80% with BONUS)			Affordability Assumptions: Affordability based on assumption that developer would receive financial assistance through the Agency to achieve given affordability levels beyond the inclusionary level required by the City's Affordable Housing Set Aside Ordinance for rental projects.	
			Total units	423			Total units	626			
			Very low	25			Very low	38			
			Low	42			Low	42			
			Moderate	38			Moderate	56			
			Market Rate	318			Market Rate	490			
Redevelopment Potential: The Gateway/Equity Office Site is located at a major transportation access point in the City, with access to the Amtrak Station, Emery-Go-Round access to the MacArthur BART Station, the I-80/580 interchanges, and SF Bay Bridge. BRE Properties owns the major portion of the site occupied by the Gateway/Equity Office building, which is occupied by an office building with Wells Fargo Bank on its ground floor that would be included in the redevelopment of the site, and fronted with a large surface parking lot. Other portions of the site include a Dennys Restaurant surrounded by surface parking and a Chevron gas station. The Site is located close to retail services and a grocery store (Trader Joe's). The Site is zoned Mixed Use Residential in the updated General Plan, in an area allowing the City's highest densities, building heights, and floor area ratios. Redevelopment of the Site would enable consolidation of these retail uses and structured parking at ground floor and residential uses above, providing a defined building edge and more pedestrian-friendly design.											
21	Black & White Mixed Use; NW corner San Pablo/40th	Four-parcel site under two ownerships: Three parcels owned by Oaks Corner Inc.: 049-0618-021, 049-0618-024-02, and 049-0618-033 (1 ac. combined); one parcel owned by Pavlatos & Tsakopoul: 049-0618-022 (.5 ac.); Total: 65,340 sf site.	2013	OWN	1.50	85/100	MU-Residential Neighborhood Retail Overlay Major Transit Hub	MUR	Single story commercial building	Soil Study Needed	Grocery Store: 0.1; Park: 0.6; Secondary School: 0.4; Elementary School: 0.1, Transit: 0
			Potential Units (General Plan units/acre x 80%)				Potential Units (General Plan Units @ 80% with BONUS)			Affordability Assumptions: As ownership development, the City's Affordable Housing Set Aside Ordinance requires 20% of units to be set aside at Moderate Income Levels, as shown in total BMR unit count. Affordability based on assumption that some BMR units would be sold at Low Income levels through provision of Ownership Housing Assistance Program (OHAP) downpayment assistance program.	
			Total units	102			Total units	120			
			Very low	0			Very low	0			
			Low	10			Low	12			
			Moderate	10			Moderate	12			
			Market Rate	82			Market Rate	96			
Redevelopment Potential: The Black & White Site is occupied by a small grocery and liquor store within an older commercial building and surface parking lots for the store and nearby Oaks Card Room. The building is older and not in prime condition; the liquor store has sometimes attracted less desirable activities. Redevelopment of the Site with mixed use retail and residential uses would allow creation of structured parking and elimination of the surface parking lots, create vibrant ground floor activity with the retail uses, and needed housing to activate the retail. The Site is located at the intersection of a transit corridor (San Pablo Avenue and 40th Street both have bus lines to Berkeley, downtown Oakland, and MacArthur BART station, respectively) and access to nearby retail and services. Redevelopment of this Site with mixed use residential and retail uses would be highly desirable for bringing about revitalization of the area and providing needed housing.											

22	Sherwin Williams Redevelopment; Horton Street	One-parcel site under one ownership (Sherwin Williams Company): Parcel 1: 049-1041-026-15.	2014	OWN	5.84	85/100	MU- Residential	MUR and Park Avenue Overlay District	Vacant	Currently under remediation	Grocery Store: 0.5; Park: 0.3; Secondary School: 0.5; Elementary School: 0.2, Transit: 0
			Potential Units (General Plan units/acre x 80%)					Potential Units (General Plan Units @ 80% with BONUS)			Affordability Assumptions: As ownership development, the City's Affordable Housing Set Aside Ordinance requires 20% of units to be set aside at Moderate Income Levels, as shown in total BMR unit count. Affordability based on assumption that some BMR units would be sold at Low Income levels through provision of Ownership Housing Assistance Program (OHAP) downpayment assistance program.
			Total units	397			Total units	467			
			Very low	0			Very low	0			
			Low	30			Low	30			
			Moderate	49			Moderate	63			
			Market Rate	318			Market Rate	374			
	Redevelopment Potential: The Sherwin Williams site is occupied by a former paint factory that is now a vacant building. The site represents one of the few larger-scale properties in Emeryville and could include a large number of units based on allowed new densities for the MUR zone. The site is within one block of an identified new neighborhood center in the updated General Plan land use map and within one block of the Park Avenue District which includes a mix of residential, live/work, office and restaurant uses. Due to its past industrial use, the site has required remediation which is underway and when completed will contribute to the site's redevelopment potential.										
23	Oaks/Bank of America Site Redevelopment; NE corner San Pablo/41st	Five-parcel site under three ownerships. 1) 049-1026-21 (5,100 sf), owned by Kulka; 2) 049-1026-22 (3,337 sf), owned by Oaks Corner; 3) 049-1026-23 (10,000 sf), owned by Oaks Corner; 4) 049-1026-24 (10,853 sf), owned by Oaks Corner; 5) 049-1026-02 (34,999 sf), owned by Bank of America National Trust and Savings Association. Total: 64,289 sf site.	2014	OWN	1.48	20/35 50/60	MU- Residential Neighborhood Retail Overlay Major Transit Hub	MUR R-M	Single story commercial building/surface parking	Soil Study Needed	Grocery Store: 0.3; Park: 0.5; Secondary School: 0.3; Elementary School: 0.2, Transit: 0
			Potential Units (General Plan units/acre x 80%)					Potential Units (General Plan Units @ 80% with BONUS)			Affordability Assumptions: As ownership development, the City's Affordable Housing Set Aside Ordinance requires 20% of units to be set aside at Moderate Income Levels, as shown in total BMR unit count. Affordability based on assumption that some BMR units would be sold at Low Income levels through provision of Ownership Housing Assistance Program (OHAP) downpayment assistance program.
			Total units	46			Total units	59			
			Very low	0			Very low	0			
			Low	4			Low	6			
			Moderate	5			Moderate	6			
			Market Rate	37			Market Rate	47			
	Redevelopment Potential: The Oaks/Bank of America Site is occupied by the Bank of America branch and surface parking lots for the bank and the nearby Oaks Card Room. Redevelopment of the Site with mixed use retail and residential uses would allow creation of structured parking and elimination of the surface parking lots, create vibrant ground floor activity with the retail uses, and needed housing to activate the retail. The Site is located along the San Pablo Avenue corridor with transit access to Berkeley and cities north, downtown Oakland, and MacArthur BART station, and access to nearby retail and services. Redevelopment of this Site with mixed use residential and retail uses would be highly desirable for bringing about revitalization of the area and providing needed housing.										

Housing Capacities - Table 3-3: The Land Use Element of the General Plan defines residential density maximums based upon dwelling units per acre. The General Plan and interim zoning also allow for bonuses to exceed the maximum density, building intensity (floor area ratio), and building height for developments that provide public benefits. (These public benefit bonuses are separate from density bonuses allowed under State law for affordable housing.) In Table 3-3, capacities are shown for both the maximum densities allowed on the site (base density) and the densities that could be achieved if a bonus is applied (bonus density).

When updating the Land Use Element, projections were made to determine the growth likely to occur under the updated densities and intensities. This was done by reducing the maximum densities by 20% to account for properties that would not develop over the life of the Element. For consistency, the unit capacities estimates for the sites in Table 3-3 are calculated at 80% of the densities allowed under the Land Use Element. The density calculation examples provided below (and those provided under Development Standards in the section on Governmental Constraints to Housing Development in this chapter) demonstrate that the cumulative impact of development controls upon a site do not normally reduce the density from what is allowed by the Land Use Element. Although the densities are achievable, they may result in small dwelling units. If larger units are desired the densities would be reduced. Also, there may be situations, such as locations adjacent to lower density development, where the density allowed by the Land Use diagram would be limited. Furthermore, future zoning regulations may result in new open space standards that could result in slightly lower density. Therefore, the capacity assumption of 80% of maximum density as shown in Table 3.3 provides a sufficient margin to demonstrate realistic capacities for the sites inventoried.

Density Calculation Examples. The following examples provide residential density estimates under what is allowed by the Land Use Element without bonus and current development standard. These examples are for illustrative purposes.

#19 MAZ Site: 75 units allowed without bonus.

This example assumes residential development with structured parking and commercial space on the ground floor.

This is a 38,764 square foot site in the MUR (mixed use with residential) in an area designated as a Neighborhood Retail Overlay where ground floor commercial use is required, and within a Major Transit Hub where transit-oriented development is encouraged. The base density allowed is 85 units per acre (with out bonuses) which calculates to 75 units for this site. The Floor Area Ratio (FAR) maximum is 2.0 (without bonus) so that floor area would be limited to 77,528 square feet. Building height is limited to 55 feet -- about 5 stories (without bonuses). There are no yard or setback requirements in the MUR zone unless abutting a residential zone which is not the case for this site. The ground floor commercial area is assumed at 15,000 square feet. To determine the residential parking requirement a mixture of unit types are assumed: 30 one-bedroom units, 45 two-bedroom units. Forty five spaces are required for the commercial use, resulting in total parking requirement of 161 spaces to be accommodated in approximately 56,000 square feet of structured parking on the first two floors, leaving three full floors for residential development. Parking is not included in calculation of FAR. The minimum dwelling size is 500 square feet.

Subtracting the 15,000 square feet of commercial space from the allowed floor area of 77,528 square feet results in 62,528 square feet for residential use. This is further reduced by 25% for corridors, mechanical and common areas resulting in approximately

46,896 square feet for dwelling space which can accommodate 75 units, with an average unit size of 625 square feet. The example shows that full allowable density may be achievable but would result in small units. The potential unit capacity (without bonuses) determined in Table 3-3 is 61 units (80% of allowed density). At this density larger units would be possible.

22 Oaks/Bank of America Site: 57 units allowed without bonus

This example also assumes residential development over structured parking with commercial space on the first floor.

This is a 64,289 square foot site in both the RM (medium density) and the MUR (mixed use with residential) zones. As with the example above, the site is in a Neighborhood Retail Overlay area and within a Major Transit Hub. The densities permitted (without bonuses) are 20 units per acre for the smaller portion in the RM zone, and up to 50 units per acre for the larger portion of the site in the MUR zone. A total of 57 units are allowed. The limits on floor area (without bonuses) vary on the project site from 0.5 to 1.2, so that overall floor area would be limited to 58,292 square feet. Building height (without bonuses) is limited to 30 ft (2 to 3 stories). Setback requirements would reduce the building footprint to 56,659 square feet. The ground floor commercial space is assumed to be about 12,000 square feet. Assuming 35 one-bedroom units and 22 two-bedroom units the total parking requirement would be 120 spaces which can be accommodated in a ground level structure within the building footprint. Parking is not included in the calculation of floor area.

Subtracting the 12,000 square feet of commercial floor area from the allowed 58,292 square feet would leave 46,292 square feet for residential development on a second level. Reducing this by 25% to account for corridors, mechanical and common areas, results in 34,719 square feet for residential use. The minimum dwelling size is 500 square feet. The allowed density of 57 units on this site can be accommodated in this 34,919 square feet of floor area with an average unit size of 609 square feet. The unit capacity shown in Table 3-3 is 46 units (80% of 57) would enable larger units.

#21 Black and White Site: 127 units allowed without bonus

This example also assumes residential development over structured parking with commercial space on the first floor.

This is a 65,340 square foot site in the MUR (mixed use with residential) zone, also in a Neighborhood Retail Overlay within a Major Transit Hub. The density permitted without bonuses is 85 units per acre allowing 127 units. The limits on floor area (without bonus) is 2.0 so that 130,680 square feet would be allowed. Building height (without bonus) is limited to 55 feet (about 5 stories). There are no yard or setback requirements. The minimum dwelling size is 500 square feet. The ground floor commercial area is assumed to be 13,000 square feet. Assuming 77 one-bedroom units, 50 two-bedroom units, and 42 parking spaces for commercial development, a total of 226 parking spaces are required. This would be accommodated in structured parking on two levels. Parking area is not included in the calculation of floor area. The commercial space of 13,000 square feet is subtracted from the total permitted floor area of 130,680 square feet, resulting in 117,680 square feet for residential use which can be accommodated in two floors. When further reduced by 25% for corridors, mechanical and common areas, approximately 88,209 square feet would be available for

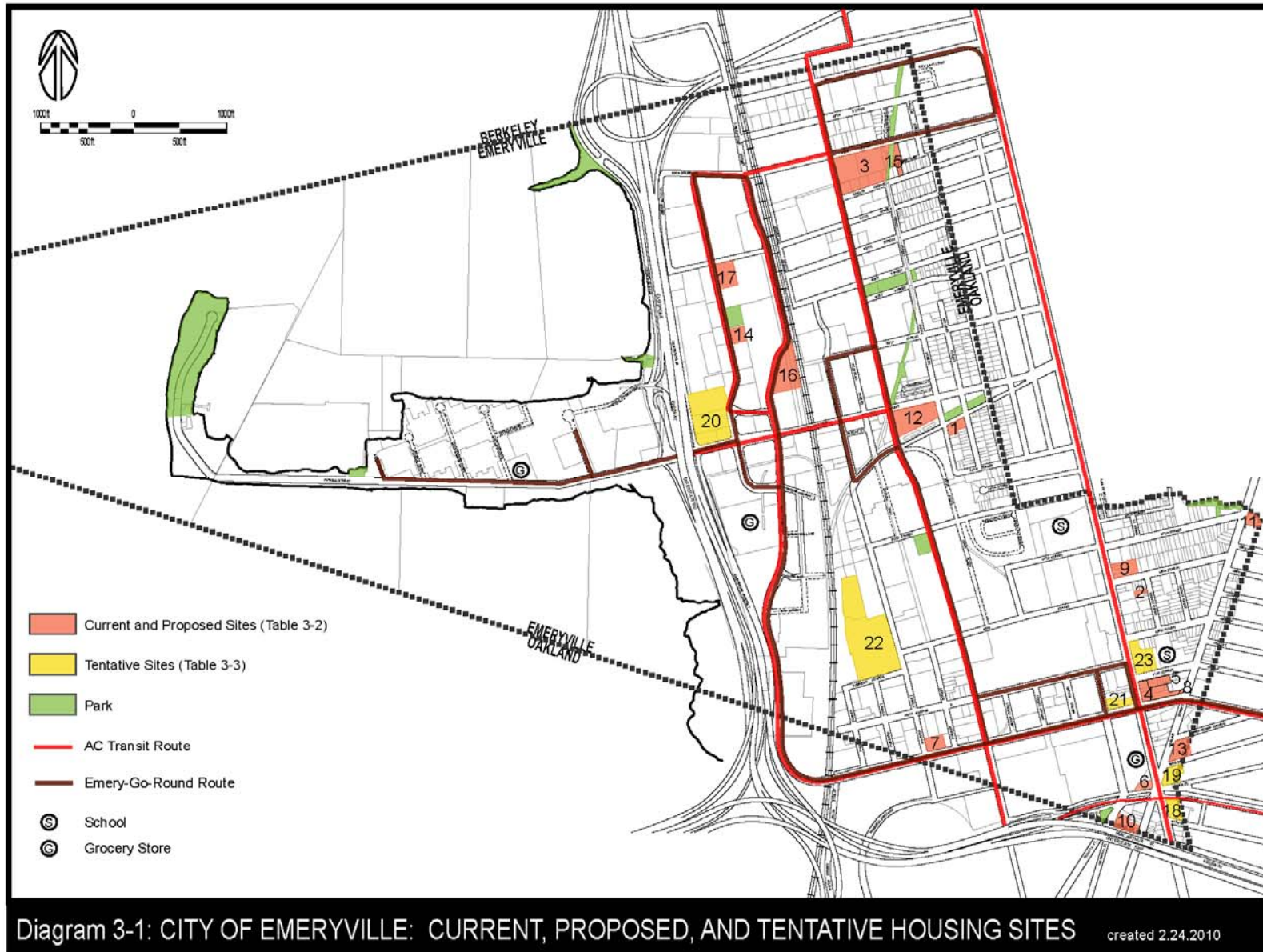
residential space which can accommodate 127 units with an average unit size of 695 square feet. The unit capacity shown in Table 3-3, 102 units (80% of 127), would allow for larger units, as is the case with the other examples above.

Attainment of Regional Housing Need Allocation for 2006-2014

The chart below summarizes Emeryville's attainment of goals set forth for the 2006-2014 Regional Housing Need Allocation period, including completed, approved, and proposed housing projects found in Table 3-2, and tentative housing sites shown in Table 3-3. The chart breaks out the units produced within each income category (very low, low, moderate, and above moderate income), calculating the unit capacity at 80% of General Plan densities for both the maximum allowed on the site and the maximum achievable with a bonus. The chart shows that Emeryville has the housing site capacity to exceed the overall RHNA goal of 1,137 units, by 196% and 225%, respectively. Under capacities provided in the General Plan, at 80% (without the bonus), Emeryville meets between 87% and 97% of the RHNA goals in the very low, low, and moderate income categories. Inclusive of the bonus, Emeryville meets or exceeds the RHNA goals.

Housing Sites Analysis: Attainment of Regional Housing Need Allocation for 2006-2014										
	Units @ 80% of General Plan Density					Units @ 80% of General Plan Density with BONUS				
	<u>Total Units</u>	<u>Very Low</u>	<u>Low</u>	<u>Moderate</u>	<u>Market Rate</u>	<u>Total Units</u>	<u>Very Low</u>	<u>Low</u>	<u>Moderate</u>	<u>Market Rate</u>
Total Completed, Approved, and Proposed Units (Table 3-2 Sites)	1,144	121	39	83	901	1,144	121	39	83	901
Total Tentative Units (Table 3-3 Sites)	1,087	58	114	108	807	1,412	65	135	144	1,069
TOTAL UNITS ANTICIPATED	2,231	179	153	191	1,708	2,556	186	174	227	1,970
Total RHNA Goal for Emeryville, 2006-2014	1,137	186	174	219	558	1,137	186	174	219	558
Number of Units Over (Under) RHNA Goal	1,094	(7)	(21)	(28)	1,150	1,419	(0)	0	8	1,412
Percent of RHNA Goal Met through Identified Sites	196%	96%	88%	87%	306%	225%	100%	100%	104%	353%

Tables 3-1, 3-2, and 3-3 combined substantiate Emeryville's successful track record for developing and having the site capacity to develop infill housing of a variety of types and affordability levels.



Facilities and Infrastructure. Public facilities and infrastructure have a direct influence on a city's ability to accommodate residential growth. This section provides information on schools, parks, grocery stores, and public transit, and summarizes other aspects of infrastructure, including water supply and wastewater treatment.

Schools. The Emery Unified School District operates two public schools in Emeryville: Anna Yates Elementary School and Emery Secondary School, which is a combined middle and high school. The total district enrollment is about 800 students. These schools are adequate to serve the population and have capacity for growth. The Emeryville community is very supportive of the School District and associated youth programs. Both the City Council and Planning Commission actively encourage the development of family housing to boost school enrollments. In 2003 city voters approved the community's first parcel tax for school funding. Again, on June 5, 2007 a remarkable 87% of the voters approved an extended and enhanced parcel tax to provide the district with \$2.5 million per year for a ten year period. This will augment the schools' budget for smaller class sizes, counseling, tutoring, technical support, literacy, library facilities, arts, and music. Additionally, residential and commercial developers pay a school facilities fee based on projected future needs. As shown on Diagram 3-1 the public schools are in close proximity to housing throughout the City.

A private school, Pacific Rim School, is located on Doyle Street at Stanford Avenue. It includes grades kindergarten through eight. Other charter and private schools are located nearby. Schools providing higher education in Emeryville include Western Career College, Ex'pressions College for Digital Arts, and the National Holistic Institute.

Parks and Recreation. Today the city contains 13.74 acres of parkland. The majority of the City's developed parkland is concentrated to the west of the railroad tracks, with 8 acres on the peninsula and another 2.87 acres in the bayfront area. All of the City's recreation facilities (basketball courts, sports field, and play equipment) are located on the east side. The distribution of existing and planned parks leaves the extreme north and south portions of the city, east of the railroad, outside of a quarter-mile from a park.

There are 1.66 acres of parkland for every 1,000 residents, up from 1.54 in 1984. However, compared to neighboring cities, this ratio is low. Oakland has 2.94 acres of parkland per 1,000 residents and Berkeley's supply is 2.36 per 1,000 residents. The City is currently developing a new park in the North Hollis area which will add 1.25 acres to the supply. Plans for development of several other parks and expansion of the Emeryville Greenway are being considered, and other opportunity sites for new parks are identified in the Parks, Open Space and Public Services Element of the General Plan, including two large recreational parks, one on the north side of the City and one on the south. The City is also in the process of developing a parks and recreation strategic plan to determine needs and a funding strategy. Meanwhile, the City has been working with private developers to provide open space inside large residential and commercial projects, thereby offering a convenient, sheltered place for play and relaxation. In addition to public parks and private open space, the Emery Unified School District opens schoolyards to the public on weekends and allows public use of the sports field and swimming pool at Emery Secondary School when not being used by the school. Continued joint use of School District facilities is an important component of the City's recreation programs.

Grocery Stores. Four grocery stores are located in or on the border of Emeryville, as shown on the map in Diagram 3-4. These include the Watergate Market serving the peninsula, Trader Joe's which is centrally located at the Powell Street Plaza, a small corner grocery at 59th and Vallejo streets in Oakland, and Safeway in the south end of town. Safeway is a full supermarket serving the entire city and beyond. A new Berkeley Bowl grocery store is being constructed in southwest Berkeley less than a half mile from Emeryville's northern boundary.

Transit. Three organizations provide transit service into and out of Emeryville: the Emery Go-Round, AC Transit, and AMTRAK. The Emeryville Transportation Management Association, a consortium of employers, residential complexes and the City, funds the Emery Go-Round. The Emery Go-Round is a free shuttle connecting the city to the MacArthur BART station and Emeryville's Amtrak station. It runs within a quarter-mile of every property in the city. Buses run every ten to twelve minutes during peak commute times and every 15 to 20 minutes midday. Its two routes operate weekdays from 5:45 AM until 10:15 PM. On weekends it runs shopper shuttles from 9:25 AM to 9:50 PM on Saturday and 10:20 AM to 7:00 PM on Sundays.

AC Transit operates eleven routes in Emeryville: five local East Bay routes (26, 31, 57, 72 and 72M), one rapid bus line (72R), one "all-nighter" bus route (802) and four transbay bus lines (C, F, J and Z). Every property in Emeryville is within a quarter-mile of at least one AC Transit route. Emeryville's AMTRAK station provides national passenger rail service and is linked to San Francisco by bus service. Four AMTRAK routes serve this station, including the Capitol Corridor (between Sacramento and San Jose) and San Joaquin (between Oakland and Stockton) commuter service routes, and the long distance Coast Starlight (LA – Seattle) and California Zephyr (SF - Chicago). In 2008, Emeryville's station was the 20th busiest in the country. With 44 trains per day, over half a million passengers went through the Emeryville station during Amtrak's 2009 Fiscal Year. Diagram 3-4 shows that transit is available in close proximity to all areas of town. In addition the MacArthur BART station, located in Oakland, is approximately a half -mile from Emeryville's eastern border.

Water. East Bay Municipal Utility District (EBMUD) supplies water and provides wastewater treatment to areas of Alameda and Contra Costa counties, including Emeryville. Within the city EBMUD owns, operates and maintains the water distribution system that brings Sierra Nevada snowmelt and seasonal runoff through a distribution and treatment system to Emeryville. In 1993 EBMUD adopted its Water Supply Management Program (WSMP) that outlines projects to provide reliable sources of high-quality water through the year 2020. EBMUD is currently in the process of updating the WSMP to plan for resources out to 2040. In addition, every five years EBMUD prepares an Urban Water Management Plan (UWMP), as required by the California Urban Water Management Planning Act. The most recent UWMP was completed in 2005 and considers water resources through 2030. Water recycling and conservation programs are in place to reduce the future demand for water. Although the water supply is sufficient to meet demand during normal years, like most of California it is insufficient to meet customer demand in the case of multi-year drought despite aggressive conservation and recycling efforts. Additional supplemental supply projects are currently underway to reduce the severity and frequency of water rationing.

As an older city, Emeryville has had a water supply system in place for many years. The former industrial users demanded large quantities of water to serve their businesses so the system was built to accommodate large capacities. The system is regularly maintained and upgraded to serve densification. Currently the water supply system has capacity for growth. Where there is insufficient localized capacity to serve proposed development, upgrades or installations are required as conditions of project approval. For example, redevelopment of the Marketplace will necessitate installation of additional on site water and sewer lines to connect with the City's systems.

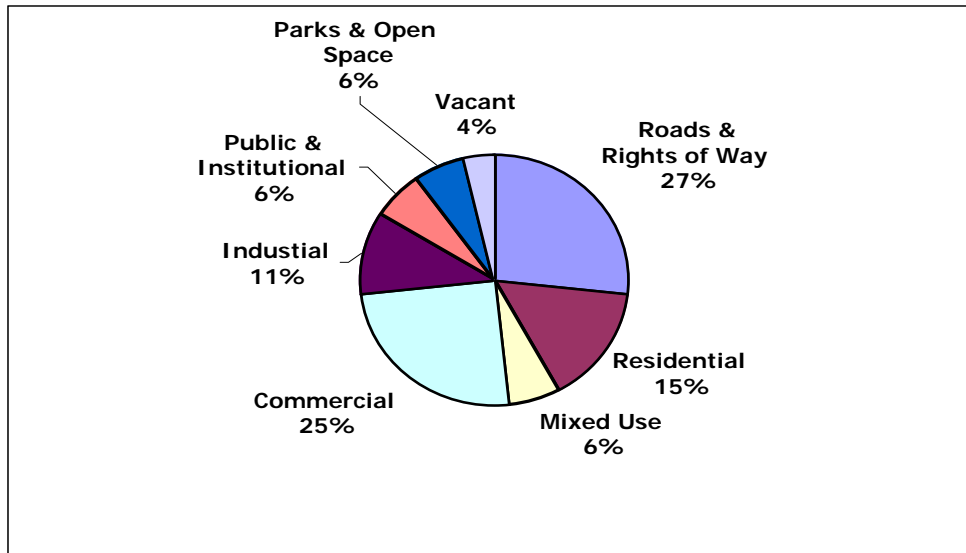
Wastewater The City of Emeryville operates a municipal sanitary sewer collection system that conveys wastewater from Emeryville and portions of the City of Oakland. Except for one pump station and a forced main at the Emeryville Marina, the City of Emeryville's collection system is generally a gravity-fed system, consisting of over 15 miles of sanitary sewer mains ranging in sizes from six to 30 inches. Additionally, the City of Emeryville's collection system carries wastewater from approximately 11 miles of sanitary sewer collection system owned and maintained by the City of Oakland. Emeryville's collection system is divided into five drainage basins, each of which connects to the East Bay Municipal Utility District's (EBMUD) North sanitary sewer interceptor, which is generally located along the east side of Interstate 80. The EBMUD interceptor carries sewer flows from the East Bay communities' collection systems to its Wastewater Treatment Plant. The plant provides secondary treatment for a maximum flow of 168 mgd. Primary treatment can be provided for up to a peak flow of 320 mgd. The average annual daily flow is approximately 80 mgd. In addition to the main wastewater treatment plant, EBMUD operates three wet weather treatment facilities. These facilities were constructed in the late 1980's to handle all the wet weather flows generated from Infiltration and Inflow (I&I) into the Satellite Agencies collection systems. The volume of wet weather flow is generally as high as 15 times the average dry weather flow. During periods of wet weather, the Wet Weather facilities are designed to provide primary treatment to the wet weather sewage flow prior to discharge into the Bay. (See additional discussion under the following section on governmental constraints.)

Land Use and Zoning

As noted previously, a new Land Use Element and interim zoning regulations were enacted in 2009. New permanent zoning regulations consistent with the General Plan are being prepared and will likely be adopted within a year of adoption of this Housing Element. The interim zoning measures insure that development projects under review prior to adoption of new zoning regulations, are consistent with all elements of the General Plan. The land use policy section below is based upon the Land Use Element and the zoning section describes the interim regulations which will be replaced once the new regulations are adopted.

Emeryville's land use history has been dominated by change. With the exception of small pockets with stable residential neighborhoods, most of the city's developed property has cycled through multiple land uses over time. By the middle of the twentieth century Emeryville was firmly established as an industrial and warehousing center with large properties flanking the railroad and Interstate 80. During the period of industrial decline in the latter part of the century, land use policies were set in place to transform the city into a vibrant mixed use city. These policies resulted in a remarkable transformation. As of 2003, housing and mixed use areas accounted for 29% of the city's developable land area – excluding roads and rights-of-way, with industrial areas reduced to only 14%. Since 2000, housing in mixed use developments has grown, accounting for two-thirds of approved residential construction. Typical mixed use projects are predominantly residential with a small amount of local-serving retail. For example, Icon at 1401 Park Avenue in Table 3-1 is a six story residential building with a small café space on the ground floor. Adeline Place (#6 in Table 3.2) has 36 residential units with only 2,400 square feet of commercial space. However, for the larger sites with a regional retail component such as Bay Street, the ratio of housing to commercial is more balanced.

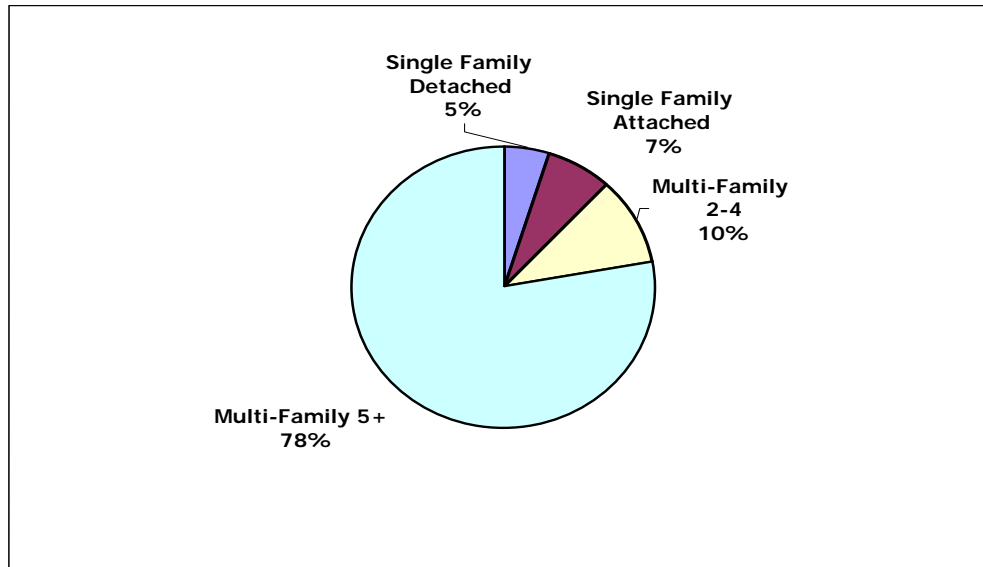
Diagram 3-2: Distribution of Land Uses



General Plan Opportunities and Challenges Report – January 2006

Given the city's small size, higher density projects have dominated the residential growth. The citywide distribution of housing by type is displayed in Diagram 3-3, showing that multi-family developments with five or more units far outnumber the lower density units. Seventy-eight percent (78%) of the City's housing units were in multi-family buildings with five or more units.

Diagram 3-3: Distribution of Housing Units by Type



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General Plan Land Use Policy. Land uses, and standards for residential density, building intensity and building height are established by the Land Use Element and implemented by the zoning regulations. The land use goals of the 2009 General Plan call for a balance of uses within a predominantly mixed use city, preservation of older residential neighborhoods, and vibrant new mixed use centers where underutilized commercial centers now exist. The Plan can accommodate a capacity for an additional 3,800 dwelling units for a citywide total capacity of 9,800 units through 2030. This would represent a 64% increase in the housing supply. The areas where residential use is permitted constitute approximately 57% of the city, allowing for a continuation of residential expansion.

Residential Density: The Land Use Element provides for residential densities that range from 20 units per acre in the eastern neighborhood to 115 units per acre, and up to 170 units per acre with bonus, in the Powell Street/Christie Avenue core.

Building Height: Maximum building heights range from 30 feet to 100+ feet. Buildings heights gradually step up from the lowest in the east—reflecting the scale of the older residential neighborhoods—and the western edge of the Peninsula, to create a high-rise core in the Powell Street/Christie Avenue area.

Intensity: The General Plan establishes intensity standards for various parts of Emeryville. Intensity is measured as floor area ratio (FAR), obtained by dividing the gross floor area of a building by the lot area. In general, all floor area above grade is included, including residential uses, but excluding parking. The citywide distribution of FAR's are aligned with residential densities and building heights, with the most intense development targeted to the core area.

Density, intensity and building height maximums may be exceeded through bonuses for public benefit. (See General Plan diagrams in Appendix C.)

Zoning. This section reviews how the City's interim zoning regulations apply to residential development. The interim zoning regulations establish zoning districts that apply to each of the land use designations established by the Land Use Diagram in the Land Use Element. In the RM (medium density residential), RMH (medium high density residential) and RH (high density residential) zones, single-family, townhouses, duplex units are allowed by right. Multi-family housing are also allowed by right except in the RM zone where a conditional use permit is required. Emeryville has no low-density residential zone because there are no neighborhoods with exclusively single family housing. In the MUR (mixed use with residential) zone multi-family housing is allowed by right, and other residential uses types are allowed with a conditional use permit. The zoning districts in which residential use is not permitted are MUN (mixed use with non-residential, OT (office technology), IND (industrial), PUB (public), MAR (marina) except for live-aboard boats, POS (parks/open space), and SM (shoreline management). Live work is permitted in the residential, commercial and industrial zones. For larger properties and/or phased development the PUD (planned unit development) zone may be used. Consistent with the Land Use Element, zones where residential use is permitted constitute approximately 57% of the city.

Table 3-4: Zones Where Residential Uses Are Permitted

Uses Permitted (P), Conditionally Permitted (C), and Prohibited (X).

Uses:	Base Zones:										
	RH High Density Residential	RMH Medium High Density Residential	RM Medium Density Residential	MUR Mixed Use with Residential	MUN Mixed Use with Non-Residential	OT Office/Technology	IND Industrial	PUB Public	MAR Marina	POS Park/Open Space	S-M Shoreline Management
RESIDENTIAL											
Family Residential											
Single-family detached	P	P	P	C	X	X	X	X	P	X	X
Two-family	P	P	P	C	X	X	X	X	X	X	X
Single-family semiattached	P	P	P	C	X	X	X	X	X	X	X
Townhouse	P	P	P	P	X	X	X	X	X	X	X
Multifamily	P	P	C	P	X	X	X	X	X	X	X
Group Residential	X	C	C	C	X	X	X	X	X	X	X
Residential Second Unit	P	P	P	C	X	X	X	X	X	X	X
Mobile Home Parks	C	C	C	X	X	X	X	X	X	X	X
LIVE/WORK											
Light	C	C	C	C	C	C	C	X	X	X	X
Heavy	X	X	X	X	X	X	C	X	X	X	X

Zoning for a Variety of Housing Types. Table 3-4 above shows the residential use types identified in the zoning regulations, the zones where they are permitted, and whether they are permitted by right or if a CUP is required. The Zoning Ordinance expressly treats factory-built homes the same as site-built homes, and allows mobile homes with a use permit in residential zones. Single room occupancy housing is considered Group Residential and allowed in RMH, RM and MUR zones with a CUP. The Zoning Ordinance was amended to list

emergency shelters and transitional housing in the definition of Group Residential as well, thereby permitting these types of housing where group housing is permitted. State law requires cities to permit these uses in their Zoning Ordinances if there is a need for these facilities. The homeless and transitional population in Emeryville is described in Chapter 2. (See additional discussion under Zoning Constraints below.) The Housing Action Plan includes Policy IV-A-4 to modify the zoning regulations to be in compliance with new State law regarding emergency shelters and transitional housing.

Residential Development Standards. Yard requirements are shown in Table 3-5 below and parking standards are shown in Table 3-6. In the MUR (mixed use with residential) the mix of uses must include residential development if the site is from one to five acres in size. Sites five acres or greater must be developed as a Planned Unit Development. As indicated previously, density, building intensity and building height prescribed by the Land Use Element. Density, intensity and height bonuses may be conditionally permitted for projects demonstrating a significant public benefit, such as public open space, family friendly housing, sustainable design, etc. Specific findings are required to approve a public benefit bonus.

Table 3-5: Residential Development Standards

	Zones					Unit Types	
	RH	RMH	RM	MUR	MUR if abutting other residential zones	Residential Second Units	Live/Work
	High Density Residential	Medium High Density Residential	Medium Density Residential	Mixed Use with Residential	Mixed Use with Residential		
Minimum Front Yard Setbacks							
If the two adjacent lots are developed:	Average of adjacent front yards	Average of adjacent front yards	Average of adjacent front yards	None.	Where street frontage abuts a lot in a residential zone, setback from street line shall be the same as required on the adjacent residential lot.	A detached dwelling unit shall be separated by a minimum of 10 feet	Set- backs are pursuant to the zone which the unit is located in.
If only one of the adjacent lots is developed:	Same as front yard on developed lot but not less than 5 feet	Same as front yard on developed lot but not less than 5 feet	Same as front yard on developed lot but not less than 10 feet				
If neither of the adjacent lots are developed:	5 feet	5 feet	10 feet				
For all corner lots:	5 feet	5 feet	10 feet				
Other Minimum Setbacks							
Street Side:	3 feet	3 feet	3 feet	None.	Where street frontage abuts a lot in a residential zone, setback from street line shall be the same as required on the adjacent residential lot.	3 feet	Set- backs are pursuant to the zone which the unit is located in.
Interior Side:	3 feet	3 feet	3 feet		10 feet, plus an additional 2 feet for each 1 foot by which the height of the building on the nonresidential lot exceeds 30 feet.	3 feet	
Rear:	15 feet	15 feet	15 feet			10 feet	
Unit Size							
Minimum Dwelling Unit Size in Sq. Feet:	500	500	500	500	500	500	500
Maximum Dwelling Unit Size in Sq. Feet:	X	X	X	x	X	½ gross floor area of the existing dwelling unit	2000
Open Space							
Usable Open Space Per Unit in Sq. Feet:	X	X	X	x	X	X	36

Table 3-6: Residential Parking Standards

Uses	Required Parking Spaces
RESIDENTIAL Single-family detached Single-family semiattached	2 covered per unit
Two-family Townhouse Multifamily	1 per studio unit 1 per one-bedroom unit 1.5 per two (or more) bedroom units All sites with 5 or more dwelling units must provide 1 guest parking space for every 4 dwelling units.
Group Residential Residential Second Unit Mobile Home Parks	Specific parking requirements are not listed for these uses. Per Emeryville Zoning Ordinance 9-4.55.9 "the Planning Commission, upon recommendation of City staff, shall determine the parking requirements for said use" on a case by case basis.
LIVE/WORK Light Heavy	1.5 per unit or 1.5 per 1000 sq. ft., whichever is greater. 1 loading space per 50,000 sq. ft

Governmental Constraints to Housing Development

This section evaluates land use controls and other government regulations and procedures that may impact the affordability and supply of housing.

Zoning Constraints.

Conditional Use Permits and Design Review. As discussed in the previous section, the currently adopted Zoning Ordinance provides for a variety of housing types, although conditional use permits and design review approvals are required in a number of circumstances. The City finds that conditional use permits and design review are necessary to address the many complex issues associated with infill development in such a small city, such as adjacent industrial and commercial uses, site irregularities, and environmental conditions created by the City's unique land use history. As part of the update of the zoning regulations the City will be reducing the level of review for some types of projects so that more permits may be processed administratively.

The fee for a CUP is \$1,055 for a residential project of less than three units. For projects with 3 to 10 units the fee is \$1,583. Larger projects are charged on a cost recovery basis with a \$2,000 minimum. The processing time depending upon the size and complexity of the project and environmental review, can range from two months for simple projects up to the better part of a year for complex projects requiring redesign and an EIR. The Zoning Ordinance mandates that specific findings be made upon approval of a CUP. Emeryville's findings, listed below, are based upon standard findings provided by the State Office of Planning and Research:

- a) That the location, size, and design and operating characteristics of the proposed use or uses will be compatible with and will not adversely affect or be materially detrimental to: neighborhood character, with consideration given to harmony in scale, bulk, coverage, and density of nearby uses, buildings and structures; the availability of civic facilities and utilities; the capacity and physical character of surrounding streets; the physical safety of the immediate area; and the amount of light falling on adjacent buildings and open spaces;
- b) That the proposed use or uses are consistent with the capability of the circulation , water supply, wastewater disposal, fire, police and school systems to operate adequately and cons-effectively;
- c) That the proposed use or uses with its impacts, as described in subsection a) of this section, and at its proposed location are consistent with the General Plan;
- d) That the proposed use or uses at its proposed location will provide a service or facility which will contribute to the general well-being of the surrounding neighborhood or community;
- e) That the proposed use or uses complies with all applicable standards and requirements of the Zoning Ordinance; and
- f) That the environmental determination has been prepared in accordance with CEQA.

Design Review. The zoning regulations establish a design review procedure for development proposals that involve construction or exterior alterations. Smaller scale proposals are reviewed administratively. Design review applications are reviewed concurrently with any applicable use permit, variance or PUD application. For Minor Design Review the fee is \$1,055, except projects involving less than three units have a fee of \$422. Major Design Review is charged on a cost recovery basis with a \$2,000 minimum. For Minor Design Review the processing times generally range between 14 to 30 days. With larger projects processing times are comparable to those of a CUP.

Development Standards. Specific development standards required by zoning regulations may impose constraints on development so that the maximum density allowed under the General Plan and zoning may not be achievable. Three hypothetical examples of residential projects are provided below to illustrate the effect of Emeryville's development standards on densities permitted under the General Plan and zoning regulations. None of the examples illustrated result in lower densities as under normal development standards. (For the purpose of simplification the illustrations below do not factor increases in densities, height and floor area that may be achieved with bonuses.)

Effect of development standards on residential density:

Example #1: RM zone with 20 units per acre:

This example is based upon a 5,000 square foot lot

Density: 20 units per acre allowing **two units**

Intensity: FAR maximum is 0.5 so that total floor area would be limited to 2,500 square feet

Height: 30 feet, two stories

Minimum dwelling size: 500 square feet

Parking: Assuming two units with two or bedrooms each, the parking requirement would be three spaces, two of which can be tandem. (Parking is not included as floor area.)

Yard requirements plus a ten foot driveway would result in a building footprint of 2,775 square feet

In this example the development standards would not limit the density. The most limiting factor is the FAR of 2,500 square feet which can generously accommodate two units. A common constraint in the RM zone is designing on-site parking on narrow lots. Three units may be achieved through a conditional use permit in the RM zone. In that case the lot would need to be large enough to accommodate on site parking without it dominating the appearance from the street.

Example #2: MUR zone with 85 units per acre:

This example assumes a 20,000 square foot site

Density: 85 units per acre allowing **39 units**

Intensity: FAR maximum is 2.0 or 40,000 square feet

Height: 55 feet (four to five stories)

Minimum dwelling size: 500 square feet

Parking: Assuming 39 two bedroom units, 74 spaces in two-level structure – not included as floor area

Yard requirements: None

This example assumes residential development with two levels of structured parking. The floor area limitation of 40,000 square feet, which would occupy two full residential floors. When this floor area is reduced by 25% for corridors, mechanical and common areas, approximately 30,000 square feet would be available for living space. This area can accommodate 39 units averaging 770 square feet each.

Example #3: MUR zone with 115 units per acre:

This example is based upon a 40,000 square foot site in the core area

Density: 115 units per acre allowing **106 units**

Intensity: FAR maximum is 4.0 so that floor area would be limited to 160,000 square feet

Height: 100+ feet (over 8 stories)

Minimum dwelling size: 500 square feet

Parking: Assuming 106 two bedroom units, 199 spaces accommodated in two levels of structured parking – not included as floor area

Yard requirement: None

This example assumes residential development over structured parking. Floor area is limited to 160,000 square feet which when reduced by 25% for corridors, mechanical and common areas, would provide approximately 120,000 square feet for residential space which would accommodate 106 units averaging 1,132 square feet in size.

The above examples indicate that the development standards in Emeryville's zoning regulations do not normally constrain residential density. If larger units are desired the achievable number of units may decrease. There may be individual circumstance such as adjacent development or site characteristics where additional standards may be triggered,

Zoning Updates for Compliance with State Law. The City is currently updating its zoning regulations to be in compliance with State laws regarding permitting of secondary units, transitional housing and emergency shelters and other group residential uses, and with density bonus allowances, as described below.

Secondary Units. The zoning regulations will be updated to reflect State law that removed obstacles to the permitting of secondary dwelling units. Interim zoning regulations now allow them by right in all residential zones. A policy is included in this Element requiring revision of the zoning regulations to ensure that the requirements for secondary units conform to State law. (See Policy II-A-3.)

Group Residential Uses. As shown in Table 3-4 above, Group Residential uses are conditionally permitted in the RM and RMH zones. However, the State Health and Safety Code requires that group homes and residential care facilities for six or fewer residents

be treated as other single-family uses. Policy IV-A-5 requires that the zoning regulations be clarified to treat group homes and residential care facilities for six or fewer residents similarly to other single-family uses.

Emergency Shelters and Transitional Housing. Although the Zoning Ordinance was provisionally amended to provide for emergency housing and transitional shelters as Group Residential uses, these uses now require a conditional use permit in Emeryville. A policy is included in this Element calling for the revision of the Zoning Ordinance to be in compliance with Senate Bill 2. The policy requires establishment of a zoning district that allows emergency shelters by right and insures that transitional and supportive housing developments are considered as a residential use of property subject only to those same restrictions that apply to other residential uses of the same type in the same zone (See Policy IV-A-4.)

Two optional areas have been identified as appropriate places to apply by-right zoning for emergency shelters and supportive and transitional housing pursuant to Senate Bill 2 (SB2). These are identified on Diagram 3-4 as *SB2 Potential Zone #1* and *SB2 Potential Zone #2*. The City's zoning ordinance will be amended to accommodate these uses, in conformance with SB2 in one of these two areas.

Both areas have capacity for new uses and could easily accommodate at least one year-round emergency shelter. Potential Zone #1 is approximately 12 acres in size. Redevelopment is feasible on over half of the properties. There are at least six properties, comprising approximately two and a half acres, which are either vacant lots used for surface parking, or occupied by older low-rise buildings, some of which are vacant. Potential Zone #2 is about 24.5 acres, with about 2 acres of property that is vacant or underutilized.

Of the two areas, Potential Zone #2 is better suited for emergency shelters, and supportive and transitional housing. As shown in Table 3-7, basic services are more accessible to Potential Zone #2. From a land use perspective, Zone #2 the better area for emergency shelters and supportive and transitional housing because there is a balanced mix of residential and commercial properties, and it is in an area of the City that is experiencing residential growth. Conversely, Zone #1 has no residential development, and is targeted for industrial use with ancillary offices and the possibility of live/work. Zoning regulations, including performance standards for industrial uses, could provide for an emergency shelter and supportive and transitional housing in Potential Zone #1. However, since residential uses are not permitted in this area (other than live/work), and SB2 mandates that transitional and supportive housing be subject to the same permitting processes as other housing in the zone, transitional an supportive housing would be accommodated in another zoning district that permits residential use. Potential Zone #2 allows residential use and can accommodate both emergency shelters and transitional and supportive housing.

Both Potential Zones will be evaluated in more detail during Fiscal Year 2010/2011 as part of the City's Zoning Ordinance update, with the objective of meeting the requirements of SB2.

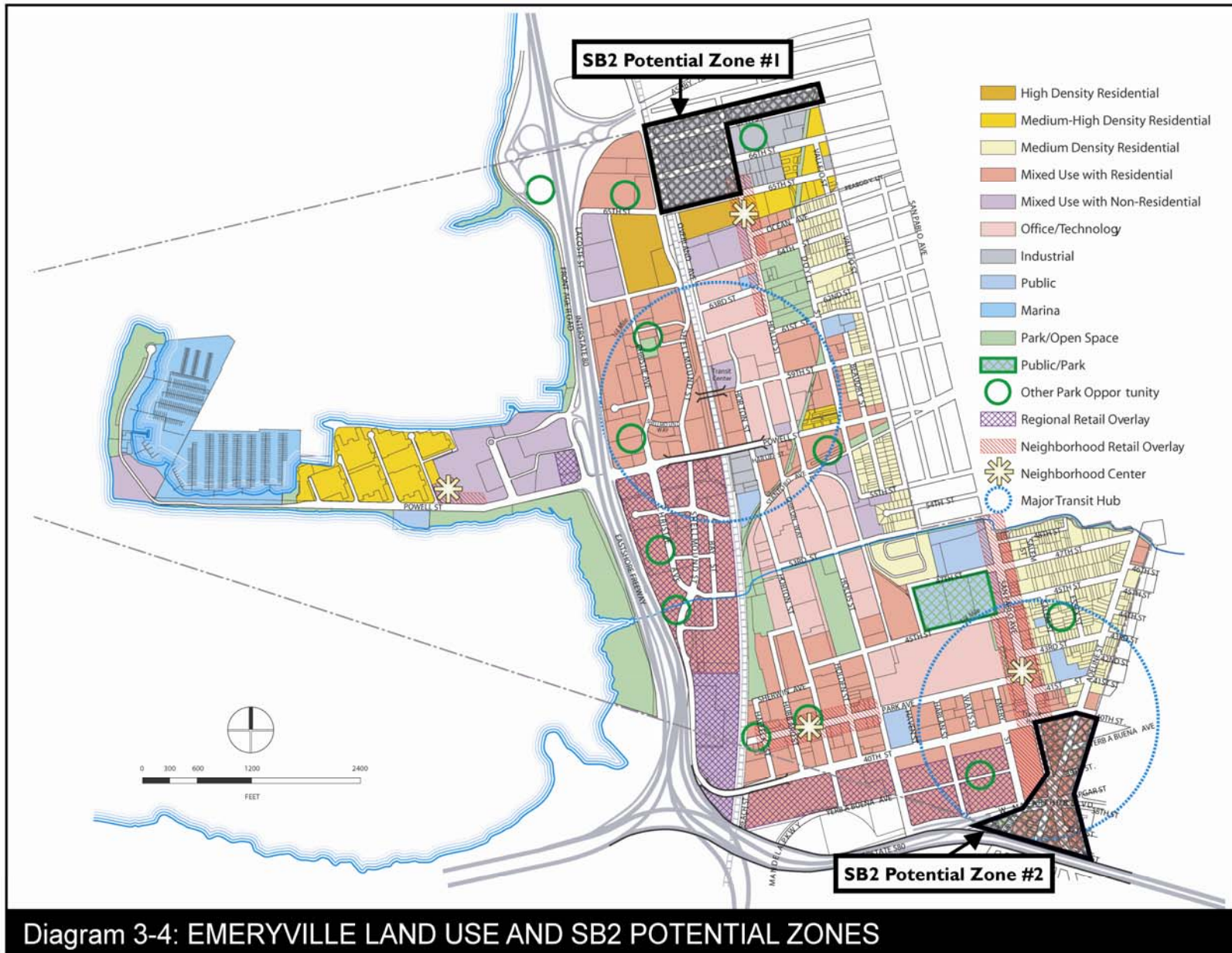


Table 3-6: Identification of Basic Services in and around potential SB2 Zones

SB2 Zone # 1*	Distance	SB2 Zone # 2**	Distance
Social Services		Social Services	
St. Vincent De Paul Community Services and Homeless Action Center (HAC) 2272 San Pablo Avenue, Oakland, CA	2.8 mi	St. Vincent De Paul Community Services and Homeless Action Center (HAC) 2272 San Pablo Avenue, Oakland, CA	1.2 mi
Berkeley Multi Service Center (Berkeley Food and Housing Project) 2362 Bancroft Way, Berkeley, CA	2.7 mi	Berkeley Multi Service Center (Berkeley Food and Housing Project) 2362 Bancroft Way, Berkeley, CA	3 mi
Medical Clinic / Hospital / Emergency Services		Medical Clinic / Hospital / Emergency Services	
Kaiser Permanente Oakland Medical Center 280 W. MacArthur Boulevard, Oakland, CA	2.9 mi	Kaiser Permanente Oakland Medical Center 280 W. MacArthur Boulevard, Oakland, CA	1.3 mi
Alta Bates Summit Medical Center - Summit Campus 350 Hawthorne Avenue, Oakland, CA	2.8 mi	Alta Bates Summit Medical Center - Summit Campus 350 Hawthorne Avenue, Oakland, CA	1.2 mi
Alta Bates Summit Medical Center - Alta Bates Campus 2450 Ashby Avenue, Berkeley, CA	2.2 mi	Alta Bates Summit Medical Center - Alta Bates Campus 2450 Ashby Avenue, Berkeley, CA	2.5 mi
Planned Parenthood - MacArthur Health Center 482 W. MacArthur Boulevard, Oakland, CA	2.5 mi	Planned Parenthood - MacArthur Health Center 482 W. MacArthur Boulevard, Oakland, CA	.9 mi
Berkeley Free Clinic 2339 Durant Avenue, Berkeley, CA	2.7 mi	Berkeley Free Clinic 2339 Durant Avenue, Berkeley, CA	3.0 mi
Pharmacy		Pharmacy	
Walgreen's 2995 San Pablo Avenue, Berkeley, CA	.6 mi	CVS Pharmacy 4349 San Pablo Avenue, Emeryville, CA	.3 mi
Food Pantry		Food Pantry	
ECAP 3610 San Pablo Avenue, Emeryville, CA	1.8 mi	ECAP 3610 San Pablo Avenue, Emeryville, CA	.1 mi
Food Stores		Food Stores	
Gateway Supermarket 5908 San Pablo Avenue, Emeryville, CA	.7 mi	Pak n' Save 3889 San Pablo Avenue, Emeryville, CA	.0 mi
Trader Joe's 5700 Christie Avenue, Emeryville, CA	.8 mi	CVS Store 4349 San Pablo Avenue, Emeryville, CA	.3 mi
* All distances are measured from central point of Hollis Street and 65th Street in SB2 Potential Zone #1		** All distances are measured from central point of Adeline Street and 39th Street in SB2 Potential Zone #2	

Table 3-6: Identification of Basic Services in and around potential SB2 Zones			
SB2 Zone # 1*	Distance	SB2 Zone # 2*	Distance
Bank		Bank	
Wells Fargo	.7 mi	Bank of America	.2 mi
5801 Christie Avenue, Emeryville, CA		4120 San Pablo Avenue, Emeryville, CA	
Senior Center		Senior Center	
4321 Salem Street, Emeryville, CA	1.4 mi	4321 Salem Street, Emeryville, CA	.4 mi
City Offices		City Offices	
Emeryville City Hall	1.1 mi	Emeryville City Hall	.5 mi
1333 Park Avenue, Emeryville, CA		1333 Park Avenue, Emeryville, CA	
Transit Links		Transit Links	
MacArthur BART Station (Emery-go-Round provides direct service)	2.3 mi	MacArthur BART Station (Emery-go-Round provides direct service)	.8 mi
MacArthur Boulevard & Martin Luther King Street		MacArthur Boulevard & Martin Luther King Street	
Emeryville Amtrak Station	.5 mi	Emeryville Amtrak Station	1.3 mi
5885 Horton Street, Emeryville, CA		5885 Horton Street, Emeryville, CA	
AC Transit Bus Lines:		AC Transit Bus Lines:	
North/South: Lines 72 and 802 (San Pablo Ave.), Line 19 (Hollis St.)		North/South: Lines 72 and 802 (San Pablo Ave.), Line 19 (Hollis St.)	
East/West: Line 9 (Ashby)		East/West: Lines 57 and 14 (40th St.)	
Transbay Service: Lines Z and J (Closest stop: Hollis St. & 65th St.)		Transbay Service: Line F (40th St.)	
Emery-go-Round Free Shuttle (Citywide)		Emery-go-Round Free Shuttle (Citywide)	
Closest stop: Hollis St. & 65th St.		Closest stop: Emery St. & 40th St.	
* All distances are measured from central point of Hollis Street and 65th Street in SB2 Potential Zone #1			
** All distances are measured from central point of Adeline Street and 39th Street in SB2 Potential Zone #2			

Density Bonus for Affordable Housing. Emeryville's density bonus for affordable housing regulations are contained in Section 9-4.62.9 of the City's Affordable Housing Set Aside Program (Article 62 of the Zoning Ordinance). In conformance with State law Emeryville offers a 25% density bonus incentive to allow developers to increase the amount of affordable housing being built. This is offered with other incentives, such as help in finding financial assistance, and in some cases redevelopment bond funding to help developers increase the amount of affordable housing in their projects. Since projects of 30 units or more are required to provide affordable housing, they are automatically eligible for the density bonus. Policy II-A-2 requires that the density bonus section be updated to reflect changes in State law to provide for greater bonuses and for the inclusion of more affordable units.

Constraints on Persons with Disabilities. Pursuant to Federal Fair Housing Amendments Act, the Americans with Disabilities Act and the California Fair Employment and Housing Act, Emeryville's Zoning Ordinance (Section 9-4-95.1-.80) provides for reasonable accommodation by modifying the application of its zoning and subdivision regulations for persons with disabilities. In determining whether a requested modification of zoning or subdivision regulations is reasonable, the City will consider, among other relevant factors, the extent to which the requested modification might be in conflict with the legitimate purposes of its existing zoning or subdivision regulations. The purpose of these provisions is to provide a process for making requests for reasonable accommodation to zoning and subdivision decisions and procedures regulating the siting, funding, development and use of housing for people with disabilities. Pursuant to the zoning regulations, requests for accommodation are referred to the Planning and Building Director, or designee, who must issue a decision within 45 days. There are provisions for appeal of the Director's decision. A packet of materials, including an information sheet and forms for application, decision, and appeal is provided in Appendix C.

The Magnolia Terrace project provides an example of a recent request for reasonable accommodation. In 2009 Housing Consortium of the East Bay (HCEB) received entitlements to restore a relocated building into five independent units for people with developmental disabilities. The project will offer long-term, affordable, accessible apartment units for adults and households with developmental disabilities, with leasing preferences for very low-income households. The relocated building met setback requirements except that a small portion of the front entry porch roof encroached into the 10-foot front setback. The applicant made a request for accommodation for the encroachment of the front entry into the setback to minimizing slippery conditions for a person in a wheelchair. The request was approved by the Planning and Building Director,

The Emeryville Zoning Ordinance includes few specific standards for the development of housing for persons with disabilities. It establishes the dimensions of accessible parking stalls and sets the parking requirement for convalescent facilities (sanitariums, asylums, residential care facilities, convalescent and nursing homes, homes for the aged, and rest homes) at 5-1/2 spaces per every 1,000 square feet of floor area. Residential parking requirements for housing for persons with disabilities are the same as for the non-disabled. The Zoning Ordinance defines *family* as one or more persons occupying a dwelling unit and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, or fraternity or sorority house. Title 24, the State Building Standards Code cover construction-related accessibility requirements for persons with disabilities. The City has a disabilities coordinator to facilitate ADA compliance.

Inclusionary Housing Ordinance

In 1990, the City of Emeryville adopted the Affordable Housing Set Aside (AHSA) Ordinance, an inclusionary housing ordinance, which is part of the Emeryville Municipal Code (EMC). As adopted in 1990, the AHSA Ordinance required that 20% of units in projects (both rental and ownership) which have 30 or more units must be set aside at affordable housing levels to moderate income households, which are households earning between 81 and 120% of the Area Median Income (AMI).

In June 2008, the Emeryville City Council approved a revision to the AHSA Ordinance to facilitate the production of units affordable to very low income households (households earning 50% or less of the AMI) by revising the inclusionary percentage requirement for rental developments. The revision was also made in response to the new Regional Housing Need Allocation (RHNA) for the 2006-2014 goal period that places greater emphasis on very low and low income housing. The AHSA Ordinance currently requires the following inclusionary levels in developments of 30 or more units:

- 20% of units in for-sale developments must be set aside for and affordable to moderate income households (no change from original Ordinance level).
- 9% of units in rental developments must be set aside for moderate income households, and 6% of units must be set aside for very low income households.

The inclusionary level for rental developments mirrors the “Housing Production” requirement set forth in the California Community Redevelopment Law for redevelopment agencies. Over the period of an Agency’s Ten-Year Housing Compliance Plan, an agency must ensure that 15% of all privately-built housing in its project area be affordable to very low income households and moderate income households at these percentages, with 9% for moderate income and 6% for very low income. The inclusionary percentage level for rental developments was revised to encourage the production of very low income housing, a level not previously provided for in the AHSA Ordinance, but was reduced from 20% to 15% of the total units in the project to help offset the net cost of providing very low income instead of moderate income units. Prior to the revision of the rental inclusionary level, the City undertook feasibility analysis of the proposed income targeting mix and concluded that there was some loss of net revenue to the developer resulting from changing the inclusionary requirement to very low income, based on an average development size of 100 units (which is less than the average residential size for projects completed between 1999-2006 at 115 units). The potential impact of the inclusionary revision on the supply and cost of rental housing is, however, off-set by the incentives and concessions stipulated in the AHSA Ordinance, as well as the availability of financial assistance through the Redevelopment Agency to facilitate compliance with the AHSA Ordinance. The City did not reduce the 30-unit threshold unit level because developers indicated that imposing an inclusionary requirement for projects with fewer than 30 units would be economically infeasible and a constraint on the production of housing.

Production of Affordable Housing under the AHSA Ordinance

Although the AHSA Ordinance was adopted in 1990, during much of the 1990s, much of the residential development built in Emeryville was the result of public-private partnerships between developers and the City through its Redevelopment Agency. The Agency provided financial assistance through its Low and Moderate Income Housing Fund for several residential projects developed by private, for-profit and non-profit residential developers, and in one case, the Alameda County Housing Authority. Some of these developments did not exceed the 30-unit threshold of the AHSA Ordinance, while others provided a percentage of affordable units greater than the inclusionary requirement by leveraging Agency assistance with other federal, state and private sources. Between 1990 and 1999, 281 very low and low income units were added to the City's housing stock, including units within these major developments:

- Emery Villa, a 50-unit apartment development for very low income seniors.
- EmeryBay Club and Apartments Phase II, a 260-unit mixed market rate/affordable multi-family housing development with 104 very low and low income units.
- Triangle Court Apartments, a 100% affordable rental development with 20 affordable units for low and very low income families.
- Ocean Avenue Court, a 6-unit affordable project for physically disabled persons developed, owned and operated by the Alameda County Housing Authority.
- Bridgecourt Apartments, a 220-unit mixed market rate/affordable multi-family housing development with 88 very low and low income units.
- Baybridge Apartments, a 6-unit development for individuals living with AIDS-related illness.

The first private, ownership development proposed in the City that was subject to the requirements of the AHSA Ordinance was Emeryville Warehouse Lofts, a 140-unit live/work, residential unit condominium development completed in 2000. The project contains 24 moderate income and 2 low income-designated BMR units. This project ushered in a period of very strong residential growth undertaken by the private sector that continued throughout much of the decade, until housing starts declined rapidly beginning in 2008. Between 2000 and 2009, 413 units for very low, low, and moderate income households were completed in Emeryville within twenty separate developments, all but one of which were in developments subject to the AHSA Ordinance. About 53% of the BMR units were completed in rental developments (220 units) and 47% of the BMR units were completed in ownership developments (193 units).

The inclusionary units provided through the AHSA Ordinance have helped the City meet a substantial portion of the Regional Housing Need Allocation (RHNA) assigned to Emeryville during the 1999 through 2006 period, as shown in Table 2-55 in Chapter 2. The AHSA Ordinance has therefore not appeared to have had a constraining impact on the production of either rental or ownership housing or hindered the City from meeting its share of the overall regional housing need.

Developer Incentives

The City offers a number of incentives and financial mechanisms to encourage development of inclusionary units and to facilitate developers in their compliance with the AHSA Ordinance.

Incentives contained in the AHSA Ordinance:

- Below Market Rate (“BMR”) units set aside through the AHSA Ordinance are to be proportional to the mix of unit sizes (e.g. studios, one-bedrooms, two-bedrooms, etc.) in the development but on the whole may be slightly smaller than the average square footage for that unit type because they do not include a development’s “premium” units, such as top-floor units or penthouse units. (EMC 9-4.62.3(d))
- BMR units are required to include the same interior features and finishes as the “base level” of market rate units prior to purchaser-funded upgrades. The materials should be good quality and durable but do not need to reflect the highest level of finishes that a purchaser of a market-rate unit might select. (EMC 9-4.62.3(d))
- The developer has the ability to reduce the number of inclusionary units in a project if the developer agrees to provide more deeply affordable BMR units instead of the level required by the Ordinance. For example, a developer may agree to provide very low or low income units instead of moderate income units. In such cases, developers are able to reduce the interior amenity level and the unit square footages of these units, as well as seek Redevelopment Agency assistance for traffic impact fees, building fees, or other fees/exactions required. (EMC 9-4.62.3(i)(1 through 4))
- The developer has the ability to construct the BMR units off-site at sites either contiguous or non-contiguous with a development project if it is deemed the BMR units are not feasible or appropriate at that location. (EMC 9-4.62.3(f))
- In order to avoid any undue economic burden of the AHSA Ordinance, developers may seek a density bonus of 25% through the Ordinance that is exclusive of other density bonuses allowed. (EMC 9-4.62.9)
- Developers may claim an economic hardship resulting from imposition of the AHSA Ordinance, which provides ability for a developer to reduce the project interior amenity level or square footage of the BMR units (EMC 9-4.62.10).
- Developers may seek Redevelopment Agency financial assistance for the cost of traffic impact, building, and other fees imposed on the development if there is an undue burden or cost associated with imposition of the inclusionary requirement. (EMC 9-4.62.11)
- The Ordinance contains a process for appealing the requirements of the inclusionary requirement (EMC 9-4.62.14)

If a developer proceeds with an economic hardship claim, in practical terms that manner in which it is processed is the following: The developer is required to share their financial pro forma with City staff so that the City may review it to determine if the AHSA Ordinance makes the project financially unviable. The developer is able to present this case to the Council and the Council may take action to reduce the impacts of the Ordinance by one of the measures cited above. In terms of the appeal provision, of 20 residential development projects that were completed between 2000 and 2009 that were subject to the AHSA Ordinance, only one developer appealed the Ordinance requirement before the City Council while all others complied and completed their developments. The appeal was denied by the Council because the developer failed to provide supporting evidence that the Ordinance presented an economic hardship.

The City Council has approved projects where a lesser inclusionary percentage was required in exchange for deeper affordability. In these cases, City staff worked with the developer to determine a cost-neutral point at which the provision of units at low or very low income, in lieu of moderate income units (the inclusionary requirement for all projects up through mid-2008), would not negatively impact the development costs. The Avenue64 rental project, with 224 total units, was approved with a 10% inclusionary level instead of 20% (the project was approved prior to the June 2008 AHSA Ordinance revision). The development has 23 BMR units out of the total 223 project units; 8 are set aside at Low Income and 15 are set aside at Moderate Income units. The Icon at Park project has 54 rental units. The project has 3 very low income units (6% of the total units) and the remaining units are market rate, instead of the 20% inclusionary level that would have been required under the Ordinance (the project was approved prior to the June 2008 AHSA Ordinance revision).

Other Resources and Incentives for Compliance:

In addition to the incentives and concessions outlined in the AHSA Ordinance directly, the City commits staff time and Redevelopment Agency financial resources to facilitate implementation of the AHSA Ordinance, in the following ways:

- Staff participates actively with the marketing and sales/leasing teams of the developers in crafting marketing plans for the BMR units aimed at successfully leasing up or selling the BMR units.
- The City provides developers with its mailing list of over 2,500 people who have expressed interest in Emeryville housing, to assist in marketing outreach.
- The City participates in the open houses and information workshops for prospective tenants and purchasers of BMR units within the developments.
- The City actively markets new BMR units (including serving as a distribution point for BMR unit applications) at the City Hall information area, the City's website, through City-wide mailings, and notices to the Emeryville Chamber of Commerce, and neighborhood-based groups.
- The Redevelopment Agency provides Low and Moderate Income Housing Funds to support the City's First Time Homebuyer Programs for Low and Moderate Income Households purchasing inclusionary ownership unit. The Agency has also provided housing subsidies directly to developers to support the financial viability of residential developments. In a number of completed residential projects with BMR units, developers have been provided both land write-downs and financial subsidies to assist in the development costs of the BMR units. Further explanation of the resources provided to encourage affordable housing development is provided in the Government Resources section of this chapter.

Fees and Exactions.

Planning application fees range from \$500 to \$2,000, plus cost recovery for staff time, consultant fees and other expenses. For larger projects this can be over \$50,000. The Building Permit Fee (BPF) is one of the largest fees and is 0.8% of the total valuation (replacement cost of the project once it is completed). Another major building fee is the Plan Review Fee which is 65% of the Building Permit Fee (50% for residential less than \$100,000). Other major fees include the General Plan Maintenance Fee and the Art in Public Places fee. The former is a fee of 0.5% of valuation. The Art in Public Places fee applies to commercial projects of over \$300,000 value and is an artwork or in-lieu fee of 1% of valuation. This fee also applies to residential projects of 20 units or greater and is .05% of valuation of these projects. Other fees include the Energy Conservation Fee (12.5% of BPF), the Electrical Permit Fee (20% of BPF), the Plumbing Permit Fee (18% of BPF) and the Mechanical Permit Fee (17% of BPF). Fire Department Fees and Traffic Impact Fees (calculation depends on type of building) can also add up to a large amount. The Emeryville Unified School Facilities Development Fee is based on the type of project and is calculated as a fee/sq. ft. This fee is \$0.42/sq. ft. for residential projects, \$1.53/sq.ft for live /work projects and \$2.63/sq. ft. commercial projects. Planning application fees are due at the time of filing. For cost recovery, a deposit is required up front and billings will be made as costs incur. Building permit and impact fees are collected in three phases. Plan review fees and energy fees are due at plan check submittal. At the time the permits are issued the following fees are due: building, electrical, plumbing, and mechanical permit fees, Fire Department fees, sewer connection fees, schools, public art, and the general plan maintenance fee. The traffic impact fee and any business license fee, as well as any remaining planning fee, are due with the final inspection.

School Facilities Development Fees are waived for developments that provide affordable housing set-aside units. Additionally, to relieve any undue burden on developers who are required to provide moderate-income set-aside units under the Affordable Housing Set-aside Program, the Redevelopment Agency may subsidize the cost of any traffic fees, building fees and other City fees applicable to the set-aside units.

To illustrate the cumulative effect of fees on a project three examples are provided below:

Salem Manor (#2), new triplex

Conditional use permit	\$1, 031
Building fees and all other fees:	\$13,446
Total fees per unit:	\$4,825
Estimated development cost/unit	\$469,000
Proportion of fees to development costs:	1.0%

Elevation 22, 71 for sale townhouse units

Planning fees	\$28,245
Building fees and all other fees:	\$393,435
Total fees per unit	\$6,024
Estimated development cost/unit	\$375,000

Proportion of fees to development costs: 6.2%

Courtyards, 331 for-rent apartments

Planning fees	\$87,274
Building fees and all other fees:	\$1,725,296
Total fees per unit:	\$5,476
Estimated development costs/unit	\$375,000
Proportion of fees to development costs:	1.5%

As indicated in the above examples planning and building fees are a very small percentage of the total cost of developing housing in Emeryville.

Site Improvements.

Because many sites are small and being re-used, improvements consist of upgrading water and sewer lines if needed for intensification of use, providing parking and on-site circulation, and placing utility wires underground. The City uses standard conditions of approval that are applied to projects as warranted. Public improvements may also be required to improve the safety and livability of the city. These include curb, gutter, and sidewalks, street trees, street reconstruction, traffic signals, utility lines, and park and greenway improvements.

Permit Process. As a small city, Emeryville's zoning permit process is less time-consuming than that of many East Bay cities and staff is able to provide a higher level of customer service than seen in larger cities. Administrative planning approvals including staff-level (minor) design review, sign permits and other small projects, take about three days to three weeks to process. Planning Commission approvals (use permit, design review, variance, sign permit, subdivision) take about two months for simple projects, once the application is complete. Appeals to City Council or approval of a Redevelopment Agency agreement may add up to two months. A request for a planned unit development, an amendment to the Zoning Ordinance or a General Plan Amendment will likely take longer due to required hearings by the Planning Commission and City Council. For larger projects, the developer is asked to meet with neighbors prior to seeking approval from the Planning Commission. Informal study sessions with the Planning Commission, City Council, or both are also recommended for larger projects prior to filing of an application. Study sessions are beneficial to the applicant because any concerns by the Planning Commission and City Council can be aired prior to large investment into design. Likewise, applicants receive preliminary review by staff to determine conformance with zoning and the General Plan and to identify the permits required. By the time the project appears before the Planning Commission, significant issues are resolved. Emeryville's permit procedures are straightforward. Unlike neighboring cities and larger cities, there are no design or historical review boards. CEQA analysis can prolong project review but many projects are eligible for urban infill exemption. One of the objectives of the update of the zoning regulations is to expand the types of planning permits processed through administrative (staff) review, thereby simplifying the process for the developer and relieving the Planning Commission of long meetings with full agendas.

Building permits and the related reviews (plan, energy, electrical, plumbing, mechanical, fire) are processed together. For a mid-size, uncomplicated project with complete drawings and other submittal requirements, it generally takes about six weeks to produce first comments and two to three weeks to respond to the developer's response, for a total of two to three months. Larger, more complex projects can take several additional months to receive building permits.

To reduce staff time, the City is implementing a permit tracking system, allowing computerized access to files. Ultimately, this will result in limited public access to records online and will enable applicants to submit applications through the internet.

Overall the permit process in Emeryville is efficient and, as demonstrated by the City's success at developing housing (Tables 3-1 and 3-2) does not impeded housing production.

Building Code and Enforcement.

The mission of the Emeryville Building Division is to provide information and assistance to those planning a construction project in the City of Emeryville, as well as providing timely services for projects already under construction. Project design teams are encouraged to meet with the Building Official, the plan check engineer, and Fire Department staff in the early stages of the project in order to discuss significant code issues that will impact the project. By working out potential problems early, applicants can usually proceed more efficiently through the plan review stage of a project. On January 1, 2008 a new International Building Code came into effect in California. The City of Emeryville has transitioned to this new code.

The code enforcement program focuses on enforcing ordinances and laws that require abatement to properties that are dangerous to the public or are a public nuisance. Building inspectors respond to complaints, issuing notices of violations and informing property owners about rehabilitation programs. Building owners are given a reasonable period of time to correct code violations, and the buildings are re-inspected. If violations are not corrected, the owners can be cited or nuisance abatement proceedings can be initiated.

Environmental Issues.

Environmental review, in compliance with state and federal requirements, runs concurrent with other aspects of the local development approval process. Pursuant to the California Environmental Quality Act (CEQA), if a project has no significant impacts or the impacts can all be mitigated to a less-than-significant level, then an Initial Study and Mitigated Negative Declaration is adequate. This process usually takes two to three months. If the project has potentially unavoidable significant impacts, it requires an Environmental Impact Report, which can take four to six months, and sometimes longer. Use of an exemption for urban infill housing projects is often used to expedite environmental review if there are no identified impacts. The Environmental Impact Report prepared for the update of the other elements of the General Plan is a programmed EIR that will enable development projects in the near future to tier off the evaluation provided by the EIR. This means that future projects will require less evaluation under CEQA.

As a small city, Emeryville's environmental concerns are limited to a few areas. Landslides are not of concern because the entire city is on flat terrain. The City is not in a flood hazard zone and seismicity issues are addressed by building codes. Sensitive biologic resources are confined to bayshore areas that are designated and zoned for parks and open space. As indicated in the sites analysis section above, toxic contamination from previous industrial uses has been a key environmental concern. Noise is also a localized problem associated with the location of sensitive receptors relative to commercial and light industrial uses and the existence of freeways and a major rail line.

Toxic Cleanup. Site characterization, health risk assessment and site remediation in accordance with State mandates can present major development expenses. The Redevelopment Agency has implemented a grant to characterize sites and make information available, and administers a grant and loan program for assessment and cleanup work. The program is called Capital Incentives for Emeryville's Redevelopment and Remediation (CIERRA). It provides financial, technical and regulatory assistance and expertise for property owners and developers. This program has been instrumental in expediting the cleanup many sites.

Wastewater Facilities. In 2009, the Regional Water Quality Control Board adopted Order No. R2-2009-0004 reissuing a permit to EBMUD to operate its Wastewater Treatment Facilities but prohibiting any discharge from their three wet weather sanitary sewage treatment facilities. Shortly thereafter, the US Environmental Protection Agency, and the Regional and State Water Boards filed suit against EBMUD for discharges in violation of this prohibition and entered into a Stipulated Order. A provision of this Order requires EBMUD to pass a regional ordinance to implement a Regional Private Sanitary Sewer Lateral (PSL) Replacement Program in an effort to reduce the amount of wet weather sanitary sewage flows to their treatment facilities. It is believed that 50% of the wet weather flows originate from runoff entering the sanitary sewer collection systems through private sewer laterals.

On November 18, 2009 the US Environmental Protection Agency issued the City of Emeryville an order to reduce sanitary sewer overflows from its collection system and to control Infiltration and Inflow (I&I) into the collection system so as not to cause or contribute to overflows from the EBMUD wastewater facilities. This order includes a number of requirements for the City to implement immediately in order to improve on the current program for controlling overflows and reducing I&I. One of the requirements is to develop and implement a PSL Replacement Program or to coordinate with EBMUD in the implementation of the Regional PSL Replacement Program. The timeline to complete this requirement is within 90 days of the adoption of the Regional PSL Ordinance or by October 15, 2010, whichever is later. Emeryville will coordinate with EBMUD to fulfill the requirement.

In general, the proposed Regional Ordinance will require that the PSL be brought into compliance whenever the title of any private property is transferred associated with a sale of real property, whenever a property owner applies for any permit to remodel a structure where the cost of the work is projected to exceed \$100,000, or whenever a property owner applies for any permit to increase or decrease the size of the property owner's water meter. The ordinance also requires that all PSLs belonging to Homeowners Associations for multi unit condominium developments comply with the Regional Ordinance within 10 years of the adoption of the Ordinance. When the PSL is replaced, a Certificate of Compliance will be issued by EBMUD that will be valid for 20 years.

The City has analyzed the capacity of its collection system to handle the dry weather flows generated from all the land use changes at full build out of the General Plan in conjunction with the wet weather I&I flow generated in Emeryville and the subbasins in Oakland draining into Emeryville. Various sewer mains within the system have been identified as needing capacity upgrades. The upgrades are primarily necessary to handle the I&I flow entering the system within the City of Oakland. The identified upgrades are funded and projects are underway. The Parks Open Space and Public Facilities Element of the Draft General Plan contains policies and actions to sewers.

Noise. The I-80 and I-580 freeways and the Union Pacific and Amtrak rail facilities will continue to be a major source of noise in the western and southern portions of Emeryville. With a growing residential population in a mixed use environment there is an increasing awareness of noise from non-residential uses, including newer high tech uses. The Emeryville Municipal Code prohibits excessive and annoying noises from all sources and limits the hours for construction and other noisy activities. However, some noises occur on an continual or continual but intermittent basis, such as freeway and train noise, and noise emitted by mechanical equipment such as heating and cooling facilities. The Conservation, Safety, and Noise Element of the Draft General Plan contains policies and actions to address noise.

Non-Governmental Constraints to Housing Development

This section evaluates non-governmental factors that may impact the affordability and supply of housing.

Local Geography. Perhaps the most obvious of Emeryville's constraints to housing development is its small size and inability to expand beyond its 1.2 square miles of land area. Infill densification has and will continue to occur but the rate will slow as the underutilized sites are redeveloped.

Residential Development Costs. The cost of developing residential housing escalated significantly during this decade due to the increasing cost of land, building materials such as lumber and steel, labor, remediation costs, and the need for construction defects liability insurance. During this decade, Emeryville has seen its land values increase dramatically, with many sites selling in the \$85 to \$120 per square foot range. This is a large increase from the land values reported in the 2001 Housing Element, which ranged from \$20 to \$60 per square foot.

Construction costs vary from site to site and may increase or decrease depending on project size, construction type (wood frame vs. steel), the number of funding sources involved, developer capacity, and the level of amenities or services being provided in the development. Emeryville's Affordable Housing Set Aside Ordinance requires that developers of residential units subject to the Ordinance provide the same base level of amenities and quality of unit finishes in the designated "below market rate" units as in the market rate units. Similarly, the City requires that regardless of whether a residential development is 100% market rate or 100% affordable, the architectural design and quality of the units must be of a very high standard. Therefore, the construction costs associated with affordable housing are likely to be as high as that of market rate housing. A sampling of recent residential developments that have been approved in Emeryville with Redevelopment Agency financial involvement have construction costs ranging from \$360,000 to \$450,000 per unit. Including land and soft costs, the City has reviewed development budgets for specific Agency-involved housing projects that have been in the range of \$500,000 to \$600,000 per unit. These high costs can be viewed as a constraint to affordable housing development because the cost of the units far exceeds the revenue potential from the affordable units. As described under the next section on Governmental Resources, the Emeryville Redevelopment Agency has often provided housing development subsidy to provide lower and very low income units, to off-set the cost of producing the housing and to ensure the provision of affordable units at these levels.

Affordable Sales Prices and Rents. The Bay Area has historically had higher market rate housing costs than much of the rest of the nation, and market rate housing prices and rent levels have exceeded that which is considered affordable by state housing law, particularly at the very low and low income levels. Each year, the City of Emeryville publishes a chart showing the maximum sales prices and rent levels that are considered affordable for very low, low, and moderate income households, pursuant to affordability definitions found in State of California redevelopment law. According to the law, total housing costs may not exceed the amounts shown in the formulas below:

Ownership Housing - For purchasers, housing costs include principal and interest on a mortgage, property taxes and assessments, fire and casualty insurance, property maintenance and repairs, allowance for utilities and homeowner associates fees.

- For moderate income households – 35% of 110% of the area median income
- For lower income households – 30% of 70% of the area median income
- For very low income households – 30% of 50% of the area median income

Rental Housing - For renters, housing costs include rent, allowance for utilities, fees or service charges assessed by the lessor and charged to all tenants, and any taxes or fees charged by a party other than the lessor.

- For moderate income households – 30% of 110% of the area median income
- For lower income households – 30% of 60% of the area median income
- For very low income households – 30% of 50% of the area median income

Using the formulas above, Table 3-7 shows the maximum affordable sales prices and gross rents that are based on the area median income for Alameda County in Year 2009.

Table 3-7: Year 2009 Affordable Housing Sales and Rental Chart				
Unit Size	Studio	1-BR	2-BR	3-BR
Moderate Income Rent	\$1,719	\$1,965	\$2,210	\$2,456
Moderate Income Sales Price	\$241,201	\$276,083	\$310,725	\$349,364
Low Income Rent	\$938	\$1,072	\$1,205	\$1,340
Low Income Sales Price	\$104,244	\$119,514	\$134,653	\$153,680
Very Low Income Rent	\$781	\$893	\$1,004	\$1,116
Very Low Income Sales Price	\$57,287	\$65,739	\$74,379	\$86,588

Market Rate Ownership Housing. Using data collected for 2007 and 2008, Table 3-8 compares sales price averages between 2007 and 2008. While the data shows a drop in the median sales price for single family homes, from a median of \$486,000 in 2007 to \$399,000 in 2008, the 2008 median is still well above what would be considered an affordable sales price to low or very low income households, about

\$133,000 and \$75,000 respectively for a two-bedroom unit. The median single family home price of \$399,000 is over what a moderate income household could afford in 2008, which was about \$302,000.

The average condominium unit price increased 7% between 2007 and 2008, to \$425,000. This level is significantly higher than the affordable Below Market Rate (BMR) level for moderate, low or very low income households.

Table 3-8: Sales Prices in 2007 and 2008

		12-month period 2007	12-month period 2008	% Change 2007-2008
Condominiums	High	\$800,000	\$925,000	16%
	Median	\$396,500	\$425,000	7%
	Low	\$205,000	\$230,000	12%
Single Family Homes	High	\$539,500	\$437,500	-19%
	Median	\$486,000	\$399,000	-18%
	Low	\$380,000	\$321,000	-16%
Source: Realquest 2009; City of Emeryville Economic Development and Housing Department				

Market Rate Rental Housing. As shown in Table 2-45 in Chapter 2, average market rents from a February 2009 survey of existing larger apartment complexes in Emeryville show rental housing rates at high levels, despite the economic downturn. Rents for a studio ranged from \$1,645 to \$1,850 per month; one bedroom units ranged from \$1,423 to \$2,235; two bedroom units had rents ranging from \$1,865 to \$2,860; and three bedroom units (or two bedroom with loft) ranged from \$1,945 to \$3,795. The gap between what is considered an affordable rent and current market rents is very significant at the very low and low income levels. For example, the gross allowed affordable very low income rent for a two-bedroom unit is just \$969 per month. For a low income two-bedroom unit, the rent is just \$1,163 per month. Affordable rent levels for very low and low income households are about \$800 less per month than what is available in the market. Low and very low income households have more difficulty obtaining affordable housing on the market, which is illustrated in the very high interest that the City receives from individuals looking for affordable rental opportunities in Emeryville and interest in new developments that contain a below market rate rental component. The City maintains a “Housing Interest Notification List” that it provides to developers when they are ready to begin marketing a new project with BMR units. The City’s Housing Interest List has over 3,000 individuals on it who have shown interest in affordable housing opportunities. When new projects open that have low or very low income units, there is strong interest in the projects, and far more people apply for the units than there are units available. For example, over 450 applications were received for the 57 very low income designated units at the Windsor Apartments at Bay Street (formerly called Metropolitan Apartments at Bay Street), and over 80 applications were received for 8 low income units designated at the Avenue 64 rental development.

By contrast, currently the moderate income rents are not significantly different from what is available on the market at the lower end of the range; in fact, in some cases, market rents are less. With maximum allowed moderate income rents ranging from about \$1,600 to \$2,300 per month for studios up through three-bedrooms, on the market, as of early 2009 it was possible to obtain a studio unit for about the same amount, a one-bedroom unit for \$1,423, a two-bedroom for \$1,865, and a three-bedroom for \$1,945.

The Non-Profit Housing Association of Northern California, an affordable housing advocacy organization, produced a resource and membership guide, “Opening New Doors,” which contains analysis of Bay Area housing affordability conditions, looking at the nine Bay Area Counties as well as some metro-area data. This analysis may be found in Appendix B to this Housing Element. Included in the analysis are factors such as:

- In the third quarter of 2006, the annual income needed to purchase the median priced home in the Oakland Metro Area was \$191,000 for the median price of \$560,000.
- In Alameda County, a household must earn \$50,000 to afford a two-bedroom unit at the Fair Market Rent (FMR) which is \$1250 per month.
- In Alameda County, 142 minimum wage work-hours are required per week to afford a two-bedroom unit at the FMR.

Economic Recession and Budget Cuts: The provision of affordable housing in the market is contingent in part on governmental policies and programs that encourage the development of affordable units, as well as the availability and suitability of land for development, availability of financing from both public and private sources, and reasonable construction costs. The nationwide recession that began in late 2007, triggered by the housing foreclosure crisis and ensuing tightening of credit markets, has resulted in a significant downturn in the amount of residential housing and availability of financing for new residential development. Budget cuts at the state and federal levels have reduced the ability to leverage local public funds in affordable housing development which in practical terms reduces the number of affordable units that can be subsidized. Meeting the 579-unit goal for very low, low, and moderate income housing units specified for the 2006-2014 Regional Housing Need Allocation period (which represents 51% of the total 1,137-unit need allocation) will require significant levels of local public subsidy to underwrite the affordable units, as well as leveraging by other state and federal funding sources. As demonstrated in the Government Resources section of this chapter, the Emeryville Redevelopment Agency has a strong track record of supporting and funding very low, low, and moderate income housing through its Low and Moderate Income Housing Fund. However, the potential that redevelopment agencies will be required to shift local redevelopment funds to the State in May 2010 is certain to negatively impact the Agency’s ability to fund as many affordable housing units in the coming years.

Government Resources

Emeryville Housing Policies, Programs, and Financing

The City of Emeryville and Emeryville Redevelopment Agency use a variety of mechanisms to encourage the production of affordable housing at the moderate, low, and very low income levels.

Emeryville Redevelopment Agency. The Emeryville Redevelopment Agency undertakes a variety of projects and programs for the purpose of revitalizing the community and fostering the production of affordable housing. The Agency has two Project Areas in which it focuses its activities – the 1976 Project Area and the Shellmound Project Area. Combined, these areas cover more than 95% of Emeryville’s geographical area. The California Community Redevelopment Law (CRL) requires redevelopment agencies to set aside at least 20% of all tax increment revenues generated within their project areas into a separate Housing Set Aside Fund, or Low and Moderate Income Housing Fund (LMIHF). Funds in the LMIHF must be used for the purpose of increasing, improving or preserving the supply of low and moderate income units within the community. To meet these objectives, agencies may expend funds on land acquisition, building acquisition, construction of new units, on- and off-site improvements, rehabilitation of existing units, a portion of principal and interest payments on bonds, loans and subsidies to buyers or renters, and other programs that meet the stated objectives. In Emeryville, the major source of local public funding for affordable housing is the Emeryville Redevelopment Agency’s LMIHF.

Agency Housing Production Requirements. The California Community Redevelopment Law (CRL) also requires that redevelopment agencies meet affordable housing production requirements, set forth in Section 33413 of the California Health and Safety Code, which covers Agency-built housing and Non-Agency-built housing. Because the Emeryville Redevelopment Agency has not directly produced affordable housing since undertaking the construction of new for-sale housing through the Vacant Housing Program in the 1990s, the Agency tracks its housing production against the requirement for Non-Agency-built housing. Specifically, the CRL requires that 9% of all housing constructed within the redevelopment project areas, regardless of Agency financing, must be designated for low or moderate income households, and 6% must be for very low income households (for 15% total). The CRL requires that redevelopment agencies prepare and update a Ten-Year Housing Compliance Plan every five years in conjunction with preparation of a “Redevelopment Implementation Plan” that describes the programs that will be undertaken by the agency to eliminate blight conditions in the redevelopment project areas. An Agency’s housing production requirements must be met within the ten-year Housing Compliance Plan period. In December 2009, the Emeryville Redevelopment Agency adopted an update to the 2005-2014 Ten-Year Housing Compliance Plan in conjunction with adoption of the 2010-2014 Redevelopment Implementation Plan. The Implementation Plan and Housing Compliance Plan may be found in the Appendices to the Housing Element.

To ensure that the Housing Production Requirement is met over the ten-year Housing Compliance Plan period, the City regularly tracks affordable housing production to measure its achievement of both the redevelopment production requirement as well as attainment of the Regional Housing Need Allocation goals. The City’s Affordable Housing Set Aside Ordinance, discussed previously in this Chapter, includes a requirement that 20% of ownership units be set aside for moderate income households; and within rental projects, 9% of units

must be set aside for moderate income households, and 6% for very low income units, mirroring the State redevelopment law production requirement.

Agency Financial Assistance. The Emeryville Redevelopment Agency implements its affordable housing objectives through a number of mechanisms. This includes: providing direct financial subsidy to private developers to achieve deeper affordability levels through land write-downs, low interest and/or deferred-payment loans, and/or housing grants to support the development of Below Market Rate (BMR) units; providing financial assistance through other Agency programs, such as the Emeryville Housing Rehabilitation Program, the Brownfields Loan and Grant Program which reduces remediation costs for the development; financing public right-of-way infrastructure improvements to support and facilitate the development of the housing; and providing subsidies directly to first-time homebuyers in the form of downpayment assistance loans that fill the gap between the sales price and the buyer's first mortgage.

Over the past decade, particularly during the very strong housing boom in the mid-decade, the gap between market rate housing prices and rents, and those of BMR units, was significant. To increase the financial feasibility of the BMR units, the Redevelopment Agency has provided subsidies from its LMIHF in both the form of developer subsidy as well as downpayment assistance loans. As documented in Table 8 of the 2005-2014 Ten-Year Housing Compliance Plan (see Appendix), between 2005 and 2009, the Agency extended \$8.85 million in Agency housing funds to support the development of 57 new BMR units, an average of \$155,000 per unit. Over the ten-year compliance plan period, the Agency anticipates making \$56.7 million available through its LMIHF, projected bond sales, and leveraged State Programs for downpayment assistance to support the development of 565 BMR units. A fuller description of how the Agency has supported production of affordable housing between 2002 and 2008 through these mechanisms is found in Chapter 4 – Achievement of 2001 Housing Element Goals.

First Time Homebuyers Program. This program provides assistance through low-interest, deferred payment second mortgages to lower to moderate income home buyers purchasing a home in Emeryville. The program provides 1.5 times the buyer's amount, up to 15% of the cost of the home. The amount of the City's loans therefore varies between units. The Redevelopment Agency allocates \$220,000 annually of new funds to the program, and loan repayments are put into a revolving fund to support new loans. The loans through this program are made to purchasers of BMR units created through the City's Affordable Housing Set-Aside Ordinance, and to purchasers of market-rate units. Within the First Time Homebuyers Program are sub-set programs that offer additional assistance to income-eligible teachers in the Emery Unified School District as well as City of Emeryville employees. The program offers loans up to 20% of the purchase price with no downpayment requirement. For Fire and Police Department personnel, due to the City's interest in encouraging them to live in Emeryville, above moderate income individuals may apply for the First Time Homebuyer Program loans.

Ownership Housing Assistance Program (OHAP). This program provides assistance through low-interest, deferred payment second mortgages to low and very low income households purchasing BMR units set aside through the City's Affordable Housing Set Aside Ordinance. Buyers make a 3% downpayment and obtain a first mortgage based on their household income. The Agency's loan fills the gap between the downpayment and the first mortgage loan. For low income buyers, the maximum loan amount is \$110,000; for very low income buyers, the maximum loan amount is \$220,000. Agency LMIHF funds have been supplemented with funds from the State CalHome and the

California Housing Finance Agency (CalHFA) Housing Enabled by Local Partnerships (HELP) Program to provide the Agency's assistance loans at these levels.

In 2004, the City applied for and was awarded a \$1 million grant from the State CalHome Program to augment the Agency's LMIHF funds dedicated to OHAP being used in BMR units as well as for very low and low income buyers purchasing market rate units. In June 2008, the City applied for and was awarded an additional \$900,000 in CalHome funds for these programs. The City was also awarded a \$1.5 million deferred-payment, low interest-rate loan from the CalHFA HELP Program to leverage the Agency's funds in the OHAP Program. The final HELP loans were funded in October 2009; while the CalHome funds are still available as of the writing of this Housing Element.

At the end of each fiscal year, a report is compiled with detailed statistics on the First Time Homebuyer Programs for both market rate and below market rate units. During Fiscal Year 2008/2009, which ended on June 30, 2009, 28 households purchased homes in Emeryville through the Homebuyer Programs, and \$2.2 million in loan funds were expended, of which \$1.4 million was from the Agency LMIHF and \$800,000 was from the HELP Program. The Program included these statistics:

- The average loan amount for all homebuyer loan programs combined was \$83,873, a 37% increase over the prior fiscal year.
- The average household income for homebuyers assisted was \$54,204.:
- 57% of the homebuyers assisted were households below median income.
- Loans made to minority households were 71% of the total loans.
- The average price of units purchased was down 10% from the prior year, to \$295,732.
- The homebuyer programs continue to serve a young age group of homebuyers – 39% were in their 20s.
- Loan repayments contributed \$536,516 to the Program's Revolving Loan Fund during the fiscal year. The City disbursed the balance of the previously awarded \$1 million in CalHome funds and was awarded an addition \$900,000 in CalHome.

City Foreclosure Prevention and Predatory Lending Prevention Strategy. Emeryville has historically had a very low foreclosure rate in its homebuyer programs. Up through Fiscal Year 2008/2009, there have been just two foreclosures on the first mortgage financing out of over 500 households assisted through the City's First Time Homebuyers Program, representing a 0.4% default rate. However, due to the increase in the incidence of foreclosures that began occurring in late 2007, in December of 2007, the City Council adopted an 8-point Predatory Lending Prevention and Foreclosure Prevention Strategy to take a proactive approach to addressing the foreclosure crisis. In implementing the strategy, the City has:

- provided information on its website and made brochures available throughout the City on predatory lending and foreclosure prevention;
- in December of 2007, began tracking properties in foreclosure in Emeryville through RealtyTrac and, as of October 2009, identified 262 properties in some phase foreclosure;

- entered into contracts with non-profit and U.S Department of Housing & Urban Development (HUD)-approved housing counseling agencies to participate in foreclosure workshops and provide free counseling to Emeryville loan program participants;
- contacted all Emeryville property owners who had received Notices of Default (NOD) to provide referral information and warn them of foreclosure scams;
- adopted in Summer 2009 a Declining Market Policy to enable short sales for certain homebuyer loans to avoid foreclosure;
- worked with sixteen Emeryville homeowner program participants who had received NOD's to assist them in avoiding foreclosure by helping them cure their defaults or take advantage of the City's Declining Market Policy, enabling the City to secure over \$1 million in outstanding loan balances and retaining fourteen BMR units in the City's affordable housing stock; and
- organized foreclosure prevention workshop quarterly and coordinated with City of Oakland on two foreclosure workshops at the Oakland Housing Fair in June 2008.

The Strategy has been implemented through 2009 and will continue to be implemented by the City depending on the on-going nature of the foreclosure crisis.

Emeryville Housing Rehabilitation Program. This program offers owners low-interest or deferred payment loans for major rehabilitation and seismic retrofitting, and grants for minor home repairs, exterior painting and clean up. Loans are also made available to rental property owners through Rental Limitation Agreements assuring rental units remain affordable for fifteen years. The allocation of funding for the Emeryville Rehabilitation Program from the Low/Moderate Income Housing Fund was increased from \$100,000 to \$290,000 annually in 2007. The increase benefits both low and moderate-income households. The Program also uses an annual allocation of Community Development Block Grant (CDBG) funds through Emeryville's allocation of CDBG from the Alameda County Urban County. The annual allocation for this program is in the \$40,000 to \$45,000 range. The City also receives program income payments from loan pay-offs and monthly loan payments.

Federal and State Financing Sources

In addition to the Agency's LMIHF, there are funding sources available at the federal and state levels to assist in the development of affordable housing, although the demand for these resources often greatly outweighs the available supply. At the federal level, the U.S. Department of Housing and Urban Development (HUD) oversees many programs, including the Community Development Block Grant (CDBG), the HOME Investment Partnership Program, Section 811 for housing for disabled persons, Section 202 for senior housing, Housing Opportunities for People With Aids (HOPWA) and the McKinney Homeless Assistance Act's Supportive Housing Program and Shelter Plus Care Program. Alameda County Housing and Community Development Department (HCD) is the conduit for the CDBG, HOME and McKinney Programs on behalf of the City of Emeryville. In the past, Emeryville has been very successful in developing affordable housing by leveraging its Redevelopment Housing funds with federal funds.

A major source of affordable housing equity funding is the Low Income Housing Tax Credit. Federal tax credits are allocated through the State of California's Tax Credit Allocation Committee and State housing tax credits are allocated through the California Debt Limit Allocation Committee (CDLAC).

At the State level, there have been more funding resources available during the past decade than were available in the latter half of the 1990s. The State Housing and Community Development Department manages a number of programs using proceeds of the voter-approved housing bonds passed in November 2002 (Proposition 46, which authorized \$2.1 billion in state bonds for housing investment) and most recently in November 2006 (Proposition 1C, which authorized \$2.85 billion in General Obligation bonds to continue several important bond-funded housing assistance programs). With Proposition 1C, programs such as the Multifamily Housing Program (MHP), the CalHome Program, the Multifamily Supportive Housing Program, the Building Equity and Growth in Neighborhoods (BEGIN) Program, and CalHFA's Homebuyer Assistance Program, were funded. Substantial funding for infrastructure related to housing development is available through the State's Transit-Oriented Development Housing Program and Infill Incentive Grant Program, each of which provide funding for infrastructure and housing near transit stations. These programs were funded through Proposition 1C.

The California Housing Finance Agency (CalHFA) administers a number of programs to further affordable housing efforts in the State, including multi-family acquisition and rehabilitation funding, single family development funding, tax exempt and mortgage revenue bonds, and assistance programs (the Housing Enabled by Local Partnerships (HELP) Program). CalHFA also provides a number of loan products for first time homebuyers with favorable interest rates and terms. The City's First Time Homebuyer Program may be used in conjunction with CalHFA's loans. Alameda County HCD administers the Mortgage Credit Certificate (MCC) Program for Alameda County, including Emeryville, which provides a tax credit to subsidize mortgage interest rates for low and moderate income first time home buyers. MCCs are allocated through CDLAC. The City of Emeryville has been successful in applying for and receiving funding awards from both State HCD's CalHome Program and CalHFA's HELP Program.

Priority Development Area Designation. On November 20, 2008, the ABAG Executive Board approved Emeryville's application for Priority Development Area (PDA) designation in conjunction with the FOCUS program to advance the region's Smart Growth Strategy/Regional Liveability Footprint. PDAs are areas that are already developed, near existing transit service, and are planned for more housing. Emeryville's PDA includes the entire city except for the existing lower density neighborhoods and the area west of Interstate 80. Local governments with PDA's will be eligible for technical assistance, planning grants, and capital funding.

Non-Governmental Resources

Developers. The City of Emeryville has worked with both private for-profit and non-profit developers to produce affordable very low, low, and moderate income housing in the city. For-profit and non-profit developers bring their expertise in the area of housing design, finance, site development, marketing, and operations to ensure that high quality housing is produced and maintained in the city. A list of housing developers and resources (non-profit developers, for-profit developers, advocacy organizations, and emergency housing resources) is included in Appendix F.

Lenders. On the private side, the Community Reinvestment Act requires banks to invest in local projects by providing favorable lending terms or programs geared toward investing in traditionally under-served communities. Some banks have established Community Lending

Divisions that have developed strong relationships with the affordable housing industry in the Bay Area. The Federal Home Loan Bank's Affordable Housing Program (AHP) provides grants and loans to subsidize affordability within rental and ownership housing developments. Non-profit lenders such as the Northern California Community Loan Fund, Local Initiatives Support Coalition (LISC), and the California Community Reinvestment Corporation have also provided funding to affordable housing development. Some affordable housing developments have received partial funding from philanthropic organizations and individuals in the community.

Advocacy Organizations. Other non-governmental resources are organizations dedicated to supporting and promoting affordable housing in the Bay Area and in California. The Non-Profit Housing Association of Northern California (NPH) is a nonprofit advocacy group that provides professional training, networking opportunities, and resources for housing policy analysts, advocates and activists. NPH was founded in 1979 with a mission of highlighting the successes of the non-profit housing sector in developing affordable housing and to help guide affordable housing policy solutions. NPH's membership includes individuals, local governments, affordable housing development corporations, leading financial institutions, environmental non-profits, faith-based organizations and community development corporations. Another Bay Area organization is East Bay Housing Organizations (EBHO), which in 2009 celebrated its 25th year. EBHO is an affordable housing advocacy coalition that works with communities in Alameda and Contra Costa counties to preserve, protect and expand affordable housing opportunities through education and advocacy. EBHO's membership is made up of over 140 organizations and individuals, including non-profit housing developers, development consultants, fair housing agencies, tenant organizations, faith-based groups, housing counseling agencies, architects, homeless and tenant advocates and service providers, neighborhood organizations, municipal housing staff, financial institutions and elected officials.

Housing California (HCA) is a statewide non-profit affordable housing advocacy organization dedicated to promoting the housing needs of California by increasing the supply and variety of homes being built. Housing California runs the nation's largest annual statewide housing conference and monitors and sponsors statewide housing-related legislation. A second organization, the California Housing Consortium, was founded in 1997 as an umbrella organization for nonprofit and for-profit developers, lenders, representatives from State and local government agencies, housing professionals and specialists, investors, property managers and owners, residents and business leaders to address a broad range of housing and economic development community needs. Other organizations are also dedicated to a wide range of statewide issues that affect housing, community development, green building and redevelopment. Some of these include the California Redevelopment Association, and the League of California Cities.

CHAPTER 4. ACHIEVEMENT OF 2001 HOUSING ELEMENT GOALS

This chapter outlines the City's achievement with respect to goals, policies, and programs found in the 2001 Housing Element. The period covered in this chapter is January 1, 2002 through December 31, 2008. Each year, the City of Emeryville prepares an annual Progress Report on the Housing Element covering the prior calendar year. This report is approved by the Emeryville City Council and forwarded to the State Department of Housing and Community Development by its annual deadline of April 1st. This chapter represents a summary of the annual Progress Reports.

A. Progress in meeting Regional Housing Need Allocation

The Association of Bay Area Governments (ABAG) releases a Regional Housing Need Allocation (RHNA) for each jurisdiction in the Bay Area. The period that most closely corresponds to the period of this report is the previous RHNA cycle of January 1, 1999 to June 30, 2006. From January 1, 1999 to June 30, 2006, the City issued 1,822 building permits for housing units.

Building Permits Issued during ABAG RHNA Period by Income Level: Jan 1, 1999–June 30, 2006

<u>RHNA Period</u>	<u>Income Level</u>				<u>Total Units Permitted</u>
	<u>Very Low</u>	<u>Low</u>	<u>Moderate</u>	<u>Market Rate</u>	
Total ABAG RHNA Housing Goals	178	95	226	278	777
Building Permits Issued (units)	127	63	172	1460	1,822
Percentage of ABAG Goals Met	71%	66%	76%	525%	234%

The ABAG Executive Board adopted the final current cycle RHNA for Bay Area jurisdictions on March 20, 2008. The RHNA covers the period July 1, 2006 through June 30, 2014 and represents the number of housing units, by income level, for which cities and counties must plan through zoning and other regulatory and programmatic means. The table below shows progress towards the RHNA goals during the current cycle, by income level.

Progress Toward ABAG Housing Goals

	Income Level				Total Units Permitted
	Very Low	Low	Moderate	Market Rate	
Building Permits Issued: 7/1/06-12/31/06	5	6	18	95	124
Building Permits Issued: 1/1/07-12/31/07	0	4	18	123	145
Building Permits Issued: 1/1/08-12/31/08	0	0	0	127	127
Total Building Permits Issued 7/1/06-12/31/08	5	10	36	345	396
ABAG RHNA Housing Goals 7/1/06 – 6/30/2014	186	174	219	558	1137
Percentage of Housing Goals Met in 7/1/06-12/31/08 period as % of 7/1/06-6/30/14 Goal*	3%	6%	16%	62%	35%

* As of 12/31/08, 31.3% of RHNA Goal Period has elapsed.

B. Attainment of housing goals and objectives

1. ACTIONS TAKEN

Goal I. Preserve existing housing stock.

Objective I-A. Promote preservation of existing housing through the Emeryville Housing Rehabilitation Program. Emeryville's Housing Rehabilitation Program will provide funding for 17 projects per year.

In 2002, the City took over administration of the Housing Rehabilitation Program from the Alameda County Housing and Community Development Department and created a new position, the Community Preservation Officer, to manage the program. This program

provides low interest loans and grants to low and moderate income homeowners and to rental property owners who provide a portion of units at affordable levels to low and moderate income households. The Housing Rehabilitation Program funded a total of 103 projects between 2002 and 2008, as follows: 0 in 2002, 11 in 2003, 21 in 2004, 34 in 2005, 13 in 2006, 15 in 2007, and 9 in 2008.

A table showing the types of grants and loans provided, by year, is below.

Housing Rehabilitation Projects by Grant/Loan Type: 2003-2008

<u>Grant/Loan</u>	<u>Year</u>						<u>Total</u>
	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	
Paint Grants	6	12	16	3	6	4	47
Security Bar Grants	1	1	2	0	0	0	4
Accessibility Grants	2	1	5	1	2	1	12
Rehab Loan	1	2	3	6	3	1	16
Minor Home Repair Grants	1	2	2	2	4	3	14
Exterior Clean-up Grants	0	3	6	1	0	0	10
Total	11	21	34	13	15	9	103

Housing Rehabilitation Projects by Grant/Loan Type: 2003-2008

<u>Grant/Loan</u>	<u>Year</u>						<u>Total</u>
	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	
Paint Grants	6	12	16	3	6	4	47
Security Bar Grants	1	1	2	0	0	0	4
Accessibility Grants	2	1	5	1	2	1	12
Rehab Loan	1	2	3	6	3	1	16
Minor Home Repair Grants	1	2	2	2	4	3	14
Exterior Clean-up Grants	0	3	6	1	0	0	10
Total	11	21	34	13	15	9	103

Program I-A-1. Increase funding for the Emeryville Housing Rehabilitation Program on a demand basis up to 50% through a combination of Redevelopment and Community Development Block Grant (CDBG) funds.

The allocation of funding for the Emeryville Rehabilitation Program from the Low/Moderate Income Housing Fund was the same from 2002 to 2006, at \$100,000. In 2007, the Redevelopment Agency approved an increase in funding to the Housing Rehabilitation

Program to \$290,000 annually. The increase benefits both low and moderate-income households, for whom funding is available. The Program also relies on an annual allocation of Community Development Block Grant (CDBG) funds through Emeryville's allocation of CDBG from the Alameda County Urban County. The annual allocation for this program is in the \$40,000 to \$45,000 range. The City does receive program income payments from loan pay-offs and monthly loan payments.

The Non-housing Redevelopment Tax Increment Fund has been used to add the following grant programs, which are available to all property owners regardless of income levels: concrete buyback, wrought iron fence, multi-family façade improvement and graffiti abatement. The graffiti program is also available for commercial properties. The multi-family façade improvement program will use housing funds if properties qualify. Though an interest has been shown in this program by two property owners, no applications have been received to date. An application was received last year (2007), but the property owner opted to withdraw from the program this year.

Program I-A-2. Make all types of rehabilitation loans and grants available to both homeowners and landlords. Make major accessibility grants available to homeowners, and make seismic retrofit loans and minor repair grants available to landlords.

Minor home repair and seismic retrofit grants are for low-income homeowners as they are funded with federal Community Development Block Grants (CDBG) funds, which may only be made available to households up to 80% of the area median income (AMI). The minor home repair grants are very small (\$1,000) and are for repairs such as plumbing, electrical work, locks and broken windows. If more expensive repairs are necessary, the seismic retrofit grant program for owner-occupied units can be supplemented with the owner-occupied loan program.

All other programs (exterior paint grants, accessibility grants, and rehabilitation loans) are open to owners of low and moderate owner-occupied units and to rental property owners who own property occupied by low-to-moderate income tenants. These programs are funded with both CDBG and Redevelopment housing funds, the latter of which can be made available to households up to 120% of AMI.

Program I-A-3. Continue existing marketing and establish new marketing efforts for the Emeryville Housing Rehabilitation Program, directed to landlords and homeowners in the historic residential neighborhoods east of Hollis Street and east of San Pablo Avenue.

The City has marketed the rehabilitation program through Emeryville News (the Chamber's version is now called Emeryville Connection), which the City and Chamber of Commerce send to each resident and business in the city. Staff has marketed the

program at neighborhood meetings. Information on the Rehabilitation Program is also found on the City's website on the Economic Development and Housing Department webpage.

Objective I-B. Maintain and improve existing housing, especially the historic neighborhoods east of Hollis Street and east of San Pablo Avenue.

Policy I-B-1. Continue the Community Preservation Program to improve maintenance of residences in the historic neighborhoods. Provide rehabilitation program information and conduct code inspections on a case-by-case basis.

The City Council's Community Preservation Committee administers this program, assisted by the Community Preservation Officer and City Attorney. The program includes code inspections and cooperation with other city departments to resolve maintenance issues with property owners city-wide. In 2002, a Deputy City Attorney was hired to help with code enforcement. The Community Preservation Committee, supported by interdepartmental staff, meets monthly to track progress with all problem properties.

Program I-B-2. Continue the "Emeryville Is Proud" award program for well maintained residential and commercial properties.

Most properties are well-maintained, and thus, this program was discontinued due to changing conditions. The Program also required significant monitoring of properties to ensure they still met the award criteria, which is difficult with limited staff resources.

Objective I-C. Replace affordable housing that must be demolished as part of a City action.

Policy I-C-1. Continue to review aggregate housing demolition and construction in the City each year, and review the overall housing provision plan to confirm that there will be no net loss through demolition of very low, low and moderate income units.

There was no housing demolition by City action between 2002 and 2004. In 2005, one vacant bungalow was demolished at the corner of Adeline and 36th streets in Oakland by City action, and the Redevelopment Agency is involved in developer negotiations for a new affordable project, the 55-unit Ambassador Homes project (1168 36th Street), which is slated to include affordable units and be completed by 2010/11.

In October 2006, the City adopted an ordinance that requires City Council approval for the demolition of any residential unit. A residential demolition permit must be accompanied by entitlements for the replacement structure (i.e. use permits, design review, and any required variances), which must be approved by the City Council, and the replacement structure must provide at least as many units as are demolished.

A total of five residential units were demolished in 2007. Four houses were demolished as part of the Oak Walk project, and another house was demolished for the Salem Manor project (to be replaced by three units). At the Oak Walk project, nine Below Market Rate units will be designated and completed in 2009 – five single family homes being renovated for moderate income households, and four low income units within the new construction portion of the project. No residential units were demolished in 2008.

Goal II. Promote a variety of housing types and affordability levels.

Objective II-A. Support development of new housing for very low, low and moderate income households to meet Emeryville's fair share allocation of regional affordable housing need, as established by the Association of Bay Area Governments. Develop 104 very low income units and 73 low income units using the Redevelopment Agency's Low and Moderate Income Housing Fund and seeking funding for the remaining units

Emeryville's fair share allocation of regional affordable housing need established by ABAG was 178 very low income units, 95 low income units, and 226 moderate income units for the January 1, 1999 to the June 30, 2006 period. The production targets of the objective (104 very low income and 73 low income) were the projected number of units to be completed during the ABAG period, as listed in Table 11 of the 2001 Housing Element. As noted at the beginning of this chapter under Section A, through 12/31/08, the City issued building permits for 129 very low income units, 73 low income units, and 208 moderate income units. In terms of the goal of this objective, the City has exceeded its very low income goal by 25 units and has met its low income goal.

Policy II-A-1. Make very low and low income housing a priority for use of the Redevelopment Agency's Low and Moderate Income Housing Fund (LMIHF).

The Redevelopment Agency's Ownership Housing Assistance Program (OHAP) is a downpayment assistance program that provides low-interest, deferred payment second mortgages to low and very low income households purchasing units set aside through the City's Affordable Housing Set Aside Ordinance. In 2002, through OHAP, the Agency used \$550,000 of the LMIHF to fund five low income units in Oliver Lofts and \$990,000 of LMIHF to fund nine low income units in the Terraces project. In 2003, \$550,000 was allocated to Liquid Sugar Town Homes for 5 low income units through OHAP. In 2005, \$660,000 of OHAP funds were appropriated for 6 low income units within Christie Park Towers and \$550,000 was appropriated for 5 low income units within 1401 Park Avenue Condominiums (this project was subsequently marketed as a rental project and a new Affordability Agreement was executed between the City and developer requiring three very low income rental units). During 2006, funds were appropriated from the LMIHF through OHAP for the following projects: Andante Phase II (5 low income units, \$550,000), Green City Lofts (\$300,000 for 3 low income

units), and Glashaus Lofts (\$1.76 million for 5 very low income and 6 low income units). In 2007, \$440,000 was allocated through OHAP to fund 4 low income units in the new construction portion of the Oak Walk Project. During 2008, \$330,000 in OHAP funds was also allocated for 9 low and moderate income units in the Vue46 project.

Projects not funded through OHAP but which include a low or very low income affordability component include: Andante Phase I (completed in 2004), to which the Agency provided a \$1 million land write-down to enable the provision of 10 units at below market rate prices affordable to low income households, Artisan Walk (1 low income unit), and the Windsor Apartments at Bay Street (formerly called the Metropolitan Apartments at Bay Street) (completed in 2006) in which 57 very low income units were financed through multi-family housing bonds leveraged by the Agency's LMIHF.

4001 Adeline Four-Plex Project: In December 2008, the Redevelopment Agency approved an Exclusive Right to Negotiate Agreement with Housing Consortium of the East Bay (HCEB) to renovate a four-plex for five studio units serving very low income households with developmental disabilities. It is contemplated that a Disposition and Development Agreement will be prepared for consideration by the Agency in 2009 to convey the four-plex property through a land write-down and additional housing subsidy to enable the project to commence construction.

Housing Compliance Plan: In October 2007, the Agency adopted a mid-cycle amendment to the Ten-Year Housing Compliance Plan covering the period 2005 through 2014. This document outlines the Agency's projected expenditures and programs for the Housing Compliance Plan period, and includes several projects to be implemented over the period that will contain low and very low income units. The Housing Compliance Plan also demonstrates, in compliance with the State Community Redevelopment Law, that the Agency will spend its Low and Moderate Income Housing Fund dollars for very low and low income households in at least the same proportion as the Regional Housing Need Allocation (RHNA) assigned for the City of Emeryville. The Agency's 2007-2014 RHNA for very low income category is 16% of the total allocation of 1,137 units – during the Agency's ten-year Housing Compliance Plan period, it is expected to spend 50% of its funding availability for this income level. The RHNA for the low income category is 15% of the total allocation; the Agency's projected ten-year expenditures for this income level are 22% of its total resources.

Policy II-A-2. Include some low and very low income housing in Redevelopment Agency assisted development projects whenever feasible.

Oliver Lofts and the Terraces at EmeryStation were built in 2002. Oliver Lofts includes 5 low income and 5 moderate income units. The Terraces include 9 low income and 11 moderate rate apartments.

In 2003, the Liquid Sugar Loft project was completed. This development includes 5 low income and 6 moderate income units.

The City Limits condominium project was completed in 2005 and included 4 low income units. The Agency appropriated down payment assistance in the amount of \$440,000 to provide down payment assistance loans for the buyers of this project. In addition, this project included 5 units for sale to moderate income households.

Projects completed in 2006 with low or very low income units included: the Andante condominium development at 1121 40th Street (5 low income units), the Metropolitan Apartments at Bay Street (57 very low income units), the Artisan Walk condominium development at 6549 San Pablo Avenue (1 low income unit), and the Green City Lofts condominium development at 4050 Adeline Street (3 low income units).

In 2007, projects completed include Avenue 64, with 8 low income units; Vue 46 with 3 low income units; and Icon at Park Avenue with 3 low income units, located at 1401 Park Avenue.

Projects completed in 2008 with low or very low income units included: Glashaus Lofts, with 5 very low income ownership units and 2 low income ownership units. Projects considered under construction during 2008 include the Oak Walk Project, with 4 low income units; and Adeline Place, with 3 low income units.

Program II-A-3. Continue funding for the Vacant Housing Program, which provides first-time home buyer opportunities for low and moderate-income households.

The Vacant Housing Program (also known as the Infill program), which was a Redevelopment Agency-funded and developed first-time homebuyer housing program, has become obsolete as the private sector has taken the main initiative to renovate residential properties and construct infill housing. The last Vacant Housing Program units were developed in 1998.

Program II-A-4. Expand the First-Time Homebuyers Program to provide 1.5 times buyer's down payment up to 15% of purchase price for low and moderate-income households.

In January of 2001, the First Time Homebuyers Program guidelines were amended to include this program provision, and between 2002 and 2008, 148 loans were made.

In 2008, the City implemented its “Foreclosure Prevention and Predatory Lending Prevention Program”, a program which is continuing to be implemented in 2009. This program was adopted by the Emeryville City Council in December 2007 in response to the growing incidence of foreclosures throughout the region in late 2007. The City’s strategy includes providing information and referral information to property owners who are in default, tracking foreclosure data, convening workshops for homeowners on foreclosure prevention, providing free housing counseling to Emeryville residents who are participants in a City homebuyer or rehabilitation loan program who having difficulty making their mortgage payments or are in default on their first mortgages, updating the City’s website to include relevant information and referrals to federally approved housing counseling agencies, distributing information throughout the City and at City Hall, and working with other local jurisdictions, the Emeryville Chamber of Commerce, and local mortgage lenders to do community outreach and education.

Program II-A-5. Leverage State and Federal funding programs to maximize the number of affordable units and/or the number of units available to low and very low income households, whenever possible.

The Windsor Apartments at Bay Street (originally called Metropolitan Apartments at Bay Street) were able to obtain an allocation of federal Low Income Housing Tax Credits and multi-family housing bonds to provide 57 very low income units in the 284 project.

The City applied for and received a \$1 million grant from the State Housing and Community Development Department CalHome Program and a \$1.5 million loan from the CalHFA HELP Program in 2005. These programs were used to provide \$30,000 silent second, down payment assistance loans in combination with funding from the Agency’s LMIHF (\$80,000 for low income buyers, and \$190,000 for very low income buyers) for combined loans of up to \$110,000 for low income buyers, and \$220,000 for very low income buyers. The CalHome funds were completed expended as the end of 2008. During 2007, the first HELP loans were funded: one within the Andante Phase II project, and one within Artisan Walk. There were five CalHome loans and two HELP Program loans funded in 2007. The City did not receive any new State or Federal funding in 2007.

In 2008, the City applied for and received a new \$900,000 grant from the State Housing and Community Development Department CalHome Program. The CalHome and HELP programs are currently being used to provide \$58,000 silent second, down payment assistance loans in combination with funding from the Agency’s LMIHF (\$52,000 for low income buyers and \$162,000 for very low income buyers) for combined loans of up to \$110,000 for low income buyers and \$220,000 for very low income buyers. During 2008, eight HELP loans were funded: three in Vue 46, two in Glashaus phase II, two in the Terraces at EmeryStation, and one in Oliver Lofts. The CalHome 2008 award was not yet available in 2008. It is anticipated that the HELP loan will be completely expended by the end of 2009.

Program II-A-6. Encourage and facilitate the conversion of underutilized industrial sites to mixed-use or residential projects that

include low and very low-income units.

The City has used assessment loans, grants, and cleanup loans, along with a City consultant, to expedite hazardous material review and assist for-profit developers in developing residential projects on former industrial sites. The City has negotiated low-income units in several such conversion projects.

Projects completed in 2002 include Oliver Lofts, a former rubber plant, which contains 5 low-income ownership units, and Terraces at EmeryStation, a former Chevron above-ground tank facility, which includes 9 low-income ownership units. Liquid Sugar Lofts, on the site of a former molasses and syrup manufacturing facility, was built in 2003 and contains 5 low-income ownership units.

Built in 2004, the Courtyards, formerly Ryerson Steel, includes one very low income rental unit; Elevation 22, formerly Becker Construction Services and Industrial Gas, includes 7 low-income ownership units; and Andante Phase I, former King Midas card room and the site of a rail line, includes 10 low-income ownership units (Andante Phase II was completed in 2006 and contains 5 low-income ownership units).

City Limits, completed in 2005, was formerly Fabco, an automobile component manufacturer. This project contains 4 low-income ownership units.

Projects completed in 2006 included the Metropolitan Apartments at Bay Street, a former steel and paint pigment manufacturing site, which includes 57 very low-income rental units; Green City Lofts, a former paint manufacturing site, which includes 3 low-income ownership units; and Artisan Walk, a former drum recycling facility, which includes 1 low-income ownership unit.

In 2007, projects completed included Vue 46, a former Flecto paint factory, which includes 3 low income units; and the Avenue 64 project, a former PG&E site, which includes 8 low income units.

Projects completed in 2008 included Glashaus Lofts, a former machinery plant, with 5 very low and 2 low income units, built on a former brownfield site; and Icon at Park Avenue, with 3 very low income units. The remediation of the Icon at Park Avenue site, previously used as a plating facility, involved groundwater treatment and was capped with an impervious surface.

Set for completion in 2009 is the Oak Walk project, built on a former brownfield, which includes 4 low income units in the new

construction portion and five renovated single family homes along 41st Street.

Objective II-B. Amend the Zoning Ordinance to better facilitate the development of affordable housing, and retain existing affordable housing policies.

Policy II-B-1. Within a year after adoption of this Housing Element, change the regulations for multiple-use projects so that the Planning Commission may choose to exempt residential square footage from the floor area ratio (FAR, ratio of floor area to site area) calculations for a project, with a Conditional Use Permit. The revised regulation could include findings necessary to grant such an exemption, such as transit access or a mechanism to reduce the number of automobiles per unit.

This policy was implemented. In November of 2002, the Zoning Ordinance was amended to allow residential space exemption from the FAR in multiple use projects.

Policy II-B-2. Maintain the Affordable Housing Set-Aside Ordinance, requiring projects with 30 units or more to provide 20% of the units affordable to moderate, low or very low income households.

The Affordable Housing Set-Aside Ordinance has been maintained. It was revised in 2002 to reflect state legislation regarding increasing the term of income restrictions to 45 years for ownership units and to 55 years for rental units. In June 2008, the City Council approved a revision to the Ordinance that stipulates that rental projects of thirty or more units include six percent (6%) of the total project units as designated very low income BMR units, and nine percent (9%) of the total project units as designated moderate income BMR units. This represents a revision from the previous requirement that twenty percent (20%) of the total project units be designated at the moderate income level. Projects of thirty or more units that are approved by the Planning Commission have language included in the project Conditions of Approval requiring the applicant to comply with the Ordinance.

Policy II-B-3. Continue the affordable housing density bonus, and Group Residential and Group Care as conditionally permitted uses. Within a year after adoption of this Housing Element, list emergency shelter and transitional housing in the definition of Group Residential.

In November of 2002, the Zoning Ordinance was amended to list emergency shelter and transitional housing in the definition of Group Residential. In June of 2006, the Zoning Ordinance was amended to add Group Care as a conditionally permitted use in the I-L zone.

Objective II-C. Encourage a variety of housing types and settings, energy efficiency and water conservation.

Policy II-C-1. Encourage non-traditional group housing, live-work units and housing in multiple-use projects and mixed-use areas.

Projects Built 2002-2008

Live/Work Loft Projects

<u>Project Name</u>	<u>Year Built</u>	<u>Total Number of Units</u>	<u>Live/Work</u>
Oliver Lofts	2002	50	12
Key Route Lofts	2005	22	7
Icon Park Avenue	2007	54	11
Glashaus Lofts	2008	48	3

Since 2002, 33 live/work units have been constructed in Emeryville: 12 in Oliver Lofts (built in 2002), 7 in Key Route Lofts (built in 2005), 11 in Icon Park Avenue (built in 2007), and 3 in Glashaus Lofts (built in 2008).

Mixed-use projects completed between 2002 and 2008 include: Andante Phase I (102 units over retail), The Courtyards (331 units over commercial), Elevation 22 (70 units with ground floor commercial space), Bay Street Site A (95 condos and 284 rental apartments over retail), Andante Phase II (part of the Andante Phase I project which includes 125 units total over retail), Icon Park Avenue (54 units with a café on the ground floor), Vue 46 (45 dwelling units with approximately 3,000 sq. ft. of retail/commercial space at the 46th Street and Adeline Street), and Glashaus Lofts Townhouse Phase (live-work units and a café on the ground floor). Under construction in 2008 were Glashaus Lofts Podium Phase (live-work units with café on ground floor), Adeline Place (36 units over 2,400 sq. ft. of retail), and Oak Walk Mixed Use Project (residential/commercial mixed use development with 5,500 square feet of retail space).

Policy II-C-2. Encourage residential and live-work development in industrial areas where appropriate.

Between 2002 and 2008, all residential and live-work developments were built on former industrial sites, including Oliver Lofts, Terraces at EmeryStation, Liquid Sugar Town Homes, Courtyard Apartments, Elevation 22 Town Homes, City Limits Town Homes, Windsor Apartments at Bay Street (formerly called the Metropolitan), Bay Street One Condominiums, Green City Lofts, Artisan Walk, Avenue 64, Vue 46, Icon Park Avenue, and Glashaus Lofts.

Policy II-C-3. Encourage energy-efficient, water-conserving construction.

The City now requires project plans at the planning approval and building permit stage to show which of Build it Green's Greenpoint Rating Checklist items or the appropriate LEED checklist items the project follows. The City has adopted Bay-Friendly Landscaping and LEED for its own projects and landscapes. These would apply to private projects for landscaping in the public right of way, as well as projects involving the Redevelopment Agency.

Goal III. Promote housing for special needs groups.

Objective III-A. Support development of affordable housing for single-parent families in transition, people with AIDS, seniors, large families, disabled people, and artists who have very low, low and moderate incomes. Ways to support housing for special needs groups include providing funding and technical assistance for the development of housing and the establishment of cooperatives.

Program III-A-1. Support development of service-enriched transitional housing for single-parent families who have been displaced by economic problems or domestic violence.

No action has been taken.

Program III-A-2. Support the inclusion of Shelter-Plus-Care units (rent-assisted units for people with mental illness, substance abuse and/or AIDS-related illness) in some multi-unit projects. These units could be combined with other programs, and could be used to meet part of the 20% Affordable Housing Set-Aside requirement.

No action has been taken.

Program III-A-3. Support development of affordable 3- to 4-bedroom units for large families (families with five or more members) in appropriate projects.

The Courtyards, a 331 unit project with three affordable 3-bedroom units, was built in 2004. In 2006, Artisan Walk was constructed, which contained three affordable 3-bedroom units. Among projects currently under construction, the 53-unit Oak Walk Mixed Use

project includes seven 3-bedroom units. In 2008, permits were issued for a project on 1260 64th Street, comprised of two 3-bedroom units. The Ambassador Homes Project, which had been delayed to a billboard easement litigation matter, is beginning predevelopment work again since the billboard matter was settled. The developer is anticipating development of a 100% affordable, multi-family rental development with a significant portion of larger-sized units to accommodate large families. The City's Housing Committee and Planning Commission continue to support projects that contain larger units and encourage developers to include a greater percentage of larger sized units.

Projects Built 1999-2009

Housing Projects with Affordable and 3-bedroom Units

<u>Project Name</u>	<u>Year Built or Anticipated Completion</u>	<u>Tenure</u>	<u>Total Number of Units</u>	<u>Total Number of Affordable Units</u>	<u>Number of Affordable 3 bedrooms</u>
The Courtyards	2004	RENT	331	63	3
Artisan Walk	2006	OWN	6	6	3
Icon at Park Avenue	2007	RENT	54	3	1
Ambassador Homes	2009	OWN	55	TBD	TBD
Glasshaus Lofts					
Townhomes & Podium	2008	OWN	145	29	2
Oak Walk Mixed Use	2009	OWN	53	9	0
1260 64th Street	2009	OWN	2	0	0

Program III-A-4. Support development of affordable housing for disabled people in small households.

The Courtyards at 65th includes 63 units restricted through the City's Affordable Housing Set Aside Ordinance, of which 3 are reserved for developmentally disabled households. One unit was leased in 2005, and the last two were leased in 2006. In 2008, the Redevelopment Agency issued a Request for Qualifications and Proposals for an Agency-owned four-plex property at 4001 Adeline Street to solicit proposals for its redevelopment as affordable rental housing. In late 2008, the Agency entered into an exclusive Right to Negotiate Agreement with Housing Consortium of the East Bay to renovate the four-plex as five studio units serving single-person households with developmental disabilities. The ground floor units will be made fully accessible and targeted to developmentally disabled people who have physical disabilities. This project is located at a major bus hub.

Program III-A-5. Support the development of affordable housing including Shelter-Plus-Care units for people with AIDS-related illness.

No action has been taken.

Program III-A-6. Support development of affordable assisted-living and independent senior housing.

The City approved AgeSong Assisted Living project in 2006, which will include 121 assisted living units, 28 independent living units, a dining room, and publicly accessible café. None of the units are required to be classified as affordable under the provisions of the City's affordable Housing Set-Aside Ordinance.

Program III-A-7. Support development of transitional housing for veterans with physical disabilities, mental disorders and substance abuse problems.

No action has been taken.

Program III-A-8. Support development of affordable live-work space for artists.

Icon Park Avenue includes one live-work unit available for low income households; this project was completed in 2007.

Objective III-B. Support assistance for veterans, teachers and public safety employees in obtaining housing in Emeryville.

Program III-B-1. Support assistance for veterans with physical disabilities, mental disorders and substance abuse problems to live in residential treatment centers, supervised work settings, or transitional or permanent housing.

No action has been taken.

Program III-B-2. Offer additional home loan assistance to low and moderate income Emery Unified School District teachers, and moderate income Emeryville Police and Fire Department staff. Actively pursue funding to assist with this program.

The City offers favorable homebuyer loan terms for teachers in the Emery Unified School District and all city employees by waiving the down-payment requirement, offering deferred payment loans up to 20% of the purchase price, and waiving the first time homebuyers requirement. There have been a total of three loans to City of Emeryville staff, two in 2006 and one in 2007.

Goal IV. Promote equal opportunity in housing.

Objective IV-A. Prevent and redress discrimination based on race, color, ancestry, national origin, religion, familial status, sex, marital status, sexual orientation, age, disability or source of income.

Program IV-A-1. Continue to have a contract with Housing Rights or another fair housing counseling organization to provide fair housing counseling, tenant-landlord mediation, public education and legal referrals.

Through its participation as a member of the Alameda County Urban County, an entitlement jurisdiction for federal Community Development Block Grant funds, the City enters into a contract annually with Berkeley-based Housing Rights, Inc. to provide fair housing services to Emeryville residents.

Program IV-A-2. Effectively market the availability of the fair housing counseling service through a variety of means.

The counseling service is advertised on the public service television channel and in local periodicals. Information is also available in City Hall reception area and on the Economic Development and Housing Department's webpage under Community Resources.

2. EFFECTIVENESS AND OUTCOMES

Goal I. Preserve existing housing stock.

The City offers a wide range of grant and loan programs through the Housing Rehabilitation Program with the goal of preserving the City's older, existing housing stock. Between 2002 and 2008, the City assisted with improvements to 103 dwelling units.

One dwelling unit was demolished in 2005 on the Agency-owned parcel slated for development as the 55-unit Ambassador Homes project. In 2007, 5 residential units were demolished, including one house for the Salem Manor project, which will be replaced by three units, and five units were demolished for the Oak Walk project. Through an Owner Participation Agreement entered into between the Redevelopment Agency and the developer of the Oak Walk project in 2007, the developer is renovating five single family houses which will be sold as first time homebuyer housing to moderate income households. The developer was also required to relocate a four-plex building to an Agency-owned site at 4001 Adeline Street.

In October 2006, the City adopted an ordinance that requires City Council approval for the demolition of any residential unit. Under the ordinance, issuance of a residential demolition permit requires the concurrent approval of a replacement structure (i.e. use permits, design review, and any required variances). The replacement structure must provide at least as many units as are demolished.

Goal II. Promote a variety of housing types and affordability levels.

The City has a strong record of expanding its housing supply and will continue to support development of a wide range of housing types and affordability levels in the coming years. During the previous ABAG RHNA period (January 1, 1999 to June 30, 2006), 1,822 units were added to the City's housing stock, including townhouses, lofts, senior apartments, live/work units, and traditional condominiums. The individual projects are listed in Table 50 at the end of Chapter 2 of this Housing Element.

As described at the beginning of this chapter under Section A, from July 1, 2006 through December 31, 2008, 396 residential units have been produced in Emeryville. All projects of 30 or more units must comply with the City's Affordable Housing Set Aside Ordinance.

Goal III. Promote housing for special needs groups.

The Courtyards at 65th apartment project includes 3 units for developmentally disabled households. In 2006, the City approved AgeSong Assisted Living project, which will feature 121 assisted living units, 28 independent living units, a dining room, and publicly

accessible café. The City will consider any proposals that are made for special needs housing. The 2009-2014 Housing Element contains a number of new policies and programs specific to support of special needs housing.

Goal IV. Promote equal opportunity in housing.

Anti-discrimination clauses are standard in the City and Agency's agreements with housing developers, and failure to comply with fair housing laws is a violation of the City and Agency's agreements. The City, through its participation in the Urban County, contracts with Housing Rights, Inc. to provide fair housing counseling services to both tenants and landlords. Housing Rights, Inc.'s services include housing rights counseling, tenant/landlord mediation, attorney and small claims court referral, and housing discrimination investigation.

C. Progress toward mitigating governmental constraints identified in the housing element.

The Zoning Ordinance was amended in November 2002, changing the regulations for multiple-use projects to exempt residential square footage from the floor area ratio with a Conditional Use Permit and listing emergency shelter and transitional housing in the definition of Group Residential. It was further amended in June of 2006 to add Group Care as a conditionally permitted use in the I-L Zone.

CHAPTER 5. GOALS, OBJECTIVES, POLICIES AND PROGRAMS

This chapter presents the goals, objectives, policies and programs that will be implemented during the housing element period. The Housing Action Program outlined in Chapter 6 identifies the implementing department, implementation action, funding source, funding level, and measurable outcome for each of these policies and programs. These goals, objectives, policies and programs are consistent with the other elements of the General Plan.

Goal I. Preserve existing housing stock.

Objective I-A. Promote preservation of existing housing stock through the Emeryville Housing Rehabilitation Program.

Program I-A-1. Continue support of the Emeryville Housing Rehabilitation Program through Redevelopment Agency funding and allocation of a portion of Emeryville's annual federal Community Development Block Grant (CDBG) funds.

Program I-A-2. Conduct annual review of Emeryville Housing Rehabilitation Program and projected program demand for next fiscal year.

Program I-A-3. Continue existing marketing and establish new marketing efforts for the Emeryville Housing Rehabilitation Program through regular updates to the City's website, participation at community-wide events, and annual, targeted mailings to landlords and homeowners in the City's older residential neighborhoods.

Objective I-B. Maintain and improve existing older housing stock, especially the older residential housing located in the Triangle neighborhood east of San Pablo Avenue and the Doyle Street neighborhood located east of Hollis Street.

Program I-B-1. Continue administration of the Community Preservation Program and the Community Preservation Committee to encourage and improve maintenance of single and multi-family residences in the older residential neighborhoods. Provide rehabilitation program information and conduct code inspections on a case-by-case basis.

Policy I-B-2. Retain and continue implementing the Residential Preservation Ordinance, which requires Council approval for demolition of residential structures.

Objective I-C. Minimize the loss of affordable units and displacement of residents of lower and moderate income through implementation of State Community Redevelopment law provisions relating to replacement housing and relocation.

Policy I-C-1. Continue to review aggregate housing demolition and construction in the City each year through the annual Redevelopment Agency report submitted to the State Department of Housing and Community Development.

Policy I-C-2. Ensure that a replacement housing plan is implemented in connection with any loss of residential units housing lower or moderate income persons as a result of a specific Redevelopment Agency-sponsored or assisted project.

Policy I-C-3. Ensure that state relocation law is applied as required in connection with a specific Redevelopment Agency-sponsored or assisted project as required.

Goal II. Promote a range of affordability levels.

Objective II-A. Ensure that the Zoning Ordinance continues to facilitate the development of affordable housing.

Policy II-A-1. Ensure that sufficient sites are zoned in the City to allow for the development of the City's overall fair share allocation of regional affordable housing need.

Policy II-A-2. Incentivize the provision of extremely low, very low, low, and moderate income housing in conjunction with the revision to the Density Bonus Ordinance to ensure compliance with State Density Bonus law.

Policy II-A-3. Revise the City's Zoning Ordinance to ensure that the requirements for secondary units are consistent with State law.

Policy II-A-4. Continue implementation of the Affordable Housing Set-Aside Ordinance to ensure inclusion of Below Market Rate Units in residential projects of 30 or more units.

Objective II-B. Support new housing opportunities for extremely low, very low, low and moderate income households.

Policy II-B-1. Make extremely low, very low, and low income housing a priority for use of the Redevelopment Agency's Low and Moderate Income Housing Fund.

Policy II-B-2. Include extremely low, very low, and/or low income housing in Redevelopment Agency-assisted development projects whenever feasible.

Policy II-B-3. Where feasible, consider a reduction in the moderate income inclusionary percentage requirement on development projects subject to the City's Affordable Housing Set Aside Ordinance to support the inclusion of extremely low, very low, and/or low income units.

Program II-B-4. Continue funding of the City's First Time Homebuyer Program and Ownership Housing Assistance Program through Redevelopment funds to ensure that downpayment assistance can be provided to support homeownership opportunities for very low, low, and moderate income households purchasing homes in Emeryville.

Policy II-B-5. Leverage State and Federal funding programs to maximize the number of affordable units available to low and very low income households, whenever possible.

Program II-B-6. Coordinate with the Housing Authority of Alameda County to link Emeryville Section 8 Program participants in its Family Self-Sufficiency Program with homeownership opportunities in Emeryville.

Objective II-C. Sustain affordable housing availability for existing participants in the City's Below Market Rate and Market Rate First Time Homebuyers Program.

Program II-C-1. Continue implementation of the City Foreclosure Prevention and Predatory Lending Prevention Strategy so long as required during the Bay Area foreclosure crisis.

Goal III. Promote development of affordable housing for persons with special needs.

Objective III-A. Support development of affordable housing for disabled people, people living with HIV/AIDS, single-parent families, and seniors who are extremely low, very low, low or moderate income.

Policy III-A-1. Encourage the inclusion of extremely low and very low income affordable set-aside units for people living with physical and/or developmental disabilities in projects subject to the City's Affordable Housing Set Aside Ordinance. Ensure that support services are provided to tenants of these units.

Policy III-A-2. Encourage the inclusion of Shelter-Plus-Care units (rent-assisted units for dually-diagnosed people with mental illness, substance abuse and/or AIDS-related illness) in projects subject to the City's Affordable Housing Set Aside Ordinance or as set-aside within new Agency-sponsored affordable rental developments. Ensure that support services are provided to tenants of these units.

Policy III-A-3. Support the development of Residential Care Facilities for the Elderly (RCFE) and independent senior housing developments.

Policy III-A-4. Continue to support the County-wide long-range effort to prevent and end homelessness, the “EveryOne Home—Alameda Countywide Homeless and Special Needs Housing Plan”, and monitor the Plan’s progress through City participation in collaborative groups such as the EveryOne Home Leadership Board, the Alameda County Urban County Technical Advisory Committee, and the Alameda County HOME Consortium Technical Advisory Committee.

Goal IV. Ensure that the City has a variety of housing types to meet the diverse needs of its residents as well as attract new residents.

Objective IV-A. Ensure that the Zoning Ordinance facilitates the development of a variety of housing types.

Policy IV-A-1. Continue support of residential mixed use development through broader General Plan and update of zoning regulations.

Policy IV-A-2. Continue allowing development of live/work units as conditionally permitted in the light industrial and mixed use zones.

Policy IV-A-3. Encourage new developments to provide unit types for which there is an identifiable gap in Emeryville’s housing stock.

Policy IV-A-4. Revise the Zoning Ordinance to be in compliance with Senate Bill 2, effective January 1, 2008, requiring establishment of a zoning district allowing emergency shelters without a conditional use permit or other discretionary approval and ensuring that transitional and supportive housing developments are considered as a residential use of property subject only to those same restrictions that apply to other residential uses of the same type in the same zone.

Policy IV-A-5. Revise the Zoning Ordinance to clarify that group homes and residential care facilities for six or fewer residents be subject only to those same restrictions that apply to other single family uses.

Policy IV-A-6. Revise the Zoning Ordinance to allow exemptions from design review for projects with a negligible visual impact, and to reduce the level of review to minor design review for one- and two-unit residential buildings and accessory dwelling units.

Policy IV-A-7. The City adopted an update of its General Plan including new General Plan Designations on October 13, 2009. The capacity assumptions for sites included in Table 3-3 are based on the newly established General Plan designations

and interim zoning classifications. To ensure sites in the inventory are adequate to accommodate the City's regional need, the City will amend zoning to adopt the interim densities as identified in the sites inventory.

Objective IV-B. Promote opportunities for affordable housing that serves locally identified target groups, including teachers of the Emery Unified School District, City personnel, families with children, and artists/craftspeople.

Program IV-B-1. Continue special homebuyer assistance terms through the City's First Time Homebuyer Program which provides zero-percent down, downpayment assistance loans up to 20% of the purchase price to very low income to moderate income teachers in the Emery Unified School District for both market rate and below market rate units.

Program IV-B-2. Continue special homebuyer assistance terms through the City's First Time Homebuyer Program which provides zero-percent down, downpayment assistance loans up to 20% of the purchase price to City of Emeryville employees who are any income for market rate units and very low to moderate income for below market rate units.

Policy IV-B-3. Encourage provision of set-aside below market rate units for teachers and employees of the Emery Unified School District where feasible in new residential development subject to the City's Affordable Housing Set Aside Ordinance.

Policy IV-B-4. Promote housing designs to attract families with children by encouraging developers to include larger unit sizes (two-, three-, and four-bedroom units) as well as other on-site amenities such as usable outdoor open space, play equipment for a variety of ages, community rooms, and multi-purpose rooms that can be utilized for after-school homework clubs, computer, art, or other resident activities.

Program IV-B-5. Consider development of affordable housing development specifically designed to attract families with children and collaboration between Redevelopment Agency and non-profit developer with expertise in this area of affordable housing development to implement such a development during the course of the housing element period.

Policy IV-B-6. Ensure that new residential developments that include a set-aside of below market rate live/work units conduct targeted marketing to artists and craftspeople to foster occupancy of these affordable below market rate live/work units by artists/craftspeople.

Program IV-B-7. Encourage development of affordable live-work space for artists and craftspeople.

Goal V. Maintain and expand activities designed to prevent those currently housed from becoming homeless and to assist those who are homeless.

Objective V-A: Support activities to assist Emeryville residents who are at-risk of homelessness or are homeless.

- Program V-A-1. Continue providing funding through Emeryville's allocation of Community Development Block Grant funds to support the Berkeley Food and Housing Project's shelters, transitional housing, and Multi-Service Center to provide housing, meals and other support services to homeless individuals who have resided in Emeryville.
- Program V-A-2. Continue providing information at City Hall and through City's website on resources available for emergency housing assistance.
- Program V-A-3. Improve City departmental coordination to ensure that information on resources is made available to assist Emeryville families and households at-risk of homelessness.
- Program V-A-4. Improve coordination between the City and Emery Unified School District to determine if there are families who may be at risk of homelessness to provide resource and housing referrals.
- Program V-A-5. Assist in the development of affordable rental units serving extremely low income households within Redevelopment Agency-sponsored rental developments whenever feasible. Support projects that provide services to tenants of these units.

Goal VI. Promote equal opportunity in housing.

Objective VI-A. Prevent and redress discrimination based on race, color, ancestry, national origin, religion, familial status, sex, marital status, sexual orientation, age, disability or source of income.

Program VI-A-1. Through participation in the Alameda County Urban County Community Development Block Grant Entitlement jurisdiction, continue to contract with Housing Rights, Inc. or another fair housing counseling organization on an annual basis to provide fair housing counseling services, tenant-landlord mediation, public education and legal referrals for Emeryville resident tenants and landlords.

Program VI-A-2. Continue effective marketing of the fair housing counseling service provided through Housing Rights, Inc. or another fair housing counseling organization through a variety of means, including public information available at Emeryville City Hall, on the City's website, and at community-wide events.

Program VI-A-3. Require that developers include language stating that they provide equal opportunity in housing in their marketing materials for below-market-rate units provided through the City's Affordable Housing Set Aside Ordinance.

Program VI-A-4. Include appropriate equal opportunity and anti-discrimination language in all contractual agreements that the City and/or Emeryville Redevelopment Agency enter into with developers pertaining to housing, such as Agreements on Affordable Units, Resale Restriction Agreements, Disposition and Development Agreements, and Owner Participation Agreements.

Program VI-A-5. Continue Accessibility Grant Program through the Emeryville Housing Rehabilitation Program to provide grant assistance to lower income households with disabilities.

Goal VII. Promote environmental responsibility and long-term sustainability of City’s housing development through remediation of brownfields and promotion of “green” and “healthy” housing development.

Objective VII-A. Encourage the remediation of former industrial sites through public-private partnerships and Redevelopment Agency assistance.

Program VII-A-1. Continue Agency grant and loan program, “Capital Incentives for Emeryville’s Redevelopment and Remediation” (CIERRA) to provide financial, technical, and regulatory assistance to property owners and developers seeking to assess and remediate their housing development sites.

Program VII-A-2. Continue seeking outside funding opportunities to leverage the Agency’s funding for site remediation at Agency-sponsored housing and mixed use developments, thereby increasing the financial feasibility of the projects.

Objective VII-B. Ensure that the City and Redevelopment Agency review and permitting process encourages “green” and “healthy” housing development, defined as clean indoor air and conservation of energy, water, and building materials.

Policy VII-B-1. Continue requirement that developers complete the appropriate GreenPoint Rated or LEED Checklist as part of their submittal to the Emeryville Planning and Building Department.

Policy VII-B-2. Include the appropriate GreenPoint or LEED Checklist in all Redevelopment Agency-led Request for Proposals (RFPs) for new housing developments and include the Checklist as a review criterion in the developer selection process.

Program VII-B-3. Ensure that public information materials are available at the City and through the website on green building resources and funding opportunities.

Program VII-B-4. Consider an ordinance requiring projects involving public funds to meet minimum green building thresholds.

Program VII-B-5. Consider an ordinance providing density, FAR, and height bonus for private projects that meet certain green building thresholds.

Objective VII-C. Encourage site and building design that includes social spaces, stormwater treatment, transit access, bicycle parking, and strong interface with the street.

Policy VII-C-1. Adopt open space requirements and design guidelines for multi-family housing projects.

Policy VII-C-2. Continue to require design and operation measures to protect stormwater quality, including site design, pollutant source control, and vegetative stormwater treatment.

Objective VII-D. Support property retrofits that reduce the City's carbon footprint through energy conservation, waste reduction, and transportation access measures.

Policy VII-D-1. Disseminate information on retrofit assistance programs such as youth energy services, solar energy rebates and alternative transportation facilities, such as bicycle parking and car sharing pods.

Program VII-D-2. Continue to provide assistance through the Emeryville Housing Rehabilitation Program for weatherization and energy efficiency repairs.

Policy VII-D-3. Encourage energy conservation measures and use of green building materials in residential remodel projects.

Chapter 6 Housing Action Plan

<p>The Housing Action Plan is the implementation plan for the 2009-2014 Emeryville Housing Element. It consists of a comprehensive table that takes each of the goals, objectives, policies and programs described in Chapter 5, and for each policy and program identifies the responsible administrative department, the responsible review authority (such as the Planning Commission, City Council, or Redevelopment Agency), the funding source(s) for implementation of the policy or program, measurable outcomes, and action steps with completion dates.</p>					
Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Goal I. Preserve existing housing stock					
<i>Objective I-A. Promote preservation of existing housing stock through the Emeryville Housing Rehabilitation Program.</i>					
Program I-A-1. Continue support of the Emeryville Housing Rehabilitation Program through Redevelopment Agency funding and allocation of a portion of Emeryville's annual federal Community Development Block Grant (CDBG) funds.	Economic Development & Housing (EDH)	Agency; Council	Agency Housing Set-Aside; CDBG	1 Ownership Rehab loans per FY; 1 Rental rehab loans per FY; 1 Paint grants per FY; 4 Accessibility grants per FY; 2 Clean-Up grants per FY; 1 Minor Home Repair Grants per FY; 5 Concrete buyback grants per FY; 6 Fence grants per FY.	1) Agency funding appropriation is made through budget process every 2 years in spring; next cycle is for FY10/11-FY11/12; 2) CDBG allocation to Program is done each spring for upcoming Fiscal Year through annual Community Development Block Grant (CDBG) application process through Urban County entitlement.
Program I-A-2. Conduct annual review of Emeryville's Housing Rehabilitation Program and projected program demand for next fiscal year.	EDH	Agency; Council	Agency Housing Set-Aside	Annual review of Program; determination if additional funding or resources are needed for subsequent fiscal year (July-June)	1) Conduct administrative annual review of completed and in-process projects and expenditures during first quarter of fiscal year (July-September); 2) submit funding request to Agency for program funding increase if needed as part of budget process.

Chapter 6 Housing Action Plan

Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Program I-A-3. Continue existing marketing and establish new marketing efforts for the Emeryville Housing Rehabilitation Program through regular updates to the city's website, participation at community-wide events, and annual, targeted mailings to landlords and homeowners in the City's older residential neighborhoods.	EDH	Administrative	Agency Housing Set-Aside	Annual program updates to information materials; participation in community events; outreach to potential participants.	1) Update website and program materials (brochures, applications, guidelines) each spring after release of new income limits; 2) Develop new marketing outreach program to reach potential participants (FY09/10); 3) Participate in community events sponsored by Community Services Department (as scheduled); 4) submit articles for city-wide activity guide (twice yearly).
<i>Objective I-B. Maintain and improve existing older housing stock, especially the older residential housing located in the Triangle neighborhood east of San Pablo Avenue and the Doyle Street neighborhood located east of Hollis Street.</i>					
Program I-B-1. Continue administration of the Community Preservation Program and the Community Preservation Committee to encourage and improve maintenance of single and multi-family residences in the older residential neighborhoods. Provide rehabilitation program information and conduct code inspections on a case-by-case basis.	EDH (lead department); Police, Fire, City Attorney Office, Planning & Building; Public Works.	Planning Commission for code violations; Agency for any action taken related to providing Rehab Program funding or property acquisition.	General Fund for staffing	Reduction in number of dilapidated properties; increased level of property maintenance; resolution of code violations.	1) Hold quarterly meetings of CPC; 2) hold monthly progress meeting with City Attorney's Office and Planning; 3) monitor property condition on identified properties (on-going); 4) work with City Attorney Office to process code violations (on-going as required); 5) provide Emeryville Rehabilitation Program information to neighborhoods through targeted mailings (twice yearly).
Policy-I-B-2. Retain and continue implementing the Residential Preservation Ordinance, which requires Council approval for demolition of residential structures.	Planning and Building	Council	Developers	No demolition without Council approval	Take applications for residential demolition to Planning Commission and Council when developers apply (on-going as required).

Chapter 6 Housing Action Plan

Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
<i>Objective I-C. Minimize the loss of affordable units and displacement of residents of lower and moderate income through implementation of State Community Redevelopment law provisions relating to relocation and replacement housing.</i>					
Policy I-C-1. Continue to review aggregate housing demolition and construction in the City each year through the annual Redevelopment Agency report submitted to the State Department of Housing and Community Development.	Building; EDH	Agency	General Fund for staffing	Timely submittal of annual report to State HCD on Agency housing activity and submittal of demolition and construction completion reports to State Dept of Finance.	1) Annually review demolition and construction permits in preparation for State HCD Report due no later than 12/31; 2) Monthly submit reports to DOF.
Policy 1-C-2. Ensure that a replacement housing plan is implemented in connection with any loss of affordable residential units housing lower or moderate income persons as a result of a specific Redevelopment Agency-sponsored or assisted project action.	EDH; City Attorney Office	Agency	Agency Housing Set-Aside	Replacement Housing Plan adopted for any identified project; units replaced as required.	As part of review of new Agency-sponsored development, review potential impact on units occupied by lower or moderate income households. Adopt replacement housing plan as required by state redevelopment law. (As projects proposed to Agency)
Policy 1-C-3. Ensure that state relocation law is applied as required in connection with a specific Redevelopment Agency-sponsored or assisted project as required.	EDH; City Attorney Office	Agency	Agency Housing Set-Aside	Relocation Plan adopted as required for any identified project; households relocated as required.	As part of review of new Agency-sponsored development, review potential relocation impacts and adopt relocation plan as required by state redevelopment law. (As projects proposed to Agency)

Chapter 6 Housing Action Plan

Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)	
Goal II. Promote a range of affordability levels						
<i>Objective II-A. Ensure that the Zoning Ordinance continues to facilitate the development of affordable housing.</i>						
Policy II-A-1. Ensure that sufficient sites are zoned in the City to allow for the development of the City's overall fair share allocation of regional affordable housing need.	Planning and Building	Planning Commission; Council	General Plan Maintenance Fund	23 acres must be zoned to allow residential assuming 50 units per acre with use permit.	Include in General Plan and Zoning Ordinance update to be completed by end of FY09/10. FY10/11.	
Policy II-A-2. Incentivize the provision of extremely low, very low, low, and moderate income housing in conjunction with the revision to the Density Bonus Ordinance to ensure compliance with State Density Bonus Law.	Planning and Building	Planning Commission; Council	General Plan Maintenance Fund	Revised Density Bonus Ordinance	Adopt Density Bonus Ordinance Revision as part of Zoning Ordinance update to be completed by end of FY09/10. FY10/11.	
Policy II-A-3. Revise the City's Zoning Ordinance to ensure that the requirements for secondary units are consistent with State law.	Planning and Building	Planning Commission; Council	General Plan Maintenance Fund	Review of secondary units requirements as part of Zoning Ordinance update.	Revise Zoning Ordinance by end of FY09/10 FY10/11 and ensure secondary units requirements are not onerous.	

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Policy II-A-4. Continue implementation of the Affordable Housing Set Aside Ordinance to ensure inclusion of Below Market Rate Units in residential projects of 30 or more units.	EDH	Planning Commission; Council	General fund for staffing	Enforce the ordinance for all applicable projects.	1) Review applicability of AHSA Ordinance for each new residential project and include as required in Planning Conditions of Approval (as residential applications submitted); 2) For projects subject to Ordinance, negotiate and prepare Affordability Agreements for Council approval (after Conditions of Approval are approved, EDH begins Affordability Agreement preparations); 3) To ensure the City's Inclusionary requirements do not pose a significant constraint of the provision of housing, the City shall annually monitor the Ordinance to consider the costs and benefits and any impact of the Ordinance on the production of housing due to changing market conditions and amend the ordinance as necessary in order to provide more flexibility to developers.
<i>Objective II-B. Support housing opportunities for extremely low, very low, low and moderate income households.</i>					
Policy II-B-1. Make extremely low, very low and low income housing a priority for use of the Redevelopment Agency's Low and Moderate Income Housing Fund.	EDH	Agency	Agency Housing Set-Aside	Provision of extremely low, very low or low income units in housing projects.	1) Annually review housing production against goals of 10-year Agency Housing Compliance Plan (spring of each year); 2) negotiate additional affordable units for low and very low income in inclusionary housing developments (as Affordability Agmts negotiated); 3) Identify opportunities for extremely low, very low, and low units in Agency-sponsored projects and incorporate need into Agency-issued RFPs (as RFPs issued).

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Policy II-B-2. Include extremely low, very low, and/or low income housing in Redevelopment Agency-assisted development projects whenever feasible.	EDH	Agency	Agency Housing Set-Aside	Provision of extremely low, very low and low income units in Agency-sponsored housing projects.	For Agency-sponsored or assisted housing developments, negotiate the inclusion of extremely low, very low, and low income housing where feasible. Include language in each RFP issued for affordable rental housing a goal to encourage developers to include extremely low, very low, and low income housing (as RFPs drafted).
Policy II-B-3. Where feasible, consider a reduction in the moderate income inclusionary percentage requirement on development projects subject to the City's Affordable Housing Set Aside Ordinance to support the inclusion of extremely low, very low, and/or low income units.	EDH	Council; Agency if funding appropriation needed.	Agency Housing Set-Aside if Agency funds required to write down affordability.	Approval of Affordability Agreements for inclusionary projects with low and/or very low income units where not initially required by Ordinance.	1) Review potential for inclusion of extremely low, very low, and/or low income units in projects subject to the Ordinance that only have moderate income requirement and negotiate affordability agreement with developers for this inclusion (as Affordable Agmts being negotiated); 2) appropriate funds through the Ownership Housing Assistance Program for for-sale projects which include low income or very low income BMRs (as projects negotiated to include BMRs at these levels).

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Policy II-B-4. Continue funding of the City's First Time Homebuyer Program and Ownership Housing Assistance Program through Redevelopment funds to ensure that downpayment assistance can be provided to support homeownership opportunities for very low, low, and moderate income household purchasing homes in Emeryville.	EDH	Agency	Agency Housing Set-Aside	Provision of downpayment assistance loans for first-time homebuyers.	1) Appropriate funds for FTHB program through two-year budget process; 2) conduct annual review after close of program year and give annual report on FTHB activities to Agency in the first quarter of subsequent year.
Policy II-B-5. Leverage State and Federal funding programs to maximize the number of affordable units available to low and very low income households, whenever possible.	EDH	Council	To be identified	Obtain and utilize outside funding to leverage Agency funds for affordable housing.	1) Keep apprised of outside funding opportunities and identify potential projects or programs to use funding; apply for these funding sources as appropriate (on-going); 2) utilize outside funding in projects (on-going).
Policy II-B-6. Coordinate with the Housing Authority of Alameda County to link Emeryville Section 8 Program participants in its Family Self-Sufficiency Program with homeownership opportunities in Emeryville.	EDH	Administrative	General Fund for staffing.	Work with Housing Authority to place participants into Emeryville homeownership opportunities.	1) Establish coordination with FSS program coordinator (FY09/10); 2) identify potential projects for placement of FSS program participants (through on-going coordination).
<i>Objective II-C. Sustain affordable housing availability for existing participants in the City's Below Market Rate and Market Rate Homebuyers Program.</i>					
Program II-C-1. Continue implementation of the City Foreclosure Prevention and Predatory Lending Prevention Strategy so long as required during the Bay Area foreclosure crisis.	EDH	Administrative	Agency Housing Set-Aside	Assistance to homeowner participants facing foreclosure to help them avoid foreclosure.	1) Prepare bi-monthly updates on Strategy Implementation for review by the Housing Committee (bi-monthly); 2) work with individual homeowners facing foreclosure (on-going)

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Goal III. Promote development of affordable housing for persons with special needs.					
<i>Objective III-A. Support development of affordable housing for disabled people, people living with HIV/AIDS, single families, and seniors who are extremely low, very low, low or moderate income.</i>					
Policy III-A-1. Support inclusion of extremely low and very low income affordable set-aside units for people living with physical and/or developmental disabilities in projects subject to the City's Affordable Housing Set Aside Ordinance. Ensure that support services are provided to tenants of these units.	EDH	Council	General Fund for staffing	Additional units in housing stock for extremely low and very low income people living with physical and/or developmental disabilities.	1) Identify projects for inclusion of accessible set-aside units for people with physical and/or developmental disabilities (as project Affordability Agmts are negotiated); 2) work with service providers for these special needs groups to identify opportunity projects and to ensure services are provided to support these tenants (after projects approved with these set-aside units); 3) promote universal design in projects containing set-aside units for people living with disabilities.
Policy III-A-2. Support inclusion of Shelter-Plus-Care units (rent-assisted units for dually-diagnosed people with mental illness, substance abuse and/or AIDs-related illness) in projects subject to the City's Affordable Housing Set Aside Ordinance or as set-aside within Agency-sponsored rental affordable developments. Ensure that support services are provided to tenants of these units.	EDH	Council	Shelter Plus Care - federal	Additional units in housing stock serving individuals who qualify for Shelter Plus Care housing assistance.	1) Identify availability of Shelter Plus Care vouchers through coordination with countywide EveryOne Home Homeless and Special Needs Plan collaborative and opportunity developments (on-going); 2) work with developers to negotiate inclusion of set-aside of some SPC units within inclusionary projects (as project Affordability Agmts are negotiated); 3) consider inclusion of set-aside of SPC units within new Agency-sponsored affordable rental projects (as projects are developed).

Chapter 6 Housing Action Plan

Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Policy III-A-3. Support development of Residential Care Facilities for the Elderly (RCFE) projects and independent senior housing developments.	Planning and Building	Planning Commission/ Council	General Fund for staffing	Additional units in housing stock that are either RCFE units or independent senior units.	1) Support projects that provide assisted living (Residential Care Facilities for the Elderly) or independent senior units; 2) establish mechanism through Zoning Ordinance to provide bonus (FAR, density, height, etc.) to developers who provide a certain percentage of the RCFE units to those with incomes at SSI levels through draft of Ordinance for review by Planning Commission and City Council by end of FY09/10 FY10/11.
Policy III-A-4. Continue to support the County-wide long-range effort to prevent and end homelessness, the "EveryOne Home - Alameda Countywide Homeless and Special Needs housing Plan", and monitor the Plan's progress through City participation in the collaborative groups such as the EveryOne Home Leadership Board, the Alameda County Urban County Technical Advisory Committee and the Alameda County HOME Consortium Technical Advisory Committee.	EDH	Council; administrative	General Fund for staffing	Participation in collaborative planning; continued financial support of agencies that serve homeless in Emeryville; creation of supportive housing units that serve extremely low income special needs groups that are identified in the EveryOne Home Plan.	1) staff-level participation on the Urban County and HOME Consortium TACs and EveryOne Home Board (on-going); 2) seek opportunities to encourage development of supportive housing within new Agency-sponsored rental developments.

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Goal IV. Ensure that the City has a variety of housing types to meet the diverse needs of its residents as well as attract new residents.					
<i>Objective IV-A. Ensure that the Zoning Ordinance facilitates the development of a variety of housing types.</i>					
Policy IV-A-1. Continue support of residential mixed use development through broader General Plan and update of zoning regulations.	Planning and Building	Planning Commission	General Plan Maintenance Fund	At least half of City to be zoned for mixed use with where residential use is permitted through General Plan update.	Include in Zoning Ordinance update to be completed by end of FY09/10 FY10/11.
Policy IV-A-2. Continue allowing development of live/work units as conditionally permitted use in light industrial zones and mixed use zones.	Planning and Building	Planning Commission	General Plan Maintenance Fund	Update ordinance to define heavy live/work and allow it with use permit in IG (general industrial)	Include in Zoning Ordinance update to be completed by end of FY09/10 FY10/11.
Policy IV-A-3. Encourage new developments to provide unit types for which there is an identifiable gap in Emeryville's housing stock.	Planning and Building	Planning Commission	General Fund for staffing	Production of a variety of housing types, particularly unit types for which there is an identifiable gap, including family-oriented projects with larger unit sizes, over Housing Element period,	Include in Zoning Ordinance update to be completed by end of FY09/10 FY10/11; Planning Commission to encourage creation of larger units as part of unit mix in proposed new residential multi-family development (on-going).

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)	
Policy IV-A-4. Revise the Zoning Ordinance to be in compliance with Senate Bill 2, effective January 1, 2008, requiring establishment of a zoning district allowing emergency shelters without a conditional use permit or other discretionary approval and ensuring that transitional and supportive housing developments are considered as a residential use of property subject only to those restrictions that apply to other residential uses of the same type in the same zone.	Planning and Building	Planning Commission	General Fund for staffing	Zoning Ordinance updated to be in compliance with SB2.	1) Conduct an information session on requirements of SB2 with the Housing Committee and Planning Commission (fall 2009) as part of the Zoning Ordinance update in FY09/10; 2) Include in Zoning Ordinance update to be completed by end of FY09/10 FY10/11.	
Policy IV-A-5. Revise the Zoning Ordinance to clarify that group homes and residential care facilities for six or fewer residents be subject only to those same restrictions that apply to other single family uses.	Planning and Building	Planning Commission	General Fund for staffing	Zoning Ordinance revised to meet policy objective.	1) Include in Zoning Ordinance update to be completed by end of FY09/10 FY10/11.	

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)	
Policy IV-A-6. Revise the Zoning Ordinance to allow exemptions from design review for projects with a negligible visual impact, and to reduce the level of review to minor design review for one- and two-unit residential buildings and accessory dwelling units.	Planning and Building	Planning Commission	General Plan Maintenance Fund	Zoning Ordinance revised to meet policy objective.	1) Include in Zoning Ordinance update to be completed by end of FY10/11.	
Policy IV-A-7. The City adopted an update of its General Plan including new General Plan Designations on October 13, 2009. The capacity assumptions for sites included in Table 3-3 are based on the newly-established General Plan designations and interim zoning classifications. To ensure sites in the inventory are adequate to accommodate the City's regional need, the City will amend zoning to adopt the interim densities as identified in the sites inventory.	Planning and Building	Planning Commission	General Plan Maintenance Fund	Zoning Ordinance revised to meet policy objective.	1) Include in Zoning Ordinance update to be completed by end of FY10/11.	

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
<i>Objective IV-B. Promote opportunities for affordable housing that serves locally identified target groups, including teachers of the Emery Unified School District, City personnel, families with children, and artists/craftspeople.</i>					
Program IV-B-1. Continue special homebuyers assistance terms through the city's First Time Homebuyer Program which provides zero-percent down, downpayment assistance loans up to 20% of the purchase price to very low income to moderate income teachers in the Emery Unified School District for both market rate and below market rate units.	EDH	Agency	Agency Housing Set-Aside	Provision of downpayment assistance loans for this group.	1) Continue marketing efforts to this group to encourage participation in the FTHB Program through City website and flyers, and through distribution of program materials to each of the school sites and the EUSD district office (website updates on-going; distribution of materials to EUSD is annual); 2) Annually review number of participants who fall into this category and report to Agency as part of annual report on City's Homebuyer Programs (annually in first quarter of City's fiscal year).
Program IV-B-2. Continue Special homebuyer assistance terms through the City's First Time Homebuyer Program which provides zero-percent down, downpayment assistance up to 20% of the purchase price to city of Emeryville employees who are any income for market units and very low moderate income for below market rate units.	EDH	Agency	Agency Housing Set-Aside	Provision of downpayment assistance loans for this group.	1) Continue marketing efforts to this group to encourage participation in the FTHB Program (on-going); 2) Annually review number of participants who fall into this category and report to Agency as part of annual report on City's Homebuyer Programs (annually in first quarter of City's fiscal year).

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Policy IV-B-3. Encourage provision of set-aside below market rate units for teachers and employees of the Emery Unified School District where feasible in new residential development subject to the City's Affordable Housing Set Aside Ordinance.	EDH	Council	General Fund for staffing	Provision of set-aside units for low to moderate income EUSD employees.	1) Identify appropriate projects for inclusion of set-aside units for EUSD employees and negotiate developer agreements for inclusion of these units (as projects Affordability Agmts negotiated).
Policy IV-B-4. Promote housing designed to attract families with children by encouraging developers to include larger unit sizes (two-, three-, and four-bedroom units) as well as other on-site amenities such as usable outdoor open space, play equipment for a variety of ages, community rooms, and multi-purpose rooms that can be utilized for after-school homework clubs, computer, art, or other resident activities.	Planning and Building; EDH	Planning Commission/ City Council	General Fund for staffing	Completion of developer manual; New residential developments built that include larger units plus other on-site and nearby amenities that will attract households with children.	1) Encourage developers applying for planning permits to include not only larger units but other on-site, family-oriented amenities that will attract households with children (on-going); 2) Draft ordinance that provides a density, FAR, and/or height bonus if developer provides three-bedroom units and additional on-site family-oriented amenities (include in Zoning Code update for completion by end of FY09/10); 3) create developer manual or other distribution materials for Building Department counter with examples of well-designed family-oriented housing developments (by end of FY09/10).

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Policy IV-B-5. Consider development of affordable housing development specifically designed to attract families with children and collaboration between Redevelopment Agency and non-profit developer with expertise in this area of affordable housing development to implement such a development during the course of the housing element period.	EDH	Agency	General Fund for staffing; Agency Housing Set Aside	Agency-sponsored development(s) completed that are specifically designed to attract households with children.	1) Identify opportunity affordable housing development(s) for Agency-non-profit developer partnership that will be designed to attract households with children (during FY09/10); 2) evaluate opportunity as project proposals are submitted by private developers (as needed when proposals submitted to Agency); 3) consider inclusion of multi-family affordable housing development as part of update to Agency Housing Compliance Plan for 2010-2014 Implementation Plan period.
Policy IV-B-6. Ensure that new residential developments that include a set-aside of below market rate live/work units conduct targeted marketing to artists and craftspeople to foster occupancy of these affordable below market rate live/work units by artists/craftspeople.	EDH	Administrative	General Fund for staffing	Occupancy of live/work units by artists or craftspeople.	1) Ensure that marketing plans submitted for city approval in projects with BMR live/work units include targeted marketing to artists/craftspeople (City will review and approve the plans as submitted; timing of submittal varies and is dependent on completion schedule of projects); 2) City assists in marketing of BMR units by including application materials at City Hall, presenting at project information workshops; including information on its website (varies in accordance with BMR marketing schedule for a particular project).

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Policy IV-B-7. Encourage development of affordable live-work space for artists and craftspeople.	Planning and Building	Planning Commission/ Council	General Fund for staffing	Development of affordable live/work space for artists and craftspeople	1) Process applications expeditiously as submitted for artist housing (as project applications submitted).
Goal V. Maintain and expand activities designed to prevent those currently housed from becoming homeless and to assist those who are homeless.					
<i>Objective V-A: Support activities to assist Emeryville residents who are at-risk of homelessness or are homeless.</i>					
Program V-A-1. Continue providing funding through Emeryville's allocation of Community Development Block Grant funds to support the Berkeley Food and Housing Project's shelters, transitional housing, and Multi-Service Center to provide housing, meals and other support services to homeless individuals who have resided in Emeryville.	EDH	Council	CDBG	Support of homeless who have lived in Emeryville with needed services and shelter.	1) Undertake annual CDBG application process with County HCD and enter contract with Berkeley Food and Housing Project for fiscal year (January - June of each year); 2) review quarterly reports submitted by Agency and submit data to County HCD (quarterly)
Program V-A-2. Continue providing information at City Hall and through City's website on resources available for emergency housing assistance.	EDH	Administrative	General Fund for staffing	Updated information available at City Hall and website.	1) Do quarterly update of public information materials and provide at City Hall and on-line.

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Program V-A-3. Improve City departmental coordination to ensure that information is made available on resources available to assist Emeryville families and households at-risk of homelessness.	EDH	Administrative	General Fund for staffing	Dissemination of information to City departments who interface with those at-risk of homelessness; dissemination of information to those individuals.	1) Convene annual meetings of City departments including Economic Development & Housing, Police, Fire, Recreation, Senior Center, and Child Development Center to discuss available resources, share information (first quarter of City's fiscal year); 2) establish lines of communication to improve dissemination of information to at-risk households (on-going)
Program V-A-4. Improve coordination between the City and Emery Unified School District to determine if there are families who may be at risk of homelessness to provide resource and housing referrals.	EDH	Administrative	General Fund for staffing	Dissemination of information to EUSD on housing and services available; increased coordination between entities.	1) Convene annual meeting between EDH staff and EUSD to discuss housing resources, coordination needs to determine families at risk of homelessness, and dissemination of information to assist those households (first quarter of City's fiscal year); 2) Establish coordination efforts with City-Schools Committee (on-going)

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)	
Program V-A-5. Support inclusion Assist in the development of affordable rental units serving extremely low income households as 30% of the area median income within future Redevelopment Agency-sponsored rental developments whenever feasible. Ensure that support services are provided to tenants of these units.	EDH	Agency	Housing Set-Aside; other outside funding	Provision of rental units that serve very low income households at 30% of the AMI.	1) Identify opportunities for development of units that support households at this income level and negotiate development agreements that include these affordability covenants and services requirements as needed; 2) Provide Agency financial assistance to support development at housing affordable at this income level if required for financial viability of project; 3) Require supportive services plan as submittal requirement in Agency-sponsored RFPs.	

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Goal VI. Promote equal opportunity in housing.					
<i>Objective VI-A. Prevent and redress discrimination based on race, color, ancestry, national origin, religion, familial status, sex, marital status, sexual orientation, age, disability, or source of income.</i>					
Program VI-A-1. Through participation in the Alameda County Urban County Community Development Block Grant Entitlement jurisdiction, continue to contract with Housing Rights, Inc. or another fair housing counseling organization on an annual basis to provide fair housing counseling services, tenant-landlord mediation, public education and legal referrals for Emeryville resident tenants and landlords.	EDH	Council	CDBG	Provision of fair housing counseling services to Emeryville residents and landlords.	1) Enter into annual City-County CDBG agreement to continue participation in Urban County CDBG Program (annually in spring); 2) through staff participation on Urban County Technical Advisory Committee, review and approve quarterly reports of fair housing organization to ensure that Emeryville residents and landlords are being provided fair housing services. (on-going)
Program VI-A-2. Continue effective marketing of the fair housing counseling service provided through Housing Rights, Inc. or another fair housing counseling organization through a variety of means, including public information available at Emeryville City Hall, on the City's website, and community-wide events.	EDH	Administrative	General Fund for staffing	Provision of updated fair housing information at City Hall and on web-site; information available at Emeryville community events	1) Communicate with fair housing organization to ensure that updated information is provided at City Hall (quarterly); 2) identify community-wide events as opportunities for dissemination of fair housing information (participate in annual community fair sponsored by Community Services Department)

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)	
Program VI-A-3. Require that developers include language stating that they provide equal opportunity in housing in their marketing materials for below-market-rate units provided through the City's Affordable Housing Set Aside Ordinance.	EDH	Administrative	General Fund for staffing	Inclusion of equal opportunity language in marketing materials for BMR units.	1) Review marketing plans submitted by developers pursuant to affordability agreements and ensure that equal opportunity language is included (varies as project marketing plans are submitted)	
Program VI-A-4. Include appropriate equal opportunity and anti-discrimination language in all contractual agreements that the City and/or Emeryville Redevelopment Agency enter into with developers pertaining to housing, such as Agreements on Affordable Units, Resale Restriction Agreements, Disposition and Development Agreements, and Owner Participation Agreements.	City Attorney's Office	Council/ Agency	General Fund for staffing	Inclusion of equal opportunity and anti-discrimination language in City and Agency housing agreements.	1) Ensure inclusion of equal opportunity and anti-discrimination language in housing-related contracts and agreements with developers (varies, as Agency and City enter into agreements these clauses are reviewed by City Attorney's Office)	
Program VI-A-5. Continue Accessibility Grant Program through the Emeryville Housing Rehabilitation Program to provide grant assistance to lower income households with disabilities.	EDH	Agency	Agency Housing Set-Aside	Provision of grants to disabled households for accessibility improvements.	1) Continue marketing of Accessibility Grant Program through City Hall, website, and community events (annual update to website and program materials; participation in annual community fair); 2) expediting grant process as applications received (on-going)	

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)	
Goal VII. Promote environmental responsibility and long-term sustainability of City's housing development through remediation of brownfields and promotion of "green" and "healthy" housing development.						
<i>Objective VII-A. Encourage the remediation of former industrial sites through public-private partnerships and Redevelopment Agency assistance.</i>						
Program VII-A-1. Continue Agency grant and loan program, "Capital Incentives for Emeryville's Redevelopment and Remediation" (CIERRA) to provide financial, technical, and regulatory assistance to property owners and developers seeking to assess and remediate their housing development sites.	EDH	Agency	EPA/Agency funds for match	Provision of loans and grants to property owners that result in remediation of sites.	1) Continue implementation of CIERRA Program and direct program repayments back into new remediation assistance (on-going); 2) research new possible funding sources to enable continuation of program during housing element period (on-going)	
Program VII-A-2. Continue seeking outside funding opportunities to leverage the Agency's funding for site remediation at Agency-sponsored housing and mixed use developments, thereby increasing the financial feasibility of the projects.	EDH	Agency	To be determined.	Attainment of additional outside funding to support Agency's site remediation goals.	1) At staff level, continue to identify funding opportunities and seek authority to apply for these funding sources (on-going)	

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)	
<i>Objective VII-B. Ensure that the City and Redevelopment Agency review and permitting process encourages "green" and "healthy" housing development, defined as clean, indoor air and conservation of energy, water, and building materials.</i>						
Policy VII-B-1. Continue requirement that developers complete the appropriate GreenPoint Rated or LEED Checklist as part of their submittals to the Emeryville Planning and Building Department.	Planning and Building	Planning Commission for entitlements; Administrative for plan check.	General Fund for staffing	Developers' inclusion of checklist in planning application submittal, inspiring them to consider green design features.	1) Review applications as submitted by developers and ensure one of the checklists has been submitted (on-going); 2) ensure the conditions of approval require compliance with submitted green building measures (on-going); 3) review plans at plan check in accordance with checklist (on--going)	
Policy VII-B-2. Include the appropriate GreenPoint Rated or LEED Checklist in all Redevelopment Agency-led Request for Proposals (RFPs) for residential and/or live/work projects and include the Checklist as a review criterion in the developer selection process.	EDH	Agency	General Fund for staffing	Inclusion of GreenPoint Rated or LEED Checklist in all Agency-led RFPs for new housing; incorporation of green building measures in Agency-sponsored housing developments.	1) Include GreenPoint Rated or LEED Checklist in Agency housing RFPs for Agency approval prior to issuance (on-going as RFPs issued); 2) require developers to incorporate green building measures in Agency-sponsored housing developments (on-going as RFPs issued)	

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)
Policy VII-B-3. Ensure that public information materials are available at the City and through the website on green building resources and funding opportunities.	Public Works	Administrative	General Fund for staffing	Provision of information materials at Planning and Building Counter.	1) Ensure that updated public information materials are available at Planning and Building Counter (quarterly); 2) Develop information for website with referrals and information on green building resources and funding opportunities (incorporate with new City website update in 2009)
Policy VII-B-4 Consider an ordinance requiring projects involving public funds to meet minimum green building thresholds.	Public Works	Planning Commission and City Council	General Fund for staffing, project costs	Public-private projects meeting higher green building thresholds, helping to meet City's climate change goal.	1) Survey previous projects to set threshold (FY09/10); 2) Draft ordinance and present draft to Planning Commission and City Council (FY10/11)
Policy VII-B-5 Consider an ordinance providing density, FAR, and height bonus for private projects that meet certain green building thresholds.	Public Works	Planning Commission and City Council	General Fund for staffing	Private projects meeting higher green building thresholds, helping to meet City's greenhouse gas reduction goal.	1) Survey previous projects to set threshold; 2) Recommend density and height bonus level; 3)Draft ordinance and present draft to Planning Commission and City Council. (complete action steps by end of FY09/10)
<i>Objective VII-C. Encourage site and building design that includes social spaces, stormwater treatment, transit access, bicycle parking, and strong interface with the street.</i>					
Policy VII-C-1. Adopt open space requirements and design guidelines for multi-family housing projects.	Planning and Building	Planning Commission	General Plan Fund	Requirements in Zoning Ordinance, leading to more open space and better design.	Include in General Plan and Zoning Ordinance update to be completed by end of FY09/10.

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)	
Policy VII-C-2. Continue to require design and operation measures to protect stormwater quality, including site design, pollutant source control, and vegetative stormwater treatment.	Public Works	Administrative	General Fund for staffing	Inclusion of design and operation measures to protect stormwater quality.	1) Public Works to review and approve stormwater treatment measures in connection with development projects (on-going)	

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Policy or Program	Responsible Department	Responsible Review Authority	Funding Source(s)	Measurable Outcomes	Action Steps/ (Completion Dates)	
<i>Objective VII-D. Support property retrofits that reduce the City's carbon footprint through energy conservation, waste reduction, and transportation access measures.</i>						
Policy VII-D-1. Disseminate information on retrofit assistance programs such as youth energy services, solar energy rebates and alternative transportation facilities, such as bicycle parking and car-sharing pods.	Planning and Building / Economic Development and Housing	Administrative	General Fund for staffing	Retrofit of existing residential buildings to be more energy efficient, less wasteful and better oriented to non-auto travel.	1) Provide information on retrofit resource programs at the Planning and Building Counter and through the Community Preservation program (on-going)	
Program VII-D-2. Continue to provide assistance through the Emeryville Housing Rehabilitation Program for weatherization and energy efficiency repairs.	Economic Development and Housing	Administrative	Agency Housing Set Aside Fund	Property retrofits that would not occur without Agency funding.	1) Continue use of program for weatherization repairs and other energy-efficiency retrofits (on-going)	
Policy VII-D-3. Encourage energy conservation measures and use of green building materials in residential remodel projects.	Planning and Building	Administrative	General Fund for Staffing	Green remodel features in property improvement and maintenance projects	1) Include checklist in planning and building applications (complete by end of FY09/10)	

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Quantified Objectives by Unit Type and Income Level

Projects Completed 2009 through 2014*

	<u>New Construction</u>	<u>Rehabilitation</u>	<u>Conservation**</u>	<u>Total</u>
Extremely Low Income***	28	5	0	33
Very Low Income	83	0	0	83
Low Income	33	0	0	33
Moderate Income	60	5	0	65
Above Moderate Income	755	0	0	755
Total	959	10	0	969
<p>Extremely Low Income - households at or less 30% Area Median Income (AMI); Very Low Income - households 31-50% AMI; Low Income - households 51-80% AMI; Moderate Income - households 81-120% AMI; Above Moderate Income - households above 120% AMI.</p> <p>* Projects included are a sub-set of projects listed in Table 2-55; Table 2-55 includes projects completed 2007 and 2008, which are not included here. This list does not contain Icon at Doyle (27 market rate); Salem Manor (3 market rate); Glashaus Lofts (5 very low, 6 low, 18 moderate, 116 market rate)</p> <p>** No projects will have expiring Project Based Section 8 contracts during this time period.</p> <p>*** Extremely low income unit assumptions: <u>REHABILITATION</u>: 5 rehabilitation units in Magnolia Terrace project. <u>NEW CONSTRUCTION</u>: 8 units within the Ambassador Apartments Project for FY09/10; 20 units as set-aside units within Agency-sponsored projects and/or inclusionary projects with negotiated set-aside at this level for four fiscal years remaining in Housing Element period of FY10/11 through FY13/14 (5 units per year)</p>				