

Housing Goals, Policies and Programs

The section below contains the City's Goals, Policies and Programs related to the Housing Element. Goals are shown in capital letters, e.g., H-A. Policies related to each Goal include the Goal plus a number, e.g., H-A-1. Programs related to each Policy include the Goal and Policy reference followed by a lower case letter, e.g., H-A-1-a.

H-A Reinforce the City's Commitment to Meeting Housing Needs

Establish and monitor goals, policies and programs to address the City's housing needs, encourage public participation in all housing policy matters and promote equal housing opportunities.

Quantified Objectives

Summary of Quantified Objectives by Income Category (1999-2006)

| Income Category | New Construction | Rehabilitation | Conservation* |
|-----------------|------------------|----------------|---------------|
| Very Low | 96 | 5 | 150 |
| Low | 53 | 10 | 71 |
| Moderate | 166 | 5 | 562 |
| Above Moderate | 401 | 0 | 2754 |
| TOTAL | 716 | 20 | 3537 |

* Conservation includes preservation and improvement of existing affordable housing stock per Government Code Section 65583(c)(4).

Quantified Objectives (1999-2006)

Units to be Conserved:

| | Very Low | Low | Moderate | Above-Moderate | Total |
|------------------------------|------------|-----------|------------|----------------|-------------|
| Existing BMR units: | | | | | |
| Foster's Landing | 30 | 22 | 22 | | 74 |
| Emerald Bay | 3 | 2 | 2 | | 7 |
| Metro Senior Housing | 54 | 6 | | | 60 |
| CDA acquired housing | 3 | | | | 3 |
| BMR units to be replaced: | | | | | |
| Marina Green | | | 17 | | 17 |
| Existing shared housing | 60 | 41 | 38 | 17 | 156 |
| Existing non-BMR apartments* | | | 483 | 2737 | 3220 |
| TOTAL | 150 | 71 | 562 | 2754 | 3537 |

* Estimated 15% of market rate units are affordable to moderate income households. As of 1/1/01 3354 existing apartment units – 134 BMR units = 3220 non-BMR units.

Units to be Rehabilitated: 20

Limited rehabilitation needed due to the newness of the housing stock

Units to be Constructed:

| | Very Low | Low | Moderate | Above-Moderate | Total |
|-----------------------------|----------|------|----------|----------------|-------|
| Units built or approved: | | | | | |
| Meridian Bay (1999) | | | | 59 | 59 |
| Sea Island Homes (2001) | | | | 4 | 4 |
| Promontory Point III (2002) | | | | 31 | 31 |
| Marlin Cove (2002) | 56 | 0 | 28 | 196 | 280 |
| Miramar (2002) | 32 | 0 | 16 | 111 | 159 |
| New construction | 8 | 53 | 122 | 0 | 183 |
| TOTAL | 96 | 53 | 166 | 401 | 716 |
| ABAG Housing Needs | 96 | 53 | 166 | 375 | 690 |
| Percent of Need to be Met | 100% | 100% | 100% | 107% | 104% |

H-A-1 City Leadership. Provide an active leadership role in helping to attain the objectives of the City's Housing Element by following through on the actions prescribed in the Housing Element in a timely manner and monitoring progress annually to review housing goals and target achievements.

*H-A-1-a **Annual Tracking of Housing Activity.** The City will provide a statistical summary of residential building activity tied to various types of housing, household need, income and Housing Element program targets. Target: Annually as part of General Plan Implementation Report. Responsible Agency: Community Development Department.*

*H-A-1-b **Construction of New Units.** The Association of Bay Area Governments has calculated Foster City's regional housing share at 690 units for the 1999-2006 period. The City will continue to review residential proposals as they are received. Target: 716 units between 1999-2006, including one or more of the potential sites identified in Housing Program H-D-2-a, Housing Sites Study. Target: Development approvals by 2004. Responsible Agency: Community Development Department and Community Development Agency.*

*H-A-1-c **Future Housing Element Updates.** The City will update its Housing Element, consistent with State Law requirements, every five years. Target: Next update by June 2006. Responsible Agency: Community Development Department.*

H-A-2 Public Participation. Encourage and support public participation in the formulation and review of the City's housing policy, including encouraging neighborhood level planning and working with community groups and the building and real estate industry to advocate programs which will increase affordable housing supply and opportunities.

H-A-3 Cooperation with Other Agencies. Continue participation in County-wide housing assistance programs and coordinate with other public and private agencies in the use of available programs to provide lower-cost housing in Foster City.

- H-A-3-a Community Outreach.** *The City will improve citizen awareness of rehabilitation and disaster assistance loan subsidy programs, code enforcement, energy conservation programs, fair housing laws and affordable housing programs by:*
- (1) providing packets of housing information at City Hall and the library, with water bill inserts and through the mail to those who inquire;*
 - (2) contacting neighborhood groups and associations;*
 - (3) providing special presentations to community groups, service organizations, and senior citizens periodically; and*
 - (4) providing public information through articles in the local newspaper, on the City's web site and with cable TV public service announcements.*
 - (5) In addition, the City will contact community service clubs and organizations to determine their interest in establishing a volunteer labor-assistance housing improvement program for homeowners physically or financially unable to maintain their properties.*

Target: Ongoing. Responsible Agency: Community Development Agency.

- H-A-3-b Technical Assistance to Non-Profits.** *The City will provide technical assistance to non-profit groups organized to encourage provision of affordable housing and sponsors of affordable housing projects and programs. The City will facilitate provision of affordable housing by providing technical assistance in a liaison role with non-profit housing groups. Target: Ongoing. Responsible Agency: Community Development Department and Community Development Agency.*

- H-A-4 Review Potential Environmental Impacts of New Housing.** *When a new housing development is proposed, perform a review of potential environmental impacts to ensure that the impacts on existing and prospective residents are considered.*

- H-A-4-a Air Quality Impacts.** *When site-specific development is proposed and/or a Rezoning application is processed, potential air quality impacts from project traffic shall be studied, and mitigation measures to ensure compliance with the Bay Area Air Quality Management District standards in effect at the time shall be recommended if necessary. Target: Ongoing. Responsible Agency: Community Development Department.*

- H-A-4-b Geotechnical Studies.** *Prior to any residential or retail construction on the project sites, geotechnical studies would be required by the City unless a site-specific study is already on file with the City. Target: Ongoing. Responsible Agency: Community Development Department.*

- H-A-4-c Uniform Building Code and Title 24.** *Buildings shall conform to the requirements of the Uniform Building Code and Title 24 to reduce potential seismic-related hazards. Target: Ongoing. Responsible Agency: Community Development Department.*

- H-A-4-d Site Investigation.** *When a site-specific development is proposed for a site that was previously used for commercial or industrial uses, a Phase I and II Site Investigation shall be conducted to identify the extent of contamination and the clean-up measures necessary to meet the requirements of the Department of Toxic Substances Control and the Regional Water Quality Control Board. Target: Ongoing. Responsible Agency: Community Development Department.*

- H-A-4-e NPDES Requirements.** All National Pollutant Discharge Elimination System (NPDES) requirements should be met or required as mitigation measures when Rezoning applications are processed for the subject sites. Target: Ongoing. Responsible Agency: Community Development Department.
- H-A-4-f Noise Studies.** Noise studies shall be undertaken for each site when a site-specific development is proposed and/or a Rezoning application is processed. These studies should identify needed mitigation measures to reduce noise levels to an acceptable level for residential uses of the sites as identified in the Noise Element of the Foster City General Plan. Target: Ongoing. Responsible Agency: Community Development Department.
- H-A-4-g Traffic Evaluations.** Traffic evaluations shall be completed when site-specific development is proposed and/or a Rezoning application is processed. Each site-specific evaluation should consider intersection and freeway impacts, parking, and pedestrian/bicycle safety. If necessary, mitigation measures to ensure compliance with the Level of Service standards identified in the City of Foster City General Plan shall be incorporated in the project. Target: Ongoing. Responsible Agency: Community Development Department.

H-B Protect Existing Housing, Community Character and Resources

Maintain the high quality of existing housing and community character and assure energy efficiency in new and existing housing.

- H-B-1 Encourage Maintenance of Existing Housing.** Encourage maintenance of the existing housing stock by enforcing zoning and property maintenance regulations, housing and other codes for all types of residential units.
- H-B-1-a Continue Code Enforcement.** Continue the existing Zoning and Building Code Enforcement and Property Maintenance programs. In addition, continue the mandatory fire code inspection program. Target: Ongoing. Responsible Agency: Community Development Department.
- H-B-1-b Expand Code Enforcement.** Consider expansion of the City's code enforcement program to assure compliance with basic health and safety building standards and appropriate permits, including: (1) resale inspections of single family homes; (2) rental housing inspections; and (3) public outreach and education. If deemed necessary, amend City codes and policies to implement these programs. Target: 2003. Responsible Agency: Community Development Department.
- H-B-2 Encourage Rehabilitation of Existing Housing.** Encourage rehabilitation to the extent possible and when necessary for low and moderate income homeowners and rental property owners with lower income tenants.
- H-B-2-a Rehabilitation Loans.** The City will encourage rehabilitation loan and disaster assistance programs to the extent possible given program funding criteria and local need. Target: 20 loans by 2006. Responsible Agency: San Mateo County Housing

Authority, San Mateo County Department of Housing and Community Development and the Community Development Agency.

H-B-2-b Facilitate Non-Profit Rehabilitation/Maintenance Assistance. *Start a community outreach program to help the disabled and elderly maintain or rehabilitate their homes) to match households in need with non-profit organizations (such as Rebuilding Together/Christmas in April, churches, service clubs, or Girl or Boy Scouts) that can provide assistance. Target: 2002. Responsible Agency: Community Development Department.*

H-B-3 Encourage Energy Conservation in Housing. Encourage adoption of energy conservation measures and promote energy conservation programs that provide assistance for energy conservation improvements.

H-B-3-a Energy Conservation Assistance. *The City will use Community Development Block Grant funds or other funds, as available, to assist lower-income residents to weatherize their homes or make other energy-conservation home repairs. Target: 5 low income households by 2006. Responsible Agency: San Mateo County Department of Housing and Community Development and Community Development Agency.*

H-B-3-b Increased Energy Conservation. *The City will continue to enforce Title 24 Energy requirements and will review its development ordinances to determine if zoning, building, subdivision and others discourage the use of energy conservation measures (placement of solar panels, energy conserving architectural designs, building orientation, etc.). Target: Ongoing. Responsible Agency: Community Development Department.*

H-B-4 Housing Design. Assure excellence in project design consistent with existing community character (architecture, site planning, amenities).

H-B-4-a Architectural Review. *Continue the City's Architectural Review requirements contained in Chapter 17.58 of the Foster City Municipal Code to ensure that development preserves the architectural character and scale of the neighborhoods and community and is well designed. Target: Ongoing. Responsible Agency: Community Development Department.*

H-C: Protect the Supply and Affordability of Rental Housing

H-C-1 Regulation of Conversions. Regulate the conversion of apartments to condominiums, community apartments and stock cooperatives to preserve the existing stock of rental apartments.

H-C-1-a Condominium Conversion Regulation. *Continue implementation of the condominium conversion ordinance linking any conversions to the development of additional rental housing within the City. The ordinance provides for lifetime leases for seniors and handicapped tenants. Amend the existing conversion regulations to change the percentage of converted units required to be set aside for qualified low and moderate income owners from ten to fifteen percent. Continue the requirement*

for deed restrictions on resale (unless financing is impossible), or 1% of gross sales must be contributed to the City, and comparable rental housing must be available in the Housing Market Area. There have not been any conversions within the past five years. Target: 2002. Responsible Agency: Community Development Department.

H-C-2 Protection of the Rental Housing Stock. Promote the retention of rental units and encourage rental subsidy programs that can be applied to existing housing.

*H-C-2-a **Rental Unit Monitoring.** The City will continue to monitor the availability and cost of rental units in Foster City to determine if further actions are necessary. The City will collect rental information from Foster City apartments to report, by unit, the level of rent on an annual basis. The purpose of this reporting is to establish a monitoring system to determine the extent of rent increases occurring within the City and to compare with other adjacent municipalities. Target: Annually. Responsible Agency: Community Development Agency.*

*H-C-2-b **Phased Redevelopment of Existing Apartments.** If the Franciscan or another large apartment development is redeveloped, the project shall be phased so that displacement of residents is minimized to the extent feasible. The application for redevelopment shall include a plan to minimize displacement of existing residents.*

H-C-3 Moderate Rent Increases

Find ways and means to moderate the percentage, amount, and frequency of residential rent increases in the City.

*H-C-3-a **Moderate Rent Increases.** Continue working with the Peninsula Conflict Resolution Center and the Tri-County Apartment Association as a vehicle to moderate rent increases in the City and to resolve rental disputes between renters and property owners. Target: Ongoing. Responsible Agency: City Council, Community Development Department.*

H-C-4 Rent Disputes. Provide for increased use and support of tenant/landlord educational and mediation opportunities.

*H-C-4-a **Rental Dispute Resolution.** Continue the City's financial contribution to and encourage resident use of the Peninsula Conflict Resolution Center as a vehicle to resolve rental disputes between renters and property owners. Target: Ongoing. Responsible Agency: City Council, Community Development Department.*

H-C-5 Rental Assistance Programs. Continue to publicize and participate in rental assistance programs such as Section 8, Housing Voucher programs, and other available rental programs.

*H-C-5-a **Rental Housing Assistance.** Encourage the use of federal, State and Local rental housing programs. Continue to publicize programs and work with the San Mateo County Housing Authority to implement the Section 8 Rental Assistance Program and, as appropriate, assist similar non-profit housing sponsor rental assistance programs. Target: Shared Housing and Emergency Assistance: 15 households provided assistance per year (assumes continued funding of program). Responsible Agencies: San Mateo County Housing Authority and non-profit housing sponsors.*

H-C-5-b City Rental Housing Assistance Program. *The City of Foster City will develop a local housing rental assistance program, and will work with the owners of existing rental projects in the City to provide as many subsidized rental units as possible. As a goal, the City will seek to provide up to 5% of the available units for rental subsidy. Target: An additional 20 very low income and 20 low income households/units provided rental subsidy by 2006. Responsible Agencies: Community Development Department and CDA.*

H-D Consider Potential Public and Private Redevelopment Opportunities to Increase the Supply of Housing

Assure excellence in architecture and site planning in all new projects, provide a variety of housing types and tenure and meet the City's "fair share" of regional housing need.

H-D-1 Housing Opportunity Areas. Given the diminishing availability of developable land, the City will identify housing opportunity areas and sites where a special effort will be made to provide affordable housing consistent with other General Plan policies. Housing Opportunity Areas should have the following characteristics:

- a. The site has the potential to deliver sales or rental units at low or below market rate prices or rents.
- b. The site has the potential to meet special housing needs for local workers, single parents, seniors, small families or large families.
- c. The City has opportunities, through ownership or special development review, to facilitate provision of housing units to meet its housing objectives.

H-D-2 Selection of Housing Opportunity Areas. The City will use the following criteria in selecting Housing Opportunity sites or areas:

- a. Potential for adequate and safe internal and external vehicular and pedestrian circulation.
- b. Convenient access to existing public transportation or the potential for such access as public transportation systems are expanded.
- c. Convenient access to typical neighborhood services and facilities typically required by residents.
- d. Convenient access to typical neighborhood recreation facilities, or designed to provide adequate recreation facilities on site.
- e. Cost effective mitigation of physical site constraints (including geologic hazards, flooding, drainage, soils constraints, wetland limitations, etc.)
- f. Cost effective provision by the City/EMID of typical residential services and adequate utilities to the site.
- g. Ability to meet internal residential noise standards.
- h. Adequate size to provide required parking; parking requirements should be flexible based on the expected needs of the project's prospective residents.
- i. The development of a specific project on the site will not result in significant adverse individual or cumulative impacts on other properties in the neighborhood or area, unless the City/District adopts a Statement of Overriding Considerations as defined by the California Environmental Quality Act.

H-D-2-a Housing Sites Study. *The City has undertaken a study of sites for the purpose of identifying potential housing sites. The purpose of the study was to evaluate housing potential, including the potential for housing which can meet special needs (consistent with Policies H-D-1 and H-D-2 on Housing Opportunity Areas), on City-owned sites, surplus school sites, potential re-use of commercial or industrial sites and sites appropriate for mixed commercial/residential use. Based on this study, General Plan Amendments, rezonings and other implementing action would occur by December 2002 on one or more sites and by December 2004 on additional sites, if necessary, to achieve the housing needs identified in Housing Goal H-A on one or more of the following sites:*

- (1) Beach Park Plaza Shopping Center Site (total of 63-81 units; 27-35 units/acre)*
- (2) Pilgrim/Triton: (total of 394-511 units; 27-35 units/acre)*
- (3) 5 A Rent-A-Space Site: (total of 138-179 units; 27-35 units/acre)*
- (4) Charter Square Shopping Center Site (total of 79-102 units; 27-35 units/acre)*
- (5) Franciscan Apartments (122 existing units; potential for 51-102 more; 27-35 units/acre)*
- (6) Episcopal High School Site (total of 30-35 units of teacher housing)*

Target: December 2002 for one or more sites and by December 2004 on additional sites, if necessary. Responsible Agency: Community Development Department.

H-D-3 Encourage Housing as Part of New Development Projects. *As opportunities for the redevelopment of property occur, whether financed with public funds or not, evaluate whether the subject site and project could and/or should include multifamily housing units as a part of the overall project, including apartments, condominiums, townhouses or a mix of housing types.*

H-D-3-a Potential Re-Use of Commercial Sites. *The City will reevaluate the land use designations for the City's neighborhood shopping centers or other commercial sites if, at a future date, any of these commercial activities become not viable. If mixed use developments including residential uses are considered, criteria for determining the appropriate housing types include:*

- (1) The predominate types and densities of housing on the same block front or on adjacent blocks to the proposed project.*
- (2) The type of street (major, collector, etc.) which would provide access to the site and levels of service on the street in the morning and afternoon peak hours.*
- (3) Availability of public services and facilities.*
- (4) The ability of the project to provide landscaping for parking areas, facade modulation and orientation of buildings which would ensure privacy for, and minimize impacts on, any adjacent single family homes, and reduce the perception of density in a multi-family project.*

Target: As appropriate. Responsible Agency: Community Development Department.

H-D-3-b Increase Supply of Rental Units. *Work to increase the supply of rental units in the City by re-planning and rezoning failed, failing or underutilized commercial properties to include rental units. Timeframe: Ongoing. Responsible Agency: City Council, Community Development Department.*

- H-D-4 Mixed Use Development.** Encourage mixed residential/commercial uses on those parcels where a mix is feasible and appropriate.
- H-D-4-a Mixed Use Housing.* Encourage mixed residential-commercial uses in areas consistent with the Land Use Plan through the following and other means, if appropriate: (1) increased densities; (2) reduced unit sizes; (3) incentives for ground-floor retail; (4) shared parking; (5) reduced parking ratios; and (6) require the identification of specific parts of the master plan for housing. Target: 2006. Responsible Agency: Community Development Department.
- H-D-5 Planned Development Process.** Encourage the use of the planned development process to achieve a diversity of housing types and tenure and to provide greater choice for residents and workers in Foster City.
- H-D-6 Second Units.** The City will continue to allow secondary dwelling units ("granny flats") in R-1 zones, subject to specific development standards and requirements.
- H-D-6-a Second Units.* Continue implementation of the City's Second Unit Ordinance in single-family (R-1) zones. Target: 1 moderate income unit by 2006. Responsible Agency: Community Development Department.
- H-D-6-b Second Unit Regulations.* Review and consider revising the City's Second Unit Ordinance in single-family (R-1) zones if necessary to facilitate production of second units while still maintaining compatibility with the single-family neighborhood. If deemed necessary, amend City codes. Target: 2003. Responsible Agency: Community Development Department.
- H-D-7 School Sites.** Assist and support the public school district and private schools with the incorporation of residential uses for faculty and staff along with educational facilities in order to increase the supply of affordable housing.
- H-D-8 Community Development Agency.** Promote residential opportunities in the redevelopment project areas, where appropriate, through the unique powers of the Community Development Agency.
- H-D-8-a Community Development Agency.* The Community Development Agency will use its unique powers to reduce the costs and expedite the construction of 15% of the units within redevelopment project areas for very low, low and moderate income households. Community Development Agency funds will be set aside each year for development of housing affordable to low income households. Target: Ongoing. Responsible Agency: Community Development Agency.
- H-D-9 Reduce Regulatory Constraints.** Support the reduction of governmental and regulatory constraints to the production of housing, especially affordable housing.
- H-D-9-a Government Constraints.* The City will review the entire development process and remove any government and regulatory constraints to the production of affordable housing. Target: 2003. Responsible Agency: Community Development Department, and Public Works Department, (this would be zoning requirements, fees, and review procedures for example).

- H-D-9-b **Pre-Permit Review Process.** The City will continue to hold pre-application reviews of affordable housing projects with all City departments in an effort to reduce permitting time and cost for affordable housing projects. These pre-application conferences will be held with all City departments to review the proposal and set clear objectives early on in the process. Target: Ongoing. Responsible Agency: Community Development Department, Public Works, and Building Inspection Division.*
- H-D-9-c **Minimum Density Requirements.** Consider enacting minimum density requirements in multiple family zones to prevent use of land zoned for multiple-family use for lower density housing in order to make more efficient use of the limited opportunity to provide additional housing. Amend City codes if necessary. Target: 2003. Responsible Agency: Community Development Department.*
- H-D-9-d **Zoning Incentives.** Evaluate zoning incentives that encourage the development of diverse housing types, including smaller, more affordable units and two- and three-bedroom units suitable for families and children. Amend City codes if necessary. Target: 2003. Responsible Agency: Community Development Department.*
- H-D-9-e **Reevaluate Parking Requirements.** Conduct a study of whether, how, and when to modify parking requirements to allow higher densities and reduced housing costs in areas appropriate for reduced parking requirements. Amend City codes if necessary. Target: 2003. Responsible Agency: Community Development Department.*
- H-D-9-f **Development Fee Waivers.** Where appropriate and feasible, continue to allow waivers of development fees as a means of promoting the development of housing affordable to low- and low-income households. Target: Ongoing. Responsible Agency: Community Development Department.*
- H-D-9-g **Nonconforming Uses.** Amend Chapter 17.70, Nonconformity Uses, of the Foster City Municipal Code to reduce or eliminate disincentives to having an existing non-residential site zoned for housing. Allow non-conforming uses to continue indefinitely on sites zoned for housing, and also allow them to be expanded or rebuilt if destroyed. Target: 2002. Responsible Agency: Community Development Department.*

H-E Address Affordable Housing Needs

Meet the City's "fair share" of very low, low and moderate income housing need and the needs of special groups, including the elderly, handicapped, small and large families, single parents and local workers.

- H-E-1 Affordable Housing Strategic Plan.** Incorporate the housing programs defined in the 1996 Foster City Affordable Housing Strategic Plan as part of the Housing Element (see Appendix H). The Affordable Housing Strategic Plan contains the following programs:

H-E-1-a New Project Development Program.

- All new residential development within redevelopment project areas will meet its affordable housing requirement on-site. (15% of the number of market-rate units, if developed by other than the Agency).
- Where applicable in new developments, the Agency will continue its current policy of returning 20% of tax increment generated by each project to that project as a housing subsidy.
- The Agency will work with non-profit and for-profit developers to determine the potential for creating an additional number of affordable units at these sites with additional financial assistance from the Agency, and for ensuring the long-term project management for those units.
- When required to accomplish the stated Goals of the Plan, amend the General Plan land use designation of the site to an appropriate housing designation and/or the Zoning Ordinance to allow greater densities of affordable and market rate units.

Target: Ongoing. Responsible Agency: Community Development Agency.

H-E-1-b Existing Unit Purchase Program.

- Purchase existing older single-family, condominium, townhouse or duplex units to provide affordable rental housing
- Strive not only to avoid a concentration of affordable units in any one location or area, but to disperse affordable units throughout the community to complement and enhance the diversity that is already found in the City and that is an important element of its success.
- Target units that need rehabilitation and thereby improve the neighborhood in which they are located.

Target: 3 units by 2006. Responsible Agency: Community Development Agency.

H-E-1-c First-Time Homebuyer Program.

- Establish a revolving fund to provide low interest and/or deferred second mortgages.

Target: 2002. Responsible Agency: Community Development Agency.

H-E-1-d Homeowner Rehabilitation Loan Program.

- Increase use of Community Development Block Grant rehabilitation loans administered by the County, through improved promotion and publicity to residents; target the elderly.

Target: 2002. Responsible Agency: Community Development Agency.

H-E-1-e Rental Assistance Program.

- Provide assistance in the form of rental subsidies to households who qualify as very low and low income.
- Develop an application process and selection procedure to determine qualified applicants.
- Develop program guidelines and the criteria by which applicants for the assistance will be selected.
- Determine which rental properties will be included in the program.

Target: 2002. Responsible Agency: Community Development Agency.

H-E-2 Private Development of Affordable Housing. Encourage the provision of affordable housing by the private sector through:

- a. Requiring that a percentage of the units, excluding bonus units, in specified residential projects be affordable (an inclusionary requirement).
- b. Requiring construction or subsidy of new affordable housing as a condition for approval of any commercial development which affects the demand for housing in the City.
- c. Providing incentives to encourage the provision of affordable housing as provided in Policy H-E-3.

H-E-2-a Inclusionary Requirement for Affordable Housing.

Develop and adopt an inclusionary housing ordinance to implement Policy H-E-2. The ordinance shall include the following:

- (1) All projects which include more than 10 residential units, including mixed use projects, shall be required to include 20% of the residential units for exclusive use as affordable housing units.*
- (2) The project proponent shall build the unit(s) on site, either in partnership with a public or nonprofit housing agency, or on its own. Off-site building shall be allowed only if the proponent demonstrates that on-site construction is infeasible; and in any event, any off-site units must be built within the City of Foster City. No in-lieu fees shall be allowed.*
- (3) The affordable units shall be identical in exterior design and appearance to the remaining units in the project.*
- (4) Affordable rental units shall carry deed restrictions that guarantee their long-term affordability or affordability in perpetuity.*
- (5) Affordable for sale units shall have deed restrictions that allow for first right of refusal to the local government, upon the sale of the unit. The City local government should only refuse the option of purchase if it has already expended all of its financial resources available for housing, including Community Development Block Grant funds, local housing trust fund monies, and any other federal, state or local funds typically available for affordable housing purposes.*

Target: 2002. Responsible Agency: Community Development Department.

H-E-3 Incentives for Affordable Housing. The City shall consider offering development incentives to developers of multifamily housing projects which meet the City's housing needs, in exchange for an agreement that a minimum of fifteen percent (15%) of the total number of units constructed (or another percent, depending upon the project) shall be affordable to very low as defined by State Health and Safety Code Section 50105, low and moderate income persons and families as defined by Section 50093 of the State of California Health and Safety Code for a minimum period of 35 years. Incentives to be considered include the following:

- a. Financial contributions for the construction of utilities, public road improvements and other traffic improvements; soils remediation; Plan preparation and development;
- b. Rent subsidies for the affordable units.
- c. Density bonuses.
- d. Pre-scheduled, fast track permit processing.
- e. Design flexibility.
- f. Reduced or waived fees
- g. Reduced parking requirements and/or use of shared parking.
- h. Assistance and support in securing public financing, such as bonds or tax credits.

H-E-3-a Density Bonuses for Affordable Housing Projects Consistent with State Density Bonus Law. *The City will offer density bonuses of at least 25%, or other incentives, consistent with the State Density Bonus Law (Government Code Section 65915), for project which include at least: (a) 20% of the units for lower-income households; or (b) 10% of the units for very low income households; or (c) 50% of the units for senior citizens. Target: Ongoing. Responsible Agency: Community Development Department.*

H-E-3-b Financing and Subsidy Programs. *Encourage project sponsors to apply for available federal, state and locally subsidized new affordable housing construction programs for their project by providing technical assistance on available programs and supporting data, structuring development agreements and other requirements to match program funding criteria, as appropriate and possible, and leveraging tax increment financing when possible. The City will also lobby Federal and State elected officials for housing legislation that includes appropriations for low and moderate income housing programs. Examples of programs include Mortgage Revenue Bonds, Mortgage Credit Certificates and Redevelopment Agency Tax Increment Financing. Target: Ongoing. Responsible Agency: Community Development Agency.*

H-E-3-c Cooperative Ventures. *Encourage cooperative and joint ventures between owners, developers and non-profit groups in the provision of BMR housing. Target: Ongoing. Responsible Agency: Community Development Agency.*

H-E-4 Resale Controls on Owner-Occupied BMR Units. *Require resale controls on owner-occupied BMR units to insure that affordable units provided through public assistance or public action are retained for 35 years or more as affordable housing stock.*

H-E-4-a Maintain Existing Owner-Occupied BMR Units. *Administer the agreements for the existing ownership BMR units to ensure the continued affordability of these units for the terms of their agreements. Target: Ongoing. Responsible Agency: Community Development Agency.*

H-E-4-b Replace Marina Green BMR Units. *Replace the Marina Green 17 units of moderate income housing with other moderate income units when they begin to expire in 2006. Target: 2006-2007. Responsible Agency: Community Development Agency, Community Development Department*

H-E-5 Rent and Income Restrictions on Rental BMR Units. *Require rent and income restrictions on rental BMR units to ensure that affordable units provided through public assistance or public action are retained for 35 years or more as affordable housing stock.*

H-E-5-a Maintain Existing Rental BMR Units. *Administer the agreements for the existing rental BMR units to ensure the continued affordability of these units for the terms of their agreements. Target: Ongoing. Responsible Agency: Community Development Agency.*

H-E-6 House Sharing. *Encourage and facilitate house sharing in appropriate locations where it would provide housing for low and moderate income residents and not significantly impact the neighborhood (parking, access, etc.).*

*H-E-6-a **Homeshare Program.** Continue to work with Housing Investment Project (HIP) to expand the existing outreach program for the Homeshare Program for both rental and ownership housing. Target: 15 new matches per year. Responsible Agency: Community Development Agency, Housing Investment Project.*

H-E-7 Housing for New Employees and their Families. Given the amount of commercial and retail development expected through build-out of the City, encourage an adequate supply and variety of rental and ownership housing that meets the needs of new employees and their families.

*H-E-7-a **Ownership Housing for Employees.** In order to improve the jobs to housing balance in large-scale commercial developments, the City will consider recommending that the developer contact private investment firms that arrange joint homeownership programs for employers and employees in order to provide affordable ownership housing for employees of firms locating in Foster City. Target: Ongoing. Responsible Agency: Community Development Department.*

H-E-8 BMR Eligibility Priorities. In order to meet a portion of the City's local housing need, consistent with Association of Bay Area Governments (ABAG) Housing Need Determinations, and as a traffic mitigation measure, the City will, to the extent consistent with applicable policy, offer a portion of the BMR units in a project for City employees and people working in the City of Foster City.

*H-E-8-a **BMR Eligibility Guidelines.** Implement BMR selection guidelines based on the BMR Eligibility Priorities in Policies H-E-8 and H-E-11, including CDA Resolution 216 and City Resolution 2000-123 that give priority to people who live and work in the community, teachers and local government and public safety employees. Target: Ongoing. Responsible Agency: Community Development Agency.*

H-E-9 Housing Fund. Consider the establishment of a City Housing Fund supported by mitigation fees from commercial and industrial developers and residential developers who provide funds in-lieu of BMR units.

H-E-10 Room Additions. The City will continue to allow room additions to smaller homes that are compatible with the neighborhood, subject to the requirements of the Architectural and Solar Guidelines. These room additions provide affordable housing opportunities by allowing families to more economically meet their needs than by moving and purchasing a new home.

H-E-11 Projects in the Community Development Project Area. At least 15% of all homes constructed in the Community Development Project Area shall be below market rate (BMR), affordable to households earning less than 120% of County median household income. To the extent feasible, the BMR units shall also meet the following goals:

- a. 40% of the BMR units should be affordable to very low income households (households earning 50% or less of the median income).
- b. The remaining 60% of the BMR units should be for low or moderate income.
- c. 36% of the BMR units should be for seniors.
- d. 53% of the BMR units should be for small families (less than five persons).
- e. 11% of the BMR units should be for large families (five or more persons).

H-F Address Special Housing Needs

H-F-1 Equal Housing Opportunity. The City will ensure provision of housing opportunities for all people and will take appropriate actions when necessary to ensure that the sale, rental, or financing of housing is not denied to any individual on the basis of race, sex, national origin, religion, age or other arbitrary factors.

*H-F-1-a **Non-Discrimination.** To ensure that the sale, rental, or financing of housing is not denied to any individual on the basis of race, sex, national origin, religion, age, marital status, disability, or other arbitrary factors, Foster City will ensure that state and federal laws are adhered to regarding fair housing. The City, through its Community Development Department, will refer discrimination complaints to the appropriate legal service, county, or state agency. The City will assist local non-profit organizations, as appropriate, to provide public information and education services. Target: Ongoing. Responsible Agency: Community Development Department.*

H-F-2 Special Needs. Encourage a mix of housing units throughout the City including those for lower income seniors, families with children, single parents, young families, victims of domestic violence, and the disabled.

*H-F-2-a **Facilities and Services for Special Needs.** Support housing that incorporates facilities and services to meet the health care, transit or social service needs of households with special needs, including seniors and persons with disabilities. Target: Ongoing. Responsible Agency: Community Development Department.*

*H-F-2-b **Housing for Victims of Domestic Violence.** Pursuant to Resolution No. 224 adopted on June 18, 2001 by the Community Development Agency, provide one affordable housing unit for victims of domestic violence. Target: Ongoing. Responsible Agency: Community Development Agency.*

*H-F-2-c **Density Bonuses for Handicapped Access Features.** The City may allow a one-for-one density bonus, up to 25% of the number of units otherwise allowed, for developers who provide actual handicapped access features and fixtures. Target: Ongoing. Responsible Agency: Community Development Department.*

*H-F-2-d **Adaptable/Accessible Units for the Disabled.** The City will ensure that new housing multi-family includes units that are accessible and adaptable for use by disabled persons in conformance with Chapter 11 of the California Building Code. Target: 2% of the units built. Responsible Agency: Community Development Department.*

H-F-3 Housing for the Homeless. The City of Foster City recognizes the need for and desirability of emergency shelter housing for the homeless and will allow emergency shelters in commercial, industrial and mixed use areas based on the following considerations:

- a. The City will encourage a dispersion of facilities to avoid an over-concentration of shelters for the homeless in any given area. An over-concentration of such facilities may negatively impact the neighborhood in which they are located and interfere with the “normalization process” for clients residing in such facilities.

- b. The City of Foster City shall encourage positive relations between neighborhoods and providers of permanent or temporary emergency shelters. Providers or sponsors of emergency shelters, transitional housing programs and community care facilities shall be encouraged to establish outreach programs within their neighborhoods and, when necessary, work with the City's Dispute Resolution Committee.
- c. It is recommended that a staff person from the provider agency be designated as a contact person with the community to review questions or comments from the neighborhood. Outreach programs may also designate a member of the local neighborhood to their Board of Directors. Neighbors of emergency shelters shall be encouraged to provide a neighborly and hospitable environment for such facilities and their residents.
- d. Development standards for emergency shelters for the homeless located in Foster City shall ensure that shelters would be developed in a manner which protects the health, safety and general welfare of nearby residents and businesses, while providing for the needs of a segment of the population as required by State law. Development standards will include consideration of the following:
 - 1. All exterior lighting shall be sufficient to establish a sense of well-being to the pedestrian and one that is sufficient to facilitate recognition of persons at a reasonable distance. Type and placement of lighting shall also be subject to the satisfaction of the Police Department.
 - 2. Landscaping shall be maintained in healthy and thriving condition consistent with City standards.
 - 3. The shelter shall provide laundry facilities adequate for the number of residents.
 - 4. The shelter shall provide shower facilities adequate for the number of residents.
 - 5. The development shall provide a safe or locked vault for securing money and jewelry. The provider shall manage the safe or vault and maintain an accounting procedure.
 - 6. The development may provide one or more of the following specific common facilities for the exclusive use of the residents: (a) dining room; (b) recreation room; (c) mini-library; (d) mini-playroom.
- e. The agency or organization operating the shelter shall comply with the following rules and requirements, among others:
 - 1. Staff and services shall be provided to assist residents to obtain permanent shelter and income, and to refer to appropriate social service agencies and organizations as needed. The agency or organization operating the shelter must demonstrate familiarity with available community resources.
 - 2. All client screening shall be administered by staff at the subject location as well as at other designated locations. Initial client screening shall include an assessment of other social services or health services which may be needed by the client.

3. All clients shall be given a copy of the rules and regulations to read and agree to prior to admittance into the facility. Clients that are turned away shall be informed that street loitering is prohibited. The provider shall submit a plan with specific admission and check-out times.

*H-F-3-a **Emergency Housing Assistance.** Participate and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related counseling services. Target: Annual participation, if feasible. Responsible Agency: CDA.*

*H-F-3-b **Emergency Shelter Uses.** The City will contribute a portion of the Housing Set Aside fund to non-profit agencies involved in providing housing for the homeless in San Mateo County. The City will also review proposals for emergency shelter uses based on the policies in the General Plan and other City development standards and requirements. Target: Ongoing. Responsible Agency: Community Development Department; Community Development Agency.*

