



**CITY OF BELVEDERE PLANNING COMMISSION  
STAFF REPORT**

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**REPORT DATE:** 4/11/2022

**CONSENT CALENDAR  
AGENDA ITEM: 2**

**MEETING DATE:** 4/19/2022

**TO:** City of Belvedere Planning Commission

**FROM:** Irene Borba, Director of Planning and Building

**REVIEWED BY:** Ann Danforth, Assistant City Attorney

**SUBJECT: BELVEDERE HOUSING AND GENERAL PLAN ANNUAL  
PROGRESS REPORTS**

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**RECOMMENDATION**

Housing Element law requires cities to report annually on the progress that each has achieved in implementing that jurisdiction's General Plan Housing Element. This law requires that each jurisdiction report on any programs that have been implemented, as well as any progress that has been made in meeting the Regional Housing Needs Allocation (RHNA).

Additionally, State law requires cities to report annually on the progress that each has achieved in implementing that jurisdiction's General Plan. The Annual Progress Report (APR) informs the public on the progress in meeting the community's goals. The Annual Progress Reports also requires each jurisdiction to provide its annual reports at a public meeting.

Staff recommends that the Planning Commission:

- 1) Receive and Accept the Annual Housing Report (**Attachment 1**) and General Plan Progress Report (**Attachment 2**).

**BACKGROUND**

State of California Department of Housing and Community Development (HCD) requires that communities file forms updating HCD on each jurisdiction's progress implementing the jurisdiction's current Housing Element. The annual progress report is due each year by April 1st. As required, the appropriate HCD forms were completed by staff and submitted to HCD (refer to **Attachment 1**).

Section 65400(b) of the State of California Government Code requires planning agencies to provide an annual report to their legislative body, the Governor's Office of Planning and Research (OPR), and the State Department of Housing and Community Development (HCD) on the status of the General Plan and progress in its implementation (**Attachment 2**).

## **CONCLUSION**

The City completed its housing element update process for the fifth cycle of State-mandated housing element updates, with the cycle spanning the years 2015-2023. In May of 2015 the City Council approved the adoption of the Housing Element update and approved the associated environmental document. The Housing Element can be found on the city website at: <http://www.cityofbelvedere.org/DocumentCenter/View/2316/Adopted-2015-2023-Housing-Element--05-11-2015?bidId=>

The next 8-year Housing Cycle is 2023-2031. The Housing Element will need to be updated by the end of 2023. Staff along with our consultants EMC Planning began process for the Housing Element update in late 2021. This process will continue through 2022 and into the early part of 2023. This update will also include an update to the city's Safety Element.

At that time and as part of the Housing Element update in 2015, the City also adopted amendments to the City of Belvedere Zoning Ordinance (Title 19 of the Municipal Code) to implement specific programs of the adopted 2030 General Plan Housing Element and to comply with the California Department of Housing and Community Development State laws, including: Amendments to "Transitional and Supportive Housing," as a permitted use in all residential Zoning Districts; amendments to the Code to comply with the State density bonus law Government Code Section 65915 et seq.; and provision for reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the "Acts") in the application of zoning laws and other land use regulations, policies and procedures.

A letter dated May 18, 2015, from HCD was submitted to the City stating that the adopted Housing Element was in full compliance with State Housing laws.

Additionally, in 2017, 2018, 2019 and again in 2020 & 2021 code amendments were made to Accessory Dwelling Units and Junior Accessory Dwelling Units in order to further comply with State law (Government Code sections 65852.2 and 95852.22. Early this year (2022) the city adopted Urgency Ordinances for Objective, Design & Development Standards (ODDS) and requirements for SB 9 (Urban Lot Splits & Two-Unit) development projects. This year, the city will be bringing for formal adopted an update to our Climate Action Plan (CAP).

## **RECOMMENDATION**

Staff recommends that the Planning Commission:

- 1) Receive and Accept the Annual Housing Element and General Plan Progress Reports.

## **ATTACHMENTS**

Attachment 1: Annual Housing Progress Report  
Attachment 2: Annual General Plan Progress Report

<b>Jurisdiction</b>	BELVEDERE	
<b>Reporting Year</b>	2021	(Jan. 1 - Dec. 31)
<b>Planning Period</b>	5th Cycle	01/31/2015 - 01/31/2023

## ANNUAL ELEMENT PROGRESS REPORT

### Housing Element Implementation

(CCR Title 25 §6202)

<b>Table B</b>													
<b>Regional Housing Needs Allocation Progress</b>													
<b>Permitted Units Issued by Affordability</b>													
		1	2									3	4
Income Level		RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	4	-	-	-	-	-	-	-	-	-	-	4
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-		
Low	Deed Restricted	3	-	-	-	-	-	-	-	-	-	-	3
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-		
Moderate	Deed Restricted	4	-	-	-	-	-	-	-	-	-	5	-
	Non-Deed Restricted		-	-	2	-	1	2	-	-	-		
Above Moderate		5	-	-	-	-	1	-	-	-	-	1	4
<b>Total RHNA</b>		<b>16</b>											
<b>Total Units</b>			-	-	2	-	2	2	-	-	-	6	11

Note: units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will include units that were permitted since the start of the planning period.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at [apr@hcd.ca.gov](mailto:apr@hcd.ca.gov).

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs. Please contact HCD if your data is different than the material supplied [here](#)

<b>Jurisdiction</b>	BELVEDERE	
<b>Reporting Year</b>	2021	(Jan. 1 - Dec. 31)
<b>Planning Period</b>	5th Cycle	01/31/2015 - 01/31/2023

<b>Building Permits Issued by Affordability Summary</b>		
<b>Income Level</b>		<b>Current Year</b>
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
<b>Total Units</b>		<b>0</b>

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

<b>Units by Structure Type</b>	<b>Entitled</b>	<b>Permitted</b>	<b>Completed</b>
SFA	0	0	0
SFD	0	0	0
2 to 4	0	0	0
5+	0	0	0
ADU	0	0	2
MH	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>2</b>

<b>Housing Applications Summary</b>	
Total Housing Applications Submitted:	5
Number of Proposed Units in All Applications Received:	5
Total Housing Units Approved:	5
Total Housing Units Disapproved:	0

<b>Use of SB 35 Streamlining Provisions</b>	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	5
Total Developments Approved with Streamlining	5
Total Units Constructed with Streamlining	2

<b>Units Constructed - SB 35 Streamlining Permits</b>			
<b>Income</b>	<b>Rental</b>	<b>Ownership</b>	<b>Total</b>
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

Cells in grey contain auto-calculation formulas

**CITY OF BELVEDERE**



**GENERAL PLAN ANNUAL PROGRESS REPORT 2021**

Prepared by  
Planning Department  
April 2022

## **Purpose of this Document**

Section 65400 and 65700 of the State of California Government Code requires planning agencies to provide an annual report to their legislative body, the Governor's Office of Planning and Research (OPR), and the State Department of Housing and Community Development (HCD) on the status of the General Plan and progress in its implementation. The four basic purposes of the annual report are as follows:

- To provide information to assess progress on implementation of the General Plan in accordance with the stated goals, policies and implementation measures.
- Provide information to identify necessary course adjustments or modifications to the General Plan as a means to improve implementation.
- To provide a clear correlation between land use decisions made during the reporting period, and the goals, policies and implementation measures in the General Plan.
- To provide information regarding local agency progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing.

State law requires that the General Plan Annual Progress Report (APR) be completed and submitted to the state each year for the previous calendar year. This APR looks at the City of Belvedere's progress toward implementing its General Plan during the 2021 planning year.

## **General Plan Background**

The General Plan Update process was initiated by the City Council in December 2007. The City Council appointed a citizen's committee to serve as oversight body for the General Plan Update process. The mission of the General Plan Update Steering Committee (GPUSC) was to guide the discussion of the policies and values that would shape housing, services, land use and land development in Belvedere for the next 20 years. Citizen participation played an important role in preparing the city's General Plan. Because a General Plan needs to reflect community goals and aspirations, citizens were involved with issue identification and goal formulation. Numerous public meetings were held to discuss the General Plan. The General Plan addresses State General Plan requirements. California law requires that every city and county adopt a long-term General Plan that addresses seven specific topics or "elements," organized in any format or structure preferred by the community. The overall guiding vision for Belvedere's 2030 General Plan is to: "Preserve the special and unique sense of place of Belvedere while allowing changes that would enhance the community." The city adopted its General Plan on June 9, 2010.

## **General Plan Status and Implementation**

Each element of the City of Belvedere General Plan is in compliance with the guidelines for the content of local general plans that were issued by the Governor's Office of Planning and Research.

## **Land Use Element**

The purpose of the Land Use Element is to shape the potential physical development of the City and to preserve, protect and enhance the community's current quality of life consistent with the City's Vision. The Land Use Element is the central chapter of the General Plan.

### *Implementation*

- Ordinance No. 2019-11 amended Chapter 19 of the Belvedere Municipal Code to comply with Federal and State law regarding ADU's and JADU's. The City submitted its ADU/JADU Ordinance to the California Department of Housing and Community Development, who declined to comment on the Ordinance indicating approval. Additionally, in November of 2020, the City Council adopted an Urgency Accessory Dwelling Unit Ordinance to comply with current State laws pertaining to Accessory Dwelling Units. Lastly, in 2021, the City adopted Ordinance 2021-04 formally adopting the City's ADU/JADU Ordinance.
- All new construction is reviewed by the Planning Commission to ensure that it is in harmony with the existing development.

Although no additional amendments were made in 2021, in the early part of 2022, the City Council adopted Urgency Ordinances for Objective, Design & Development Standards (ODDS) and an Urgency Ordinance for SB 9 developments.

The City is also in the process of updating its Housing & Safety Elements.

## **Transportation and Circulation**

The purpose of the Transportation and Circulation Element is to provide the general location and extent of roadways, bicycle and pedestrian facilities, and public transit facilities in the community. Belvedere's Transportation and Circulation Element is designed to offer a balanced circulation system that will promote public health, welfare, and safety, as well as preserve and enhance the quality of life of the community's environment. Underlying the preparation of the Transportation and Circulation Element is the City's long-standing policy that there be no substantial changes in the current road network.

### *Implementation*

- All building permits are reviewed for a staging and parking plan and are closely monitored during construction.
- The City continues to actively support and enroll in the Yellow Bus Program.
- Roads are slurry sealed periodically to maintain a full-service condition.
- Encroachment permits are issued in compliance with maintaining a 10-foot clearance for emergency vehicles.
- Requirements for sidewalks to be installed where there are no sidewalks on Lagoon Road are implemented for larger construction projects.

No amendments were made in 2021.

## **Sustainability and Resource Conservation Element**

The Sustainability and Resource Conservation Element provides a comprehensive policy framework to guide the City's green efforts and provides a foundation upon which to build future programs and practices through the life of the General Plan.

- The City of Belvedere has formed a Committee to Protect Belvedere's Seawalls, Levees and Utilities. This is an active Committee to review current and future vulnerabilities to the City's levee system and associated access routes, utilities and fire suppression systems. The Committee is designed to propose actions that will help protect the City from the impacts of climate change. Efforts on this matter continue to move forward.

No amendments were made in 2021. In 2022, the city will be bringing forward for formal adoption an update to our Climate Action Plan (CAP).

## **Parks Recreation and Open Space Element**

The purpose of the Parks, Recreation and Open Space Element is to provide neighborhood parks and recreational facilities to serve existing and new residents and to maintain and improve public services, facilities and capital improvement projects to meet the needs of the community and assure a high quality of life.

### *Implementation*

- Golden Gate Lane was developed for pedestrian use in 2019.
- The joint recreation district between the Town of Tiburon and the City of Belvedere continues to offer and expand programming for tots, youth, adults and seniors.

No amendments were made in 2021.

## **Cultural Archaeological and Historic Resource Preservation Element**

The purpose of this Element is to establish objectives, policies and programs that will preserve and improve Belvedere's history, identity, and unique sense of place. Protecting Belvedere's community character was given a high priority in the survey conducted for the General Plan and in public meetings. Much of Belvedere's character comes from the historic buildings, historic landscapes, and the development patterns of early and prehistoric settlements.

- Three homes were designated local historic landmarks in 2021 and two homes were granted benefits from the Mills Act.
- The City of Belvedere continues to engage with the Federate Indians of Graton Rancheria for review of development proposals on high sensitivity sites.

## **Community Design Element**

The purpose of the Community Design Element is to provide additional direction, beyond that of the land use element, to the planning area's development pattern, form, structure, and sense of



place. The community design element may provide the basis for aesthetic regulation of public and private land and structures.

#### *Implementation*

- All project subject to design review are reviewed and are consistent with the goals in the Community Design Element.

No amendments were made in 2021.

#### **Environmental Hazards: Safety and Stability**

The Environmental Hazards Element examines some of the special problems of developing property in Belvedere's unique environment and proposes strategies to ensure that Belvedere remains a safe, as well as environmentally attractive, setting. The objectives of this element are to reduce potential injury or loss of life and to lessen possible property damage.

#### *Implementation*

- The Block Captain Program is a program of the City's ongoing efforts to update its emergency preparedness planning for natural disasters. The program is active in enrolling new residents and promoting disaster and emergency preparedness.

No amendments were made in 2021 but the program continues. The city is currently in the process of updating its Housing Element along with the Safety Element.

#### **Noise Element:**

The Noise Element was adopted in 2010. The Noise Element recognizes that excessive noise is socially disruptive, may be physically and psychologically damaging, and can diminish property values and levels of productivity. The Noise Element presents a framework for minimizing the adverse environmental impacts of noise in Belvedere.

#### *Implementation*

- Due to the recent Public Safety Power Shut Offs (PSPS) many Belvedere residents have applied for generators. Additionally, there have been multiple heat waves last year and residents have been making applications for air conditioning units. Both generators and air conditioning units require planning and building review. Both departments have been implementing General Plan policy N-14.

No amendments were made in 2021.