

A G E N D A

Technical Advisory Committee #5

Thursday, August 21, 2008

10:15 am – 12:30 pm

SamTrans Auditorium (2nd Floor), 1250 San Carlos Avenue, San Carlos

- | | |
|----------|--|
| 10:15 am | <ul style="list-style-type: none">I. Welcome, Introductions and Meeting Purpose<ul style="list-style-type: none">A. Welcome and IntroductionsB. Agenda Overview |
| <hr/> | |
| 10:30 am | <ul style="list-style-type: none">II. Status Report<ul style="list-style-type: none">A. Brief Overview of Completed Products<ul style="list-style-type: none">(1) Website – Local planning effort, summary(2) Reviewing Current Housing Elements – Database, Reports
(See page 3 below) or see
http://www.21elements.com/index.php/Download-document/169-Database-with-Policies-and-Programs-from-All-Jurisdictions.html(3) Existing Housing Needs Data – Special topics(4) Surveys – Parking, development fees, zoning
(See page 5 below)
http://www.21elements.com/index.php/Download-document/139-Parking-Survey-Summary.html
http://www.21elements.com/index.php/Download-document/158-Development-Fees-Summary-Report.html(5) ConstraintsB. Timeline, Updating Products, Check-in<ul style="list-style-type: none">(1) Project Schedule |

11:15 am	III.	Special Topics
	A.	Second Units
		(See page 9 below)
	B.	SB 2 Report
		(See page 24 below)
	C.	Community Outreach Tools
	D.	County Tours
	E.	Additional Special Topics

11:45 am	IV.	Small Group Discussions
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12:15 pm	V.	HCD Questions and Answers
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12:30 pm	Close of TAC Meeting #5	
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First Time Homebuyer

Policies from previous housing element:

<i>Policy</i>	<i>Jurisdiction</i>	<i>Notes</i>
Policy H (F-7): Encourage participation in the San Mateo County first-time buyer program (Mortgage Credit Certificate) and other ownership assistance programs.	Burlingame	□
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.	Foster City	□
Program H11e: Continue and expand the City's first time homebuyer program using low and moderate income housing funds to subsidize mortgage finance costs.	Brisbane	□
(HIP-23) Mortgage Subsidy Programs. San Mateo County offers below market rate home mortgages to qualified first time home buyers for purchasing units built by developers who participate in the program. See HE for additional information. Target: Ongoing. Responsible Agency: Redevelopment Agency.	Millbrae	□
(C.1) New Ownership Housing. The City shall seek opportunities to assist in the acquisition of land/buildings for construction of new ownership housing with the use of Redevelopment Agency Housing Set Aside funds, HOME funds and CDBG funds.	Redwood City	□
(C.5) First Time Home Buyer Program. The City will assist with homeownership opportunities through a First Time Home Buyer Program revolving fund. See HE for sources of funds.	Redwood City	□
(1.14B) The City shall continue participating in the San Mateo County Housing Investment Project (CHIP), which is a consortium of several cities located in San Mateo County, San Mateo County, lenders, school districts, and other interested parties that seek to establish a countywide first-time home buyer program. (New Program)	South San Francisco	□
(6-E) Continue to participate in San Mateo County's Mortgage Credit Certificate (MCC) program for first time homebuyers. Advertise availability of the program.	San Bruno	□

<i>Policy</i>	<i>Jurisdiction</i>	<i>Notes</i>
Continue to work with CHIP (Countywide Housing Investment Program) which is a coalition of staff throughout San Mateo County who are responsible for first-time homebuyer programs. This working group has established parameters for a program that can be adopted in each City and will ultimately have a central administration.	San Carlos	□
(7.0) Establish new and/or participate in existing programs that utilize a variety of funding sources to provide first-time homebuyer assistance to income-qualified households, with a focus of assisting existing residents and workers in the City.	East Palo Alto	□

Jurisdiction Name:

[illegible]

[illegible]

Instructions Enter the permitting steps involved in the following types of developments.									
Single Family Home		Second Unit		Subdivision		Multifamily < 20 units		Multifamily < 20 units	
Step 1		Step 1		Step 1		Step 1		Step 1	
Step 2		Step 2		Step 2		Step 2		Step 2	
Step 3		Step 3		Step 3		Step 3		Step 3	
Step 4		Step 4		Step 4		Step 4		Step 4	
Step 5		Step 5		Step 5		Step 5		Step 5	
Step 6		Step 6		Step 6		Step 6		Step 6	
Step 7		Step 7		Step 7		Step 7		Step 7	
Step 8		Step 8		Step 8		Step 8		Step 8	
Step 9		Step 9		Step 9		Step 9		Step 9	
Step 10		Step 10		Step 10		Step 10		Step 10	
Step 11		Step 11		Step 11		Step 11		Step 11	
Step 12		Step 12		Step 12		Step 12		Step 12	
Step 13		Step 13		Step 13		Step 13		Step 13	
Step 14		Step 14		Step 14		Step 14		Step 14	
Step 15		Step 15		Step 15		Step 15		Step 15	
Step 16		Step 16		Step 16		Step 16		Step 16	
Step 17		Step 17		Step 17		Step 17		Step 17	
Step 18		Step 18		Step 18		Step 18		Step 18	
Step 19		Step 19		Step 19		Step 19		Step 19	
Step 20		Step 20		Step 20		Step 20		Step 20	

Instructions Enter the time (in weeks) that the following steps/procedures usually take. Please only enter numbers			
Permit/Procedure	Typical Processing Time in weeks (straight-forward proposal)	Typical Processing Time in weeks (complicated proposal)	Notes
Ministerial Review			
Conditional Use Permit			
Zone Change			
General Plan Amendment			
Site Plan Review			
Architectural/Design Review			
Tract Maps			
Parcel Maps			
Initial Environmental Study			
Environmental Impact Report			
Add Others here			
Developments	Typical Processing Time in weeks (straight-forward proposal)	Typical Processing Time in weeks (complicated proposal)	Notes
Single Family Unit			
Second Unit			
Subdivision			
Multifamily less than 20 units			
Multifamily more than 20 units			

AFFORDABILITY OF SECOND UNITS IN SAN MATEO COUNTY

Prepared September 24, 2008

This document presents summary analysis and data on affordability of second dwelling units (in-law suites, guest houses, etc.) in San Mateo County. In the coming weeks, we will release boilerplate language that jurisdictions can use regarding second units.

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EXECUTIVE SUMMARY

Rents and Affordability

Paid second units in San Mateo County have a median cost (rent plus utilities) of \$1,225, with a first quartile to third quartile range of \$1,200–\$1,400. Although different data sources provide different numbers, we think that the following affordability ratios, which include unpaid second units, are safe assumptions:

- About 50-70% of second units in San Mateo County are affordable to **extremely low income** households.
- About an additional 5-15% of second units in San Mateo County are affordable to **very low income** households (60-80% total).
- About an additional 10-30% of second units in San Mateo County are affordable to **low income** households (80-100% total).

Additional Key Findings

- Approximately 65% of second units are occupied by family members, caretakers, or household employees who pay no rent. (These units are included in the affordability statistics above.)
- Second units are less expensive, on average, than apartment complex rental units with the same number of bedrooms.
- Second units are also more affordable than apartment complex rentals because they tend to have fewer numbers of bedrooms. Most second units are studios and one-bedrooms, while most rental apartments are one-bedrooms and two-bedrooms.
- Second units are at just about the same affordability level as they were in 2000; overall county rents and incomes have risen at the same rates. However, rents for large apartment complexes have *not* risen in that time, so large apartments are now *more* affordable than they were in 2000.

FULL REPORT

What is an Affordable Unit?

An affordable unit is one where a household that earns 80% of median county income can pay 30% or less of that income towards housing. In San Mateo County in 2008, the affordability threshold costs for rent plus utilities are:

Household Size	Median Income in San Mateo County	Affordable for Extremely Low Income (under 30% of median)	Affordable for Very Low Income (30-50% of median)	Affordable for Low Income (50-80% of median)	Affordable for Moderate Income (80-120% of median)
1 Person	\$66,500	\$594	\$990	\$1,584	\$1,995
2 Person	\$76,000	\$679	\$1,131	\$1,810	\$2,280
3 Person	\$85,500	\$764	\$1,273	\$2,036	\$2,565

Methodology

We examined data sources related to second units including:

- Woodside 2000 second unit survey
- Portola Valley 2001 second unit survey
- Comparison of Second Unit Surveys/Programs compiled by Portola Valley (2000-2002 data)
- RealFacts Online (www.realfactsonline.com) – apartment market data and analysis
- U.S. Census 2000
- U.S. Census – American Community Survey 2006
- Craigslist
- National Low Income Housing Coalition’s Out of Reach Index
- California Housing and Community Development’s “Building Blocks for Effective Housing Units”
- California Housing and Community Development’s Bibliography of Selected Resources on Second Units
- Claritas data on San Mateo apartment rentals and renter demographics
- U.S. Department of Housing and Urban Development (HUD) publication “Allowances for Tenant-Furnished Utilities and Other Services”

Most information on apartment rental costs was taken from RealFacts, with supplementary information from the U.S. Census 2000. Information on second units in San Mateo County was taken from the two surveys listed above, and from September 2008 Craigslist postings.

RealFacts apartment rents do not include utilities, and are adjusted upwards based on HUD guidelines (see Appendix C).

We are considering a future examination of Public Use Microdata Sample (PUMS) data from the U.S. Census to enrich this survey. This data would allow us to determine more specific rental rates within San Mateo County.

Affordability

Affordability of Second Units in San Mateo County

There is no one perfect data source allowing us to quantify affordability of second units in San Mateo County. The following data sources provide different estimates for affordability (listed in general order of directness of applicability to second unit affordability in 2008): Craigslist, Portola Valley Survey, Woodside Survey, RealFacts, U.S. Census.

Overall, we think that the following numbers are safe conclusions:

- About 50-70% of second units in San Mateo County are affordable to **extremely low income** households.
- About an additional 5-15% of second units in San Mateo County are affordable to **very low income** households (60-80% total).
- About an additional 10-30% of second units in San Mateo County are affordable to **low income** households (80-100% total).

Craigslist

Based on Sept. 2008 Craigslist research (see Appendix B for details), paid second units in San Mateo County have a median cost (rent plus utilities) of \$1,225, with a first quartile to third quartile range of \$1,200 - \$1,400.

To calculate affordability ratios, we included an assumption that 65% of second units are unpaid and are occupied by family members, caretakers, or household employees (based on the Woodside and Portola Valley surveys; see below section “Most Second Units Are Free.”). Affordability ratios based on Craigslist data plus this assumption are as follows (information is the same for one and two-person households):

- About 65% of second units in San Mateo County are affordable to **extremely low income** households. All of these are unpaid second units.
- An additional 7% of second units in San Mateo County are affordable to **very low income** households (72% total).
- An additional 27% of second units in San Mateo County are affordable to **low income** households (99% total).

The number of units identified by the Craigslist study is small, and therefore the above numbers can be taken as a guideline only.

Portola Valley Survey

Based on a 2001 Portola Valley survey of second units (22 occupied units in total), paid second units have a median cost (rent plus utilities) of \$938, with a first quartile to third quartile range of \$625 - \$1,400 (see Appendix D for details).

Affordability ratios for households based on this data, which include unpaid second units occupied by family members, caretakers, or household employees, are as follows:

- About 55% of second units in San Mateo County are affordable to **extremely low income** households.
- An additional 8% of second units in San Mateo County are affordable to **very low income** 1-person households (63% total).
- An additional 19% of second units in San Mateo County are affordable to **low income** households (82% total).
- An additional 4% of second units in San Mateo County are affordable to **moderate income** 1-person households (86% total), while an additional 14% of second units are affordable to moderate income 2-person households (96% total).

The number of units reported in the Portola Valley survey is extremely small, and therefore the above numbers can be taken as a rough guideline only.

Woodside 2000 Second Unit Survey

In 2000, Woodside surveyed its property owners about second units. Rent ranges rather than specific rents were reported, so only rough estimates of median rent and affordability can be calculated. Median rent for paid second units is in the \$1,001 to \$1,500 range.

Rough affordability ratios for households based on this data, which include unpaid second units occupied by family members, caretakers, or household employees, are as follows (information is the same for one and two-person households; see Appendix D for year 2000 affordability thresholds):

- About 68% of second units in San Mateo County are affordable to **extremely low income** households.
- An additional 6% of second units in San Mateo County are affordable to **very low income** 1-person households (74% total).
- An additional 5% of second units in San Mateo County are affordable to **low income** households (79% total).
- An additional 15% of second units in San Mateo County are affordable to **moderate income** households (94% total).

21 Elements: San Mateo Countywide Housing Element Update Kit

Affordability of Second Units

Rent ranges were as follows:

Woodside		
Rent range in 2001		# Units
\$0 to	\$500	120
\$501 to	\$750	11
\$751 to	\$1,000	10
\$1,001 to	\$1,500	27
\$1,501 &	up	<u>10</u>
		178

115 of the units listed as having rents under \$500 were occupied with no cash rent by relatives, caretakers, or employees.

Unfortunately, the survey response rate was low (18.7%), so that not all second units were reported, and it is unclear whether unreported second units might vary from reported ones regarding affordability. Therefore, the above analysis should be taken as a starting point only.

Apartment Complex Rentals (RealFacts)

Based on data from RealFacts, large apartment complex rentals in San Mateo County have a median cost (rent plus utilities) of approximately \$1,650, with a first quartile to third quartile range of about \$1,465 - \$1,950.

Affordability ratios for studios through 1BR apartments in large complexes are presented here, since most second units are these smaller sizes. (Ratios for studios through 2BR/1BAs are presented in Appendix E.) Second units tend to be less expensive than rental apartments with the same number of bedrooms (see section below “Second Unit Rentals are More Affordable than Rental Apartments”). Thus, these figures probably provide a *lower bound* for the likely affordability of second units in the county, even though 2BRs are omitted.

For *one-person* households, affordability ratios are as follows:

- 0% of apartment complex studios and 1BR apartments in San Mateo County are affordable to **extremely low income** 1-person households.
- About 2% of apartment complex studios and 1BR apartments in San Mateo County are affordable to **very low income** 1-person households.
- About an additional 48% of apartment complex studios and 1BR apartments in San Mateo County are affordable to **low income** 1-person households (50% total).
- About an additional 35% of apartment complex rentals in San Mateo County are affordable to **moderate income** 1-person households (85% total).

21 Elements: San Mateo Countywide Housing Element Update Kit

Affordability of Second Units

For *two-person* households, affordability ratios are as follows:

- 0% of apartment complex rentals in San Mateo County are affordable to **extremely low income** 2-person households.
- About 5% of apartment complex rentals in San Mateo County are affordable to **very low income** 2-person households.
- About an additional 51% of apartment complex rentals in San Mateo County are affordable to **low income** 2-person households (66% total).
- About an additional 29% of apartment complex rentals in San Mateo County are affordable to **moderate income** 2-person households (95% total).

Average large apartment complex rents in San Mateo County in 2008 were (RealFacts 2nd quarter 2008):

- Studio: \$1,151
- Junior 1BR: \$1,473
- 1BR: \$1,583
- 2 BR/1BA: \$1,870

The spreads of large apartment complex rents in San Mateo County in 2008 were (RealFacts 2nd quarter 2008):

- Studio: \$750 – \$1,735
- Junior 1BR: \$1,200 – \$1,780
- 1BR: \$900 – \$2,640
- 2 BR/1BA: \$1,000 – \$3,173

U.S. Census

Based on the 2000 census, the median gross rent (rent plus utilities) in San Mateo County in 1999 was \$1,144/month, and the spread of contract rent (rent, not including utilities) from the lower quartile to upper quartile was \$837-\$1,426. For 2006, the median gross rent was \$1,327, and the spread of contract rent from lower to upper quartile was \$979-\$1,679.

Second Units Are About as Affordable as They Were in 2000

Apartment rental rates in San Mateo County rose by about 17% from 1999 to 2006 (U.S. Census). Median incomes have risen in proportion to the overall apartment rental rates, rising by about 15%, so the proportion of second units that are affordable has probably not changed much since 2000.

The U.S. Census reports a median income of \$70,819 for 1999, and \$83,109 for 2007. Based on the 2000 census, the median gross rent (rent plus utilities) in San Mateo County in 1999 was \$1,144/month, and the spread of contract rent (rent, not including utilities) from the

lower quartile to upper quartile was \$837-\$1,426. For 2006, the median gross rent was \$1,327, and the spread of contract rent from lower to upper quartile was \$979-\$1,679.

Interestingly, rents in 2007 for large apartment complex rentals in San Mateo County have not risen along with overall rents (based on data from RealFacts), but are approximately the same as they were in 2000, making them relatively more affordable now (see Appendix A for details).¹

Most Second Units are Free, and Therefore Affordable

About 65% of second units are completely free. Based on surveys conducted in Woodside in 2000 and Portola Valley in 2001, most second units are free, and therefore affordable to very low income households. In Woodside, out of 178 second units with permanent residents, 120 second units were occupied by family members, caretakers, or household employees who were not paying rent, meaning that 67% of second units had rents of zero. In Portola Valley, 10 out of 22 second units were occupied without rent by family members, caretakers, or household employees, constituting 45% of all second units. This means that in total, 130 out of 200, or 65% of surveyed second units in San Mateo County, were occupied without rent.

However, this number varied significantly between the two surveys, so it will be important to gather additional data through future surveys to arrive at a more precise figure.

Second Unit Rentals are More Affordable than Rental Apartments

Second units that charge rent are 16-28% more affordable than large apartment complex rentals.

Craigslist

A September 2008 review of all second units listed for rent in San Mateo County on Craigslist reveals that second units are significantly less expensive than units with the same number of bedrooms in large rental apartment complexes.

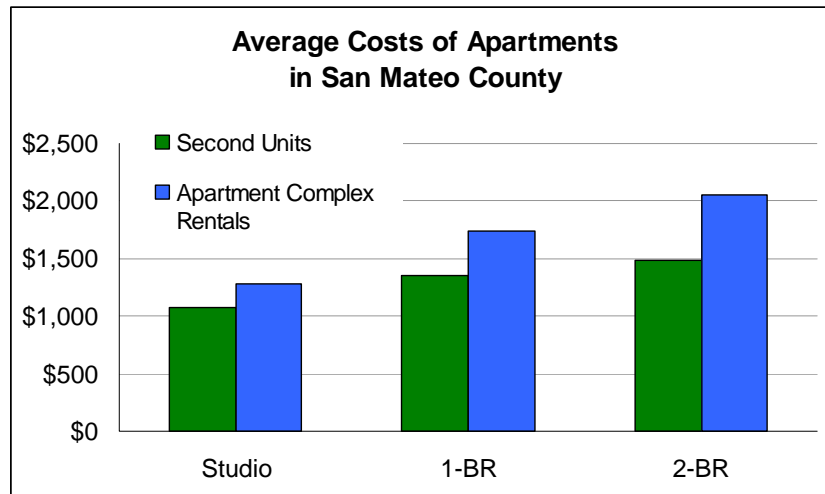
The following table and graph compare average costs of second units to costs of rentals in apartment complexes with 50+ units:

	Average Cost - Second Unit	Average Cost - Apartment Complex	Percent More Affordable
Studio	\$1,072	\$1,281	16.3%
1-BR	\$1,356	\$1,738	22.0%
2-BR	\$1,483	\$2,051	27.7%

¹ We plan to investigate this finding further, to test whether it might possibly be due to different complexes being included in the RealFacts database at different time periods or some other statistical artifact.

21 Elements: San Mateo Countywide Housing Element Update Kit

Affordability of Second Units



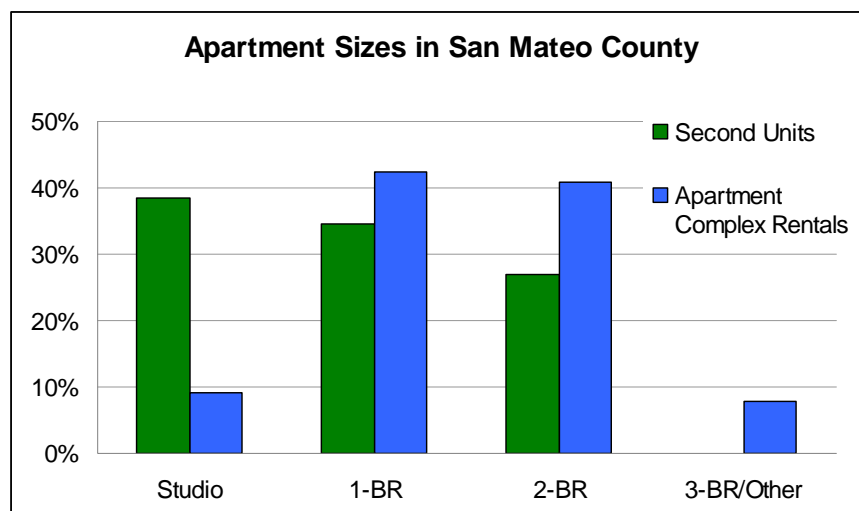
(Sources: Craigslist (see Appendix B); RealFacts (data for 2nd Quarter 2008). See Appendix C for details on utility adjustments.)

2000/2001 Surveys

Surveys in Woodside and Portola Valley in 2000/1 confirm the above analysis. The average rent for second units in Portola Valley in 2001 was \$1,014, and the median rent for second units in Woodside in 2000 was \$1,000-\$1,500, significantly lower than the overall average apartment rent in San Mateo County of \$1,760 in 2000 and \$1,785 in 2001.

Second Units are Smaller Than Apartment Complex Rentals

Second units tend to be smaller than large apartment complex rentals, which contributes to their affordability. Most second units are studios and one-bedrooms, while most rental apartments are one-bedrooms and two-bedrooms, as shown in the following chart:



21 Elements: San Mateo Countywide Housing Element Update Kit

Affordability of Second Units

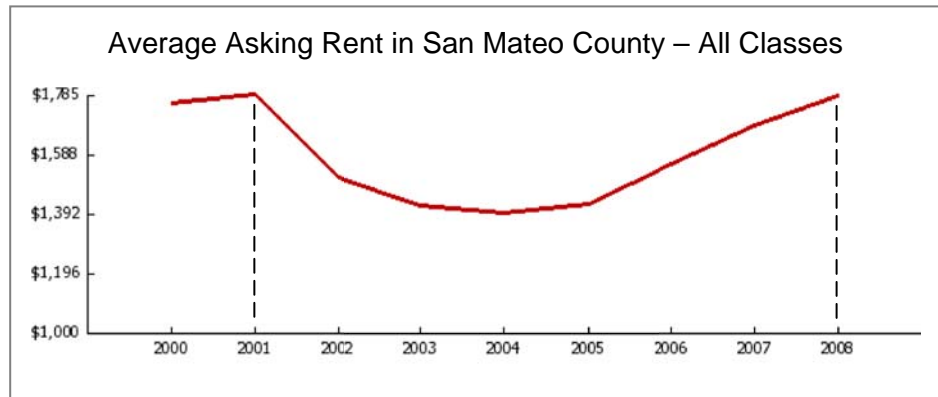
(Sources: Second units - Craigslist (see Appendix B), Apartment complexes – RealFacts, 2008 data.)

The survey conducted by Woodside in 2000 demonstrates the same trend, with an even stronger tendency towards smaller second units – full data is shown in the following table:

	Second Units - Craigslist	Second Units - Woodside Survey	Apartment Complex Rentals
Studio	38.5%	50.4%	9.1%
1-BR	34.6%	23.1%	42.3%
2-BR	26.9%	23.1%	40.8%
3-BR/Other	N/A	3.3%	7.8%

Square footage data for second units in San Mateo County is not available, but it is likely that second units have lower square footage as well, contributing to their relative affordability.

Appendix A: Average Apartment Complex Rents in San Mateo County, 2000-2008



Source: RealFacts Online

Rents for large apartment complexes (50+ units) in San Mateo County in 2008 are essentially the same as in 2001 – specifically, average rents are 0.2% *lower* in 2008. Studio apartments are the only category of small rentals with a non-trivial change between 2001 and the present: they are now about 6% less expensive.

	2000	2001	2002	2003	2004	2005	2006	2007	2008	% change 2001 to 2008
Avg. Rent	\$1,760	\$1,785	\$1,511	\$1,416	\$1,394	\$1,424	\$1,555	\$1,683	\$1,782	-0.2%
studio	\$1,142	\$1,227	\$1,032	\$925	\$921	\$933	\$1,040	\$1,117	\$1,155	-5.9%
jr 1bd	\$1,562	\$1,489	\$1,202	\$1,135	\$1,095	\$1,135	\$1,277	\$1,413	\$1,487	-0.1%
1bd 1bth	\$1,593	\$1,586	\$1,339	\$1,260	\$1,237	\$1,267	\$1,387	\$1,506	\$1,586	0.0%
2bd 1bth	\$1,748	\$1,857	\$1,590	\$1,469	\$1,434	\$1,440	\$1,572	\$1,723	\$1,841	-0.9%
2bd 2bth	\$2,279	\$2,230	\$1,899	\$1,766	\$1,742	\$1,797	\$1,950	\$2,086	\$2,217	-0.6%
2bd TH	\$1,910	\$2,068	\$1,724	\$1,652	\$1,584	\$1,617	\$1,712	\$1,839	\$1,966	-4.9%
3bd 2bth	\$2,427	\$2,840	\$2,327	\$2,221	\$2,309	\$2,283	\$2,435	\$2,590	\$2,772	-2.4%
3bd TH	\$1,987	\$2,204	\$1,993	\$1,830	\$1,768	\$1,783	\$1,934	\$2,159	\$2,244	1.8%

Source: RealFacts Online

Appendix B: Second Units Listed on Craigslist (Sept. 16-23, 2008)

Price	BRs	Jurisdiction
\$700	0	Daly City
\$810	0	San Bruno
\$850	0	San Bruno
\$1,150	0	San Mateo
\$1,200	0	Coastside/Pescadero
\$1,200	0	Daly City
\$1,200	0	Pacifica
\$1,200	0	Redwood City
\$1,200	0	Redwood City
\$1,250	0	Menlo Park
\$950	1	San Bruno
\$975	1	Brisbane
\$1,200	1	Burlingame
\$1,200	1	Redwood City
\$1,300	1	San Mateo
\$1,400	1	Redwood City
\$1,400	1	South San Francisco
\$1,500	1	Redwood City
\$1,500	1	South San Francisco
\$1,285	2	San Bruno
\$1,300	2	Daly City
\$1,350	2	Palo Alto
\$1,350	2	South San Francisco
\$1,350	2	South San Francisco
\$1,500	2	Daly City
\$2,200	2	South San Francisco

This data is based on 26 Craigslist posts dated Sept. 16-23, 2008. The posts were selected from apartments for rent based on including the term “in-law,” which is a clear, consistent indicator of a second unit.

Fourteen units had utilities included; four listed exact utility costs, and were adjusted upward accordingly. For the remaining eight units, it was unknown whether utilities were included. For these units, costs were adjusted upward by the normal utility cost for a unit of that size multiplied by the likelihood that utilities were included.

Appendix C: Utility Cost Adjustments

RealFacts does not include utility costs in its listing for apartment complex rents, so costs for apartments listed on RealFacts are computed as rent plus normal utility cost for a unit of that size. Based on HUD data, utility costs for San Mateo County for 2007 were:

- Studio – \$130/month
- 1-BR – \$155/month
- 2-BR – \$181/month

Appendix D: Portola Valley 2001 Survey Data

Rent	Occupants
\$ 210	1
\$ 300	1
\$ 500	2
\$ 750	1
\$ 780	1
\$ 875	1
\$ 1,000	1
\$ 1,000	1
\$ 1,200	1
\$ 1,600	1
\$ 1,650	1
\$ 2,300	2

An additional 10 units were occupied at no cost by family members, caretakers, or household employees.

Affordability Calculation Methodology: Affordability for Portola Valley second units was calculated based on affordability thresholds for 2000, which are as follows:

Household Size	Median Income in San Mateo County	Affordable for Extremely Low Income (under 30% of median)	Affordable for Very Low Income (30-50% of median)	Affordable for Low Income (50-80% of median)	Affordable for Moderate Income (80-120% of median)
1 Person	\$51,000	\$394	\$655	\$1,020	\$1,530
2 Person	\$58,313	\$450	\$749	\$1,166	\$1,749
3 Person	\$65,625	\$505	\$843	\$1,313	\$1,969

Data source: HUD

Appendix E: Affordability of Studios through 2BR/1BA Apartments in Large Apartment Complexes

(Data from RealFacts 2008.)

Affordability ratios for *one-person* households based on this data are as follows:

- 0% of apartment complex rentals in San Mateo County are affordable to **extremely low income** 1-person households.
- 1% of apartment complex rentals in San Mateo County are affordable to **very low income** 1-person households.
- About an additional 40% of apartment complex rentals in San Mateo County are affordable to **low income** 1-person households (41% total).
- About an additional 24-39% of apartment complex rentals in San Mateo County are affordable to **moderate income** 1-person households (65-80% total, or about 72%).

For *two-person* households, affordability ratios are as follows:

- 0% of apartment complex rentals in San Mateo County are affordable to **extremely low income** 2-person households.
- About 4% of apartment complex rentals in San Mateo County are affordable to **very low income** 2-person households.
- About an additional 55% of apartment complex rentals in San Mateo County are affordable to **low income** 2-person households (63% total).
- About an additional 30% of apartment complex rentals in San Mateo County are affordable to **moderate income** 2-person households (93% total).



Housing Element Update Kit

SB2 Policy and Technical Paper

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10.10.08

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I. Purpose of This Document

Effective January 1, 2008, SB2 (Chapter 633, Statutes of 2007) requires every California city and county to engage in a detailed analysis of emergency shelters and transitional and supportive housing in their next Housing Element revision, regulates zoning for these facilities, and broadens the scope of the Housing Accountability Act to include emergency shelters as well as supportive and transitional housing.

This document is designed to provide the communities that are members of San Mateo County's 21 Elements project with

- (1) An overview of the local policy context relevant to SB2;
- (2) Recommended strategy for complying with SB2; and
- (3) Technical guidance on how to meet the SB2 requirements in their upcoming Housing Element revisions, including draft language.

II. Local Policy Context Relating to SB2

A. The HOPE Plan

In 2005-2006, a county-wide group of diverse stakeholders undertook an intensive community-based planning process to develop a plan to end homelessness in San Mateo County. The end result – entitled “Housing Our People Effectively (HOPE): Ending Homelessness in San Mateo County (“the HOPE Plan”) – lays out concrete strategies designed to end homelessness in our community within 10 years. Completed in March 2006, the report incorporates the experiences and expertise of over 200 stakeholders, including members of the business, nonprofit and government sectors. Many of these stakeholders were elected officials and staff from the 21 jurisdictions that are members of the San Mateo County Countywide Housing Element Update project. The final plan has been formally adopted by several of San Mateo County's 21 jurisdictions.

The HOPE Plan is the community's comprehensive policy and planning document relating to homelessness and therefore provides the local policy framework for developing the strategies and activities required by SB2 relating to emergency shelter, and transitional and supportive housing.

The HOPE Plan is a call to action to prevent and end homelessness in San Mateo County. The Plan is outcome-driven and as such has two overarching desired results:

- Creating 7,900 units of affordable and supportive housing for households which are homeless or at imminent risk of homelessness; and
- Providing 4,300 households with short-term assistance to secure or maintain housing.

The HOPE Plan is built around two key strategies to meet the needs of HOPE's target population (people who are homeless or “at-risk” of homelessness, defined as renter households that have incomes at or below 30% AMI and a high rent burden defined as paying 50% of their income in rent):

1. Increasing affordable housing opportunities: **Increase the supply of permanent affordable and supportive housing for people who are homeless** and develop strategies to help them to move into permanent housing as rapidly as possible.
2. Preventing people from becoming homeless: **Prevent individuals and families from becoming homeless in the first place** by assisting them to maintain their housing and ensuring people who are leaving institutional settings (such as jails, hospitals, treatment programs, foster care, etc.) are able to secure permanent, and where needed supportive, housing as they reenter the community.

HOPE planners based their recommendations on extensive analysis and discussion of research and emerging best practices in the field, including a shift towards:

- Prevention, including redirecting the emergency services system towards evidence-based homelessness prevention practices; and,
- Housing first or rapid re-housing strategies – away from expanding the emergency housing and services system as such and towards focusing resources on helping homeless people rapidly secure permanent affordable housing with needed services in place to help them maintain it.

The HOPE Plan intentionally made no recommendation to expand the supply of emergency or transitional housing (except for a small pilot motel voucher program to provide assistance to single individuals). Although the HOPE planners recognized that there is a lack of needed resources throughout the housing continuum, including emergency and transitional housing, the greatest need and the most effective use of new and/or redirected resources is for creating and sustaining quality affordable housing (accessible to households with incomes $\leq 30\%$ AMI) and, where needed, supportive housing.¹ Since the HOPE Plan was adopted by the County, many cities, and other community groups, there have been no plans for new emergency shelter or transitional housing put forth in San Mateo County (with the exception of transitional housing or permanent housing with transitional services for emancipating foster and/or homeless transition-age youth).

Within the specific strategies identified to increase affordable housing opportunities, the Plan recommends removing barriers to and/or creating incentives for the development of extremely low-income affordable and supportive housing by:

- Establishing innovative land use and zoning policies and recommendations;
- Creating clearer, more streamlined building and development processes to shorten the time and decrease the cost of affordable and supportive housing development; and
- Identifying more suitable, appropriately zoned land and multi-unit buildings appropriate for affordable and supportive housing.²

¹ HOPE Plan, page 15.

² HOPE Plan, pages 14 – 18.

B. HOPE Interpretation of Opportunities Offered By SB2

The HOPE Interagency Council (IAC) is the group that has been established to oversee the ongoing implementation of the HOPE Plan. The IAC membership includes elected officials and staff from the County and cities as well as representation from non-profit housing and service providers. Staff to the IAC have analyzed the SB2 legislation and developed a draft HOPE position and recommendations relating to SB2. These recommendations were approved at the September 10, 2008 meeting of the IAC. The full policy statement adopted by the IAC may be found in Appendix 1.

The IAC has articulated an interpretation of SB2 that views this legislation as presenting unique opportunities for our community to advance the goals articulated in the HOPE Plan. SB2 strengthens existing housing element requirements to provide the opportunity for the development of supportive housing. Taken together, SB2's requirements are intended to encourage every jurisdiction in California – through carrot and stick – to embrace its responsibility to make housing opportunities accessible for all of the community's members, particularly those in greatest need due to poverty, disability and chronic illness. SB2 does the following:

- Brings **increased visibility to the issue of homelessness** in each jurisdiction in our county by requiring each community to identify and analyze the housing and services needs of homeless persons and families and to assess the unmet need for emergency shelter.
- Supports ten-year plans to end homelessness that are based on **housing first/rapid re-housing strategies** and do not include expanding emergency shelters. SB2 requires a jurisdiction to designate zoning districts adequate to accommodate the unmet need for shelter, but it **does not require a jurisdiction to create new emergency shelters**.
- **Clarifies that transitional and supportive housing throughout California must be treated as a residential use of property** and strictly limits the grounds under which cities and counties may deny it.
- Provides an **incentive for local jurisdictions to develop a proactive program to reduce constraints on the development of transitional and supportive housing** (and provides a tool in the form of designated zones for emergency shelters that allows affordable and supportive housing advocates to apply pressure to those jurisdictions that choose not to comply with SB2's requirements.)

III. Recommended Strategy for Complying with SB2

Over the past several months the 21 Elements project staff have conducted an extensive information-gathering process to develop the recommendations in this paper, as well as the technical information presented in Section IV. We have been in communication with the HOPE Plan staff and the IAC, as well as with staff from State HCD and from Contra Cost County. We have also researched best practices in the field of supportive housing and homeless services.

Our recommendation is that jurisdictions in San Mateo County should adopt a strategy for complying with SB2 that is consistent with the framework established by the HOPE Plan. Specifically, we recommend that jurisdictions should:

- Use the methodology proposed in this paper to make an estimate of the need for emergency shelter beds and identify a zone or zones that will be adequate to meet the need, while at the same time recognizing that SB2 does not require that additional shelter beds be developed.
- Emphasize in the Housing Element that the community is implementing the key strategies for reducing homelessness laid out in the HOPE Plan, which focus on expanding the supply of affordable housing and supportive housing instead of expanding emergency shelter, and adopting a “rapid re-housing” or “housing first” approach to meeting the housing needs of homeless people. Develop a strong set of policies and programs to remove constraints on the development of affordable and supportive housing.

Note that the strategy articulated here is consistent with HCD’s guidance regarding SB2, which states that “while the new statute requires every local government zone for the development of emergency shelters, it does not restrict how local governments allocate resources to address local housing needs. For example, nothing in SB2 prohibits communities from also adopting a “Housing First” strategy to provide homeless persons with housing immediately and then providing services as needed.”

IV. Technical Information for Preparing the Housing Element Revision

A. Overview of SB2 Requirements

The SB2 legislation establishes new requirements relating to emergency shelter, transitional housing and supportive housing. This section of the document provides a detailed outline of the steps each jurisdiction should follow in order to meet these requirements. These steps are divided into the following four major sections:

1. **Identify and estimate the housing and service needs** of homeless persons and families and **assess the unmet need** for emergency shelter, and transitional and supportive housing;
2. **Designate zoning districts** adequate to accommodate the identified need for emergency shelters;
3. **Develop a program to reduce constraints** on the development of transitional and supportive housing; and
4. Comply with the broadened scope of the **Housing Accountability Act** (Government Code 65589.5) which now includes emergency shelters, and transitional and supportive housing.

The following sections provide specific technical guidance on how to comply with these requirements. Section V provides template language to include in the Housing Element.

HCD's definitions of emergency shelter, transitional housing and permanent supportive housing may be found in Appendix 2.

B. Checklist of Action Items for Meeting SB2 Requirements

1. Identify and Estimate Need for Homeless Shelters, Housing and Services

In its technical memo issued on May 7, 2008, HCD described on page 7 the four elements that should be included as part of a community's identification and analysis of the needs of homeless persons and families and the resources available to meet those needs:

- 1a. An estimate of the daily average number of persons lacking shelter, including, where possible, data on family composition (singles versus families with children) and gender.
- 1b. A description of the percentage of subpopulations of homeless people in the community, including data that identifies specific service needs (e.g., mental illness, substance use, developmental disability, emancipated foster youth).
- 1c. An inventory of the homeless housing resources available within the community, including shelters, transitional housing and supportive housing units. This analysis should also estimate the number of beds and units available (i.e., vacant).

- 1d. An assessment of unmet homeless need, including the extent of need for emergency shelter. This analysis must include an assessment of the year-round need and the seasonal need (i.e., winter need). This assessment may also include unmet need for transitional and supportive housing, but the law does not explicitly require it.

The sections that follow provide a summary of available data and suggested methodologies for each of these elements.

1a. Estimate Daily Average Number of Homeless People

Background:

The best source of data for estimating the daily average number of homeless people in the jurisdiction is the 2007 San Mateo County Homeless Census and Survey, Final Report (2007 Census and Survey), issued in May 2008 and available for downloading at www.smchsa.org/hope.

As part of the 2007 Census and Survey, the San Mateo County Human Services Agency, Center on Homelessness coordinated the Homeless Census, a one-day count of homeless people in every census tract in San Mateo County. This census took place on January 30th, 2007 and included both unsheltered homeless people (those visible on the streets, and in cars and encampments) and sheltered homeless people (those living in emergency shelters, transitional housing, motel voucher programs, treatment programs and jails). A detailed description of the methodology for the census may be found in the report.

A table summarizing the results of the count and broken down by jurisdiction may be found in Appendix 3A of this document. For additional details (including a breakdown of the data by household type and gender), jurisdictions are advised to download the full 2007 Census and Survey report from the HOPE website. Also, if a community has its own recent source of homeless census data, this can be used either in place of the 2007 Census and Survey, or else can be combined or averaged with the 2007 Census and Survey data.

Action Steps:

- Decide whether to use the 2007 Census or Survey data or conduct your own homeless census
- Write summary of homeless count results or use the boilerplate text provided

1b. Estimate Homeless Subpopulations and Service NeedsBackground

The best source for estimating homeless subpopulations and service needs is the 2007 San Mateo Census and Survey. As part of the 2007 Census and Survey project, the San Mateo Human Services Agency, Center on Homelessness, coordinated a series of interviews with a representative sample of 422 homeless people conducted over a five-week period in February and March 2007. This survey included numerous questions, including demographic information and service needs. Additional information about the survey methodology may be found in the full report.

Unlike the Homeless Census, which collected data on the numbers of homeless people in every city and town, the Homeless Survey provides only a general profile of the overall homeless population in the county. Local governments may use these general percentages to estimate the subpopulations of homeless people in their own city or town. Alternatively, if a jurisdiction has conducted its own homeless survey or needs assessment, this data can be used either in place of or as a supplement to the 2007 Census and Survey data.

The charts in Appendix 3B of this document summarize the data on the subpopulations that HCD has specifically noted in its technical memo, as well as some other demographic information. For more information, jurisdictions are advised to download the full 2007 Census and Survey report from the HOPE website.

Action Steps

- Decide which data source(s) to use (2007 Homeless Census and Survey and/or other local data)
- Write a description of the homeless subpopulations or use the boilerplate text provided

1c. Develop Inventory of Resources Available**1c.i. Inventory of Shelter, Transitional Housing and Supportive Housing**Background

The best source of data on the inventory of existing emergency shelter and transitional housing beds and supportive housing units is the San Mateo County's Center on Homelessness, which maintains and updates the inventory data published in the HOPE Plan (San Mateo County's 10-Year Plan to End Homelessness). The most recent inventory available contains data collected in January 2008 and has been provided in Appendix 3C of this document.

Please note that this inventory includes only those facilities that are specifically targeted to house homeless people and that restrict occupancy for homeless people exclusively. Many jurisdictions have other housing and facilities that, while not specifically restricted for homeless people, often house formerly homeless individuals. These facilities can also be considered a resource for homeless people. Examples could include:

- Board and care facilities or group homes for people with mental illness, developmental disability, or other disabilities. Since many homeless people have disabilities, they sometimes access these

types of housing resources. However, generally speaking, the majority of board and care/group home residents are not formerly homeless people;

- Affordable housing units that are not supportive housing (i.e., do not have on-site services) but which are affordable for people with extremely low incomes (30% AMI);
- Residential substance abuse treatment programs targeting people with extremely low incomes. Some of the individuals entering residential treatment programs are homeless upon entry and often they exit these programs back into homelessness.

To the extent that these or other types of facilities are present in a jurisdiction, it is legitimate to count some of their beds as resources for homeless people. However, jurisdictions should make sure to draw a distinction between those facilities that have beds that are restricted for and dedicated to homeless people versus those that are targeting a broader population (e.g., people with disabilities, people with extremely low incomes) and that therefore tend to have some homeless people among their tenants/residents. Be sure not to overstate the size of the housing inventory for homeless people by including units that more accurately fall into the category of “special needs housing” or “affordable housing.”

Action Steps:

- Develop an inventory of emergency shelter, transitional housing, supportive housing and “other” types of facilities for homeless people, using the data in Appendix 3C and any other local sources of information
- Present data in a table or use the boilerplate provided

1c.ii. Available Inventory of Shelter, Transitional Housing and Supportive Housing

Background:

The inventory presented in Appendix 3C includes all existing beds and units, whether they are occupied or not. SB2 requires that Housing Element revision should also include an analysis of the available inventory, which is the number of beds and units that are vacant at a given point in time.

Vacancy levels vary significantly from one facility to another and there is limited data available on vacancy levels. The chart in Appendix 3D provides the most recent available data for those shelters and transitional housing programs that participated in the 2007 Homeless Census and Survey.

Additional data is provided on vacancy levels from the major supportive housing programs.

Jurisdictions can use these vacancy rates to estimate the number of beds that would be available at any given point in time.

Action Steps:

- Use the chart in Appendix 3D plus any local data to develop an estimate of the total number of available shelter, transitional housing and supportive housing beds/units at any given point in time

1.c.iii. Inventory Under Development

Background

Jurisdictions are also encouraged to describe any emergency shelter, transitional housing or supportive housing units that are currently in the development pipeline or that are projected to be developed during the Housing Element period. Appendix 3E provides a list of projects for which funding has been secured/approved or for which a specific source of funding has been identified that is likely to be secured/approved in the next five years. Please note that the projects/programs listed are either scattered-site/tenant-based voucher programs or are site-specific projects for which no sites have yet been identified. As a result, none of these units can be definitively attached to a specific jurisdiction. A projected distribution of the units has been provided in Appendix 3E.

Action Steps:

- Use the methodology in Section 3E or develop your own methodology to estimate the number of supportive housing units that will be developed in your jurisdiction over the next five years
- Present in a table or use the boilerplate provided

1c.iv. Other Resources for Homeless People

Background

In addition to describing shelter and housing resources, the jurisdiction should also identify key support services programs that provide essential services to homeless individuals. The chart in Appendix 3F provides a brief overview of the key homeless services in San Mateo County. Additional information on homeless services may be obtained from the Community Information Program, which publishes a Community Information Handbook that can be downloaded at www.cip.plsinfo.org.

Action Steps:

- Use the list in Section 3F, the Community Information Handbook, plus any other local data sources to develop a description of available homeless services
- Write description or use the boilerplate provided

1d. Assess Unmet Need for Emergency Shelter, Transitional and Supportive Housing**1d.i. Year-round Need for Emergency Shelter****Background**

SB2 requires that local governments assess the year-round and seasonal need for emergency shelter. The year-round need means the need on a typical or average day of the year. The seasonal need is the need during periods of the year when shelter demand typically increases, such as during the winter months, summer months (in areas of the state where extreme heat is common), or periods when there are large numbers of migrant workers in the community.

Based on our understanding of the SB2 requirements and a review of existing practices in estimating the unmet need for housing and shelter for homeless people, we recommend that San Mateo County cities and towns use the following methodology for estimating their year-round need for shelter beds:

Unmet Need for Emergency Shelter =
Unsheltered homeless minus **Available beds** minus **New units likely to be created**

Unsheltered homeless (Appendix 3A) = Total number of unsheltered homeless people in the city or town on the day of the 2007 Homeless Census (sheltered homeless people should not be included in the calculation because their need for shelter has already been addressed);

Available beds (Appendix 3D) = Total number of available emergency shelter and transitional housing beds and supportive housing units, meaning the number that are vacant at any given point in time. Using the total existing inventory is not recommended, since most of these beds/units are occupied at any given point in time and not available for housing homeless people.

New units likely to be created (Appendix 3E) = Number of supportive housing units identified in HOPE that will be created during the five-year housing element planning period and for which funding has been identified. The HCD technical memo indicates that these supportive housing units may be used to reduce the need for emergency shelter. As noted above, Appendix 3E provides a list of supportive housing units currently under development. This list includes projects for which the funding has been approved/secured or for which there is a specific source identified and there is a strong likelihood that the funds will be secured.

Action Steps:

- Use the formula described above to derive the unmet need for emergency shelter, or else develop an alternate methodology
- Present result in a table or use the boilerplate provided

1d.ii. Seasonal Need for Emergency Shelter**Background**

There is no data presently available documenting the increased level of demand for shelter in San Mateo County during particular times of the year. Due to the relatively mild climate, the only time of year when increased demand appears to be a factor is during the winter months (December to February). During extremely cold periods, some shelters set up additional cots to accommodate increased demand for shelter and the County periodically opens special “warming shelters” during extended cold spells. Anecdotal evidence suggests that this additional capacity is sufficient to meet the need during these periods.

Additionally, it should be noted that the biannual homeless count always takes place in the last week of January, which is a period of time when demand for shelter typically is at its highest. Since the year-round need is based on the biannual count, jurisdictions can therefore assume the seasonal need for emergency shelter is the same as the year-round need.

Action Steps:

- Adopt the approach recommended above, or else develop an alternative methodology for estimating seasonal need
- Write brief explanation of how estimate was derived, or else use the boilerplate provided

1d.iii. Unmet Need for Transitional and Supportive Housing**Background**

The HOPE Plan projects an unmet need for 2,500 supportive housing units in San Mateo County over the ten-year period of the plan (2006-2015), consisting of 1,682 units for homeless people and 818 units for people at risk of homelessness. In the first two years of HOPE implementation, 109 new units have been created, resulting in a revised unmet need of 2,391 units.

This current unmet need for 2,391 supportive housing units breaks down as follows:

- 1,648 units of supportive housing for homeless people (131 family units and 1,517 units for single people)
- 743 units of supportive housing for people at risk of homelessness (280 family units and 463 units for single people)

Since SB2 does not ask communities to address the housing needs of people who are at risk of homelessness, jurisdictions should use only the HOPE unmet need estimates for supportive housing for people who are homeless when estimating unmet need for supportive housing.

The HOPE unmet need calculations do not provide any breakdown of needed supportive housing units by jurisdiction. In order to arrive at your individual city or town’s estimate of unmet need, we recommend simply multiplying the total units needed by your jurisdiction’s percentage of the unsheltered homeless population (as documented in Appendix 3A). For example, if your city has 20% of the unsheltered homeless people, your unmet need for supportive housing would be 20% of the total of 1,588 supportive housing units for homeless people.

Jurisdictions that are interested in learning additional details about how these estimates were arrived at should refer to Appendix G of the HOPE Plan, which is available online at www.smchsa.org/hope.

Action Steps:

- Calculate unmet need for supportive housing using the methodology described above, or else develop an alternate approach
- Present calculation in a table or use the boilerplate provided

2. Designate Zoning Districts for Emergency Shelter

As noted in the summary of SB2 requirements, the new law requires that communities designate zoning districts adequate for facilities to accommodate the identified need for emergency shelters, wherein emergency shelters must be allowed without a conditional use or other discretionary permit and are exempt from CEQA (California Environmental Quality Act). Following are the process steps each jurisdiction should follow to meet this requirement.

2a. Determine Extent of Unmet Need

Action Steps:

- Conduct the analysis described above (Section IV.B.1.d) to determine the number of emergency shelter beds needed
- If the analysis indicates that no additional beds are needed, then new shelters may be allowed with a conditional use permit. However, please bear in mind that this will only be the case for cities or towns that have a relatively large number of shelter beds and these shelters have a large number of available (i.e., vacant) beds. We do not believe that this will be the case for any of the communities in San Mateo County.
- Even if the analysis indicates no beds are needed, the jurisdiction must in any case identify a zone or zones that can accommodate at least one year-round emergency shelter

2b. Review Existing Zones and Ordinances

Background

Jurisdictions should determine whether a zone or zones already exist that meet all the requirements described in the HCD technical memo with regard to size of available acreage, suitability of the available acreage for the proposed use, potential of the zone for development, and compatibility of residential uses (shelters) with other uses within the zone. A detailed summary of the requirements for the zones and ordinances may be found in Appendix 4 of this document.

The proposed zone(s) must have enough space to accommodate the number of shelter beds identified in the assessment of unmet need. There are no established standards for square footage or acreage per shelter bed, so jurisdictions should draw information from the existing inventory of

shelters in San Mateo County, and elsewhere if needed, to make an estimate of how much acreage is required.

Below is a summary of data on some of the shelters in San Mateo County. Additional information will be provided as we obtain it.

Facility Name	Number of Beds	Square Footage or Acreage
Spring Street Shelter (Redwood City)	15 beds	Building is 6,750 square feet
Safe Harbor Shelter (South San Francisco)	60 beds	Parcel is 10,000 square feet

Action Steps:

- Review existing zones and ordinances to determine if there is an existing zone or zones with the capacity to accommodate the identified need.
- Review ordinances and processes to determine whether there are existing zones within which shelters would be allowed without discretionary use permits or other discretionary action
- If a zone meeting requirements already exists, make a list of these zone(s) and develop a description of the zone(s) characteristics that is sufficiently detailed to document that it meets the requirements
- If no existing zone(s) exist, move on to the next section

2c. Amend Existing Zones or Create New Zones for Emergency Shelter

Background

If there are no existing zones or ordinances that meet the SB2 requirements, the local government must either amend an existing zone, create a new zone, or establish an overlay zone that does. The jurisdiction must develop a program to identify a specific zone or zones and amend the zoning code within one year of adoption of the housing element. Jurisdictions in this position (i.e., they do not have an existing zone or zones that meet the requirements) should lay out a specific series of steps to amend the zoning code by March 2010 to meet the requirement.

As an alternative to establishing a new zone or amending an existing zone, the city or town may enter into a multi-jurisdictional agreement to work with at least two other jurisdictions to create the needed zones. However, this agreement must include a commitment to develop the identified emergency shelter beds within two years. Any jurisdiction that elects this option should be prepared to actually develop the number of shelter beds identified in the needs assessment.

Action Steps:

- Determine amount of space needed for identified number of shelter beds
- Decide whether to amend existing zone, develop new zone or develop overlay zone
- Develop list of action steps to amend the zoning code within one year

3. Develop Program to Reduce Constraints on Transitional and Supportive Housing

As noted above, SB2 requires that transitional and supportive housing be treated as a residential use of property, subject to only the same restrictions that apply to other housing of the same type in that zone. It also requires jurisdictions to describe a program to reduce constraints on the development of transitional and supportive housing. The following sections summarize the process steps that communities should follow to comply with these requirements.

3a. Establish That Transitional and Supportive Housing Are Residential Uses

Background

SB2 requires that transitional housing and supportive housing must constitute a residential use. Zoning must treat transitional and supportive housing as a proposed residential use and subject only to the same restrictions that apply to other residential uses of the same type in the same zone. For example, if the proposed transitional housing is a multifamily use proposed in a multifamily zone, the zoning must treat the transitional housing the same as any other multifamily uses proposed in the zone.

Action Steps:

- Review existing zoning codes and ordinances to determine whether transitional and supportive housing are treated the same as other residential uses. If they are, then no further action is needed.
- If existing codes do not explicitly treat transitional and supportive housing in the same way as other residential uses, then develop a program to amend the zoning code within one year to meet this requirement. This program should include specific steps and action items that will result in the amendments being completed within the required time frame.

3b. Reduce Constraints on Transitional and Supportive Housing

In addition to treating transitional and supportive housing as residential uses, the housing element must include transitional housing and supportive housing within the analysis of constraints and must describe a program to reduce constraints on the development of transitional housing and supportive housing. The following sections provide some suggestions about how jurisdictions might go about developing the required programs and policies.

3b.1. Expand or Enhance Existing Programs to Remove Barriers to Affordable Housing

Background

In land-use terms, supportive housing is really not that different from affordable housing. Although supportive housing differs from regular affordable housing in that it targets specific populations and has on-site services, it is still rental housing and still faces the same development obstacles, such as the difficulty of locating sites, the scarcity of funding, community opposition, etc.

Since many of the barriers to supportive housing are essentially the same as the barriers to affordable housing, one of the best strategies that a jurisdiction can use to develop programs to eliminate barriers to supportive housing is simply to take existing programs and policies designed to reduce barriers to affordable housing and modify them so that they explicitly include supportive housing. Examples:

- Policies that provide financial or other incentives to create affordable housing, such as increased per unit/project funding, density bonuses, decrease in parking requirements, etc., can be expanded to include supportive housing. Just as some jurisdictions provide greater incentives for deeper income targeting (i.e., projects that include units at 30% AMI receive additional decreases in parking requirements), these additional incentives can also be given developers who include some supportive housing units within their projects.
- If a jurisdiction provides streamlined plan review or other permitting processes for affordable housing, these can be expanded to specifically include supportive housing.
- Programs that aim to increase public acceptance of and/or reduce the stigma associated with affordable housing can also be expanded or refined to include supportive or transitional housing by focusing in particular on the stigma associated with homelessness, disability, etc.

Action Steps:

- Review existing programs to determine if any can be expanded to include transitional or supportive housing
- Develop a description of the program or use the boilerplate provided

3b.ii. Participate in Countywide Initiatives to Increase Supply of Supportive Housing

Background

The HOPE Plan identifies a number of strategies and recommendations for reducing barriers to the development of supportive housing and affordable housing for people who are at risk of homelessness (defined as affordable to those <30% AMI). Becoming an active participant in these efforts is another way that jurisdictions can demonstrate that they are developing programs to remove barriers to the creation of transitional and supportive housing. Specific countywide initiatives currently underway include:

- Establishing an inventory of unused or underused public and private land, as well as an inventory of buildings that could be rehabilitated to create affordable housing.
- Creating a countywide master-leasing program to create affordable and supportive housing. The Department of Housing has developed a study entitled “Master Leasing to Create Supportive Housing: A Summary of Best Practices.” This document is serving as a basis for initial conversations among the members of the HOPE Master leasing Work Group about how to launch a master leasing program targeting homeless people in San Mateo County.
- Creating new funding streams and preserving and tapping into existing funding streams to develop affordable and supportive housing. Currently the Housing Leadership Council and H.E.A.R.T. are working on a variety of initiatives to create a local permanent funding stream for affordable housing which would also include supportive housing.

- Creating a supportive housing pipeline process whereby funders in the county who provide capital, operating and services dollars will coordinate their funding to ensure steady creation of affordable and supportive housing and maximize leveraged funds from state and federal government. The HOPE Supportive Housing Pipeline Group, which is being headed by the Department of Housing, is currently undertaking the following activities:
 - Development of funding sources guide that identifies and describes available funding sources (local, state and federal) for the capital, operating and services costs associated with supportive housing;
 - Exploring the use of mainstream resources to pay for the capital, operating and services costs in affordable and supportive housing (“mainstream” means funds from mainstream systems of care, such as Medicaid, mental health funds, MSSP and other funding sources for senior services, etc.);
 - Exploring ways to eliminate barriers to pooling funds among cities and between cities and the County to develop affordable housing

Action Steps:

- Explore possibility of participating in countywide programs to encourage supportive housing development
- Develop a description of how your participation will help remove barriers to supportive housing development in your community

3b.iii. Adapt Programs/Policies from HOPE Plan and Other Sources to Create New Programs and Policies

Background

In addition to the countywide initiatives mentioned above, the HOPE Plan lays out more long-range recommendations for increasing the supply of affordable and supportive housing. Although many of these are suggestions for countywide approaches, some of them can be adapted for use at the individual city or town level. These include:

- Establishing innovative land use and zoning policies and recommendations;
 - Creating an overlay zoning type with associated approvals (e.g., California Environmental Quality Act) applied to identified parcels targeted for development as affordable/supportive housing. For example, reduced parking requirements where reduced need can be demonstrated; increased density near transit or where appropriate.
 - Establishing a countywide inclusionary zoning program (including targets for extremely low income units, i.e., $\leq 30\%$ AMI) that would maximize affordable/supportive housing development.
- Creating clearer, more streamlined building and development processes to shorten the time and decrease the cost of affordable and supportive housing development.
- Identifying more suitable, appropriately zoned land and multi-unit buildings appropriate for affordable and supportive housing.
 - Identifying a streamlined process for evaluating, incentivizing and using publicly owned surplus properties for affordable/supportive housing.

- Creating standards for evaluating the suitability and readiness of a site for affordable/supportive housing.
- Identifying streamlined process for evaluating, incentivizing and using publicly owned surplus properties for affordable/supportive housing

Jurisdictions are also encouraged to review materials from affordable and supportive housing advocacy organizations and housing policy groups, as well as housing elements from other communities for additional ideas about ways to remove or reduce barriers to supportive housing.

Action Steps:

- Develop new programs and policies drawing on the examples listed above or from other sources
- Develop a description of these programs or use the boilerplate provided

4. Comply with Expanded Housing Accountability Act Provisions

Background

SB2 expands the scope of the Housing Accountability Act (Government Code 65589.5) to include emergency shelters as well as supportive and transitional housing. The Housing Accountability Act prohibits a jurisdiction from disapproving of a housing development project or conditioning approval in a manner that renders the project infeasible for development unless it makes at least one of five specific written findings based on substantial evidence in the record. SB2 adds emergency shelters to the list of protected uses under this act and clarifies that transitional housing and supportive housing are included in the definition of a housing development project.

Action Steps:

There are no specific process steps that a jurisdiction must follow in order to comply with this provision. Jurisdictions should simply include a statement in the Housing Element indicating that they are complying with the expanded scope of the Act. Template language has been provided in Section V.

V. Template Language to Include in the Housing Element

A. General Suggestions

The following sections provide template language to include in your Housing Element. We have also provided suggestions on where to place the language within the Generic Housing Element Outline that has been developed for the Housing Element Update Kit. Jurisdictions that are not using the generic outline should try to match the suggested section with the most closely matching section of your Housing Element.

The sections below are based on the assumption that jurisdictions will be weaving the material relating to SB2 throughout the Housing Element rather creating a standalone section on SB2 compliance. We think that integrating the SB2 material throughout the document is the most logical way to proceed, since in many ways SB2 requires communities to take existing topics in the Housing Element and expand them to include homelessness/shelter/supportive housing. However, communities certainly have the option of simply creating a separate SB2 section and putting all SB2 related material there.

In the sections that follow, the template language is presented in shaded boxes, while the instructions on where and how to insert the language is in regular text.

B. Templates

1. Template for Section on Local Context/Overall Policy and Strategy

The following is suggested language to include in Section IC – “Why Housing Is Important: Key Findings” or any other background/introductory section that covers community process and/or that summarizes the overall policy positions reflected in the Housing Element. This language provides background on the HOPE Plan (including a description of the community process that led to the plan) as well as summarizing HOPE’s key recommendations relating to supportive housing and emergency shelter.

In 2005-2006, a countywide group of diverse stakeholders undertook an intensive community-based planning process to develop a plan to end homelessness in San Mateo County. The end result – entitled “Housing Our People Effectively (HOPE): Ending Homelessness in San Mateo County” (“the HOPE Plan”) – lays out concrete strategies designed to end homelessness in our community within 10 years. The report incorporates the experiences and expertise of over 200 stakeholders, including members of the business, nonprofit and government sectors. These stakeholders met in working groups over a period of 12 months to develop the recommendations in the plan. Homeless and formerly homeless persons were represented in the working groups, as well as in several focus groups conducted in emergency shelters and transitional housing programs. The result of this year-long community planning process was the finalized HOPE Plan, which was completed in March 2006. The plan has been formally adopted by the San Mateo County Board of Supervisors and many of San Mateo County’s 21 jurisdictions.

One of the key strategies for ending homelessness laid out in the HOPE Plan is to increase the supply of permanent affordable and supportive housing for people who are homeless and develop strategies to help them to move into permanent housing as rapidly as possible (a “housing first” or “rapid re-housing” approach). The HOPE Plan intentionally made no recommendation to expand the supply of emergency or transitional housing. Although the HOPE planners recognized that there is a lack of needed resources throughout the housing continuum, including emergency and transitional housing, the greatest need and the most effective use of new and/or redirected resources is for creating and sustaining quality affordable housing and supportive housing.

2. Templates for Sections on Existing Resources and Programs

The following is suggested language to include in Section IIB – “Household and Housing Characteristics and Needs” or any other section that describes housing resources available in the community. This language describes the inventory of available shelter, housing and services for homeless people.

The following chart provides a summary of the emergency shelter, transitional housing and supportive housing units for homeless people that are located in [insert name of jurisdiction.] The source of this information is the HOPE Plan (San Mateo County’s 10-Year Plan to End Homelessness), which has been updated by the San Mateo County Human Services Agency, Center on Homelessness.

Facility/Program	Provider	Facility Type	Shelter/TH Beds for Fam.	Shelter/TH Beds for Indiv.	SH Units

[Insert data from Appendix 3C].

The inventory described above represents all units in the community. However, these shelters and housing developments tend to operate at full or nearly full capacity. At any given time, only a handful of beds are actually available for occupancy. The following chart provides an estimate of the number of beds that are available for occupancy at any given time.

Facility/Program	Provider	Total Units	Available Units

[Insert data from Appendix 3D].

[Insert name of jurisdiction] is committed to expanding the resources for homeless individuals in our community, particularly the supply of permanent supportive housing. The chart below summarizes units currently under development or for which a funding source has been either secured or identified. [Insert Chart from Appendix 3E].

Since none of these programs currently have identified sites, we have estimated the number of units that will be developed in [insert name of jurisdiction] based on the percentage of the county's current inventory of supportive housing units that is located in our community.

Total Units Under Development	Percentage of Existing SH Units Located in [Name of Jurisdiction]	Estimated Number of New Units To Be Located in [Name of Jurisdiction]
120	[Insert percentage from App. 3E]	[Calculate number]

Additional housing resources in [insert name of jurisdiction] that are not specifically targeted for homeless people but that are often accessed by homeless people include [insert here list of any additional facilities in the community that are frequently used by homeless people].

Homeless people in [insert name of jurisdiction] also have access to a wide range of supportive services designed to help them gain greater stability and self-sufficiency and to meet their health and behavioral health needs. These services include [insert here information drawn from Appendix 3F and also any information maintained by the jurisdiction on available support services for homeless people.]

3. Templates for Sections on Unmet Need

The following is suggested language to include in Section IIC – “Special Housing Needs” or any other section that describes the population of homeless people and their housing and service needs. This language describes how the jurisdiction arrived at its estimates of the daily average number of homeless people in the community, the numbers of homeless people in various subpopulations, and the unmet need for emergency shelter and supportive housing.

3a. Number and Characteristics of Homeless People

[Insert name of jurisdiction] estimates that there are an average of [insert number drawn from Appendix 3A] homeless people at any given point in time. The chart below provides a breakdown into sheltered and unsheltered homeless populations.

Unsheltered	Sheltered	Total

[Insert data from Appendix 3A. A more detailed breakdown that includes number of adults without children, adults with children and number of children can be found in the 2007 Homeless Census and Survey and could also be included in this chart].

The charts below provide a breakdown of the homeless population into subpopulations based on service needs.

[Insert a chart drawing data from Appendix 3B. Data can be presented either in terms of percentages (e.g., 20% of homeless people are mentally ill) or numbers calculated based on percentages (e.g., we estimate that of the 100 homeless people in our community, 20 are mentally ill).

[Insert a brief analysis of the subpopulation data, e.g., “It appears that a significant number of homeless people in the community have disabilities and therefore need services such as health, mental health, substance abuse treatment, etc.” The executive summary of 2007 Homeless Census and Survey provides a useful analysis of the homeless survey data that can be adapted for the Housing Element.]

Source: This data is drawn from the 2007 San Mateo County Homeless Census and Survey, Final Report, issued in May 2008 and represents the results of a one-night homeless census conducted by the San Mateo County Human Services Agency, Center on Homelessness on January 30th, 2007 and a homeless survey conducted in January and February 2007.

3b. Assessment of Unmet Year Round Need for Emergency Shelter

[Insert name of jurisdiction] estimates that we need a total of [insert number of beds, using methodology outlined in Section IV] year-round emergency shelter beds to meet the needs of the [insert total number of unsheltered homeless people] unsheltered homeless people in our community. The following methodology was used to arrive at this estimate:

Daily average number of unsheltered homeless people	[insert number, see Section IV.1.a.]
Minus number of available shelter, transitional housing and supportive housing beds	[insert number, see Section IV.1.c.ii]
Minus number of supportive housing units under development or for which funding has been identified	[insert number, see Section IV.1.c.iii]
Equals unmet need for emergency shelter beds	[insert result]

This methodology is consistent with best practices in the field of homeless housing and services, HUD publications on estimating the numbers of homeless people and unmet need for housing, and has been recommended by consultants to the San Mateo County Housing Element Update Consortium’s “21 Elements” project.

3c. Assessment of Seasonal Need for Emergency Shelter

There is no data presently available documenting the increased level of demand for shelter in San Mateo County during particular times of the year. Due to the relatively mild climate, the only time of year when increased demand appears to be a factor is during the winter months (December to February). During extremely cold periods, some shelters set up additional cots to accommodate increased demand for shelter and the County periodically opens special “warming shelters” during extended cold spells. Anecdotal evidence suggests that this additional capacity is sufficient to meet the need during these periods.

Additionally, it should be noted that the biannual homeless count always takes place in the last week of January, which is a period of time when demand for shelter typically is at its highest. Since the year-round need described above is based on that biannual count, we therefore believe that the seasonal need for emergency shelter is no greater than the year-round need.

3d. Assessment of Unmet Need for Supportive Housing

As part of the planning process for the HOPE Plan, a working group was convened to develop an estimate of the number of supportive housing units that would have to be developed to meet the housing needs of all the homeless people in San Mateo County. This working group drew from best practices in the field of supportive housing as well as the expertise of local housing and shelter providers to develop their methodology. The result was an estimate that San Mateo County needed to create 1,682 units of supportive housing for homeless people during the 10-year period from 2006 to 2015. In the two years since the plan was published, 34 supportive housing units for homeless people have been created, leaving a balance of 1,648 units needed.

The estimates presented in the HOPE Plan do not provide a breakdown of unmet need by jurisdiction. However, [insert name of jurisdiction] has estimated our share of the needed units, based on the percentage of the total number of unsheltered homeless people living in our community. Given that we estimate that [insert percentage, see Appendix 3A] of the total unsheltered homeless people in the county are residing in [insert name of jurisdiction], we estimate our unmet need for supportive housing units is [insert number of units].

4. Templates for Sections on Policies and Programs to Meet Need

The following is suggested language to include in Section IVE – “Housing Policies and Programs – Housing for Our Special Needs Populations” or any other section that describes the policies and programs the jurisdiction has established or will establish to encourage the expansion of housing opportunities for homeless people.

4a. Zoning for Emergency Shelters

Jurisdictions that Already Have a Zone that Meets the Requirements

Jurisdictions that already have a zone or zone(s) and ordinances that meet the requirements relating to emergency shelters should simply insert a statement describing the existing zone or zones. This statement should be detailed enough to establish that the zone meets the requirements. If a jurisdiction also has additional zones where shelters are allowed with a CUP, these should be mentioned as well. The following paragraphs provide a rough outline of what should be included in this section.

Within the [insert name or other identifier for the relevant zone or zones], shelters are permitted without a conditional use permit or other discretionary action. The zone(s) contain [insert number, see Section IV.2.b.] acres, which can accommodate [insert number] of shelter beds, providing adequate capacity to meet the identified need. A typical shelter [provide some descriptive details, such as height, size, etc.] would be allowed in this zone by right.

Within this zone(s), shelters are subject to the same development and management standards as other residential or commercial uses within the zone and require only the following permits [list permits needed]. Within this zone there are objective and predictable standards for shelter operation. [Insert language briefly describing the applicable standards, i.e., maximum number of beds, parking requirements, hours of operation, management requirements, location of waiting/intake areas, proximity to other shelters, lighting, length of stay and security.]

There is a realistic potential for redevelopment or reuse within the zone(s). [Insert some language documenting that the rules in the zone do not make it impossible to develop shelters.] In addition to residential uses, this zone also allows the following [insert list of other uses in the zone]. These uses are compatible with residential uses [insert some language here explaining how the other uses are compatible with shelters].

In addition to the zone(s) described above, there are other zones where shelters are permitted with a Conditional Use Permit. [List these zones if applicable].

Jurisdictions that Do Not Already Have a Zone that Meets the Requirements

Jurisdictions that do not already have a zone or zone(s) and ordinances that meet the requirements relating to emergency shelters should describe how they will go about establishing the new zones (amending an existing zone, creating a new zone, establishing an overlay) and provide as much information as possible about the characteristics of the proposed zone(s). Some language about the process the jurisdiction will follow in order to create the new zone should also be included.

The following paragraphs provide a rough outline of what should be included in this section.

By March 2010, [insert name of jurisdiction] will establish a zone(s) that meets requirements set forth in SB2 relating to emergency shelters. [Indicate whether you will be amending an existing zone or establishing a new zone or overlay zoning.]

Within this zone shelters will be permitted without a conditional use permit or other discretionary action. The zone(s) will contain [insert number] acres, which can accommodate [insert number] of shelter beds, providing adequate capacity to meet the identified need. A typical shelter [provide some descriptive details, such as height, size, etc.] would be allowed in this zone by right.

Within this zone(s), shelters will be subject to the same development and management standards as other residential or commercial uses within the zone and require only the following permits [list permits needed]. We will also develop objective and predictable standards for shelter operation. [Insert language briefly describing the proposed standards, i.e., maximum number of beds, parking requirements, hours of operation, management requirements, location of waiting/intake areas, proximity to other shelters, lighting, length of stay and security.]

There is a realistic potential for redevelopment or reuse within the proposed zone(s). [Insert some language documenting that the rules in the proposed zone will not make it impossible to develop shelters]. In addition to residential uses, this zone will also allow the following [insert list of other uses in the zone]. These uses are compatible with residential uses [insert some language here explaining how the other uses will be compatible with shelters].

In order to establish this amended/new zone, the following process steps will be followed. [Insert some language indicating how the new zone will be created, including who is responsible for what, whether there will be any community input, meetings, etc. and note any relevant timeline/deadlines.]

In addition to the proposed zone(s) described above, [insert name of jurisdiction] already has in place some zones where shelters are permitted with a Conditional Use Permit. [List these zones if applicable.]

4b. Zoning for Transitional and Supportive Housing

SB2 requires that transitional housing and supportive housing must constitute a residential use. Zoning must treat transitional and supportive housing as a proposed residential use and must subject it only to the same restrictions that apply to other residential uses of the same type in the same zone.

Jurisdictions That Already Meet the Requirements

Jurisdictions where zoning already treats transitional and supportive housing as a residential use should simply insert a statement to that effect and list the zones where this is the case.

[Insert name of jurisdiction] treats transitional and supportive housing like any other residential use and requires supportive and transitional housing to obtain the same types of permits and approvals as any other residential development. [Insert reference to relevant section of the code/ordinance.] Residential uses, including transitional and supportive housing, are permitted in the following zones [insert list of zones].

Jurisdictions That Do Not Already Meet the Requirements

Jurisdictions where zoning does not treat transitional and supportive housing as a residential use should describe how they will go about amending the zoning codes and ordinances within one year to change how transitional housing and supportive housing are treated. This description should include an explicit statement that within one year transitional and supportive housing will be treated as a residential use. Some language about the process the jurisdiction will follow in order to amend the zoning codes should also be included.

By March 2010, [insert name of jurisdiction] will amend the zoning code to explicitly state that transitional and supportive housing are residential uses and are treated like any other residential use. Under these revisions, supportive and transitional housing will need only obtain the same types of permits and approvals as any other residential development. Residential uses, including transitional and supportive housing, will be permitted in the following zones [insert list of zones].

The following process steps will be followed to amend the zoning. [Insert some language indicating how these changes will be made, including who is responsible for what, whether there will be any community input, meetings, etc. and note any relevant timeline/deadlines.]

4c. Housing Accountability Act

Jurisdictions should include a statement indicating they are in compliance with the expanded scope of the Housing Accountability Act.

Our zoning is in compliance with the Housing Accountability Act. We limit the denial of housing approvals to the following five criteria [list the five criteria]. This policy includes emergency shelter, transitional housing and supportive housing.

4d. Policies and Programs to Remove Barriers to Transitional and Supportive Housing

Jurisdictions should incorporate policies and programs to remove barriers and promote the development of transitional and supportive housing within their Housing Element section describing housing policies and programs. Since each jurisdiction will be implementing different policies and programs, it is not possible to provide template language that covers every possibility. We have provided an example, which jurisdictions can use as a sort of “style sheet” for their own policies and programs.

Goal: Increase supply of supportive housing for homeless people and other populations with special needs.

Policy: Encourage development of supportive housing units for homeless people and people with special needs by providing incentives to developers to create these units.

Action: Revise zoning and development requirements for affordable housing projects to incorporate parking requirement reductions for those projects that include supportive housing units.

Appendix 1: HOPE Policy Paper on SB2



ANALYSIS AND RECOMMENDATION OF NEW STATE LAW SB 2: MAXIMIZING OPPORTUNITIES FOR DEFINING/ADVANCING HOPE POSITION

A specific action recommendation and a discussion of next steps for advancing HOPE's position are presented in the final sections of this policy paper.

Context and Requirements³

Effective January 1, 2008, SB 2 requires every California city and county to:

- Engage in a more detailed analysis to **identify and analyze the housing and services needs of homeless persons and families and assess the unmet need for emergency shelter**⁴ in their next Housing Element;
- **Designate zoning districts adequate for facilities to accommodate the identified need for emergency shelters** in its Housing Element, wherein emergency shelters must be allowed without a conditional use or other discretionary permit and are exempt from CEQA (California Environmental Quality Act)⁵;
- **Describe a program to reduce constraints on the development of transitional and supportive housing** beyond complying with the requirement that transitional and supportive housing must be treated as a residential use of property, subject only the same restrictions that apply to other housing of the same type in that zone⁶; and,
- **Comply with the broadened scope of the Housing Accountability Act**⁷ which now includes emergency shelters as well as supportive and transitional housing.

³ Based on January 11, 2008 Law Alert, Goldfarb & Lipman and Legislative Counsel's Digest of SB 2, (Government Code Chapter 633), Cedillo, Local planning.

⁴ SB 2 definitions: Emergency Shelter as housing for homeless persons intended for occupancy of less than 6 months, where no person is denied occupancy because of inability to pay; Transitional Housing as rental housing for stays of at least six months but where there is a limit on the length of stay and units are recirculated to another person after a set period; and Supportive Housing as that occupied by low-income persons with disabilities and certain other disabled persons wherein supportive services are provided and there is no limit on the length of stay.

⁵ Local government can apply certain written, objective development and management standards, such as the number of beds and length of stay. Where communities already have enough emergency shelters to meet the identified need, they may require a conditional use permit for emergency shelters.

⁶ For example, supportive housing located in a single-family residence must be treated like any other single-family home.

⁷ Housing Accountability Act (Government Code §65589.5 formerly Anti-NIMBY Law) strictly limits the grounds under which cities and counties may deny certain types of housing.

The Planning and Zoning Law requires the housing element of the general plan of a city or county to contain, among other things, an assessment of housing needs including an inventory of land suitable for residential development, and a program with a 5-year schedule of actions that the local government is undertaking or intends to undertake to implement the goals and objectives of the housing element. This program is also required to identify adequate sites with zoning that permits owner-occupied and multifamily residential use by right, including the development of farm worker housing for low- and very low-income households. **SB 2 adds emergency shelters to these provisions, requiring a local government to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit.**

In addition, the Planning and Zoning Law also requires that a local agency not disapprove a housing development project, including farm worker housing for very low-, low-, or moderate-income households, or condition its approval, including through the use of design review standards, in a manner that renders the project infeasible for development for those households unless it makes written findings, based upon substantial evidence in the record, as to one of a number of specified conditions. **SB 2 adds emergency shelters, transitional housing and supportive housing to these provisions and revised conditions upon which a disapproval or a conditional approval of an emergency shelter is based.**

By increasing the duties of local public officials, the bill imposes a state-mandated local program.

SB 2 applies to any Housing Element submitted to the CA Department of Housing and Community Development (HCD) for review for the first time after March 31, 2008. **San Mateo County jurisdictions are required to have their Housing Elements approved by June 30, 2009, which generally means that they need to be submitted to HCD by around March 31, 2009.**

Although HCD (the State agency responsible for certification of housing elements) generally takes no legal action against a community for not getting an approved Housing Element, the consequences are significant. Jurisdictions without approved Housing Elements are not eligible for certain state and local funding (e.g., HEART, C/CAG TOD Incentive, MHP, Prop 1C infrastructure, and potentially MTC monies in the future.) In addition, a jurisdiction without a certified Housing Element may lose some decision-making autonomy in particular situations relative to zoning and planning, (e.g., if a jurisdiction is sued under environmental quality laws it may lose the presumption, and acquire a burden of proof for, the adequacy of its findings).

Connection to Countywide Housing Element Update Project

In San Mateo County, an innovative partnership among all of the county's 21 jurisdictions (all 20 cities and the county) has been formed. Co-sponsored by San Mateo County's Department of Housing (DOH) and the City/County Association of Governments (CCAG). Called "21 Elements," the countywide housing element update project provides opportunities for municipalities to share resources, successful strategies and best practices in order to create higher quality certified Housing Elements and stronger local partnerships to address the county's housing needs.⁸

⁸ For more information about the 21 Elements project, see its website at <http://21elements.com>.

Staff of the 21 Elements project is charged with developing common data and customizable policy text on topics that are common to many or all jurisdictions to be used in the updates of Housing Elements, including those now required by SB 2.

Towards that end, it has commissioned a technical study to:

- translate existing data into summary text and tables for each jurisdiction to satisfy state requirements for analysis of needs and constraints;
- description of relevant best practices; and,
- policy issues where there is emerging countywide consensus.

Staff of the 21 Elements project recognize the intersection of the new requirements in SB 2 with the HOPE Plan and is actively seeking input from those responsible for overseeing the implementation of the HOPE Plan. Recommendations from HOPE would be folded into the scope of the 21 Elements technical study to include preparation of a “menu” of template housing action program items that are congruent with and maximize this opportunity to support the goals and strategic direction outlined in the HOPE Plan.

Connection to HOPE

The HOPE Plan (Plan) is a call to action to prevent and end homelessness in San Mateo County. The Plan is outcome-driven and as such has two overarching desired results:

- Creating 7,900 units of affordable and supportive housing for households which are homeless or at imminent risk of homelessness; and,
- Providing 4,300 households short-term assistance to secure or maintain housing.

The HOPE Plan is built around two key strategies to meet the needs of HOPE’s target population (people who are homeless or at-risk of homelessness, defined as renter households that have incomes at or below 30% AMI and a high rent burden defined as paying 50% of their income in rent):

1. Increasing Affordable Housing Opportunities: Increase the supply of permanent affordable and supportive housing for people who are homeless and develop strategies to help them to move into permanent housing as rapidly as possible.
2. Preventing people from becoming homeless: Prevent individuals and families from becoming homeless in the first place by assisting them to maintain their housing and ensuring homeless people who are leaving institutional settings (such as jails, hospitals, foster care and treatment programs) are able to secure permanent, and where needed supportive, housing as they re-enter the community.

HOPE planners based their recommendations on extensive analysis and discussion of research and emerging best practices in the field, including a:

- shift towards prevention, including re-directing the emergency services system towards evidence-based homelessness prevention practices; and,
- shift towards housing first or rapid re-housing strategies – away from expanding the emergency housing and services system as such and towards focusing resources on helping homeless people rapidly secure permanent affordable housing with needed services in-place to help them maintain it.

The HOPE Plan intentionally made no recommendation to expand the supply of emergency or transitional housing (except for a small pilot motel voucher program to provide assistance to

single individuals.) Although the HOPE planners recognized that there is a lack of needed resources throughout the housing continuum, including emergency and transitional housing, the greatest need and the most effective use of new and/or redirected resources is for creating and sustaining quality affordable housing (accessible to households with incomes $\leq 30\%$ AMI) and, where needed, supportive housing.⁹ Since the HOPE Plan was adopted by the County, many cities and other community groups, there have been no plans for new emergency shelter or transitional housing put forth in San Mateo County (with the exception of transitional housing or permanent housing with transitional services for emancipating foster and/or homeless transition-age youth).

Within the specific strategies identified to increase affordable housing opportunities, the Plan recommends removing barriers to and/or creating incentives for the development of extremely low-income affordable and supportive housing by:

- Establishing innovative land use and zoning policies and recommendations;
- Creating clearer, more streamlined building and development processes to shorten the time and decrease the cost of affordable and supportive housing development; and,
- Identifying more suitable, appropriately zoned land and multi-unit buildings appropriate for affordable and supportive housing.¹⁰

Opportunities

The upcoming Housing Element update process, especially with SB 2's new requirements, provides unique opportunities for our community to advance its goals as articulated in the HOPE Plan — a plan adopted by the County Board of Supervisors and many cities and community-based groups dedicated to ending homelessness. SB 2 strengthens existing housing element requirements to provide the opportunity for the development of supportive housing. Taken together, SB 2's requirements are intended to encourage every jurisdiction in California – through carrot and stick – to embrace its responsibility to make housing opportunities accessible for all of the community's members, particularly those in greatest need due to poverty, disability and chronic illness.

- SB 2 brings **increased visibility to the issue of homelessness** in each jurisdiction in our county by requiring each to identify and analyze the housing and services needs of homeless persons and families and to assess the unmet need for emergency shelter.
- SB 2 is **compatible with and supportive of ten year plans to end homelessness** based on housing first/rapid re-housing strategies that don't include expanding emergency shelters. SB 2 requires a jurisdiction to designate zoning districts adequate to accommodate the unmet need for shelter; it **does not require a jurisdiction to create new emergency shelters**.
- SB 2 **clarifies that transitional and supportive housing throughout California must be treated as a residential use of property** and strictly limits the grounds under which cities and counties may deny it.
- SB 2 provides an **incentive for local jurisdictions to develop a proactive program to reduce constraints on the development of transitional and supportive housing** (and provides a tool in the form of designated zones for emergency shelters that allows affordable and supportive housing advocates to apply pressure to those jurisdictions who choose not to comply with SB 2's requirements.)

⁹ HOPE Plan, page 15.

¹⁰ HOPE Plan, pages 14 – 18.

Recommended HOPE Position

In order to maximize opportunities to support the strategic direction and advance the goals and recommendations articulated in the HOPE Plan, the sub-committee tasked by the IAC at its July 9, 2008 meeting (Judith Christensen, Barbara Pierce, Sandy Council, Deborah Torres, Duane Bay and Debbie Greiff) recommends that the HOPE IAC adopt the following position relative to SB 2 and the related housing element revisions underway throughout the 21 jurisdictions in the county:

- Every jurisdiction submit and get certified an updated housing element that complies with SB 2 in both the letter and spirit of the law through the creation and timely implementation of housing element programs and policies that:
 - Reflect the results of the local housing need analyses;
 - Identify available resources, including land and financing (and where appropriate, potential master leasing sites as recommended as a housing creation strategy in HOPE), in particular for supportive and other housing affordable to extremely low income households; and,
 - Mitigate identified governmental and nongovernmental constraints.
- Every jurisdiction adopt a common methodology for identifying and analyzing the housing and service needs of homeless persons and families as well as assessing the unmet need for emergency shelter, based on the methodological foundation provided in the HOPE Plan and refined/adapted according to best practices to meet the specific requirements of SB 2.
- Every jurisdiction adopt, as a common element within their plans for reducing constraints to developing transitional and supportive housing, a program that ensures zoning treats transitional and supportive housing as a residential use, subject only to those restrictions on residential uses contained in the same type of structure.
- Every jurisdiction adopt, as a common element within their plans for reducing constraints to developing transitional and supportive housing, specific policies that encourage and provide financial and other incentives (e.g., increased per unit/project funding, density bonuses, decrease in parking requirements, etc.) for including supportive housing, and other housing affordable to extremely low income households, in all new affordable housing projects.
- All jurisdictions support the development of a county-wide data system/capacity able to generate accurate information needed to advance the policy goals of HOPE and SB 2, i.e., unduplicated housing and service needs of homeless people, the capacity to meet them, and the success in ending/preventing homelessness. Local jurisdictions should encourage local community-based providers with whom they partner to address the needs of homeless people to participate in emerging HOPE data efforts.
- Every jurisdiction that has not adopted the HOPE Plan, as a specific action of their Housing Element program, hold a study session on and consider endorsing the HOPE Plan.
- In accordance with the HOPE Plan's strategic recommendations, HOPE-affiliated entities (i.e., County departments, cities and other community groups/organizations which have adopted the Plan) be discouraged from providing support for the creation of new emergency shelters (unless jurisdictions choose not to comply with SB 2 which requires them to affirmatively develop and implement a plan to reduce constraints on the development of transitional and supportive housing.)

Appendix 2: Definitions

The following definitions are excerpted from HCD's SB2 Technical Memo issued on May 7, 2008.

Emergency Shelters (Health and Safety Code Section 50801(e))

"Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Transitional Housing (Health and Safety Code Section 50675.2)(h)

"Transitional Housing" and "transitional housing development" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted units to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

Supportive Housing (Health and Safety Code 50675.14(b))

Housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of Section 53260, and that is linked to on- or off-site services that assist the supportive housing residents in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Target Population Definition per HSC 53260(d)

(d) "Target population" means adults with low-income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with *Section 4500*) of the *Welfare and Institutions Code*) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.

Appendix 3: Data Tables

Appendix 3A: Point In Time Count of Homeless People

The following chart summarizes the results of the one-day homeless count by conducted in January 2007 by the San Mateo County Center on Homelessness. Additional data, including a breakdown by household type and gender may be found in Appendix 2 of the 2007 San Mateo County Homeless Census and Survey final report, available online at www.smchsa.org/hope

City	Sheltered	%	Unsheltered	%	Total	%
Airport	0	0.00%	16	1.46%	16	0.78%
Atherton	0	0.00%	0	0.00%	0	0.00%
Belmont	0	0.00%	12	1.10%	12	0.58%
Brisbane	7	0.72%	11	1.01%	18	0.87%
Burlingame	4	0.41%	20	1.83%	24	1.16%
Colma	0	0.00%	2	0.18%	2	0.10%
Daly City	38	3.92%	42	3.84%	80	3.88%
East Palo Alto	26	2.68%	222	20.29%	248	12.02%
Foster City	0	0.00%	14	1.28%	14	0.68%
Half Moon Bay	9	0.93%	74	6.76%	83	4.02%
Hillsborough	0	0.00%	16	1.46%	16	0.78%
Menlo Park	177	18.25%	52	4.75%	229	11.09%
Millbrae	0	0.00%	16	1.46%	16	0.78%
Pacifica	0	0.00%	7	0.64%	7	0.34%
Portola	0	0.00%	13	1.19%	13	0.63%
Redwood City	275	28.35%	212	19.38%	487	23.59%
San Bruno	0	0.00%	31	2.83%	31	1.50%
San Carlos	0	0.00%	9	0.82%	9	0.44%
San Mateo	255	26.29%	62	5.67%	317	15.36%
South San Francisco	91	9.38%	97	8.87%	188	9.11%
Unincorporated	0	0.00%	162	14.81%	162	7.85%
Woodside	0	0.00%	4	0.37%	4	0.19%
Scattered Site Motel Vouchers	88	9.07%	0	0.00%	88	4.26%
TOTAL	970	100.00%	1094	100.00%	2064	100.00%

Appendix 3B: Demographic and Subpopulation Data

The following charts summarize results from the homeless survey conducted in January and February 2007 by the San Mateo County Center on Homelessness. These tables provide information on the homeless subpopulations mentioned in the HCD technical memo. Additional data may be found in Appendix 3 of the 2007 San Mateo County Homeless Census and Survey final report, available online at www.smchsa.org/hope

Table 1 – Age	
Age Range	Percent
18-21 years	2.9%
22-30 years	15.3%
31-40 years	21.6%
41-50 years	32.0%
51-60 years	23.1%
More than 60 years	5.1%
Total	100.0%

Table 2 – Race and Ethnicity	
Race/Ethnicity	Percent
White/Caucasian	41.2%
Black/African American	31.3%
Hispanic/Latino	16.8%
Asian	2.8%
Pacific Islander	2.1%
American Indian/Alaskan Native	1.4%
Other/Multi-ethnic	4.3%
Total	100.0%

Table 3 - Gender	
Gender	Percent
Male	65.8%
Female	34.0%
Transgender	.2%
Total	100.0%

Table 4 – Subpopulations/Service Needs	
Subpopulation	Percent
Veteran of US Armed Forces	73.2%
Mental Illness	32.5%
Substance Abuse (alcohol and/or drug abuse)	39.1%
Both Mental Illness and Substance Abuse	13.3%
HIV/AIDS	2.1%
Chronic Health Condition	28.4%
Developmental Disability	11.6%
Physical Disability	35.4%
Domestic/Partner Violence or Abuse	7.2%

*Percentages total greater than 100% because categories are not mutually exclusive

The Homeless Survey did not ask respondents to indicate whether they were runaway youth, emancipated foster youth or “transitional age” youth (i.e. ages 18-25), so no data is available on those subpopulations.

Appendix 3C: Inventory of Emergency Shelter, Transitional Housing and Supportive Housing

The following chart provides an inventory of emergency shelter beds, transitional housing beds and supportive housing units for homeless people in San Mateo County. The data source is the San Mateo County Center on Homelessness, which updates this inventory on an annual basis. The figures in this chart are the most recent available and represent the point-in-time bed/units counts on **January 29, 2008**.

Note regarding scattered-site programs. Two of the largest supportive housing programs in the county are the San Mateo County Housing Authority's Shelter Plus Care and Supportive Housing programs. These are tenant-based voucher programs, in which participants receive a rent subsidy to rent units in the private rental market and have a choice as to where they will live. Tenants are therefore scattered throughout the county and the distribution of units by jurisdiction fluctuates as participants enter and exit the program. In order to include these units in the inventory presented in this chart, we have calculated a representative distribution of the units based on taking snapshots at four points in the 2008 calendar year (January, March, July and October) and averaging the results. Jurisdictions should be aware that this distribution is only an estimate of where the units would typically be located at a given point in time.

Facility/Program Name	Provider Name	Hsg. Type	Emergency Shelter and Transitional Housing		Supportive Housing
			Beds for Families	Beds for Individ.	Units
Atherton					
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	1
Subtotal Atherton			0	0	1
Belmont					
Belmont Apartments	Mental Health Association	SH	0	0	24
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	6
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	11
Subtotal Belmont			0	0	41

Facility/Program Name	Provider Name	Hsg. Type	Emergency Shelter and Transitional Housing		Supportive Housing
			Beds for Families	Beds for Individ.	Units
Burlingame					
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	3
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	10
Subtotal Burlingame			0	0	13
Daly City					
Family Crossroads	Shelter Network	T	52	0	0
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	2
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	6
Subtotal Daly City			52	0	8
East Palo Alto					
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	1
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	7
Subtotal EPA			0	0	8
Foster City					
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	1
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	2
Subtotal Foster City			0	0	3

Facility/Program Name	Provider Name	Hsg. Type	Emergency Shelter and Transitional Housing		Supportive Housing
			Beds for Families	Beds for Individ.	Units
Menlo Park					
Emergency Shelter	CORA	E	19	3	0
Transitional Housing Program	CORA	T	34	0	0
Transitional Housing Program	Homeless Veterans Program	T	0	42	0
Emergency Shelter	InnVision	E	24	38	0
Transitional Housing Program	InnVision	T	24	26	0
Haven Family House	Shelter Network	T	116	0	0
Subtotal Menlo Park			217	109	0
Pacifica					
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	1
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	5
Subtotal Pacifica			0	0	6
Redwood City					
Spring Street Shelter	Mental Health Association	E	0	15	0
Transitional Housing Program	Mental Health Association	T	0	7	0
HOPE House for Men	Service League of San Mateo County	E	0	10	0

Maple Street Shelter	Shelter Network	E	0	75	0
Redwood Family House	Shelter Network	T	36	0	0
Youth House South	Youth & Family Enrichment	E	0	6	0
Daybreak	Youth & Family Enrichment	T	0	10	0
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	9
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	69
Subtotal RWC			36	123	78
San Bruno					
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	5
Subtotal San Bruno			0	0	5
San Carlos					
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	2
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	12
Subtotal San Carlos			0	0	14
San Mateo					
First Step for Families	Shelter Network	T	156	0	0
Catherine's Center	St. Vincent DePaul	T	0	6	0
Vendome	Shelter Network	SH	0	0	16
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	7
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	33
Subtotal San Mateo			156	6	56

Facility/Program Name	Provider Name	Hsg. Type	Emergency Shelter and Transitional Housing		Supportive Housing
			Beds for Families	Beds for Individ.	Units
South San Francisco					
Safe Harbor Emergency Shelter	Samaritan House	E	0	30	0
Safe Harbor Transitional Housing	Samaritan House	T	0	60	0
Supportive Housing Program*	San Mateo County Housing Authority	SH	0	0	3
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	0	0	9
Subtotal South SF			0	90	12
TOTAL	TOTAL		461	328	245
Scattered Site Programs (breakdown by jurisdiction not available)					
Rotating Shelter	Interfaith Hospitality Network	E	14	0	0
Motel Voucher Programs	Various Providers	E	23	11	0
Bridges Program	Shelter Network	T	92	0	0
Transitional Housing	Telecare	T	0	36	0
MHSA Master Leasing Prog.	Telecare	SH	0	0	15
Subtotal Scattered			129	47	15

Key to facility types:

E = Emergency Shelter

T = Transitional Housing

SH = Supportive Housing

*Indicates scattered-site/tenant-based voucher program. Units have been allocated to jurisdiction based on average distribution of units in these programs from January to October 2008.

Appendix 3D: Occupancy Data for Emergency, Transitional and Supportive Housing

The following chart data on the number of emergency shelter beds, transitional housing beds and supportive housing beds that were **available on the night of January 30, 2007**, which is the date the Center on Homelessness conducted the most recent count of homeless people. There is no other more recent data available.

Note on accuracy of the data: Although the data in this chart is an accurate snapshot of occupancy levels in the listed facilities on January 30, 2007, it is difficult to draw any conclusions about typical or average occupancy levels based on data from a single point in time. Some of the facilities in the chart show very high numbers of unoccupied beds, which is not consistent with anecdotal reports from providers and from homeless people that these facilities are usually completely full and typically turn away homeless people due to lack of capacity. Some of the vacancy levels in the chart may simply be the result of the count being conducted on a night when some facilities had atypical occupancy levels. Jurisdictions should be careful not to over-estimate the level of available beds based on data from a single point in time and should consider obtaining additional data directly from the provider in cases where the information in the chart appears to be problematic.

Facility/Program Name	Provider Name	Hsg. Type	Total Beds/ Units	Occu- pied Beds/ Units	Avail- able Beds/ Units	Percent Avail- able
Atherton						
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	1	1	0	0%
Subtotal Atherton			1	1	0	0%
Belmont						
Belmont Apartments	Mental Health Association	SH	24	24	0	0%
Supportive Housing Program*	San Mateo County Housing Authority	SH	6	6	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	11	11	0	0%
Subtotal Belmont			41	41	0	0%
Burlingame						
Supportive Housing Program*	San Mateo County Housing Authority	SH	3	3	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	10	10	0	0%
Subtotal Burling.			13	13	0	0%

Facility/Program Name	Provider Name	Hsg. Type	Total Beds/ Units	Occu- pied Beds/ Units	Avail- able Beds/ Units	Percent Avail- able
Daly City						
Family Crossroads	Shelter Network	T	48	27	21	44%
Supportive Housing Program*	San Mateo County Housing Authority	SH	2	2	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	6	6	0	0%
Subtotal Daly City			56	35	21	38%
East Palo Alto						
Supportive Housing Program*	San Mateo County Housing Authority	SH	1	1	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	7	7	0	0%
Subtotal EPA			8	8	0	0%
Foster City						
Supportive Housing Program*	San Mateo County Housing Authority	SH	1	1	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	2	2	0	0%
Subtotal Foster City			3	3	0	0%
Menlo Park						
Emergency Shelter	CORA	E	22	7	15	68%
Transitional Housing Program	CORA	T	34	29	5	15%
Transitional Housing Program	Homeless Veterans Program	T	22	22	0	0%
Emergency Shelter	InnVision	E	62	36	26	42%
Transitional Housing Program	InnVision	T	50	15	35	70%
Haven Family House	Shelter Network	T	86	68	18	21%
Subtotal Menlo Pk			276	177	99	36%

Facility/Program Name	Provider Name	Hsg. Type	Total Beds/ Units	Occu- pied Beds/ Units	Avail- able Beds/ Units	Percent Avail- able
Pacifica						
Supportive Housing Program*	San Mateo County Housing Authority	SH	1	1	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	5	5	0	0%
Subtotal Pacifica			6	6	0	0%
Redwood City						
Spring Street Shelter	Mental Health Association	E	16	15	1	6%
Transitional Housing Program	Mental Health Association	T	7	7	0	0%
HOPE House for Men	Service League of San Mateo County	E	10	8	2	20%
Maple Street Shelter	Shelter Network	E	75	66	9	12%
Redwood Family House	Shelter Network	T	36	21	15	42%
Youth House South	Youth & Family Enrichment	E	6	No data available		
Daybreak	Youth & Family Enrichment	T	10	9	1	10%
Supportive Housing Program*	San Mateo County Housing Authority	SH	9	9	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	69	69	0	0%
Subtotal Redwood City			238	204	28	12%
San Bruno						
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	5	5	0	0%
Subtotal San Bruno			5	5	0	0%

Facility/Program Name	Provider Name	Hsg. Type	Total Beds/ Units	Occu- pied Beds/ Units	Avail- able Beds/ Units	Percent Avail- able
San Carlos						
Supportive Housing Program*	San Mateo County Housing Authority	SH	2	2	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	12	12	0	0%
Subtotal San Carlos			14	14	0	0%
San Mateo						
First Step for Families	Shelter Network	T	159	114	45	28%
Catherine's Center	St. Vincent DePaul	T	6	No data available		
Vendome	Shelter Network	SH	16	No data available		
Supportive Housing Program*	San Mateo County Housing Authority	SH	7	7	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	33	33	0	0%
Subtotal San Mateo			221	154	45	20%
South San Francisco						
Safe Harbor Emergency Shelter	Samaritan House	E	30	28	2	7%
Safe Harbor Transitional Housing	Samaritan House	T	60	56	4	7%
Supportive Housing Program*	San Mateo County Housing Authority	SH	3	3	0	0%
Shelter Plus Care Program*	San Mateo County Housing Authority	SH	9	9	0	0%
Subtotal South SF			102	96	6	6%
TOTAL	TOTAL		981	754	199	20%

Appendix 3E: Emergency Shelter, Transitional Housing and Supportive Housing Units Under Development

The following is a list of supportive housing projects and programs currently under development, including an explanation of the funding source and status of funding. Since these programs are all either scattered-site/voucher programs or are site-specific projects that do not yet have specific locations identified, they cannot be assigned to a particular jurisdiction. The table below provides a projected breakdown of the units based on the current breakdown of existing supportive housing units for homeless people in San Mateo County.

Program Name	Provider	No. of Units	Funding Source and Status
Housing Readiness Program	San Mateo County Housing Authority	60	The Housing Authority has requested to convert 60 “welfare to work” tenant-based Section 8 vouchers for use by homeless people. The proposed program is awaiting final HUD approval and is expected to begin in 2009.
Shelter Plus Care Program	San Mateo County Housing Authority	15	Each year San Mateo County is eligible to apply for about 3 additional S+C units from HUD. Over the next five year, it is anticipated that 15 new tenant-based S+C vouchers will be added to the existing S+C program.
Mental Health Services Act Housing Program	San Mateo County Mental Health	45	San Mateo County has been allocated funding from the State of California through the MHSA to create new supportive housing units for homeless people with mental illness. Mental Health is planning to issue RFP’s for these housing dollars by the end of 2008 and expects to fund about 45 units. These will be new construction or acquisition/rehab projects. Developers and locations are not yet known.
TOTAL		120	

Projected Breakdown of Units Under Development

Jurisdiction	Number of Existing SH Units	Percent of Existing SH Units	Projected Number of SH Units To Be Developed
Atherton	1	0%	0
Belmont	41	17%	21
Burlingame	13	5%	6
Daly City	8	3%	4
E. Palo Alto	8	3%	4
Foster City	3	1%	1
Pacifica	6	2%	2
Redwood City	78	32%	39
San Bruno	5	2%	2
San Carlos	14	6%	7
San Mateo	56	23%	28
S. San Francisco	12	5%	6
TOTAL	245	100%	120

Appendix 3F: Inventory of Homeless Services

The following chart summarizes some of the key services in San Mateo County that are available to meet the needs of homeless families and individuals. This list is not comprehensive. It includes the larger and more frequently accessed programs and providers, but there are many other programs in the community that serve homeless people. Additional information may be found in the Community Information Handbook, published by the Community Information Program, a joint effort of the Peninsula Library System and the San Mateo County Human Services Agency. The handbook is available for downloading at www.cip.plsinfo.org.

Provider/Program	Services Provided	Service Area
Core Service Agencies		
Coastside Hope	Information and referral, emergency assistance, rental and utility assistance	Coastside
Daly City Community Services Center	Information and referral, emergency assistance, rental and utility assistance	North County
North Peninsula Neighborhood Services Center	Information and referral, emergency assistance, rental and utility assistance	North County
Pacifica Resource Center	Information and referral, emergency assistance, rental and utility assistance	North County
Samaritan House	Information and referral, emergency assistance, rental and utility assistance	Central County
El Concilio Emergency Services Partnership	Information and referral, emergency assistance, rental and utility assistance	South County
Fair Oaks Community Center	Information and referral, emergency assistance, rental and utility assistance	South County
Emergency Assistance		
Salvation Army	Emergency food and clothing; information and referrals	North, Central, South County
St. Vincent DePaul Society	Emergency food and clothing; information and referrals; homeless help desks	All County (Homeless help desks located in Redwood City, San Mateo, South SF)
Puente Del Costa Sur	Emergency food and clothing; information and referrals;	Coastside

Provider/Program	Services Provided	Service Area
Homeless Outreach		
Homeless Outreach Team (San Mateo County Human Services Agency/Shelter Network)	Intensive street outreach with direct access to housing.	Downtown San Mateo
Mateo Lodge Mobile Support Team	Mobile mental health services for homeless people with mentally illness	All County
Health Services		
Mobile Health Clinic (San Mateo County Health Dept.)	Health screening, immunization, etc. for low income and homeless people	All County
Mental Health Services		
Mental Health Association of San Mateo County	Mental health services for homeless people with mental illness	All County
San Mateo County Behavioral Health and Recover Services, Mental Health Access Team	Information, assessment, consultation and referral	All County
Alcohol and Drug Services		
Asian-American Recovery Services	Outpatient services	All County
Free At Last	Outpatient and residential treatment	All County
Women's Recovery Association	Outpatient and residential treatment	All County
Palm Avenue Detoxification Program	Drug and alcohol detox	All County
Latino Commission on Alcohol and Drug Abuse Services	Residential treatment	All County
Project 90	Residential treatment	All County
Youth and Family Services		
Youth and Family Enrichment Services	Services for homeless youth	All County
Family Resource Centers (San Mateo County Human Services Agency)	Prevention and early intervention services at school sites throughout San Mateo County	All County
Domestic Violence Services		
CORA	DV hotline, legal assistance, counseling, prevention services	All County

Provider/Program	Services Provided	Service Area
Employment and Training		
Department of Rehabilitation	Employment and training services for people with disabilities	All County
Peninsula Works (San Mateo County Human Services Agency)	One-stop careers centers	All County
Legal Services		
Legal Aid Society of San Mateo County	Free civil legal services for low income and homeless people	All County

Appendix 4: Detailed Summary of Requirements For Designating Zoning Districts for Emergency Shelter

The new requirements relating to zoning for emergency shelters are described in detail below. The information provided has been drawn from the SB2 legislation and also from HCD's May 7th Technical Memo.

A. Identifying Zones for Emergency Shelter

The housing element must identify a zone or zones where emergency shelters are permitted without a conditional use permit or other discretionary action and are exempt from CEQA.

The identified zone or zones must also have the following characteristics:

- provide sufficient opportunities for new emergency shelters in the planning period to meet the need identified in the analysis of unmet need and must in any case accommodate at least one year-round emergency shelter;
- include sufficient capacity to meet the need;
- have capacity that is suitable and available and account for physical features (such as flooding, seismic hazards, chemical contamination, etc.) and location (proximity to transit, job centers and services);
- have realistic potential for development or reuse opportunities in the planning period;
- have sufficient available acreage (vacant or underutilized) to meet the identified capacity. This can include the potential for reuse or conversion of existing buildings to emergency shelters.

The identified zone or zones must also be suitable for emergency shelters and any other allowed uses must be compatible with emergency shelters. For example, heavy industrial uses often are not compatible with residential uses. HCD's technical memo indicates that transitioning zones (where older industrial uses are redeveloping to residential, office or commercial) may be compatible with shelters. Also, commercial zones that allow residential or residential compatible services (such as social services) would also be suitable.

Note: If the local government has identified a zone and sufficient capacity consistent with SB2 requirements, additional zones for development of shelters may be identified that do require conditional use permits.

B. Permitting Processes and Development Standards

The locality must have or adopt a zoning classification that permits emergency shelter in a non-discretionary manner. In these zones, permitted uses, development standards and permit procedures comply with the following requirements:

i. Development Standards

Development standards must be objective and must encourage and facilitate the approval of emergency shelters.

- Shelters may only be subject to the same development and management standards that apply to residential or commercial use in the same zone, except that certain objective standards specific to shelters may be established (see below). For example, the emergency shelters must be subject to the same buildable area, lot area, setback and height requirements as other uses in the zone.
- Standards should not render emergency shelters infeasible, and only address the use as an emergency shelter, not the perceived characteristics of potential occupants.

SB2 allows for the application of written, objective development and management standards for emergency shelters as follows:

- The maximum number of beds or persons permitted to be served nightly by the facility.
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.
- The size and location of exterior and interior onsite waiting and client intake areas.
- The provision of onsite management.
- The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.
- The length of stay
- Lighting
- Security during hours that the emergency shelter is in operation.

The standards must be designed to encourage and facilitate the development of or conversion to emergency shelter. For example, establishing flexible ranges for operating hours that do not unduly impair shelter operations. Management standards must be reasonable and limited to ensuring the operation and maintenance of the property.

ii. Decision-Making Criteria

Decision-making criteria may not require discretionary judgment:

- Processes and procedures such as requiring a variance, minor use permit, special use permit, or any other discretionary process are considered discretionary and not allowed.
- Non-discretionary design review requirements are permitted.
- The local government should not require public notice of its consideration of emergency shelter proposals unless it provides notice of other non-discretionary actions. The appropriate point for public comment and discretionary action is when zoning is being amended or adopted for emergency shelters, not on a project-by-project basis.

C. Allowable Ways To Meet Requirements

There are several ways that a city or town may meet the requirements described above:

i. Existing Zones and Ordinances

Those local governments that have existing ordinances and zoning consistent with all the requirements listed above need take no further action. The housing element must simply describe how the existing ordinance, policies and standards are consistent with the requirements.

ii. New or Amended Zones and Ordinances

If a zone or zones with the above-described features does not already exist, the local government may:

- amend an existing zoning district, or
- establish a new zoning district, or
- establish an overlay zone for existing districts

The housing element must include a program to identify a specific zone or zones and amend the zoning code within one year of adoption of the housing element.

iii. Accommodating Need Through Existing Shelters

Local governments that can demonstrate the existence of one or more existing emergency shelters within their borders (or pursuant to a multi-jurisdictional agreement) that can accommodate the identified unmet need may meet the requirement by identifying a zone where new shelters are allowed with a conditional use permit. To demonstrate that need can be accommodated in existing shelters, the element must list existing shelters, number of total beds, and number of vacant beds. The analysis must support the assertion that the vacant beds are sufficient to meet the need and must consider seasonal fluctuations.

iv. Multi-Jurisdictional Agreements

SB2 encourages multi-jurisdictional agreements by allowing local governments to satisfy all or part of their obligation to zone for emergency shelters by adopting or implementing a multi-jurisdictional agreement with a maximum of two-adjacent communities. However, this agreement must commit the participating jurisdictions to develop at least one year round shelter within two years of beginning the housing element planning period.