



CITY of BELVEDERE

450 San Rafael Avenue • Belvedere CA 94920-2336

Tel.: 415.435.3838 • Fax: 415.435.0430

www.cityofbelvedere.org

October 13, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear Board President Arreguín,

On behalf of the City of Belvedere, please accept this letter of comment on the proposed Regional Housing Needs Allocation (RHNA) methodology recommended by the Housing Methodology Committee (HMC). We request that these comments be read and considered in advance of the October 15, 2020 ABAG Executive Board meeting where the recommended methodology will be discussed, because we believe a flaw in the methodology may defeat the chances of progress you seek to achieve.

The City of Belvedere appreciates the dedication of the officials, staff members and volunteers in seeking to develop a methodology and to achieve consensus on an appropriate distribution of 441,000 new housing units. It is a daunting undertaking, given the complexities among competing goals: housing supply and affordability; climate change; and transportation infrastructure and funding.

Belvedere has a population of fewer than 2,000 residents, and is located within a constrained land area of only .54 square miles surrounded on three sides by water, that is almost totally built out. While we have taken concrete actions to meet our housing needs allocation, no amount of effort, incentives or policy changes would be enough to add the number of units allocated to Belvedere under the methodology proposed by the HMC. Creating 160 units in this confined space of privately held land is simply unattainable.

Belvedere completed its housing element update process for the fifth cycle of State-mandated housing element updates (2015-2023). In May of 2015, the City Council approved the adoption of the Housing Element and the associated environmental document. At that time, and as part of the Housing Element update, the City also adopted amendments to the City of Belvedere

Zoning Ordinance (Title 19 of the Municipal Code) in order to implement specific programs in our 2030 General Plan Housing Element and to comply with the California Department of Housing and Community Development State laws. These include:

- amendments to “Transitional and Supportive Housing,” as a permitted use in all residential Zoning Districts;
- amendments to comply with the State density bonus law (Government Code Section 65915 et seq.); and
- provision for reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the “Acts”) in the application of zoning laws and other land use regulations, policies and procedures.

The City received a letter from HCD, dated May 18, 2015, stating that the adopted Housing Element was in full compliance with State Housing laws.

Additionally, in 2017, 2018 and 2019, code amendments were adopted regarding Accessory Dwelling Units and Junior Accessory Dwelling Units to further comply with State law (Government Code sections 65852.2 and 95852.22). Our planning officials regularly meet with project applicants to encourage private implementation of these laws and policies.

Thus, Belvedere has been active in taking steps to meet regional housing needs.

We recommend that the Executive Board take ABAG staff’s July 2020 suggestion to incorporate the Draft Blueprint in the RHNA methodology by using each jurisdiction’s share of Household Growth from 2010 to 2050 as the baseline. ABAG staff stated in their July 9, 2020 meeting materials that this approach is consistent with how long-range forecasts have been used in past methodology development. The advantages of this baseline were summarized by ABAG staff this way (July 9, 2020, HMC Meeting #8, Item 6a, Attachment A, Page 3):

- Simple and straightforward to implement and discuss (e.g., “the methodology aligns with growth predicted by Plan Bay Area 2050”)
- Integrates transit, hazards, and market feasibility through strategies and modeling
- Better aligned with Plan Bay Area 2050
- Emphasis on current and future employment development patterns leads to RHNA allocations more focused in Silicon Valley, region’s largest job center
- Higher RHNA allocations in high resource areas near major job centers – notably in the South Bay

Belvedere endeavors, within its significant topographical constraints, to encourage the development of new housing. Without modification, however, the recommended HMC methodology would result in unrealistic housing quotas during the 2023-2031 RHNA cycle that would be impossible to achieve. It is common knowledge that setting impossible goals reduces the incentive to reach any goal at all. Accordingly, we strongly urge that you rethink the allocation methodology as indicated above.

We appreciate your consideration of these comments. Do not hesitate to contact us if we can be of further assistance.

Best Regards,

A handwritten signature in blue ink that reads "Nancy Kemnitzer". The signature is written in a cursive style with a long horizontal flourish at the end.

Nancy Kemnitzer
Mayor