

EXISTING HOUSING ELEMENT GOALS

GOAL H-1: Plan for the housing needs of all economic segments of the population residing in unincorporated Napa County.

GOAL H-2: Coordinate non-residential and residential goals, policies, and objectives with the cities and towns in Napa County to direct growth to urbanized areas, preserve agricultural land, and maintain a County-wide jobs/housing balance.

GOAL H-3: Support agricultural industries with a policy and regulatory environment that facilitates the provision of permanent and seasonal farmworker housing.

GOAL H-4: Maintain and upgrade the County's housing stock and reduce the number of housing units lost through neglect, deterioration, or conversion from affordable to market-rate or to non-residential uses.

Consider adding a goal to facilitate rebuilding of housing lost in wildfires.

GOAL H-5: Maximize the provision of new affordable housing in both rental and ownership markets within unincorporated Napa County.

GOAL H-6: Maximize housing choice and economic integration, and eliminate housing discrimination in unincorporated Napa County based on race, age, religion, color, national origin, ancestry, physical or mental disability, medical condition, marital status, gender, self-identified gender or sexual orientation, or economic status. ***(Note: Consider modifying the language of this goal to more explicitly set Affirmatively Furthering Fair Housing as a Goal; consider adding other AFFH goals drafted by Napa Sonoma Collaborative – see attachment)***

GOAL H-7: Maintain an orderly pace of growth that helps the County preserve the public health, safety, and welfare and provide needed public services.

Consider adding a goal to remove, where possible, constraints to housing production.

GOAL H-8: Increase energy efficiency and water conservation in new and existing residential structures in unincorporated Napa County.

EXISTING HOUSING ELEMENT POLICIES

REHABILITATION POLICIES

Policy H-1a: Improve the quality of the County housing stock over time by ensuring that new units meet applicable codes and existing units found to be in violation are brought into compliance as opposed to removed, whenever possible.

Policy H-1b: Seek state and federal funding to assist qualified owners of rental properties with rehabilitation of identified substandard units, to the extent that these units are reserved for lower-income households.

HOUSING AFFORDABILITY POLICIES

Policy H-2a: Work to reduce the cost of housing to extremely low-, very low-, low- and moderate-income households through available local, state, federal, and private rental and homeownership assistance programs, including the County's worker proximity housing program that encourages low- and moderate-income homebuyers, to purchase a home within 15 miles of their place of employment, by providing local downpayment assistance.

Policy H-2b: Encourage the construction of new affordable housing units within designated urban areas at densities that are commensurate with the availability of public or private water and sewer systems. These units shall be affordable to persons of extremely low-, very low-, low- and/or moderate-income.

Policy H-2c: Use inclusionary housing to promote development of a full range of housing types in the County and ensure that multifamily projects and subdivisions include onsite affordable housing components.

Policy H-2d: Continue to ensure that the Growth Management System does not constrain affordable housing production by allowing unused Category 4 permits to accumulate indefinitely. (Also see Policy AG/LU-119.)

Policy H-2e: Continue to use the Affordable Housing (:AH) combination zoning district as an incentive for affordable housing production.

Policy H-2f: Continue to cooperate with the incorporated municipalities in Napa County by using the Affordable Housing Fund to assist with the construction or rehabilitation of affordable housing units in suitable locations and at suitable densities consistent with the Affordable Housing Ordinance and criteria when funds are available.

Policy H-2g: Encourage the provision of second units, as described in Government Code section 65852.2, in suitable locations.

Policy H-2h: Maximize the length of time that affordable housing units stay affordable, particularly when units are developed using Affordable Housing Fund monies, produced through the inclusionary housing program, built upon County-owned land, or receive other forms of County assistance. Typically such units shall be deed restricted as affordable for a minimum of 40 years.

Policy H-2i: Encourage the rehabilitation of mobile home parks to retain existing affordable units and/or provide new affordable units. To the extent allowed by law, prohibit the conversion of mobile home parks for replacement by housing for vacation use, second homes, or transient occupancy.

Policy H-2j: Support approaches to increasing funding for affordable housing that involve a range of industries that create demand for affordable housing units.

SPECIAL NEEDS HOUSING POLICIES

Policy H-3a: Work with the agricultural industry, its trade organizations, non-profit organizations, and public agencies to assess, plan for, and meet the needs of permanent and seasonal farmworkers, including farmworker families and unaccompanied farmworkers.

Policy H-3b: Work to ensure that migrant farmworker housing meets applicable health and safety standards.

Policy H-3c: Work in cooperation with other public and private agencies to prevent and remedy instances of housing discrimination within the unincorporated County.

Policy H-3d: Give priority to providing assistance for housing targeted to those groups with demonstrated special needs such as the elderly, disabled (including developmentally disabled), farmworkers (including increased emphasis on housing for farmworker families located near schools, retail, services, and transportation), and homeless, consistent with adopted funding criteria.

Policy H-3e: Support emergency and transitional housing programs through public and private service agencies.

Policy H-3f: Work with the cities to establish and operate adequate emergency shelters within the County and continue to provide adequate opportunity for the development of emergency shelters through County land use regulations.

Policy H-3g: Support design of residential structures to allow accessibility by all disabled and physically challenged residents and visitors to all future residential units (i.e., so called “Universal Design”).

HOUSING DEVELOPMENT POLICIES

Policy H-4a: Permit multifamily housing within designated urban areas of the County where public services are adequate or can be made available. Individual single-family residences, legal accessory dwellings on commercially-zoned parcels, farm labor dwellings and farmworker housing, and second units may be located outside of designated urban areas.

Policy H-4b: Ensure that future housing growth continues to be consistent with the goals and policies of both the County's Growth Management System (See Policy AG/LU-119 and the policies and programs in this Housing Element.

Policy H-4c: Explore housing transfer agreements and other collaborations with incorporated jurisdictions aimed at providing housing within urbanized areas of the County.

Policy H-4d: Consistent with Agricultural Preservation and Land Use Element Policy AG/LU-15.5, continue to promote planning concepts and zoning standards, such as coverage and separation/buffering standards, to minimize the impact of new housing on County agricultural lands and conflicts between future residences and agricultural uses, including wineries.

Policy H-4e: Support housing production and maintain appropriate zoning in areas where the land and location can support increased densities and development of additional affordable housing units.

Policy H-4f: Consistent with Agricultural Preservation and Land Use Action Item 45.1 continue to facilitate the provision of accessory housing within commercial areas when compatible with adjacent commercial uses.

Policy H-4g: Establish preferences for local workers in new affordable housing projects, and provide similar "proximity" preferences for multifamily market rate housing to the extent permitted by law. As funds are available, provide assistance to households with local workers.

Policy H-4h: Manage housing growth to maximize protection of agricultural lands and recognize the County's limited ability to provide services.

Policy H-4i: To the maximum extent feasible, manage housing growth to keep pace with the creation of jobs.

Consider New Policy H4j: To the maximum extent feasible, promote the development of housing concurrent with new non-residential development.

POLICIES REGARDING THE REMOVAL OF GOVERNMENT CONSTRAINTS

Policy H-5a: Reduce, defer, or waive planning, building, and/or development impact fees when non-profit developers propose new affordable housing development projects.

Policy H-5b: Expedite permit processing for projects that meet or exceed the County's inclusionary requirements by providing affordable units on-site.

ENERGY AND WATER CONSERVATION POLICIES

Policy H-6a: Encourage mixed-use development and appropriate housing densities in suitable locations within designated urban areas to facilitate access by foot, bicycle, and/or mass transit to and from commercial services and job locations, educational facilities and to minimize energy and water usage.

Policy H-6b: In site development standards for major projects, promote and encourage design and landscaping to reduce the use of fossil fuels and water and encourage utilization of solar energy and recycled water, through such means as mixed-use guidelines, drought-resistant vegetation, solar access design, shading standards, modified parking standards when appropriate, and reduced street widths.

Policy H-6c: Consistent with General Plan Policy CON-65 and CON-67, consider greenhouse gas emissions in the review of discretionary housing projects and promote "green building" design.

Policy H-6d: Use the County building code, including the County's implementation of the CalGreen code, to encourage and provide incentives for retro-fitting existing buildings and designing new buildings that reduce the use of fossil fuels and water through energy conservation and the utilization of renewable resources.

CONSIDER NEW POLICY SECTION – FIRE RECONSTRUCTION

(Add new policies about supporting fire reconstruction projects – could include policies relating to assisting and facilitating the process of rebuilding housing)

New policies TBD

CONSIDER NEW POLICY SECTION - AFFIRMATIVELY FURTHERING FAIR HOUSING SECTION

(Add new AFFH-related policies and reference other existing AFFH-related policies in other sections)

Consider New Policy H-8a: In discretionary decision-making on housing-related matters, prioritize decisions that promote equitable access to housing and opportunity for current and prospective residents.

Consider New Policy H-8b: In allocation of County resources for affordable housing, prioritize projects that promote integrating and diversifying the population within Napa County and provide lower-income households with access to housing in high resource areas.

Plus Reference Relevant Existing AFFH-Related Policies in Other Sections:

Policy H-3c: Work in cooperation with other public and private agencies to prevent and remedy instances of housing discrimination within the unincorporated County.

Policy H-3d: Give priority to providing assistance for housing targeted to those groups with demonstrated special needs such as the elderly, disabled (including developmentally disabled), farmworkers (including increased emphasis on housing for farmworker families located near schools, retail, services, and transportation), and homeless, consistent with adopted funding criteria.

Policy H-3g: Support design of residential structures to allow accessibility by all disabled and physically challenged residents and visitors to all future residential units (i.e., so called “Universal Design”).

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**ATTACHMENT: NAPA SONOMA COLLABORATIVE DRAFT AFFH
GOALS**

Napa/Sonoma Assessment of Fair Housing Draft Regional Goals

I. Increase the Supply of Affordable Housing in Higher Opportunity Areas and Areas with Ongoing or Threatened Displacement.

As reflected by data in this Assessment showing high rates of housing cost burden and in jurisdictional Regional Housing Needs Allocations (RHNA) identifying significant unmet needs among extremely low- and very low-income households, increasing the supply of affordable housing throughout Napa and Sonoma Counties is a top priority. By strategically targeting efforts at higher opportunity areas and places with ongoing or threatened displacement, the collaborating jurisdictions can also work to redress patterns of segregation in the region.

a. Promote affordable housing bond issues at multiple levels of government.

Affordable housing bonds are one of the primary means that local governments have at their disposal to obtain funds that can be used to promote affordable housing development. Although approval of bond issues ultimately rests with the voters, local government can still proactively educate voters about the urgent need for more affordable housing and the costs of inaction.

b. Adopt or modernize inclusionary housing and commercial linkage fee ordinances.

Inclusionary housing can be an effective tool to increase affordable housing supply while also ensuring that new affordable housing units are located where other private sector development is occurring, i.e., in areas that are typically either existing higher opportunity areas or in gentrifying areas. But inclusionary housing can fail to live up to its potential when set-aside requirements and developer incentives are out of balance (thus deterring all private development), when income targeting for units is so high that the households that are most in need do not benefit, and when large categories of development are exempt from the coverage of ordinances. Jurisdictions in Napa and Sonoma Counties should assess and update their inclusionary housing ordinances to ensure that they are not subject to any of these pitfalls. Additionally, commercial linkage fees, which are less commonly in use, can also be an effective way of leveraging private investment to support affordable housing. Jurisdictions that do not have commercial linkage fees should adopt such fees and provide that a significant portion of the proceeds are dedicated to affordable housing.

c. Provide low-interest loans to single-family homeowners and grants to homeowners with household incomes of up to 100% AMI to develop accessory dwelling units (ADUs) with affordability restrictions on their property.

ADUs are now allowed in all participating jurisdictions, with varying restrictions. Local governments should consider providing financial assistance or tax incentives in order to incentivize homeowners to make their ADUs affordable to lower income tenants at or below 60% of the area median income and maintain the affordability through an affordable housing covenant. Because it can be difficult for homeowners to access bank financing to build ADUs, there may be a need for such incentives among homeowners. As a condition of receiving assistance, jurisdictions should also require homeowners to attend fair housing training and to maintain records that facilitate audits of their compliance with non-discrimination laws. The need to educate individual homeowners, who do not have experience as landlords and knowledge of the law, may prevent unintentional and intentional violations of fair housing laws.

- d. Prioritize publicly-owned land and reduce permit fees for affordable housing.*

High land costs in the region, coupled with ambitious RHNA goals, will require jurisdictions to identify public land that is suitable for affordable housing development. Land donation and reduced permit fees will reduce the cost of developing affordable housing.

II. Meet the Housing and Services Needs of Migrant and Year-Round Farmworkers.

Farmworkers are among the most vulnerable populations in Napa and Sonoma Counties, and highly disproportionate shares of farmworkers are people of color and have limited English proficiency. Targeted efforts to meet the housing and services needs of farmworkers are critical fair housing initiatives.

- a. Reform zoning and land use laws to permit safe farmworker housing in areas where agricultural uses predominate.*

In some instances, the legal status of existing farmworker housing may be ambiguous. Zoning and land use laws should clarify that farmworker housing is allowed where agricultural uses predominate. Doing so could both help increase the supply of farmworker housing and make it easier to enforce basic safety standards with respect to existing farmworker housing.

- b. Target through preferences or affirmative marketing farmworkers for affordable housing opportunities in towns and cities.*

Some farmworkers may prefer to reside in towns and cities throughout Napa and Sonoma Counties rather than living in dedicated farmworker housing in rural areas. Living in nearby cities may increase educational opportunities for their children and employment opportunities for both themselves and their partners. Tenant selection preferences for and affirmative marketing of affordable housing opportunities to farmworkers may help increase access to opportunity for farmworkers.

- c. Study means of increasing access to supportive services in rural parts of Napa and Sonoma Counties.*

The farmworker population of the region disproportionately resides in rural, unincorporated areas that are isolated from the physical office locations of both government and nonprofit service providers. Interventions like mobile outreach and the creation of satellite offices may help to bridge that gap.

III. Reduce Zoning and Land Use Barriers to the Development of Housing That Is Affordable to Low-Income Households, Including Low-Income People of Color and Low-Income Persons with Disabilities.

Zoning and land use laws help shape the built environment, and there is a long history of zoning and land use laws to restrict access to housing for people of color and persons with disabilities in the United States. Targeted reforms can leverage the changing landscape of state law to reduce housing cost burden, decrease segregation, and help jurisdictions meet their RHNA goals.

- a. *Create affordable housing overlay districts to enable multifamily housing with a significant affordable component in higher opportunity areas.*

In order to meet RHNA goals and take effective action to reduce segregation, it will be critical for local governments to reduce zoning barriers to mixed-income and 100% affordable development. Overlay tools are an option for doing so that helps avoid the “opportunity cost” of scarce sites being dedicated to market-rate development. The geographic coverage of overlay districts should target higher opportunity areas while also keeping environmental concerns, like fire risk, in mind. The appropriate level of density for overlay districts may vary from municipality to municipality with lower-density multifamily housing being a viable option for affordable housing development in smaller towns while medium-density or high-density multifamily housing may be necessary in cities.

- b. *For qualifying jurisdictions, as per California SB10, adopt an ordinance to allow up to ten dwelling units on any parcel that is within a transit-rich area or urban infill site.*

Under S.B. 10, jurisdictions can approve an ordinance to allow the development of up to 10 units on any qualifying site and the development would be exempt from the California Environmental Quality Act (CEQA). This would enable upzoning without the delays common to the CEQA process.

- c. *Update the zoning codes across the region to reflect recent changes to California laws that are designed to increase affordable housing.*

Recent California legislation now allows as-of-right duplexes and accessory dwelling units (ADUs) to be built in most neighborhoods across the state. Zoning codes across the region should be amended to reflect new state laws designed to increase the supply of affordable housing.

IV. Increase Access to Opportunity for Housing Choice Voucher Families.

Housing Choice Vouchers can be a tool for reducing homelessness, reducing housing cost burden, and dismantling segregation. However, strategic policy interventions are necessary for that to be the case in practice.

- a. *Advocate for housing authorities to adopt small area fair market rents or exception payment standards for regional sub-markets.*

Housing authorities in Napa and Sonoma Counties generally rely upon region-wide payment standards in their administration of the Housing Choice Voucher program. Region-wide payment standards are typically inadequate to enable households to rent in higher opportunity neighborhoods while also enabling price gouging by landlords in low-income neighborhoods. Local governments in the region should advocate for their housing authorities to choose from among multiple good options for increasing the purchasing power of vouchers in higher opportunity areas. These include both small area fair market rents and exception payment standards for regional sub-markets.

- b. *Engage municipal attorneys in enforcing prohibitions against source of income discrimination.*

Discrimination against voucher holders violates state laws, but noncompliance remains common. City and county attorney offices can play a role in increasing compliance by either enforcing state law against landlords that violate the rights of voucher holders or, if jurisdictions adopt source of income discrimination protections of their own, enforcing local ordinances.

V. Prevent Displacement by Preserving Affordable Housing and Protecting Tenants' Rights.

Rising housing costs in the broader Bay Area have fueled displacement in recent decades with members of protected classes, including people of color, persons with disabilities, and large families in need of units with three or more bedrooms bearing the brunt of the crisis. Local government has a role to play in intervening to stop the cycle of displacement.

a. Expand funding for tenants in landlord-tenant proceedings.

Tenant protections are more effective in preventing displacement when tenants have access to legal services. Jurisdictions in the region should explore collaborating to expand funding for tenant representation and the capacity of legal services organizations to meet the full need in landlord-tenant proceedings. An important first step in advancing this strategy would be to assess the current levels of legal services provided to vulnerable tenants and how jurisdictions may better coordinate their programs to avoid duplication of services to meet community needs. This strategy will require upfront study, but this investment may improve existing programs and help avoid unnecessary evictions and reduce displacement, and a variety of social costs and strain on other public services. The potential for mass evictions, displacement, and homelessness caused by the COVID-19 pandemic, and immediate efforts to supplement existing legal services and other assistance to prevent these outcomes, has elevated the need to explore making existing program improvements and exploring expanding funding for these legal services beyond the pandemic. A future source to explore funding strategies may include the Bay Area Housing Finance Authority.

b. Study the viability of rent stabilization.

High rent increases can be massively destabilizing for low-income families. Although A.B. 1482 provides some protection against large rent increases, the increases that it allows – particularly when repeated year after year – can quickly render housing unaffordable to long-time tenants. High inflation compounds the problem as 10% may now be the effective cap on rent increases under A.B. 1482 rather than 5% plus inflation. Local governments should study whether rent control would work in their community, particularly in light of the ways in which California's Costa-Hawkins Act would limit the scope of rent control. Ultimately, the policy may be more helpful in communities that have a significant supply of pre-1995 multifamily housing than it would be in other areas.

c. Track and collaborate to preserve affordable housing developments with expiring subsidy contracts countywide.

Owners of affordable housing developments located in higher opportunity areas or in areas that are experiencing rapid gentrification often have the greatest incentive not to renew subsidy contracts. This is because rents in these areas may exceed payment standards for affordable housing developments, which are based on the regional fair market rent. At the same time, it is

generally more cost-effective to preserve existing affordable housing than it is to build new affordable housing, particularly in areas with high land costs. Jurisdictions and housing authorities should track the expiration dates of affordable housing subsidy contracts with an emphasis on developments that are located in higher opportunity or rapidly gentrifying areas. When developments with expiring subsidies are identified, jurisdictions should collaborate with these partners to engage in early outreach to and work with owners to encourage preservation of these units.

- d. Create a right of first refusal for manufactured home park residents to purchase their communities when owners seek to sell or redevelop their properties.*

Manufactured home parks are one of the most important sources of unsubsidized affordable housing in the region, particularly in its more rural areas. By providing homeowners with an opportunity to purchase their communities with technical assistance from nonprofit organizations such as ROC USA, jurisdictions can help preserve these community assets for the long term.

VI. Reduce Homelessness by Expanding the Supply of Permanent Supportive Housing

- a. Prioritize HOME and CDBG Funds for Developments That Include Permanent Supportive Housing Units.*

Local government contributions of HOME and CDBG funds are often essential for the viability of LIHTC applications from affordable housing developers to state housing finance agencies. By prioritizing those funds for proposals that would include permanent supportive housing, local governments can help increase the supply of such housing. Permanent supportive housing set-asides targeting 10-25% of units would strike an appropriate balance between meeting the volume of need for permanent supportive housing while avoiding the segregation of persons with disabilities in what would amount to congregate settings.

- b. Advocate for Public Housing Authorities to Adopt Preferences in their Housing Choice Voucher Program for Individuals with Disabilities Who Are Institutionalized or at Risk of Institutionalization.*

Admissions preferences, both for the Housing Choice Voucher program and for public housing, can be a powerful way of creating access to affordable, integrated housing for persons with disabilities. Crafting Olmstead preferences, which target persons with disabilities who are institutionalized or are at risk of institutionalization, can maximize the benefits of preferences by serving those who are at the greatest risk of not living in integrated housing.

VII. Increase Support for Fair Housing Enforcement, Education, and Outreach.

Nonprofit fair housing organizations and legal services providers play a critical role in fair housing enforcement, education, and outreach, and the County's support is essential to ensuring that they are able to meet the needs of victims of discrimination. By helping these organizations support their operations, jurisdictions can ensure that groups can address critical emerging issues, like those that have stemmed from the COVID-19 pandemic. If additional resources are identified,

increasing the level of support for fair housing enforcement, education, and outreach could help nonprofit partners adopt more proactive strategies that more effectively reduce housing discrimination over the long term.