



CITY OF DEL REY OAKS

650 CANYON DEL REY BLVD., DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 FAX (831) 394-6421

DATE: March 26, 2024

TO: Honorable Chair and Council Members

FROM: Denise Duffy, City Planning Consultant

SUBJECT: 2023 General Plan Annual Progress Report Council Report

PURPOSE: Annual Progress Report on the General Plan and Housing Element

Annual Progress Report: Government Code section 65400(a)(2)(A) requires each City and County to provide an annual progress report to the Office of Planning and Research (OPR) and Housing and Community Development department (HCD) on the status of the general plan and progress in implementation of housing policies and programs since the previous reporting year. A primary purpose of this reporting is to detail the progress each jurisdiction has made in meeting the jurisdiction's share of regional housing needs allocation (RHNA) determined pursuant to Government Code section 65584, as well as updates on local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to Government Code section 65583(c)(3) (Id. at § 65400(a)(2)(B)). The general requirements to the General Plan Annual Progress Report (APR) and Housing Element APR are addressed below.

Requirements and Timing: The annual progress reports must be provided to the OPR and HCD on or before April 1st of each year. Jurisdictions report on a calendar-year basis (January 1 through December 31). There is no standardized format for the preparation of an APR for the General Plan. The form and content of the report may vary based on the circumstances, resources, and constraints of each jurisdiction. The City has prepared and submitted these reports annually.

2023 General Plan Annual Progress Report: The 2023 APR incorporates the adopted 2022 APR submitted in 2023. The purpose of an APR is to review progress made in implementing programs; it is not a review of adequacy of the adopted programs. The previous reporting in past years provided a comprehensive review of progress made on the City General Plan, including comprehensive listings of general plan policies, categorized by element.

As noted above, an APR is meant to review progress in implementing programs, and is not meant for a full General Plan review of individual policies or programs, or an assessment of the adequacy of the adopted programs. The assessment notes how, or if a policy was implemented during the reporting period (i.e., a description of any current or past year's activities were completed for implementation of a cited policy). The APR notes if any progress or implementation actions were taken related to the General Plan programs.

Note: This year, rather than individually detail each General Plan policy or program, as in past years, the General Plan APR is included, as noted below.

The most recent APR, adopted by the City Council in March 2023, continues to be applicable to this current APR reporting period. No changes were significant between the two reporting years in General Plan implementation.

Planning Commission and City Council considered the APR and recommended approval of the APR in 2023. Minor amendments corrections and additions were identified during hearings in 2023 and incorporated in the APR that was sent to HCD and OPR. No major implementation of policies and programs were identified for the reporting year 2023 related to General Plan implementation; the City focused efforts on development of Housing Element Programs, particularly updates to the adopted Housing Element for the City.

2023 Housing Element Annual Progress Report: Each jurisdiction (city council or board of supervisors) must also prepare and submit an APR on the jurisdiction's status and progress in implementing its Housing Element (Government Code Section 65400.). Each jurisdiction's Housing Element APR must be submitted to HCD and the Governor's Office of Planning and Research (OPR) by April 1st of each year and it covers the previous calendar year (January 1 to December 31, 2023). The purpose of the APR is to provide information regarding local agency progress in meeting its share of RHNA and removing governmental constraints to the development of housing pursuant to Government Code section 65583(c)(3). The focus of the report is progress made since the last reporting period. Since the City adopted a new Housing Element in 2023, the City Housing Element APR uses the program information in the Updated Housing Element submitted to HCD.

The 2023 APR incorporates the 2023 General Plan Annual Progress Report and the 2023 Housing Element Annual Progress Report; these documents collectively represent the APR review as required for the 2023 APR. The 2023 APR is attached to this Staff Report as **Attachment A**.

CEQA: This action does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15378 as it is an organizational activity of the City that will not result in direct or indirect physical changes in the environment.

Recommendation by City Staff:

1. Open Public Hearing and Consider Comments
2. Consider Recommendation from Planning Commission and approve Resolution 2024-01 and direct submittal to HCD/OPR

Planning Commission Consideration: Planning Commission held a public hearing on March 13, 2024 to consider and recommend approval of the Draft 2023 Annual Progress Report on the Implementation of the General Plan of the Housing Element to City Council. No comments from the public were made during the meeting and no changes to the documents were required as a result of the meeting. Planning Commission recommended approval to the City Council for consideration during the regular Planning Commission Meeting on March 13, 2024.

Consideration by City Council:

1. Consider Recommendation from Planning Commission regarding the Draft 2023 Annual Progress Report on the Implementation of the General Plan and of the Housing Element
2. Approve Resolution 2024-01 and direct submittal to HCD/OPR

Attachments

A. Draft City of Del Rey Oaks 2023 General Plan Annual Progress Report

Respectfully submitted,

Denise Duffy

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Draft City of Del Rey Oaks

2023 General Plan Annual Progress Report

March 26, 2024

Annual Progress Report

1.0 Introduction and Summary

Government Code Section 65400 requires the City to prepare an annual report on the status of the City's General Plan (Plan) and progress in its implementation (2023 General Plan Progress Annual Report). This Annual Progress Report (APR) must be provided to the Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD). The APR supplies a means to monitor the success of implementing the General Plan and determine if changes are needed in the Plan or in the implementation of its programs. The APR also provides information on the City's progress in meeting its share of regional housing needs allocation (RHNA) and summarizes the degree to which the General Plan complies with statutory requirement pursuant to Government Code Section 65040.2.

The format and content of this Annual Progress Report was prepared in accordance with the State's submittal requirements under California Government Code Section 65400. This General Plan Annual Progress Report is a reporting document and does not create or alter policy. The content is provided for informational purposes only and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15306. The APR is meant as a progress document, with reporting required to be completed each year on the previous calendar-year (January 1 through December 31).

Updates: The Del Rey Oaks (City) General Plan was last updated in December 2023, with the adoption of the 6th Cycle Housing Element.¹ The original City General Plan was adopted in 1988. An update to the General Plan was approved in 1997 for lands within the former Fort Ord. This update approved land use designations and policies for the City's lands within City areas of former Fort Ord. The current General Plan contains policies and programs from the original General Plan, as well as policies from the 1997 General Plan Update for the former Fort Ord area. The current General Plan also includes the updated 2023 Housing Element. The major 2023 General Plan revision was amending the land use designations within the City owned portions of former Fort Ord to allow residential uses to meet regional housing needs. The General Plan has had no other updates during this reporting year (2023).

¹ The General Plan was also updated in 2023 with the 5th Cycle Update to the Housing Element.

2.0 APR Reviews

An APR is meant to address the progress the City has made towards implementing the actions of the General Plan. Although no major updates to the City General Plan have occurred over the years, the City has conducted annual comprehensive reviews of the City's policies in the past – most recently in 2022 and 2023 reporting years. The Planning Commission and City Council each held several public meetings to comprehensively review the implementation progress and status of each of the City's General Plan updates prior to submittal of each APR for the City of Del Rey Oaks. During these meetings, individual policies of the General Plan were reviewed, relevant projects undertaken by the City were identified, and progress on the implementation was discussed. The last General Plan APR (the 2022 APR) was considered and approved in March, 2023 by the City Council and reviewed in February, 2023, by the Planning Commission.

3.0 General Plan Implementation Progress

The major 2023 General Plan revision was amending the land use designations within the City owned portions of former Fort Ord to allow residential uses to meet regional housing needs. The General Plan has had no other updates during this reporting year (2023). There has not been any major change in policies to the General Plan nor any substantial change since the 2022 APR was submitted to HCD/OPR, other than noted above. Note: the purpose of the APR is a report on progress toward implementation of policies and programs. An APR is not meant as a refinement or revision to the City's General Plan. However, previous City comments on the General Plan are highlighted below:

- The General Plan includes a number of overall concepts/policies that are still current and compatible with the current vision and quality of life values of the City.
- The City has worked to progressively implement some of the policies outlined in each element of the City's General Plan, but the General Plan document needs updating in certain areas.
- In addition, Planning Commissioners and City Council members expressed support for adding policies related to climate change and to further consider those policies related to potential future development, particularly for housing and affordable housing availability.
- The City's General Plan policies need a comprehensive update, and the City Council affirmed this need in their comments on the APR in 2022 and 2023.
- The City has consistently reviewed the policy areas during annual meetings on the APR. In these meetings, the City identified policies that need updating, and noted additional steps would be needed to effectuate the General Plan more fully, or to update policies and programs related to issues facing the City today. Specific policy updates would be able to address current issues related to traffic, water, and land use.
- The Planning Commission expressed support for continuing review of the General Plan policies as part of future efforts to update the General Plan. This is consistent with City Council comments in 2022 and 2023.

4.0 Housing Element Implementation Progress

The City Planning Commission and City Council recognized the need for a Housing Element update; the 5th Cycle Housing Element was found compliant by HCD in 2023. The City also completed the 6th Housing Element Update and adopted the 6th Cycle Housing Element in December, 2023, as required by Government Code Section 65580 et seq. The 2023 Housing Element is a multi-year housing plan for the 6th Planning Cycle, 2023-2031 planning period. The City is working on revising the 6th Cycle Housing Element Update to meet HCD requirements. The City held numerous workshops on the Housing Element updates throughout 2023 and adopted required rezoning and a general plan update to allow housing in sites considered suitable during 2023. No other major implementation actions for the City Housing Element have occurred in 2023, as the City focused on completion of required rezoning and housing elements.

5.0 APR 2023

Public meetings at the Planning Commission and City Council allow for public input into the process prior to the APR report approval and submittal of the APR to the State.

This 2023 APR incorporates this report and the following attachment submitted to HCD on Housing Element Program status; these documents collectively represent the APR review as required for the 2023 APR.

Attachment

- A. HCD Housing Element APR Policy Implementation Status

Attachment A

City of Del Rey Oaks 2023 Housing Element Annual Progress Report (HE APR) *

** Note: Programs reflect the City Housing Element in effect in 2023 for majority of the year.*

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction	Del Rey Oaks	
Reporting Year	2023	(Jan. 1 - Dec. 31)

ATTACHMENT TO DEL REY OAKS ANNUAL PROGRESS REPORT

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program A.1 Accommodate the City's RHNA	Amend General Plan Land Use Map and Zoning Ordinance to allow residential uses as an allowed use for Site 1 and Site 1a by the third quarter of 2023.	3rd quarter 2023	The City amended the General Plan and adopted the Zoning Ordinance on October 24, 2023.
Program A.2 Develop written process for continued compliance with AB 2162	The City shall continue to comply with the requirements of state law AB 2162 (Chapter 753, statutes of 2018) and will develop a written process to adhere to the statutory requirements in accordance with state law.	4th quarter 2023	The legislation requires a local government to approve, within statutory timelines, a supportive housing development that complies with specified criteria. The City approved an updated ordinance to address AB 2162 compliance, including State required updates to the zoning ordinance related to emergency shelters, in December 2022. The City adopted an ADU ordinance in 2021.
Program B.1 Develop Inclusionary and Affordable Housing Requirements	The City will adopt an Inclusionary and Affordable Housing Ordinance that will require new residential development or redevelopment in the City to meet the City's RHNA requirements as identified in the AMBAG RHNA.	By the end of 4th quarter 2023	The City adopted the Affordable Housing Zoning Ordinance on October 24, 2023.

<p>Program B.2 Facilitate Affordable Housing for All Income Levels</p>	<p>Actively seek funding opportunities to increase the supply of affordable housing for lower income households, analyze sites owned by the City to identify those that could be suitable to support affordable housing. Seek to leverage these funds with federal, state, and County HOME funds to increase the amount of affordable housing on housing strategy sites. Work with developers of housing strategy sites and non-profit developers to identify opportunities to increase the percentage of affordable housing by encouraging developers to apply for available funds and utilize other creative mechanisms.</p>	<p>Ongoing work with developers; report on funding annually to City Council</p>	<p>This program is an ongoing action, consistent with the City recently adopted Housing Element, 6th Cycle. The City is also working to secure a developer for the former Fort Ord site See also above item.</p>
<p>Program B.3 Utilize Section 8 Housing Choice Vouchers</p>	<p>The City, working with the Housing Authority of Monterey County (HAMC), shall provide information and incentives to property owners to encourage them to sign Section 8 agreements with the HAMC. The number of applications received will depend upon how many property owners apply for Section 8 agreements with the HAMC and City. This program could provide rental assistance to at least two or three renters per year.</p>	<p>First full active year 2022</p>	<p>The City updated their programs related to this in 2023; did not have an opportunity to implement this Program in 2023.</p>
<p>Program B.4 Preferential Housing for Del Rey Oaks Residents and Workers</p>	<p>Adopt a Preferential Housing Ordinance</p>	<p>4th quarter 2023</p>	<p>This program has been revised and updated for 6th Cycle; questions were raised on how to address this program to offer to Del Rey Oaks residents and workers on a preferential basis.</p>

<p>Program B.5 Develop a Density Bonus Ordinance Consistent with State law</p>	<p>Adopt a City Density Bonus Ordinance, consistent with Government Code and State Density Bonus Law</p>	<p>4th quarter 2023</p>	<p>The City currently follows State requirement for Density Bonus law. After researching this issue, the City determined working under the State requirements was the appropriate approach.</p>
<p>Program B.6 Facilitate Affordable Rental Units</p>	<p>City continues to research available funds to assist in the construction of affordable units (and accessory dwelling units) to low-income and very low-income households annually.</p>	<p>Anticipated to start seeking funding opportunities beginning 2020 and running into 2023</p>	<p>The City has filed and received LEAP and REAP grants in 2020 and REAP 2.0 in 2023, for use in updating the Housing Element for compliance in the 5th and 6th Cycle Planning period. The City will continue to pursue available funding.</p>
<p>Program C.1 Support efforts of public and private groups providing housing for the elderly and disabled, including assistance with obtaining permits and permit streamlining consistent with SB 35, or where appropriate, waiving City fees or regulatory requirements.</p>	<p>Review, and as needed, revise the site improvement standards and development procedures to meet the program objective.</p>	<p>By end of 4th quarter 2023</p>	<p>The City facilitated the development of ADUs in 2023, updated the City programs for ADUs and is currently working with HCD on refined programs. The City will continue to provide assistance to permitting housing consistent with State law.</p>
<p>Program C.2 Encourage the construction of Accessory Dwelling Units</p>	<p>The City will encourage the construction of ADUs by providing incentives such as waiver or reduction of development fees and expedited permit processing for ADU applications. The City will provide information concerning the City's amended ordinance at City Hall. The City will give an annual report on new secondary units constructed to City Council.</p>	<p>3rd quarter 2023</p>	<p>See above. The City adopted an ADU ordinance in 2021 and will continue to expedite permit processing for ADUs.</p>
<p>Program C.3 Mitigating Constraints</p>	<p>The City will review Zoning Ordinance amendments to mitigate constraints on housing.</p>	<p>3rd quarter 2023</p>	<p>The City regularly reviews City Zoning Ordinance to ensure regulatory constraints do not constrain housing development. As part of the Housing Element updates ongoing, zoning ordinance amendments and housing constraints have been reviewed. The City adopted ordinances and amendments for former Fort Ord sites for affordable housing in 2023.</p>

<p>Program C.4 Ensure the Availability of an Adequate Water Supply to Serve the Long-Term Housing Needs of the City</p>	<p>The City will continue to work with the MPWMD, MCWD, and other appropriate agencies through meetings and consultation to seek securement of sufficient water resources to meet the expected needs of projected housing development.</p>	<p>By the end of 2020 and throughout 5th Cycle</p>	<p>The City staff has been in discussion with MPWMD, MCWD, and AMBAG regarding Del Rey Oaks' water supply and RHNA. The City is working with the MPWMD to increase water allocated to affordable units, subject to State approval due to the existing water moratorium and State Cease and Desist Order. The City conducted outreach with MPWMD and MCWD on water availability for housing development. The City has an agreement with MCWD for water service and water supply for former Fort Ord development within City limits.</p>
<p>Program D.1 Promote Fair Housing by Providing Educational and Referral Materials</p>	<p>Provide Fair housing education materials at City Hall in English and Spanish, post information on the City website and provide information in City newsletter annually.</p>	<p>1st quarter 2023 and ongoing</p>	<p>The City is researching Fair Housing resources in English and Spanish to accommodate all the community members. The City commits to provide housing resources information in both English and Spanish.</p>
<p>Program D.2 Provide Opportunity for and Encourage the Development of Adequate Housing for the City's Special Needs Groups</p>	<p>The City will aim to update the Zoning Ordinance by the end of 2023. It will aim to identify at least one residential project by 2024 that is targeted for seniors and/or persons with mobility impairments. The City will monitor these programs through annual reports to the City Council, with the first annual report by the end of 2021.</p>	<p>Zoning Ordinance by 2023. Special Needs Group residential development by 2024. Annual Reporting by 2021.</p>	<p>The City adopted ordinances and amendments concerning the definition of "Family", emergency shelters, density bonuses, zoning for affordable housing in 2023. The City will continue to identify projects and provide annual reports to the City Council.</p>
<p>Program D.3 Special Needs Housing for Disabled Persons</p>	<p>Review zoning code and report to City Council on needed updates to address State law by first quarter 2023. Amendments to Zoning Code and the updated Housing Element shall be adopted by end of 2023.</p>	<p>By the end of 2023</p>	<p>See above. The City adopted a definition of "Family" and an emergency shelter ordinance in 2023, and an ADU ordinance in 2021. The City will continue to review the zoning code to identify and remove additional constraints and amend the Zoning Ordinance to ensure that future projects incorporate accessible design.</p>
<p>Program D.4 Support Programs to Reduce Homelessness</p>	<p>Amend the City Zoning Ordinance to include provisions for emergency shelters as needed by end of first quarter 2023.</p>	<p>By the end of 1st quarter 2023</p>	<p>The City adopted an emergency shelter ordinance in 2023.</p>

<p>Program D.5 Develop written process for continued compliance with AB 101</p>	<p>The City shall continue to comply with the requirements of AB 101 and develop a written compliance process to adhere to the statutory requirements in accordance with state law.</p>	<p>Ongoing AB 101 compliance. Written AB 101 compliance process by the end of 3rd quarter 2023</p>	<p>The City complies with the requirements of AB 101. Written compliance process was not completed.</p>
<p>Program E.1 Assist in Rehabilitating Housing</p>	<p>The City will investigate available low-interest loans, subsidies, and grants from federal and State agencies to provide rehabilitation funds. As funding becomes available, the City shall provide grants and/or low interest, deferred, and/or forgivable loans for building code violations, health and safety issues, essential repairs, upgrades of major component systems, and modifications to accommodate disabilities.</p>	<p>Assist two households by the end of 2021</p>	<p>Subject to federal funding the City will look to assist an average of one to two households (ranging from single-family, multi-family, and mobile homes), dependent on need. The City is continuing to investigate available low-interest loans, subsidies, and grants from federal and State agencies.</p>
<p>Program E.2 Continue Code Enforcement</p>	<p>The City will continue to perform code enforcement for areas or homes with building code violations posing life and/or safety risks to occupants and/or significant property maintenance concerns and ensure that such violations are adequately abated.</p>	<p>Ongoing</p>	<p>No code violations have been identified. When code violations are cited, enforcement officers will provide a list of potential funding sources to homeowners. No timeline as this is an ongoing action.</p>
<p>Program E.3 Energy Conservation and Energy Efficient Opportunities</p>	<p>Information detailing energy conservation programs shall be provided at the City Hall and shall be included on the City's website and updated at least once per year. Energy conservation programs targeted to low-income households shall be promoted in the City newsletter at least once per year and available at the City Hall.</p>	<p>Annually by December of each year</p>	<p>The City continues to research alternative energy conservation programs targeted for all citizens.</p>

Resolution No. 2024-01

Resolution of the City Council of the City of Del Rey Oaks, California Approving the 2023 Annual Progress Report on the Implementation of the General Plan

Whereas, the State of California requires non-charter cities and counties to have adopted a General Plan to provide guidance and direction for develop activities; and,

Whereas, the City of Del Rey Oaks current General Plan was adopted in December 1998, Resolution No. 98-20; and updated in December 2023 with the adoption of the City Housing Element;

Whereas, the General Plan contains the seven State-required elements, and one additional element as follows: Land Use Element, Circulation Element, Public Services Element, Parks and Recreation Element, Open Space/Conservation Element, Noise Element, Implementation Element, and Housing Element; and,

Whereas, each element of the General Plan concludes with a set of implementation actions and programs that are intended to carry out a policy and achieve specific objectives; and,

Whereas, California Government Code Section 65400(a)(2)(A) requires the City to annually prepare a report regarding the status of the City’s general Plan and progress in its implementation (“report”); and,

Whereas, California Government Code Section 65400(a)(2)(B) requires the City to include in the report the City’s progress in meeting its share of regional housing needs; and

Whereas, California Government Code Section 65400(a)(2)(C) requires the City to include in the report an assessment of the degree to which the General Plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the General Plan; and,

Whereas, California Government Code Section 65400(a)(2) requires the City to submit the report to the Governor’s Office of Planning and Research (“OPR”) and HCD by April 1 of each year; and

Whereas, the Planning Commission scheduled a public meeting on the 2023 General Plan Annual Report (“Annual Progress Report”) for March 13, 2024 where all interested persons had an opportunity to be heard; and

Whereas, the City Council considered the entire administrative record, including the staff reports, the contents of the Annual Report, a copy of which is attached hereto as **Attachment A**, and oral and written testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEL REY OAKS AS FOLLOWS:

SECTION 1. That the City of Del Rey Oaks has completed the 2023 Annual Report as required by California Government Code section 65400.

SECTION 2. That the 2023 Annual Report provided is found to be consistent with the suggested content by the State Guidelines and is hereby accepted.

SECTION 3. That Denise Duffy and Associates, on behalf of the City as the City’s Planning Consultant, is hereby authorized and directed to submit the 2023 Annual Progress Report to the Governor’s Office of Planning and Research (OPR) and HCD.

APPROVED AND ADOPTED by the City Council of the City of Del Rey Oaks at a regular meeting held on the 26th day of March, 2024.

Ayes: Council Members:

Noes: Council Members:

Absent: Council Members:

City of Del Rey Oaks, California

Scott Donaldson, Mayor

Attest:

Karen Minami, City Clerk
City of Del Rey Oaks