



PLANNING COMMISSION

LIVINGSTON PLANNING COMMISSION

REGULAR MEETING AGENDA

TUESDAY, April 9, 2024 7:00 P.M.

CITY COUNCIL CHAMBERS, 1416 C STREET, LIVINGSTON

The Planning Commission welcomes you to its meetings, which are regularly scheduled the second Tuesday of each month, and your interest is encouraged and appreciated. Additionally, the regular meeting will be streamed on YouTube live at https://www.youtube.com/channel/UCB_ZmQZIHElh-ECEPZ2VwZq.

Members of the public may comment on agenda items at the meeting or remotely via teleconferencing by calling (520) 525-8911. Any member of the public participating via teleconference will be given the opportunity to provide public comment. Comments will also be accepted via email at mabeloe@livingstonca.gov or by mail delivered to the City of Livingston Planning Department at 1416 C Street, Livingston, CA 95334.

Members of the public attending the meeting are advised that all pagers, cellular telephones, and any other communication devices be put on vibrate mode or turned off during the Planning Commission meeting.

1. **ROLL CALL:** Robert S. (Bob) Wallis, Jose Flores, Steve Bassi, Renee W. Mendonca,
Vacant (Alternate 1 - votes on odd months),
Vacant (Alternate 2 - votes on even months)
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**
4. **PUBLIC COMMENT**

The first 15 minutes of the meeting are reserved for members of the public to address the Commission on items that are within the subject matter jurisdiction of the Commission. Speakers shall be limited to five (5) minutes. Speakers will be asked to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Commission is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Commission does not respond to public comment at this time.

5. **WRITTEN CORRESPONDENCES**
 - A. None

6. APPROVAL OF MINUTES

A. February 13, 2024

7. CONFLICT OF INTEREST DECLARATION

Members of the Planning Commission will declare an actual or apparent conflict of interest before discussions or decisions about any matters in which they or anyone with whom they have a close personal relationship could directly or indirectly benefit or where such a benefit could be perceived.

8. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the public or a member of the Planning Commission may request an item to be removed from the Consent Calendar and it will be considered separately.

A. None

9. PUBLIC HEARINGS

A. None

10. OTHER MATTERS (Non-Public Hearing Items)

A. City of Livingston 2023 Housing Element Annual Progress Report

Recommendation: Adopt a Resolution of the Planning Commission of the City of Livingston recommending the City Council of the City of Livingston receive and accept the Housing Element annual progress report for calendar year 2023 and authorize staff to submit the report to the California Department of Housing and Community Development and the Governor’s Office of Planning and Research.

11. REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

12. PLANNING COMMISSIONER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS

This portion of the agenda is reserved for the Chairperson and Commissioners to (i) make brief reports on public events or activities; (ii) to request updates; and (iii) to initiate future agenda items.

13. ADJOURNMENT

The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the Planning Department’s Office at (209) 394-8041 Ext. 112 or emailing mabeloe@livingstonca.gov Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Livingston, Attn: Planning Department, 1416 C Street, Livingston, CA 95334. At least forty-eight (48) hours notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to

support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.

The services of a translator can be made available. Please contact the City of Livingston Planning Department at (209) 394-8041 Ext. 112 or email mabeloe@livingstonca.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the requested services. At least forty-eight (48) hours notice prior to the meeting is requested but not required.

Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than forty-eight (48) hours before this meeting is available for inspection at the City of Livingston Planning Department, 1416 C Street, Livingston, CA 95334 during normal business hours.

Pursuant to Section 65009 of the Government Code of the State of California, notice is hereby given that if any of the foregoing projects or matters is challenged in Court, such challenge may be limited to only those issues raised at the public hearing, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

All Planning Commission actions may be appealed to the City Council by filing an appeal in writing and paying the appropriate fee to the Livingston City Clerk. The time in which an applicant may appeal a Planning Commission action varies from 10 to 30 days depending on the type of project. The appeal period begins the day after the Planning Commission public hearing. There is NO EXTENSION for an appeal period.

If you have any questions or comments regarding this hearing notice, you may call the City of Livingston Planning Department at (209) 394-8041. Si usted tiene preguntas, comentarios o necesita ayuda con interpretación, favor de llamar el Departamento de Planeamiento por lo menos 48 horas antes de esta junta (209) 394-8041.



**CITY OF LIVINGSTON
LIVINGSTON PLANNING COMMISSION
REGULAR MEETING**

**City Council Chambers
1416 C Street
Livingston, CA 95334**

**MEETING MINUTES
February 13, 2024**

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chair Steve Bassi.

ROLL CALL

Commissioners Present: Chair Steve Bassi, Vice-Chair Renee Mendonca, Commissioner Robert "Bob" Wallis, and Commissioner Jose Flores

Commissioners Absent: None

Staff Present: Community Development Director Gary Conte and Sr. Administrative Analyst Martha Abeloe

PLEDGE OF ALLEGIANCE

The pledge of allegiance to the flag was recited.

INTRODUCTION

Community Development Director Gary Conte introduced himself to the Planning Commissioners.

Commissioner Bob Wallis asked about having other City staff attend the Planning Commission meetings.

Community Development Director Gary Conte answered Commissioner Wallis' concern.

ELECTION OF OFFICERS

It was motioned by Commissioner Bob Wallis to keep the Chair and Vice-Chair the same, Chair Bassi and Vice-Chair Mendonca accepted, and the motion was seconded by Vice-Chair Renee Mendonca the Approving Motion carried 4-0, by the following roll call vote:

AYES: Commissioner Bob Wallis, Commissioner Jose Flores, Vice-Chair Renee Mendonca, and Chair Steve Bassi
 NOES: None
 ABSENT: None
 ABSTAIN: None

PUBLIC COMMENT

Chair Steve Bassi opened the public comment period at 7:11 p.m.

Diego Castillo, a resident and a local developer, made a public comment and asked for a timeline and goals for projects to be streamlined, he asked what a reasonable time for a project is to take.

Vice-Chair Renee Mendonca mentioned that in August there was a meeting regarding an update on the Housing Element.

Diego Castillo said he has several infill projects that are ready to move forward.

Chair Bassi asked Development Director Gary Conte how projects can be streamlined.

Commissioner Renee Mendonca asked the Development Director Gary Conte to give a status on Diego Castillo’s project and how the City processes projects in the next meeting.

Development Director Gary Conte said yes that he will be providing a synopsis of the process and how the City moves residential projects.

Chair Steve Bassi closed the public comment period at 7:24 p.m.

MINUTES

There was a brief discussion regarding a correction of the September 12, 2023, Regular Planning Commission Meeting Minutes.

4.A Action Meeting Minutes from September 12, 2023, Regular Planning Commission Meeting

Motion to accept September 12, 2023, Regular Planning Commission Minutes with corrections by Vice-Chair Steve Bassi, seconded by Commissioner Renee Mendonca. The motion was approved by a vote of 4-0.

CORRESPONDENCE

None.

CONFLICT OF INTEREST DECLARATION

None.

PUBLIC HEARINGS**Consent Items**

10.A. (None)

Non-consent Items

10.B. (None)

OTHER MATTERS (Not Public Hearings)

Commissioner Jose Flores asked if a list can be provided on the status of all projects that have been submitted to the Planning Department and have been approved by the Planning Commission.

Community Development Director Gary Conte answered that he would have a list to share with the Planning Commissioners and he will be sharing a presentation that will be presented to the City Council at the next Planning Commission Meeting.

REPORT OF THE PLANNING DIRECTOR

Community Development Director Gary Conte highlighted recent City Council actions and housekeeping items. He communicated that the City is still soliciting public interest to fill the vacant positions for Regular and Alternate Planning Commission positions and encouraged residents to apply. He reported that there are no agenda items that are being targeted for the next Regular Planning Commission Meeting, but there will be a Special City Council/Planning Commission Joint Meeting soon regarding the General Plan Update. He also discussed that there will be a review and update of Home Occupancy Permits regarding food preparation, and also mentioned Assembly Bill 2011 (AB 2011), and briefly informed the Planning Commission of the results of the City Water System Capacity Assessment.

Commissioners gave recommendations to add a flyer of the Planning Commission openings in the utility bills.

Community Development Director Gary Conte answered the Planning Commissioner's questions and concerns.

Chair Bob Wallis asked how Foster Farms is being billed for their water usage if they pay a flat rate. He asked questions and concerns regarding ADUs, shopping carts, and bad publicity of the Fire Department possibly closing.

Commissioner Jose Flores answered Commissioner Bob Wallis regarding the tax-sharing agreement regarding the fire services.

ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIR

(None)

Planning Commission

ADJOURNMENT

The regular meeting was adjourned by consensus at 8:29 p.m.

APPROVED: April 9, 2024

Chair, Steve Bassi

Secretary of the Planning Commission,
Gary Conte

The written meeting minutes reflect a summary of specific actions taken by the Planning Commission. They do not necessarily reflect all the comments or dialogue leading up to the action. All meetings are digitally recorded and are an official record of the meeting's proceedings. Digitally recorded verbatim minutes are available upon request and may be obtained at Livingston City Hall.



REPORT TO THE PLANNING COMMISSION

Prepared by: Gary Conte, Community Development Director

Meeting of: April 9, 2024

Agenda Number: 10.A

SUBJECT:

City of Livingston 2023 Housing Element Annual Progress Report

RECOMMENDATION:

Adopt a Resolution of the Planning Commission of the City of Livingston recommending the City Council of the City of Livingston receive and accept the Housing Element annual progress report for calendar year 2023 and authorize staff to submit the report to the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

PROJECT DESCRIPTION:

Each year, California cities are required to prepare an annual progress report on the status of implementing the General Plan Housing Element and submit the report to the California Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR). Using a form provided by HCD, the annual report provides a snapshot of housing unit production across affordability levels, development applications received and processed during the reporting year, affordable housing production, and provide an update on housing program implementation. The annual report must be provided to the legislature (City Council) prior to being transmitted to the State.

ANALYSIS:

City Council adopted its 2015-2022 Housing Element on June 21, 2016, and subsequently received certification by HCD on July 11, 2016. The Housing Element is 1 of 7 mandated Elements of the General Plan and includes information related to the City's existing housing needs, an analysis of the City's population and employment trends, household characteristics, an inventory of land suitable for residential development and programs and implementation measures.

The Housing Element is required to identify sites to accommodate its Regional Housing Needs Allocation (RHNA), as determined by HCD and the Merced County Association of Governments (MCAG). In summary, the RHNA process allocates the State of California's future housing needs to each County throughout the State. The State of California requires HCD to identify housing needs for each region in response to projected population and household growth. State law further mandates that each Council of Governments (COG), in this case, MCAG, distribute the RHNA to each jurisdiction within the COG's region. In turn, the City, in its Housing Element, identified a number of sites that could accommodate the City's fair share of the RHNA, in all income categories (e.g., very-low-, low-, moderate-, and above-moderate).

Under California Government Code Section 65400, the City is required to prepare a General Plan Housing Element Annual Progress Report for submittal to the City Council, HCD and OPR by April 1st of each year. There is an allowance of up to 60 days following the April 1st deadline to submit the report.

The purpose of the annual report is to provide the City Council and the State Departments (HCD and OPR) progress on the City's effectiveness in implementing the Housing Element's programs and meeting the City's fair share in the RHNA (as discussed above).

The Housing Element Annual Progress Report forms provided by HCD that are to be completed by the City and submitted to HCD and OPR require the following information:

- Status of the plan and progress in its implementation.
- Progress in meeting its share of the locally adopted Regional Housing Needs Allocation.
- The number of housing development applications received in the prior year.
- The number of units included in all development applications in the prior year.
- The number of units approved and disapproved in the prior year.
- List of sites rezoned to accommodate that portion of the City's share of the regional housing need for each income level.
- Number of new net units of housing, including both rental and for-sale housing, which have been issued an entitlement, a building permit, or a certificate of occupancy.
- Locally owned lands included in the Housing Element that have been sold, leased, or disposed of.

Staff has prepared the 2023 Livingston Housing Element Annual Progress Report, included in Attachment 2 of this Staff Report. Some highlights of the 2023 calendar year include:

Development Application Processed

The City received and processed two entitlement application requests for new housing in 2023:

- SPDR 2023-01: Tri-plex at 1222 B Street; and
- GPA 2023-02, REZ 2023-02, CUP 2023-04 & SPDR 2023-05: Self-Help Enterprise B Street Apartment Complex.

Of the two entitlement application requests received, only one was approved – Tri-plex at 1222 B Street. The entitlement application request for the Self-Help Enterprise B Street 80-unit Apartment Complex was subsequently withdrawn by the applicant and is now preceding forward under Assembly Bill 2011 (AB 2011) by right development pathway to which the project is no-longer subject to discretionary entitlement requirements or approvals.

No entitlements were approved for very low-, low- or moderate-income categories.

New Home Construction

The City of Livingston issued building permits for four residential units in 2023 for the following:

- 1 Single-Family Residence
- 3 Accessory Dwelling Units

No building permits were issued or very low-, or low-income categories. Of the 4 building permits issued, 2 units were completed and issued a certificate of occupancy. The two units that received a certificate of occupancy were accessory dwelling units (ADUs).

Progress Toward Meeting RHNA

As illustrated in Table B of the HCD Forms below on the following page and included in Attachment 2 of this Staff Report, the City has issued 377 building permits for residential development since 2016. Table B illustrates the City’s RHNA by Income Level and progress toward meeting RHNA.

ENVIRONMENTAL REVIEW:

The proposed Housing Element Annual Progress Report for Calendar Year 2023 is not considered a project as prescribed by the California Environmental Quality Act (CEQA). No environmental review is necessary for this item.

RECOMMENDATION:

Staff recommends the Planning Commission move to adopt a Resolution recommending the City Council of the City of Livingston receive and accept the Housing Element annual progress report for calendar year 2023 and authorize staff to submit the report to the California Department of Housing and Community Development and the Governor’s Office of Planning and Research.

ATTACHMENTS:

1. Planning Commission Resolution
2. Housing Element Annual Progress Report for Calendar Year 2023
 - A. HE 2023 Reporting Year Summary Table
 - B. HE 2023 Annual Reporting Year Program Implementation

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2									3	4
Income Level		RHNA Allocation by Income Level	2016	2017	2018	2019	2020	2021	2022	2023	2024	Total Units to Date (all years)	Total Remaining RHNA by Income Level
<i>Very Low</i>	<i>Deed Restricted</i>	249	-	-	-	-	-	-	-	-	-	-	249
	<i>Non-Deed Restricted</i>		-	-	-	-	-	-	-	-	-		
<i>Low</i>	<i>Deed Restricted</i>	178	-	5	-	-	-	-	-	-	-	9	169
	<i>Non-Deed Restricted</i>		-	-	-	4	-	-	-	-	-		
<i>Moderate</i>	<i>Deed Restricted</i>	163	-	-	-	-	-	-	-	-	-	17	146
	<i>Non-Deed Restricted</i>		-	-	-	7	-	1	9	-	-		
<i>Above Moderate</i>		435	34	69	24	76	105	39	-	4	-	351	84
Total RHNA		1,025											
Total Units			34	74	24	87	105	40	9	4	-	377	648

ATTACHMENT 1

Planning Commission Resolution Recommending City Council Receive and Accept the Housing Element Annual Progress Report for Calendar Year 2023 and Authorize Staff to Submit the Report to the California Department of Housing and Community Development and the Governor's Office of Planning and Research

RESOLUTION NO. 2024-01

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LIVINGSTON RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF LIVINGSTON TO RECEIVE AND ACCEPT THE HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2023 AND AUTHORIZE STAFF TO SUBMIT THE REPORT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE GOVERNOR’S OFFICE OF PLANNING AND RESEARCH

WHEREAS, California Government Code Section 65400(2), requires the planning agency to provide an annual report to the City Council, the State Department of Housing and Community Development (HCD) and the Governor’s Office of Planning and Research (OPR) regarding the progress toward implementing the housing element of the general plan; and

WHEREAS, planning staff has prepared an annual progress report for the calendar year 2022, utilizing the prescribed forms and instructions provided by HCD; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Livingston, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend the City Council receive and accept the annual progress report on the Housing Element, and authorize staff to forward the report to the California Department of Housing and Community Development and the Governor’s Office of Planning and Research pursuant to Government Code Section 65400(2).

Passed and adopted by the Planning Commission of the City of Livingston this 9th day of April 2024, by the following vote:

AYES: Planning Commissioners:

NOES: Planning Commissioners:

ABSTAIN: Planning Commissioners:

ABSENT: Planning Commissioners:

ATTEST:

Chair, Steve Bassi

Gary Conte, AICP,
Secretary of the Planning Commission

ATTACHMENT 2

Housing Element Annual Progress Report for Calendar Year 2023

Jurisdiction	Livingston	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Housing Element Planning Period	5th Cycle	03/31/2016 - 03/31/2024

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		4
Total Units		4

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

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	0	0	0
Single-family Detached	0	1	0
2 to 4 units per structure	3	0	0
5+ units per structure	0	0	0
Accessory Dwelling Unit	0	3	2
Mobile/Manufactured Home	0	0	0
Total	3	4	2

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	5	4
Not Indicated as Infill	0	0

Housing Applications Summary	
Total Housing Applications Submitted:	2
Number of Proposed Units in All Applications Received:	83
Total Housing Units Approved:	3
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions - Applications	
Number of SB 35 Streamlining Applications	0
Number of SB 35 Streamlining Applications Approved	0

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

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	0	0
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 35 (2017)	0	0

Ministerial and Discretionary Applications	# of Applications	Units
Ministerial	0	0
Discretionary	2	83

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	0
Number of Units in Applications Submitted Requesting a Density Bonus	0
Number of Projects Permitted with a Density Bonus	0
Number of Units in Projects Permitted with a Density Bonus	0

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	28
Sites Rezoned to Accommodate the RHNA	0

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Jurisdiction	Livingston		
Reporting Year	2023	(Jan. 1 - Dec. 31)	
Table D			
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
<p>#1. Housing Diversity: Use a variety of incentives including zoning and land use controls, flexible development standards, technical assistance, and expedited processing to promote affordable housing or to promote a range of housing types. Encourage and support the use of the City's Planned Development Process in the review and consideration of new housing projects. This may include exceptions to setbacks, clustering of units and lot configuration, lot size, and lot coverage.</p>	<p>Approval at least four developments that include a range of housing types.</p>	<p>Ongoing</p>	<p>The City continues to process development applications efficiently and encourage the use of Planned Development Zoning to provide flexible development standards.</p>

<p>#2. Economic Development: Continue to identify and promote economic development opportunities that bring additional employment for City residences, including jobs paying a range of wages. Conduct targeted outreach to businesses in order to get them to locate in Livingston.</p>	<p>Continue outreach efforts to encourage new businesses to locate in Livingston.</p>	<p>Provide outreach annually subject to resource limitations.</p>	<p>This program is ongoing, and the City continues to outreach annually, depending on resource availability, to industrial and commercial businesses to locate in Livingston.</p>
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<p>#3. Maintain Adequate Sites; In order to ensure that there are sufficient sites to address the City's share of the regional housing need, the City will monitor the existing inventory of available land and, if necessary, rezone land within the existing city limits or annex land within its Sphere of Influence (SOI). To ensure sufficient residential capacity is maintained to accommodate the RHNA, the City will develop and implement a formal ongoing (project-byproject) evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction of capacity below the residential capacity needed to accommodate the remaining need for lower income households, the City will identify and, if</p>	<p>Maintain the existing inventory of vacant sites suitable for residential sites and annex land, if necessary, to provide adequate sites for housing consistent with the objectives identified in the Housing Element</p>	<p>Develop and implement a formal evaluation procedure pursuant to Government Code Section 65863 by 2016.</p>	<p>The City continues to maintain the Vacant Site Inventory that was developed as part of the Housing Element update.</p>
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<p>#4. Tax-Sharing Agreement: Re-establish a master tax-sharing agreement with the County in order to facilitate the annexation of land within the City's SOI when sites are needed to address housing needs.</p>	<p>Complete a master tax-sharing agreement to facilitate future annexation of land.</p>	<p>2017</p>	<p>Discussions continue with the County regarding the tax-sharing agreement.</p>
<p>#5. Multi-Family Lot Consolidation and Lot Split Program: In order to provide vacant parcels of adequate size to encourage affordable multi-family development, encourage the consolidation of adjacent parcels zoned High Density Residential (R-3) or Downtown Commercial (DTC) and the splitting of large R-3 zoned parcels. This may include working with property owners to consolidate parcels, coordinating with local property owners to support the development of affordable multifamily housing developments, or working with developers to identify suitable vacant adjoining R-3 or DTC sites.</p>	<p>Encourage consolidated of similar R-3 zoned lots to make affordable multi-family development feasible.</p>	<p>Provide assistance to property owners as interest is received.</p>	<p>The City continues to encourage lot consolidation and lot splits in the R-3 zone. As development applications are submitted, City Staff staff reviews potential opportunities that would allow the development of additional dwelling units.</p>

<p>#6. Annual Reporting: Review and report annually on the implementation of Housing Element programs and the City's effectiveness in meeting the program objectives for the prior calendar year. Present the annual report at a public hearing before submitting the annual report to the California Department of Housing and Community Development (HCD) and the Office of Planning and Research (OPR).</p>	<p>Prepare annual report on progress toward Housing Element goals.</p>	<p>Submit report to HCD annually in April.</p>	<p>The Housing Element Annual Report is prepared each year by City staff and presented to the Planning Commission and City Council prior to transmitting to HCD and OPR.</p>
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<p>#7. Incentives for Affordable Housing: Use a variety of incentives including zoning and land use controls, flexible development standards, technical assistance, reduced development fees (see Program 16) and expedited processing (see Program 20) to promote affordable housing, including housing that meets the needs of special groups (e.g., seniors, persons with disabilities, persons with developmental disabilities, farmworkers, large households, and the homeless). Work with developers to identify sites and potential funding sources for the development of affordable housing and special needs housing.</p>	<p>At least four developments during the planning period.</p>	<p>Provide incentives and work with developers Interest is received.</p>	<p>As applications for Affordable Housing are submitted to the City, staff will work with developers to provide technical assistance, development incentives, and expedite processing procedures.</p>
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<p>#8. First-Time Homebuyer Program: Continue to identify and apply for funding in order to continue the City's first-time homebuyer program to help lower-income homebuyers, including extremely low-, very low-, and low-income, with downpayment and closing costs.</p>	<p>Assist five households annually.</p>	<p>Discontinued</p>	<p>The City discontinued to promoting the First Time Homebuyer Program on the City's website and in-person, due to market constraints limiting the ability for low-income households to qualify for mortgages.</p>
<p>#9. Extremely Low-Income Housing Development Funding: Support applications for funding for the development of extremely low-income housing. Research potential funding opportunities and reach out to affordable housing developers on an annual basis to identify grants or loans and provide expedited processing of applications for the development of extremely low-income housing.</p>	<p>Support at least one extremely low-income housing development.</p>	<p>Annual research of funding opportunities and reach out to affordable housing developers.</p>	<p>City staff continues to support development of extremely low-income housing and will assist developers in technical assistance to secure monies for the development of such housing.</p>

<p>#10. Farmworker Housing: Support regional efforts, such as those of the Merced County Housing Authority and other organizations, to identify sites, including sites within the SOI, and secure funding for permanent and seasonal farmworker housing. Provide assistance in the form of reduced development standards and/or fee deferrals to developers of affordable farmworker housing.</p>	<p>Work with local non-profit developers to secure funds for one farmworker housing and provide assistance to two farmworker housing.</p>	<p>Annually reach out to affordable developers.</p>	<p>The City supports the Merced County Housing Authority to provide for development of farmworker housing.</p>
<p>#11. Section 8 Rental Assistance: Encourage new multifamily apartment owners to participate in the Housing Choice (Section 8) Voucher Program by accepting vouchers at their complexes. Refer extremely low and very low-income households seeking rental assistance to the Merced County Housing Authority's Housing Choice Voucher Program.</p>	<p>Promote participation by new apartment owners in Section 8 program.</p>	<p>Ongoing</p>	<p>The City refers extremely low and very-low income households to the Merced County Housing's Housing Choice Voucher Program.</p>

<p>#12. Housing Program Information. Make information on housing, housing programs, and housing assistance available to all members of the community, including information on second units and information on the availability of sites at the Monte Cristo Mobile Home Park. Continue to provide materials in both Spanish and English. Place information at a public counter in City Hall, and the City's website, and at other public locations.</p>	<p>Provide information on housing programs and assistance to residents.</p>	<p>Ongoing</p>	<p>The City continues to provide information on the City website and in person.</p>
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<p>#13. Infrastructure Improvements: Continue to identify and apply for loans and grants to improve and upgrade City infrastructure, such as the water, sewer, storm drainage, and circulation system in order to meet future residential, industrial, and commercial demand. Give priority to providing infrastructure to vacant R-3 parcels, especially those in the southeastern portion of the city, as well as DTC parcels in order to support the development of multifamily housing in these areas.</p>	<p>Apply for at least one grant/loan. Target efforts toward expanding infrastructure to support the development of multi-family housing on vacant R-3 parcels.</p>	<p>Apply for CDBG funds at least biennially, starting in 2017.</p>	<p>The City received grant funding for water line improvements and completed construction in 2019. The City continues to research grant opportunities for infrastructure funding. City staff shall continue to apply for CDBG funds at least biennially.</p>
<p>#14. Impact Fee Program: Periodically review and update the City's impact fees to ensure that they are consistent with the City's costs to provide these services and that they do not act as a constraint to residential development.</p>	<p>Review City fees to ensure that they are not a constraint to affordable development.</p>	<p>Review fee schedule biennially, starting in 2018.</p>	<p>The City reviewed the Development Impact Fee Program biennially to ensure that the fees are consistent with the City's costs.</p>

<p>#15. Provide Information on Reasonable Accommodation: Consistent with the Reasonable Accommodation provisions of City Code, prepare a notice of availability of reasonable accommodation for persons with disabilities, including developmental disabilities, and display it prominently at the public information counter in the Planning and Building Departments advising the public of the availability of the procedure. Make forms for requesting reasonable accommodation available to the public in the Planning and Building Departments.</p>	<p>Promote reasonable accommodation procedures.</p>	<p>2017</p>	<p>The City provides information related to Reasonable Accommodation as requests are received. Information is provided in person when development proposals and applications are submitted.</p>
<p>#16. Permitting Fees: As appropriate and feasible, waive, reduce or defer permitting fees for new housing developments in the city City affordable to extremely low-, very low-, and moderate-income households.</p>	<p>Waive, reduce or defer fees, and application requirements, for two affordable housing projects.</p>	<p>Ongoing</p>	<p>As applications for Affordable Housing are submitted to the City, staff may consider the waiver of development impact fees for new housing developments affordable to extremely low-, very low-, and moderate-income households.</p>

<p>#17. Remove CUP Requirement in R-3 Zone: The City shall amend the Zoning Ordinance to remove the Conditional Use Permit requirement for projects within the R-3 Zone District that consist of 25 units or more or a density of 24 units per acre or more. The City shall continue to require site plan approval for projects within the R-3 zone.</p>	<p>Remove the CUP requirement for multi-family residential uses in the R-3 zone.</p>	<p>2018</p>	<p>This program, established in 2018, has not been accomplished.</p>
<p>#18. Permit Streamlining: Continue to encourage applicants to meet for pre-application conferences to address any issues before the application is submitted. As funding permits, hire additional planning staff to handle permit processing.</p>	<p>Reduce processing and permit times.</p>	<p>Ongoing</p>	<p>City staff continues to encourage developers to apply for a pre-application and meet with City representatives to discuss proposed development.</p>

<p>#19. Development Handbook: Develop an informational handbook for developers interested in building in Livingston. The handbook should include information on permit processing requirements, steps in the process, and a schedule of building and permitting fees, among others. The handbook should be designed to provide information, answer typical questions, and reduce confusion about the permit process for developers. Continue to maintain and update information on the City's website.</p>	<p>Provide informational handbook to developers.</p>	<p>2020, as funding permits</p>	<p>The Development Handbook was developed in 2020.</p>
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<p>#20. Expedited Processing: Provide expedited processing for developments that contain units that are affordable to extremely low-, very-low-, and low-income households as well as special needs groups, such as persons with disabilities, including developmental disabilities. The City will also provide expedited processing to commercial and industrial projects by businesses, with will generate higher paying jobs in the community.</p>	<p>Provide expedited processing for affordable housing projects as well as commercial and industrial projects that create high paying jobs for residents.</p>	<p>Ongoing</p>	<p>City sStaff continues to offer expedited application processing for projects as well as commercial and industrial developments.</p>
<p>#21. Zoning for Special Needs Housing: Amend the Zoning Ordinance to: allow residential care facilities for more than 15 persons in appropriate zones in the cityCity; and add a definition of single-room occupancy (SRO) and allow SROs in the DTC zone.</p>	<p>Amend the Zoning Ordinance.</p>	<p>2017</p>	<p>The City amended it's Zoning Ordinance to allow for ADUs and JADUs in all residential and DTC districts.</p>

<p>#22. Conservation of Affordable Housing: Monitor affordable multifamily housing projects to help prevent the conversion of affordable units to market rate. Work with non-profit organizations and other agencies to preserve the affordability of these units. Ensure tenants are properly noticed and informed of their rights and eligibility to obtain special Section 8 vouchers reserved for tenants of converted HUD properties.</p>	<p>Preserve 99 at-risk units.</p>	<p>Ongoing</p>	<p>The City continues to monitor multi-family housing projects to help prevent the conversion of affordable housing to market-rate.</p>
<p>#23. Housing Rehabilitation Program: Continue to provide loans to lower-income households and special needs groups, such as seniors and the disabled, for rehabilitation assistance and emergency housing repairs.</p>	<p>Provide rehabilitation and emergency repair assistance to five lower-income owner and renter households annually.</p>	<p>Ongoing</p>	<p>This program is not active due to the lack of HUD funding. The City currently manages a portfolio of existing rehabilitation loans.</p>

<p>#24. Overcrowding Reduction: Encourage developers of both affordable and market-rate housing to construct housing units with three or more bedrooms to accommodate large households and alleviate overcrowding in Livingston. Where feasible, provide incentives to developers who provide housing units affordable to lower-income households that have three or more bedrooms. Such incentives may include, but are not limited to flexible development standards, fee deferrals, density bonus, or expedited processing.</p>	<p>Encourage two affordable developments and two market-rate rental developments to include units with three or more bedrooms.</p>	<p>Ongoing</p>	<p>City staff meets with prospective developers at pre-application conferences where development proposals are presented to staff and staff is able to encourage additional housing units and the development of housing units that can accommodate large families with 3 or more bedroom housing units as well as incorporating ADU's.</p>
<p>#25. Code Enforcement: Continue code enforcement efforts to identify substandard housing and housing in need of substantial rehabilitation. Provide information about the City's rehabilitation program to low-income and moderate-income households with homes or apartments in need of repairs.</p>	<p>Identify substandard housing or housing with code violations and provide information on rehabilitation program to eligible households.</p>	<p>Ongoing</p>	<p>The City continues code enforcement efforts to identify substandard housing conditions.</p>

<p>#26. Fair Housing Services. Collaborate with the County and fair housing service providers that serve the County to: 1) identify funding sources to support fair housing and landlord/tenant counseling programs; 2) provide information on fair housing laws at City Hall, the library, senior center, on the City's website, and other areas in which the community gathers information; and 3) address or refer complaints of housing discrimination to appropriate State or federal agencies.</p>	<p>Work in partnership with local fair housing service agencies and provide fair housing information and services to residents.</p>	<p>Ongoing</p>	<p>The City continues to work with the County of Merced to identify funding sources and provide additional information to support fair housing.</p>
<p>#27. Weatherization Assistance: Continue to provide weatherization assistance to lower-income households through the City's rehabilitation program. Provide information at City Hall on PG&E and the Merced Irrigation District's (MID) weatherization and energy assistance program.</p>	<p>Provide weatherization to five lower-income owner and renter households annually through the Housing Rehabilitation Program.</p>	<p>Ongoing</p>	<p>The City provides information related to energy savings from Pacific Gas and Electric Company (PG&E) and the Merced Irrigation District to residents.</p>

<p>#28. Innovative Neighborhood Design: Encourage the use of pedestrian-oriented design, greenbelts, parks, bicycle routes, and open-space to enhance new residential neighborhoods in Livingston. Make available on the City's Website the City's Design Guidelines.</p>	<p>Encourage developers to use designs that incorporate smart growth and community sustainability practices, such as the use of greenbelts or walkways, which enhance pedestrian and bicycle use.</p>	<p>Ongoing</p>	<p>The City encourages developers to use designs that encourage Smart Growth and consistency with the City's Design Guidelines.</p>

