

Community questions Regarding ABAG

ABAG

What is ABAG and what is their authority? How is ABAG funded?

ABAG the the Council of Governments for the Bay Area. It is a Joint Powers Agency of the governments in the region. The agency is funded through Federal and State Programs as well as member dues.

Does Novato have (and historically had) a representative on ABAG's Executive Board? Where and when are ABAG's Executive Board meetings and how can people participate/attend? Can and how can a person access ABAG Board meeting minutes, reports etc?

*There is an Executive Board member that represents the cities of Marin County, but not a specific representative for the City of Novato. A city representative is part of the ABAG General Assembly. Board minutes are available at:
<http://www.abag.ca.gov/meetings/execboard.html>*

Who chooses the Novato ABAG rep & what are their responsibilities and accountability?

The city council chooses the ABAG representative to the General Assembly

What is local government's role in the Regional Housing Needs Allocation (RHNA) process released by ABAG?

Local governments are involved throughout the process of producing the RHNA and have various opportunities to attend meetings, make comments, ask for revisions and appeal draft allocations.

Are there active state, regional or local groups (League of Calif. Cities etc) working to effect ABAG's RHNA allocation process to afford more local control?

The League of Cities and other groups actively work on issues like RHNA

What/where are the other regional associations in the state, and what have they done?

Each region has its own specific approach to RHNA. Specific regional agencies are identified at <http://www.calcog.org/>

How does the character of the City match with the density designation from ABAG?

ABAG doesn't provide a density designation. The allocation by income category is an input to each city's housing element.

How does ABAG calculate the formula for housing numbers?

The method changes in each round of the RHNA. The method for the current allocation can be found at <http://www.abag.ca.gov/planning/pdfs/SFHousingNeedsPlan.pdf>

How has ABAG adjusted their housing requirement number to reflect/consider the glut of homes on the market due to mortgage crisis?

The current RHNA allocation was completed in 2008. Current housing market conditions would be considered as part of the next round of the RHNA process.

Can you explain the real need for affordable housing (not ABAG) but in terms of # seniors forecasted vs. avail # of options, # of workers live in Novato vs. commute, etc. What are the real housing needs in Novato?

The RHNA process identifies need at a regional level and not at a local level.

Is ABAG interested in ensuring the construction of housing for moderate and above moderate income households vs. just housing for lower income households?

Through the RHNA process ABAG is interested in local governments planning for housing at all income levels.

What is the cost of non-compliance? What if we don't put in affordable housing?

Cities are responsible for planning for the allocated amounts through their housing elements. There is no penalty if construction does not occur.

Has ABAG adjusted their required housing numbers to reflect the glut of homes on the market due to the mortgage crisis? Is ABAG responsible to update their quota allocation based on today's population, jobs, etc. data? They are now lower than originally projected = lower quotas.

The current RHNA allocation was completed in 2008. Current housing market conditions would be considered as part of the next round of the RHNA process.

Does ABAG have a continuous improvement process to make their #'s more relevant with time?

Yes. ABAG's analysis is periodically updated using the most recent data and current methods.

Housing advocates have asked for units to be allocated for teachers. Is that legal? Presumed only senior and affordable under current law.

There is not RHNA allocation for specific groups of people beyond income categories, specific programs and projects may be tailored to different groups.

What has ABAG done to lower the quotas they get from the state?

The Regional Housing Need is developed by the State using current data and standard statistical methods. ABAG is able to consult with the state prior to the actual allocation is assigned.

Do ABAG's mandates have the force of law?

ABAG provides the RHNA allocations as part of the requirements of state housing law.

Can Novato challenge ABAG's mandates in court?

That's a question that should be directed to the city.

What's the connection between ABAG planners and interpretation of SB375 vis-a-vis the RHNA?

Senate Bill 375 makes changes to RHNA law. Those changes would effect future allocations.

Density requirements based on city size: what size population would Novato have to break itself down to avoid this mandate?

There are no density requirements based on city size in the RHNA allocation.

If we identify sites for housing, we comply with state law. But if we never actually build these units, what are consequences? Is it noncompliance if we meet the number of units through different methodology?

The RHNA process requires cities to plan for housing in particular ways, but not build that housing. The allocation is specific for the four income categories.

What were the raw figures that were put into both the ABAG formulas to come up with Novato's affordable housing allocation?

Data submitted to City of Novato staff.

Why does the growth rate that ABAG uses differ so drastically from Marin County's growth rate?

It's not clear what Marin County growth rate are you referring to. Are rate of growth is based upon our projection of population, jobs and housing. What rate of growth does Marin County use and how is it derived?

Has ABAG curbed its projections of Novato's housing and employment growth considering that Hamilton was a one time occurrence? Is this reality reflected in Projections 2007 or Projections 2009?

Yes. The agency's land use forecast is revised every two years. During the revision process we talk with local governments about pending major development or redevelopment projects and how such projects may impact future growth in the community. Base closures, major new residential or commercial projects are all examples of the detailed input/information we receive from local governments.

How does the 175% rule, carry out ABAG's concept of social and economic equity?

The 175 percent "rule" is a method for "moving" either low income or high income communities closer to the regional average income distribution. One of the key objectives in housing element law is to reduce concentrations of poverty. Using the 175 percent income allocation formula resulted in higher income communities receiving a higher proportion of their RHNA allocation in the very low and low income categories, as a result, those communities would plan for more affordable housing, thereby allowing for more housing options for people with lower household income. Having access to housing is a basic social and economic need, for people of ALL income categories.

While our Metropolitan Statistical Area status dictates that all of the 9 Bay Area counties are dubbed metropolitan, and ABAG can see that Marin County is obviously suburban, can ABAG suggest a compromise for us?

Metropolitan Areas are a federal designation that the state has used in the housing statutes. ABAG doesn't have any ability to change that designation.

Is it actually smart growth to prescribe the format for virtually every affordable housing grouping using the IRS/HCD guidelines for LIHTC?

Sorry, the questions aren't clear.

Could ABAG help Novato develop a community land trust to rehab foreclosed houses for affordable housing?

This idea could be considered, perhaps with some assistance from City staff our nonprofit housing developers in Novato/Marin who are interested in the idea.

Why was 3/4 of Marin County's rehabbed apartments rejected despite HCD verbal assurances that the apartments would serve to fill the county's quota?

This seems a more appropriate question for HCD. HCD certifies housing elements, not ABAG.

ABAG's structure countermands the one city one vote rule. It is virtually alone among the Council of Governments in this. The regional government is not elected by, nor accountable to, the people. Many of the people of Marin feel that ABAG has levied a heavy, uneven tax (allocation) on Marin County which can never be revoked by a majority vote in its own defense. What is the constitutional basis for this use of ABAG's authority?

State law mandates that ABAG conduct the RHNA process. The RHNA is not a tax. It is the minimum number of housing units that a city must plan for via their housing elements. Cities are not required to subsidize and/or build the units. They are only required to demonstrate that local zoning would not IMPEDED the development of the units.