

# Updating the **Housing Element** Planning for your Community's Future



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# Life is Better When We are Connected



# The Living Realm not just the Housing Realm

Economy

Health

Sustainability

Transportation

Education

Community  
Building



Addressing  
broader needs  
such as aging  
populations

# Local Government Role

**Most critical decisions about supply and affordability of housing occur at local level**





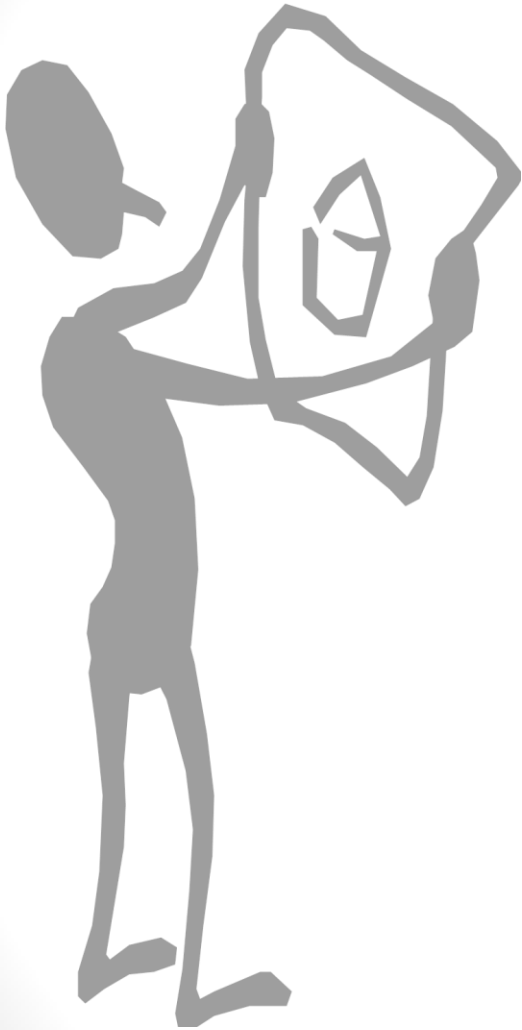
# Housing Element Law

Government Code Section 65580 declares:

**“The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian is a priority of the highest order.”**



# Housing Element Framework



- The COG allocates the regional need to each of the jurisdictions within its boundaries using a series of factors prescribed in State Law for use in the preparation of the housing element of the general plan.
- The housing element is required to be updated periodically (every 5-8 years) & is subject to mandatory State review.



# Housing Element: Key Statutory Provisions



- **Public Participation of all economic segments of the community, including low & mod households in particular**
- **Projected Housing Needs (RHNA)**
- **Inventory of Resources including Land. Requires zoning sufficient land to address projected growth, by income level.**
- **Analyze and Address Potential Governmental Constraints**
- **Adopt Goals, Policies & Implementation Actions**

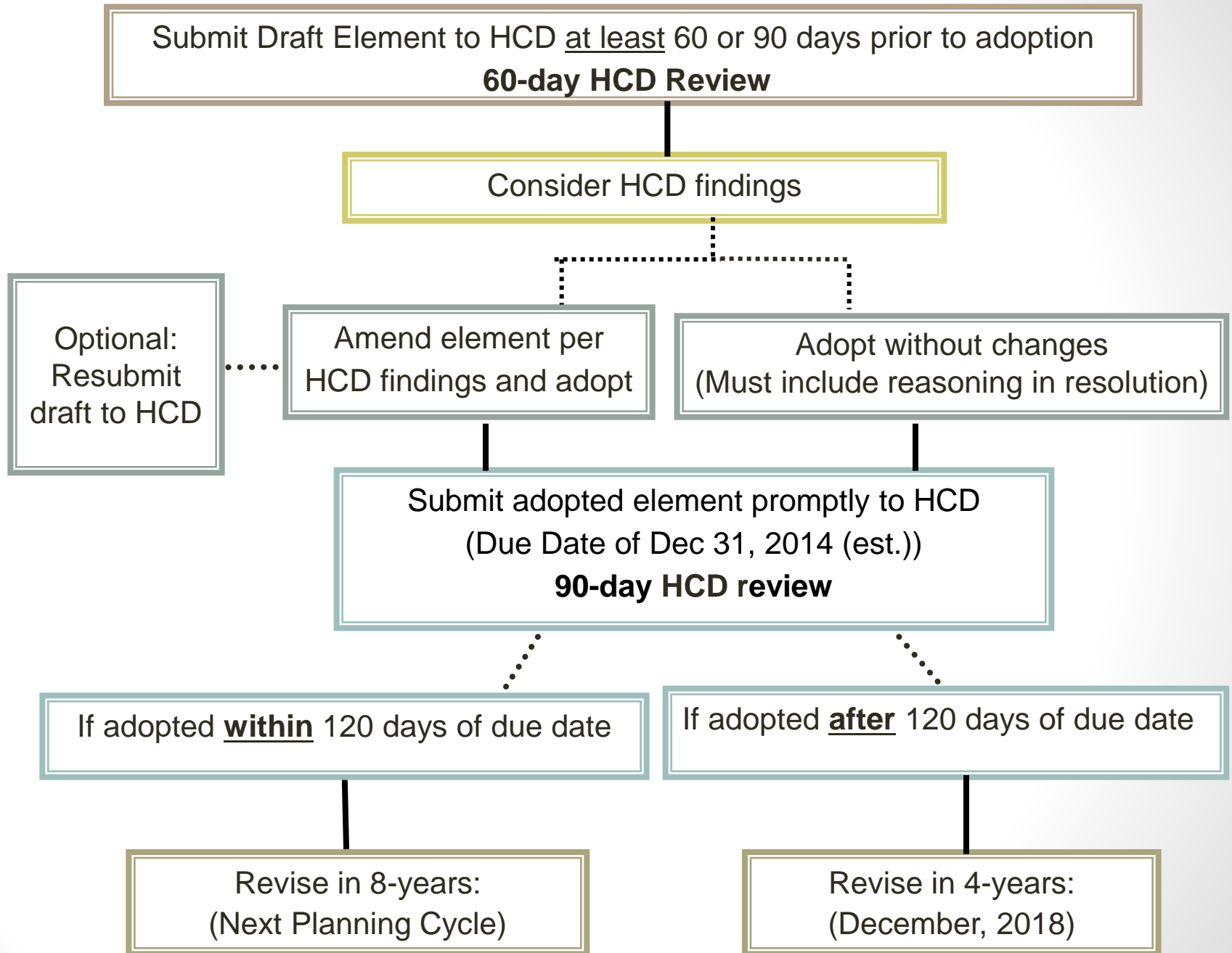
# SB 375 –Timing Changes



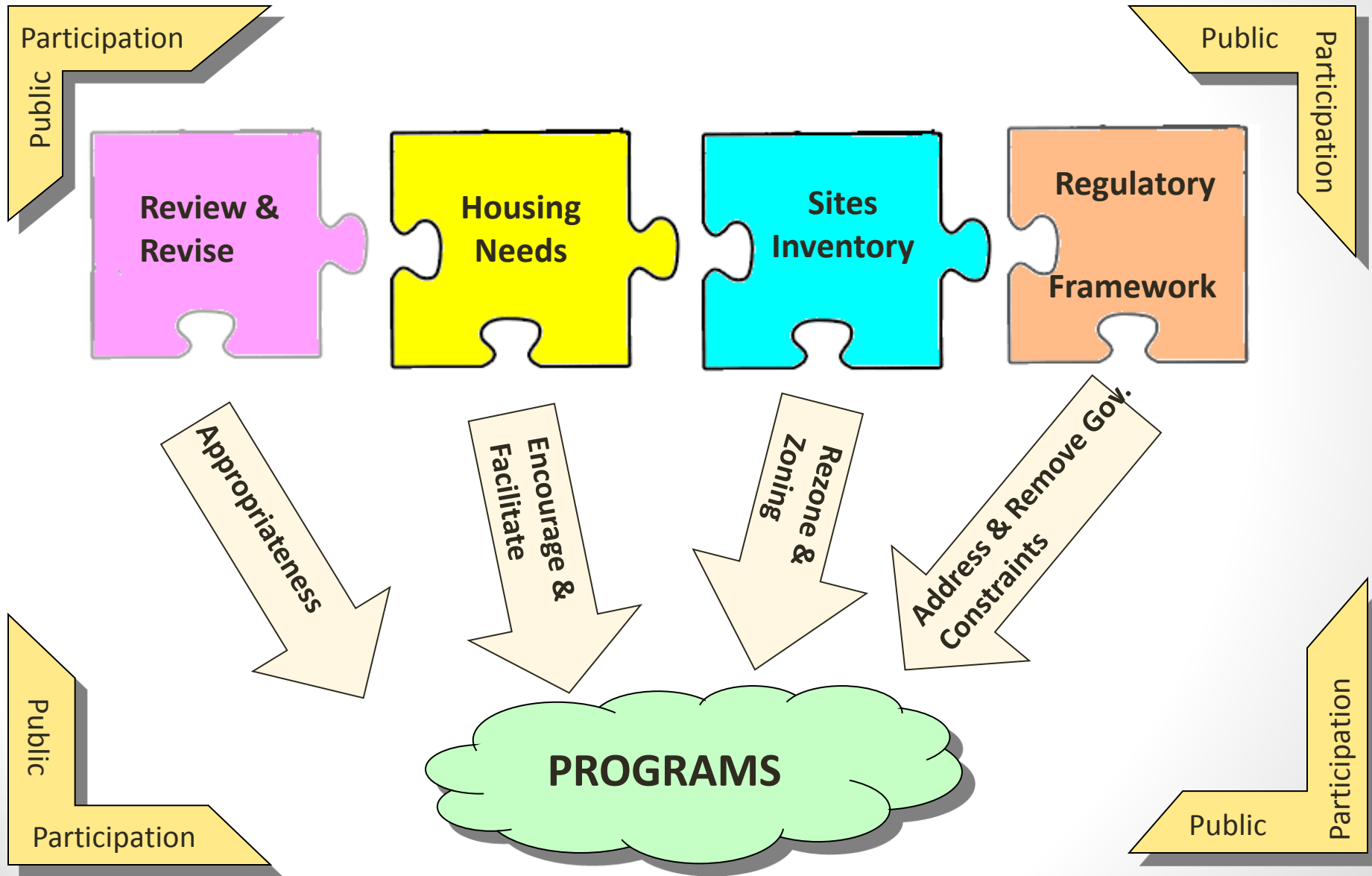
- Projection Period = the time period for which the RHNA is calculated
- Planning Period = the time period for the housing element
- Jurisdictions on 8-year planning cycles must adopt their housing elements no later than 120 days after deadline or will be required to revise their housing elements every four years



# REVIEW STEPS AND TIMING



# Housing Element Framework



# Public Participation

Local government must make a diligent effort to achieve the public participation in all economic segments of the community.

## *“Why?”*

- Assists in the development
- Identifies key community concerns
- Leads to acceptance at time of adoption.
- Key to implementation

# Review and Revision of Previous Element

- PROGRESS
- EFFECTIVENESS
- APPROPRIATENESS
- ADEQUATE SITES (AB 1233)





# Housing Needs Assessment

- Population and employment
- Households characteristics
- Housing stock conditions
- Special housing needs
- Assisted housing at-risk of conversion to market-rate
- Extremely Low-Income



# Potential Governmental Constraints

## **Describe AND Analyze**

- Land use controls
- Building codes and enforcement
- Site improvements
- Fees and exactions
- Permit and processing procedures
- Housing for persons with disabilities



# Sites Inventory



**Identify specific sites suitable for residential development with capacity to meet the locality's housing need by income group and housing type.**



**A thorough sites inventory will determine if additional governmental actions are needed to provide sites with appropriate zoning, development standards, and infrastructure capacity to accommodate the RHNA.**

# Statutory Objectives of RHNA

- **Increase housing supply & mix of housing types, tenure & affordability**
- **Promote infill development & socioeconomic equity, protection of environmental & agricultural resources, & encouraging efficient development patterns**
- **Promoting improved intraregional jobs-housing relationship**
- **Balancing disproportionate household income distributions**

# The Regional Housing Need Allocation

## The RHNA is . . .

- A projection of additional housing units *needed* to accommodate projected household growth of all income levels by the end of the housing element's statutory planning period.

## The RHNA is not . . .

- Prediction of additional housing units or building permit activity
- Quota of housing that must be produced
- Limited by existing residential land use capacity.
- Limited by local growth controls.

## RHNA may generate controversy due to

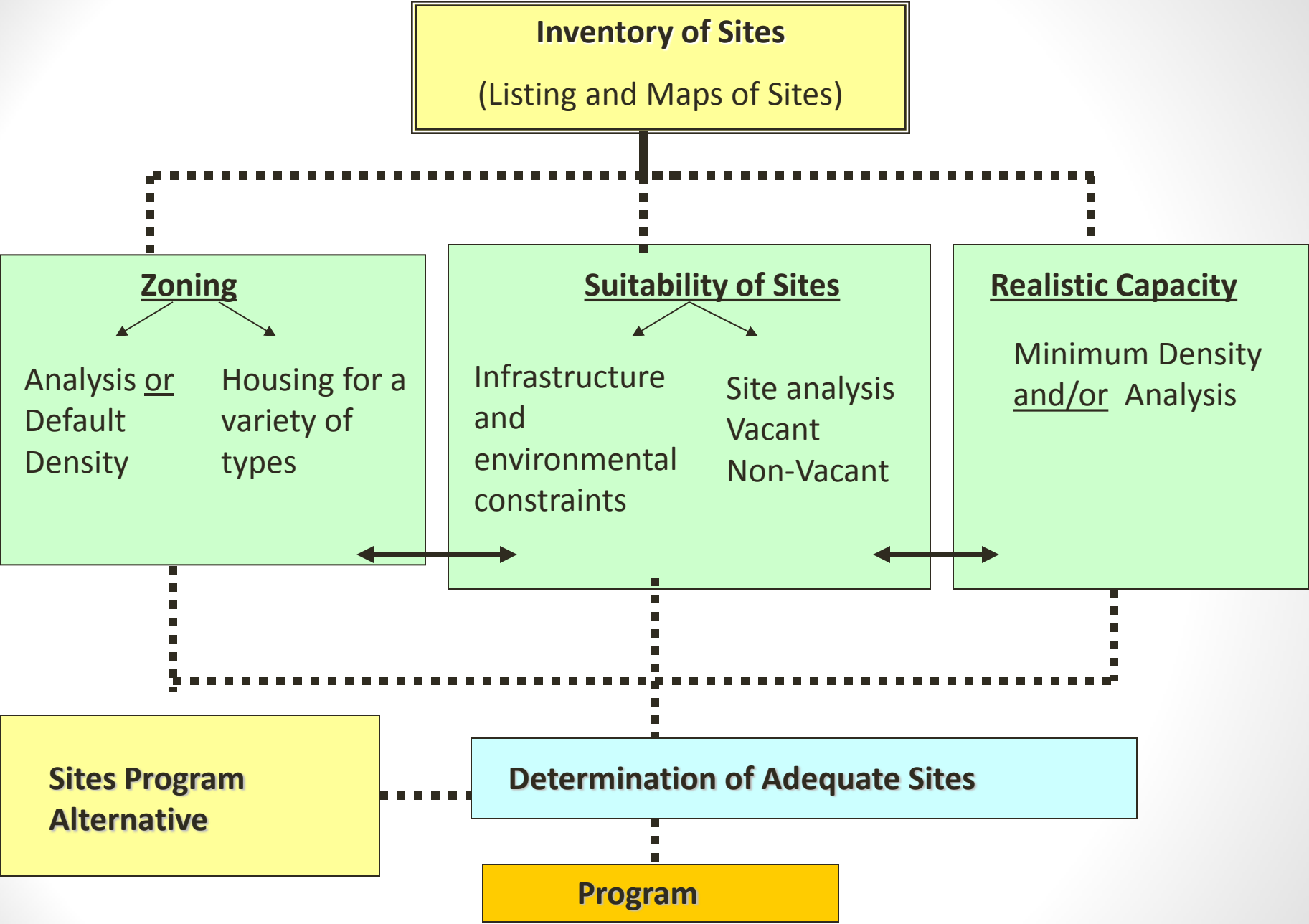
- Misperception that housing need allocation (new construction need) is required to be built whereas it is only required to be “planned for”
- Gaps between RHNA and low production may lead to misperception of low housing production reflecting normal conditions and projected needs reflecting unrealistic conditions
- Requiring planning for affordable housing when it may not be desired
- State involvement in local land use decision making, including density issues

# Housing Element Land Inventory must accommodate RHNA, determining where and how

Current & proposed sites for residential development within planning period, which may include:

- Infill sites
- Transit Oriented Development sites
- Undeveloped sites
- Redevelopment sites
- Mixed Use sites
- Sites to be annexed
- Restricted portion of “Preservation units”
- Vacant sites









## Zoning for a Variety of Housing Types

- Emergency shelters
- Transitional housing
- Supportive housing
- Single-room occupancy
- Second units
- Farmworkers (permanent and seasonal)
- Manufactured housing and mobilehomes
- Multifamily



# Housing Programs

## (GC 65583(c))

Specific commitment  
and timeframe

**Program:** Reduce per-unit impact fees for small downtown housing units, to reflect smaller household sizes and lesser impacts.

Agency responsible

**Responsibility:** Planning  
Department and City Council

Beneficial Impact

**Timing:** December 30, 2014



# Housing Programs

- ★ Adequate sites
- ★ Facilitate housing development for low- & moderate-income households (including extremely low)
- ★ Remove/mitigate constraints
- ★ Conserve/improve existing stock
- ★ Preserve units at-risk
- ★ Promote equal housing opportunities

# Implementation Challenges

- Limited resources
- Loss of federal and state funding
- Loss of RDA
- Market based difficulties
- Local concerns
- Other?





## Planning and Land Use Laws that Address Regulatory Barriers

- **SB 1087 (Florez) 2005:**
  - Requires local governments to **IMMEDIATELY** forward adopted housing element to water and sewer providers. Requires water and sewer providers to establish specific procedures to grant priority service to housing with units affordable to lower income households.
- **SB 575 (Torlakson) 2005:**
  - Amended Anti-Nimby provisions which allow denial of project if inconsistent with the General Plan and Zoning and locality has compliant Housing Element **EXCEPT** if proposed site is identified in Housing Element to accommodate low or moderate income need. Also if housing element does not identify adequate sites, this finding may not be made.



## Planning and Land Use Laws that Address Regulatory Barriers

- **Prohibition against downzoning/no net loss:**

Government Code Section 65863(b) limits downzoning of sites identified in housing element unless no net loss in capacity and community can still identify “adequate sites.”

- **Streamlined procedural requirements for multifamily in multifamily zones**

Government Code Section 65589.4: affordable multifamily developments are not to be subject to conditional use permits in multifamily zones.





## Other Housing and Land Use Tools

### **Least Cost Zoning (Government Code Section 65913):**

local governments must zone sufficient vacant land for residential use with appropriate standards, in relation to zoning for nonresidential use. Appropriate standards means densities and development requirements contribute significantly to the economic feasibility of producing housing at the lowest possible cost

### **Density Bonus Law (Government Code 65915-65918):**

requires local governments to provide density increases and reduce regulatory barriers.

# Tips

- **AB 1233 Requirements**
- **Rezoning for the Fifth Round (Before the Due Date)**
- **Implementation before the Fifth Round (e.g., SB 2)**
- **Ask Questions**
- **Coalition build**
- **Use the housing element as a tool to achieve broader community development objectives**





## **We Want to Help!!!**

- Technical assistance in developing draft
- Building Blocks website tool
- Sample programs and analysis
- frequent contact with staff throughout process
- consider third party comments
- site visits to provide assistance

# Why Housing Element Matter



**Communities are strongest and most successful when workers and families have access to safe affordable housing.**

# For More Information

[\*www.hcd.ca.gov\*](http://www.hcd.ca.gov)

