



# Updates for the Housing Element

## Town Hall

December 7, 2020

### Presenters:

- Aldo Cervantes,  
Community Development Director
- Eva Choi, Associate Planner

# Agenda

- I. Introduction
- II. What is a Housing Element?
- III. Housing Needs and Requirements (RHNA)
- IV. Housing Element Process
- V. Public Participation
- VI. Questions

# What is a Housing Element?

- Every jurisdiction in California is required to prepare a long-range planning document - this document is known as the General Plan.
- Within the General Plan, there are seven (7) mandated elements - Housing, Land Use, Circulation, Conservation, Open Space, Noise, and Safety.
- The Housing Element is the only element required to undergo State HCD review for compliance with State laws. For the 2021-2029 cycle, the Safety Element is required to be updated at the same time.
- Unlike other General Plan Elements (typically updated every 20-25 years), the Housing Element is required to be updated every 8 years (referred to as “Cycles”). Currently, we are in the 6<sup>th</sup> Housing Element cycle, dating back to the comprehensive revision to the State Housing Element law in 1980.

# Housing Needs and Requirements

# Housing Element 101

- The Department of Housing and Community Development (HCD) mandates that each jurisdiction plans for their share of the community's housing needs.
- The projected and existing housing needs for each jurisdiction is determined through the Regional Housing Needs Assessment (RHNA) - part of the State Housing Element law. Then the Southern California Association of Government (SCAG) allocates the region's housing needs amongst its 6 counties and 191 cities.

# RHNA

- Regional Housing Needs Assessment (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 (Year 2029).
- As part of the City's General Plan, the Housing Element must “adequately plan to meet existing and projected housing needs of all economic segments of the community”.
- Requires cities to zone for “fair share” of region's housing needs
  - Based on State population growth
  - Mix of housing for economic segments
  - Affordability linked to zoning and density
- RHNA is a planning target, not a building quota.

# RHNA and the Housing Element



HCD issues Regional Housing Needs Determination (RHND) to SCAG



SCAG distributes Regional Housing Needs Allocation (RHNA) to jurisdictions.



Cities and Counties update Housing Elements based on RHNA and must include zoned lands to accommodate their RHNA.



Certification of Housing Element by HCD.



Jurisdictions then able to seek funds from State.

# Housing Allocation for the City

- The State mandate for San Marino's Regional Housing Needs Allocation (RHNA) is 399 total units, including 240 units affordable to lower-income households. The City of San Marino will address this when revising the Housing Element for the 6<sup>th</sup> planning Cycle.

## 6<sup>th</sup> Cycle Regional Housing Needs Allocation for San Marino

	Units
Very-Low Income (<50% of AMI)	149
Low Income (50-80% of AMI)	91
Moderate Income (80-120% of AMI)	91
Above Moderate Income (>120% of AMI)	68
<b>TOTAL</b>	<b>399</b>

*SCAG, 2020. Estimate based on final adopted RHNA methodology (3/5/20). Final RHNA allocation will be issued following the conclusion of the RHNA appeals process in early 2021. Please note that for the housing element update, local jurisdictions will have to consider extremely low income (ELI) households as well. ELI housing needs may be calculated either by using Census data or simply assuming that 50 percent of the very low income households qualify as extremely low income households.*

# Timeline for Completion of the Housing Element

Milestone	Timeline
Consultant onboarding	November 2020
Initial Community Outreach	Winter 2020
Study Sessions, Continue Outreach	January - February 2021
Draft Element	March 2021
Review/Joint Workshop with Planning Commission and City Council	April - May 2021
Planning Commission Hearing on Draft Element	June, 2021
State Agency Review (60-day)	July - August 2021
Planning Commission Hearing to Adopt Element	September 2021
City Council Hearing to Adopt Element	October 2021
Housing Element Due Date (Certification)	October 2021

# New Housing Elements Laws

SITES	CONSTRAINTS	HE COMPLIANCE	FAIR HOUSING	HOMELESSNESS	LAND USE	HOUSING NEEDS SECTION
AB 1397 (2017)	AB 879 (2017)	AB 101 (2019)	AB 686 (2018)	AB 2162 (2018)	SB 330 (2019)	AB 139 (2019)
SB 6 (2019)	AB 1483 (2019)	AB 72 (2017)		AB 101 (2019)	AB 671 (2019)	AB 686 (2018)
AB 1486 (2019)				AB 139 (2019)	AB 1763 (2019)	
AB 725 (2020)					No-net loss	
AB 686 (2018)						

# Housing Element Update

## Housing element must include:

- **Summary of fair housing issues**
- **Inventory of sites to demonstrate sufficient land to accommodate RHNA**
- **Policies and strategies to meet community's housing needs**

**Must have certified Housing Element to receive state funding for housing and other community benefits**

# Benefits of HCD Compliance

- Presumption of legally adequate Housing Element in courts.
- Protection from Attorney General litigation on Housing Element
- Maintain discretionary review over affordable housing projects
- Maintain eligibility for State housing funds

# Housing Element Site Selection and Inventory Requirements

# Sites Inventory

LAW	GOAL	DATA
Limitations around reusing sites that have been used in past planning periods such as By-right housing provision when reusing sites - AB 1397, 2017	Identifying sites that developers/builders are interested in.	Sites used in previous planning periods and vacant or non-vacant
Increased scrutiny for using sites that are too small (1/2 acre) or too large (10 acres) - AB 1397, 2017	Identifying sites that have a realistic potential to develop for affordable housing. For example, can sites smaller than 1/2 acre accommodate affordable housing?	Parcel size, uses, history of completing affordable projects on small or large sites
Sites need to be identified throughout the community in a manner that affirmatively furthers fair housing - AB 686, 2017	Identifying sites in both areas of opportunity as well as concentrated areas of poverty and pairing it with policies such as place based strategies and anti-displacement policies.	Location of sites in relation to neighborhoods, amenities and resources such as jobs, schools, services, transit, etc.

# Housing Element Site Requirements

- **State Requirement:** Housing Element law requires Site Inventory of land suitable and available for new housing to accommodate RHNA by income level
  - Adequate sites with appropriate development standards
  - RHNA is NOT a building quota!
- **State Objective:** Local jurisdictions will identify housing sites that
  - Align with new state requirements
  - Support regional and local priorities
  - Affirmatively further fair housing (AFFH)

# Public Participation

- Public participation is key to a successful Housing Element Update.
- Staff will coordinate an initial survey (through SurveyMonkey) followed by a series of public forum (through the Zoom meeting platform due to the ongoing pandemic).
- Community members will have additional opportunities to provide input when Planning Commission and City Council review the Draft Element.
- Relevant documents, public meeting notices, and other resources will be posted on the City's homepage. A dedicated email link will be created to receive public comments regarding the housing element update.

**Questions/Comments?**