



HOUSING ELEMENT UPDATE

CITY OF SEBASTOPOL

SEPTEMBER 28, 2021

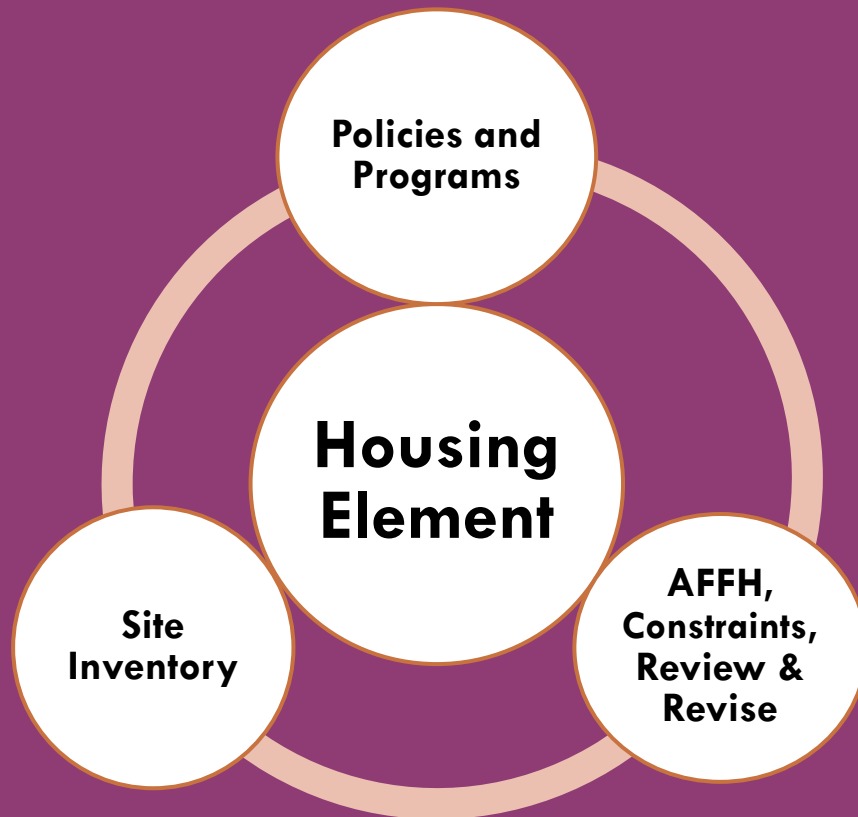


AGENDA

- OVERVIEW OF HOUSING ELEMENTS & RHNA
- SITES INVENTORY & OTHER NEW LAWS
- SELECT SEBASTOPOL DEMOGRAPHICS
- PROJECT TIMELINE AND NEXT STEPS
- QUESTIONS, DISCUSSION & COMMUNITY INPUT

What is a Housing Element?

All cities and counties must plan for the housing needs of the community



- **General Plan Element**
- **Covers 8-year planning period 2023-2031**
- **Sites Inventory w/zoning to meet Regional Housing Need Allocation (RHNA)**
- **Policies and Programs**
- **Many Statutory Requirements - Affirmatively Furthering Fair Housing (AFFH), Review & Revise, Constraints to Building**



Housing Elements 101



- State law mandates that local governments “adequately plan to meet *existing* and *projected* housing needs of *all economic segments* of the community”
- Unlike other General Plan Elements, the Housing Element is required to undergo State HCD review for compliance with State law
- Must be updated on a defined statutory schedule (8-year cycle)



BENEFITS OF HCD CERTIFICATION

- Presumption of legal adequacy if litigated
- Avoids litigation and Attorney General involvement
- Maintain discretionary review over housing projects
- Maintain eligibility for State funding (Housing, parks, transit, bike lanes, pedestrian improvements, etc.)



Regional Housing Need Allocation (RHNA)

DRAFT Regional Housing Need Allocation 2023 - 2031

	Very Low Income	Low Income	Moderate Income	Above Moderate	Total
Sebastopol	55	31	35	92	213

- Projection of additional housing units needed to accommodate household growth at all income levels by 2031
- Must *zone for* “fair share” of region’s identified housing need
- Affordability assumptions linked to *density* and *zoning*



Regional Housing Need Determination (RHND)

**Current Bay Area RHND:
187,990 housing units**



**New Bay Area RHND:
441,176 housing units**

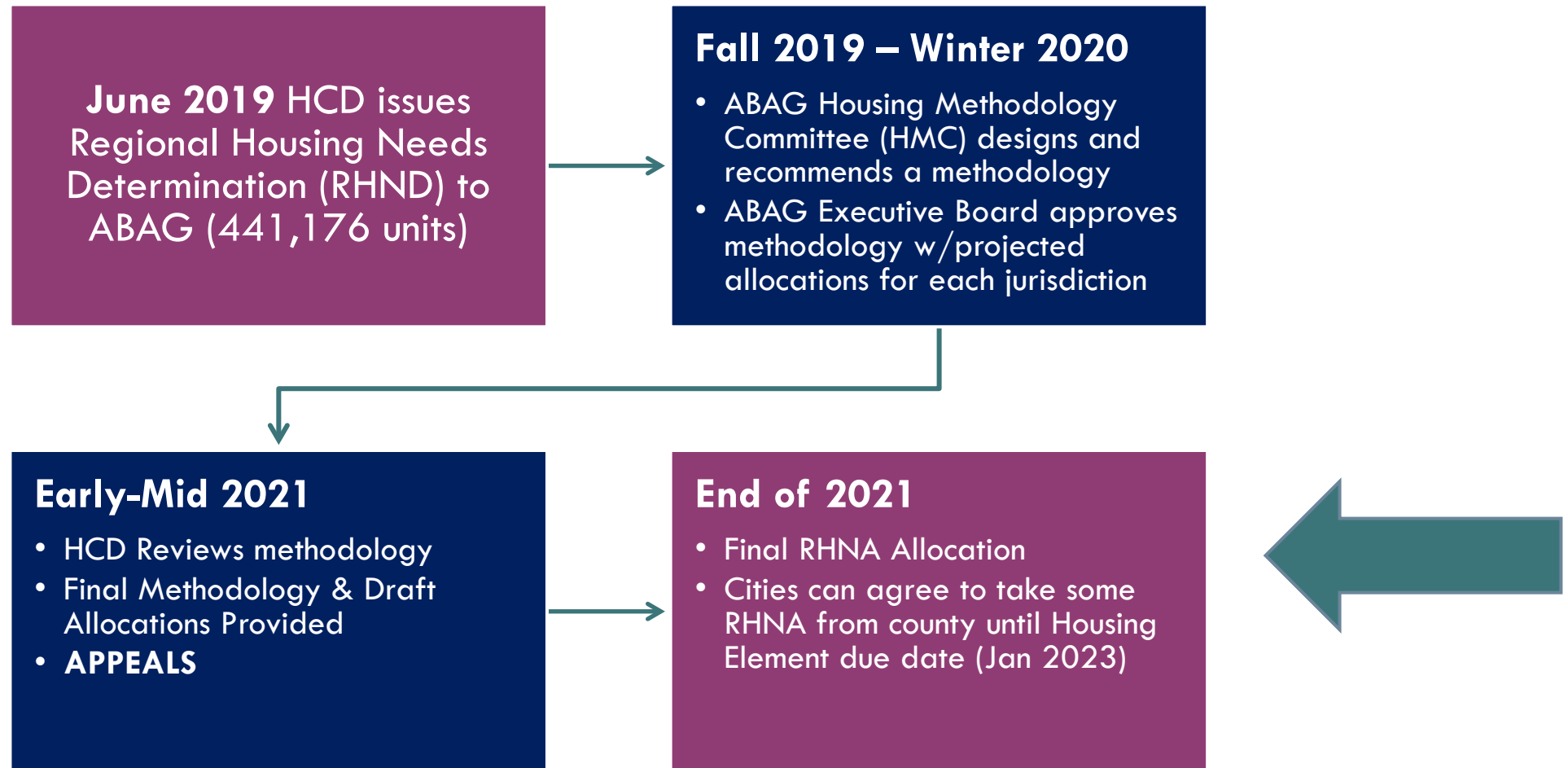
- More than half affordable
- Increase of almost 135%
 - Reflects housing crisis
- Consistent with increases around the state

DRAFT 6TH CYCLE RHNA*

*appeals could change these figures

	VERY LOW INCOME	LOW INCOME	MODERATE INCOME	ABOVE MODERATE INCOME	TOTAL
Cloverdale	74	43	45	116	278
Cotati	60	34	39	101	234
Healdsburg	190	109	49	128	476
Petaluma	499	288	313	810	1,910
Rohnert Park	399	230	265	686	1,580
Santa Rosa	1,218	701	771	1,995	4,385
Sebastopol	55	31	35	92	213
Sonoma city	83	48	50	130	311
Unincorp Sonoma	1,036	596	627	1,662	3,881
Windsor	385	222	108	279	994
	3,999	2,302	2,302	5,999	14,262

RHNA Process & Timeline



RHNA and the Housing Element



HCD issues Regional Housing Needs Determination (RHND) to ABAG.



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



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



Certification of Housing Element by HCD.



Jurisdictions have presumption of validity & local control.



NEW STATE HOUSING LAWS

New Housing Element 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)						

AB 1397

INVENTORY OF HOUSING SITES

State Requirements:

Inventory of land *suitable & available* w/in 8 yrs

Accommodate RHNA by income level

Adequate sites with appropriate zoning

Sebastopol's default density is 20 upa

Local jurisdictions must ID enough housing sites

Sites must meet new state requirements

Locations must affirmatively further fair housing

State Objective:

Adequate, suitable sites for housing remain available during entire 8-year planning period



AB 1397 HOUSING SITES

- Local agencies must zone appropriately for their share of the regional housing need (213 units)
- Inventory needs adequate sites with appropriate zoning for *entire planning period*
 - Sebastopol's "default" density is 20 units per acre
 - Default needed for lower income unless City can demonstrate affordability at lower densities
- AB 1397 now requires *strong justification* if non-vacant sites are included in inventory
- New limitations on the re-use of sites listed in current housing element



AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)

- Sites for lower income housing considered with AFFH lens:
 - Sites dispersed throughout community
 - High opportunity areas
 - Sites in lower income areas need to be accompanied by programs to create better opportunities (schools, jobs, parks, services etc.)



Housing 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	Identifying sites that are feasible for development w/in 8 years AND that developers & builders are interested in	Sites used in previous planning periods and vacant or non-vacant status (even an unused parking lot is considered non-vacant)
Increased scrutiny for using sites that are too small (1/2 acre) or too large (10 acres) - AB 1397	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	Identifying sites in both areas of opportunity as well as concentrated areas of poverty & pairing w/place-based strategies and anti-displacement policies	Location of sites in relation to neighborhoods, amenities and resources such as jobs, schools, services, transit, etc.

Summary: Usable Sites vs RHINA



SB 166
“NO NET LOSS”

- Agencies must replace any site in inventory for low-income housing if it develops as something else
- Intent is to ensure an adequate supply of appropriately-zoned land through the entire 8-year housing element period
- AB 72 allows HCD and the AG to intercede if agency fails to uphold these provisions



AB 72
EXPANDED
ENFORCEMENT
AUTHORITY

- Strengthens Housing Element Law
- Gives HCD broad authority over housing elements and their implementation
- HCD may revoke compliance (certification)

AND

- May refer case to Attorney General for non-compliance with:
 - Housing Element Law
 - Housing Accountability Act
 - “No Net Loss” law
 - Density bonus law
 - Anti-discrimination laws



STATUTORY REQUIREMENTS FOR PUBLIC PARTICIPATION

- Government Code 65583(c)(7) requires: "The local government shall make a *diligent effort* to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort."
- The housing element must include *meaningful* community engagement throughout the update process.
- The housing element must include discussion of which groups participated, general comments received, and how comments were incorporated into the housing element.

AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)

- Not just HOW MANY new units a community needs, but also WHERE they are built and WHO will have access to them
- Programs must constitute *meaningful actions* to address disparities in housing needs & access to opportunities
- All housing policies, programs & actions must be viewed through an equity lens



AB 686 – AFFIRMATIVELY FURTHERING FAIR HOUSING, CONT'D

- Must collect & analyze data re: fair housing issues & enforcement
- ID patterns of segregation, areas of racial or ethnic concentration
- Identify fair housing policies and programs to implement them
- Sites in inventory must affirmatively further fair housing
- AFFH means taking “*meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access*”
 - Analysis of exclusionary land use practices & programs to eliminate them



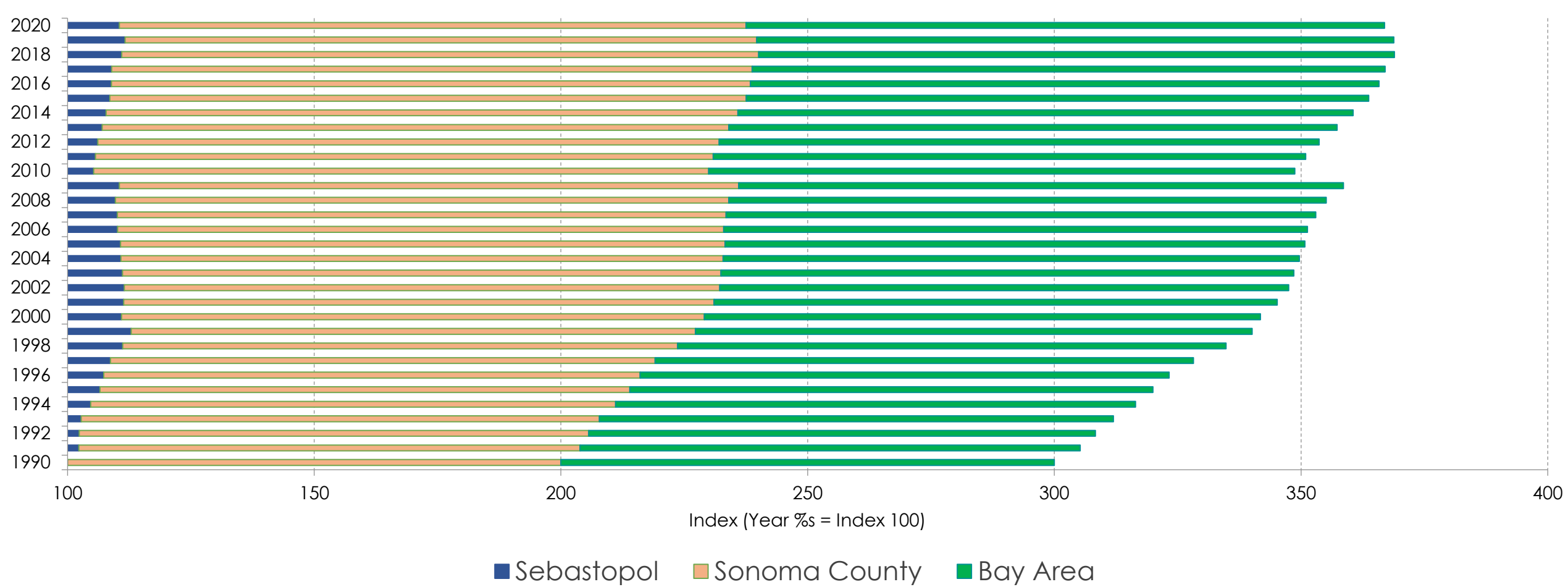
SB 35, SB 9 MINISTERIAL APPROVAL

- Recent laws require streamlined ministerial review of housing projects - more are likely
- Local officials may not exercise discretion in their review and decision
- May ONLY apply *adopted, objective* design & development standards when reviewing a qualified housing proposal
 - *Objective design & development standards are very important*
 - Get standards adopted before January 1, 2022



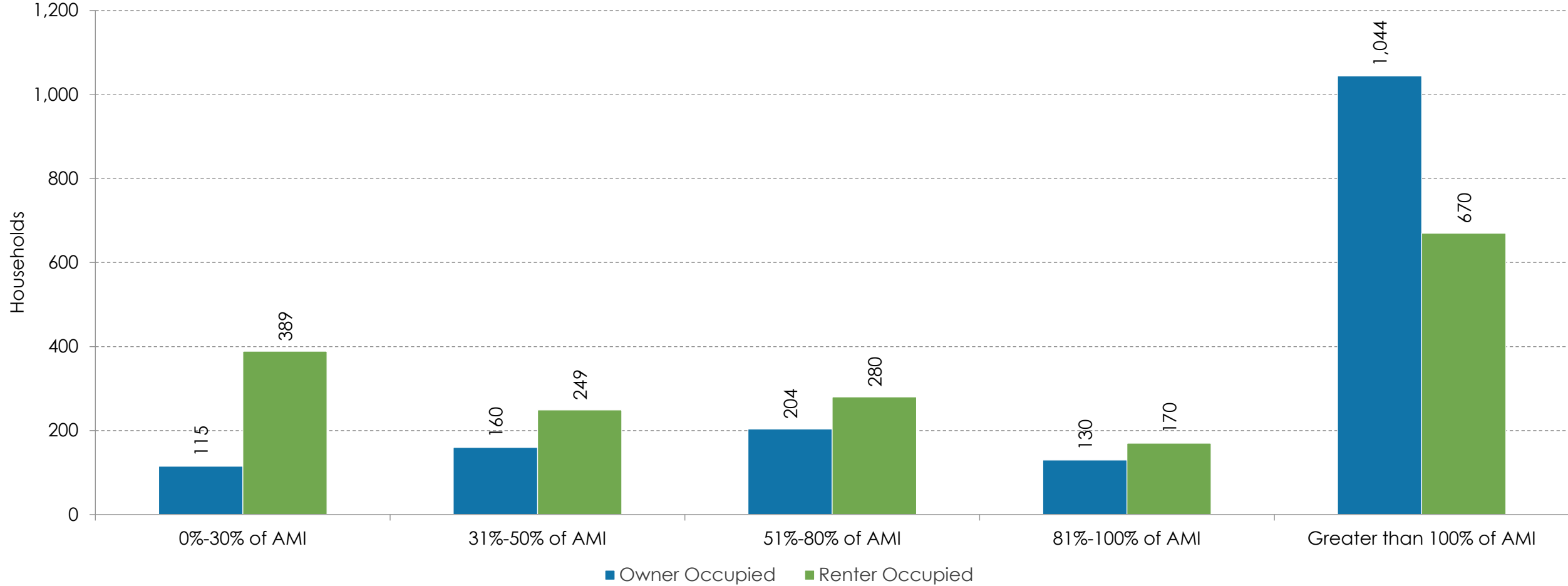
SELECT DEMOGRAPHICS

SEBASTOPOL



Population Trends, 1990-2020

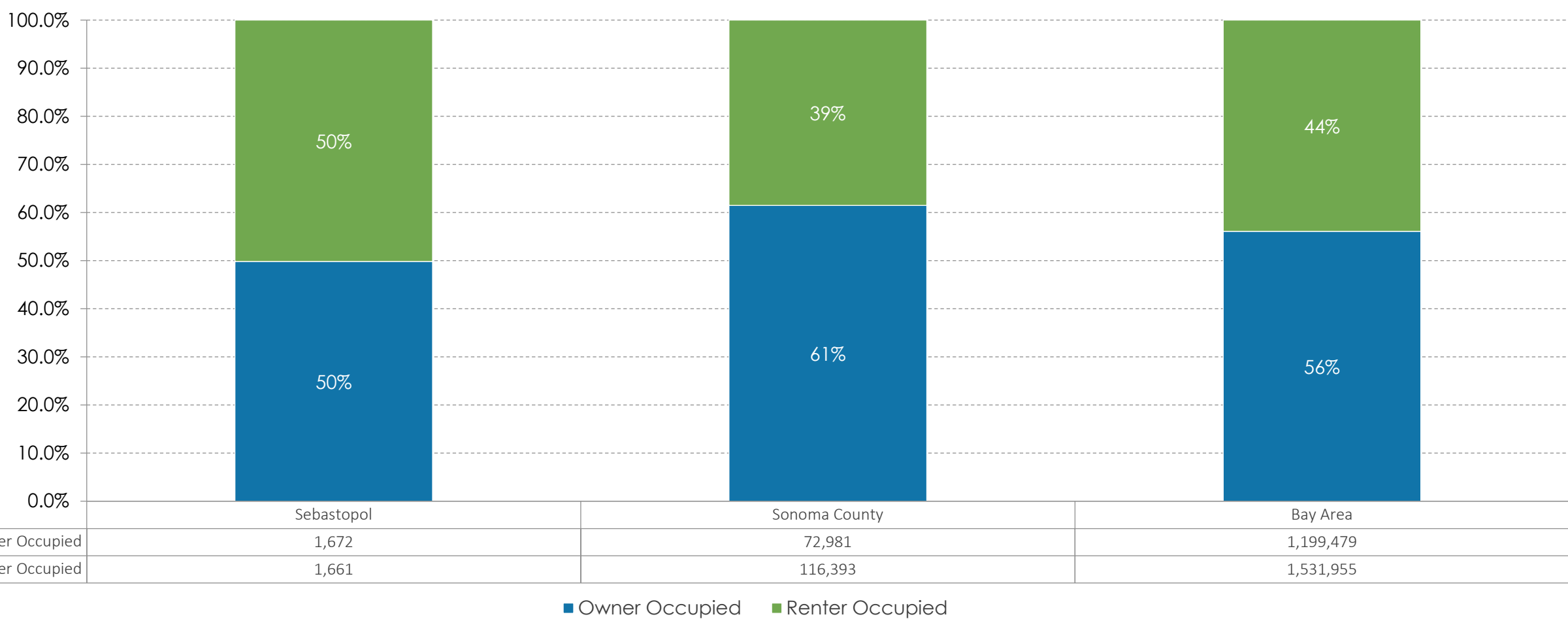
CA DOF E-5 POPULATION AND HOUSING UNIT ESTIMATES



Household Income Level by Tenure

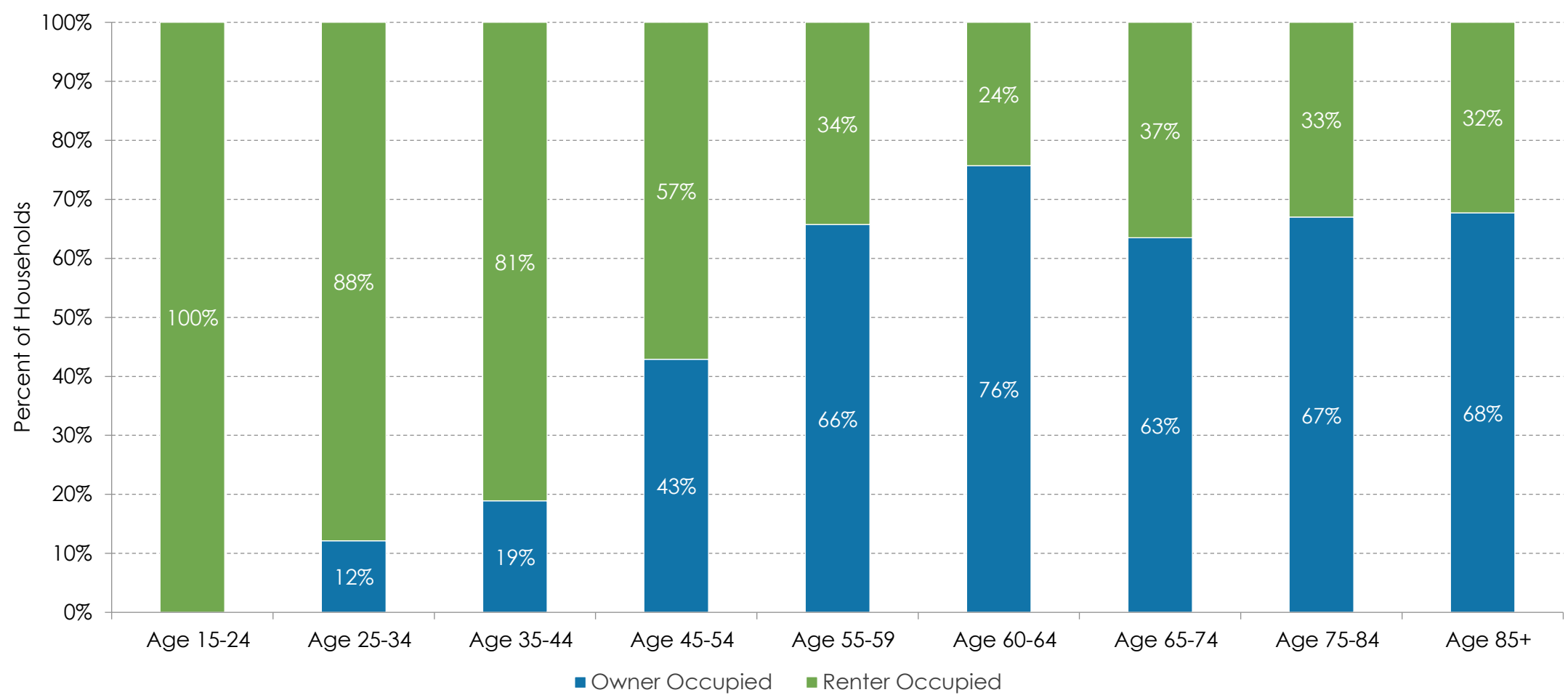
HUD CHAS, 2013-2017

Percent of Households



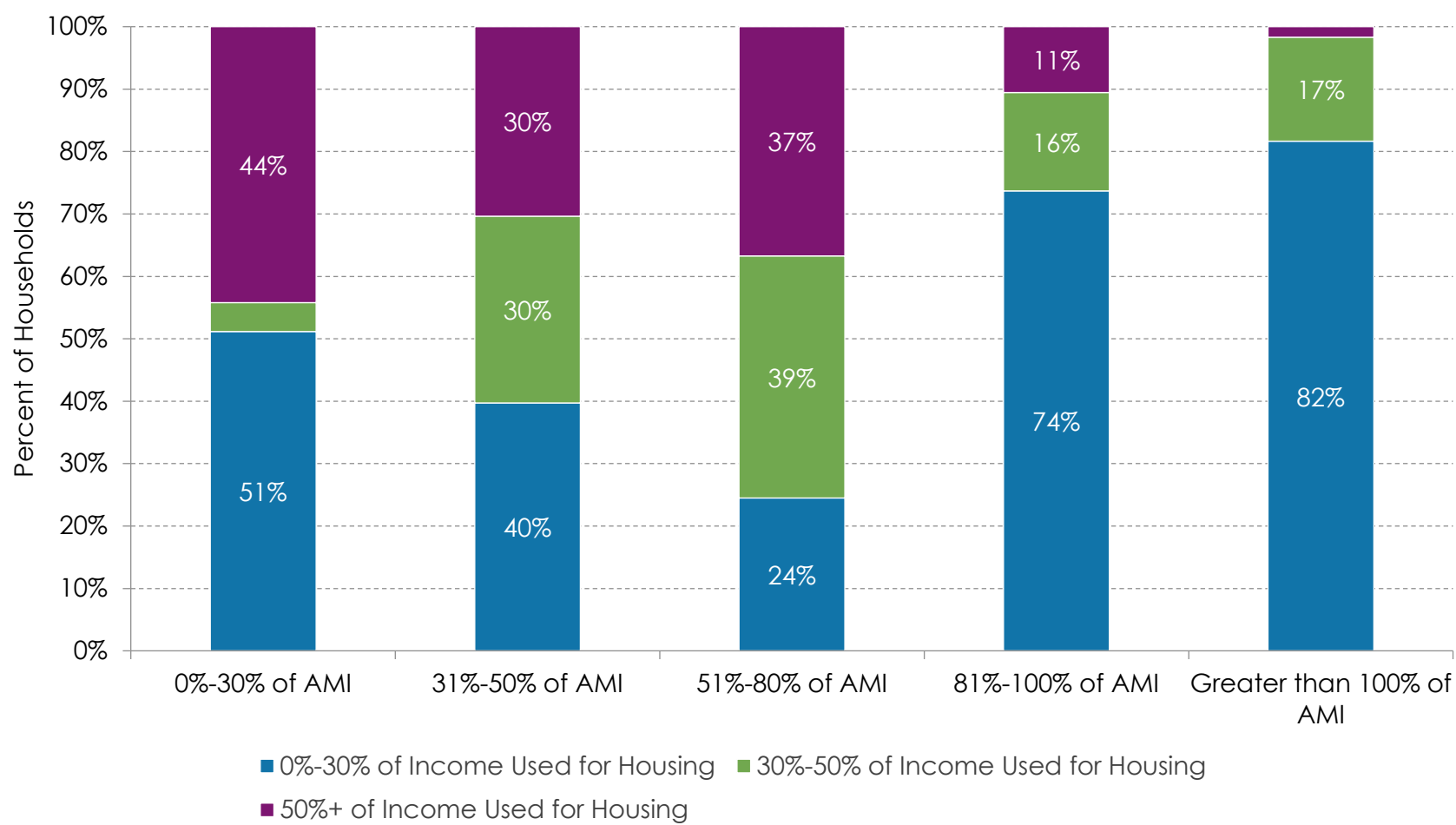
Housing Tenure

AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES, 2019



Housing Tenure by Age

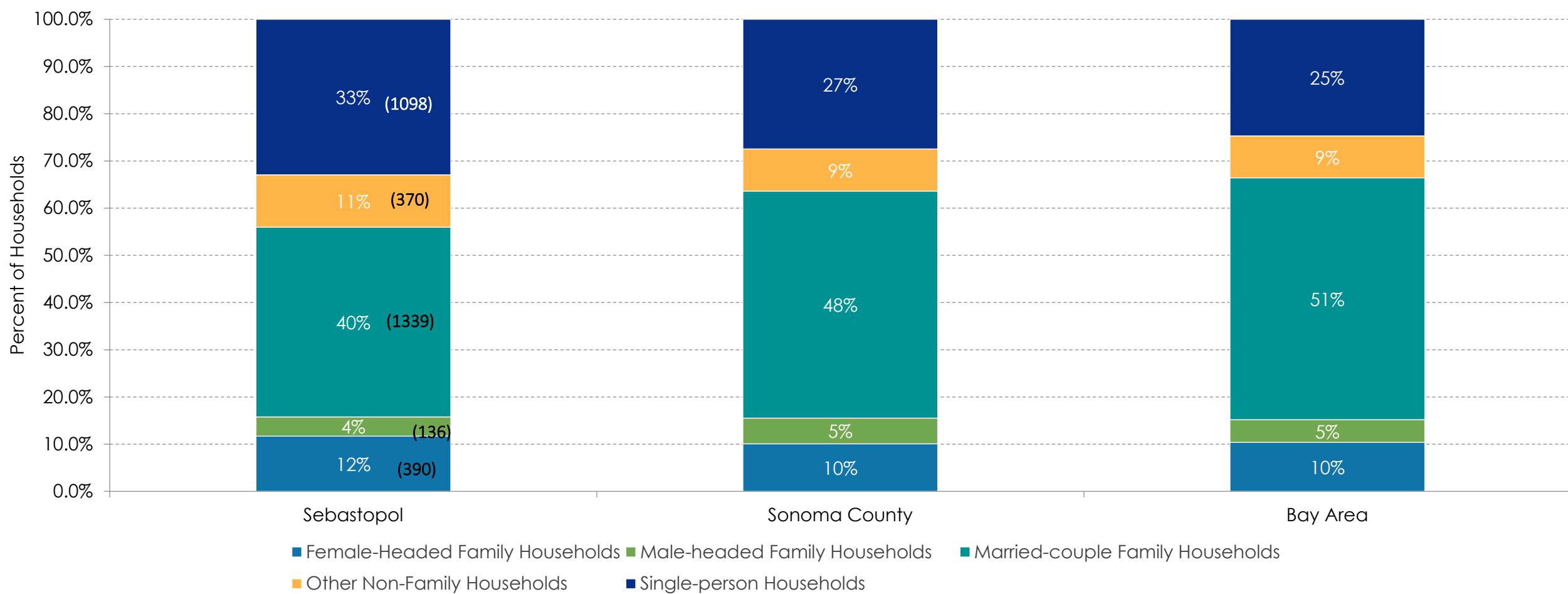
AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES, 2019



Income Level	Percent of Income Used for Housing		
	0%-30% (Not Cost-Burdened)	30%-50% (Cost-Burdened)	50%+ (Extremely Cost-Burdened)
0%-30% of AMI	110	10	95
31%-50% of AMI	85	64	65
51%-80% of AMI	60	95	90
81%-100% of AMI	70	15	10
Greater than 100% of AMI	490	100	10
Totals	815	284	270

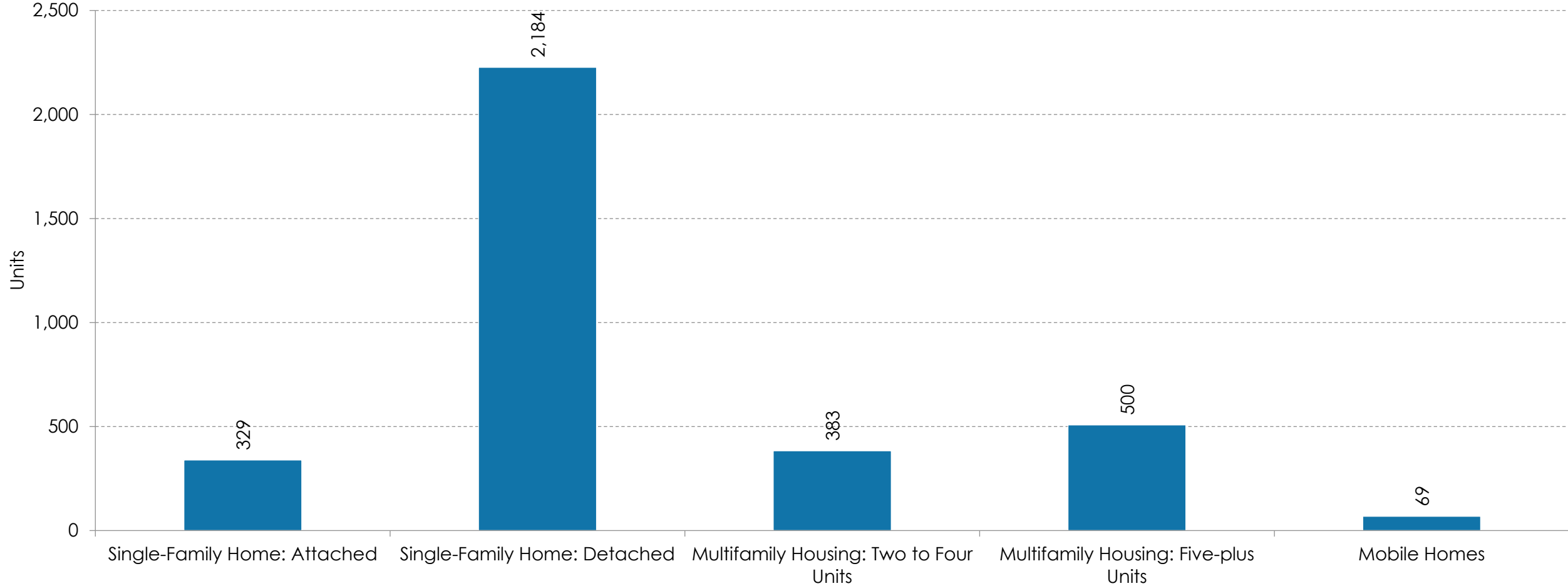
Cost-Burdened Senior Households by Income Level

HUD CHAS, 2013-2017

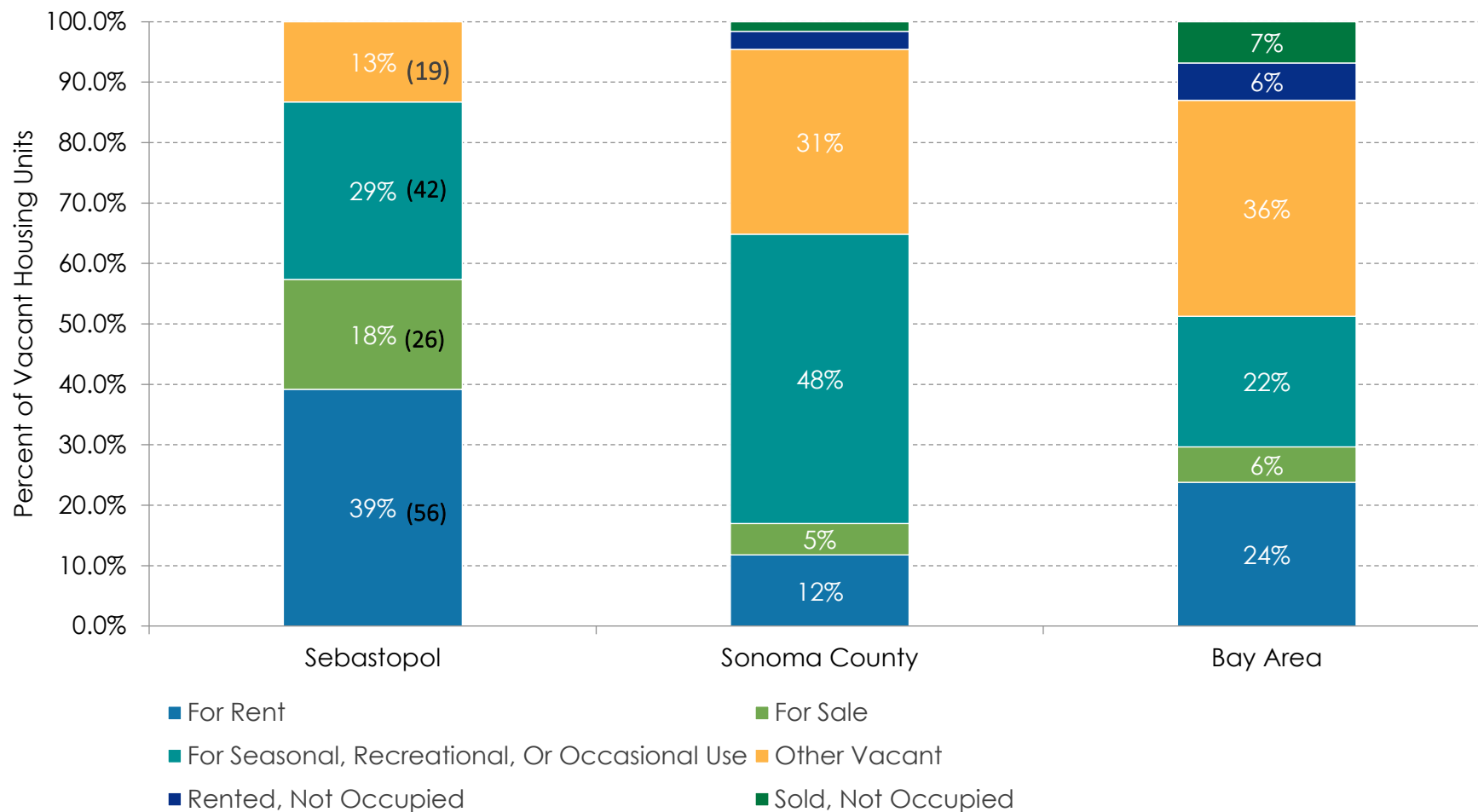


Household Type

AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES, 2019



Housing Type



For Rent - These are vacant units offered "for rent," and vacant units offered either "for rent" or "for sale."

Rented, Not Occupied - These are vacant units rented but not yet occupied, including units where rent has been paid or agreed upon, but the renter has not yet moved in.

For Sale Only - These are vacant units being offered "for sale only," including units in cooperatives and condominium projects if the individual units are offered "for sale only." If units are offered either "for rent" or "for sale" they are included in the "for rent" classification.

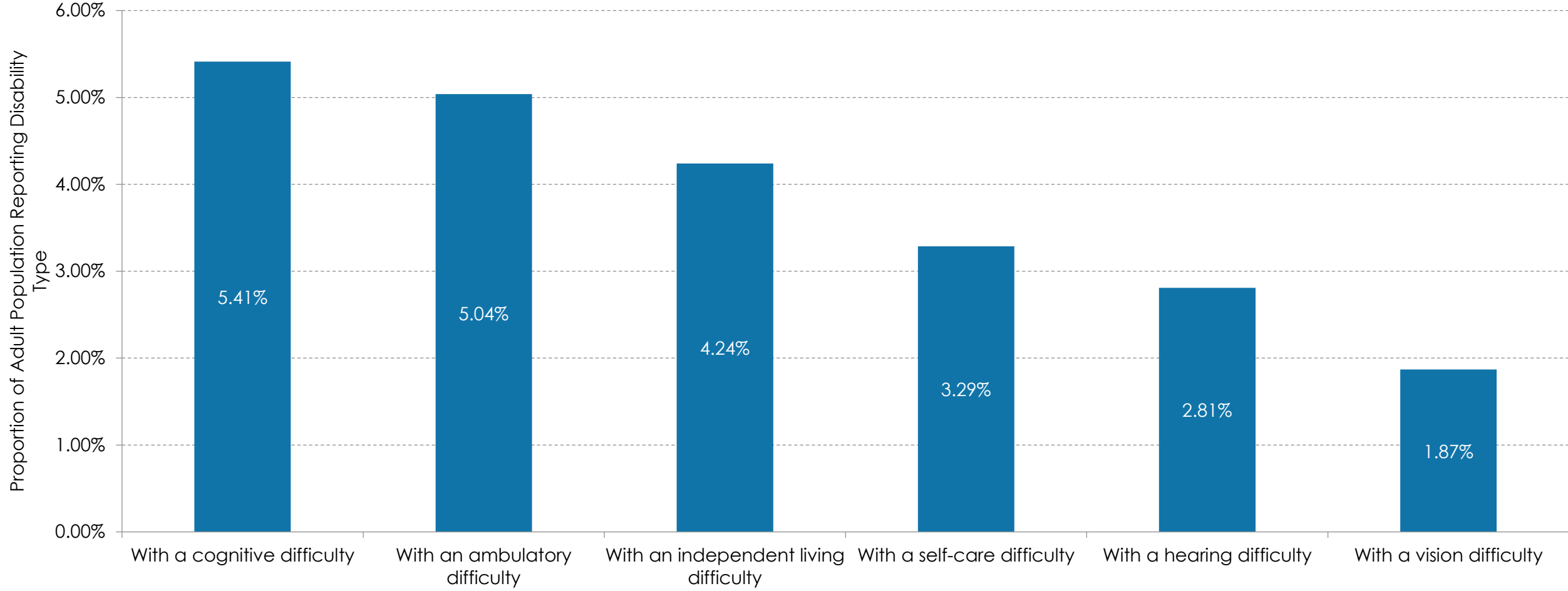
Sold, Not Occupied - These are vacant units sold but not yet occupied, including units that have been sold recently, but the new owner has not yet moved in.

For Seasonal, Recreational, or Occasional Use - These are vacant units used or intended for use only in certain seasons or for weekends or other occasional use throughout the year. Seasonal units include those used for summer or winter sports or recreation, such as beach cottages and hunting cabins. Seasonal units also may include quarters for such workers as herders and loggers. Interval ownership units, sometimes called shared-ownership or timesharing condominiums, also are included here.

Other Vacant - If a vacant unit does not fall into any of the categories specified above, it is classified as "Other vacant." For example, this category includes units held for occupancy by a caretaker or janitor, and units held for personal reasons of the owner.

Vacant Unit by Type

AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES, 2019



Disability by Type

AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES, 2019

THE HOUSING ELEMENT NEEDS

**IDENTIFIED
HOUSING NEEDS
& RHNA**



**COMMUNITY
INPUT**



**STATUTORY
REQUIREMENTS,
NEW LAWS, AFFH**



**POLICIES,
PROGRAMS AND
SITES**



PROJECT OBJECTIVES

2021 HOUSING ELEMENT UPDATE

Meet Local Housing Needs

Cater programs and policies to community needs

Ensure Adequate Sites

Reviewing inventory of sites to accommodate RHNA allocation

More, creative policies will allow broader range of site options

Must review site locations through AFFH lens

Achieve State Certification

NEXT STEPS



Outreach & Community Input (ONGOING)

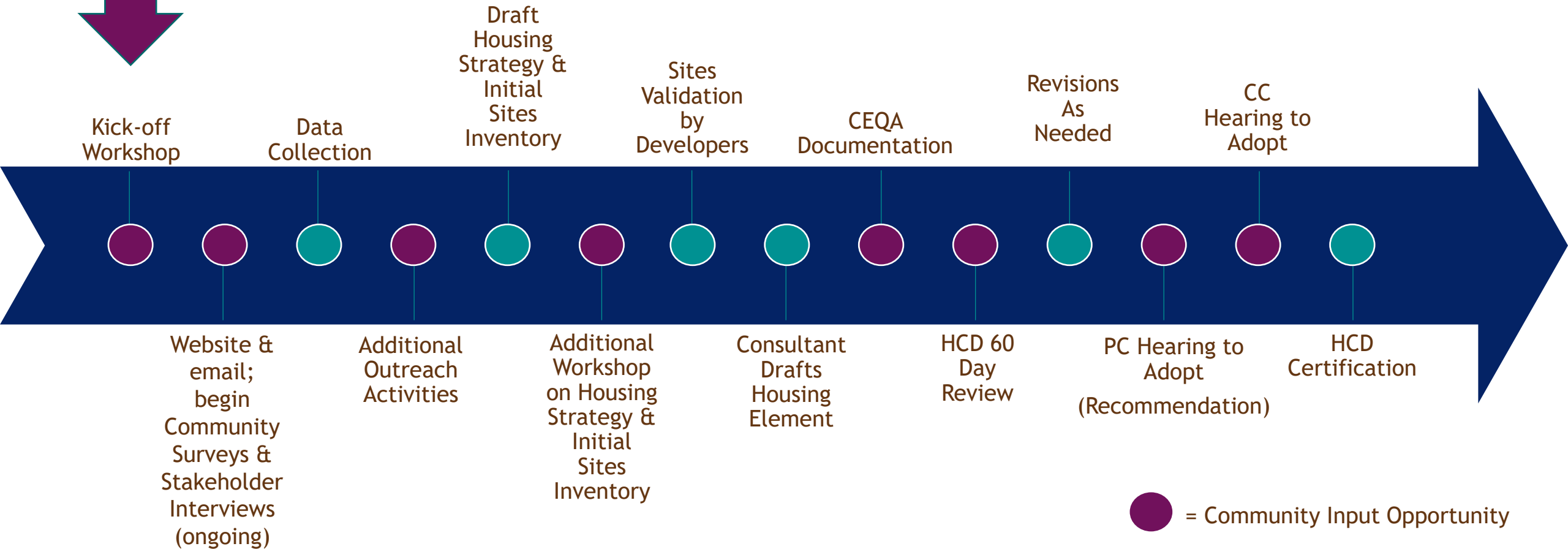
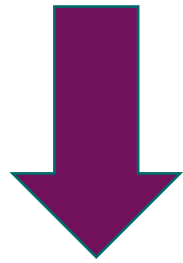
Data Collection + Issues, Constraints, Opportunities

Draft Housing Strategy & Preliminary Sites Inventory
Fair Housing Analysis & AFFH Program of Actions

Draft Housing Element

HCD Review (60 days) & Adoption Hearings

WORK PLAN & COMMUNITY INPUT



NAPA-SONOMA SUBREGIONAL HOUSING COLLABORATIVE



Subregional Technical Assistance
Program Funded by REAP Grant

Information, Collaboration, Best
Practices, Website Resources

Regional Fair Housing Analysis w/AFFH
Section for Each City

Equity Working Group

Developer Panel to Validate Sites



Questions?

Discussion

Public Input

