

Housing Element 101:

**Introduction to the
6th cycle Housing
Element Update**

April 26, 2022



Webinar Agenda

- Introductions
- 6th cycle Housing Element Overview
- Q & A

Introductions

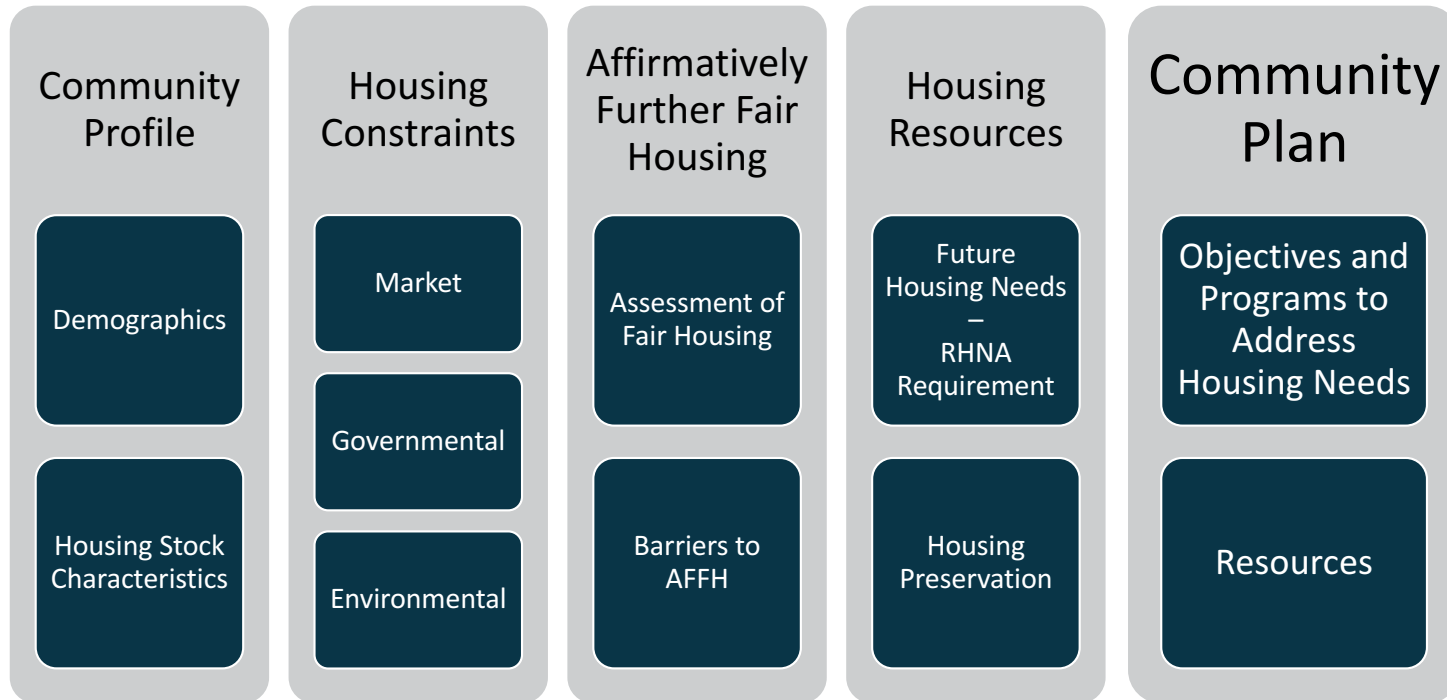
- Michael Sigala, SJV REAP Coordinator
- Robert Phipps, Deputy Director, FCOG
- Jim Harnish, Principal/Owner, Mintier Harnish
- Ryan Lester, Associate, Mintier Harnish
- Brenna Weatherby, Director, Environmental and Long-Range Planning, Rincon Consultants
- Jennifer Gastelum, Principal, Placeworks
- Shawna Pervines, Deputy Director, Placer County Community Development Resource Agency

6th cycle Housing Element Update Overview

- What does the Housing Element cover?
- Regional Housing Needs Assessment (RHNA)
- New State Legislation that influences Housing Elements
- New 6th cycle Housing Element content requirements
- Getting your Housing element certified by HCD



What does the 6th cycle Housing Element cover?



Why do you need a Housing Element?

- Compliance with State Law
- Non-compliance triggers potential fines
- General Plan could be deemed inadequate and therefore invalid
- A noncompliant General Plan creates the potential for being sued when making land use decisions
- City would be ineligible for several Federal and State housing, community development and infrastructure funding and grant programs

Regional Housing Needs Allocation (RHNA)

- State housing production goal
- A representation of future housing needs for all income levels in a region to be built within the 8-year housing cycle
- Significantly higher than previous cycles for most jurisdictions, particularly for low- and very low-income categories



How does your city or county meet RHNA?

- Building Permits issued for residential development after July 1, 2023 are applied towards the allocation
- Identify sites with appropriate zoning and development standards to accommodate residential development by category
- Rezone to accommodate a higher density to meet the allocation for very low- and low-income units
 - Densities need to be at least 20 dwelling units per acre

State Legislation

AB 744 – E	SB 330 Prohibits an affected city or county from enacting a development policy or standard that would: <ul style="list-style-type: none">• reduce intensity of land use unless an equivalent increase in intensity is	housing option
AB Develop	AB 1398 If a local government fails to adopt a housing element that HCD has found to be in substantial compliance with state law within 120 days of the statutory deadline, then rezoning must occur no later than 1 year from the statutory deadline.	765 – using approval
AB 220 Land D	This req util	ing for ential d y
AB Develop	housing developments that have already submitted a preliminary application. Projects shall have a no net loss in residential units for affordable housing.	Review ines
SB 330 – Act		e-zoning

Other General Plan Elements Triggered by the Housing Element Update

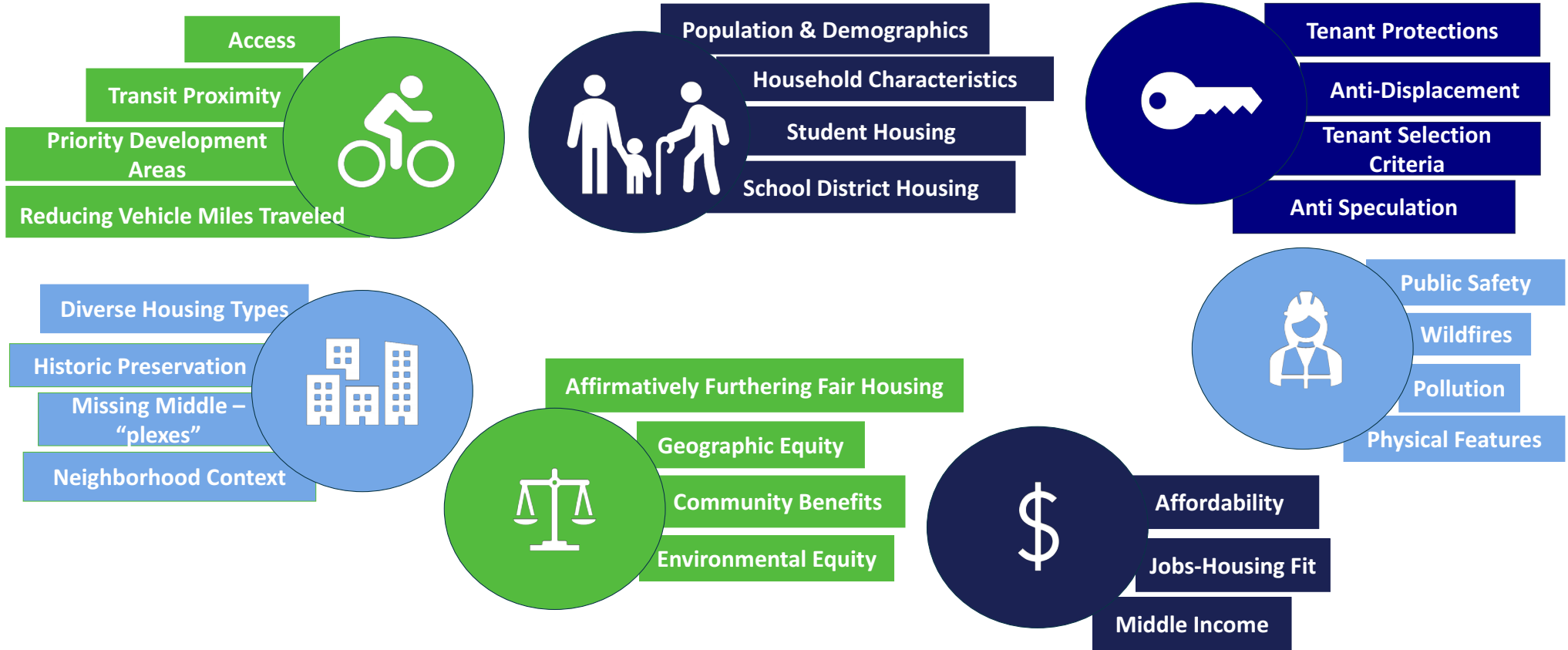
- Safety Element
- Environmental Justice Element



When are 6th cycle Housing Elements due?

- San Joaquin and Stanislaus county jurisdictions – **December 15, 2023**
- Fresno, Kern, Kings, Madera, and Tulare county Jurisdictions – **January 15, 2024**
- Merced county jurisdictions – **March 15, 2024**
- There is a 120-day grace period that most jurisdictions are using

Fair Housing Consideration – AB 686



Components of 6th cycle AFFH

- Outreach
- Assessment of Fair Housing (AFH)
- Site Inventory
- Identification & Prioritization of Contributing Factors
- Goals and Actions/Programs



Getting your Housing Element certified: one planner's perspective

- Get started on your update as soon as possible
- If you plan on using a consultant, get them under contract
- Talk to HCD staff early and often
- Have a minimum 15% surplus of suitable sites to meet your RHNA
- Minimize use of underutilized sites – HCD will want you to prove they are actually suitable
- If you need rezonings, start them as soon as possible
- Expect multiple Element revisions before you can get HCD to certify your element

Questions?



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