



HOUSING ELEMENT UPDATE

CITY OF CALISTOGA

OCTOBER 27, 2021

NAPA-SONOMA SUBREGIONAL HOUSING COLLABORATIVE



Subregional Technical
Assistance Program Funded
by REAP Grant

Information, Collaboration, Best
Practices, Website Resources

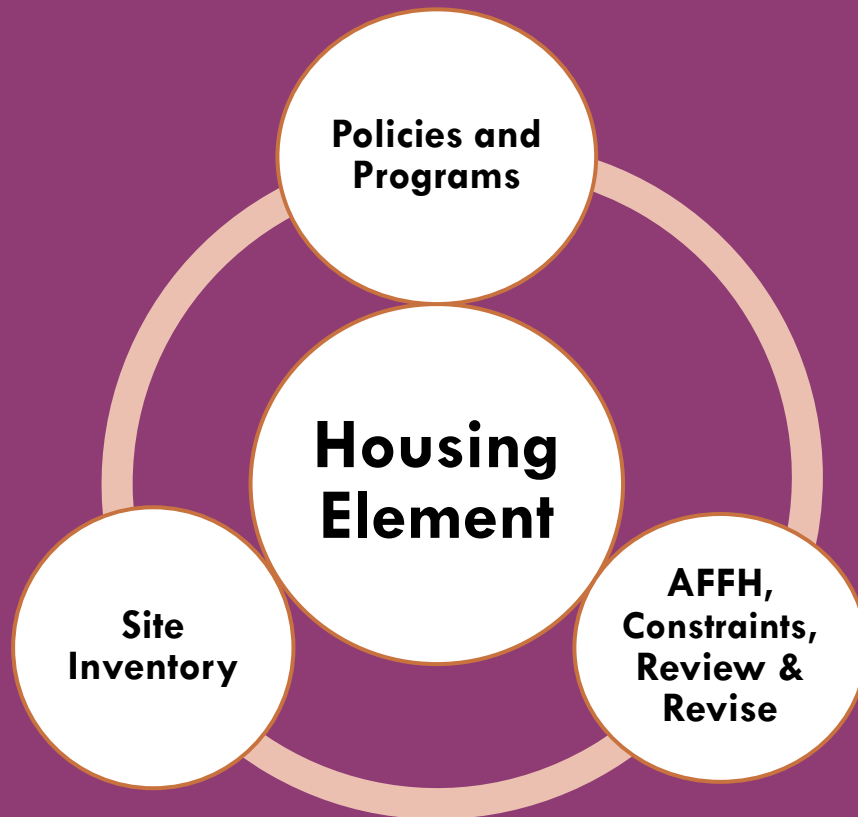
Regional Fair Housing Analysis
w/AFFH Section for Each City

Equity Working Group

Developer Panel to Validate
Sites

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.
- Housing Element is required to be updated according to a defined statutory schedule (8-year planning cycle).
- The City is in the 6th planning cycle, covering 2023 - 2031.

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
Calistoga	31	19	19	50	119

- 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
American Canyon	112	65	75	194	446
Calistoga	31	19	19	50	119
Napa	504	291	319	825	1,939
St. Helena	103	59	26	66	254
Unincorp Napa	369	213	120	312	1,014
Yountville	19	11	12	30	72
	1,138	658	571	1,477	3,844



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
 - County'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 INVENTORY OF HOUSING SITES

- Local agencies must zone appropriately for their share of the regional housing need
- Inventory needs adequate sites with appropriate zoning for *entire planning period*
 - County's "default" density is 20 units per acre
 - Default needed for lower income unless can demonstrate affordability at lower densities (100% by-right density bonus program for rental projects)
- 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
- Must zone to allow for ALL TYPES of housing
 - Apartments, triplexes, SROs, mobile homes etc.



AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)

- Programs must constitute *meaningful actions* to address disparities in housing needs and in access to opportunities
- Sites for lower income housing with AFFH lens:
 - Sites dispersed throughout community
 - High opportunity areas
 - Sites in lower income areas need to be accompanied by programs to create opportunity (schools, jobs, 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 AND
AB 215 (NEW)
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
 - ★ *Rezoning within one year*
 - ★ *SB 35 & streamlining*
 - ★ *AFFH in Sites Inventory*



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.

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



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

GET INVOLVED



Calistoga Housing Element Website

<https://www.ci.calistoga.ca.us/city-hall/departments-services/planning-building-department/planning-division>

Housing Element Survey (English)

<https://www.surveymonkey.com/r/CalistogaHE>

Housing Element Survey (Spanish)

<https://www.surveymonkey.com/r/CalistogaSpanishHE>

OUTREACH CONDUCTED



Survey



Focus Groups



Individual Interviews



Pop-up



Questions?

Discussion

Public Input

