



## Legislation Details (With Text)

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**Title:** CONDUCT A PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION NO. 22-193 FOR THE PROPOSED SUBSEQUENT DRAFT REVISION TO THE CITY'S 6TH CYCLE (2021-2029) HOUSING ELEMENT AS ADOPTED ON FEBRUARY 1, 2022, GPA NO. 22-01 (CITY COUNCIL)

**Sponsors:**

**Indexes:**

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**Attachments:** 1. EXHIBIT NO. 1 CC RESOLUTION HOUSING ELEMENT FINAL, 2. Exhibit NO. 1A DRAFT HOUSING ELEMENT UPDATE, 3. EXHIBIT NO. 2 HCD\_COMMENT\_LETTER\_MAY\_6\_2022, 4. EXHIBIT NO. 3 ADOPTED INITIAL STUDY ND, 5. EXHIBIT NO. 4 REDLINE-ONLY-REVISED CARSON HOUSING ELEMENT\_8-15-2022, 6. EXHIBIT NO. 5 PC RESOLUTION 22-2838

Date	Ver.	Action By	Action	Result
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## Report to Mayor and City Council

Tuesday, September 06, 2022

Special Orders of the Day

### SUBJECT:

**CONDUCT A PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION NO. 22-193 FOR THE PROPOSED SUBSEQUENT DRAFT REVISION TO THE CITY'S 6TH CYCLE (2021-2029) HOUSING ELEMENT AS ADOPTED ON FEBRUARY 1, 2022, GPA NO. 22-01 (CITY COUNCIL)**

### I. SUMMARY

At the September 28, 2021 Planning Commission meeting, the Commission was provided a presentation regarding the City's 2021-2029 (Sixth Cycle) Draft Housing Element update. The Commission was provided a copy of the then-current Draft Housing Element update that was submitted to the California Department of Housing and Community Development ("HCD"). A detailed background of the updated process and the City's past multi-year effort (including extensive public and other stakeholder outreach, decision making involvement, and required environmental review) was also included in the report.

At the October 5, 2021 City Council meeting, the Council approved the recommendation from the Planning Commission to forward the Draft Housing Element to HCD for its required review.

On December 10, 2021, HCD provided its 2021-2029 Draft Housing Element update review letter

to the City. The letter is essentially a housing element “correction list” that the City must follow to obtain housing element compliance. Staff reviewed the State’s letter and updated the Draft Housing Element accordingly.

At the January 11, 2022 Planning Commission meeting, the Commission was provided a presentation regarding the City’s revised Draft Housing Element update and a copy of the revised Draft Housing Element that addressed HCD’s December 10, 2021 review letter. Staff posted the Draft Housing Element on the City website for public review and comments.

At the February 1, 2022 City Council meeting, the Council approved the recommendation from the Planning Commission to forward the revised Draft Housing Element to HCD for its required review and before the State deadline of February 11, 2022.

On May 6, 2022, HCD provided its second review letter (Exhibit 2) to the revised Draft Housing Element to the City. The letter included additional revisions that the City must incorporate to obtain housing element compliance. Staff reviewed the State’s second letter requesting additional revisions and updated the Draft Housing Element to reflect those revisions.

At an August 30, 2022 special meeting, the Planning Commission recommended approval of the Subsequent Draft Revision to the City’s 2021-2029 (Sixth Cycle) Housing Element to the City Council.

The remainder of the staff report summarizes the main points of the May 6, 2022 HCD comment letter and the corresponding revisions to the Draft Housing Element to address those comments. If approved, the Housing Element will be submitted to HCD for certification.

## **II. RECOMMENDATION**

TAKE all the following actions:

1. **ADOPT** Resolution No. 22-193, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON ADOPTING AN ADDENDUM TO NEGATIVE DECLARATION FOR AND APPROVING GENERAL PLAN AMENDMENT NO. 22-02 - THE CITY OF CARSON SUBSEQUENT DRAFT REVISION TO THE CITY’S 2021-2029 (SIXTH CYCLE) HOUSING ELEMENT AS ADOPTED ON FEBRUARY 1, 2022 (GPA NO. 22-01)”

## **III. ALTERNATIVES**

**TAKE** any other action the Council deems appropriate, subject to compliance with applicable law.

## **IV. BACKGROUND**

Below, staff has highlighted the three sections of the HCD review letter and the corresponding revisions to the Draft Housing Element.

### **HCD Letter**

The HCD correction letter is generally divided into three sections: (1) Housing Needs, Resources,

and Constraints (2) Housing Programs, (3) Public Participation. Below is a collection of the City's responses to HCD's comments in order to obtain housing element compliance.

**A. Housing Needs, Resources, and Constraints**

*1. Affirmatively furthering fair housing.*

a. Outreach and Enforcement. Additional detail was added to Section 1.6: Public Participation - Housing Element Stakeholder Meetings to specifically link Housing Element programs with issues, including barriers to fair housing, brought up during stakeholder outreach. This is also noted in the Outreach Efforts section of Chapter 3: Affirmatively Furthering Fair Housing as well as in Table 3-5.

b. Disproportionate Housing Needs, Including Displacement Risk. Data from the Urban Displacement Project is used to assess Displacement Risk, discussed under the Disproportionate Housing subsection of Section 3.2: Assessment of Fair Housing. Stronger language was added to the Fair Housing Priorities and Goals (Table 3-6) and programs 13 and 14 to address the issues based on the findings of this analysis.

c. Identified Sites and Affirmatively Further Fair Housing. Discussion of Improved or Exacerbated Conditions and Isolation of the RHNA (under the Sites Inventory and Fair Housing subsection of Appendix C) was expanded to address impacts by income group relative to census tracts in the city. Analysis is summarized in the newly added Table C-16.

d. Goals, Priorities, Metrics, and Milestones. Program 14 has been revised to directly address the Fair Housing Priorities and Goals presented in Table 3-6. In addition to other programs of the Housing Action Plan, Program 14 will specifically target annual community engagement and outreach efforts in census tracts where lower-income communities, communities of color, and special needs households are concentrated and maintain annual records of outreach and education activities. Program 14 also requires a comprehensive mid-cycle review, which would identify whether corrective action is necessary, based on the priorities and goals in Table 3-6. Table 3-6 would be updated to reflect future Analyses of Impediments to continually progress toward fair housing goals.

*2. Inventory of land suitable and available for residential development.*

a. Suitability of Nonvacant Sites. To better discuss the extent to which existing uses impede additional development, discussion of redevelopment trends was expanded in the Opportunity Sites section of Appendix C, and additional detail was added to Table C-13. The inventory has been revised and calculations have been adjusted to reflect updates to permitted densities in the draft General Plan Update - specifically noting the 40 du/ac minimum in the Downtown Mixed Use designation. The Park Avalon Mobilehome Estates site and the Carson Civic Center site have been removed from the inventory as they are existing uses that are unlikely to discontinue during the planning period.

In addition, the Draft Housing Element relies on nonvacant sites to accommodate 50 percent or more of the housing needs for lower-income households, which triggers requirements to make findings based on substantial evidence that the existing use is not an impediment and will likely discontinue in the planning period. The adoption resolution does not make these findings and future re-adoption of the element must address this requirement to utilize nonvacant sites.

b. Mobilehome Park Preservation. The Park Avalon Mobilehome Estates site has been removed from the inventory of non-vacant sites, and the element has been revised to clarify this, maintaining compliance with AB 2782. In addition, Program 11 was revised to reflect the anticipated adoption of the Mobilehome Park Overlay District, which would help protect existing mobilehome uses.

c. Accessory Dwelling Units. The projected number of ADUs has been revised based on permitted units, and numbers for 2018 and 2019 revised to match HCD's records.

This is shown in Table C-4, which maintains that there were 5 permits in 2020 (based on the City's APR) and it is noted that the City should take action to reconcile these records with HCD.

d. Electronic Sites Inventory. An updated electronic sites inventory shall be provided to reflect changes to the re-adopted version of the element. This version of the inventory is also included in the element as Table C-17.

3. *Potential and actual government constraints.*

a. Land Use Controls. The impact of base line heights on achieving maximum densities is added to the discussion of Development Standards under Section 4.1: Governmental Constraints. The maximum base height for Downtown Mixed Use has been increased to reflect the increased base density. The forthcoming Zoning Ordinance update is also noted to address constraints due to open space requirements, which were identified during stakeholder outreach. Program 5 has been correspondingly modified to add Open Space Requirement Review and further detail on Parking Standards Review.

b. Constraints on Housing for Persons with Disabilities. Discussion of CUP requirements for larger residential care facilities and analysis of need for residential care facilities was added to the Housing for Persons with Disabilities subheading of Section 4.1. Specifically, it is noted that current needs are met by a high number of smaller residential care facilities, which are permitted by right wherever residential uses are permitted, in accordance with State law. Further, analysis shows that Carson has a relatively higher capacity of community care facilities compared to neighboring jurisdictions and much higher than the county. It is also noted that Program 13 includes review of constraints to development of residential care facilities and potential revision to the Planning and Zoning Code as appropriate.

**B. Housing Programs**

1. *Actions that will be taken to make sites available during the planning period.*

a. Program 4 (Affordable Housing Strategy). Please note that the inventory and sites analysis has been revised, as discussed under Finding A2. The results of the complete sites inventory and analysis support adequacy of sites and zoning, and there is no shortfall of sites or zoning available to encourage a variety of housing types. Because the Carson Civic Center site was removed from the inventory (due to unlikelihood of discontinuation of existing uses on the site), the District at South Bay is the only City-owned site in the inventory that is not already a pipeline project; this site has already undergone the Surplus Land Act process. Additional language has been added regarding this site to commit to producing units and meeting quantified objectives. This includes providing streamlined entitlement or, in the case of no entitlements, the City will revise the RFP within one year of adoption and implement monitoring provisions including a comprehensive mid-cycle review to take corrective actions as necessary (Program 4). It is also noted that the Reclamation Authority, the owner of the site, recently received an exclusive negotiating agreement (ENA) from the Surplus Land Act respondent that proposes development of 445 low- and 805 moderate-income units on the site.

2. *Housing to meet the needs of extremely low-, very low-, low- and moderate-income households.*

a. Program 14 (Special Needs Housing). Proactive outreach to assist in the development of housing for extremely low-income households (including persons experiencing homelessness) is discussed under Program 13, which now specifies outreach will be conducted on an annual basis. A comprehensive mid-cycle evaluation was also added to the program. Program 14 further specifies how geographic targeting and prioritization will be conducted, in coordination with the Community Health and Environmental Justice Element of the 2040 General Plan. A comprehensive mid-cycle review will monitor progress and take corrective action as necessary.

3. *Remove governmental and nongovernmental constraints.*

a. Revisions pertaining to governmental and non-governmental constraints have been made, as noted in Finding A3.

4. *Conserve and improve the condition of the existing affordable housing stock.*

a. Program 11 (Mobilehome Park Maintenance and Preservation). Program 11 was revised to include specific and clear commitment to adopt a Mobilehome Park Overlay District as part of the Planning and Zoning Code Update within one year of adoption of the element; this effort is currently underway. Program 11 also specifies how the City will comply with various laws protecting mobilehome parks. Education and outreach to park owners and tenants under Program 11 will be conducted annually, and objectives have been quantified to preserve or provide an equal or greater number of units affordable to existing mobile home park residents.

5. *Promote and affirmatively further fair housing opportunities.*

a. Revisions pertaining to AFFH requirements have been made, as noted in Finding A1.

**C. Public Participation**

1. *Public participation of all economic segments of the community.*

a. The unique efforts to achieve public participation for this housing element update have been added to Section 1.6: Public Participation and the Outreach Efforts section of Chapter 3, as mentioned in Finding A1. Full details of outreach are included in Appendix A. Programs 13 and 14 entail future efforts by the City to employ additional methods for public outreach, particularly to include lower-income and special needs households and neighborhoods with higher concentrations of lower-income households.

**V. FISCAL IMPACT**

None.

**VI. EXHIBITS**

1. Resolution No. 22-193 (pgs. 6-11)
  - a. Draft Housing Element Update (6<sup>th</sup> Cycle) (see link on pgs. 12-13)
  - b. <https://bit.ly/3cGIOjC>
2. HCD Comment Letter (pgs. 14-20)
3. Draft Initial Study/Negative Declaration (see link on pgs. 21)
4. Redline Version of the Revised Draft Housing Element (see link on pgs.22)
5. Planning Commission Resolution No. 22-2838 (pgs. 23-27)

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