



# CITY OF CARSON

## Legislation Text

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File #: 2021-741, Version: 1

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### Report to Mayor and City Council

Tuesday, October 05, 2021

Discussion

#### **SUBJECT:**

**CONSIDER SUBMITTAL OF THE DRAFT 2021-2029 HOUSING ELEMENT TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR REVIEW (CITY COUNCIL)**

#### **I. SUMMARY**

On September 28, 2021, City's General Plan Consultant Dyett & Bhatia (D&B) presented the City's draft Housing Element to the Planning Commission. The Planning Commission reached an unanimous decision and made a recommendation to the City Council to submit the Draft 2021-2029 Housing Element to the California Department of Housing and Community Development (HCD). State law mandates that all cities to submit their draft Housing Element to HCD by October 15<sup>th</sup> for their 60-day review. It should be noted that the City Council is not approving the Housing Element at this time. Instead, the City Council is encouraged to provide input on the goals, policies, and programs in the draft Housing Element (included in Chapter 6, Housing Action Plan). These sections provide policy direction for housing during the 2021-2029 period. The remainder of the Draft Housing Element provides detailed information regarding City's population, housing, and employment.

The input from the Planning Commission and City Council will be incorporated into the draft Housing Element and will be submitted to HCD for their review and comment. D&B will incorporate HCD's comments into the final Housing Element as part of the Carson 2040 General Plan update. Staff expects the General Plan to be presented to the Planning Commission and City Council in early 2022. The adopted Housing Element is required to be submitted to HCD for final certification by February 15, 2022.

The Planning Commission discussed the goals and policies and the programs included in the Housing Element including specific issues related to the City's Regional Housing Needs Allocation (RHNA) requirements, the desire of the Planning Commission for the City to provide housing to the lower income brackets, and an interest in preservation of the existing mobile home housing stock as affordable housing. Specifically, the Planning Commission recommended to the City Council to add additional affordable housing strategies to Program 4 (resulting in a new Policy 4.4) Affordable Housing Strategy, requiring the City to conduct a study to examine adding an Inclusionary Zoning program to increase housing opportunities for low-income families in

Carson. See Background below for the specific language added. **II. RECOMMENDATION**

**TAKE** the following actions:

1. **SUBMIT** the Draft 2021-2029 Housing Element, with modifications recommended by Planning Commission, for Review by the California Department of Housing and Community Development.

### **III. ALTERNATIVES**

TAKE any other action the City Council deems appropriate.

### **IV. BACKGROUND**

#### **Planning Commission Action**

The following language was added to the Draft Housing Element in response to the Planning Commission's recommendation:

**New policy added to Goal 4, Policy 4-4** Study the feasibility of requiring inclusionary affordable housing as part of market rate housing developments and/or commercial and industrial housing linkage fee to promote housing for lower-income households.

**New measure added to Program 4,** Inclusionary Housing and Commercial & Industrial Development/Housing Linkage Fee Study

Carson has an extraordinary amount of housing development in the pipeline, including several projects at high densities. However, there remains a gap between what the market is providing and what lower-income households can afford. The new General Plan significantly increases allowable higher densities, and other policies and actions call for review of constraints, including lowering certain parking requirements. However, to ensure that housing affordable to lower-income households is ultimately built, the City could consider requiring a certain percentage of housing units in developments to be income-restricted. For example, Los Angeles County in November 2020 adopted an inclusionary ordinance that requires 5% to 20% of the unit count, depending on the affordability level of the units and the project size, to be income-restricted. Similarly, the City of Los Angeles charges an Affordable Housing Linkage Fee on certain new market-rate residential and commercial development to generate local funding for affordable housing. This study would look at examples of what has been successful in other communities in the region, Carson-specific market conditions, the City's economic development objectives, and the General Plan goals of a balanced community.

#### **Submittal Deadlines**

The deadline to adopt the compliant Housing Element is October 15, 2021. The state provides a 120-day grace period for adoption of the Housing Element, which would take us to February 15, 2022. To qualify for the grace period, the City is required to send the Housing Element to HCD in advance of the October 15<sup>th</sup> deadline. HCD has 60 days to review the first draft. The City's

consultant may have to submit multiple drafts to obtain HCD's final approval prior to adoption. If the City of Carson does not meet the above deadlines, the Housing Element must be updated every four years (as opposed to eight) until two consecutive housing elements are adopted on time.

## **Background**

Housing Element is one of seven required Elements of the General Plan. General Plans serve as the local government's "blueprint" for how the city will grow and develop. The purpose of the Housing Element is to adequately plan to meet the housing needs of everyone in the community. Housing Elements must be updated every eight years.

In October 2013, the City Council adopted the latest Housing Element, which covered a period between October 2013 and October 2021, known as the "fifth housing element cycle". California is entering its "sixth housing element cycle" (October 2021-October 2029). Housing Element law, which was enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. HCD reviews every local government's housing element to determine whether it complies with state law and then submits written findings back to each local government. HCD's approval is required before a local government can adopt its housing element as part of its overall General Plan.

## **Enforcement and Penalties**

The State adopted legislation that penalizes cities for not having a compliant Housing Element or adopting policies that bring the Housing Element out of compliance. The State has expanded its enforcement role. Cities with compliant housing elements get preference in applying for housing and infrastructure programs. Cities that do not comply are ineligible for certain programs. The Attorney General, through court order or judgement, can direct cities to bring their Housing Elements into compliance. Courts can impose fines, and failure to pay fines, can result in State Controller intercepting any available state and local funds.

## **Purpose of Housing Element**

The 2021-2029 Draft Housing Element identifies existing and future housing needs of all types for persons of all economic groups in the City. The purpose of the Housing Element requirement is to develop an understanding of the existing and projected housing needs within the community and to set forth policies, programs and schedules that promote the preservation, rehabilitation, and development of a variety of housing types and costs throughout Carson. Cities must carry out an assessment of housing needs and an inventory of resources and constraints pertinent to the meeting of these needs.

All the information contained within the Housing Element is mandated and required by HCD. Staff has ensured that the Housing Element meets the requirements and contains all the necessary programs and policies. This Housing Element does not contain any goals, policies, programs, and background information that is not required.

## **Contents of the Element**

The draft Housing Element consists of the following six (6) chapters and five (5) supporting appendices:

Chapter 1 - Introduction: Provides an introduction to the document, including City background and

the purpose of a Housing Element.

Chapter 2 - Housing Needs Assessment: Presents community demographic information, including both population and household data. Outlines the RHNA process and provides an assessment of housing needs.

Chapter 3 - Affirmatively Furthering Fair Housing: Provides an assessment of fair housing issues and efforts in Carson.

Chapter 4 - Housing Constraints: Explores the various obstacles the City faces in developing housing - including governmental and non-governmental constraints.

Chapter 5 - Housing Resources: Analyzes site, financial, and administrative availability for future housing development.

Chapter 6 - Housing Action Plan: Institutes the goals, policies, and programs of the 2021-2029 Housing Element, and provides quantified objectives.

Appendix A - Public Outreach Materials

Appendix B - State Licensed Residential Care Facilities - City of Carson

Appendix C - Sites Inventory

Appendix D - Prior Housing Element Evaluation

Appendix E - 2020 Analysis of Impediments to Fair Housing Choice - City of Carson

### **Housing Element Issue Areas**

The Draft Housing Element describes the City's demographic, economic and housing characteristics, governmental and non-governmental constraints to the production of housing, and provides goals and policies that address various housing needs which include but not limited to the following housing issue areas:

- Provide a broad range of housing types to meet the needs of existing and future residents;
- Identify and promote adequate sites for future residential development that are dispersed throughout the City;
- Identify ways to address housing-related problems and overcrowding;
- Ensure that existing housing is maintained and preserved; and
- Promote equal housing opportunity for all.

### **Housing Element Goals**

The goals listed within the Draft Housing Element to address these housing issues areas are listed below, and policies to implement each goal are outlined under Chapter 6.1 of the Housing Element:

**Goal 1:** Maintain and rehabilitate Carson's existing housing stock.

**Goal 2:** Encourage the development of a variety of housing to meet needs of the broad spectrum of the community, with a particular emphasis on multifamily housing, and development standards that facilitate housing production.

**Goal 3:** Preserve affordable housing "at risk" of conversion and promote additional affordable housing development.

**Goal 4:** Promote and preserve housing opportunities for persons with special needs, including lower-income households, large families, single parent households, disabled persons, the elderly,

and persons experiencing homelessness.

**Goal 5:** Housing opportunities to all persons regardless of race, religion, ethnicity, ability, sex, age, marital status, household composition, or other arbitrary factor.

**Goal 6:** Conserve natural resources and reduce energy consumption in all areas of residential development.

### **Housing Element Programs**

The Housing Programs (Chapter 6.2 of the Housing Element) define the specific actions the City will undertake to achieve the stated goals and policies. The housing programs for addressing community needs are described according to the following fifteen (15) programs:

**Program 1:** Residential Rehabilitation Program (Neighborhood Pride Program)

**Program 2:** Home Owner-Occupied Rehabilitation Program

**Program 3:** Foreclosure Registration Program

**Program 4:** Affordable Housing Strategy

**Program 5:** Zoning Ordinance Update

**Program 6:** Streamlined Development Standards

**Program 7:** Density Bonus

**Program 8:** Accessory Dwelling Units

**Program 9:** Adequate Residential Sites and No Net Loss

**Program 10:** Preservation of At-Risk Affordable Housing Units

**Program 11:** Mobile Home Park Maintenance and Preservation

**Program 12:** Rental Assistance

**Program 13:** Special Housing Needs

**Program 14:** Affirmatively Furthering Fair Housing

**Program 15:** Energy Conservation

**The Draft Housing Element provides adequate area to future development of housing as required by RHNA. (Reference Exhibit No. 2)**

## **V. FISCAL IMPACT**

None.

## **VI. EXHIBITS**

1. 2021-2029 Housing Element (pgs.6-325)
2. Regional Housing Needs Assessment (pg. 326)

Prepared by: Alvie Betancourt, Planning Manager, Saied Naaseh, Director of Community Development