



CITY OF CARSON

Legislation Text

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Report to Successor Agency

Tuesday, February 01, 2022

Special Orders of the Day

SUBJECT:

PUBLIC HEARING TO CONSIDER RESOLUTION NO. 22-016, A RESOLUTION OF THE CITY COUNCIL OF CITY OF CARSON, CALIFORNIA ADOPTING A NEGATIVE DECLARATION FOR AND APPROVING GENERAL PLAN AMENDMENT 22-01 FOR THE 2021-2029 GENERAL PLAN HOUSING ELEMENT UPDATE (CITY COUNCIL)

I. SUMMARY

State law requires that each City adopt a General Plan to guide land use and development. Among the seven (7) required "elements" of the General Plan is the Housing Element, which sets forth goals, policies, and programs that address the future housing needs for all income levels over an eight (8) year planning period which coincides with the Regional Housing Needs Assessment (RHNA) projection period. The RHNA is mandated by State Housing Law as part of the periodic process of updating local housing elements of the General Plan. RHNA quantifies the need for housing within each jurisdiction during specified planning periods.

The City is required by State law to update its Housing Element every eight (8) years. Housing Element planning periods are sometimes referred to as "cycles." The City's existing housing element covers the planning period extending from 2013-2021, which is referred to as the "Fifth Housing Element Cycle" from the five (5) required updates that have occurred since the comprehensive revision to the State Housing Element law in 1980. Every City and County in the Southern California Association of Government (SCAG) region is required to prepare a Housing Element update for the sixth planning cycle, which spans the 2021-2029 period (October 15, 2021-October 15, 2029).

The following provides a general timeline describing major milestones in preparing the City of Carson 2021-2029 Housing Element Hearing Draft (Exhibit 1):

- September 28, 2021 - Planning Commission held a public hearing via Zoom to review the draft Housing Element and receive public comments from interested community stakeholders.
- October 5, 2021 - City Council held a public hearing via Zoom to review the draft Housing Element and receive public comments from interested community stakeholders. Refer to last section of the staff report for a discussion of mobile homes.

- October 11, 2021 - Draft Housing Element was transmitted to State Housing and Community Development Department (HCD) for a 60-day review.
- December 8, 2021 - City staff met with HCD staff to receive preliminary verbal comments on the draft document.
- December 10, 2021 - The City received a review letter from HCD (Exhibit 2) finding that while the draft Housing Element addresses many statutory requirements, revisions will be necessary to comply with State Housing Element Law.
- January 11, 2021 - City staff revised the draft Housing Element in response to HCD's comments, transmitted the revised document to the Planning Commission, and posted the draft Housing Element on the City website for public review and comments.
- January 11, 2021 - The Planning Commission held a duly noticed public hearing on the proposed Housing Element Update and adopted Resolution No. 22-2722 (Exhibit 3), recommending that the City Council approve General Plan Amendment GPA 22- 01 without any changes.
- The Housing Element must be submitted to HCD by February 11, 2022 after City Council approval.

Staff reports from previous meetings containing background information and other relevant materials are posted on the City's Housing Element web page at: <https://www.carson2040.com/>.

II. RECOMMENDATION

TAKE the following actions:

1. **OPEN** the public hearing;
2. **TAKE** public testimony and accept any written and/or oral communications;
3. **CLOSE** the public hearing; AND
4. **WAIVE** further reading and **ADOPT** Resolution No. 22-016, "A RESOLUTION OF THE CITY COUNCIL OF CITY OF CARSON, CALIFORNIA ADOPTING A NEGATIVE DECLARATION FOR AND APPROVING GENERAL PLAN AMENDMENT 22-01 FOR THE 2021-2029 GENERAL PLAN HOUSING ELEMENT UPDATE"

III. ALTERNATIVES

TAKE any other action the City Council deems appropriate.

IV. BACKGROUND

Carson's Housing Element was last updated in 2013 and covered the years 2013-2021. The draft Housing Element is updated to reflect the RHNA as determined by the SCAG for the Sixth Cycle Housing Element Update, covering the years 2021-2029, as well as to account for various changes in the State Housing Element law (California Government Code Article 10.6, which establishes the requirements for Housing Elements) that have been made since the last update. The Element sets forth a strategy to address the City's identified housing needs, including specific implementing programs and activities.

The Housing Element is divided into several chapters and appendices covering the assessment of current conditions, housing needs, constraints, and the housing plan. It is organized as follows:

Chapter 1 - Introduction: Introduces 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 (AFFH): Provides an assessment of fair housing issues and needs 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 -- 202 Analysis of Impediments to Fair Housing Choice - City of Carson.

Regional Housing Needs Assessment

The RHNA is mandated by State law to quantify the need for housing throughout the State. This informs the local planning process to address existing and future housing needs resulting from projected state-wide growth in population, employment, and households. The Housing Element Update must address the housing needs identified by the RHNA prepared by SCAG for Carson. As the Council of Governments (or regional planning agency), SCAG is responsible for overseeing the RHNA process for the Southern California region, which encompasses six (6) counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura) and 191 cities in an area covering more than

38,000 square miles. In March 2021, SCAG assigned RHNA allocations to Carson and other Los Angeles County cities. Carson was assigned a total of 5,618 new housing units which is further distributed into four (4) income categories as follows:

Table 2-29: City of Carson Regional Housing Needs Assessment

<i>Income Level¹</i>	<i>Needed Units</i>	<i>Percent of Needed Units</i>
<i>Extremely-Low-Income (<30% AMI)</i>	<i>885</i>	<i>-</i>
<i>Very-Low-Income (31-50% AMI)</i>	<i>1,770</i>	<i>31.5%</i>
<i>Low-Income (51-80% AMI)</i>	<i>913</i>	<i>16.3%</i>
<i>Moderate-Income (81-120% AMI)</i>	<i>875</i>	<i>15.6%</i>
<i>Above-Moderate-Income (120% AMI)</i>	<i>2,060</i>	<i>36.7%</i>
Total	5,618	100%

1. Income levels were determined by county median household income. Based on 2019 data, SCAG used a median income of \$61,015 in Los Angeles County to determine allocations. 2. Extremely-low-income units are assumed to be 50 percent of very-low-income housing units.

Source: SCAG Regional Housing Needs Assessment, 2021

HCD Letter

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 and the City’s General Plan consultant, Dyett and Bhatia Urban and Regional Planners, have reviewed the State’s letter and updated the Housing Element Hearing Draft that is before the City Council (Attachment 3). Below, staff is a comprehensive summary of the HCD required corrections.

The HCD correction letter is generally divided into six sections with many overlapping topic areas: (1) Review and Revision, (2) Housing Needs, Resources and Constraints, (3) Housing Programs, (4) Quantified Objectives, (5) Public Participation, (6) Consistency with General Plan. Below is a summary of those comments.

A. Review and Revision

As part of the review of programs in the past cycle, the element must provide an evaluation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female headed households, farmworkers, and persons experiencing homelessness).

B. Housing Needs

Outreach. The element should summarize outreach efforts and relate this input to all components of the AFFH analysis and modify or add goals and actions as appropriate. Further, the element mentions a 2020 analysis of impediments to fair housing choice (AI) which includes outreach that can be utilized as part of this analysis and to better formulate appropriate programmatic response.

Disparities in Access to Opportunity. This analysis should address the patterns and trends for all components of disparities in access to opportunity (e.g., education, economy, transportation, and environment). In addition, the City can analyze transportation cost burden to determine programs that integrate housing and transit

access. Relatedly, the City can also analyze Vehicle Miles Traveled (VMT) and outline programs to reduce the cost and distance of commuting.

Disproportionate Housing Needs including Displacement Risk. The element includes analysis relative to overpayment and overcrowding but it must also address housing conditions, persons experiencing homelessness. Specifically, the element should address patterns and trends relative to housing conditions and should address disproportionate impacts on protected groups, areas of the City with greatest need and evaluate disparities in access to opportunities relative to homelessness.

Identified Sites and Affirmatively Furthering Fair Housing (AFFH). The element includes some general discussion of identified sites and AFFH, but it should include supporting information and analysis to complete the discussion. A full analysis should address the income categories of identified sites with respect to location, the number of sites and units by all income groups and how that affects the existing patterns for all components of the assessment of fair housing (e.g., segregation and integration, access to opportunity).

Goals, Priorities, Metrics, and Milestones. The element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends.

Extremely Low-income (ELI) Households. The element includes some basic information regarding ELI households such as the number of households. However, given the unique and disproportionate needs of ELI households, the element must include analysis to better formulate policies and programs.

Housing Conditions. The element provides some brief information on age of the housing stock. However, it must estimate the number of units in need of rehabilitation and replacement.

Approved and Under Review Projects. The element should discuss what approvals remain necessary for projects under review, including expected timelines for completion of the entitlement process.

Realistic Capacity. The element identifies sites in various mixed or flex use zones and states that residential capacity was reduced in these zones since not all sites will develop with mixed-use or include a residential component. However, the element must support this assumption through development trends, residential performance standards and policies and programs.

Suitability of Nonvacant Sites. The element identifies nonvacant sites to accommodate the regional housing need based on an assessed value ratio and floor area ratio, but it must also support these assumptions, reflect the values of these ratios in the parcel inventory and include additional factors for a complete methodology.

Replacement Housing Requirements. To the extent the sites inventory identifies sites with existing residential uses, it must identify whether the current residential uses are affordable to lower-income households or describe whether the additional residential development on the site requires the demolition of the existing residential use.

Mobilehome Park Preservation. The inventory identifies mobilehome park(s) with potential for redevelopment in the planning period and should include specific discussion and programs given the importance of this housing type in addressing a variety of housing needs. The discussion should address the appropriateness of identifying these sites given the importance of the housing type, suitability, and availability of the sites in the planning period, impacts on residents, consistency of redevelopment with general plan, including housing element goals and add or modify programs, including replacement programs, based on the outcomes of this discussion.

Small and Large Sites. Sites smaller than half an acre or greater than ten acres are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites of equivalent size with affordability were successfully developed during the prior planning period or other evidence that demonstrates the suitability of these sites.

City-Owned Sites. The element must include additional discussion of the City-owned sites identified to accommodate the RHNA. Specifically, the analysis should address general plan designations, allowable densities, support for residential capacity assumptions, existing uses and any known conditions that preclude development in the planning period and the potential schedule for development.

Environmental Constraints. While the element generally describes environmental constraints were considered in determining realistic capacity, it must also describe any other known environmental or other conditions that could impact housing development on identified sites in the planning period.

Infrastructure. The element includes some discussion on water and sewer providers in the City. However, it must also clarify whether sufficient total water and sewer capacity (existing and planned) can accommodate the RHNA and include programs if necessary.

Accessory Dwelling Units (ADU). The element projects 280 ADUs over the planning period based on an average of 35 ADUs per year since 2017. However, the element should list the number of ADUs per year to support this assumption and rescale assumptions if necessary. HCD records indicate ADUs permitted since 2018 as none reported in 2018, 46 in 2019 and none reported in 2020.

Electronic Sites Inventory. Pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element.

Emergency Shelters. The element indicates that emergency shelters are permitted in the industrial zones, but should clarify whether shelters are permitted without discretionary action, discuss typical parcel sizes and the presence of reuse opportunities and any conditions inappropriate for human habitability. In addition, the element should list and evaluate the actual development standards for compliance with statutory requirements and add or modify programs as appropriate.

Permanent Supportive Housing. Supportive housing shall be a use by-right in zones where multifamily and mixed uses are permitted. The element must demonstrate compliance with this requirement and include programs as appropriate.

Land-Use Controls. The element must identify and analyze all relevant land use controls impacts as potential constraints on a variety of housing types.

Building Codes and Enforcement. The element must describe the City's building and zoning code enforcement processes and procedures, including any local amendments to the building code, and analyze their impact as potential constraints on housing supply and affordability.

Onsite / Offsite Improvements. The element describes on- and off-site improvements that may be required to approve housing development, including pavement, curbs, gutters, sidewalks, drainage facilities. The element should identify actual standards and analyze their impact as potential constraints on housing supply and affordability.

C. Housing Programs

To have a beneficial impact in the planning period and address the goals of the housing element, programs must be revised with discrete timelines (e.g., annually, year). Programs to be revised include Programs 1 (Residential Rehabilitation), 2 (Owner-Occupied Rehabilitation Program), 4 (Affordable Housing Strategy) and 11 (Mobilehome Park Maintenance and Preservation).

The element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

1. The Adequate Sites and No Net Loss Program should be amended to ensure compliance with all of the by-right requirements of Gov't Code 65583.2(h)-(i), including clarifying by-right to permit multifamily development without discretionary action and 20 percent affordability to lower-income households and residential only or residential performance standard requirements;
2. Include a program for vacant sites identified in two or more consecutive planning periods' housing elements or nonvacant sites identified in a prior housing element, that are currently identified to accommodate housing for lower-income households;
3. Include a program to provide replacement housing; and
4. Include specific commitment to a schedule of actions to encourage development on City-owned sites.

While the element includes programs to assist in the development of low-, very low-, and moderate-income households, it must also include a program(s) to assist in the development of housing for all ELI households and special needs households. Program actions could include proactive outreach and assistance to non-profit service providers and developers, prioritizing some funding for housing developments affordable to special needs households and offering financial incentives or regulatory concessions to encourage a variety of housing types.

The element requires a complete analysis of potential governmental and non-governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

The element should be revised to specifically commit to action to preserve mobile home

parks, including timelines or steps the City will take in the planning period.

The element does not include a complete analysis to address AFFH requirements. Based on a complete analysis, the element must add or revise programs. Actions must have metrics and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.

The Preservation of At-risk Affordable Housing Program should commit to promptly coordinate with non-profit corporations known to the City to have the legal and managerial capacity to acquire and manage at-risk units.

The ADU Program should commit to when additional strategies will be implemented and should monitor ADU production and affordability on a regular basis (e.g., bi-annually) and commit to alternative actions (e.g., rezone) within a specific time (e.g., within 6 months) if ADUs are not permitted as anticipated.

D. Quantified Objectives

The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. While the element includes these objectives by income group for very low-, low-, moderate- and above-moderate income, the element must also include objectives for extremely low-income households.

E. Public Participation

While the City includes some information about the public outreach process, the City should clarify how the draft was made available and moving forward, the City should employ additional methods for public outreach efforts in the future, particularly to include lower-income and special needs households and neighborhoods with higher concentrations of lower-income households.

F. Consistency with General Plan

The element should discuss how internal consistency will be maintained throughout the planning period. For example, the City could consider an internal consistency review as part of its annual general plan implementation report required under Gov't Code 65400.

Mobile Home Parks

The City recognizes the role of mobile home parks as a source of affordable housing for lower-income households. The maintenance and preservation of mobile home units, as well as the preservation of the parks themselves, is necessary to reduce displacement pressures on lower-income households that depend on such housing. Although the City has limited control over the closure of mobile home parks, it can enact programs that encourage the preservation of the parks or ensure financial assistance to residents to reduce any adverse impacts that result from such a closure.

In early 2019, the City Council considered ways to preserve mobile home parks within the city and directed staff to pursue avenues to adopt zoning changes to enable effective preservation of the city's mobile home parks. City staff has already commenced preparation of an ordinance that will specifically encourage preservation of mobile home

parks and plans to introduce this ordinance for approval immediately following completion of the City's General Plan update.

In addition, the following approaches can further aid in preservation and maintenance of mobile homes:

- Mobile Home Maintenance should be encouraged by providing rehabilitation funds on an annual basis and enforcing the City's rent control. Mobile home rehabilitations are available in conjunction with the Neighborhood Pride Program using CDBG funding.
- Mobile Home Park Preservation should be encouraged by pursuing funding opportunities for conversion of mobile home park spaces to ownership spaces or control by resident organizations, non-profit housing sponsors, or local public entities. Potential funding sources could include the General Fund, CDBG, HCD, MPROP, and private funding sources.
- Mobile Home Park Preservation should be encouraged by adopting an ordinance to encourage preservation of mobile home parks.
- Mitigation of Mobile Home Park Closures should be encouraged through enforcement of RIRs, State law, and relocation benefit packages as needed.

State law requires the City Council to consider HCD's comments and make appropriate findings as part of the Housing Element adoption process. Following City Council adoption, the Housing Element must be submitted for HCD review by February 11, 2022. HCD will then issue its opinion as to whether the adopted Housing Element complies with State housing law. HCD has 90 days to complete its review of the adopted Housing Element.

FISCAL IMPACT

None.

VI. EXHIBITS

1. Draft Resolution No 22-016 (GPA 22-01) (pgs.10-13)
Attachment 1 - 2021-2029 Housing Element Hearing Draft
2. HCD Letter of December 10, 2022 (pgs. 14-26)
3. Planning Commission Resolution 22-2722 (pgs.27-29)

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