

12/15/2022 Planning Commission Hearing Revisions to Housing Element 2022 Update – Implementing Plan

Deletions are noted with a ~~strike through~~, additions are noted with an underline

1.2.6 Continue and expand the City's Public Land for Housing Program through public-private partnerships and use City resources to support the maximum number of permanently affordable housing units on underutilized publicly owned and surplus sites, balancing the financial needs of enterprise agencies and ensuring adequate space and resources to address gaps in community infrastructure, services, and amenities. As part of this program, continue to implement the City's Surplus Public Lands Ordinance codified in Administrative Code Chapter 23A, in compliance with the state Surplus Lands Act (Government Code 54220-54234).

The Public Lands Program should include, but not be limited to:

- Annual outreach and marketing of these sites to developers, especially non-profit developers;
- Coordination across agencies, including the Mayor's office;
- Continue negotiations and completion of any necessary rezoning efforts on identified publicly owned sites that will accommodate the RHNA;
- Facilitation and streamlining of any approvals and subsequent entitlements for proposed projects on publicly identified sites;
- Development and implementation of site-specific incentives including but not limited to financial assistance, streamlined approvals, and reduced fees, to encourage and facilitate affordable housing development on publicly owned sites; and
- Issuance of RFPs for sites ready for development annually.

The City will target 500 to 2000 affordable units in the RHNA planning period. Revisit strategies as appropriate.

1.3.3 Assess inclusionary tiers ~~and requirements~~ to address constraints on housing development including financial feasibility, to increase certainty for housing projects, to ensure that inclusionary requirements do not impede or undermine use of State Density Bonus Law, and to reduce staff time and need for specific expertise. Changes to inclusionary tiers ~~and requirements must~~ should improve or maintain ~~the current affordability~~ average affordability of inclusionary housing units. Changes to inclusionary tiers and their requirements should and retain or expand the ~~number~~ percentage of units required, including with consideration to rents, purchase prices, and HOA fees.

8.1.5. If the City issues building permits for fewer than 29,049 new units by January 31, 2027, then the City shall enact and implement:

- additional rezoning outside of Priority Equity Geographies and areas vulnerable to displacement, and

- additional constraints reductions for housing projects, including existing projects in the development pipeline.

This additional rezoning and additional constraints reductions shall accommodate 115% of the shortfall, minus any capacity created by the rezoning(s) in Action 7.1.1 in excess of 36,282 units.

The scope of this additional rezoning and additional constraint reduction:

- shall account for sites' likelihood of development during the RHNA planning period, and affirmatively incorporate the results of an analytical model and the cumulative constraints analysis described in Action 8.1.8 to increase supply choice and affordability and accommodate the RHNA in the planning period.
- shall not impose any new governmental constraints not already in effect on January 31, 2027 to the development of housing unless that constraint is offset by the repeal or mitigation of another constraint.
- shall consider progress and implement strategies toward meeting the RHNA goals by income group and AFFH objectives, including strategies considered under 8.1.10.
- shall consider outreach community engagement, in alignment with Program area 4.2 with in areas that may be disproportionately impacted with displacement risk beyond Priority Equity Geographies.

The City shall complete this effort, if needed, by July 31, 2028. The City will implement this program in consultation with HCD, including HCD approval.

8.1.6. In alignment with the provisions and purpose of the Housing Crisis Act of 2019 (Government Code 66300 et seq.), any City-adopted rezoning or development controls shall not impose any new governmental constraints to the development of housing unless those increased constraints are offset by the removal or reduction of other constraints. A "new governmental constraint" is a city-imposed requirement, including but not limited to process, fees, or design, that increases the cost of development not in effect on January 31, 2023, not including mitigation measures adopted in compliance with CEQA or a requirement adopted to specifically protect against a threat to health or safety.

8.1.10 By January 2026, the Interagency Housing Element Implementation committee (see Action 4.1.4) will assess if the City has approved the appropriate housing units by income level to meet the RHNA goals. If the City is behind the pro rata affordable housing production goals the Interagency Housing Element Implementation committee should trigger:

- Increase of additional City funding for affordable housing and pursuit of additional State funding
- Increase the land banking strategy to accommodate 50 percent more affordable housing units than the capacity of the sites acquired from 2022 through 2025

The City will implement these actions in consultation with HCD.