



DATE: April 17, 2013

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department/Planning Division

SUBJECT: **ADOPT AN UPDATE OF THE CITY'S HOUSING ELEMENT UPDATE FOR THE FIFTH HOUSING ELEMENT CYCLE (2013-2021) – APPLICANT: CITY OF OCEANSIDE**

**SYNOPSIS**

The item under consideration is a draft update of the City's Housing Element for the Fifth Housing Element Cycle for the San Diego region, encompassing an eight-year planning period that extends from April 30, 2013, to April 30, 2021. Staff recommends that the City Council adopt the draft update, which has been found to be substantially in compliance with state housing element law by the California Department of Housing and Community Development (HCD). Final state certification of the draft update is contingent upon the City's adoption of amended standards for permanent emergency shelters and transitional/supportive housing, as required by state housing element law. Staff therefore seeks authorization to initiate these state-mandated changes to current standards for permanent emergency shelters and transitional/supportive housing.

**BACKGROUND**

On September 19, 2012, in concurrence with recommendations from the Planning Commission and Housing Commission, the City Council authorized staff to submit a draft update of the City's Housing Element to HCD for compliance review.

HCD comments on the initial draft of the update were received by the Planning Division on November 21, 2012 (Attachment 4). The Planning Division responded to HCD input with additional information and analysis; revisions involved no substantive changes to land use or housing policies or programs. On January 30, 2013, staff resubmitted the draft update for a second round of HCD review.

In February 2013, the revised draft update was reviewed in public hearings before the Planning Commission and the Housing Commission. Both commissions recommended that the City Council adopt the draft update with no further changes.

On March 20, 2013, staff was informed that the draft update had been deemed substantially compliant with state housing element law, and that final HCD certification will be granted once the City has amended its zoning standards to: 1) allow permanent emergency shelters by-right within at least one zoning district; and 2) define transitional and supportive housing as residential uses subject to the same restrictions applicable to other residential dwellings of the same type in the same zone (Attachment 5).

## **PROJECT DESCRIPTION**

The updated Housing Element is described in previous City Council and Planning Commission staff reports (Attachments 7 and 8). Revisions to the draft update in response to HCD input are outlined in a summary matrix appended to this staff report as Attachment 6. The draft Housing Element, as modified in response to HCD input, is appended as Attachment 2.

State-mandated provisions related to permanent emergency shelters and transitional/supportive housing are described in highlighted sections of Senate Bill 2, appended as Attachment 9.

## **ANALYSIS**

### ***State Housing Element Law***

State law requires each city and county in California to adopt a housing element as one of seven mandatory elements of its general plan. Unlike other general plan elements, the housing element is subject to detailed statutory requirements and mandatory review by HCD. At minimum, housing elements must include:

- assessment of existing and projected housing needs, including the housing needs of special populations (e.g., the elderly, the homeless, persons with disabilities);
- identification and analysis of land resources available to meet the jurisdiction's fair share of regional housing demand (as determined by the Regional Housing Needs Allocation, or RHNA);
- analysis of constraints to housing development, including local land use and development regulations;
- evaluation of existing programs, and establishment of new programs, designed to enhance the quality and availability of housing for all segments of the community.

The draft update of the City's Housing Element contains all of these required components, and HCD has found that each one adequately addresses the applicable requirements of state housing element law. In light of the challenges the City has previously faced in demonstrating sufficient land resources to accommodate its RHNA obligation, it is particularly significant that HCD has accepted the housing sites inventory of the updated Housing Element as evidence of the City's capacity to accommodate its fair share of regional housing demand. By accepting the housing sites inventory, HCD has effectively absolved the City of its previous commitment to rezone up to 80 acres of land for high-density residential uses.

State law requires all local jurisdictions in the San Diego region to adopt updates to their respective housing elements within 120 days of April 30, 2013. In meeting this deadline, jurisdictions place themselves on an eight-year housing element update cycle. Jurisdictions that fail to meet this deadline are subject to a four-year update cycle. By adopting the updated Housing Element prior to August 30, 2013, the City will not have to conduct another Housing Element update until 2021.

### ***Senate Bill 2***

In 2007, Senate Bill 2 amended state housing element law to establish new provisions for permanent emergency shelters and transitional/supportive housing, in response to a critical lack of adequate facilities for the homeless and special needs populations.

### ***Zoning for Permanent Emergency Shelters***

Senate Bill 2 (SB 2) requires that local jurisdictions identify at least one zoning district within which permanent emergency shelters are permitted by-right (i.e. without a conditional use permit or any other discretionary action). At present, there are no zoning districts within the City where permanent emergency shelters are permitted by-right. In most non-coastal portions of the City (i.e., those subject to the 1992 Zoning Ordinance), such shelters are conditionally permitted in medium and high-density residential zones, six of nine commercial zoning districts, all light and general industrial zones, and all areas zoned for public/semi-public uses. Within the Coastal Zone and the Downtown District, applicable zoning standards do not identify emergency shelters as being permitted in any zoning district, either by-right or conditionally.

In consultation last summer with an ad hoc committee of members of the Planning Commission and Housing Commission, staff concluded that the City's light industrial zones would be the most conducive to permanent emergency shelters, given their broad distribution throughout the City, their separation from residential neighborhoods, the presence of vacant, developable land within light industrial zones, and the prospect of adaptive reuse of existing light industrial buildings as permanent emergency shelters.

This concept received support from both the Planning Commission and the Housing Commission in August 2012. The staff report for the September 21, 2012 City Council public hearing on the Housing Element recommended that the requirements of SB 2 be met by allowing permanent emergency shelters by-right within the City's light industrial zones.

While SB 2 requires that local jurisdictions allow permanent emergency shelters by-right in at least one zoning district, localities may apply objective standards to such shelters, including the maximum number of beds, maximum length of stay, minimum off-street parking, and minimum proximity to similar facilities. Localities can also establish standards for the operations and management of permanent emergency shelters.

### ***Transitional and Supportive Housing***

Transitional housing includes both housing and supportive services for individuals who, for a variety of reasons, are not presently prepared for independent living. Typically, transitional housing is available to such individuals for no more than a 24-month period. Supportive housing provides for individuals with little or no prospect of ever living on their own (e.g. persons with severe physical or mental disabilities). Transitional and supportive housing facilities require state licensing and are regulated by various state agencies, depending upon the clientele they serve and the services they provide. For example, facilities that provide housing and services for adults addicted to alcohol or drugs are regulated by the California Department of Alcohol and Drug Programs (DAPD). Facilities that provide housing and services for elderly residents, AIDS/HIV patients, or the mentally ill are regulated by the California Department of Social Services. In many cases, state law imposes locational restrictions on these facilities, whereby no two facilities can be located within 300 feet of one another.

SB 2 dictates that local jurisdictions define transitional and supportive housing facilities no differently from other residential uses permitted in the same zoning district, and, in turn, apply the same development standards to such facilities as those applied to other permitted residential uses of the same type. The effect of this state-mandated provision is to allow transitional and supportive housing facilities in all residential neighborhoods as long as they conform to applicable development standards. With respect to the allowable intensity of such uses (e.g., how many clients can be accommodated at any given time), the City maintains the discretion to require a conditional use permit for any group home or care facility that intends to accommodate more than six individuals in a dwelling unit.

### ***Schedule for Action Item Implementation***

Within the next three months, the Planning Division will return to the City Council with recommendations for zoning text amendments that provide for permanent emergency shelters by-right within the City's light industrial (IL) zoning districts. The proposed zoning text amendments will outline objective development and performance standards for emergency shelters

### ***Benefits of Housing Element Compliance***

To encourage and reward local jurisdictions for adopting compliant housing elements, several state funding programs include housing element compliance as either an eligibility requirement or a scoring criterion. The significance of housing element compliance as a factor in funding eligibility or competitiveness varies from program to program. One example of a funding opportunity contingent upon housing element compliance is the Housing Related Parks Program, which provides grants for the construction or rehabilitation of public parks and recreation facilities. Assuming the updated Housing Element achieves full compliance within the next four to six months, the City's eligibility and competitiveness for significant grant funding is not expected to be compromised.

### **FISCAL IMPACT**

Implementation of several programs involving changes to zoning standards and other housing-related regulations is expected to require approximately 33 percent (33%) FTE of a senior or principal level planner, plus ancillary expenditures, in the year following adoption of the update, for a projected cost of about \$45,000. The projected cost has been accounted for in the Planning Division's budget for FY 13/14 (business unit and employee object code no. 450404101.5105).

### **COMMISSION OR COMMITTEE REPORTS**

The Planning Commission and Housing Commission have twice reviewed the draft update of the Housing Element (in August 2012 and February 2013) and twice recommended that the City Council adopt the update without additional changes. Prior to seeking City Council adoption, staff will return to the Planning Commission with recommended revisions to the City's zoning standards for permanent emergency shelters and transitional/supportive housing.

### **CITY ATTORNEY'S ANALYSIS**

The referenced documents have been reviewed by the City Attorney and approved as to form.

**RECOMMENDATION**

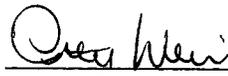
Staff recommends that the City Council adopt the draft update, which has been found to be substantially compliant with state housing element law by the California Department of Housing and Community Development (HCD). Final state certification of the draft update is contingent upon the City's adoption of amended standards for permanent emergency shelters and transitional/supportive housing, as required by state housing element law. Staff therefore seeks authorization to initiate these state-mandated changes to current standards for permanent emergency shelters and transitional/supportive housing.

PREPARED BY



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Russ Cunningham  
Senior Planner

SUBMITTED BY



\_\_\_\_\_  
Peter A. Weiss  
City Manager

REVIEWED BY:

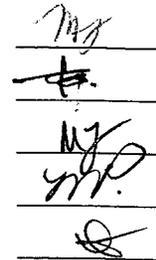
Michelle Skaggs Lawrence, Deputy City Manager

George Buell, Development Services Director

Marisa Lundstedt, City Planner

Margery Pierce, Neighborhood Services Director

Teri Ferro, Financial Services Director



ATTACHMENTS:

1. City Council Resolution
2. Environmental Checklist and Determination (Negative Declaration)
3. HCD Review Letter (March 20, 2013)
4. HCD Review Letter (November 21, 2012)
5. Summary matrix of staff response to HCD comment
6. September 19, 2012 City Council Staff Report
7. February 25, 2013 Planning Commission Staff Report
8. Excerpt from Senate Bill 2

ATTACHMENT 1

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ADOPTING AN UPDATE OF THE CITY'S HOUSING ELEMENT FOR THE FIFTH HOUSING ELEMENT CYCLE (2013-2021) – HOUSING ELEMENT UPDATE**

**(Applicant: City of Oceanside)**

WHEREAS, Government Code Section 65580, *et seq* requires that local jurisdictions in California update their housing elements on a state-prescribed schedule;

WHEREAS, on October 28, 2011, the SANDAG Board of Directors adopted the Regional Housing Needs Assessment (RHNA) for the Fifth Housing Element Cycle, thereby initiating an 18-month period – culminating on April 30, 2013 – within which all local jurisdictions in the San Diego region must adopt comprehensive updates to their housing elements;

WHEREAS, on June 13, 2012 and June 27, 2012, a draft update of the City's Housing Element for the Fifth Housing Element Cycle was reviewed by an ad hoc committee comprised of members of the City's Housing and Planning Commissions;

WHEREAS, public notice of the City's efforts to update its Housing Element has been provided through a variety of media, including the City's website, informational flyers posted at City venues and the Oceanside Farmer's Market, and the North County Times;

WHEREAS, on August 13, 2012, the City's Planning Commission reviewed the draft update and recommended that it be submitted to the California Department of Housing and Community Development for initial certification review;

WHEREAS, on August 14, 2012, the City's Housing Commission reviewed the draft update and recommended that it be submitted to the California Department of Housing and Community Development (HCD) for initial certification review;

WHEREAS, on September 19, 2012, the City Council authorized staff to submit a draft update of the Housing Element to the HCD for initial certification review;

1           WHEREAS, on November 12, 2012, the City received initial comment from HCD on  
2 the draft update, indicating that sundry revisions were necessary to obtain a determination of  
3 compliance;

4           WHEREAS, on January 30, 2013, staff submitted a revised draft update to HCD for  
5 further review;

6           WHEREAS, state law requires that HCD provide comment on the revised draft update  
7 no later than March 29, 2013;

8           WHEREAS, on February 25, 2013, the Planning Commission reviewed the revised draft  
9 update and recommended that it be adopted by the City Council;

10           WHEREAS, on February 26, 2013, the Housing Commission reviewed the revised draft  
11 update and recommended that it be adopted by the City Council;

12           WHEREAS, on April 17, 2013, the City Council held a duly-noticed public hearing and  
13 heard and considered written evidence and oral testimony by all interested parties on the draft  
14 update of the City's Housing Element;

15           WHEREAS, the Planning Division has prepared a Negative Declaration for the project,  
16 in accordance with the California Environmental Quality Act (CEQA); and

17           WHEREAS, based on such evidence and testimony, including but not limited to the report  
18 and attachments provided by the Planning Division, the City Council finds as follows:

- 19 1. The update of the City's Housing Element for the Fifth Housing Element Cycle (2013-  
20 2020) is consistent with state housing law, in that it includes all mandatory housing  
21 element components as prescribed in Government Code Section 65580, *et seq.*
- 22 2. The housing sites inventory, a component of the updated Housing Element,  
23 demonstrates that the City has adequate land resources under appropriate zoning to  
24 accommodate its regional fair share of housing growth for the 2013–2020 planning  
25 period.
- 26 3. The updated Housing Element is consistent with all other elements of the City's General  
27 Plan, including the Land Use Element and Circulation Element.  
28

1 NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby adopt the  
2 update of the City's Housing Element for the Fifth Housing Element Cycle (2013-2020) and  
3 approve the associated Negative Declaration.

4 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,  
5 this 17th day of April 2013, by the following vote:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

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12 ATTEST:

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CITY CLERK

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MAYOR OF THE CITY OF OCEANSIDE

APPROVED AS TO FORM:

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*Antonia Hamilton, Esq.*  
CITY ATTORNEY

## ENVIRONMENTAL CHECKLIST FORM AND ENVIRONMENTAL DETERMINATION

<b>Project Title:</b>	2013-2020 Oceanside Housing Element Update		
<b>Lead Agency Name &amp; Address:</b>	City of Oceanside Development Services Department 300 N. Coast Highway Oceanside, CA 92054		
<b>Contact Person &amp; Phone No.:</b>	Russ Cunningham, AICP, Senior Planner 760-435-3525		
<b>Project Location/Address:</b>	Citywide		
<b>Nearest Cross Street:</b>	NA (Citywide)	<b>APN:</b>	NA (Citywide)
<b>Project Sponsor's Name &amp; Address:</b>	City of Oceanside Development Services Department 300 N. Coast Highway Oceanside, CA 92054		
<b>General Plan Designation:</b>	NA (Citywide)	<b>Zoning:</b>	NA (Citywide)
<b>Project Description and Requested Action:</b> <i>(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)</i>			
<p>California Government Code Section 65302(c) mandates that each city include a Housing Element in its General Plan. The Housing Element is required to identify and analyze existing and projected housing needs, and include statements of the City's goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. The City, in adopting its Housing Element, must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the General Plan, in compliance with California Government Code Section 65580 et seq. This Initial Study evaluates the potential environmental impacts expected to result from adoption of the Housing Element, and, to the extent they can be foreseen at this time, any related amendments to zoning regulations or the General Plan.</p> <p>The Regional Housing Needs Assessment (RHNA), presented in Table II-21 of the draft Housing Element, identifies Oceanside's "fair share" of regional housing need for the 2010-2020 planning period as 6,210 units. This total includes 1,549 very-low income units, 1,178 low-income units, 1,090 moderate-income units, and 2,393 above-moderate units. State law requires the City to demonstrate that adequate sites with appropriate zoning can accommodate the need for the various types of housing units identified in the RHNA. Appendix B of the Housing Element identifies vacant and underutilized sites in the City that have potential for residential or mixed-use development commensurate with the RHNA allocation.</p> <p>Many of the programs described in the Housing Element represent a continuation of existing City policies that would not change the physical character of development in the City and therefore would have no environmental impacts. Examples of such programs include financial assistance for low- and moderate-income persons, or programs to facilitate the preservation and rehabilitation of housing units in need of repair. However, some programs call for changes to land use regulations in order to reduce potential constraints to the provision of housing for all economic segments of the community. These programs are as follows:</p>			

Program 7. Accessory Dwelling Units. This program calls for the City to amend zoning regulations related to accessory (second) units in conformance with state law.

Such amendments are statutorily exempt from the provisions of CEQA under Section 15282(h) of the CEQA Guidelines, and therefore are not addressed further in this Initial Study.

Program 8. Farmworker Housing. This program calls for the City to amend zoning regulations related to housing for agricultural employees in conformance with state law, which requires that employee housing with 12 units or less, or group housing with 36 beds or less, be permitted as an agricultural use in any zone where agriculture is a permitted use.

Such regulations are required by California *Health and Safety Code* Section 17021.5 and 17021.6 and would not change allowable development patterns, and therefore are not addressed further in this Initial Study.

Program 11. Emergency Shelters and Transitional/Supportive Housing. An *emergency shelter* is defined as a year-round facility that provides shelter to homeless families and/or individuals on a limited short-term basis, typically six months or less. Senate Bill (SB) 2 of 2007 strengthened the planning requirements for emergency shelters, and requires that shelters be allowed "by-right" (i.e., without a conditional use permit or other discretionary approval) in at least one zoning district. An amendment to zoning regulations is proposed to allow shelters in Light Industrial (LI) zones subject to development standards in conformance with SB 2. SB 2 also requires that *transitional and supportive housing* be treated as a residential use subject only to the same requirements and procedures as other residential uses of the same type in the same zone. In accordance with SB 2.

With regard to the proposed regulations related to emergency shelters, no shelter facility is currently proposed, and such facilities would be subject to substantially similar development standards and regulations as those applicable to other land uses allowed in the Light Industrial zone. Therefore, emergency shelters would be expected to have substantially similar environmental effects as other light industrial uses. Construction of any new shelter facility would be required to comply with the plan check and building permit process, and would be required to comply with all standard requirements intended to mitigate adverse environmental impacts. Therefore, no adverse environmental impacts would result from adoption of the Housing Element, and consequently this topic is not addressed further in this Initial Study.

With regard to transitional and supportive housing, state law requires that these uses be treated the same as other residential uses of the same type in the same zone. The environmental impacts associated with transitional and supportive housing would not be substantially different than for other residential uses, and construction of any new transitional or supportive housing project would be required to comply with the the same regulations and standards applicable to other residential uses in that zone, including all requirements intended to mitigate adverse environmental impacts. Therefore no adverse environmental impacts would result from adoption of the Housing Element, and consequently this topic is not addressed further in this Initial Study.

Program 21. Removal of Governmental Constraints. This program calls for amendments to zoning regulations in the following areas:

- a. Definition of "Family". Amend zoning regulations to comply with state law regarding the definition of "family";

This amendment is required by state law and would have no environmental effect on physical development patterns, and therefore is not addressed further in this Initial Study.

- b. Residential Care Facilities. Amend zoning regulations to comply with state law regarding licensed residential care facilities for six or fewer persons.

This amendment is required by state law and would have no environmental effect on physical development patterns, and therefore is not addressed further in this Initial Study.

- c. Single Room Occupancy (SRO). Amend zoning regulations to establish a definition and development standards that encourage and facilitate SRO housing.

No specific regulations regarding SRO housing are currently proposed, and therefore the environmental effects of such an amendment cannot be determined at this time. This amendment will be subject to subsequent CEQA review at the time new regulations are proposed. This issue is consequently not addressed further in this Initial Study.

**Surrounding Land Uses and Setting:** *(Briefly describe the project's surrounding)*

NA (Citywide)

**Other public agencies whose approval is required:** *(e.g., permits, financing approval, or participation agreement)*

No other agency is required to approve the Housing Element update, but it will be reviewed by the California Department of Housing and Community Development for the purpose of determining whether it complies with the requirements of the Housing Element Law.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages:

- |   |   |
|---|---|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Land Use / Planning                |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Population / Housing               |
| <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Geology /Soils                     | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Transportation/Traffic             |
| <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Utilities / Service Systems        |
| <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Mandatory Findings of Significance |

**ENVIRONMENTAL DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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Name	Title
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Signature	Date
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<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**I. AESTHETICS -- Would the project:**

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

(a-d) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None necessary at this time.

**II. AGRICULTURE RESOURCES AND FOREST RESOURCES:**

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

(a,b,e) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the

<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Housing Element. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.

(c,d,e) There are no forest resources in the city and no impacts would occur.

**Mitigation Measure(s):** None required.

**III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:**

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

(a-e) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development standards designed to reduce air pollutant emissions and odors, and appropriate conditions and mitigation measures to reduce any potential impacts will be required as part of the development review process. No new significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**IV. BIOLOGICAL RESOURCES -- Would the project:**

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Responses:</b>				
(a-f) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts to biological resources will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.				
<b>Mitigation Measure(s):</b> None required at this time.				

**V. CULTURAL RESOURCES -- Would the project:**

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**  
 (a-d) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development

<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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standards, and appropriate conditions and mitigation measures to reduce potential impacts to cultural resources will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**VI. GEOLOGY AND SOILS -- Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   |                          |                          |                          |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

(a-e) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts related to geology and soils will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**VII. GREENHOUSE GAS EMISSIONS --Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Responses:</b></p> <p>(a-b) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. The Housing Element is consistent with the SANDAG Regional Growth Forecast and the Regional Housing Needs Assessment. All future developments will be required to comply with applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts to greenhouse gas emissions will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.</p> <p><b>Mitigation Measure(s):</b> None required at this time.</p>				
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS --Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school??	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Responses:**

(a-h) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts related to hazardous materials will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None are required at this time.

**IX. HYDROLOGY AND WATER QUALITY -- Would the project:**

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

**Responses:**

(a-j) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts related to hydrology and water quality will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**X. LAND USE AND PLANNING - Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

(a-c) No land use changes that could physically divide an established community are proposed as part of the Housing Element. The Housing Element contains no policies or programs that would conflict with other plans or policies adopted to avoid or mitigate environmental effects. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**XI. MINERAL RESOURCES -- Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

(a-b) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts related to mineral resources will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. NOISE --Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Responses:</b></p> <p>(a-f) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts related to noise will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.</p> <p><b>Mitigation Measure(s):</b> None required at this time.</p>				
<b>XIII. POPULATION AND HOUSING -- Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Responses:**

(a-c) The level of development anticipated in the Housing Element is 6,210 new housing units during the 2010-2020 planning period. This level of development is consistent with the Regional Growth Forecast and the Regional Housing Needs Assessment. While no new developments would be authorized by the adoption of the Housing Element, the future development of underutilized properties with existing homes could result in displacement of existing housing or people necessitating the construction of replacement housing elsewhere. This issue will be evaluated as part of the project review process, and appropriate requirements and mitigation measures to reduce potential impacts related to displacement of people or residential structures will be required at that time. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**XIV. PUBLIC SERVICES**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the Housing Element. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts related to public services will be required as part of the development review process. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**XV. RECREATION**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

(a-b) Adoption of the Housing Element amendment would not authorize any new development, therefore no increase in use of parks or recreational facilities would occur as a result of its adoption. The level of growth anticipated in the Housing Element would result in an incremental increase in public use of the beach, parks and other recreational facilities. Future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts related to public services will be required as part of the development review process. Quimby Act park fees paid by new residential developments are used to acquire and/or

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improve park facilities, which will help reduce any impact of additional residents. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**XVI. TRANSPORTATION/TRAFFIC -- Would the project:**

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulating system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

(a-f) The Housing Element is a policy document that would not change land use designations or authorize any development. While the City is required by state law to facilitate development consistent with its allocated share of regional housing needs, no new developments would be approved and no substantial changes to development patterns or transportation systems would occur as a result of Housing Element adoption. All future projects will be evaluated for potential impacts on transportation systems, and will be required to comply with applicable standards regarding roadway capacity and design, emergency access, and alternative modes of transportation. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**XVII. UTILITIES AND SERVICE SYSTEMS --Would the project:**

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

(a-g) Adoption of the Housing Element amendment would not authorize any new development, therefore no change to future demand on utilities and service systems would occur as a result of its adoption. Future growth anticipated in the Housing Element would result in an increase in demand on utilities. However, future developments will be required to comply with all applicable regulations and development standards, and appropriate conditions and mitigation measures to reduce potential impacts will be required as part of the development review process. Development fees paid by new residential projects are used to fund the construction of new or expanded facilities as necessary, and would help to mitigate impacts of additional development. No significant impacts would occur as a result of Housing Element adoption.

**Mitigation Measure(s):** None required at this time.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE –**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ('Cumulatively considerable' means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>EVALUATION OF ENVIRONMENTAL IMPACTS:</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>Responses:</b></p> <p>(a-d) Under state law, each jurisdiction is required to adopt a Housing Element that, among other things, identifies how the jurisdiction's fair share of regional housing growth needs will be accommodated. The share of the San Diego region's new housing need assigned to Oceanside through the Regional Housing Needs Assessment process requires that the City maintain appropriate land use plans and regulations that could facilitate development of 6,210 additional housing units during the 2010-2020 planning period. No new development would be authorized by the Housing Element and all future development projects will be reviewed to ensure compliance with applicable standards and regulations that will avoid or reduce environmental impacts. Where necessary, new mitigation measures may be imposed on projects to address potentially significant impacts. No significant environmental impacts would result from adoption of the Housing Element.</p>				

**REFERENCES:**

- California Government Code, Section 65580 et seq. (Housing Element Law)
- California Public Resources Code, Section 21000 et seq. (CEQA)
- California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq. (CEQA Guidelines)
- City of Oceanside Draft 2010-2020 Housing Element, August 2012
- City of Oceanside General Plan
- City Oceanside Municipal Code
- SANDAG, 2010-2020 Regional Housing Needs Assessment, October 28, 2011

**LIST OF PREPARERS:**

**City Staff**

Development Services Department	Russ Cunningham, AICP	Senior Planner
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**Consultant:**

J.H. Douglas & Associates	John Douglas, AICP	Principal
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ATTACHMENT 3

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN JR., Governor

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT

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March 20, 2013

Mr. George Buell, Director  
Development Services Department  
City of Oceanside  
300 N. Coast Highway  
Oceanside, CA 92054

Dear Mr. Buell:

**RE: City of Oceanside's 5<sup>th</sup> Cycle (2013-2021) Revised Draft Housing Element Update**

Thank you for submitting the City of Oceanside's revised draft housing element update received for review on January 30, 2013 along with additional revisions received on March 13 and 14, 2013. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review.

We are pleased to find the revised draft element meets the statutory requirements described in the Department's November 21, 2012 review. However, pursuant to GC Section 65583(a)(4)(A) amended by Senate Bill 2 (SB 2, Chapter 633, Statutes of 2007), Program 11 identified in the previous element was required to amend the zoning ordinance to permit emergency shelters without discretionary action within one year of the adoption of the 4th cycle housing element. As noted in the current element on page A-7, Program 11 has not been implemented. As a result, the Department cannot find the element in compliance until Oceanside amends its zoning ordinance to permit year-round emergency shelter(s) without discretionary action pursuant to SB 2. Once the City has completed appropriate zoning to fulfill SB 2 requirements, the element will comply with housing element law upon adoption and submittal to the Department pursuant to Government Code Section 65585(g).

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) the City must adopt its housing element within 120 calendar days from the statutory due date of April 30, 2013 for SANDAG localities. If adopted after this date, Oceanside will be required to revise the housing element every four years until adopting at least two consecutive revisions by the statutory deadline (GC Section 65588(e)(4)). For more information on housing element adoption requirements, please visit our website at: [http://www.hcd.ca.gov/hpd/hrc/plan/he/he\\_review\\_adoptionsteps110812.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf).

George Buell, Director  
Page 2

The Department appreciates the hard work and dedication that Mr. Russ Cunningham, Senior Planner, and the City's consultant, Mr. John Douglas, provided throughout the course of the review and looks forward to receiving Oceanside's adopted housing element. If you have any questions or need additional technical assistance, please contact Robin Huntley, of our staff, at (916) 323-3175.

Sincerely,

A handwritten signature in black ink that reads "Glen A. Campora". The signature is written in a cursive style with a large initial 'G' and a long, sweeping underline.

Glen A. Campora  
Assistant Deputy Director

ATTACHMENT 4

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

1800 Third Street, Suite 430  
P. O. Box 952053  
Sacramento, CA 94252-2053  
(916) 323-3177 / FAX (916) 327-2643  
www.hcd.ca.gov



November 21, 2012

Mr. George Buell, Director  
Development Services Department  
City of Oceanside  
300 N. Coast Highway  
Oceanside, CA 92054

Dear Mr. Buell:

**RE: Review of the City of Oceanside's Draft Housing Element**

Thank you for submitting Oceanside's draft housing element received for review on September 26, 2012 along with revisions received on November 13 and November 19, 2012. The draft housing element was submitted for the fifth planning cycle and covers the 2013-2021 planning period. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A telephone conversation on November 1, 2012 with Mr. Russ Cunningham, Senior Planner and the City's consultant, Mr. John Douglas, facilitated the review.

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code). In particular, the element must identify adequate sites to accommodate the City's Regional Housing Need Allocation. The enclosed Appendix describes this and other revisions needed to comply with State housing element law.

For your information, Senate Bill 375 (Chapter 728, Statutes of 2008) added Government Code Section 65588(e)(4) regarding timely adoption of the housing element. Localities on an 8-year planning period that do not adopt the housing element within 120 calendar days from the statutory due date (April 30, 2013 for SANDAG localities) are required to revise the housing element every four years until adopting at least two consecutive revisions by the statutory deadline. For more information on housing element adoption requirements, please visit the Department's website at: [http://www.hcd.ca.gov/hpd/hrc/plan/he/he\\_review\\_adoptionsteps110812.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf).

Mr. George Buell, Director  
Page 2

The Department appreciates the assistance of Mr. Russ Cunningham, Senior Planner, and the City's consultant, Mr. John Douglas, during the course of our review. We are committed to assist Oceanside in addressing all statutory requirements of housing element law. If you have any questions or need additional technical assistance, please contact Robin Huntley, of our staff, at (916) 323-3175.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen A. Campora", followed by the word "for" in a smaller, simpler font.

Glen A. Campora  
Assistant Deputy Director

Enclosure

## APPENDIX CITY OF OCEANSIDE

The following changes would bring Oceanside's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at [www.hcd.ca.gov/hpd](http://www.hcd.ca.gov/hpd). Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, the Housing Element section contains the Department's latest technical assistance tool *Building Blocks for Effective Housing Elements (Building Blocks)* available at [www.hcd.ca.gov/hpd/housing\\_element2/index.php](http://www.hcd.ca.gov/hpd/housing_element2/index.php), the Government Code addressing State housing element law and other resources.

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

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

For the fifth planning period, Oceanside has a regional housing need allocation (RHNA) of 6,210 housing units, of which 2,727 are for lower-income households. In addition, for the fourth planning period, it appears the City was unable to implement programs to make sites available with appropriate zoning for lower income households. To address this need, the element identifies vacant and nonvacant sites, however, to demonstrate the adequacy of these sites to accommodate the City's RHNA in both planning periods, the element must include complete analyses, as follows:

Addressing Fourth Planning Period Unaccommodated Need: Pursuant to Chapter 614, Statutes of 2005 (AB 1233), if the City of Oceanside was unable to make adequate sites available to accommodate the regional housing need in the prior planning period, the City must zone or rezone sites to accommodate all the unaccommodated need within the first year of the 2013-2021 planning period.

Program 9 (Potential Residential Sites), which was critical to demonstrate compliance with the adequate sites requirement in the previous fourth planning period, was not implemented. For the fifth planning period, the element now lists (Tables B-7 through B-9) sites apparently suitable for development with appropriate zoning to accommodate the fourth planning period housing need for lower income households. Most of these sites are also identified for the current planning period. To utilize these sites, the element must provide analyses to demonstrate the suitability for development and appropriateness of zoning to accommodate housing for lower income households as described below. Depending on the outcomes of these analyses, the element may need to identify additional sites or include programs to rezone sites, as appropriate.

Please also note, pursuant to Government Code Section 65588(e)(2)(B) a local government in the SANDAG region that did not adopt a fourth planning period housing element by January 1, 2009, shall revise its housing element every four years, unless the local government met both of the following conditions: 1) adopted the fourth revision no later than March 31, 2010; and 2) completes any rezoning identified in the fourth revision by June 30, 2010. Therefore, based on the outcomes of the analyses described below, the City may be subject to the four year revision requirement.

**Realistic Capacity:** Most of the residential capacity has been identified on non-residentially zoned sites such as General Commercial, Neighborhood Commercial, and Special Commercial. However, the element does not provide any analysis of the potential for residential development on these sites. For non-residentially zoned sites allowing residential uses, the residential capacity analysis should account for the extent to which uses other than residential are allowed, particularly 100 percent non-residential uses. This analysis could consider residential development trends in non-residential zones or any performance standards mandating a specified portion of a mixed-use site as non-residential (e.g., first floor, front space as commercial). Projected residential development capacity could consider recently constructed and approved developments.

In addition, the element must describe the methodology used to estimate the realistic residential capacity such as adjusting for land use controls and site improvement requirements. However, the element did not include any information to address this requirement. For example, the element assumes a realistic capacity of 29 units per acre on all sites without any supporting information. This is particularly important since 29 units per acre is the maximum allowable density in some zones which also have more restrictive under the more restrictive 1992 development standards. Additional information can be found on the Department's *Building Blocks*' website at: [http://www.hcd.ca.gov/hpd/housing\\_element2/SIA\\_zoning.php#capacity](http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php#capacity)

**Zoning for Lower-Income Households:** Government Code Section 65583.2(c)(3)(A) and (B) requires the element to identify sites with zoning and densities appropriate to accommodate the development of housing for lower-income households based on factors such as market demand, financial feasibility and development experience within zones. For jurisdictions with densities that meet specific standards (at least 30 units per acre for Oceanside), the analysis is not required (Section 65583.2(c)(3)(B)). While the element indicates housing affordable to lower-income households can be accommodated on sites zoned High Density Residential (RH), Urban High Density Residential (RH-U and R-3) and all residential and mixed-use subdistricts in the Redevelopment Project Area, these zones do not meet the optional default density and the element does not include the otherwise required analysis evaluating the adequacy of these zones. For more information, see the Department's *Building Blocks*' website at: [http://www.hcd.ca.gov/hpd/housing\\_element2/SIA\\_zoning.php#zoning](http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php#zoning)

Suitability of Non-Vacant Sites: The element does not provide a description of existing uses on identified nonvacant sites as required by statute, Government Code Section 65583.2(b)(3). The element must describe the existing uses of non-vacant sites (Table B-8) sufficiently to demonstrate the potential for redevelopment and evaluate the extent to which existing uses may impede additional residential development. For sites with residential uses, the inventory could generally describe structural conditions or other circumstances and trends demonstrating the redevelopment potential to more intense residential uses. For non-residential sites, the inventory could generally describe whether the use is operating, marginal or discontinued, and the condition of the structure or could describe any expressed interest in redevelopment. Refer to the sample analysis on the *Building Blocks'* website at [http://www.hcd.ca.gov/hpd/housing\\_element2/SIA\\_home.php](http://www.hcd.ca.gov/hpd/housing_element2/SIA_home.php). The Department will also send additional sample inventories and analyses under separate cover.

Sites with Zoning for a Variety of Housing Types (Emergency Shelters): Chapter 633, Statutes of 2007 (SB 2), requires the identification of a zone(s) where emergency shelters are permitted without a conditional use permit or other discretionary action. While the element identifies the Light Industrial (LI) zone as appropriate for the development of emergency shelters (page IV-10), it must be revised to demonstrate suitability of the zone for emergency shelters. For example, some light industrial zones may have environmental or other conditions rendering them unsuitable for residential or shelter uses. The analysis could describe other allowed uses and their compatibility with residential or shelter uses. See the Department's SB 2 technical assistance memo at [http://www.hcd.ca.gov/hpd/sb2\\_memo050708.pdf](http://www.hcd.ca.gov/hpd/sb2_memo050708.pdf).

2. *Analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

Local Processing and Permit Procedures: The element notes multifamily projects that exceed the base density require Planning Commission approval of a development plan but provides no evaluation of the process as a potential constraint on development. The element should include a complete description and analysis of all decision-making criteria (e.g. findings of approval) related to the approval of multifamily housing with a development plan and analysis of the impact on approval timing and certainty. For more information, see the Department's *Building Blocks'* website at: [http://www.hcd.ca.gov/hpd/housing\\_element2/CON\\_permits.php](http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php)

In addition, the element reflects that multifamily development is not allowed above the base density of the zone unless exhibiting "superior design" and "quality characteristics" (Page IV-3). For example, the RH zone only allows 21 units per acre unless superior design and quality characteristics are met. The element should include an evaluation of these standards for impacts on density, cost, supply and feasibility of the development of housing, including housing affordable to lower-income households. The element should include programs as appropriate to address constraints.

## **B. Housing Programs**

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

To address the program requirements of Government Code Section 65583)(c)(1-6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines such that there will be beneficial impacts of the programs within the planning period; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs needing revision include:

Program 5 (Facilitate New Affordable Housing Construction): The program contains multiple components but only contains one objective for one component (annual outreach to affordable housing developers). The program should be revised to quantify the objective for each component and include a timeframe for implementation for each component that will produce beneficial impacts within the planning period. For example, the element could commit to eliminate the conditional use permit requirement for projects seeking to exceed base density within one year of adoption of the housing element, and could also commit to assist developers with funding applications a certain number of times in the planning period.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels (Section 65583(c)(1)).*

As noted in Finding A-1, the element does not include a complete site analysis and therefore, does not establish adequate sites and zoning to accommodate the regional housing need. 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.

3. *The housing element shall contain programs which address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing (Section 65583(c)(3)).*

As noted in Finding A-2, the element requires a complete analysis of potential 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. In addition:

The element indicates Multifamily development over 20 units must be approved through a Conditional Use Permit (CUP). Additional review and complex discretionary findings can add significant time and uncertainty to the approval process and consequently adversely impact the cost and supply of housing, particularly housing affordable to low- and moderate-income households. Consequently, the element should include a program to address and remove or mitigate this permitting requirement, as appropriate.

4. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (8) of subdivision (a). The program may include strategies that involve local regulation and technical assistance (Section 65583(c)(6)).*

The element identifies units at-risk of converting to market-rate uses in the planning period and includes Program 28 (Preservation of Affordable Housing Units "At-Risk" of Converting to Market Rates) to address these at-risk units. While the program includes important actions such as monitoring the units and identifying financing and subsidy programs, it should expand strategies to assist in the preservation of the units. For example, the City could commit to ensure compliance with tenant noticing requirements, include a tenant education component and develop a plan or strategy, including tenant relocation assistance, for quickly moving forward in the case units are noticed to convert to market-rate uses in the planning period. In addition, the program should be revised to reflect a timeframe for implementation. For example, the element could commit to annually monitor the at-risk units. Additional assistance can be found on the department's *Building Blocks'* website at: [http://www.hcd.ca.gov/hpd/housing\\_element2/PRO\\_atrisk.php](http://www.hcd.ca.gov/hpd/housing_element2/PRO_atrisk.php)

**HCD Comments and Responses**

<b>HCD Comment*</b>		<b>Housing Element Page Reference (revised draft)</b>	<b>Response</b>
<b>A. Housing Needs, Resources and Constraints</b>			
Carryover from the 4 <sup>th</sup> Cycle		Appendix B	The analysis of potential housing development sites has been expanded to describe how adequate capacity to accommodate the RHNA was available in the previous planning period, resulting in no carryover of unaccommodated need.
Realistic Capacity		IV-1 IV-13 V-5&6 B-10 through B-24	The sites inventory (Appendix B) has been expanded to provide additional analysis regarding development regulations and the realistic capacity of sites. In addition, Program 5 has been revised to describe recent and proposed amendments to the Zoning Ordinance and General Plan Land Use Element that reduce constraints and provide stronger incentives for affordable multi-family housing production.
Zoning for Lower-Income Households		IV-1, IV-5, IV-13 V-5	Additional analysis has been provided regarding the suitability of sites with allowable densities below 30 units/acre for affordable housing. In addition, Program 5 has been revised to describe recent changes to City regulations regarding criteria for exceeding base density and the review process for multi-family developments.
Suitability of Non-Vacant Sites		Table B-9	Appendix B has been revised and expanded to describe existing uses and other factors that affect potential redevelopment of underutilized commercial sites.
Emergency Shelters		IV-11 V-9	Program 11 includes the City's intent to amend zoning regulations for the Limited Industrial (IL) zone to allow emergency shelters by right. Additional information has been provided to demonstrate the suitability of the IL zone to accommodate shelters.
Processing and Permit Procedures		IV-1 IV-13 IV-26 V-5	Additional analysis has been provided regarding permit procedures and decision-making criteria for multi-family development. Program 5 has also been expanded to describe recently-adopted Code amendments that eliminate the CUP requirement for multi-family projects that provide for

HCD Comment*	Housing Element Page Reference (revised draft)	Response
		affordable housing without recourse to the inclusionary housing in-lieu fee. Such projects continue to require Development Plan review, which focuses on conformance with development standards rather than examining the appropriateness of the use itself. Program 5 also includes a commitment to eliminate the CUP requirement for projects with 20+ units.
<b>B. Housing Programs</b> Program 5	V-5	Program 5 has been expanded to include specific objectives and timeframes for the program components.
Adequate sites CUP for MF housing	V-6	This comment is addressed under the items discussed above. The CUP requirement for multi-family residential projects that exceed base density in residential zones has been eliminated in favor of a Development Plan (see Program 5). In addition, Program 5 now includes a commitment to initiate a Code amendment to eliminate the CUP requirement for projects with 20+ units.
At-risk units	II-28	The analysis of units at risk of conversion has been updated based on CHPC data.

\* HCD letter of November 21, 2012

*STAFF REPORT**CITY OF OCEANSIDE*

DATE: September 19, 2012

TO: Honorable Mayor and Members of the City Council

FROM: Development Services Department/Planning Division

SUBJECT: **AUTHORIZATION TO SUBMIT A DRAFT HOUSING ELEMENT UPDATE FOR THE FIFTH HOUSING ELEMENT CYCLE FOR INITIAL CERTIFICATION REVIEW BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT – APPLICANT: CITY OF OCEANSIDE**

**SYNOPSIS**

The item under consideration is a draft update of the City's Housing Element for the Fifth Housing Element Cycle for the San Diego region, encompassing an eight-year planning period that extends from January 1, 2013, to December 31, 2020. City staff recommends that the City Council adopt a resolution authorizing staff to submit the draft update for initial 60-day certification review by the California Department of Housing and Community Development (HCD). Following response to HCD comment, the draft update would return to the City Council for adoption prior to final HCD certification.

**BACKGROUND**

On October 28, 2011, concurrent with its adoption of the 2050 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS), the SANDAG Board of Directors approved the Regional Housing Needs Assessment (RHNA) Plan for the Fifth Housing Element Cycle, which assigns to the City of Oceanside a regional fair share allocation of 6,210 new dwelling units for the state-prescribed 11-year projection period that extends from January 1, 2010, to December 31, 2020. The City's RHNA allocation is delineated by income category, as follows:

**City of Oceanside  
RHNA Allocation by Income Category (2010–2020)**

<b>Very Low</b>	<b>Low</b>	<b>Moderate</b>	<b>Above Moderate</b>	<b>Total</b>
1,549	1,178	1,090	2,393	6,210

Under state housing law, it is the City's obligation to demonstrate that it has adequate land resources to accommodate the development of the above-enumerated dwelling units during the 11-year projection period. Compliance with this state requirement is primarily achieved through the preparation of a housing sites inventory in conjunction with the updating of the City's Housing Element.

In accordance with state housing law, the adoption of the RHNA Plan initiated an 18-month period – culminating on April 27, 2013 – within which all local jurisdictions in the San Diego region must adopt updates to their respective housing elements. Following local adoption, updated housing elements must be submitted to HCD for certification.

In the spring of 2011, in anticipation of the culmination of the RHNA process, City staff in Development Services and Neighborhood Services vetted three proposals for consulting services in support of a Housing Element update and selected J.H. Douglas and Associates to assist with this project. J.H. Douglas and Associates was brought under contract in July 2011, at which time the update process formally began.

In June 2012, City staff convened an ad hoc committee comprised of members of the Housing and Planning Commissions to evaluate an initial draft update of the City's Housing Element. Comments received by the ad hoc committee resulted in minor modifications of the draft update.

In August 2012, the draft update was evaluated in separate public workshops conducted by the Housing and Planning Commissions. In advance of these two public workshops, the draft update was distributed to key stakeholders and posted to the City's website. Additionally, public outreach brochures in English and Spanish were distributed at various public venues, including City Hall and the Oceanside Farmers Market.

## PROJECT DESCRIPTION

The proposed project involves a comprehensive update of the City's Housing Element, the current iteration of which was adopted by the City Council on June 17, 2009. The draft update includes a housing needs assessment, an analysis of constraints to housing development, a housing sites inventory, an outline of goals, policies, and objectives related to the preservation and enhancement of the City's housing stock, a housing action plan, and an evaluation of the City's progress in implementing the current Housing Element. Additional information regarding the content of the draft update is provided in the staff report prepared for recent study sessions conducted by the Housing and Planning Commissions, which is appended to this staff report as Attachment 2. The draft update itself is available under the "Planning Policy Projects" link on the City's website.

## ANALYSIS

Relative to other components of the City's General Plan (e.g., Land Use Element, Circulation Element), the Housing Element is subject to more explicit state standards, with respect to both the content of the document and the schedule on which it is to be updated. Government Code Section 65583, *et seq* specifies how local jurisdictions are to go about assessing their current and future housing needs, what they are to consider in their analysis of potential and actual constraints to the maintenance, improvement, or development of housing, and what they are to consider in their identification of potential resources available for preserving and augmenting the local housing stock. State housing law further directs local jurisdictions in the types of programs they should consider implementing in the service of their respective housing goals, policies, and

objectives. HCD certification is highly contingent upon the extent to which the City's Housing Element follows the dictates of state housing law and demonstrates the City's intent to "contribute to the attainment of the state housing goal" as determined by the RHNA and other indicators of regional housing need.

The draft update has been prepared in accordance with state housing law and with close attention to state guidelines provided by HCD in its on-line publication "Building Blocks for Effective Housing Elements." It is staff's position that the draft update meets the City's legal requirements and provides both a policy framework and action plan that facilitate new housing growth and the maintenance of the City's existing housing stock commensurate with the City's projected housing needs during the state-prescribed 2013–2020 planning period.

Several action items specified in the draft update involve zoning text amendments and Local Coastal Program amendments (e.g., changes to emergency shelter zoning; revised standards for farmworker housing, accessory dwelling units, and transitional/supportive housing; provisions for reasonable accommodation). Processed either concurrent with or immediately following the adoption and certification of the updated Housing Element, each of these amendments will be subject to further City Council review and approval.

### **FISCAL IMPACT**

Implementation of several programs involving changes to zoning standards and other housing-related regulations is expected to require approximately 33 percent (33%) FTE of a senior or principal level planner, plus ancillary expenditures, in the year following adoption of the update, for a projected cost of about \$45,000.

### **COMMISSION OR COMMITTEE REPORTS**

The Planning Commission reviewed the project in a study session held on August 13, 2012. The Commission expressed support for the recommendation of the Housing Element Ad Hoc Committee to designate Light Industrial (IL/M-1) zones as those where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit, in response to a recent state requirement that localities identify at least one zoning district for this purpose. The Commission asked that requirements for separate water metering for both multifamily and single-family attached housing be incorporated into that portion of the Housing Element that speaks to energy conservation in residential development. Staff is currently reviewing the City's Water Conservation Plan to determine the extent of current requirements for separate water metering. One Commissioner voiced concern about land use and development standards for accessory dwelling units, advocating for standards that ensure that such units are compatible with neighborhood character. In accordance with Program 7 of the draft update, staff will bring forward revised standards for accessory dwelling units for City Council review within the next year.

The Housing Commission reviewed the draft update in a study session held on August 14, 2012. The Commission recommended that the City revise its inclusionary housing standards to remove language that implies that developers can meet inclusionary requirements through the provision of units affordable to moderate-income households. Staff intends to include this proposed change in its forthcoming recommendations for new inclusionary housing standards for proposals to exceed the City's base density allowances. Public comment was provided by the San Diego Housing Federation, which called on the City to protect its current stock of income-restricted units, provide greater flexibility for accessory dwelling units, and designate vacant property in the vicinity of the Crouch Street Sprinter Station for affordable housing.

**CITY ATTORNEY'S ANALYSIS**

The referenced documents have been reviewed by the City Attorney and approved as to form.

**RECOMMENDATION**

City staff recommends that the City Council adopt a resolution authorizing staff to submit the draft update to HCD for initial 60-day review, with the understanding that the updated Housing Element will return to the City Council for formal adoption in the spring of 2013.

PREPARED BY

SUBMITTED BY

\_\_\_\_\_  
Russ Cunningham  
Senior Planner

\_\_\_\_\_  
Peter A. Weiss  
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

George Buell, Development Services Director

John Helmer, Interim City Planner

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTACHMENTS:

1. City Council Resolution for Approval of the Specific Plan Amendment

**AGENDA NO. 4****PLANNING COMMISSION****STAFF REPORT**

DATE: February 25, 2013

TO: Chairperson and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **GENERAL PLAN AMENDMENT (GPA12-00002) TO UPDATE THE HOUSING ELEMENT OF THE CITY OF OCEANSIDE GENERAL PLAN FOR THE STATE-PREScribed 2013-2020 PLANNING PERIOD – HOUSING ELEMENT UPDATE – APPLICANT: CITY OF OCEANSIDE**

**RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- 1) Recommend that the City Council adopt the draft 2013-2020 Housing Element as revised in response to comments from the California Department of Housing and Community Development (HCD) by adopting Planning Commission Resolution 2013-P07; and
- 2) Recommend that the City Council authorize the City Manager to approve subsequent technical revisions to the Housing Element deemed necessary to achieve state certification.

**BACKGROUND**

Government Code Section 65588(e)(2)(B) mandates that all local governments within the jurisdiction of the San Diego Association of Governments (SANDAG) adopt updates of their respective housing elements no later than April 30, 2013. Local governments that adopt updated housing elements within 120 days of this deadline will not be required to adopt another update for eight years (i.e., until 2020); those local governments that fail to update their housing elements within this grace period will be subject to a four-year update cycle.

An initial draft of the City's 2013-2020 Housing Element was reviewed by the Planning Commission on August 13, 2012, the Housing Commission on August 14, 2012, and the City Council on September 19, 2012, at which time the City Council authorized staff to submit the draft document for HCD certification review. On November 21, 2012, HCD staff

provided comments on the draft element (Attachment 2). Staff responded to these comments and furnished HCD with a revised draft on January 30, 2013. Under state law, HCD has 60 days to review this revised draft and make the City aware of any additional revisions necessary to achieve compliance with state housing law.

### **PROJECTION DESCRIPTION**

Response to HCD comment is summarized in Attachment 3. The proposed changes address HCD concerns about the City's capacity for new housing relative to its fair share of regional housing growth, regulatory constraints to housing development, the suitability of light industrial zones for permanent emergency shelters, and the potential of income-restricted units converting to market-rate status. While some of these revisions reflect recently-adopted changes to inclusionary housing and zoning regulations, none would occasion changes to current land use policy or zoning standards that have not already been subject to public review.

### **ANALYSIS**

With respect to proposed changes to the housing sites inventory, staff has added to the inventory a number of non-vacant sites within high-density residential zones that have the potential to accommodate more dwelling units. For example, many properties in the Eastside Capistrano neighborhood that now accommodate single-family homes have been identified as being likely to redevelop in the foreseeable future with attached housing at densities up to 29 dwelling units per acre. Similar properties in R-3 and R-T zones straddling both sides of the San Diego Northern Railway have been identified as being likely to redevelop with attached housing at densities up to 43 dwelling units per acre. In accordance with state housing law and HCD guidelines, such "underutilized" properties can be included in a housing sites inventory to demonstrate that a local jurisdiction has the capacity to provide its fair share of regional demand for affordable housing.

The housing sites inventory has been further augmented with over 70 vacant properties able to accommodate future demand for moderate and above moderate income housing. Broadly distributed throughout the City, these properties include entitled sites (e.g. St. Cloud and Marisol subdivisions) as well as sites where market-rate housing projects have been proposed (e.g. Terraza condominiums).

In response to HCD concerns about the extent to which CUP requirements hinder the development of affordable housing, further analysis of the City's entitlement review process has been incorporated into the draft update. As noted in the revised update, recent changes to General Plan policies and zoning standards associated with inclusionary housing – reviewed by the Planning Commission on December 10, 2012 and adopted by the City Council on January 16, 2013 – are expected to address many of the HCD's concerns about the City's entitlement review process.

As discussed at previous public hearings on the draft update, the City's light industrial zones have been identified as the most appropriate areas for permanent emergency shelters, which, in accordance with state law, must be permitted by-right in at least one zoning district within the City. The revised update includes additional analysis of the suitability of the City light industrial zones for permanent emergency shelters.

A key consideration of HCD in its evaluation of housing element compliance is the preservation of existing income-restricted units. The revised update includes additional information regarding existing income-restricted units at-risk of converting to market-rate status, consistent with data from the California Housing Partnership Corporation (CHPC). Program 28 outlines strategies for preserving the affordability of such units.

Staff is prepared to discuss these issues in further detail at the public hearing, as warranted. The draft update can be accessed on the Planning Division portal of the City's website under "Planning Policy Projects." At this time, the draft posted to the website does not contain an updated housing sites inventory, as staff continues to refine this component of the update.

### **NEXT STEPS AND SCHEDULE**

The City Council is tentatively scheduled to consider formal adoption of the 2013-2020 Housing Element on April 17, 2013. It is anticipated that staff will have received and responded to HCD comment on the second iteration of the draft update prior to this public hearing. While it is possible that HCD will find the current draft update in compliance with state law (and provide formal correspondence to this effect by the end of March), it is more likely that HCD will have additional comments on the document. Assuming these comments are no more substantive than those received on the initial draft last November, staff will ask the City Council to authorize the City Manager to approve any subsequent changes to the draft update considered to be technical in nature but necessary to achieve state certification. If, however, forthcoming HCD comments call for significant changes to housing policy and/or zoning standards, subsequent changes to the update will return to the Planning Commission, Housing Commission, and City Council for further review and approval.

To keep stakeholders apprised of subsequent changes to the draft update, staff will continue to post new iterations of the update to the City's website.

### **ENVIRONMENTAL ANALYSIS**

A draft Initial Study/Negative Declaration (IS/ND) was prepared and posted for public review on the City's website at <http://www.ci.oceanside.ca.us/civica/filebank/blobdload.asp?blobid=30052>. The IS/ND concludes that the proposed updates to the Housing Element would not have a significant effect on the environment. At the time of report preparation, no public comment had been received on the IS/ND.

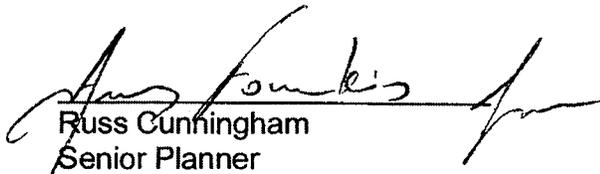
**PUBLIC NOTIFICATION**

Legal notice of this public hearing was published in the North County Times. In advance of the first round of public hearings on the update, a draft of the update was posted to the City's website and informational flyers were distributed at various public venues, including City Hall, City resource centers, and the Oceanside Farmers Market.

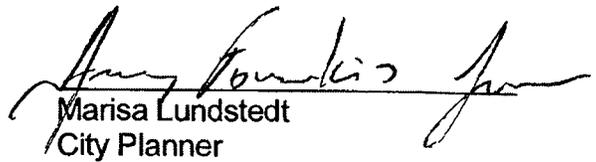
**RECOMMENDATION**

Staff recommends that the Planning Commission adopt Resolution 2013-P07, recommending to the City Council adoption of the 2013-2020 Housing Element. Staff further recommends that the City Manager be authorized by the City Council to approve any subsequent revisions of the Housing Element that are deemed technical in nature and necessary to achieve state certification.

PREPARED BY:

  
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Senior Planner

SUBMITTED BY:

  
Marisa Lundstedt  
City Planner

ML/RC/fil

Attachments:

1. Planning Commission Resolution No. 2013-P07
2. HCD review letter dated November 21, 2012
3. Summary of HCD Comments and Responses
4. Initial Study/Negative Declaration (City Website)
5. Revised Draft 2013-2020 Housing Element (City Website)

## ATTACHMENT 8

### Senate Bill No. 2

#### CHAPTER 633

An act to amend Sections 65582, 65583, and 65589.5 of the Government Code, relating to local planning.

[Approved by Governor October 13, 2007. Filed with  
Secretary of State October 13, 2007.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 2, Cedillo. Local planning.

(1) The Planning and Zoning Law requires the housing element of the general plan of a city, county, or city and county to contain, among other things, an assessment of housing needs, including an inventory of land suitable for residential development, and a program with a 5-year schedule of actions that the local government is undertaking or intends to undertake to implement the goals and objectives of the housing element. This program is also required to identify adequate sites with zoning that permits owner-occupied and multifamily residential use by right, including the development of farmworker housing for low- and very low income households.

This bill would add emergency shelters to these provisions, as specified, and would add provisions to the housing element that would require a local government to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The bill would also authorize a local government to satisfy all or part of this requirement by adopting and implementing a multijurisdictional agreement, as specified, and would delete multifamily residential use from these provisions. By increasing the duties of local public officials, the bill would create a state-mandated local program.

(2) The Planning and Zoning Law requires that a local agency not disapprove a housing development project, including farmworker housing, for very low, low-, or moderate-income households or condition its approval, including through the use of design review standards, in a manner that renders the project infeasible for development for those households unless it makes written findings, based upon substantial evidence in the record, as to one of a number of specified conditions.

This bill would add supportive housing, transitional housing, and emergency shelters to these provisions and would revise the conditions upon which a disapproval or a conditional approval of an emergency shelter is based. The bill would define supportive housing and transitional housing. By increasing the duties of local public officials, the bill would impose a state-mandated local program.

(3) The bill would also make other technical and conforming changes to these provisions.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) Homelessness is a statewide problem that affects many cities and counties. There are an estimated 360,000 homeless individuals and families in California. In some counties, like Los Angeles, an estimated 254,000 men, women, and children experience homelessness over the course of each year. Some of the causes of homelessness are mental illness, substance abuse, prison release, and lack of affordable housing.

(b) Because homelessness affects people of all races, gender, age, and geographic location there is a growing need for every city and county to plan for the location of adequate emergency shelters. Many people experiencing homelessness, primarily youth and single individuals, need shelter but also have a need for residential substance abuse and mental health services.

(c) The lack or shortage of emergency shelters for homeless individuals and families in cities and counties across the state leads to the concentration of services in inner cities and poor communities, like the skid row area in downtown Los Angeles.

(d) In order to ensure access to services in every city and county for homeless individuals and families, it is important that cities and counties plan for these services to address the special needs and circumstances of this threatened population.

(e) It is the responsibility of cities and counties to plan and identify areas for emergency shelters. Cities and counties should include this as part of their planning process and locate emergency shelters where most appropriate in their community. The state should not dictate where these emergency shelters should be located.

(f) It is the responsibility of the Legislature to promote strong communities and ensure that housing and residential services are available in all communities.

SEC. 2. Section 65582 of the Government Code is amended to read:

65582. As used in this article, the following definitions apply:

(a) "Community," "locality," "local government," or "jurisdiction" means a city, city and county, or county.

(b) "Council of governments" means a single or multicounty council created by a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 1 of Title 1.

(c) “Department” means the Department of Housing and Community Development.

(d) “Emergency shelter” has the same meaning as defined in subdivision (e) of Section 50801 of the Health and Safety Code.

(e) “Housing element” or “element” means the housing element of the community’s general plan, as required pursuant to this article and subdivision (c) of Section 65302.

(f) “Supportive housing” has the same meaning as defined in subdivision (b) of Section 50675.14 of the Health and Safety Code.

(g) “Transitional housing” has the same meaning as defined in subdivision (h) of Section 50675.2 of the Health and Safety Code.

SEC. 3. Section 65583 of the Government Code is amended to read:

65583. The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:

(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality’s existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality’s share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction’s allocation of very low income households pursuant to Section 65584.

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.

(3) An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.

(4) (A) The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient

capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

(i) The maximum number of beds or persons permitted to be served nightly by the facility;

(ii) Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone;

(iii) The size and location of exterior and interior onsite waiting and client intake areas;

(iv) The provision of onsite management;

(v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart;

(vi) The length of stay;

(vii) Lighting;

(viii) Security during hours that the emergency shelter is in operation.

(B) The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(C) A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multi-jurisdictional agreement that can accommodate that jurisdiction's need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit.

(D) A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.

(5) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of

subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (6), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (6). ~~Transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.~~

(6) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, and the cost of construction.

(7) An analysis of any special housing needs, such as those of the elderly, persons with disabilities, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter. The need for emergency shelter shall be assessed based on annual and seasonal need. The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period.

(8) An analysis of opportunities for energy conservation with respect to residential development.

(9) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.

(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.

(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that