

HOUSING ELEMENT COMPONENTS REQUIRED BY STATE LAW

- I. Review of the Housing Element [California Government Code Section 65588]
 - A. Evaluation of the appropriateness of the housing goals, objectives and policies in contributing to the attainment of the state housing goal.
 - B. Evaluation of the effectiveness of the housing element in attainment of the community's housing goals and objectives.
 - C. The progress of the city in implementation of the housing element.

- II. Housing Needs Assessment [CGC 65583(a)]
 - A. 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 (based upon either available census data or the presumption that 50 percent of the very low income households qualify as extremely low income households) [CGC 65583(a)(1)]
 - B. Analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition [CGC 65583(a)(2)]
 - C. Analysis of any special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter annually and seasonally [CGC 65583(a)(7)]
 - D. Analysis of opportunities for energy conservation, including weatherization and energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system [CGC 65583(a)(8)]
 - E. Detailed analysis of existing assisted housing developments (multifamily rental housing receiving governmental assistance or that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus) 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 [CGC 65583(a)(9)]

- III. Sites Inventory and Analysis
 - A. Properties suitable for residential development within the planning period, including vacant sites (zoned for residential use or for nonresidential use that allows residential development) and sites having potential for redevelopment (either residentially zoned sites that are capable of being developed at a higher density, or sites zoned for nonresidential use that can be rezoned for residential use), listed by parcel number, including size, general plan designation, zoning and existing use, and a map that shows the location of the sites included in the inventory [CGC 65583(a)(3) & 65583.2(a) & (b)]
 - B. Analysis of the relationship of zoning and public facilities and services to these sites, including a general description of any environmental constraints to the development of housing; existing or planned water, sewer, and other dry utilities supply, including the availability and access to distribution facilities; and sites identified as available for housing for above moderate-income households in areas not served by public sewer systems. [CGC 65583(a)(3) & 65589.7]

- C. A determination whether each site in the inventory can accommodate some portion of its share of the regional housing need by income level during the planning period through a variety of types of housing, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing, quantifying the number of housing units that can be accommodated on each site as follows:
 - 1. If local regulations require the development of a site at a minimum density, then department shall accept the planning agency's calculation of the total housing unit capacity on that site shall be calculated according to the established minimum density [CGC 65583.2(c)(1)]
 - 2. If local regulations do not require a minimum density, then it must be demonstrated how the number of units determined for that site will be accommodated [CGC 65583.2(c)(1)]
 - 3. The number of units calculated shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in the constraints analysis (see below) [CGC 65583.2(c)(2)]
 - 4. For the number of units calculated to accommodate its share of the regional housing need for lower income households, densities of at least 20 units per acre shall be deemed appropriate [CGC 65583.2(c)(3)(B)(iii), (e) & (f)], unless an analysis (including, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower income households) is provided demonstrating how the adopted densities accommodate this need [CGC 65583.2(c)(3)(A)]
 - 5. For nonvacant sites, the methodology used to determine the additional development potential specified for each site within the planning period, including the extent to which existing uses may constitute an impediment to additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites, shall be provided. [CGC 65583(c)(1) & 65583.2(g)]
- D. Identification of a zone or zones where emergency shelters are allowed per specified standards [CGC 65583(a)(4)]
- E. For second units, sites may be identified based on the number of second units developed in the prior planning period, the need for these units in the community, the resources or incentives available for their development, and any other relevant factors as determined by HCD [CGC 65583.1(a)]

IV. Housing Constraints

- A. Analysis of Potential and Actual Constraints upon Maintenance, Improvement or Development of Housing for All Income Levels
 - 1. Governmental constraints, including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures [CGC 65583(a)(5)]

2. Governmental constraints that hinder the locality from meeting its RHNA and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters [CGC 65583(a)(5)]
 3. Nongovernmental constraints, including the availability of financing, the price of land, and the cost of construction [CGC 65583(a)(6)]
- B. Housing Needs Assessment [CGC 65583(a)]
1. Analysis of opportunities for energy conservation, including weatherization and energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system [CGC 65583(a)(8)]
- V. Inventory of Resources
- A. Inventory of resources relevant to the meeting of housing needs. [CGC 65583(a)]
- VI. Goals, Quantified Objectives, Policies, Scheduled Programs and Financial Resources for the Maintenance, Preservation, Improvement and Development of Housing [CGC 65583(b)(1) & 65583]
- A. Goals and policies [CGC 65583(b)(1)]
- B. Quantified objectives to establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period [CGC 65583(b)(1) & (2)]
- C. Programs which set forth a schedule of actions during the planning period, each with a timeline for implementation so 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, the utilization of appropriate federal and state financing and subsidy programs when available, and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area. [CGC 65583(c)] In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:
1. Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the RHNA for each income level that could not be accommodated on sites identified in the sites inventory without rezoning [CGC 65583(c)(1)]
 - a. Where the inventory of sites does not identify adequate sites to accommodate the RHNA at all household income levels, sites that can be developed within the planning period shall be identified for rezoning, including adoption of minimum density and development standards, which shall be completed within specified deadlines [CGC 65583(c)(1)(A) & (B), 65583(f), 65588]
 - b. 100 percent of the unmet RHNA for very low and low-income households shall be accommodated on sites that shall be zoned to

permit owner-occupied and rental multifamily residential use by right during the planning period. These sites shall be zoned with minimum density and development standards that permit at least 20 units per acre. "Use by right" shall mean that the local government's review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval (excluding subdivision approval and non-discretionary design review requiring compliance with objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's RHNA). At least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for residential use and for which nonresidential uses or mixed-uses are not permitted. [CGC 65583.2(h) & (i), 65589.5(f)]

2. If a city in the prior planning period failed to identify or make available adequate sites to accommodate its previous RHNA, then the city shall, within the first year of the planning period of the new housing element, zone or rezone adequate sites to accommodate the unaccommodated portion of the regional housing need allocation from the prior planning period. [CGC 65584.09(a) & (b)]
3. Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households [CGC 65583(c)(2)]
4. Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities [CGC 65583(c)(3)]
5. Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action [CGC 65583(c)(4)]
6. Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability [CGC 65583(c)(5)]
7. Preserve for lower income households any 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 [CGC 65583(c)(6)]
8. Include an identification of the agencies and officials responsible for the implementation of the various actions [CGC 65583(c)(7)]
9. Include an identification of the means by which consistency will be achieved with other general plan elements and community goals [CGC 65583(c)(7)]
10. Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort [CGC 65583(c)(8)]