



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building Department



DATE: May 21, 2012
BOARD MEETING DATE: June 5, 2012
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Jim Eggemeyer, Community Development Director

SUBJECT: Resolution adopting the revised Housing Element of the County's General Plan, and directing staff to submit the adopted Housing Element to the California Department of Housing and Community Development for certification.

RECOMMENDATION:

Adopt a Resolution:

- (A) Adopting the updated 2007-2014 San Mateo County General Plan Housing Element, replacing the existing General Plan Housing Element, and
- (B) Directing staff to submit the adopted General Plan Housing Element to the California Department of Housing and Community Development (HCD) for certification.

BACKGROUND:

On December 7, 2010, the Board of Supervisors reviewed and approved a draft version of the County's updated Housing Element, and directed staff to submit the draft Housing Element to HCD for review and comment, consistent with State law. Based on HCD's comments, staff has amended the draft Housing Element, and this amended version of the Housing Element is the version under consideration. While this version contains a number of changes based on HCD's comments, it is primarily and substantially the same document already reviewed and approved by the Board. Staff is proposing that the Board of Supervisors adopt the amended version of the updated General Plan Housing Element, thereby replacing the County's existing Housing Element in its entirety, and that the Board direct staff to submit the adopted Housing Element to HCD for certification. Consistent with State law, both the previously reviewed draft of the Housing Element and the revised version now under consideration provide an updated assessment of the County's existing and projected housing needs, identify opportunities and constraints relevant to meeting those needs, evaluate the effectiveness of current housing programs, and develop new policies, programs, and quantified objectives to meet identified housing needs in unincorporated areas. HCD has reviewed this revised version of the Housing Element, and has indicated that it is compliant with State law, and

that it will be certified as compliant upon submittal of a version adopted by the Board of Supervisors. Staff also completed an Initial Study and Negative Declaration for the draft Housing Element approved in December of 2010, based on environmental analysis demonstrating that adoption of the amended Housing Element will not have significant environmental impacts. The Board approved the Negative Declaration, and the Negative Declaration still applies to the revised version of the updated Housing Element.

DISCUSSION:

A. PROJECT DESCRIPTION

The project is a proposed General Plan Amendment to update and revise the General Plan Housing Element. On adoption, the updated Housing Element will replace the existing Housing Element contained at Chapter 14 of the San Mateo County General Plan.

State law requires local jurisdictions to periodically update the Housing Element of their General Plan. The updated Housing Element covers the period from 2007 to 2014 and on adoption will replace the existing Housing Element, adopted by the Board of Supervisors in 2003, covering the period from 1999 to 2006. Consistent with State law, the revised Housing Element: (1) provides an updated assessment of the County's existing and projected housing needs; (2) identifies opportunities and constraints relevant to meeting those needs; (3) evaluates the effectiveness of current housing programs; and (4) develops new policies, programs, and quantified objectives to meet identified housing needs in unincorporated areas. The draft Housing Element is organized into eleven sections and an appendix, as described below:

1. Introduction. This section explains the scope and purpose of the Housing Element and its relationship to other County plans and programs.
2. Public Outreach. This section describes the County's efforts to maximize public participation and input from all parts of the unincorporated County community in the Housing Element update.
3. Existing Conditions. This section describes existing conditions in the County, including basic geographic and demographic information, housing conditions, economic conditions, and other current information.
4. Housing Constraints. This section analyzes potential non-governmental, governmental and infrastructure constraints to housing development in unincorporated areas, and summarizes potential constraints Countywide.
5. Housing Needs. This section assesses current and projected housing needs, both Countywide and in unincorporated areas, related to housing supply, overpayment, overcrowding, rehabilitation, special needs, affordable units at risk of conversion to market-rate units, and other factors.

6. Energy Conservation. This section addresses the County's energy conservation efforts related to housing.
7. Review of Prior Housing Element. This section evaluates the effectiveness and achievements of the policies/programs from the previous Housing Element, and makes recommendations on whether to continue, modify, or discontinue each policy/program.
8. Housing Resources. This section summarizes the resources available to the County to address housing needs.
9. Adequate Sites Inventory and Analysis. This section presents an inventory of all of the sites in the unincorporated County that could potentially be developed with new housing or redeveloped at higher intensities, and an assessment of the realistic development and/or redevelopment potential of each site.
10. Housing Goals, Policies and Programs. This section describes the new and continued policies and programs the County will implement to address the County's housing needs, including an implementation timeframe and targets for each policy/program.
11. Five-Year Quantified Housing Objectives. This section presents the County's goals for new housing production.

Appendix. The Appendix presents additional details on the public outreach process, summaries of public comment, and examples of outreach materials.

The revised Housing Element is available on the Planning and Building Department website, www.smcgov.org/planning, under Plan and Regulation Updates.

The draft Housing Element approved by the Board on December 7, 2010 is also available on the Planning and Building Department website, www.smcgov.org/planning, under Plan and Regulation Updates.

The Housing Element is also intended to address San Mateo County's share of Regional Housing Needs (the County's Regional Housing Needs Allocation, or "RHNA") as required by State law. San Mateo County's RHNA is:

Income Category¹	Units Needed
Extremely Low (up to \$33,950)	172
Very Low (between \$33,950 and \$56,550)	171
Low (between \$33,950 and \$90,500)	247

¹ Income category from 2009, based on a family of four.

Income Category¹	Units Needed
Moderate (between \$90,500 and \$116,160)	291
Above Moderate (greater than \$116,160)	625
Total	1,506

The inventory of adequate sites included in Section 9 of the Housing Element shows that the County has enough available sites for new development and/or redevelopment of housing to meet the need indicated in the County's RHNA, without changes to zoning or other land use and development policies. The Housing Element does not create any new housing or other development, but contains policies intended to encourage and facilitate development and redevelopment of housing, particularly housing affordable to lower-income households.

The revised Housing Element proposes, in Policy HE 15, one zoning text amendment, addressing the requirements of SB 2 (Cedillo, 2007, amending Sections 65582, 65583, and 65589.5 of the State Government Code, described under "Key Issues," below). This proposed amendment to the text of the Planned Colma ("PC") zoning district would allow the creation of emergency shelters in PC-zoned areas without a requirement for a use permit. Shelters are currently allowed in the Planned Colma PC-zoned area, but must apply for and receive a use permit in order to operate. The zoning text amendment would eliminate the use permit requirement, consistent with SB 2. This zoning text amendment would be considered for adoption separately from the Housing Element, at a later date, and would be examined by separate environmental analysis, but adoption of the revised Housing Element approves Policy HE 15 in principle and directs staff to prepare the submittal of the subsequent zoning text amendment for consideration and adoption by the Board of Supervisors.

Apart from the proposed amendment to the PC zoning district, the Housing Element does not propose any changes to the amounts, intensities, rates, locations or types of development permitted in unincorporated San Mateo County.

The revised Housing Element also proposes, in Policy HE 11, to examine certain specified parcels (listed in Section 9 of the Housing Element) that might be appropriate for future changes to zoning, General Plan land use designation, or other changes to the allowed type and intensity of development, in order to meet probable future housing needs. This policy only proposes examination of the appropriateness of such modifications for the specified parcels; approval of the Housing Element does not constitute approval of any changes to the permitted type or intensity of development on any of these parcels, and any such changes would be contingent on the results of further analysis.

B. KEY ISSUES

Department of Housing and Community Development (HCD) Certification

The County is required to submit the updated Housing Element to HCD for HCD's determination of the Element's compliance with State law. Once the Housing Element is determined to be compliant with State law, and is approved by the Board of Supervisors, HCD will certify that the Housing Element does comply with State law. All jurisdictions in California are required to have an updated and certified Housing Element.

After approval by the Board of Supervisors on December 7, 2010, the County submitted the draft Housing Element to HCD for review and comment. Based on HCD's comments (Attachment B), staff made changes to the Housing Element. These changes have been reviewed by HCD, and HCD has indicated that the changes are sufficient to ensure that the Housing Element is in compliance with State law, and is ready for certification upon submittal of a version adopted by the Board of Supervisors.

New Requirements Since Adoption of the 2003 Housing Element

Since the adoption of the last Housing Element, in 2004, the State Legislature has enacted several laws that change the required contents of the Housing Element. The most significant of these are:

- AB 2348, requiring that the Housing Element contain more extensive analysis of available residential development sites than required under prior law. The Housing Element complies with AB 2348 through the analysis included in Section 9 of the Housing Element.
- SB 2, establishing a requirement that local governments plan for development or location of emergency shelters as by-right uses within selected zoning districts. The Housing Element complies with SB 2 through Policy HE 15, described above.

Changes from the 2003 Housing Element

The Housing Element has been revised and updated to reflect current conditions, current housing needs, best practices, the requirements of State law, and input received from stakeholders and County residents. The most significant changes are:

- Proposed zoning text amendment to the PC zoning district to meet the requirements of SB 2.
- More detailed inventory of sites that may be suitable for development of housing, to meet the requirements of AB 2348.
- Greater emphasis on senior and special needs housing.

- Greater emphasis on transit-oriented development.
- Greater emphasis on green building.
- An inventory of parcels proposed for future analysis, which may be suitable for future changes to zoning and/or land use designation to allow greater intensities of development.

Changes from the Draft Approved by the Board on December 7, 2010

Based on comments from and discussions with the Department of Housing and Community Development, staff made changes to various parts of the draft Housing Element. These changes include:

- Better documentation of developability, redevelopability, and density assumptions for sites listed in the adequate sites inventory.
- Better documentation of affordability assumptions for second units.
- More detailed explanation and better documentation of projects developed since 2007, including affordable units.
- Documentation of restrictions on development by zoning district for the County's various zoning districts.
- More extensive language on the County's compliance with SB 2.
- More detailed explanation of the County's design review policies.
- More detail on assumptions about availability of infrastructure for new development.
- More detail on how the County will work to reduce barriers to appropriate housing for persons with disabilities.

Most of these changes consist of clarification of existing language and data already contained in the draft Housing Element, clarification and strengthening of existing policy language, or the addition of supporting data, supplemental information, or other changes to expand on, clarify, or strengthen policies and information already in the draft updated Housing Element. In several instances, however, new information and new policies were added to the Housing Element based on HCD's comments. These include:

- A new analysis of the availability of developable sites for farmworker housing.
- More detailed analysis of the estimated number of farmworkers in San Mateo County.
- More detailed analysis of existing farm labor housing.

- More detailed policies on ensuring compliance of San Mateo County's farm labor housing policies with State law.

HCD's full written comments are included as Attachment B.

In the course of amending the Housing Element to address HCD's comments, the analysis of sites available for housing development was also redone, with more stringent assumptions about developability and redevelopability of housing sites, and about the potential affordability of future housing development. Due to this new analysis, the number of developable sites and the number of potential new housing units by income category that might be built on these sites differ from the version approved by the Board in December 2010. While the new analysis shows that there are fewer sites available, for all income categories, than indicated by the previous analysis, the revised Housing Element still demonstrates that the County has sufficient available, developable sites to meet its Regional Housing Needs Allocation, as required by State law. HCD has reviewed and approved this analysis.

The version of the Housing Element now submitted for consideration by the Board, while revised to address HCD's comments, remains substantially the same document previously reviewed and approved by the Board, in its intent, in its specific policies, and in the County's commitments under the Housing Element.

Public Participation

Public Outreach

The updated Housing Element is based on extensive public outreach and participation, including guidance from a steering committee, stakeholder workshops, community workshops, stakeholder interviews, distribution of informational brochures, a survey on housing issues, and other methods. Public participation included the following components:

- *Steering Committee.* The County formed a Housing Element Steering Committee to provide input, review, technical assistance, and guidance on the Housing Element update. The Committee consisted of members with involvement and expertise in housing-related issues, and representatives of constituencies affected by County housing and development issues. The Steering Committee met throughout the update to review outreach and participation strategies, offer technical expertise, provide input on housing needs, propose policies, review materials, and provide other feedback. Committee members also participated in the stakeholder forum and larger community workshops, helped distribute materials, and helped with outreach to other stakeholder groups and constituencies.
- *Stakeholder Forum.* The County held a stakeholder forum on the Housing Element update, prior to creation of the draft Housing Element. The stakeholders represented a broad range of involvement in housing issues, including affordable housing developers, market-rate housing developers, environmental advocates, business and trade group representatives, representatives of

special needs groups, and others. The workshop had approximately 40 participants. Stakeholders offered input on the County's housing needs, their experiences working on housing issues and housing development in the County, the effectiveness of the County's current policies, and potential changes to policies and regulations.

- *Public Workshops.* The County held three public workshops, two prior to creation of the draft Housing Element, and one to receive comments on the draft Housing Element. The first two workshops were in North Fair Oaks and in Half Moon Bay. The final workshop was at County Center in Redwood City. The workshops were publicized through press releases, newspaper advertisements, brochures, posters posted at local community centers, libraries and other locations, emailing to a wide variety of community partners, outreach by Steering Committee members, County website, and notices and handouts available at the Planning and Building Department and Housing Department. In addition to comments on the draft Housing Element, the final workshop also collected comments on the County's environmental review of the updated Housing Element.
- *Interviews.* The County conducted direct interviews with individual stakeholders, including representatives of service organizations, community groups, non-profits engaged in housing issues with various segments of the community, and others.
- *Brochures.* The County produced informational brochures in English and Spanish for the Housing Element update. The brochures were distributed through County departments, through local libraries and community centers, and by Steering Committee members.
- *Survey.* The County prepared a survey of County housing issues to obtain feedback on the issues most critical to County residents. The survey was prepared as a pre-paid, mail-back paper survey, in English and Spanish, distributed as an insert in the brochures described above, and as an identical online survey through the County website. After completion of the draft Housing Element, and the Initial Study and Notice of Intent to Adopt a Negative Declaration for the project, another survey was distributed online to collect input on the updated Housing Element, and on the County's environmental review of the draft Housing Element.
- *Website.* The County maintained a website describing the Housing Element update, providing information on housing issues, providing notice of meeting and hearing dates and other key dates and deadlines, and providing access to the current Housing Element, the online survey, electronic versions of the informational brochure, contact information for County staff, and other information.

Consistency with the General Plan and Other County Land Use Plans

The revised Housing Element has been reviewed for consistency, and is consistent with all other elements of the County's General Plan, with all area plans, with the County's Local Coastal Program, and with the County's Comprehensive Airport Land Use Plan.

Next Steps

After adoption by the Board of Supervisors, the County must forward the Housing Element to the State Department of Housing and Community Development (HCD) for certification. HCD has reviewed the Housing Element, and has indicated that it is compliant with State law, and will be certified on submittal of an adopted version.

C. ENVIRONMENTAL REVIEW

The Board of Supervisors approved a Negative Declaration for the project on December 7, 2010. This Negative Declaration indicated that adoption of the updated Housing Element will not have significant environmental impacts. The Initial Study and Negative Declaration for the project are attached as Attachment C. The Initial Study and Notice of Intent to Adopt a Negative Declaration were circulated for public review between August 6, 2010 and September 7, 2010. No comments on the Negative Declaration were received during this time period, and no subsequent comments were received. This Negative Declaration still applies to the revised version of the Housing Element under consideration.

D. REVIEWING AGENCIES

County Counsel
San Mateo County Housing Department

County Counsel has reviewed and approved the Resolution as to form.

Adoption of the revised Housing Element contributes to the 2025 Shared Vision outcome of a Livable Community by promoting affordable housing for San Mateo County residents, promoting transit-friendly development and the reduction of the environmental impacts of transportation, promoting walkable communities and the related health benefits of such communities, promoting housing development primarily in urbanized areas, thereby reducing the cost of infrastructure and protecting undeveloped areas, and by promoting adequate, safe and affordable housing for all segments of San Mateo County's diverse community.

FISCAL IMPACT:

The updated Housing Element, once adopted, will commit County staff to a number of programmatic actions. However, these actions are within the scope of normal work by Planning and Building Department staff, Housing Department staff, and other County staff. Submittal of the updated General Plan Housing Element to the California Department of Housing and Community Development, and eventual adoption of the revised Housing Element, will not have any fiscal impact to the County.

ATTACHMENTS:

- A. 2007-2014 updated General Plan Housing Element (hard copy for Board of Supervisors only. The updated Housing Element is available on the Planning and Building Department website, www.smcgov.org/planning, under Plan and Regulation Updates or by contacting the Project Planner, William Gibson, at wgibson@smcgov.org or 650/363-1816)
- B. Comments from the California Department of Housing and Community Development
- C. Initial Study and Negative Declaration approved by Board of Supervisors on December 7, 2010