



## LAND USE SERVICES DEPARTMENT PLANNING DIVISION STAFF REPORT



HEARING DATE: January 9, 2014

AGENDA ITEM NO: 2

Project Description:

**Applicant:** Land Use Services Department

**Proposal:** A General Plan Amendment to update the Housing Element of the General Plan for the period of 2013–2021.

**Community:** Countywide

**Staff:** Christney Barilla

### **SUMMARY:**

**Purpose:** Every city and county in California is required to adopt a Housing Element as an element of its General Plan. The purpose of the Housing Element is to identify and analyze current and projected housing needs, and to prepare a system of goals, policies, quantified objectives and programs to foster development, improvement and preservation of housing to meet the identified housing needs.

**Previous Actions:** The Planning Commission considered a General Plan Amendment to update the Housing Element of the General Plan for the period of 2006–2014, the 4<sup>th</sup> Cycle Housing Element, on August 22, 2013. The Board of Supervisors adopted this General Plan Amendment on September 24, 2013.

**State Housing Element Law:** The Housing Element is the only element of the General Plan for which detailed requirements are specified in State law, namely, sections 65580 – 65589 of the California Government Code (Housing Element Law), which specifies a schedule for preparation of regional housing needs assessments in all regions of California, followed by housing element updates for cities and counties in each region. In Southern California, the current housing element update covers a period from 2013-2021.

**State Certification:** The Housing Element is also the only element of the General Plan that is subject to review and approval by the state. The California Department of Housing and Community Development (HCD) is responsible for reviewing the housing element of every county and city in the state. Upon approval of a draft housing element, HCD will certify that

the element meets the statutory requirements of the Housing Element Law. Currently, HCD has a draft of the 2013–2021 County Housing Element update under review.

### **ANALYSIS:**

**Housing Element Contents:** Since the 4<sup>th</sup> Cycle 2006-2014 Housing Element update was just completed, the most current data available was utilized, including data applicable to the next overlapping 5<sup>th</sup> Cycle Housing Element planning period of 2013-2021. Very minor changes were necessary to update the recently adopted Housing Element to meet the requirements of the 5<sup>th</sup> Cycle Housing Element update for the 2013 -2021 planning period. The adopted 4<sup>th</sup> Cycle Housing Element for 2006-2014 also included the Regional Housing Needs Assessment (RHNA) allocation for the current 2013-2021 planning period, because it only required a total of 39 dwelling units for the unincorporated areas of the County.

**Regional Housing Needs Assessment:** The Regional Housing Needs Assessment (RHNA) begins as a state-wide projection of housing needs that is divided into regions. The Southern California Association of Governments (SCAG) region is comprised of Los Angeles, Orange, Ventura, Riverside, Imperial and San Bernardino Counties. The current RHNA was prepared for a planning period from 2014–2021. The following table presents the RHNA allocation for the unincorporated areas of San Bernardino County.

<i>Regional Housing Needs Assessment 2014–2021</i>		
<b><i>Household Income/Affordability Group</i></b>	<b><i>Production Goal</i></b>	<b><i>Percentage</i></b>
Very Low (30–50% of median)	9	23.0%
Low (51–80% of median)	6	16.5%
Moderate (81–120% of median)	7	18.5%
Above Moderate (120% above median)	17	41.9%
<b>Total</b>	<b>39</b>	<b>100%</b>
Source: Southern California Association of Governments 2012.		

**Land Inventory:** The land inventory analysis in the 4<sup>th</sup> Cycle Housing Element for the 2006-2014 planning period included the 39 additional units allocated for 2014-2021. Therefore, no additional land inventory analysis was necessary to demonstrate the County's capacity to accommodate the Regional Housing Needs Assessment allocation for 2014-2021.

**Environmental Determination** – An Addendum to the Negative Declaration adopted for the 4<sup>th</sup> Cycle 2006-2014 Housing Element was prepared to analyze the potential environmental impacts associated with the 5<sup>th</sup> Cycle General Plan Housing Element update for the planning period of 2013-2021. The Addendum concludes that the minor edits and updates added to complete the 5<sup>th</sup> Cycle 2013-2021 Housing Element would not require a Supplemental or Subsequent Negative Declaration to be prepared pursuant to the California Environmental Quality Act (CEQA).

**FINDINGS:**

1. The proposed amendment is internally consistent with all other provisions of the General Plan. Updating the General Plan Housing Element pursuant to provisions of state law will provide up-to-date housing goals, policies, and programs designed to provide a variety of housing choices and opportunities throughout the County. This promotes a high quality of life in the County, consistent with the Countywide Vision and the following goals and policies of the General Plan Land Use Element:

Goal LU 2        Residential land uses will be provided in a range of styles, densities, and affordability, and in a variety of areas to live, ranging from traditional urban neighborhoods to more “rural” neighborhoods.

Policy LU 2.1    Promote varied approaches to residential development to foster a variety of housing types and densities and more efficient use of the land.

Goal LU 5.1     When a change in permitted land use(s) is proposed, review development applications to ensure that housing and employment opportunities (current and projected) are located in close proximity to each other, acknowledging housing and employment opportunities within both unincorporated County areas and cities.

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the County. The 2013-2021 General Plan Housing Element was prepared to comply with state Housing Element law. Therefore, the proposed Housing Element will have a beneficial effect on the public interest, health, safety, convenience and welfare.

**RECOMMENDATION:**     That the Planning Commission make the following recommendations to the Board of Supervisors:

- A.     ADOPT the Addendum to the previous Housing Element Negative Declaration and find that it has been completed in compliance with CEQA, that it has been reviewed and considered prior to approving the Project and that it reflects the independent judgment of the County of San Bernardino;
- B.     ADOPT a resolution to amend the text of the General Plan Housing Element with the 2013-2021 update;
- C.     ADOPT the findings as contained in the staff report; and
- D.     FILE a Notice of Determination.

**ATTACHMENTS:**

Exhibit A: Addendum to a Negative Declaration

Exhibit B: 2013 – 2021 Housing Element Update at: [www.sbcounty.gov/landuseservices](http://www.sbcounty.gov/landuseservices)

# EXHIBIT A

## Addendum to a Negative Declaration

**Addendum to  
Initial Study/Negative Declaration No. 2013087030  
County of San Bernardino 2008-2013 Housing Element August 2013**

## **Overview**

On September 24, 2013, the County of San Bernardino Board of Supervisors certified an Initial Study/Negative Declaration prepared for the County 2008-2014 Housing Element (Case No. State Clearinghouse 2013087030). The County is now required to adopt an updated Housing Element for the 2013-2021 planning period. This 2013-2021 Housing Element includes a Regional Housing Needs Assessment Allocation for the projection period beginning January 2014 and ending October 2021. The purpose of this Addendum is to demonstrate that the 2013-2021 Housing Element update would not result in any of the conditions under which a subsequent EIR or Negative Declaration would be required pursuant to Public Resources Code Section 21166 or CEQA Guidelines Section 15164.

## **Purpose of an Addendum**

CEQA Guidelines Section 15064(b) states: *"An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.* The following analysis demonstrates that the 2013-2021 Housing Element update does not raise any new environmental issues and requires only minor technical changes or additions to the previous Negative Declaration to satisfy the requirements of CEQA for the proposed Housing Element update.

## **Project Description: 2013-2021 Housing Element Update**

The Board of Supervisors adopted the 2013 First Cycle General Plan Housing Element Amendment on September 24, 2013 for the 2008-2014 planning period. The County of San Bernardino 2008-2014 Housing Element was found to be in conditional compliance with state law by the California Department of Housing and Community Development (HCD) in its letter of May 14, 2013. The 2013-2021 Draft Housing Element update does not propose major changes to County housing policies or land use regulations. In addition, there are not any major changes to conditions, requirements or the statutory framework which have occurred with respect to the Draft Housing Element for the 2013-2021 planning period. The following discussion summarizes the proposed changes contained in each section of the draft 2013-2021 Housing Element.

## **Section 5: Housing**

This section provides an overview of the element and describes current data sources, the relationship to other elements in the General Plan, a summary of the

public participation process, policy and goals and programs. No policy changes are proposed in this chapter.

## **Appendix 5A: Community Profile**

This appendix reflects current demographic data, trends and special housing needs. Most of the demographic information is based on the 2010 Census or the American Community Survey which has not changed since the 2008-2013 Housing Element Update from September 2013. This chapter also describes the new Regional Housing Needs Assessment (RHNA), which identifies housing growth needs for the new planning period.

### *Regional Housing Needs Allocation (RHNA)*

Housing Element law requires a quantification of each jurisdiction's share of the regional housing need as established in the Regional Housing Needs Assessment (RHNA). The RHNA is prepared by the Southern California Association of Governments (SCAG) in consultation with member jurisdictions. The RHNA is based on forecasted household growth during the new planning period, and the number of additional housing units that would be needed to accommodate anticipated household growth at all income levels. Each locality's RHNA share is distributed among the following four income categories:

The RHNA allocation for the County of San Bernardino in the new planning period is 39 units, with an income distribution as shown in the following table. This allocation is consistent with the regional growth forecast, the County's General Plan and zoning designations, and reflects the County's adequate supply of developable residential land during the planning period.

**Table 5A-29 Regional Housing Needs Allocation, 2014–2021**

Income level	Housing Unit Allocation by Income Level	Percentage of Units by Income Category
Very Low	9	23.0%
Low	6	16.5%
Moderate	7	18.5%
Above Moderate	17	41.9%
<b>TOTAL</b>	<b>39</b>	<b>100%</b>

It is important to note that the RHNA reflects a planning goal, and cities and counties are not required to build or issue permits for the number of housing units allocated through the RHNA process. Rather, cities and counties are required to demonstrate the availability of adequate sites with appropriate zoning that could accommodate the amount of new housing needs identified in the RHNA, if property owners and developers choose to pursue such development opportunities.

The County of San Bernardino has adequate sites that could accommodate the RHNA allocation at all income levels, and no changes to land use or zoning designations are proposed in connection with the Housing Element update.

This chapter also discusses various categories of special needs, including the elderly, persons with disabilities, large families, female-headed households, farmworkers and the homeless. No policy changes are proposed related to these special needs.

### **Appendix 5B Housing Constraints**

This appendix discusses the potential constraints to the development, maintenance, and improvement of housing and the resources available in County of San Bernardino. In addition, environmental constraints and available infrastructure is discussed. Factors constraining the development of a range of type and prices of housing may include governmental constraints, environmental constraints, availability and cost of infrastructure, and nongovernmental constraints. No changes to land use plans or regulations are proposed in connection with the draft 2013-2021 Housing Element. This chapter also discusses non-governmental constraints such as infrastructure availability and development costs. None of the changes reflected in this discussion would result in any potential for physical environmental impacts.

### **Appendix 5C Housing Element Progress**

This appendix highlights the progress of County departments in implementing the goals, policies or programs of the housing element and ongoing outreach efforts for the housing element. The most noteworthy changes in this chapter reflect the reduced funding levels for some housing programs that were previously funded by the redevelopment agency and the weathering of more than 100,000 foreclosures in the County in the past five years. No changes to land use plans or regulations are proposed in connection with the draft 2013-2021 Housing Element.

### **Appendix 5D Community Outreach**

This appendix describes community outreach for the San Bernardino County Housing Element which is comprised of three progressive phases for opportunities for public involvement for the 5<sup>th</sup> Cycle Housing Element. None of the changes reflected in this discussion would result in any potential for physical environmental impacts.

### **Appendix 5E Development Potential**

A local government's share of housing to be accommodated is periodically determined by the Regional Housing Needs Assessment (RHNA) prepared by the Southern California Association of Government. This appendix addresses this requirement by providing: first, a review of units built during the planning period; second, an inventory of available land for residential development; and third, a series of maps of communities showing specific vacant parcels available for development. None of the changes reflected in this chapter would result in any potential for physical environmental impacts.

**Environmental Analysis and Conclusion**

Because the 2013-2021 Housing Element would result in no changes to County land use or housing policy or regulations, no environmental effects would occur that were not previously analyzed in the Negative Declaration prepared for the 2008-2014 Housing Element in August 2013. Therefore, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164, an addendum is the appropriate CEQA document for the 2013-2021 Housing Element update. There is no substantial evidence suggesting that the project will result in significant environmental impacts not otherwise addressed in the previous Negative Declaration. Consequently, a subsequent or supplemental EIR or ISIND is not required.



## **EXHIBIT B**

**2013-2021 Housing Element Update  
Provided on a separate disc.**