



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: September 9, 2021

AGENDA ITEM #4

Project Description

Applicant: County of San Bernardino Land Use Services Department

Community: Countywide

Location: Countywide

Project No: PMISC-2020-00059

Staff: Karen Watkins, Suzanne Peterson

Workshop Topic: Housing Element Informational Workshop

Newspaper Publication Date: August 29, 2021 Report Prepared By: Suzanne Peterson

PROJECT DESCRIPTION

The Housing Element is a mandatory element of San Bernardino County's (County) Policy Plan. Its purpose is to ensure that current and future housing needs for all residents in the community are addressed. It provides goals, policies, and actions to maintain and improve existing housing, and accommodate the County's fair share of housing growth needs. The County is currently preparing a Housing Element update for the 2021 to 2029 planning period.

BACKGROUND

Since 1969, the State of California has required that all cities and counties adequately plan to meet the housing needs for their communities. This is accomplished by adopting a housing plan, known as the Housing Element and is one of the eight required elements for general plans. The County's Housing Element is one of 11 elements of the County's Policy Plan (general plan). The County's Housing Element is updated on an 8-year cycle, separate from the rest of the Policy Plan, and is subject to detailed statutory requirements and mandatory review by the California Department of Housing and Community Development (HCD). (See generally Government Code §§ 65580-65589.11.) The Housing Element must address both existing and future housing needs. Through the Regional Housing Needs Assessment (RHNA) allocation process, each jurisdiction is assigned a number of units which is then broken down into income categories. In the previous 5th cycle, planning for the years 2013 – 2021, San Bernardino County (unincorporated) was allocated 39 units. For this 6th cycle, planning for 2021 – 2029, the County was allocated 8,832 units. In addition, new housing laws will require the County to meet more stringent requirements in identifying sites that are suitable for new housing.

OVERVIEW

The following staff report is provided for information purposes and will review the following items for public and Planning Commission review and comment:

- Housing Element contents
- New Housing Laws
- The RHNA allocation process and County's housing needs
- Housing types, density and affordability
- Review outreach efforts

ANALYSIS

Housing Element Contents

- Evaluation of the previous Housing Element
- Analysis of existing and projected housing needs
- Inventory of available land for housing
- Analysis of the potential constraints on housing
- Goals, policies and implementation programs to meet unmet housing needs

New Housing Laws

Since 2017, over a dozen new housing laws have been adopted.

- Site suitability. More stringent requirements to demonstrate that land and zoning are suitable for housing (AB 1397)
- Site capacity. Prohibited reductions of overall residential development capacity specified in a general plan (SB 166, SB 330)
- Fair housing. Significantly expanded fair housing requirements to mirror federal law (AB 686)
- Compliance. Increased penalties for noncompliant housing element, including legal and financial penalties (AB 72)

Regional Housing Needs Assessment

RHNA is mandated by State Housing Law as part of the periodic process of updating local general plan Housing Elements. RHNA quantifies the need for housing within each jurisdiction during specified planning periods. HCD projects housing needs for each planning period (2021 – 2029 for this cycle) and for each region in the state. The region that the County is included in is called the Southern California Association of Governments (SCAG). For this 6th cycle planning period, HCD determined the housing need to be 1,341,827 units for the SCAG region.

SCAG is the regional planning agency encompassing all jurisdictions in Los Angeles, Ventura, Orange, San Bernardino, Riverside and Imperial counties – six counties and 191 cities. The methodology used to determine the distribution of units among jurisdictions considers a variety of factors of both existing and future housings needs and is meant to

meet the following objectives: 1) to increase the housing supply and mix of housing types, tenures and affordability in an equitable manner, 2) promote infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns, 3) promote an improved intraregional relationship between jobs and housing, 4) allocating a lower proportion of housing need in income categories in jurisdictions that have a disproportionately high share in comparison to the county distribution, and 5) affirmatively furthering fair housing. The adopted methodology yielded a total of 8,832 units for unincorporated San Bernardino County and is broken down below in detail.

Income Level	Housing Units	Percent
Very Low (<50% AMI)	2,179	25%
Low (50% - 80% AMI)	1,360	15%
Moderate (81% - 120% AMI)	1,523	17%
Above Moderate (>120% AMI)	3,770	43%
Total	8,832	100%

Housing Types, Densities and Affordability

The price of land is one of the biggest influences on the cost of housing. By increasing the density, or number of units allowed per acre, the cost per unit goes down allowing each unit to be sold or rented at a lower price. However, because of the County’s geographic diversity, lower density development can still be available at a relatively low cost. While affordability is typically achieved with higher densities, certain areas in the County, particularly North Desert, are often affordable at lower densities. In addition to rural homes, manufactured homes and accessory dwelling units also provide affordable housing in the County.

Sites and Zoning for Lower Income RHNA

As part of the required sites inventory, the County must identify vacant or underutilized land zoned at appropriate densities to accommodate the projected new housing units for each income category. The income categories include above moderate, moderate, low, and very low. Lower income RHNA includes both low- and very low-income housing. State law allows the use of higher density zones as a proxy for lower income affordability.

County zoning currently allows up to 20 units per acre in the Multiple Residential (RM) zones. State density bonus law allows increased densities for affordable housing projects. The density which the state deems appropriate is dependent on the type of jurisdiction; for the County, sites allowing for at least 30 units per acre (excluding state density bonus provisions) are viewed as appropriate or able to accommodate for lower income affordable housing. While the County’s strategy to rely on low density housing sites was accepted by

HCD for previous Housing Elements, the County's previous RHNA allocation was very small (39 units) in comparison to the 2021 – 2029 cycle (8,832 units). After discussions with HCD, it became clear that the County would not be able to obtain state certification of its Housing Element without creating a path to increase densities for affordable housing.

Accordingly, a new County density bonus was recommended for approval by the Planning Commission on July 22, 2021 (Agenda Item #4) to the Board of Supervisors. If adopted by the Board of Supervisors, the County density bonus would facilitate affordable housing by allowing a maximum density of 30 units per acre for affordable housing projects on properties with a RM zoning designation located in the Valley region and the Desert region when served by piped water, sewer, and paved roads.

Outreach Efforts

The County has been engaged in a continuous conversation with the public, community groups and other stakeholders on housing needs, issues, policies and programs. These outreach efforts are summarized below.

- Countywide Plan – The San Bernardino County Land Use Services Department held over 80 meeting between 2016 and 2018 in dozens of unincorporated communities to discuss both local and regional needs and concerns.
- Consolidated Plan and Analysis of Impediments to Fair Housing – The San Bernardino County Community and Development and Housing Department engaged approximately 500 people through their community engagement process which included 20 stakeholder interviews, 177 attendees at public meetings, and over 300 survey responses.
- Point-in-Time County – The San Bernardino County Office of Homeless Services finalized the 2020 Point-in-Time Count to better understand the characteristics and needs of people facing or experiencing homelessness.
- In 2021, the following groups were also contacted by the Land Use Services Department: Rim of the World Recreation and Parks District, Big Bear Area Regional Wastewater Agency, Morongo Valley CSD & Fire Department, Homestead Valley Community Center, Lucerne Valley Economic Development Association, Newberry CSD, Helendale CSD and the Mentone Chamber of Commerce.

ENVIRONMENTAL DETERMINATION

The workshop is an informational meeting not subject to the California Environmental Quality Act.