

# *Update on Impact of Measure E on General Plan Housing Element*

**Board of Supervisors  
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Presented by:

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# Presentation Overview

## 1. Purpose

## 2. Background

- Housing Element Requirements
- Regional Housing Needs Allocation
- 2008 General Plan Measure Y Reauthorization

## 3. Discussion

- 2013-2021 Housing Element Adequate Sites Inventory
- Measure E 2016 Adequate Sites Analysis
- Conclusions & Findings
- Potential Effects/Inconsistencies of Measure E with General Plan

## 4. Recommendation

- Options for Interim Implementation
- Options for Development of Affordable Multi-Family Housing



# Purpose

- Address Board's direction on August 30, 2016
- Update and provide additional information on impact of Measure E General Plan Policy amendments on sites identified in 2013-2021 Housing Element adequate sites inventory necessary to satisfy County's Regional Housing Needs Allocation (RHNA)
- Identify potential measures that maintain General Plan consistency, and address governmental constraints



# Background

- June 7, 2016 – County voters passed Measure E (“Reinstate Measure Y’s Original Intent – No More Paper Roads”)
- Amended General Plan Transportation and Circulation Element Policies TC-Xa, TC-Xf, and TC-Xg
- CA Gov’t Code 65863 requires inventory of adequate sites available to meet the RHNA to be maintained throughout the planning period of the Housing Element
- Created potential regulatory barriers and economic constraints to meeting County’s Regional Housing Needs Allocation (RHNA)

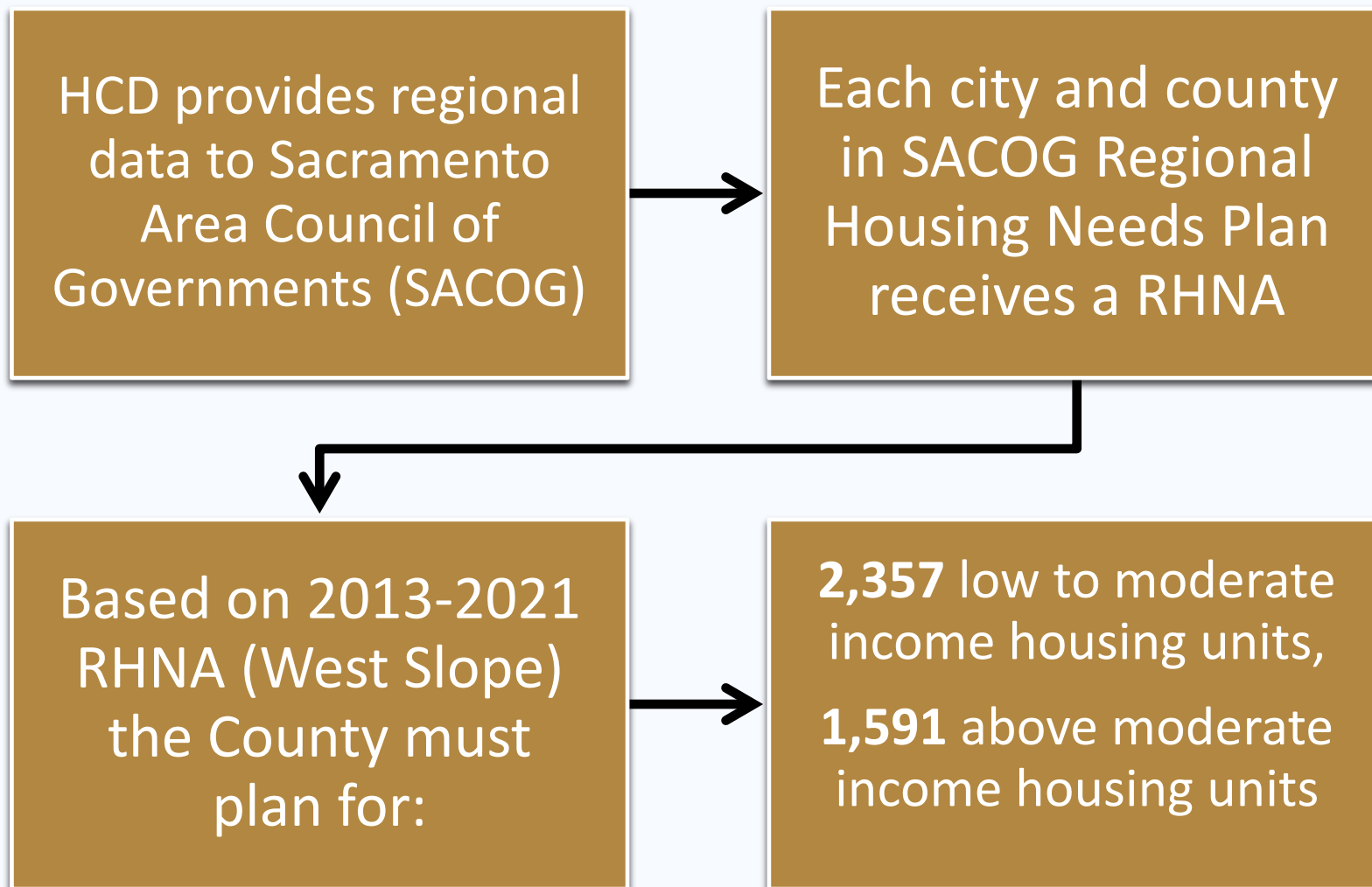


# Background

- **Regional Housing Needs Allocation (RHNA)** – Part of state-mandated Housing Element law (Gov’t Code Sections 65580 et seq.)
  - Total housing units jurisdiction must plan for within an 8-year planning period
  - Jurisdiction must identify “adequate sites” to accommodate this growth
  - If jurisdiction fails to identify adequate sites, Housing Element law requires jurisdiction to rezone sites as necessary to accommodate its RHNA
- Housing Element (including “adequate sites” analysis) is submitted to State Dept. of Housing and Community Development (HCD) for certification of State law compliance
  - **HCD certified County’s Housing Element in Nov. 2013**



# Background





# Background

## ■ 2008 General Plan Measure Y Reauthorization

- HCD concern of Measure Y's impact on multi-family sites:
  - Effect of significantly higher costs of off-site improvements
  - Effect of high cost of Traffic Impact Mitigation (TIM) fees
  - Measure Y's effect on overall feasibility of development
- To address HCD's concern, County submitted to voters revised Measure Y to address multi-family units and implemented a **fee waiver (offset) program** to assist affordable housing projects (Board Policy B-14)
- Revised TC-X policies as a result of Measure E now require multi-family discretionary projects to construct roadway improvements



# Discussion

- **2013-2021 Housing Element Adequate Sites Inventory**
  - 2013-2021 land inventory identified **148 parcels designated multi-family** totaling **450 acres** (West Slope) to accommodate County's required share of housing for low to moderate income households
  - Approx. **4,016** multi-family dwelling units could be built on the 450 acres of vacant/underutilized land
    - Oversupply to address "no net loss" requirements
  - Approx. **70 %** of all parcels zoned for multi-family uses have a Design Control or Historical overlay – subject to discretionary action and TC-Xa and TC-Xf requirements





# Discussion

- **2013-2021 Housing Element Adequate Sites Inventory**  
*(continued)*
  - Most of County's multi-family zoned land is within Community Regions near Highway 50
  - Most of roads that will reach unacceptable LOS in future without improvements are also near Highway 50
  - Adequate Sites will face offsite infrastructure requirements and may be unbuildable until County or other party makes the roadway improvements



# Discussion

## ■ **Measure E 2016 Adequate Sites Analysis**

- Assessed adequate sites for multi-family units available to meet County's RHNA, given changes to TC-Xa and TC-Xf amended by Measure E
- Determined which parcels may have new regulatory barriers
- Concluded that changes to TC-Xa and TC-Xf has potential to reduce availability of adequate sites needed to meet County's statutory requirement for regional housing needs by **up to 57 %** by 2021
- **Creates potential General Plan consistency conflict with Housing Element and State Law**



# Discussion

## ■ Assumptions and Methodology

- Historical growth rate of **1.03 %** per year through 2035
- Residential Growth Distribution **75 CR/25 RA split** between Community Regions and Rural Area (20-Year Growth Forecast presented to Board on April 8, 2014)
- Future roadway capacity deficiency analysis assumes no further roadway capacity improvements, beyond improvements under construction as of January 1, 2015

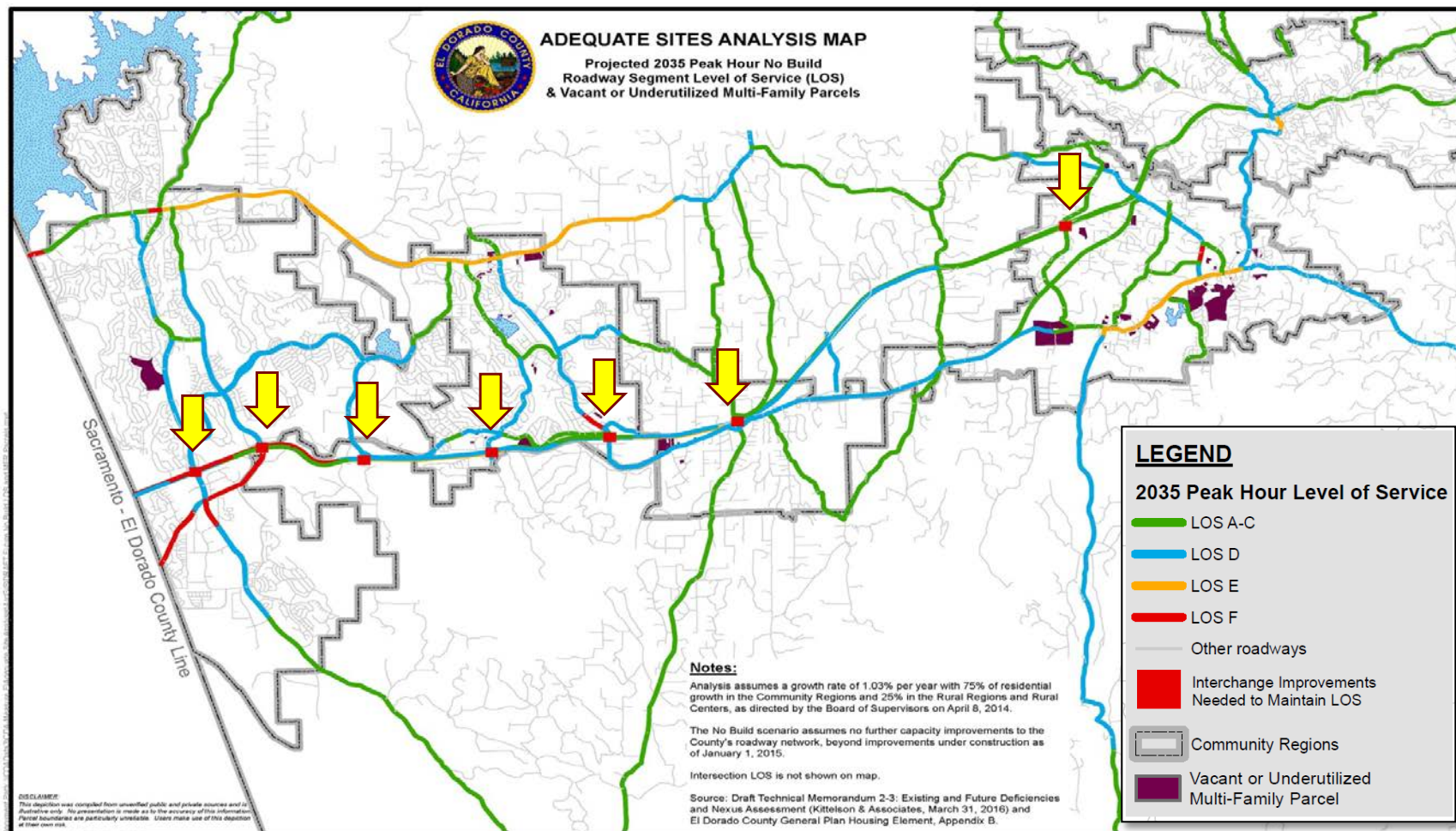


# Discussion

- **Adequate Sites Analysis Map**
  - LOS calculated based on procedures and methodologies in 2010 Highway Capacity Manual (Transportation Research Board, 2010)
  - Displays 2035 peak hour LOS (for worst peak hour) for each roadway or freeway segment
  - Displays interchange locations (red squares/yellow arrows) where improvements will be required to maintain acceptable LOS through 2035
  - Parcels highlighted in purple are vacant or underutilized with multi-family General Plan and zoning designations



# Adequate Sites Analysis Map





# Discussion

- **Measure E Amendment to Policy TC-Xa**
  - Expanded to apply to more than single family detached residential subdivisions of 5 or more parcels
  - Multi-dwelling discretionary projects (e.g., any residential project of 5 or more units) must now comply with requirement to construct roadway improvements as mitigation for traffic impacts.
  - Cost to construct roadway improvements can make multi-family projects infeasible



# Discussion

## ■ Adequate Sites Analysis Conclusions

- Measure E changes to TC-Xa and TC-Xf has potential to reduce availability of adequate sites needed to meet County's statutory requirement for regional housing needs by **up to 57 %** by 2021 (and **up to 87%** by 2035)
- Measure E changes to Policies TC-Xa and TC-Xf could affect **31** parcels (**260** acres), reducing available land inventory to **190** acres
- Approx. **1,716** achievable units could be built **by 2021** (if each parcel is approved and developed at max. realistic capacity)
- This number is below (**-641**) County's fair share of RHNA for 2021 which is **2,357** units for low to moderate income households



# Discussion

- **Adequate Sites Analysis Conclusions** *(continued)*
  - Majority of remaining 76 acres potentially unaffected by Measure E are located in rural areas of Camino-Pollock Pines and Cool, where existing and planned growth would not result in unacceptable LOS
  - These areas have other constraints such as no public sewer facilities
  - Remainder of available multi-family land consists of small parcels (less than one acre) with a realistic capacity of 4 or fewer dwelling units





# Discussion

## ■ Adequate Sites Analysis Finding

- Measure E could have potential impacts to Housing Element including **not meeting requirements** to accommodate **County's fair share of RHNA**, and **not maintaining "adequate sites"** pursuant to state housing element law [Gov't Code Section 65583]
- General Plan and its implementing directives would be ineffective in minimizing cost impacts on the County's affordable housing goals and objectives
- Implementation of Housing Element goals **Measure E creates potential General Plan consistency conflict with Housing Element and State Law** [See Exhibit B of Staff Memo]



# Discussion

- **Potential Effects/Inconsistencies of Measure E Amendments with General Plan Goals, Policies, and Measures**
  - Potential reduction in number of housing units needed to meet RHNA requirements per state law is inconsistent with Housing Element
  - Existing mitigation policies may no longer be sufficient for private development of affordable multi-family housing due to added regulatory and economic constraints of TC-X policies amended by Measure E.



# Discussion

- **Potential Effects/Inconsistencies of Measure E Amendments with General Plan Goals, Policies, and Measures** (*continued*)
  - General Plan policies, objectives, and implementation measures identified as being affected by Measure E (listed on Exhibit B):
    - **Housing Element**  
9 policies and **12** out of 40 implementation measures
    - **Transportation and Circulation Element**  
1 policy and **2** implementation measures
    - **Public Services and Utility Element**  
1 objective and **2** policies
    - **Economic Development Element – 2 policies**



# Discussion

- **Options for Interim Implementation and Development of Affordable Multi-Family Housing/RHNA**
  - a. Develop and adopt design standards to provide for ministerial review of affordable multi-family development in accordance with Housing Element Policy HO-1.16: “The County shall minimize discretionary review requirements for affordable housing.” Standards may also be developed for ministerial review of commercial and/or small projects.



# Discussion

- **Options for Interim Implementation and Development of Affordable Multi-Family Housing/RHNA *(continued)***
  - b. Develop an Affordable Housing Ordinance to provide a regulatory framework for new residential development to include housing opportunities for households of low, very low and extremely low income
  - c. Remove Design Control (-DC) and Historic (-DH) Combining Zone Districts to provide for ministerial review of affordable multi-family development



# Discussion

- **Options for Interim Implementation and Development of Affordable Multi-Family Housing/RHNA** *(continued)*
  - d. Reprioritize CIP infrastructure priorities to accommodate reasonable capacity for affordable housing
  - e. Redefine definition of “worsen” allowing overriding benefits and statutory requirements of and for affordable housing
  - f. Identify additional parcels of land that support affordable housing and do not have potential to worsen road conditions requiring costly off-site road improvements



# Discussion

- **Options for Interim Implementation and Development of Affordable Multi-Family Housing/RHNA *(continued)***
  - g. Consider project review level exemption to policies TC-Xa, TC-Xf, and TC-Xg for the construction of housing units affordable to very low to moderate income households.
  - h. Delay additional action until a determination by the state or a court is issued requiring action by the County
  - i. Consider preparing an initiative to amend the General Plan to address Housing Element law and General Plan goals as they relate to affordable housing requirements.



# Discussion

- California Environmental Quality Act (CEQA)
  - State CEQA law that requires the disclosure of environmental impacts of a project
  
- County Budget and Measure E Impacts
  - Staff labor hours.
  
  - Additional Costs





# Next Steps

- **Consider the options provided, as well as any other options not included here**
- **Provide direction to staff regarding the Board's preferences for next steps**
  - Staff will return to Board with requirements to implement Board's direction including: estimated staff resource requirements, estimated cost, and estimated timeline.