



## CITY COUNCIL SUBCOMMITTEE AGENDA REPORT

**Meeting Date:** 9/12/2022

**From:** John Swiecki, Community Development Director

**Subject:** Draft 2023-2031 Housing Element

### Background

The draft 2023-2031 Housing Element was released for public review on August 5, 2022. Leading up to its release, the Planning Commission held a number of workshops, beginning in December 2021, on topics ranging from the statutory requirements for Housing Elements, the Regional Housing Needs Allocation (RHNA), site selection (“Balance Brisbane”), and a review of the draft goals, policies, and programs. Hyperlinks to the Planning Commission workshop meeting materials are attached to this memorandum.

Following a public hearing on August 25, the Planning Commission voted unanimously (4-0; Funke absent) to recommend that the City Council submit the draft 2023-2031 Housing Element to the State Department of Housing and Community Development (HCD).

The City Council hearing is scheduled for October 6, 2022. This subcommittee meeting has been scheduled to provide the subcommittee with overview of the draft Housing Element in advance of the public hearing and provide the subcommittee with the opportunity to ask questions and/or make comments before formal City Council consideration at this stage. Note that at the October 6 hearing the City Council will be asked to direct staff to submit the draft Housing to HCD. The City Council will not be requested to take action on the plan itself at this point.

### Draft Element Overview

In addition to analyzing zoning capacity to accommodate the current RHNA, the draft 2023-2031 Housing Element responds to new State Housing Element law requirements.

The draft Element is organized into the following chapters:

- 1. Introduction:** Discussion of the City’s setting, Housing Element law, public participation and consistency with other General Plan elements
- 2. Community Characteristics & Housing Needs:** Population characteristics (demographics) and housing characteristics (ownership and affordability trends) and housing needs.
- 3. Resources and Opportunities:** Discussion of land resources, regional housing needs allocation (RHNA), sites inventory for new housing, methodology for selecting sites for the inventory, and housing development standards.

- 4. Housing Constraints:** Governmental and nongovernmental constraints on the supply of housing
- 5. Housing Plan:** Goals, policies and programs with implementation actions and timing, and quantified objectives for the preservation, rehabilitation and new construction of housing units over the 2023-2031 planning period.
- 6. Appendices:**
  - A. Evaluation of the 2015-2022 Housing Element
  - B. Housing sites inventory and methodology
  - C. Fair Housing Assessment and Fair Housing Action Plan
  - D. ABAG/MTC Housing Needs Data Report for City of Brisbane
  - E. Public Participation
  - F. Housing Element Completeness Checklist

#### **RHNA/Sites Inventory**

ABAG has assigned a RHNA of 1,588 housing units to Brisbane, much higher than the previous housing element cycles:

**Regional Housing Needs Allocation (RHNA)  
Housing Units by Income Categories**

	Very Low	Low	Moderate	Above Moderate (Market Rate)	Totals
<b>Years 2023-2031 6<sup>th</sup> Cycle</b>	<b>317</b>	<b>183</b>	<b>303</b>	<b>785</b>	<b>1,588</b>

The draft Element identifies the Baylands subarea as accommodating most of the City’s RHNA through rezoning to be accomplished via adoption of the Baylands Specific Plan. Additional sites are already zoned for residential development and/or with approved entitlements for residential development identified throughout Central Brisbane- most significantly the Parkside Plan area. Due to new State laws regarding “no net loss” of capacity throughout a Housing Element cycle should projects be built on sites identified in the sites inventory at lower densities than projected in the Element, the draft Element includes a “buffer” of approximately 40%. This helps ensure that should sites be lost entirely or developed at lower densities than projected in the Element, the City will not need to immediately upzone or rezone additional sites to accommodate the remaining RHNA as otherwise required by law.

#### **Modified and New Policies and Programs**

Recent changes to State law require cities to commit to actionable and trackable programs that meaningfully implement its housing policies. As a result, many new programs are included in the draft Element that commit the City to a specific course of

action. Notable modified and new programs that the Planning Commission discussed in previous workshops are highlighted in yellow in Attachment 1.

### **Housing Element Review Procedures**

State law requires the draft Element to be made available for public review and comment for a minimum of 30 days, after which the jurisdiction must take at least 10 business days to consider and incorporate public comments into a revised draft, which is then submitted to HCD for initial review. However, public input can still be submitted after that time as long as the Housing Element is in draft form. The formal public comment period concluded September 9, prior to the publication of this report. Staff will highlight any substantive comments received by that deadline for the subcommittee's consideration during today's meeting.

HCD has 90 days to review the Element and will issue comments at the end of the 90-day period for the City to address in a revised Element. Based on other cities' experiences throughout the State, staff anticipates a minimum of two rounds of review by HCD before the Housing Element will be "certified" by HCD and thereafter eligible for adoption by the City Council. The statutory deadline for the City to adopt a certified Element is January 31, 2023, though a 120-day "grace period" is also allowed under State law, extending the latest date for the City to adopt an HCD-certified Element to May 31, 2023.

### **Attachments**

1. Notable modified and new programs discussed by Planning Commission (excerpts from draft Element, Chapter 5)
2. [Draft 2023-2031 Housing Element](#)
3. [2023-2031 Housing Element webpage containing hyperlinks to previous workshop materials, meeting videos and minutes](#)