



MEMORANDUM

DATE: September 29, 2021

TO: Planning Commission and Housing Advisory Committee

FROM: Pierce Macdonald-Powell, Senior Planner

SUBJECT: Study Session - 6th Cycle Housing Element Update Basics

AGENDA ITEM NUMBER 1.

ITEM SUMMARY:

This is an informational report about the basic requirements for Housing Elements in California. The following report and attached presentation include team introductions, the Housing Element Update process, recent changes in State of California housing law, and the roles and responsibilities of the Planning Commission, Housing Advisory Committee, and staff.

DISCUSSION:

Introduction

The current 2015-2023 5th Cycle Housing Element of the Piedmont General Plan was adopted by the City Council on December 1, 2014 and was pre-certified before adoption by the State of California Department of Housing and Community Development (CA HCD) as meeting all requirements of State of California law (State law). The Housing Element includes the City's policies for housing construction, conservation, and affordability, and the Housing Element is consistent with all other General Plan goals, policies, and actions.

Roles and Responsibilities

Planning & Building Director Kevin Jackson, AICP, is leading the 6th Cycle update of the Housing Element for 2023 to 2031, assisted by Senior Planner Pierce Macdonald-Powell, who is project manager for the Housing Element Update program, as well as other Piedmont housing programs.

On May 3, 2021, the City Council approved a proposal from Lisa Wise Consulting (LWC) to lead the team of planning consultants to prepare the documents for the update to the Housing Element. David Bergman and Kathryn Slama are the project representatives for LWC. With approval of LWC as the lead housing consultant in May 2021, the City of Piedmont started the Housing Element Update and moved forward with plans to meet certain mandates under State law.

LWC is partnered with Plan to Place, a planning firm that has designed and will track the effectiveness of the Housing Element public engagement strategy. Dave Javid is the firm's principal and the project representative for Plan to Place.

Both the Planning Commission and Housing Advisory Committee will review the draft Housing Element Update. The HAC is tasked with providing preliminary review and comment on the draft

Housing Element Update prior to the consideration of the final drafts by the Planning Commission and City Council. The Planning Commission broadly considers land use planning, and the Housing Advisory Committee (HAC) specifically focuses on housing programs and policy, as follows:

- **Piedmont Housing Advisory Committee** - The HAC is an advisory body, established by the City Council at its February 1, 2021 meeting, which met for the first time on April 20, 2021. The HAC is charged with advising on the City's development of programs to incentivize or increase the production of housing, as well as advising on the City's Housing Element Update. The HAC will review and provide feedback on draft documents prepared throughout the Housing Element Update processes. The HAC will provide input on the development and conduct of tasks under the Housing Element update scopes of work. The HAC meetings will serve to engage and give the public further opportunities to learn about the City's housing policy work and to give public feedback. The Piedmont HAC will meet as needed throughout the Housing Element update processes over a period of 12 to 15 months. The work of the HAC will continue until the receipt of a Draft Housing Element Update document by the City Council.
- **Piedmont Planning Commission** - Pursuant to Chapter 25 of the City Code, the Planning Commission is charged with the duty to "investigate and make recommendations to the City Council concerning real property, subdivisions, lot building restrictions, planning and zoning matters as may be in the best interest of the City, and to grant or disapprove design review and variance applications." The Planning Commission regularly makes land use planning recommendations to the City Council, based on the law and Commission's experience, discretion, and judgement. Pursuant to State law, the Planning Commission must review and make a recommendation on amendments to the General Plan elements, including the Housing Element Update.

Housing Element Basic Requirements and Process

The attached presentation, prepared by the housing consultant team lead by LWC, outlines the considerations for the Planning Commission and Housing Advisory Committee as these City advisory bodies prepare to review and analyze drafts of the new 6th Cycle Housing Element (2023 to 2031). The attached presentation will accompany a verbal report to be made at the meeting on September 29, 2021, and the final version presented at the meeting may have minor changes compared to the attached draft. Members of the public are invited to speak at the special joint meeting and to consider public comments made by other community members.

As shown in the attached presentation, the Housing Element process began with research commencing in June 2021 and is currently on-going with results of research on housing needs and constraints to be presented at a community workshop event on December 2, 2021. A draft 6th Cycle Housing Element is expected to be open for public review and comments between March and June of 2022. The draft Housing Element is expected to be submitted to the CA HCD in July of 2022 for review and comments. The final draft of the Housing Element is expected to be presented to the Housing Advisory Committee, and considered by the Planning Commission and City Council in November and December of 2022.

Public Engagement Strategy

LWC and Plan to Place have designed the attached public engagement strategy based on principles of equity and democracy, using a variety of tools including virtual and interactive community workshops, digital clearinghouse of Housing Element information (hosted on the website Piedmontishome.org), monthly e-newsletter bulletins, and other formats. The public engagement strategy also uses traditional methods of outreach, such as “pop-up” tables at community events, postcards and mailings, and updates to local news media. The intent of the public engagement strategy is to build two-way communication between Piedmont community members and the Housing Element team to inform community members and foster community consensus.

CONCLUSION:

Piedmont community members are invited to participate in the broad-ranging discussions about the future of housing in Piedmont and how Piedmont should grow to continue to welcome and accommodate residents of all income levels and backgrounds. The Piedmont community is already strengthened by the diversity of its housing types, workers, and community members. Piedmont can draw on the resources that it already has to envision a future in which the adult children of Piedmont families can continue to live close to their parents, where seniors can continue to afford to age in place, and in which local organizations and businesses, such as City administration and the Piedmont Unified School District, can hire the most qualified workers at all salary levels. The Piedmont Housing Element is the main tool for preparing for growth and change.

ATTACHMENTS:

- | | | |
|---|----------------|-------------------------------------|
| A | Pages 4 to 34 | Housing Element Basics Presentation |
| B | Pages 35 to 36 | Public Engagement Strategy |

Housing Element Update

Piedmont Joint Planning Commission/
Housing Advisory Committee Public Hearing
September 29, 2021

CITY HALL



Introductions



City of Piedmont

- **Kevin Jackson** – Planning and Building Director
- **Pierce Macdonald-Powell** – Senior Planner

Consultant Team

Lisa Wise Consulting, Inc.

- **David Bergman** – Director
- **Kathryn Slama** – Senior Associate/Project Manager

Plan to Place

- **Dave Javid** – Principal, Founder



Agenda

1. Housing Element Basics
2. Piedmont 6th Cycle Housing Element Update
3. Public Engagement Process
4. Next Steps
5. Public Questions and Discussion



1 Housing Element Basics



Purpose of the Housing Element

- Enacted in 1969, a Housing Element is required by State law and compels all local governments to do their “fair share” of planning for adequate housing
- Recognizes that housing is a critical need, and the government and private sector must work together to address it
- Cities are not required to build or initiate housing projects, but rather ensure zoning capacity exists to build housing



CITY OF PIEDMONT
2015-2023
HOUSING ELEMENT

ADOPTED
DECEMBER 1, 2014



What is the Housing Element?



The Housing Element is a required section of the City's General Plan. It must:

- Assess the residents' housing needs and conditions of housing stock
- Establish a roadmap for accommodating projected housing unit demand over the next eight years
- Set citywide housing-related goals, objectives, policies, and programs
- Show how the City will meet demand for housing at all income levels

Other Mandatory General Plan Elements:



Land Use



Mobility



Conservation



Open Space



Safety



Noise



What is the Housing Element?

State Requirements

- Housing elements are updated in 8-year cycles. The new (6th) cycle will cover housing needs in Piedmont from 2023-2031
- The California Department of Housing and Community Development (HCD) is responsible for reviewing all housing elements to monitor compliance with State of California laws
- Housing element law is codified at California Government Code Section 65580 et seq. (Article 10.6 of Chapter 3, Division 1, Title 7 of the California Government Code)
- Housing element requirements are constantly evolving to address statewide housing issues, including housing shortages, housing for persons with disabilities, and shelters for the homeless

What is the Housing Element?

Recent Legislation

- **AB 1397:** Adequate Housing Element Sites
- **SB 166:** No Net Loss
- **AB 686:** Affirmatively Furthering Fair Housing
- **AB 72:** Housing Element Enforcement
- **AB 671:** ADU Plan
- **AB 879:** Reporting Requirements
- **AB 1763:** Enhanced Density Bonus
- **AB 2162:** Supportive Housing Streamlined Approval
- **SB 6:** Design and Development of the Site Inventory
- **AB 1851:** Religious Institutions Affiliated Housing (Yes in God's Back Yard, YIGBY)

What is the Housing Element?

AB 686 Affirmatively Furthering Fair Housing (AFFH) (2018):

Requires housing elements to demonstrate the local jurisdiction is affirmatively furthering fair housing. Jurisdictions need to demonstrate compliance with the statute by:

- Analyzing existing fair housing and segregation issues;
- Identifying fair housing goals;
- Developing strategies to implement these goals; and
- Ensuring sites in the inventory are identified in such a way that promotes AFFH.

AFFH is the taking of meaningful actions that “**overcome patterns of segregation** and **foster inclusive communities free from barriers that restrict access to opportunity**” for communities of color, persons with disabilities, and others protected by California law.

What is the Housing Element?

Housing Element Compliance Incentives

Eligible for state grant and loan programs that require an HCD-certified housing element.

1. **Permanent Local Housing Allocation (PLHA):** Helps increase the supply of housing for households at or below 60% of area median income, increase assistance to affordable owner-occupied workforce housing, assist persons experiencing or at risk of homelessness, facilitate housing affordability.
2. **Affordable Housing and Sustainable Communities (AHSC):** The AHSC Program funds land-use, housing, transportation, and land preservation projects to support infill and compact development that reduce greenhouse gas ("GHG") emissions.
3. **SB 1 Planning Grants:** help cities pay for local transportation improvements.
4. **CalHOME Program:** to enable low- and very low-income households to become or remain homeowners through grants to local public agencies and nonprofit developers to assist individual first-time homebuyers through deferred-payment loans.
5. **Prohousing Designation Program:** Awards preference points on competitive funding applications. (e.g. Infill Infrastructure Grants (IIG), AHSC, Transformative Climate Communities (TCC), etc.)
6. **Local Housing Trust Fund Program (LHTF):** The LHTF Program provides matching funds to local and regional housing trust funds dedicated to the creation, rehabilitation, or preservation of affordable housing, transitional housing, and emergency shelters.

What is the Housing Element?

Housing Element Noncompliance Consequences

State may revoke certification. Penalties and consequences of housing element noncompliance:

- 1. General Plan Inadequacy:** When a jurisdiction's housing element is found to be out of compliance, its General Plan could be found inadequate, and therefore invalid. Local governments with an invalid General Plan can no longer make permitting decisions.
- 2. Legal Suits and Attorney Fees:** Local governments with noncompliant housing elements are vulnerable to litigation from housing rights' organization, developers, and HCD.
- 3. Loss of Permitting Authority:** Courts have authority to take away local government residential and non-residential permit authority to bring the jurisdiction's General Plan and housing element into substantial compliance with State of California law.
- 4. Financial Penalties:** Court-issued judgement directing the jurisdictions to bring its housing element in substantial compliance with State housing element law.

What is the Housing Element?

Housing Element Components

1. **Housing Element Review:** A performance evaluation of policies and programs from previous housing elements.
2. **Housing Needs Assessment:** A review of the existing and projected housing needs, especially regarding special needs populations (e.g. large households, people with disabilities, low income, and seniors).
3. **Adequate Sites Inventory:** A record of suitable land with realistic capacity to accommodate the City's fair share of regional housing needs.
4. **Housing Resources Assessment:** Record of administrative and financial resources available to support the development, preservation, and rehabilitation of housing.
5. **Housing Constraints Assessment:** Identified governmental and non-governmental (market, environmental) impediments to housing development.
6. **Affirmatively Furthering Fair Housing:** Analysis of existing fair housing and segregation issues and plan to address any identified disparities in housing needs, displacement, or access to opportunity.
7. **Implementation Plan:** Goals, policies, and programs dedicated to meeting the City's housing needs.

Questions on Housing Element Basics?



**Piedmont
is Home**

2 Piedmont 6th Cycle Housing Element Update



Association of Bay Area Governments (ABAG) and Regional Housing Needs Assessment (RHNA)

- The City of Piedmont is a member of the **Association of Bay Area Governments (ABAG)**, which is the Council of Governments for the Bay Area region
- ABAG assesses and plans for regional needs, including housing, land use, and environmental protection
- The **Regional Housing Needs Allocation (RHNA)** is the amount of housing each city in California must plan for in the upcoming Housing Element cycle



ABAG's RHNA Methodology

- ABAG allocates housing targets to each jurisdiction in the region based on methodology which considers:
 - **Access to opportunity** (high resource areas receive more units)
 - **Proximity to jobs** (by auto or transit - areas closer to job centers receive more units)
 - **Social equity** (areas identified as exhibiting above-average racial and economic exclusion receive an allocation of lower-income units that is at least proportional to its share of households)



https://abag.ca.gov/sites/default/files/documents/2021-05/ABAG_2023-2031_Draft_RHNA_Plan.pdf



6th Cycle Regional Housing Needs Allocation (RHNA)

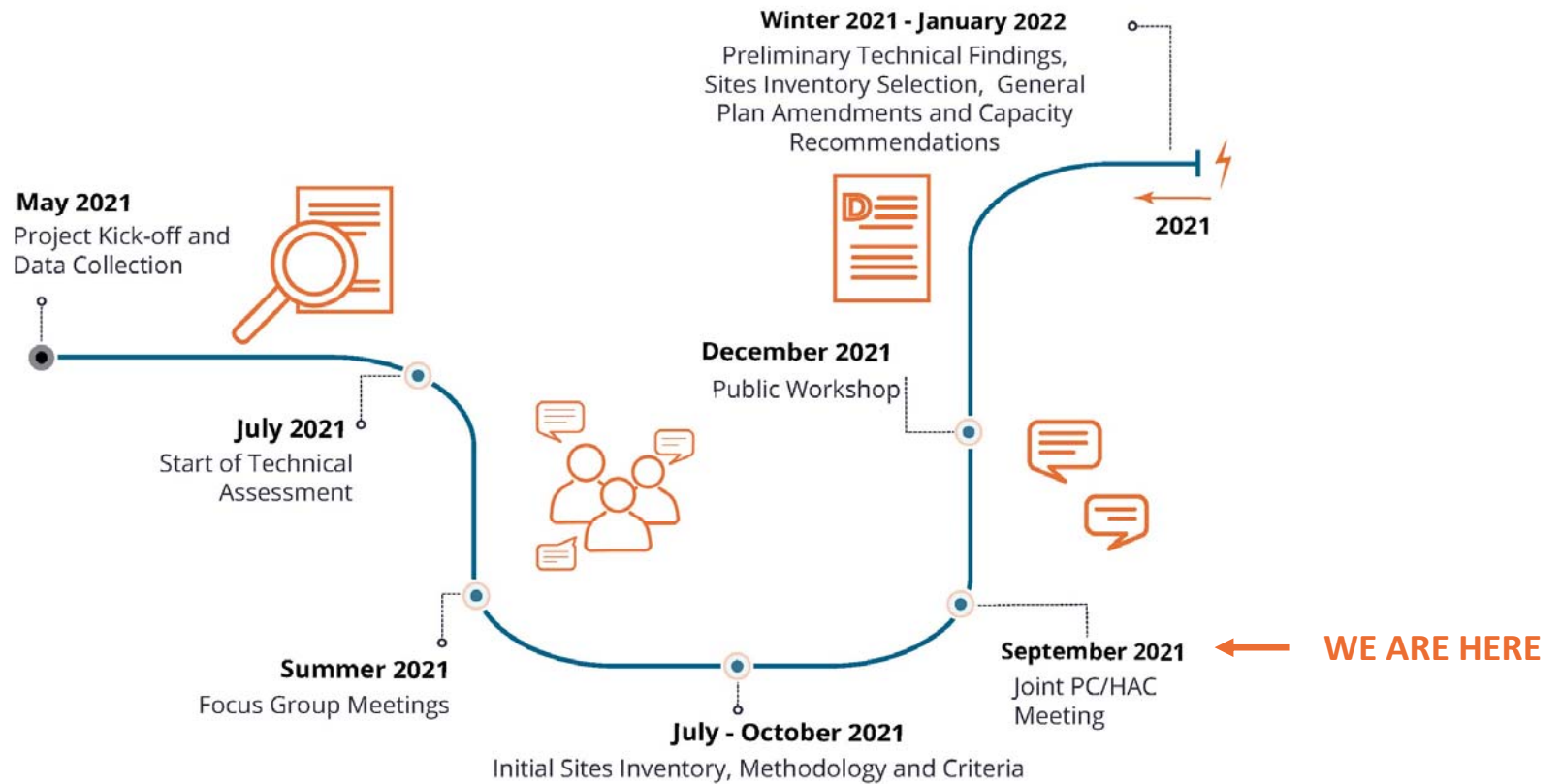
- Projected number of new housing units needed
- Mandated by State law
- Piedmont must have enough land available to *accommodate* its RHNA, but is not responsible for building the housing itself

| | ABAG | Alameda County | Piedmont | |
|--------------------------------------|----------------|----------------|------------|-------------|
| | Total | Total | Total | Percent |
| Extremely and Very Low 30-50% MFI | 114,442 | 23,606 | 163 | 28% |
| Low 50-80% MFI | 65,892 | 13,591 | 94 | 16% |
| Moderate 80-120% MFI | 72,712 | 14,438 | 92 | 16% |
| Above Moderate >120% MFI | 188,130 | 37,362 | 238 | 40% |
| Total | 441,176 | 88,997 | 587 | 100% |

Alameda County Median income 4-person household: \$125,160.



Update Process 2021



Update Process 2022



Questions on the Piedmont Update Process?



3 Public Engagement Process



Outreach to Date

Citywide Fair Housing Survey

- March 12 to April 15, 2021, 877 total responses

Community Events (Labor Day Cars, Coffee, and Cops and Piedmont Harvest Festival 2021, etc.)

Focus Groups

- The City of Piedmont and LWC held five focus group meetings via Zoom on July 19, 22, and 23, 2021, with groups including:
 - Community and Housing Advocates
 - Developers and Property Owners
 - Local Institutions and Businesses
 - Housing and Real Estate Professionals
 - Residents



Engagement Strategy

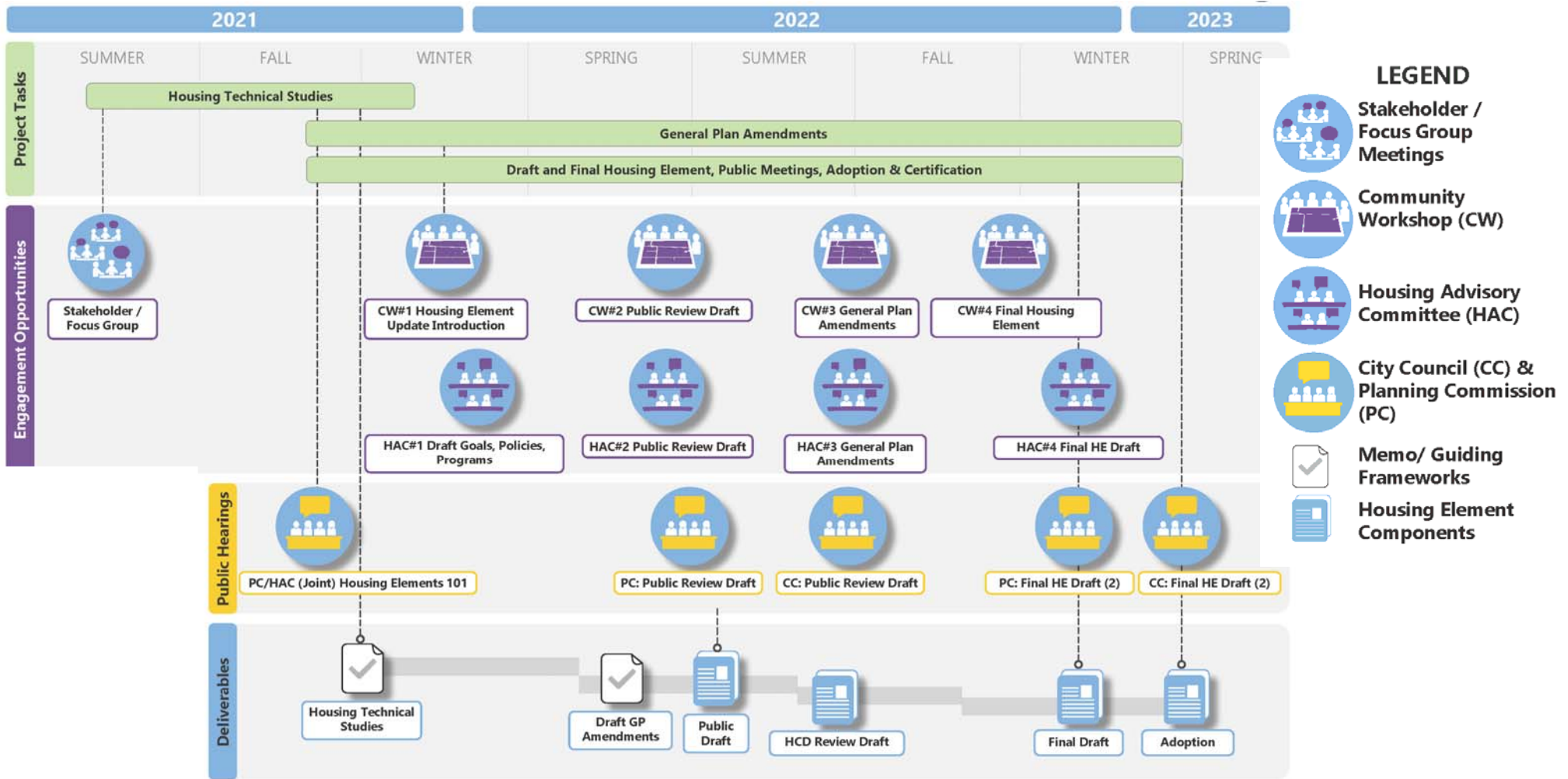
Community Engagement Goals & Objectives

1. Develop an equitable program approach that aims to reach, educate, and engage the community through the Housing Element Update.
2. Ensure community ownership of the Housing Element Update through participatory consensus building.
3. Build trust and long-lasting relationships between the City and its community residents, business owners, and other stakeholders.
4. Maintain consistent two-way communication between the project team and all Piedmonters, by reporting back on the input received and identifying how it informs the Housing Element Update process.

Engagement Strategy

Community Engagement Goals & Objectives

5. Use social media outlets to reach specific audiences (e.g., Facebook, Instagram, NextDoor along with newsletters, blogs, videos) and virtual platforms for engagement (e.g., ZOOM, Miro, Padlet, Mentimeter, or equivalent) in addition to traditional mailing and survey tools.
6. Identify inclusive methods of communication and engagement to access hard-to-reach groups and special needs populations.
7. Use metrics to analyze and recalibrate engagement goals and objectives.
8. Communicate well-defined expectations to the community.



Types of Engagement

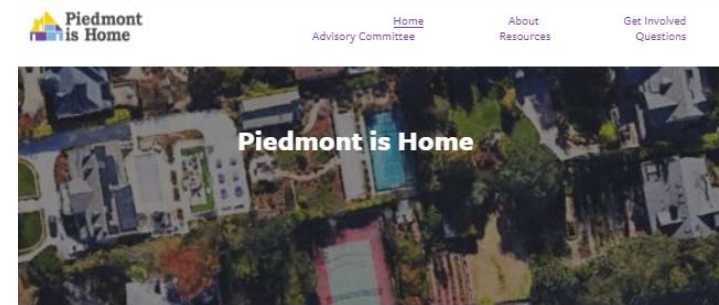
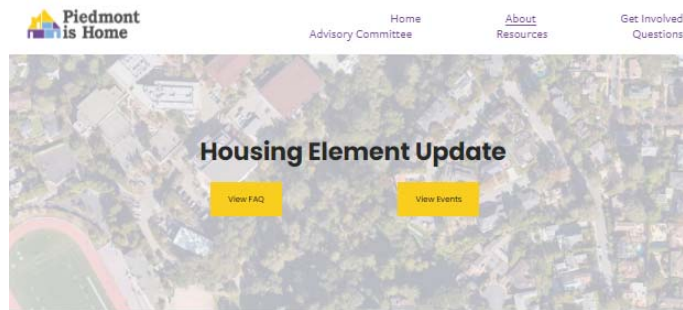
Website

Piedmontishome.org

Videos

- Ongoing
- Housing Element Information

Newsletters, Pop-ups, and Community Events



About the City of Piedmont Housing Element Update (2023-2031)

The Piedmont Housing Element is one of the required elements (chapters) of the Piedmont General Plan, the constitution for land development and City services in Piedmont. Every eight years, cities must update their Housing Elements to identify the sites and programs that are going to make each city capable of producing the housing unit quotas established by the State of California's regional housing needs allocation (RHNA) process. As required by state law, Piedmont must update the Housing Element to demonstrate that there is the capacity to meet its housing quotas and is pro-actively facilitating housing production for all income groups.

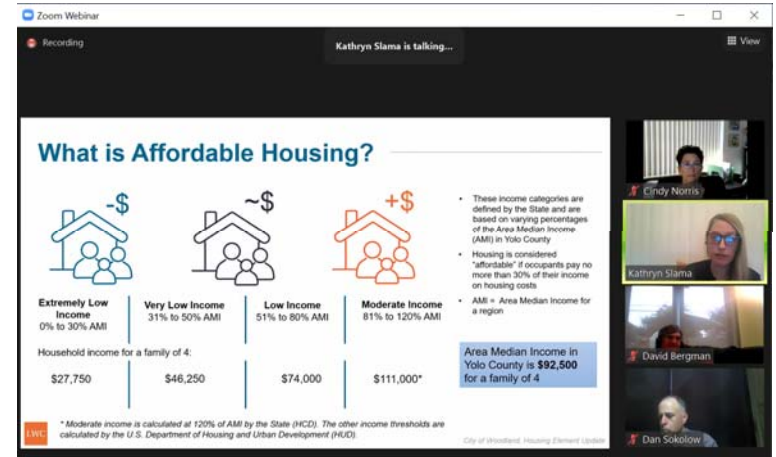


"Piedmont is Home" is the umbrella title for the City of Piedmont housing policy work. This term includes the SB 9 Housing Programs Project, Measure A's grant, and the next Housing Element Update. The Piedmont is Home website is a clearinghouse for information about new housing policy in Piedmont and project updates, as well as interactive ways to participate in the public engagement for these projects.

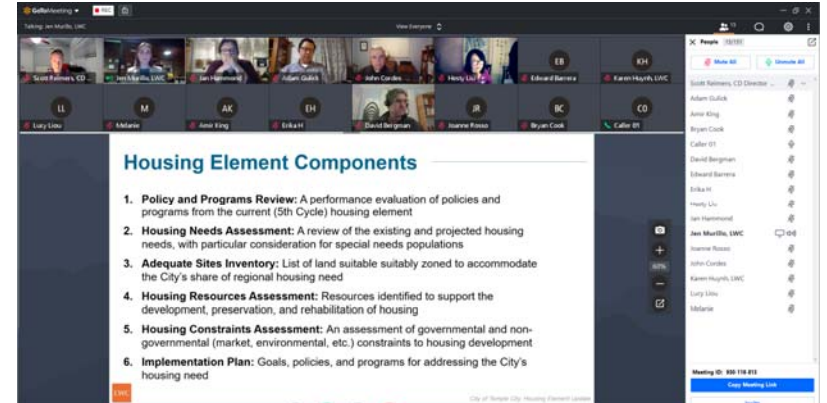


Types of Engagement Meetings

- 4  **Community Workshop (CW)**
- 5  **Housing Advisory Committee (HAC)**
- 6  **City Council (CC) & Planning Commission (PC)**



Screenshot- Virtual Public Hearing



Screenshot- Virtual Public Workshop

Questions on Public Engagement?



4 Next Steps



Next Steps

- Public Housing Element Community Workshop - December 2, 2021
- HAC Meeting - early 2022
- Draft Housing Element - Spring 2022

5 Public Questions and Discussion



The Engagement Strategy for the City of Piedmont's Housing Element Update outlines a comprehensive, inclusive, and detailed process that aims to engage all economic segments of the community and to promote fair housing. Through workshops, stakeholder / focus group meetings, advisory committee meetings, online feedback forms, and public hearings, the Engagement Activities and Project Resources are designed to equitably engage the multiple and diverse public perspectives of all Piedmonters including community members, residents, students, property owners, local and regional housing advocacy groups, and businesses. Translation and interpretation services will be offered throughout the process to include non-English speakers.

COMMUNITY ENGAGEMENT GOALS & OBJECTIVES

1. Develop an equitable program approach that aims to reach, educate and engage the community throughout the Housing Element Update.
2. Ensure community ownership of the Housing Element Update through participatory consensus building.
3. Build trust and long-lasting relationships between the city and its community residents, businesses owners, and other stakeholders.
4. Maintain consistent two-way communication between the project team and all Piedmonters, by reporting back on the input received and identifying how it informs the Housing Element Update process.
5. Use social media outlets to reach specific audiences (e.g., Facebook, Instagram, NextDoor along with newsletters, blogs, videos) and virtual platforms for engagement (e.g., ZOOM, Miro, Padlet, Mentimeter or equivalent) in addition to traditional mailing and survey tools.
6. Use inclusive methods of communication and engagement to reach groups including low-income people, people of color, immigrants, non-English speakers, people with disabilities, and others who often face barriers to participation in public decision making.
7. Use metrics throughout the process to analyze and recalibrate engagement goals and objectives.
8. Communicate well defined expectations to the community.


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Piedmont is Home

PROJECT RESOURCES

Resources are available on the project website www.piedmontishome.org including:

- Project objectives and timeline
- Project updates and news
- FAQs
- Upcoming events and meeting summaries
- Educational videos
- Opportunities to submit ideas, comments through feedback forms, and subscribe to project mailing lists
- Interactive mapping tool



For more information and to receive updates visit:

piedmontishome.org

ENGAGEMENT ACTIVITIES



Stakeholder / Focus Group Meetings

Stakeholder / Focus Group Meetings will be conducted with various community members and groups including housing advocacy groups, businesses, educational institutions, students, and other community members. Meetings will focus on special needs groups, fair housing, challenges to housing development, housing type demand, and recommended housing policies and strategies.



Housing Advisory Committee Meetings

The project team will host a series of public meetings with the Housing Advisory Committee, established by the Piedmont City Council, to solicit input and guidance on the Housing Element Update.



Community Workshops

A series of community workshops will be conducted to provide the community and decision makers with basic knowledge of the Housing Element Update throughout the process. Through these workshops, the project team will share information about the project, answer questions, and gather feedback to address community concerns to incorporate into the Housing Element.

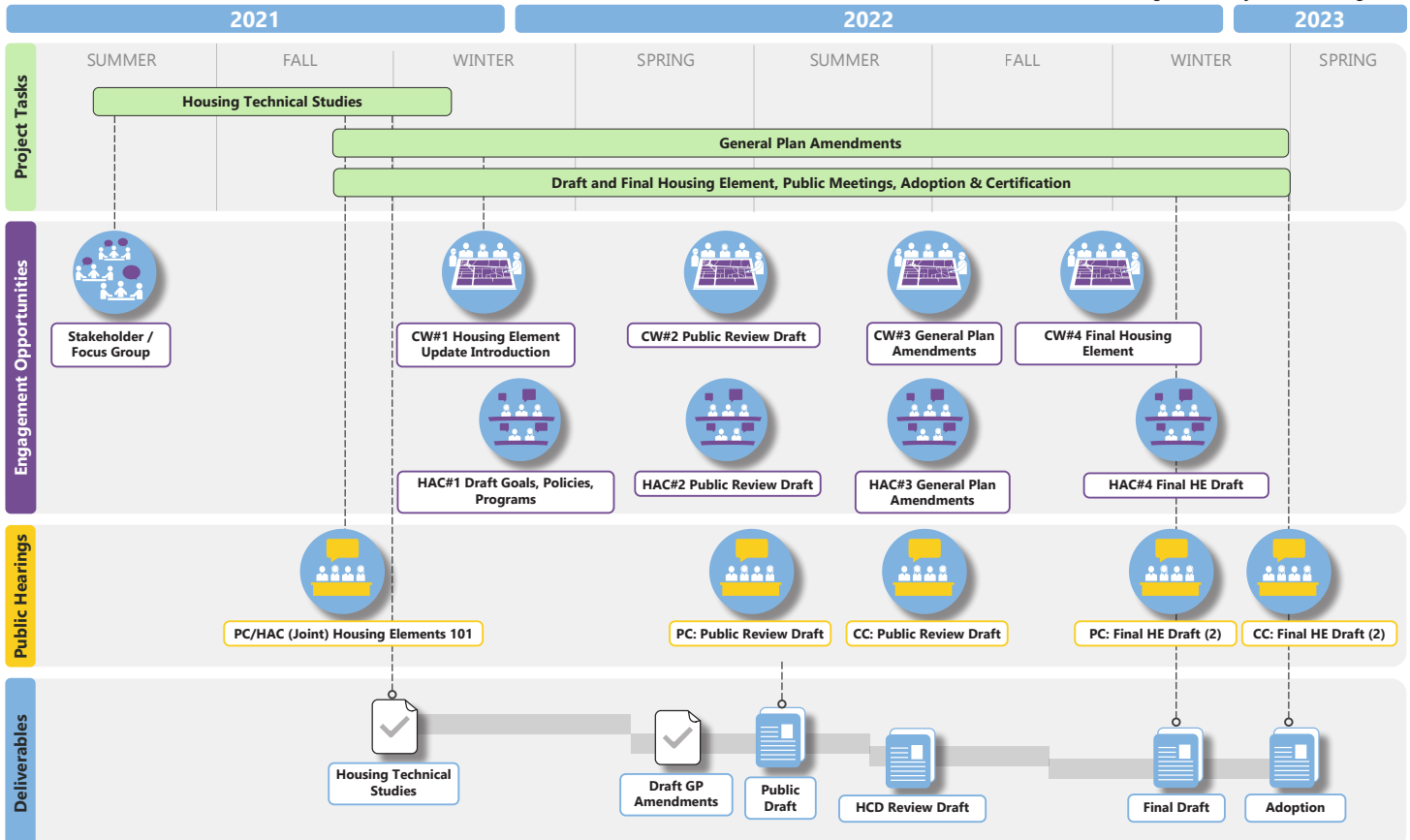


Public Hearings

The project team will participate in public hearings with the City Council and Planning Commission at various points throughout the process to provide project updates, drafts of the Housing Element Update for review, and receive recommendations for adoption.

CONCEPTUAL SCHEDULE

Note: Dates and meetings are subject to change.



For more information and to receive updates visit:

piedmontishome.org