

## MONTEREY COUNTY PLANNING COMMISSION

<b>MEETING:</b> September 9, 2009	<b>Time:</b> 1:30 PM	<b>AGENDA NO.:</b> 6
<b>Project Description:</b> Receive a Preliminary Draft of the Housing Element Update 2009-2014 and conduct a public workshop to receive comments		
<b>Project File Number:</b> GPZ090001	<b>Project Location:</b> County-Wide	
<b>Plan Area:</b> N.A.	<b>Flagged and Staked:</b> N.A.	
<b>Zoning Designation:</b> N.A.		
<b>CEQA Action:</b> Not Required for Workshop		
<b>Department:</b> RMA, Redevelopment and Housing Office		

### **RECOMMENDATION:**

It is recommended that the Planning Commission receive a Preliminary Draft of the Housing Element Update 2009-2014 and conduct a public workshop to receive comments.

### **SUMMARY:**

The Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the County. State law requires that the County update its Housing Element approximately every five years based on a schedule set by legislation (may be extended to eight years per recent legislation). State law also prescribes the content and process of the Housing Element, and mandates review of the Element by the State Department of Housing and Community Development (HCD). The County has retained Veronica Tam & Associates to assist the Redevelopment and Housing Office (RHO) in updating the County's Housing Element for the 2009-2014 planning period, the fourth update cycle of the Element.

### **DISCUSSION**

#### Regional Housing Needs Allocation

The first step in updating the Housing Element is determining what the County's share of the regional housing need will be for the upcoming planning period. State HCD, in conjunction with the Association of Monterey Bay Area Governments (AMBAG), determines housing need for jurisdictions located in Monterey, Santa Cruz and San Benito Counties based on existing need and estimated population growth. Once the regional need has been determined, individual cities and counties are assigned a portion of that need that they must then plan for in their respective Housing Elements. In June 2008, the County of Monterey was assigned a Regional Housing Need Allocation (RHNA) of 1,554 units (347 very low income, 261 low income, 295 moderate income and 651 above moderate income) and in August 2008 began the process of updating the Housing Element.

#### Housing Advisory Committee

The Monterey County Housing Advisory Committee (HAC) has been working with staff on the Housing Element Update during the past year. Three presentations (December 10, 2008, May 13, 2009, and August 12, 2009) were made before the HAC to solicit comments from the public

and from the HAC members. In addition, in August 2008 the HAC appointed a Subcommittee which worked directly with staff on the preparation of the Preliminary Draft Housing Element.

### Overview of Housing Element Update Process

Following are the statutory requirements of what the Housing Element must address, consistent with State law:

- Identify adequate sites through appropriate zoning and development standards to facilitate and encourage the development of a variety of housing types for all income levels;
- Assist in the development of adequate housing to meet the needs of lower and moderate income households;
- Address and, where possible, remove governmental constraints to the maintenance, improvement and development of housing;
- Conserve and improve the condition of the existing affordable housing stock; and
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, disability or sexual orientation.

The specific components that must be included in the Housing Element include the following:

- Public Participation – describes efforts made to solicit input from the community, with special emphasis on persons with special needs and low and moderate income households.
- Community Profile – a review of the jurisdiction’s housing needs based on demographic, housing, and income characteristics and trends.
- Constraints Analysis – a review of the jurisdiction’s market, governmental, and environmental constraints to housing development, preservation, and improvement.
- Resources Analysis – a review of the jurisdiction’s land, financial, and administrative resources available for housing development, preservation, and improvement.
- Review of Past Accomplishments – an assessment of the effectiveness and appropriateness of existing housing programs under the current Housing Element.
- Housing Plan – The Housing Plan includes Goals and Policies to be implemented during the 2009-2014 Housing Element cycle to address the housing needs and to mitigate the governmental constraints identified.

In addition to the components of the Housing Element summarized above, a number of State Laws were passed during the last Housing Element cycle that impact the 2009-2014 Housing Element. These State Laws require, among other things, that local jurisdictions address housing for extremely low income households; make provisions within the community for transitional housing, supportive housing and single room occupancy units; address housing for the homeless through emergency shelters; and, address housing for persons with disabilities through the removal of constraints to housing. State Law requires that all Housing Elements for the fourth update cycle address these requirements.

## Proposed Housing Programs:

In accordance with State law, a new Housing Program has been incorporated in the preliminary draft Housing Element. This Housing Program would require that the Zoning Ordinances (Title 20 and 21) be amended within one year of adoption of the Housing element. The Zoning Ordinances are not automatically amended with the adoption of the Housing Element but would require follow-up action by the County as described below.

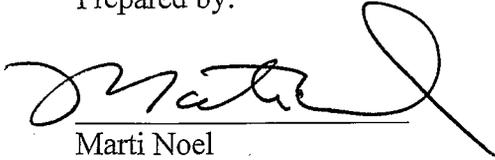
1. **Reasonable Accommodation.** This program provides relief to persons with disabilities seeking to make modifications to their homes for accessibility purposes. Certain development standards such as setbacks may need to be relaxed in order to ensure that persons with disabilities are able to enjoy their residences like other residents. Additionally, the Zoning Ordinances definition for “family” could be considered a constraint on housing for persons with disabilities and needs to be amended. Actions to be taken include: 1) adopting a reasonable accommodation ordinance to specify the procedures/eligibility for reasonable accommodation, the nature and extent of flexibility that can be provided, and fees (if any) to be charged, among other considerations; 2) amending the Zoning Ordinances to provide an inclusive definition of family.
2. **Emergency Shelters.** Emergency shelters are defined as year-round shelters for the homeless. The Zoning Ordinances do not currently address emergency shelters. The Ordinances will be amended to permit emergency shelters by right without discretionary approval in the HDR and MU zones.
3. **Transitional Housing.** Transitional Housing is similar to a rental housing development but limits the length of time that occupants can live there. The Zoning Ordinances currently do not address transitional housing and will need to be amended.
4. **Supportive Housing.** Supportive Housing is occupied by a target population as defined in the State Health and Safety Code and includes low income persons with mental disabilities, AIDS, substance abuse or chronic health conditions and has no limit on the length of stay. The housing is linked to services to meet the needs of the residents and could be located on-site or off-site. The Zoning Ordinances currently do not address supportive housing and will need to be amended.
5. **Single Room Occupancy Units (SRO’s).** Single Room Occupancy Units are one-room units which are not required to have a kitchen or bathroom and are intended for occupancy by a single individual. The Zoning Ordinances currently do not address single-room occupancy housing and will need to be amended.

## Next Steps

The Preliminary Draft Housing Element is being presented to the Planning Commission for input. The Preliminary Draft will be revised as necessary and submitted to State HCD as a draft for an initial review. The Preliminary Draft is still undergoing internal review and may undergo further refinement. The State estimates that it will take up to 60 days to review and comment on the Draft. While the State is reviewing the Draft, Staff will begin the environmental review process. Pursuant to Government Code Section 65585, the State will provide findings as to whether the draft substantially complies with the requirements of State law and can be certified. Once the State determines the Draft can be certified and appropriate environmental review has

been completed, Staff will return to the Planning Commission and to the Board of Supervisors for formal adoption. The County's current Housing Element was adopted in 2003. HCD extended the deadline for the County to submit an updated Housing Element to August 31, 2009. Technically the County is now out of compliance. Although the State does not impose any specific penalty for being out of compliance it could affect certain types of competitive funding requests.

Prepared by:

A handwritten signature in black ink, appearing to read "Marti Noel", written over a horizontal line.

Marti Noel  
Assistant Director

**Attachments: Preliminary Draft Housing Element (dated 9-9-09)**