



A G E N D A

**GONZALES PLANNING COMMISSION
REGULAR MEETING
CITY COUNCIL CHAMBERS – 117 FOURTH STREET
GONZALES, CA 93926
MONDAY, MAY 8, 2023
6:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. **ROLL CALL -** Chair Gloria Velasquez, Chair Pro Tem Ernesto Mancera, Commissioner Myrna Morales, Commissioner Adrian Paco, Commissioner Tencia Vargas

PUBLIC NOTICE

This meeting is being conducted consistent with the State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. The public may participate in person or online via Zoom at <https://us06web.zoom.us/j/82946545475> or call 1-1669-900-6833 and use **Meeting ID: 82946545475**. If you wish to make a general public comment or comment on a specific agenda item, please use the Raise Hand function. You will be allowed three minutes for your comments.

If you choose not to attend the meeting but wish to comment on a specific agenda item, please submit your comment limited to 250 words or less by noon on the day of the meeting to the City Clerk at cityclerk@ci.gonzales.ca.us

BUSINESS FROM THE PUBLIC

2. Business from the Public not on the Agenda; any member of the Public may address the Commission for a period not to exceed three minutes on any subject not on the Agenda. The Commission will listen to all communications but may take no action.

REGULAR AGENDA

3. 6th Cycle Housing Element Update - Community Meeting Workshop
 - a) Staff Report
 - b) Public Comment
 - c) Commission Discussion
 - d) Commission Action**Staff Recommended Action-** Receive the presentation and provide input and direction

Any writing or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at City Hall located at 147 Fourth Street, Gonzales, California, during normal business hours.

BUSINESS FROM PLANNING COMMISSION

4. Oral Communications

BUSINESS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

5. Oral Communication

ADJOURNMENT

In compliance with the American Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (831) 675-5000. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (CFR 35.102-35.104 ADA Title II). This is a public meeting and as such, can be seen live by people present or online and is being recorded; therefore, anything you say or do here is public information. The recordings are available online.



City of Gonzales

PLANNING COMMISSION

AGENDA
ITEM

3

COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: May 8, 2023

TO: Honorable Jose Rios and Planning Commission

FROM: Taven Kinison Brown, Community Development Director

THROUGH: Trevin W. Barber, City Manager

SUBJECT: 6th Cycle Housing Element Update - Community Meeting Workshop

RECOMMENDATION

Staff recommends that the Planning Commission receive a presentation from Staff and 4LEAF Inc. on the 6th Cycle Housing Element Update to the City of Gonzales General Plan and provide input and direction.

BACKGROUND

State law requires each jurisdiction to adopt a General Plan, which is a comprehensive, long-term plan for its physical development. General Plans include several "elements" that address various topics. The Gonzales General Plan includes the following elements:

- › Land Use
- › Circulation
- › Housing
- › Community Health and Safety
- › Conservation and Open Space
- › Community Facilities and Services
- › Community Character
- › Sustainability
- › Health and Wellness
- › Implementation

While General Plans are often updated every 20-25 years, State law requires that the Housing Element be updated every 8 years. Housing Element planning periods are referred to as "cycles."

The City's current Housing Element covers the planning period extending from 2015 to 2023, which is referred to as the "5th Housing Element Cycle" in reference to the five required updates that have occurred since the comprehensive revision to State Housing Element law in 1980. All cities in the Association of Monterey Bay Area Governments ("AMBAG") region are now required to prepare a Housing Element update for the 6th Housing Element cycle, which spans from December 2023 to December 2031.

HOUSING ELEMENT INTRODUCTION

Housing Elements (by law) must include several major and critical components:

- an assessment of community housing needs,
- an evaluation of the past performance of the earlier cycle housing element,
- a housing sites inventory,
- community outreach and engagement,
- an evaluation of governmental and nongovernmental constraints, and
- demonstrate how the City will accommodate its assigned housing need for different income levels (RHNA).

What is the Regional Housing Needs Allocation (RHNA)? (Pronounced: “Reena”)

The Regional Housing Needs Allocation (RHNA) is mandated by State housing laws as part of the process of updating General Plan Housing Elements. The RHNA process is meant to:

- 1) Identify and address housing needs for the projected state population and household growth;
- 2) Improve the jobs-housing balance in communities; and
- 3) Ensure the availability of housing affordable to all income groups.

The AMBAG region has a combined RHNA of **33,274** units that must be accommodated in a comprehensive manner across the county by county and city by city. Within the present city limits of Gonzales, we have approximately 1,926 residential units accommodating our entire population of roughly 9,000 residents. Gonzales has been assigned a share of **1,266** units through RHNA, including 288 units affordable to lower-income households and 321 units affordable to moderate incomes. This represents a significant increase from the City’s 5th Cycle RHNA (293 units).

Regional Housing Need Allocation, 2023 - 2031					
	Very Low	Low	Moderate	Above Moderate	Total
Gonzales	113	115	321	657	1,266

While the City is not required to construct the RHNA housing units, it must demonstrate that it has enough available land zoned at appropriate densities to accommodate the number of RHNA units in each income category or rezone enough land to high enough densities to support affordable housing development (20 units per acre or more) or use other methods to increase the City’s capacity. Commercial areas will also need to be considered for mixed-use housing opportunities.

In addition to the requirement that the Housing Element addresses the City's ability to meet the RHNA through zoning, the Housing Element also serves as the tool to identify and provide for the local housing needs of the community. State law requires that the Housing Element includes analysis related to the following topics:

- Demographics and the current housing stock
- Existing and projected housing needs, and the resources available to address those needs;
- Availability of sites and zoning provisions for a variety of housing types;
- Governmental and nongovernmental constraints to the maintenance, improvement, or development of housing;
- Opportunities for energy conservation in residential development; and
- Fair housing and equitable access to opportunity.

The City must adopt a 6th Cycle Housing Element that results in refreshed policies and programs targeted to effectuate meeting the identified housing needs of the City's population across all income levels and improve housing conditions for current and future residents of Gonzales.

Additional background at the state level. New Laws.

The California State Legislature has identified the attainment of a decent home and suitable living environment for every Californian as the State's major housing goal. In the last several years, the legislature has passed multiple housing bills that prescribe new requirements for Housing Elements and new by-right requirements for housing projects, including the following:

- AB 686 (2018) mandates local jurisdictions to affirmatively further fair housing. These "AFFH" requirements include additional analysis in the Housing Element of trends and patterns related to segregation, access to opportunity, and disproportionate housing needs, and programs with a demonstrated beneficial impact to address fair housing issues.
- AB 72 (2017) strengthened HCD's ability to enforce Housing Element law, including the ability to revoke compliance of a certified Housing Element and refer violations of Housing Element law to the Attorney General's Office.
- AB 1397 (2017) requires stronger justification for sites used to demonstrate the City's ability to meet the RHNA.
- SB 166 (2017) requires that the City maintains a sufficient inventory to meet its remaining RHNA throughout the whole planning period,

More information about these laws and others is included as Attachment 1.

Public Outreach

State law requires that the City makes a "diligent effort to achieve public participation of all economic segments of the community in the development of the housing element" (Government Code 65583[c][7]) and describe in the Housing Element what measures were taken, what input was received, and how it was incorporated within the Element. Public participation also provides an opportunity to engage constituents in defining housing issues and creating solutions that both meet the needs of the community and the requirements of state law.

To this end, the City has established a webpage (<https://gonzalesca.gov/services/community-development/city-gonzales-6th-cycle-housing-element-update>) and dedicated English and Spanish email addresses (Vivienda@ci.gonzales.ca.us or Housing@ci.gonzales.ca.us) to assist

in this effort. On the City's website, persons may complete a community needs survey to share where they think "the problem spots are" in Gonzales.

<https://www.surveymonkey.com/r/HousingGonzales>
<https://es.surveymonkey.com/r/ViviendasGonzales>

The City has established and is building a mailing list of community stakeholders and interested parties and will be providing information on ways to be involved over email, social media, through flyers in public spaces, and at public events. Recently on Sunday, April 30, city staff set a table with informational flyers at the Día De Los Niños event in Central Park Gonzales. There, Community Development Department staff promoted the community input survey and reached out to persons attending the event to become informed about the Housing Element Update process. Seven (7) people manually completed a printed out version of the online Survey. (Thank you!)

Additional public workshops will be held at key decision points during the Housing Element update to provide opportunities for feedback. City staff also continues to inform other institutions and businesses in the community like our school district and major employers to help us get the word out. Flyers in English and Spanish are being distributed community-wide and looking to direct input and participation in the housing needs survey. See attached.

CONCLUSION

The City is currently undertaking these efforts to update its Housing Element, as required by State law. Workshops and forums such as this Planning Commission meeting can facilitate communication and discussion and help the city focus on the true needs of our citizens, *The Gonzales Way*. The City's website and increasing outreach efforts will continue to inform our citizens of the next steps and how they can participate. Staff encourages the Planning Commission and public to make their voices and concerns heard

Attachments:

1. New Housing Laws
2. What is a Housing Element? English
3. What is a Housing Element? Spanish
4. Community Outreach Survey Flyer

ATTACHMENT 1: HIGHLIGHTS OF NEW HOUSING LAWS SINCE THE LAST HOUSING ELEMENT

AB 72 (2017) strengthened California’s 50-year-old “Housing Element law,” which requires local governments to adequately plan for future housing needs at all income levels. The bill grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted Housing Element or Housing Element law. This includes failure to implement program actions included in the Housing Element. HCD may revoke Housing Element compliance if the local government’s actions do not comply with State law. In addition, HCD can refer violations to the State Attorney General’s Office for enforcement any time it determines that a local jurisdiction is in violation of State law for non-compliance with Housing Element law, the Housing Accountability Act, the “No Net Loss” law, the density bonus law or anti-discrimination laws. Since 2018, HCD has sent more than 250 enforcement letters to jurisdictions up and down the State. The most notorious case involving the Attorney General’s office was that of Huntington Beach, which held that, for multiple reasons, the RHNA did not apply to them. The case was settled in 2020 when the City agreed to amend one of its Specific Plans to provide adequate sites to meet its RHNA obligation. In late 2021, HCD added a Housing Accountability Unit to further hold local jurisdictions accountable for their Housing Element commitments and other State laws. This illustrates why it is vitally important to achieve compliance with Housing Element Laws (“certification”) and maintain local land use control.

SB 35 (2017) requires that jurisdictions that are not meeting their RHNA obligations have a “streamlined ministerial approval process” for housing developments of two or more units when 10% or 50% of project units are provided as affordable and deed restricted. “Streamlined ministerial approval process” means that officials cannot exercise discretion over a qualifying project, but can only compare it against adopted, objective design and development standards.

AB 1397 (2017) requires that cities zone appropriately for their share of the regional housing need, and zone for all types of housing. The new law requires strong justification when non-vacant sites are zoned to meet the housing need, especially for lower-income housing.

SB 166 (2017), the new “No Net Loss” law, requires that a City replace any site that was zoned and listed in the sites inventory for low-income housing if it ends up being developed as anything else, unless the City can make findings that enough additional sites that are adequately zoned remain to allow the City to continue to accommodate its remaining housing need (RHNA), by income category (this issue is fully discussed in Policy Issue #3 below). The intent is to ensure that jurisdictions have adequate sites with appropriate zoning to accommodate their share of the regional housing need throughout the Housing Element period. As noted above, AB 72 provides that HCD and the State Attorney General can intercede if a jurisdiction fails to uphold the “No Net Loss” provisions.

AB 686 (2018), also known as the anti-discrimination or “Affirmatively Furthering Fair Housing” (AFFH) law, requires specific analysis around patterns of socio-economic concentration within the City and the larger region. This new law requires Gonzales to examine past and current zoning, land use, funding, and other practices. New programs may be needed to ensure compliance.

SB 330 prohibits local jurisdictions from enacting new laws that would have the effect of reducing the legal limit on new housing within their borders, or delay new housing via administrative or other regulatory barriers.

SB 9 and SB 10. While these bills do not directly affect Housing Element law or RHNA allocations, they may be considered when making development capacity assumptions or when exploring policy approaches to encourage housing development to meet the City's needs. SB 9 builds on existing accessory dwelling unit (ADU) law by allowing duplexes and lot splits on most single-family parcels in California, and SB 10 is an opt-in provision to allow low-density multiplexes with streamlined rezoning and flexible parameters tailored to local needs.

In addition to the above, **Government Code Section 65583(c)** requires that the Housing Element include a schedule of actions (programs) the City is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element. Significantly, if the City's housing sites inventory "does not identify adequate sites to accommodate the [RHNA] need for groups of all household income levels ..., the program shall identify sites that can be developed for housing within the planning period pursuant to § 65583.2(h)." Those sites must typically be identified and rezoned to allow housing by-right at default densities within three years from the beginning of the Housing Element period. However, **AB 215** (2021) now shortens that rezoning period from three years to one year for any subject jurisdiction that does not adopt a Housing Element in time.



Technical Assistance
for Local Planning

HOUSING

What is a Housing Element?

A Housing Element is how local jurisdictions plan to meet the housing needs of everyone in the community. At its core a Housing Element is an opportunity to have a community conversation about how to address local housing challenges and find solutions. The Housing Element is one important part of a city or county's General Plan, which serves as the blueprint for how a city or county will grow and address changing needs for development. Every eight years, every city, town and county must update their Housing Element and have it certified by the California Department of Housing and Community Development.

A Housing Element is a local plan, adopted by a city, town or county that includes the goals, policies and programs that direct decision-making around housing.

All jurisdictions in the Monterey Bay Area must update their Housing Element for the December 2023-2031 planning period. Local jurisdictions look at housing trends, zoning and market constraints, and evaluate various approaches to meeting housing needs across income levels.

The Inventory of Available Sites, or "Sites Inventory," is a key component of a Housing Element where jurisdictions identify if they have enough land zoned for housing to meet the future need.

Local governments must involve the public from all economic segments of the community in developing the Housing Element.

- State law does not require that jurisdictions *build or finance* new housing, but they must *plan* for it.
- Every city in California receives a target number of homes to plan for. This is called the Regional Housing Needs Allocation or RHNA.
- The state of California determines the number of new homes the Bay Area needs to plan for – and how affordable those homes need to be – in order to meet the housing needs of people at all income levels.
- The Association of Monterey Bay Area Governments (AMBAG) distributed the region's housing allocation to each jurisdiction in the area
- Housing elements must be updated every eight years and must be certified by the California Department of Housing and Community Development.

What Are the Components of a Housing Element?

The Housing Element typically includes:

1. **Housing Needs Assessment:** Examine demographic, employment and housing trends and conditions that affect the housing needs of the community.
2. **Evaluation of Past Performance:** Review the prior Housing Element to measure progress in implementing policies and programs.
3. **Housing Sites Inventory:** Identify locations of available sites for housing development or redevelopment to ensure that there is adequate capacity to address the Regional Housing Needs Allocation.
4. **Community Outreach and Engagement:** Implement a robust community outreach and engagement program, with a particular focus on outreach to traditionally underrepresented groups.
5. **Constraints Analysis:** Analyze and recommend remedies for existing and potential governmental and nongovernmental barriers to housing development.
6. **Policies and Programs:** Establish policies and programs to fulfill the identified housing needs.

What Happens if a Jurisdiction Does Not Adopt a Housing Element?

If a city does not comply with State law, it can be sued. In addition to facing significant fines, a court may limit local land use decision-making authority until the jurisdiction brings its Housing Element into compliance. Additionally, local governments may lose the right to deny certain projects. These and other consequences are established in state law; Housing Elements are subject to regulatory oversight by the California Department of Housing and Community Development. AMBAG does not play a direct role in regulating local Housing Elements.





Technical Assistance
for Local Planning

HOUSING

¿Qué es un Elemento de Vivienda (Housing Element)?

Un Elemento de Vivienda es la manera en que las jurisdicciones locales planean cómo satisfacer las necesidades de vivienda de todos los miembros de la comunidad. Fundamentalmente, un Elemento de Vivienda es una oportunidad para tener una conversación con la comunidad sobre cómo abordar los retos locales de vivienda y encontrar soluciones. El Elemento de Vivienda es una parte importante del Plan General de una ciudad o condado, que sirve como proyecto de cómo una ciudad o condado crecerá y abordará las necesidades cambiantes de desarrollo. Cada ocho años, cada ciudad, pueblo y condado debe actualizar su Elemento de Vivienda y obtener la certificación del Departamento de Vivienda y Desarrollo Comunitario de California.

Un Elemento de Vivienda es un plan local, aprobado por una ciudad, pueblo o condado, que incluye las metas, las políticas y los programas que dirigen la toma de decisiones en temas de vivienda.

Todas las jurisdicciones en el Área de la Bahía de Monterey deben actualizar su Elemento de Vivienda para el período de planificación de diciembre 2023-2031. Las jurisdicciones locales analizan tendencias de vivienda, la zonificación y limitaciones del mercado, y evalúan diversos enfoques para satisfacer las necesidades de vivienda para personas de todos los niveles de ingresos.

El Inventario de sitios disponibles (*Inventory of Available Sites*), o "Inventario de Sitios", es un componente clave de un Elemento de Vivienda en el que las jurisdicciones identifican si tienen suficientes terrenos zonificados para viviendas para satisfacer la necesidad futura.

Los gobiernos locales deben invitar la participación del público de todos los segmentos económicos de la comunidad durante el desarrollo del Elemento de Vivienda.

- La ley estatal no obliga a las jurisdicciones a *construir* o a *financiar* nuevas viviendas, sin embargo, deben *planificarlas*.
- Cada ciudad en California recibe un número objetivo de hogares que debe planificar. A esto se le llama Asignación Regional de Vivienda Necesaria (RHNA, por sus siglas en inglés).
- El estado de California determina el número de hogares que el Área de la Bahía necesita planificar, y qué tan accesibles en precio esos hogares necesitan ser, para poder cumplir con las necesidades de vivienda de las personas a todo nivel de ingreso.
- La Asociación de Gobiernos del Área de la Bahía de Monterey (AMBAG) distribuye la asignación de viviendas de la región a cada jurisdicción en el área.
- Los elementos de vivienda deben actualizarse cada ocho años y deben ser certificados por el Departamento de Vivienda y Desarrollo Comunitario de California.

¿Cuáles son los componentes de un Elemento de Vivienda?

El Elemento de Vivienda suele incluir:

1. **Evaluación de las necesidades de vivienda:** Examinación de las tendencias y condiciones demográficas, de empleo y de vivienda que afectan las necesidades de vivienda en la comunidad.
2. **Evaluación de desempeño anterior:** Analizar el Elemento de Vivienda anterior para medir el progreso de implementación de políticas y programas.
3. **Inventario de los sitios de vivienda:** Identificar la ubicación de los sitios disponibles para el desarrollo o la renovación de viviendas para garantizar que haya una capacidad adecuada para abordar la Asignación Regional de Vivienda Necesaria.
4. **Divulgación y participación comunitaria:** Implementar un programa sólido de divulgación de información y participación comunitaria, con un enfoque particular en la participación de los grupos tradicionalmente subrepresentados.
5. **Análisis de las limitaciones:** Analizar y recomendar soluciones para las barreras gubernamentales y no gubernamentales existentes y potenciales en el desarrollo de viviendas.
6. **Políticas y programas:** Establecer políticas y programas para satisfacer las necesidades de vivienda identificadas.

¿Qué sucede si una jurisdicción no adopta un Elemento de Vivienda?

Si una ciudad no cumple con la ley estatal, se le puede demandar. Además de hacerse acreedor de multas significativas, la ciudad podría ver limitada por un tribunal su autoridad en la toma de decisiones sobre el uso del suelo local, hasta que la jurisdicción cumpla con su Elemento de Vivienda. Asimismo, los gobiernos locales pueden perder el derecho a rechazar determinados proyectos. Estas y otras consecuencias están establecidas en la legislación estatal; los Elementos de Vivienda están sujetos a la supervisión normativa del Departamento de Vivienda y Desarrollo Comunitario de California. La AMBAG no tiene un rol directo en la regulación de los Elementos de Vivienda locales.



CITY OF GONZALES
**COMMUNITY OPINION
 SURVEY ON HOUSING**



Your input is needed as Gonzales updates its Housing Element planning for the next eight years of housing needs.

Please take our quick survey to provide your valuable feedback about housing needs in our City.

Scan the QR code or visit our Housing Element Webpage to find the survey in Spanish, English, and to stay up to date with all other Housing Element Update news.



Survey Links:

English:



En Español:



City of Gonzales
 Community Development
 Department
 831.675.5000
housing@ci.gonzales.ca.us
tinyurl.com/GonzalesHEU

CIUDAD DE GONZALES
**ENCUESTA COMUNITARIA
SOBRE VIVIENDA**



¡Su opinión es crucial! Gonzales está actualizando su planificación del Elemento de Vivienda para los próximos ocho años y queremos escuchar de usted.

¿Qué necesita nuestra ciudad en cuanto a vivienda? ¡Díganos! Complete nuestra breve encuesta y brinde sus valiosos comentarios para asegurarnos de que nuestras necesidades de vivienda sean satisfechas.

Además, ¡manténgase al tanto de todas las noticias emocionantes sobre la actualización del Elemento de Vivienda visitando nuestra página web o escaneando el código QR! ¡Juntos podemos hacer de nuestra ciudad un mejor lugar para vivir!



Enlaces de encuestas:

En Español:



English:



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