Housing Element Update
2021-2029

General Plan Steering Committee
April 2019
What is the Housing Element?

- Sets 8-year plan to meet the existing and projected housing needs of all economic segments of the community

- Identifies constraints to the development and maintenance of housing

- Establishes goals, policies, and programs pertaining to housing needs
Historical Compliance

- **2000-2008 Housing Element**
  - Out of compliance due to 2006 General Plan land use changes

- **2008-2014 Housing Element**
  - Difficult review; new requirements
  - RHNA- Adequate zoning for 1,914 units, including 770 lower-income units
  - Airport Area – Residential Development Overlay for Affordable Housing
  - Found compliant in 2011!

- **2014-2021 Housing Element**
  - Streamlined Approval - Found compliant 2013
  - RHNA- 5 units, including 2 lower-income
  - Low RHNA in response to decline in economy and high vacancy rates
Housing Needs

- **Existing**
  - Housing Stock Characteristics
  - Pop, Employment and Household Characteristics
  - At-Risk of Conversion
  - Extremely Low-Income
  - Overpayment and Overcrowding

- **Special Housing Needs**
  - Farmworkers, large families, female head of households, people with disabilities, and seniors

- **Projected** – Regional Housing Needs Allocation (RHNA)
Sites Inventory and Analysis

- Zoning to accommodate RHNA (not build)

- Detailed analysis of available sites
  - Vacant and underutilized sites
  - Parcel size, zoning, density, existing conditions, availability of infrastructure, constraints

- Lower-income sites
  - 30 du/ac or show through performance/agreements

- New requirements (AB-1397)
  - Site size (0.5 ac.-10 ac.)
  - Reuse of non-vacant sites
    - By-right development if 20% affordable
    - Prior experience converting to higher density residential
    - Market demand and existing contracts for use
Analysis of Constraints

- Governmental constraints to the maintenance & development of housing
  - Codes and land use controls
  - Fees and exaction
  - Nongovernmental constraints
    - New-development requests at lower densities
    - Processing and permit procedures

- Demonstrate efforts to remove

- Example - Residential Overlay in Airport Area
Program Requirements

- Achieve goals and objectives
- Includes action steps, timeline, responsibility

Topics:
- Address or mitigate constraints
- Assist in housing development
- Identify adequate sites (rezoning)
- Improve and conserve housing stock
- Preserve units at-risk of conversion
- Provide equal housing opportunities
## The RHNA Process

### 1. RHNA Determination / Assessment

**Department of Housing & Community Development (HCD)**
- Determination for entire SCAG region
- Consults with Dept. of Finance and SCAG
- Existing Needs & Projected Needs
- Process: Dec 2018 - Aug 2019

### 2. RHNA Distribution/Allocation

**Southern CA Association of Governments (SCAG)**
- Develops a plan to distribute units to SCAG jurisdictions
- Proposed Methodology (Development): Feb 2019 - Sept 2019

### 3. RHNA Planning

**City of Newport Beach**
- Sites Inventory & Analysis
- 2021-2029 Planning Period
- HE Due Date: October 2021

**Housing Element Update**
Housing Element Timeline

- Jan 2019: GP Update Kick Off
- Sept 2019: RHNA Regional Determination
- Feb 2020: Distribution of Draft RHNA to NB
- Oct 2020: Adoption of Final RHNA
- Oct 2021: Housing Element Due Date

Additional steps:
- Housing Element Preparation
- Sites Inventory and Analysis
Non-Compliance Consequences
Review and Development

- **Review Cycle**
  - 4-Year vs. 8-Year
  - Submit to HCD 90 days prior to adoption
  - Must adopt HE within 120 days of due date

- **Carryover Provision**
  - Unmet RHNA rolls into next Planning Period

- **Streamlined Development (SB35)**
  - Not keeping up with RHNA
  - Ministerial approval
  - Compliance with objective standards
  - Labor provisions and coastal exemption
Non-Compliance Consequences
Legal and Financial

- **Legal Action**
  - Ordered judgement can suspend building permits

- **Referral to Attorney General (SB72)**
  - Example: Huntington Beach Lawsuit

- **Financial Impacts**
  - SB2 Planning Grant eligibility
  - Potential transportation funds
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