

## **What is the Housing Element?**

The Housing Element is a State-mandated section of the City's General Plan for cities throughout the State (<http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/plan/he/>). It is required by law to be updated and approved (certified) by the State every five-years. In the worst case scenario, if a City's Housing Element is not certified, the State can take jurisdiction over the City's zoning and land use decisions.

The Housing Element is a part of the City's General Plan, which sets forth guiding policies for future development. More specifically, the element outlines State-mandated policies and programs for housing in cities throughout the State and the City's assigned share of population growth. State law requires that Housing Elements ensure adequate sites for new housing for all income levels, encourage and facilitate the development of affordable housing, analyze and remove governmental constraints on new housing development, promote equal housing opportunities, and preserve assisted housing.

The Southern California Association of Governments (SCAG) is the regional planning agency that prepares the Regional Housing Needs Assessment (RHNA), which allocates a portion of the total new housing needs to each jurisdiction. The City of Palos Verdes Estates has been allocated 16 units for the current 2013-2021 planning cycle and the updated Housing Element demonstrates how the City can meet this allocation. State law also mandates that Housing Elements establish land use zoning for "special needs housing" that provides the opportunity for developing emergency shelters, transitional and supportive housing, residential care facilities, and single room occupancy.

## **Do all jurisdictions in the State have a Housing Element?**

463 of the 538 cities and counties in the State have an approved Housing Element. For Peninsula cities, this includes Palos Verdes Estates, Rancho Palos Verdes, Rolling Hills, and Rolling Hills Estates and (<http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/plan/he/status.pdf>).

## **Does the Housing Element have the same requirements for all cities?**

All cities are required to have a certified Housing Element (<http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/plan/he/>). The two key requirements under state law are 1) demonstrating that the City can accommodate its assigned share of new housing need; and 2) ensuring that the City's zoning regulations comply with state laws regarding housing for persons with special needs. State Housing Element law identifies the following "special needs" groups: elderly households, disabled persons including those with developmental disabilities, large households, female-headed households, families and persons in need of emergency shelter, and agricultural workers.

## **Special Needs Housing and Requirements of State Law**

Consent of the property owner and a source of funding is required in order for special needs housing to be established. Special needs housing refers to the following types of housing.

*Emergency Shelters* are permanent facilities providing temporary shelter for homeless persons, not just persons who are displaced after a natural disaster. The City is required by the State to identify at least one zone district where emergency shelters for the homeless and transitional and supportive housing

could be accommodated ([http://www.hcd.ca.gov/housing-policy-development/sb2\\_memo050708.pdf](http://www.hcd.ca.gov/housing-policy-development/sb2_memo050708.pdf)). To comply with State law, the Palos Verdes Estates Housing Element and Municipal Code permit emergency shelters only in the commercial zones.

*Transitional and Supportive Housing* is rental housing intended for low-income persons or persons with disabilities. State law requires cities to regulate these uses in the same manner as ordinary residential uses.

*Residential Care Facilities* are intended for the elderly or others with disabilities in need of 24-hour non-medical care. State law requires cities to allow state-licensed residential care facilities for 6 or fewer persons under the same standards as ordinary residential uses. Cities are also required to establish reasonable regulations governing larger residential care facilities for 7 or more persons.

*Single Room Occupancy* housing units are very small studio-type rental units intended for one or two low-income persons. State law requires every city to adopt reasonable zoning regulations governing this type of housing in at least one zoning district.

### **Factory-Built Housing**

The City is required by the State to allow for factory-built housing and local requirements may not differ substantially from requirements imposed on other residential buildings of similar size. In rare cases, this modular construction style can appear as a mobile home but more often the appearance is the same as other residential buildings.

Factory-built housing (FBH) is an automated construction version of a site-built residential structure. Factory-built housing laws and regulations are intended to help reduce many of the costs associated with the construction of single-family and multi-family residences by allowing mass-production techniques combined with the benefits of a controlled atmosphere and automation of a factory. Other than using automated construction, there is little or no difference between factory-built housing and site-built residential structures.

Of interest, there are 12 mobile homes in our City as identified by the 2010 U.S. Census, generated from State and County reports from building permits. The building permit records do not distinguish between factory-built and site-built housing. The one obvious factory-built housing is the older mobile home located at the Palos Verdes Stables.

### **Does the Housing Element lead to other things?**

The Housing Element does not compel the City to seek grants or initiate changes that alter the carefully planned character of the City. It is important to note that State law does not require cities to building affordable housing – rather the law focuses on the things cities have control over, such as land use plans, zoning, and permit procedures.