



City of El Segundo

Planning Division

MEMORANDUM

TO: Chairman and Members of the Planning Commission
FROM: Eduardo Schonborn, AICP, Planning Manager
DATE: January 11, 2022
SUBJECT: Agenda Item H.3 - Housing Element: Additional info
Prepared by: Paul Samaras, AICP, Principal Planner

On January 13, 2022, the Planning Commission will consider the proposed 2021-2029 Housing Element. This memorandum includes some additional information to assist the Planning Commission understand where and how the revised Housing Element addresses the comments received from the Department of Housing and Community Development (HCD) on December 8, 2021. The attachment to this memorandum is a matrix that lists each individual comment in HCD's letter to the City, it briefly describes how each comment is addressed, and it lists the page in the revised Housing Element document where the comment is addressed. Please note that some of the page numbers listed in the attached matrix begin with the capital letter "C." The letter "C" refers to the appendix in the Housing Element where some of the changes were made.

	HCD Comment	Revision	Page
A1. Outreach	Outreach specifically related to affirmatively furthering fair housing (AFFH) is foundational to a complete analysis and formulating appropriate goals and actions to overcome patterns of segregation and foster more inclusive communities. The element should summarize outreach efforts and relate this input to all components of the AFFH analysis and modify or add goals and actions as appropriate. Further, the element mentions a regional analysis of impediments to fair housing choice (AI) which includes outreach but could also tailor and summarize that outreach relative to El Segundo's fair housing issues and formulate appropriate programmatic response.	Added to fair housing outreach and enforcement programs.	85
A1. Enforcement	The element summarizes various laws and court rulings, but it should also discuss the City's compliance with existing fair housing laws as well as any past or current fair housing lawsuits, findings, settlements, judgements, or complaints.	Statement on compliance added.	C-2
A1. Identified Sites and AFFH	The element provides information regarding the proportion of sites by income group according to various concentrations of socio-economic characteristics. In addition, the element should address the number of units by income group, magnitude of impact on local patterns, any isolation of the RHNA by income group and address the placement of the sites such as concentrations of sites in key areas and corridors.	Sites inventory discussion added.	C-70
A1. Local Data and Knowledge	The element must include local data, knowledge, and other relevant factors to discuss and analyze any unique attributes about the City related to fair housing issues. The element should complement federal, state, and regional data with local data and knowledge where appropriate to capture emerging trends and issues, including utilizing knowledge from local and regional advocates and service providers.	Additional narrative and data added.	C-67
A1. Other Relevant Factors	The element must include other relevant factors that contribute to fair housing issues in the jurisdiction. For instance, the element should analyze historical land use, zoning, governmental and nongovernmental spending including transportation investments, demographic trends, historical patterns of segregation, or other information that may have impeded housing choices and mobility.	Additional narrative and data added, including historical knowledge.	C-67
A1. Contributing Factors	Some contributing factors do not appear connected to the analysis of fair housing issues. For example, the element identifies substandard housing as an issue and the cost of repairs as a contributing factor to fair housing issues, but it also states only a very small portion of the City's housing stock is in need of rehabilitation (p. 25). The element should re-assess and prioritize contributing factors upon completion of an analysis and make revisions as appropriate.	Edited for clarity.	C-71
A1. Goals, Actions, Metrics, and Milestones	The element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.	Additional actions added; location-based strategies included.	85
A2. ELI Households	The element includes some basic information regarding ELI households such as the number of households (p. 15) and projected housing needs (p. 49). However, given the unique and disproportionate needs of ELI households, the element must include analysis to better formulate policies and programs. For example, the element should analyze tenure, cost burden, overcrowding and other household characteristics then examine the availability of resources to determine gaps in housing needs. For additional information, see the Building Blocks at http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/extremely-low-income-housing-needs.shtml .	Narrative and data added.	21

A3. Sites Inventory	<p>While the element lists sites by various factors (Table 5-4), it must also list sites by anticipated affordability level (i.e., lower, moderate, above moderate). As noted in the element, several sites have a pending project that is under active consideration with anticipated affordability by the City. Instead of a site based on densities, the element should utilize this pending project toward the RHNA based on the proposed number of units and affordability based on actual or anticipated rents, sales prices or other mechanisms ensuring affordability (e.g., deed restrictions). For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. This is especially important for determining sites that have been utilized in multiple planning periods and are subject to by-right provisions. Please see HCD's housing element webpage at https://www.hcd.ca.gov/community-development/housing-element/index.shtml#element for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.</p>	<p>Affordability previously included, additional narrative included. Electronic inventory IP.</p>	<p>55, 67</p>
A3. Realistic Capacity	<p>The element must include a methodology to calculate the residential capacity on identified sites. If utilizing minimum densities, no analysis is required. The element states minimum densities were utilized (p. 51), however, some calculations appear incorrect, and the element should be revised as appropriate.</p>	<p>Revised.</p>	<p>56</p>
A3. Suitability of Nonvacant Sites	<p>While the element identifies nonvacant sites to accommodate the regional housing need for lower-income households, it must further describe the methodology used to determine the additional development potential within the planning period. The methodology must consider factors including the extent to which existing uses may constitute an impediment to additional residential development, past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites. To address this requirement, the element states sites were selected for proximity to opportunities (e.g., schools and parks), mixed-use potential, obsolete uses that have redevelopment potential and consolidation potential. The element also includes general descriptions of existing use, including age of structure. However, first, the element should also discuss market conditions, development trends and past experience with converting existing uses. This discussion should relate to the uses identified in the inventory and may utilize information from the surrounding area. Second, the element should include more discussion of the existing uses and whether the uses are an impediment. For example, in some cases, the element describes a site as older or with open parking. The element could also describe whether the use is operating, marginal, under lease, vacant, under-utilized. Finally, the element should discuss the proposed regulatory framework and planned incentives and how that can encourage additional development on nonvacant sites. In addition, because the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households, it must demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in the planning period. (Gov. Code, § 65583.2, subd. (g)(2).) Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA.</p>		
A3. Small Sites	<p>Sites smaller than half an acre are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites are suitable to accommodate housing for lower-income households. While the element broadly mentions potential for consolidation, it must include analysis to demonstrate the potential for consolidation. For example, the analysis could describe the City's role or track record in facilitating past lot consolidation, common ownership, policies, or incentives offered or proposed to encourage and facilitate lot consolidation or other conditions rendering parcels suitable and ready-for-lot consolidation.</p>	<p>Narrative added.</p>	<p>69</p>

A3. Environmental Constraints	While the element generally describes a few environmental conditions within the City, it must relate those conditions to identified sites and describe any other known environmental or other conditions that could impact housing development on identified sites in the planning period.		
A3. Infrastructure	The element generally describes infrastructure but, it must also clarify whether there is sufficient total water capacity (existing and planned) to accommodate the regional housing need or add or modify programs, if necessary. In addition, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. The element should discuss compliance with these requirements and if necessary, add or modify programs to establish a written procedure by a date early in the planning period. For additional information and sample cover memo, see the Building Blocks at http://www.hcd.ca.gov/community-development/building-blocks/other-requirements/priority-for-water-sewer.shtml .		
A3. ADUs	The element projects 80 ADUs over the planning period based on ADUs permitted since January 2018: 13 in 2018, 13 in 2019 and 8 (as of November) in 2020. However, these figures differ from HCD records: 4 in 2018, 15 in 2019 and none reported in 2020. The City should reconcile these figures and adjust ADU assumptions if necessary.	No change needed.	NA
A4. Land Use Controls	The element must identify and analyze all relevant land use controls impacts as potential constraints on a variety of housing types. The analysis should analyze land use controls independently and cumulatively with other land use controls. The analysis should specifically address requirements related to heights and multifamily parking. The analysis should address any impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints.	Added.	47
A4. Processing and Permit Procedures	While the element includes information about processing times, it should also describe the procedures for a typical single-family and multifamily development. The analysis should address the approval body, the number of public hearings if any, approval findings and any other relevant information. The analysis should address impacts on housing cost, supply, timing, and approval certainty. For example, the element should identify and analyze approval findings for impacts on approval certainty, the presence of processes or guidelines to promote certainty and add or modify programs as appropriate.	Additional info provided.	48
A4. Fees and Exaction	While the element lists various planning fees, it must specifically analyze the fees for a conditional use permit and include programs to address identified constraints as appropriate.	Clarified.	45
A4. Zoning, Development Standards, and Fees	The element mentions zoning and development standards are available on the City's website but should also address whether fees are posted on the City's website and add a program to address this requirement, if necessary.	Clarified.	45
A4. Housing for Persons with Disabilities	The element briefly mentions a reasonable accommodation procedure for providing exception in zoning and land use for persons with disabilities. However, the element should describe the process and decision-making criteria such as approval findings and analyze any potential constraints on housing for persons with disabilities.	Reasonable accommodation info added.	44
B1. Housing Programs	As noted in Finding A3, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:	Revised.	78-81
B2. Housing Programs	Program 4 (Inclusionary Housing and Affordable Housing Strategy): The Program should commit to support applications for funding and proactively and annually reach out to developers of housing affordable to lower income, including ELI and special needs households, as part of facilitating affordable housing development through incentives and technical assistance.	Revised.	79

B3. Housing Programs	As noted in Finding A4, the element requires a complete analysis of potential governmental and non-governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, the element includes Program 7 (Municipal Code Amendments) to amend zoning for group homes for seven or more persons. This Program should specifically commit to allowing these uses in all residential zones and procedures that will promote objectivity and approval certainty (e.g., not a conditional use permit). Also, Program 7 should consider zoning amendments for emergency shelters, supportive housing, and low barrier navigation centers earlier in the planning period (e.g., within one year).	Added.	84
B4. Housing Programs	As noted in Finding A1, the element does not contain programs that satisfy the AFFH requirements for specific and meaningful actions to overcome fair housing issues. Based on a complete analysis, the element must add or revise programs.	Revised.	85
C. Quantified Objectives	The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. While the element includes objectives for construction and conservation, the element must also include rehabilitation objectives.	Revised.	87
D. Public Participation	While the City made an effort to include the public through meetings and a survey, moving forward, the City should employ additional methods for public outreach efforts in the future, particularly to include lower-income and special needs households and neighborhoods with higher concentrations of lower-income households. For example, the City could conduct targeted stakeholder interviews or establish a committee representative of lower-income households in future public outreach efforts. In addition, while the element has summarized comments, it must also describe how they were considered and incorporated into the element. For additional information, see the Building Blocks at http://www.hcd.ca.gov/community-development/building-blocks/getting-started/public-participation.shtml .	Revised.	87