Where will our children live?

With a growing population, high rents, low vacancy rates, and low-income people being pushed out of neighborhoods many communities need an ACTION PLAN for building and protecting homes for the people who live and work locally. The good news is the State requires cities and counties to plan for present and future housing needs by updating a part of their general plan called the Housing Element.

Why Should You Participate in the Housing Element Update Process?

The Housing Element is part of the land use plan that guides how much land will be zoned for housing in the future development of a city. This plan should answer the question – where will our children live? Large developers and corporations participate in this process to maximize their profits, however community voices are often missing. If you want a say in what land use policies will govern the City’s ability to meet its future housing needs, you should participate, and you should encourage others to participate.

Are there any teeth in the Housing Element?

As part of the General Plan, the Housing Element is the “constitution” for local land use and development decisions need to follow it. If there isn’t a valid housing element, then the general plan isn’t valid. In such cases, courts have ruled that cities cannot make further development decisions until a valid housing element is adopted. If the State does not approve a local housing element, a court may issue a temporary injunction barring all development (including non-residential) until the city complies with the law. Therefore, cities are very interested in getting the State to approve their housing elements.

The State is very interested in local Housing Elements being real action plans to address the local shortage of housing, especially affordable housing. The State is interested in hearing your thoughts on your local housing element.

What is the Housing Element?

The Housing Element is a required part of the city’s or county’s General Plan. Under State law, every local government must create a plan for their “existing and projected” housing needs for the whole community, including low-wage workers and others who are priced out. Each locality has a fair share of the regional housing need allocation (“RHNA”), a target number of homes needed across a wide range of incomes. Each locality’s Housing Element should include:

1. A detailed assessment of the housing needed;
2. An analysis of land “suitable for residential development, including vacant sites and sites having potential for redevelopment;”
3. An analysis of local governmental constraints to the development of housing for all income levels; and
4. An action plan to address all identified needs and constraints.

Housing Elements must be updated every five years or so and submitted for approval by the State Department of Housing and Community Development (HCD). The deadline for Southern California cities and counties to revise their plans is June 30, 2008.
How Can You Get Involved in the Update Process?

1. Join Forces
Work with the other housing advocates, tenant organizers, legal aid offices, and affordable housing developers in your community to figure out what the most important housing issues locally and how to build support to address them in your Housing Element.

2. Go to public meetings and speak your mind.
Cities and counties will hold public hearings and accepting public comments on their Housing Element updates. Local city councils and boards of supervisors will be reviewing, changing and voting on Housing Element updates in the coming months. Encourage the city to reach out to a broad segment of the community for input. Encourage people and organizations you know to attend the meetings. If attendance is low or if you have better outreach ideas, let the city officials know.

3. Review the Draft for Accuracy
Community members are in the best position to know if the action plan set out in the Housing Element really addresses the barriers to building affordable homes locally. Nonprofit developers are well positioned to comment on the adequacy of the sites contained in the locality’s housing element and whether the local community will support building housing on those sites.

4. Make Suggestions
Suggest things your city could do that you think would help build new affordable homes or to protect the homes of low-income people. Some ideas are: mixed-income housing requirements for new apartments and condos; limitations on converting apartments to condominiums; one-for-one replacement of any affordable apartments demolished; limits on demolitions; enforcement of rent control; inclusionary housing so that part of every housing development is affordable; know-your-rights educational campaigns for tenants; generous relocation benefits for displaced renters that cover the full cost of losing a home; find a good location to build a homeless shelter, etc.

5. Send a letter to the City and a copy to the State with your ideas
HCD will review your city’s Housing Element and accept comments for the public. The more information HCD has from local people, the better it will understand the city’s housing element.

6. Get more information
Housing advocates across the state have been successfully using the Housing Element process to get cities and counties to do something real about the housing crisis. There are two excellent resources on Housing Elements:

The California Housing Element Manual, produced by the California Affordable Housing Law Project, and can be found at: http://www.cahlp.org/.
HCD’s Housing Element Questions and Answers, which can be found at: http://www.hcd.ca.gov/hpd/hrc/plan/he/qa1106.pdf.