



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 8/27/2018

Agenda Placement: 7B

Napa County Legislative Subcommittee Board Agenda Letter

TO: Napa County Legislative Subcommittee
FROM: Mary Booher for Minh Tran - County Executive Officer
County Executive Office
REPORT BY: Molly Rattigan, Deputy County Executive Officer - 253-4112
SUBJECT: SB 828: Land Use Housing Element

RECOMMENDATION

County Executive Officer requests discussion and possible direction on SB 828 (Weiner), a bill that amends the Regional Housing Needs Allocation process.

EXECUTIVE SUMMARY

SB 828 makes changes to the Regional Housing Needs Allocation (RHNA) process. The bill was most recently amended on August 20, 2018.

The California State Association of Counties and the Rural County Representatives of California took an "opposed unless amended" position. The letter prepared by the two organizations is attached to this item. The amendments from the June 27, 2018 hearing addressed issues expressed by CSAC and RCRC.

Staff will report on discussions with the author's office and amendments recommended. Staff is seeking discussion and direction from the Legislative Subcommittee.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

SB 828 is a piece of legislation that has been amended many times through the course of the legislative process. The most recent version of this bill was amended on August 20, 2018. The bill is currently with the Legislative Counsel for additional amendments, including language recommended by staff consistent with the Napa County Legislative Platform.

Part of the initial intent of the legislation was to require a city or county, if its inventory of sites suitable and available for residential development is not sufficient to meet its Regional Housing Need Allocation (RHNA), to identify zoning and other actions it will take to accommodate 200% of its share of RHNA for each income level. This proposal was initially dropped from 200% to 125% and then removed from the bill.

The California State Association of Counties (CSAC) and the Rural County Representatives of California (RCRC) took an "opposed unless amended" position. The letter prepared by the two organizations is attached to this item. The amendments from the June 27, 2018 hearing addressed issues expressed by CSAC and RCRC. While it is staff's understanding that CSAC and RCRC will pull their opposition, there continues to be concern that Section 1 (legislative language intent) is inconsistent with amendments made on July 2, 2018. Further, there are concerns that language amended out of this bill might be amended into other bills later in the legislative cycle.

Provisions of the amended bill include:

- | Prohibit the prior underproduction of housing in a city or county from the previous cycle from being used as a justification for a determination or reduction in the jurisdiction's share of the regional housing need. The bill would also require the final regional housing need plan to demonstrate government efforts to reverse racial and wealth disparities throughout the region by assigning additional weight to local governments that meet specified criteria in the distribution of the regional housing needs allocation for all income categories.
- | Require the council of governments to provide data on the overcrowding rate for a comparable housing market, and would define the vacancy rate for a healthy housing market for those purposes to be considered between 5% and 8% of both rental and ownership housing. The bill would also require the council of governments to include data on the percentage of households that are cost burdened, the rate of housing cost for a healthy housing market, and data on the projected household income growth.
- | Require the methodology approved by the department to grant allowances to adjust for data factors relating to overcrowding, vacancy rates, and households that are cost burdened, as described above, based on the region's total projected households, which includes existing households as well as future projected households.

Staff is seeking discussion and direction from the Legislative Subcommittee. Staff is recommending support of the bill pending the printing of amendments the author has sent to Legislative Counsel. Staff will provide updated bill language at the Legislative Subcommittee meeting on August 27, 2018.

SUPPORTING DOCUMENTS

A . SB 828 (Weiner)

Recommendation: Approve

Reviewed By: Molly Rattigan