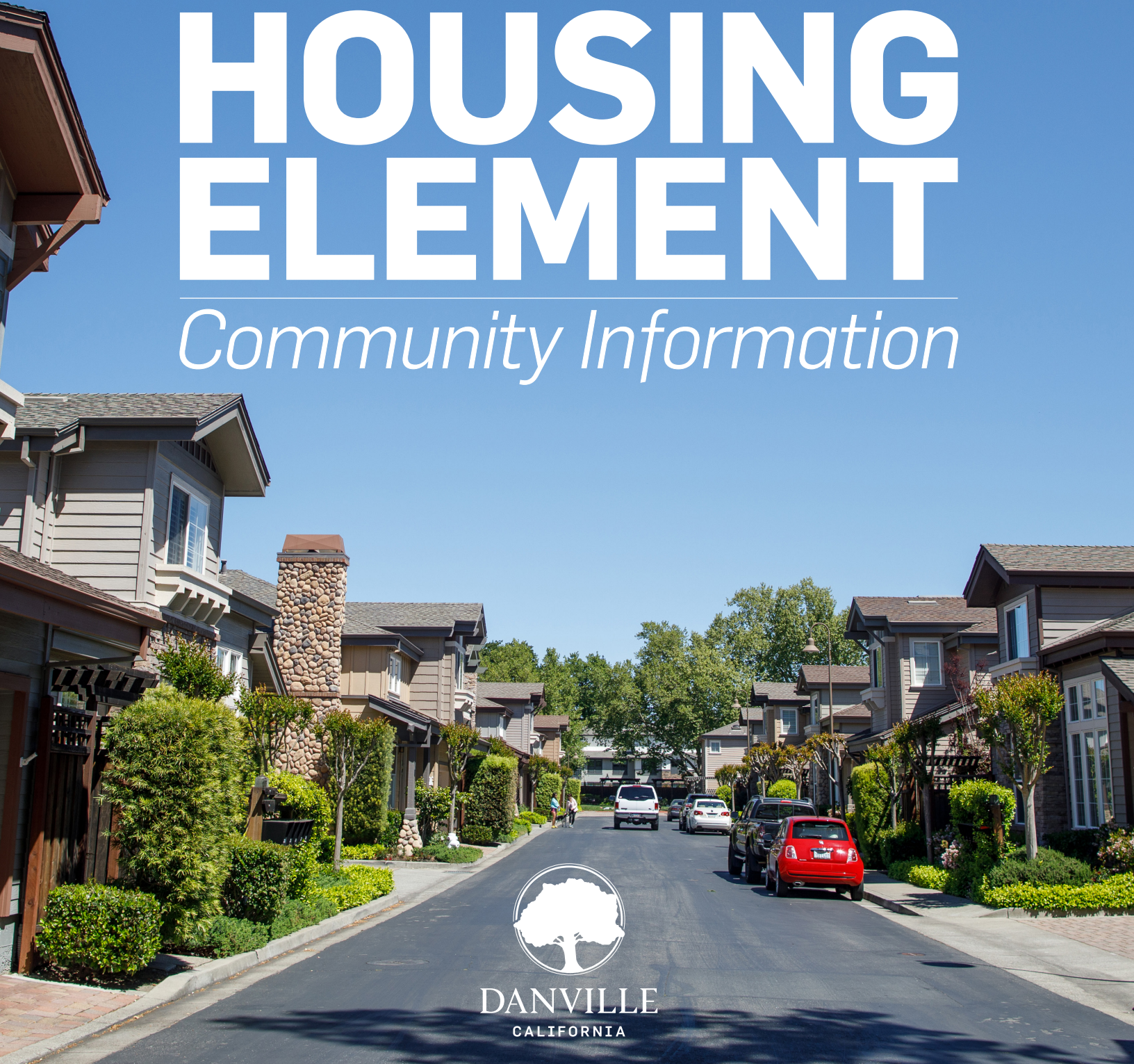




2023-2031

HOUSING ELEMENT

Community Information



DANVILLE
CALIFORNIA

what is a **State-mandated Housing Element?**

A Housing Element is a **state-mandated policy document** that identifies where and how cities will accommodate existing and projected future housing needs for people of all income groups. As one of 7 elements of the Danville General Plan, it is required to be updated every eight years, referred to as housing cycles. This is the sixth cycle of updates (2023-2031).

The need for every city and county in California to plan for their “fair share” of the projected housing need is based on Housing Element Law, enacted in 1969 (Government Code Section 65583). The concept behind the law is that, in order for the private development market to adequately address housing demand, local governments must adopt housing plans that provide opportunities for—and not unduly constrain—housing development.



how we maintain some **Local Control**

Adopting a state-mandated Housing Element helps protect the Town’s General Plan and maintains some level of local control. The penalties for non-compliance have increased in scope and severity over the past few legislative cycles.

Non-compliance could mean:

Limited access to state funding including transportation funding for local roadway maintenance and capital improvement projects.

Court-imposed fines of up to \$100,000 per month which may be increased to \$600,00 per month if the city does not comply in a specific time frame. The statute also allows the State to collect these fines by withholding state funding due to the city.

Lawsuits: When a community’s housing element is found to be out of compliance, its General Plan is at risk of being deemed invalid, opening the possibility for lawsuits. Consequences of lawsuits include:

- Court mandated compliance
- Court suspension of local control on building matters, freezing the community’s ability to issue building permits, zoning changes, etc.
- Court approval of housing developments on behalf of the community
- Attorney fees associated with the lawsuit

two-year **Outreach** & engagement process

The Town embarked on an extensive outreach effort to inform the community about the Housing Element process including:

• **7,700** site visits on new Danville Town Talks platform

• **32** workshops, presentations, and panel interviews

• **78** website and social media posts

• **20** Danville eNews, newsletter articles

• **114** direct mail letters to property owners

• **32,000** postcards

Through these outreach efforts, residents were invited to provide input through interactive maps:

• **April 2022:** Launched the Housing Site Suggestion Map for community members to drop a pin on suggested housing sites.

• **July 2022:** Launched the Housing Simulation Engagement tool to enable community members to add units and density to suggested sites.

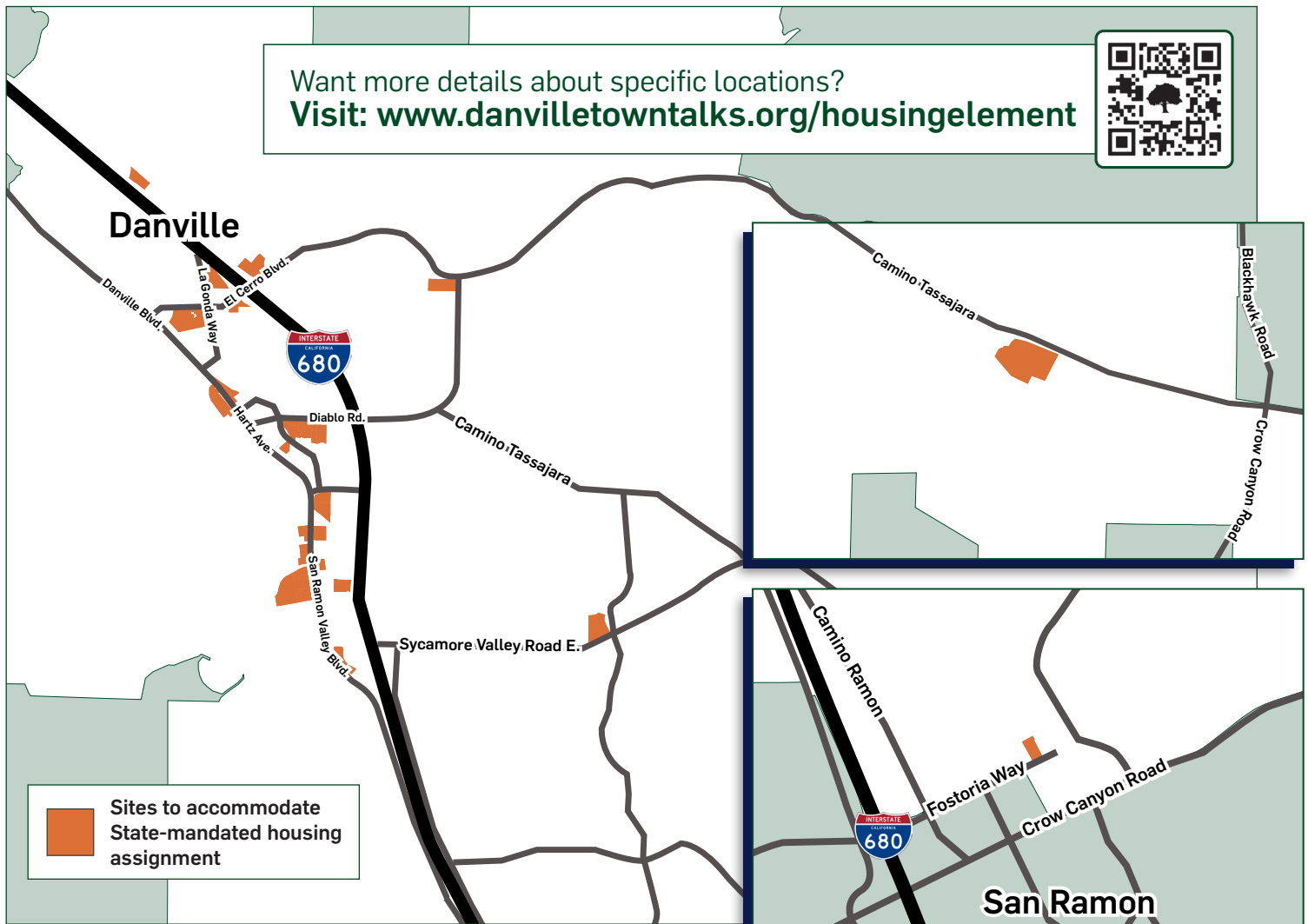
accommodating the mandate with thoughtful Housing Site Planning

The Town sought community input on and identified potential state-mandated housing sites to best preserve residential neighborhoods. The number of housing units each city and county must *plan* for (not build) is determined by the California Department of Housing and Community Development (State HCD) every eight years, referred to as housing cycles. In the upcoming housing cycle, Danville is currently expected to plan for a minimum of 2,241 housing units.

The California Departments of Finance (DOF) and HCD forecast the

need for housing within each region based on population projections. This process is called the Regional Housing Needs Assessment (RHNA). The regional planning agency for each region must then distribute the projected housing need among its member local jurisdictions. Danville falls within the region governed by the Association of Bay Area Governments (ABAG). For the 2023-2031 planning cycle, the State has determined that the Bay Area must plan for an additional 441,176 new units, of which **Danville is expected to accommodate a minimum of 2,241 new homes.**

Under current state law, cities are not required to build housing units. Housing construction is still driven by the private market. Instead, a city is required to ensure that sufficient lands are available to accommodate all assigned units “by right.” To do so, cities must determine whether enough land is available to accommodate its RHNA assignment. If not, then the city is required to designate new sites for this purpose—usually through amending the General Plan and Zoning designations of land to allow for multifamily housing development.



State legislative changes

The Danville 2023-2031 Housing Element marks a significant shift from previous cycles, largely due to new state laws aimed at boosting housing production in California. Here's an overview of the key legislative changes affecting housing:

- **Housing Accountability Act (HAA) Updates:** Originally enacted in 1982 to expedite housing approvals, the act was strengthened in 2016 and 2017.
- **Accessory Dwelling Units (ADUs) Legislation:** A series of bills have made it easier for homeowners to add secondary units on their property, increasing housing supply.
- **Streamlined Approval Process for Affordable Housing:** Simplifies the approval process for certain multifamily projects, reducing local oversight.

- **Stricter Site Analysis Requirements:** Series of bills that require a more stringent viability assessment of sites considered for housing development.
- **Affirmatively Furthering Fair Housing (AFFH):** Ensures Danville's housing plans promote equitable access, aligning with federal Fair Housing Act principles.
- **No-Net-Loss Zoning:** Mandates preservation of housing capacity for lower-income families. If a site earmarked for lower-income housing is developed with higher-income units, the Town must find and (if needed) rezone a replacement site.
- **By Right Transitional and Supportive Housing:** Requires adjustments in zoning to facilitate housing for vulnerable groups in residential districts.
- **Housing Crisis Act of 2019:** Limits jurisdictions' ability to deny a project based on subjective design standards, prohibits changes to development standards after an application is submitted, and limits the maximum public hearings for a project to five.
- **Affordable Housing on Faith Lands and Higher Education Act:** Streamlines the process for faith-based and nonprofit educational organizations to build affordable housing on their lands.

▶ For details on specific state legislation affecting housing requirements, visit: www.danvilletowntalks.org/housingelement

Town compliance changes

To comply with new state housing laws, Danville's latest Housing Element establishes a variety of strategies to diversify housing options while supporting the intent of the General Plan:

1. **ADUs:** Streamlining ADU development to offer more affordable and flexible options for residents.
2. **Diverse Housing:** Adjusting plans to introduce a mix of housing types, targeting affordability for all income levels with new zoning for diverse configurations, including multifamily duplexes and junior ADUs.
3. **Height and Density Adjustments:** Revising zoning to permit up to three stories in multifamily districts, enhancing density and encouraging urban redevelopment.
4. **Addressing Special Needs:** Partnering with organizations to cater to the housing needs of seniors, the disabled, and low-income families.
5. **Infill Development:** Promoting the use of vacant or underused land within an urbanized area rather than greenfields to foster sustainable growth.
6. **Density Bonuses:** Offering incentives for projects that incorporate a significant number of affordable housing units.
7. **Supporting Affordable Housing:** Implementing policies and competing for outside funding to facilitate the creation of affordable homes and preserve open space.
8. **Preserving Affordable Housing:** Actively working to keep current affordable options from transitioning to market rate housing.
9. **Streamlining Small Projects:** Allowing smaller housing developments (10 units or fewer) to undergo a simplified approval process.
10. **Nexus Studies Update:** Reviewing development fees to ensure they match the actual costs of maintaining infrastructure.
11. **Inclusionary Housing Changes:** Exploring amendments to require low-income units in new developments and considering in-lieu fees as an alternative compliance method.
12. **Simplifying Reasonable Accommodation:** Modifying the ordinance to streamline the process for accommodating housing requests based on disability, moving to a staff-level review without public notification.
13. **Promoting Home Sharing:** Launching initiatives to raise awareness of and facilitate age-friendly housing solutions, including a new home-sharing program to match tenants with homeowners, extending outreach beyond Town residents.

These strategies aim to create a balanced, inclusive housing landscape in Danville, addressing the needs of various income levels and demographics through innovative planning and partnerships.