

City of Chino Hills Responses to HCD Review of Chino Hills' 6th Cycle Housing Element dated September 3, 2021

A. Review and Revision

Special Housing Needs: The element must provide an explanation of the cumulative effectiveness of actions in addressing the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female headed households, farmworkers and persons experiencing homelessness).

Response: The Cumulative Effectiveness of Actions Addressing Special Housing Needs section has been added as Section II.E.8 to the 6th Cycle Housing Element to address comments provided in HCD's comment letter. This section of the Housing Element includes a new Table 2-21 that summarizes existing City efforts to address the housing needs of special needs populations, assesses the effectiveness of current actions, and identifies program objectives to address special housing needs populations during this planning period. Each of the program objectives identified in the table are incorporated into the Housing Plan, Section VI of this Housing Element. (See new Table 2-21, below):

Table 2-21. Cumulative Effectiveness of Actions Addressing Special Housing Needs and Objectives for 2021-29 Planning Period: Chino Hills

Needs Group	Actions To Address Housing Needs	Effectiveness of Actions	Program Objectives for 2021-2029 Planning Cycle
Senior (65 +)	<ol style="list-style-type: none"> 1. City provides senior recreational programs at Community Center. 2. City provides senior lunches provided at Chino Senior Center. 3. OmniRide micro-transit provides Seniors \$2 fare. 4. City website contains a dedicated Senior webpage with information about social and recreational services. 	<p>These actions help provide needed social services to Seniors but there is still a need for affordable senior housing.</p>	<ol style="list-style-type: none"> 1. City has initiated development of a lower income senior housing project, with the goal of completing 50 lower income senior rentals units during this planning cycle. 2. City to amend its Development Code to allow Permanent Supportive Housing by right in areas zoned for multifamily and mixed-use as required by Title 7, Division 1, Chapter 3, Article 11 of the California Government Code. 3. City to continue to seek grant funding toward expanding affordable housing for seniors. 4. City to continue all existing senior programs during this planning period.
Disabled	<ol style="list-style-type: none"> 1. City provides no charge for reasonable accommodations applications. 2. City monitors ADA compliance. 3. Group, transitional, and supportive housing for 6 or fewer persons are provided by right, and for more than 6, through a staff level Minor Use Permit (MUP). 4. OmniRide micro-transit provides Disabled persons \$2 fare. 	<p>These actions help provide housing and transit to disabled persons.</p> <p>To date, the City has had no request for a group, transitional, or supportive home for more than 6 persons. Although there is no evidence that this requirement is a constraint, the City will develop a program to facilitate the larger group homes for disabled persons.</p> <p>The City also commits to amending its Development Code to allow Permanent Supportive Housing by right in areas zoned for multifamily and mixed-use as required by Title 7, Division 1, Chapter 3, Article 11 of the California Government Code.</p>	<ol style="list-style-type: none"> 1. City will waive fees for the MUP for groups homes of more than 6 persons. 2. City will monitor requests and applications for group homes of more than 6 persons, and if the MUP process is found to be a constraint, City will eliminate MUP requirement. 3. City to amend its Development Code to allow Permanent Supportive Housing by right in areas zoned for multifamily and mixed-use as required by Title 7, Division 1, Chapter 3, Article 11 of the California Government Code. 4. City to continue to support opportunities for group homes and other type of congregate or semi-congregate housing options, including SROs for disabled persons. 5. City to continue to seek grant funding toward expanding affordable housing for disabled persons. 6. City to continue all existing disabled person services and programs during this planning period.
Large Households	<p>City encourages multifamily housing developers to include 3+ bedroom units.</p>	<p>Of the multifamily projects completed in the last five years, 325 or 30% of the 1,108 units had 3 or more bedrooms</p>	<ol style="list-style-type: none"> 1. Based on the 30% 3+ bedroom units built during the last planning period, this program is effective. 2. During this planning period, the Community Development Department staff will continue to encourage multifamily developers to include at least 30% 3+ bedroom units within their developments.

Table 2-21. Cumulative Effectiveness of Actions Addressing Special Housing Needs and Objectives for 2021-29 Planning Period: Chino Hills

Needs Group	Actions To Address Housing Needs	Effectiveness of Actions	Program Objectives for 2021-2029 Planning Cycle
Female-Headed Households	<ol style="list-style-type: none"> 1. City located multifamily housing near commercial centers, with greater access to childcare, medical, and recreation services. 2. City recreation services and school services provide recreation after school, summer camps, and counseling programs, including free programs and scholarships. 	<p>Current City and school programs and services can provide critical support for female headed households.</p> <p>Other policies that support affordable housing and childcare facilities can further assist female headed households with financial needs.</p>	<ol style="list-style-type: none"> 1. Continue to expand the supply of multifamily housing through zoning and working closely with residential developers. 2. Continue to seek grant funds toward expanding affordable housing options. 3. Continue existing recreation and counselling programs including partnership with the school district.
Farmworkers	<p>The number of persons employed as farmworkers in Chino Hills is very low.</p>	<p>Although the number of farmworkers in Chino Hills is small, policies that support affordable housing can assist farmworkers.</p>	<ol style="list-style-type: none"> 1. Continue to expand the supply of multifamily housing through zoning and working closely with residential developers. 2. Continue to seek grant funds toward expanding affordable housing options. 3. City to continue to support opportunities for group homes, other type of congregate or semi-congregate housing options, including SROs, that can provide affordable housing options to farmworkers.
Homeless	<ol style="list-style-type: none"> 1. City participates in the San Bernardino City and County Continuum of Care (CoC) that supports and provides connections to agencies and programs that help with homeless prevention, homeless shelters, homeless motel vouchers, rehousing, drop-in centers for health and support services, and cooling centers that provide refuge on extreme heat days. 2. City provides CDBG funding to organizations that meet the needs of homeless populations, including Chino Neighborhood House, Heart 2 Serve, and House of Ruth. 	<p>Although the City's current efforts address homeless needs, the City will need to continue to monitor homelessness in the City and surrounding areas to provide housing and resource options for homeless persons.</p>	<ol style="list-style-type: none"> 1. Continue to work with CoC to support homeless programs and services and provide housing opportunities to decrease the number of homeless individuals. 2. Continue to provide CDBG funding to groups that assist homeless persons. 3. Continue to ensure that adequate opportunities for emergency shelters are available in the City. 4. City will amend its Development Code to allow Low Barrier Navigation Centers by right in areas zoned for multifamily and mixed-use as required by Title 7, Division 1, Chapter 3, Article 12 of the California Government Code. The need to continue and expand homeless services and sheltering opportunities will be considered through the policies of this Housing Element. 5. Continue to seek grant funds toward expanding affordable housing options. 6. City to continue to support opportunities for group homes, other type of congregate or semi-congregate housing options, including SROs, that can provide affordable housing options to homeless persons.

Table 2-21. Cumulative Effectiveness of Actions Addressing Special Housing Needs and Objectives for 2021-29 Planning Period: Chino Hills

Needs Group	Actions To Address Housing Needs	Effectiveness of Actions	Program Objectives for 2021-2029 Planning Cycle
Households in Poverty	<ol style="list-style-type: none"> 1. Each of the special needs groups addressed in this section include households in poverty. 2. As discussed in Section II.D.3 of the Housing Element, 16.2% of Chino Hills households are extremely low income, with incomes below 30% of the County median. (Reference Table 2-9.) Of the senior renter households, 35.5% are very low income. 3. The actions summarized in this table describe the City's efforts to assist households in poverty. 	The need to assist households in poverty is substantial. The City needs to continue to seek funding and resources to ensure all households, regardless of special need or income, have access to housing.	<ol style="list-style-type: none"> 1. Continue to provide CDBG funding to groups that assist persons experiencing homelessness. 2. Continue to ensure that adequate opportunities for emergency shelters are available in the City. 3. Continue to seek grant funds toward expanding affordable housing options. 4. Continue to pursue a City sponsored low income senior housing project. 5. City to continue to support opportunities for group homes, other type of congregate or semi-congregate housing options, including SROs, that can provide affordable housing options to households in or near poverty.

Adequate Sites Rezone: To demonstrate adequate sites for the prior planning period, the prior element included Measure 1.1 (p. C-2) to rezone sites and accommodate the shortfall of appropriately zoned sites to accommodate the regional housing need for lower-income households. While sites appear to have been rezoned, the element must also demonstrate the sites were available for development since, based on the discussion in the element, some rezoning appears to be related to projects. The element must also demonstrate rezoning complied with the requirements of Government Code section 65583.2, subdivisions (h) and (i). For example, while the element indicates the residential capacity of the rezoned sites, it must also demonstrate the rezoned sites have a site capacity of at least 16 units, permit rental and owner multifamily development without discretionary review at minimum densities of 20 dwelling units per acre, and that at least at least 50 percent of the very low-and low-income housing need shall be accommodated on sites designated for exclusive residential uses or on sites zoned for mixed uses that accommodate all of the very low and low-income housing need, if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project.

The element must also demonstrate the sites were rezoned during the prior planning period which ends October 15, 2021. (Gov. Code, §§ 65585 and 65588.) If the element does not demonstrate compliance with the statutory requirements, it must include a program to accommodate the unaccommodated need within the first year of the planning period. For additional information, go to <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>.

Response: Information regarding rezoning activities completed as part of the 5th Cycle Housing Element were previously reviewed and accepted by HCD in an April 26, 2018 letter signed by Zachary Olmstead, Deputy Director. This letter states that the Department finds the City has satisfied the requirements described in the Department's previous, December 10, 2013 letter; and as a result, the adopted 5th Cycle Housing Element complies with state housing element law (Article 10.6 of the Government Code).

(See Attachment 1, HCD April 26, 2018 Compliance Letter.)

To summarize the accomplishments of the 5th Cycle Housing Element, the following tables will be added to the 6th Cycle Housing Element, Appendix C – Review of Past Performance, as Tables C-2 and C-3.

Table C-2. Comparison of 5th Cycle Housing Element Allocated RHNA Units with Units Built by Type

(2014-2021 Planning Period)

5 th Cycle Housing Element Allocated RHNA Projects by Income Group (2014-2021 Planning Period)				Status of 5 th Cycle Housing Element Allocated RHNA Units (Zoned / Built by Density)		
Project Name	# of Units Proposed or Entitled	Density (Du/Ac)	Income Category by Default Density	# of Units Zoned / Built during 2014-2021 Planning Period	Built Density (DU/AC)	Status
Vila Borba -1	183	2.2	Above Moderate	183	2.2	Building Complete.
Vila Borba -2	149	2.4	Above Moderate	149	2.4	Building Complete.
Vila Borba -3	19	1.7	Above Moderate	19		Building permits approved.
Other SFD Development	268	0.1-3.0	Above Moderate	268	0.1-3.0	Building Complete.
Vila Borba -4	280	17.4	Moderate	220		Rezoned - not built. Difference of 60 units added to Shoppes II site.
Country Club Villas	70	14.9	Moderate	70	14.9	Phase 1 & 2 consisting of 42 units, including 9 moderate income units built - Complete. Phase 3 consisting of 18 units, 5 of which will be moderate income) – In Grading Phase.
Lago Los Serranos	95	11.8	Moderate	95	11.8	Building Complete.
Villagio (Capriana) Apartments	286	19	Moderate	286	19	Building Complete.
Windmill Creek (Crystal View) Condos	29	11.1	Moderate	29	11.1	Building Complete.
Higgins Brick Mixed-Use	308	13.5	Moderate	324	14.4	Building Complete.
Shoppes Residential	235	47	Affordable	295		Rezoned - not built. 60 additional units from Vila Borba-4 site.
Overton Moore (Avalon Bay) VHD	368	26	Affordable	331	22.1	Building Complete.
Added Projects – Not Included in 5th Cycle Housing Element						
Crossings of Chino Hills	NA		Affordable	346	23.1	Building Complete.
TOTAL UNITS (2014-2021 Planning Period)	2,290			2,615		

Table C-3. Summary of 5th Cycle Housing Element Comparison of Allocated RHNA Units to RHNA, and Actual Zoned / Built Units to RHNA by Income Group (2014-2021 Planning Period)

5 th Cycle Housing Element Comparison of Allocated Housing Units to RHNA by Income Group (Using Default Densities) (2014-2021 Planning Period)				5 th Cycle Element Units Zoned / Built Comparison to RHNA by Income Group (Using Default Densities) (2014-2021 Planning Period)		
Based on Default Density	City of Chino Hills	RHNA	Difference	City of Chino Hills (Zoned/Built)	RHNA	Difference
Above Moderate	619	333	286	619	333	286
Moderate	1,068	164	904	1,024	164	860

**Table C-3. Summary of 5th Cycle Housing Element
Comparison of Allocated RHNA Units to RHNA, and Actual Zoned / Built Units to RHNA by Income Group
(2014-2021 Planning Period)**

5 th Cycle Housing Element Comparison of Allocated Housing Units to RHNA by Income Group (Using Default Densities) (2014-2021 Planning Period)				5 th Cycle Element Units Zoned / Built Comparison to RHNA by Income Group (Using Default Densities) (2014-2021 Planning Period)		
Based on Default Density	City of Chino Hills	RHNA	Difference	City of Chino Hills (Zoned/Built)	RHNA	Difference
Low	386	148	238	755	148	607
Very Low	109	109	0	109	109	0
Extremely Low	108	108	0	108	108	0
Subtotal Affordable	603	365	238	972	365	607
TOTAL UNITS	2,290	862	1,428	2,615	862	1,753

B. Housing Needs, Resources, and Constraints

1. Extremely Low-Income Households (ELI): While the element quantifies existing and projected ELI households, it must also analyze their housing needs. For example, the element could analyze trends, 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>.

Response: The 6th Cycle Housing Element uses available data to identify Extremely Low Income (ELI) housing needs. This information includes: Housing Overpayment by race/ethnicity and renter/owner; Affordable Rental and For Sale pricing; Accessory Dwelling Unit Affordability. RHNA objectives for ELI are assumed pursuant to AB 2634, which requires local jurisdictions to project the housing needs of extremely low income households (0-30% AMI). In estimating the number of extremely low income households, a jurisdiction can use 50% of the very low income allocation or apportion the very low income figure based on Census data. This is the method applied in the Housing Element as SCAG did not provide specific ELI numbers. This approach is also applied in the Quantified Housing Objectives of the Housing Element.

Expanded discussion regarding ELI and households in poverty is added as Section II.E.7 of the Housing Element, and a new Policy, Actions, and Metrics are added to Section VI.B of the Housing Element.

Housing Conditions: The element identifies the age of the housing stock. However, it must include analysis of the condition of the existing housing stock and estimate the number of units in need of rehabilitation and replacement. For example, the analysis could include estimates from a recent windshield survey or sampling, estimates from the code enforcement agency, or information from other organizations. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/housing-stock-characteristics.shtml>.

Response: City Code Enforcement staff has identified two neighborhoods with concentrations of housing in need of repairs: Los Serranos and Bayberry. City staff will prepare a windshield survey of these neighborhoods and include the findings in the final 6th Cycle Housing Element.

1. *Affirmatively further[ing] fair housing (AFFH) in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Assessment of Fair Housing/Other Relevant Factors: While the element includes some maps and reporting of data as well as noting the absences of racially and ethnically concentrated areas of poverty, it generally does not address this requirement. The element must include analysis of segregation and integration, particularly disability, familial status and income, concentrated areas of affluence, individual components of access to opportunity and disproportionate housing needs, including displacement risk.

Response: Section IV.C.5 of the 6th Cycle Housing Element is expanded to add exhibits and text describing segregation and integration. As discussed in the Housing Element, despite local variations within the City, Chino Hills is a largely integrated City both economically and racially. As shown in Figure 4.3 of the Element, there are no identified racially or ethnically concentrated areas of poverty within Chino Hills. However, higher concentrations of poverty and disabled persons occur in the central-eastern portion of the City. This is one of the oldest areas of the City and contains some of the City's more affordable housing, including two of the City's mobile home parks (Los Serranos Mobile Home Park, a 55+ community, and Monte Vista Mobile Home Park) and the Los Serranos neighborhood.

Since 2007, the City has invested the following amounts toward infrastructure improvements in Los Serranos:

<u>Total Sidewalks Projects</u>	<u>\$ 8,963,356</u>
<u>Total Storm Drain Projects</u>	<u>\$ 5,868,300</u>
<u>Total Street Lights Project</u>	<u>\$ 177,386</u>
<u>Total Pavement Rehab Project</u>	<u>\$ 832,000</u>
<u>Total Water Project</u>	<u>\$ 1,102,500</u>
<u>Total Park Project</u>	<u>\$ 4,917,963</u>
<u>Grand Total</u>	<u>\$ 21,861,505</u>

Although there is an increasing amount of remodeling of older houses in the Los Serranos neighborhood and other older neighborhoods in the City, few older homes are demolished and replaced with new homes. Available vacant infill residential properties throughout the City are consistently being developed. Within Chino Hills, there is no identified area at risk of major residential redevelopment and displacement.

Goals, Priorities, 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 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.

Response: Section VI.B of the 6th Cycle Housing Element includes an expanded metrics section that specifically addresses metrics regarding housing mobility, choices, and affordability.

- 2. An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Regional Housing Needs Allocation (RHNA) Progress: The City's RHNA may be reduced by the number of new units pending, approved, permitted or built since July 1, 2021 by demonstrating availability and affordability based on rents, sale prices or other mechanisms ensuring affordability (e.g.,

deed restrictions). The element lists units affordable to lower- and moderate-income households (p. B-39) but must also demonstrate affordability as described above.

Table B-39 identifies two sites counted towards the City's RHNA that are pending: Los Serranos Golf Course project which includes 532 units at densities that qualify as Lower Income, and the Rancho Cielito project which includes 354 units at densities that qualify as Moderate Income. Both projects are currently under review and their entitlements are pending. Entitlement and development of these two projects are expected to be completed during this 6th cycle planning period. At this time, rental rates for these sites are unknown. The Housing Plan section of the 6th Cycle Housing Element establishes the following actions and metrics to monitor and support the affordability of residential units:

Action H-1.2.4: Establish a monitoring system to tabulate residential development, by number of units, density and affordability, and review annually against the RHNA objections of this Housing Element to ensure compliance with state no net loss requirements.

Action H-1.2.6: Facilitate the development of affordable housing by offering developers incentives such as density bonuses and flexibility in zoning and development standards, as established by state law.

Policy H-1.2 Metric:

3) The City will amend the Zoning Code as required to facilitate development at densities consistent with the Housing Plan of this Housing Element, including minimum densities for multifamily residential zones and overlay zones as appropriate. These amendments will include:

- Establish minimum densities of 20 du/acre in the RM-3 zone.
- Adopt an overlay zone that will set minimum densities of designated Lower Income RHNA sites.
- Adjust RM-3 development standards to allow for reductions in minimum parking, building separation, setbacks, open space and/or FAR standards, and/or increased building heights to accommodate minimum residential densities of 20 du/ac.
- Review high density residential development standards annually as part of its annual General Plan reporting process to ensure minimum residential densities of 20 du/ac are achieved.
- Allow for additional development standard adjustments within the overlay zone for projects committed to providing housing affordable to lower income households.

These amendments will be directed at ensuring no net loss. These amendments will be completed within three years and no later than October 1, 2024.

4) Establish a monitoring system to tabulate residential development by October 1, 2023, then annually, and as part of the General Plan Annual Performance review, the City will review the number and density of residential development applications and building permits to measure compliance with the quantified objectives of this Housing Element. This review will be conducted on a site by site basis pursuant to Government Code section 65863, and will track the number of extremely low-, very low-, low-, moderate- and above moderate-income units constructed to calculate the remaining unmet RHNA. The evaluation procedure will also track the number of units built on the identified sites to determine the remaining site capacity by income category and will be updated continuously as developments are approved. To ensure compliance with the state no net loss law, no action can be taken to reduce the density or capacity of a site (e.g., downzone, moratorium), unless other additional adequate sites are identified prior to reducing site density or capacity. This review will include an update of the available residential site inventory presented in this Housing Element. If a potential shortfall is expected, this review will include the identification of additional sites or increased residential density on currently identified sites.

Realistic Capacity: The element utilizes various assumptions as a percent of maximum allowable densities to calculate residential capacity on identified sites but does not support these assumptions. For example, utilized densities do not appear consistent with recent multifamily developments (p. 69). The element should include additional and clear supporting information on typical densities of existing or approved residential developments at a similar affordability level. For example, the element could clearly list other recent projects, the zone, acreage, built density, allowable density, level of affordability and presence of exceptions such as a density bonus.

Housing Element Table 4-4 (previously Table 4-3) of the 6th Cycle Housing Element has been expanded to include the built densities of the City’s existing multi-family developments. As shown in the table, provided below, a total of six (6) existing sites achieved a developed density of 20 du/ac or higher at similar acreage and have successfully operated as a high-density residential development. Four (4) of the six (6) sites were approved under the County of San Bernardino, and two (2) were approved by the City of Chino Hills and built within the last five years. The two sites recently built, Avalon Bay and Crossings at Chino Hills, are both 15-acres in size and built at a density of 21.9 du/ac, and 22.9 du/ac, respectively.

City staff has been working closely with the property owners of each RHNA site to identify the number of viable units. Therefore, in addition to historic development trends, future programs and the stated intent of the developers indicate that the capacity counted in the Housing Element is highly realistic and attainable. Appendix B of the Housing Element analyzes site capacity based on the metropolitan minimum density requirements and recent multi-family development of 20 du/ac or higher within the City.

Table 4-4. Figure 7 Legend - Existing Multifamily Housing by Site Number, Type, Name, Location, Units and Acres: Chino Hills						
Site No.	Type	Development Name	Location	Total # of Units	Total Site Acres*	Units/ Acre
1	APARTMENTS	Capriana	16301 Butterfield Ranch Road	286	15	19.7
2	TOWNHOMES	Celamonte	TR17297 (17871 Shady View)	119	7	17.0
3	APARTMENTS	Eagle Canyon Apartments	TR12581-9 (13316 Woodsorrel)	252	28	9.0
4	APARTMENTS	Green Valley Apartments	TR12751-2 (14901 Frost)	144	12	12.0
5	TOWNHOMES	Hampton Court	TR 14657	112	6	18.7
6	TOWNHOMES	Hampton Manor	TR14756	90	7	12.9
7	APARTMENTS	Heights II	TR14551-1 (16675 Slate Dr)	208	13	16.0
8	APARTMENTS	Heights I	16011 Butterfield Ranch Road	124	6	20.7
9	TOWNHOMES	Jade Tree (Vista Bella)	St. Gaudens/ Butterfield Ranch Road	65	5	13.0
10	TOWNHOMES	Le Parc Condos	TR12142 & TR12138 (Beverly Glen/Glen Court)	324	9	36.0
11	APARTMENTS	Portofino	TR12581-6 (2851 Bedord Lane)	176	10	17.6
12	APARTMENTS	Reserve	TR 12910 (4200 Village Drive)	482	32	15.1
13	APARTMENTS	Rolling Ridge	13439 Peyton (TR 12581-1/L91)	110	5	22.0
14	TOWNHOMES	Sonrisa	TR13500 (Beverly Glen/Lemonwood)	102	11	9.3
15	APARTMENTS	Summit Apartments	2400 Ridgeview	125	9	13.9
16	TOWNHOMES	Sunset	TR13689 & 2538 Sundial	220	16	13.8
17	APARTMENTS	The Missions @ Chino Hills	3100 Chino Hills Parkway	240	13	18.5
18	TOWNHOMES	Villa Del Lago @ Laband	TR13651-13	91	8	11.4
19	APARTMENTS	Village Oaks	15773 High Knoll Drive	280	14	20.0

Table 4-4. Figure 7 Legend - Existing Multifamily Housing by Site Number, Type, Name, Location, Units and Acres: Chino Hills

Site No.	Type	Development Name	Location	Total # of Units	Total Site Acres*	Units/ Acre
20	TOWNHOMES	Unknown	TR13392 & TR13586 (Bayberry/South Downs Drive)	184	22	8.4
21	TOWNHOMES	Crystal View (Windmill Creek)(Horizon)	TR 18018 (Windmill Creek/Ridgeview)	29	3	11.0
22	TOWNHOMES	Lago Los Serranos	TR17362 (15342 Ramona Avenue)	95	8	11.9
23	TOWNHOMES	Bristol	TR 19904 (Row houses & clusters)	110	12	9.2
24	APARTMENTS	Santa Barbara	TR 18875 (15920 Pomona Rincon Road)	324	23	14.2
25	APARTMENTS	Avalon Bay	5685 Park Dive	331	15	22.1
26	APARTMENTS	Crossings of Chino Hills	15101 Fairfield Ranch Road	346	15	23.1
TOTAL				4,969	324	

* Acres are rounded to the nearest higher or lower full number.

Large Sites: Sites larger than ten acres in size 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. Based on communication between HCD and the City, the large sites included in the inventory are anticipated to be parceled in the near future into sizes that are considered appropriate to encourage housing for lower income households. As a result, the element should include discussion of these efforts and programs as appropriate.

As discussed in the response above, densities at and above 20 du/ac have been achieved on larger sites to accommodate high density housing. In addition, language has been added to notate Los Serranos Golf Course, and any sites larger than 10 acres, will be subsequently parceled through the entitlement process to reduce the acreage to adequate size, per state requirements. Most of the lower RHNA parcels are expected to be smaller than 10 acres.

Nonvacant Sites: The housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower income households. For your information, the housing element 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 regional housing need allocation.

Response: Appendix B Site Selection Analysis provides analysis regarding each potential lower RHNA site. The non-vacant sites provide detail regarding the underutilized portion of the sites and ownership interest to redevelop the site. In addition, the appendix also includes letters from the owners/developers for The Commons and Crossroads Marketplace commercial centers describing the challenges to maintain current uses and the intent to build high density residential.

City staff has been working closely with the property owners of each RHNA site, including the nonvacant sites, to identify the number of viable units. In addition to historic density trends and two existing successful mixed-use projects in the City, future programs and the stated intent of the developers indicate that the capacity counted in the Housing Element is highly realistic and attainable. The City will continue to work closely with the property owners to ensure target densities and unit counts are achieved. Should any of the designated sites become unavailable during the planning period, the City will quickly work with other property owners to identify alternative sites suitable for high density development. Should these changes occur, the City will inform HCD and amend the Housing Element as required. This information will be added to Appendix B of the Housing Element.

Accessory Dwelling Unit (ADU) Trends: The element relies on 457 ADUs to accommodate a portion of the City’s RHNA, including for lower-income households. The element appears to rely on the number of ADU applications and plan check submittals. While this information may be utilized to inform the potential for ADUs in the planning period, the analysis should be based on permitted ADUs and the other information should be ancillary to permitted ADUs. For your information, HCD records indicate permitted ADUs of 5 in 2020 and has no records for 2018 and 2019. The element should reconcile these numbers and adjust assumptions as appropriate.

The City’s Housing Element identifies adequate sites to accommodate its RHNA without relying upon ADUs; the City intends for the ADUs to provide a buffer if some of the identified sites buildout at less than the projected number of dwelling units. As noted, the City did not issue any building permits for ADUs in 2018 or 2019 and issued 5 building permits in 2020. With the adoption of the City’s expanded ADU ordinance in early 2021, the City expects the number of ADUs to continue to increase.

Thus far in 2021, the City has issued 7 ADU building permits with an additional 6 ADU projects approved and ready for permit issuance. Additionally, 17 ADU projects have had review or submittal activity within the last three months. While the previous years’ permitting data for ADUs renders future projections difficult, the number of current ADU projects either permitted or ready for permit issuance at point in the calendar year suggests that a significant increase in ADU permits may be anticipated for 2021 and subsequent years. Furthermore, the programs outlined in Policy H-1.4, and its associated Actions, are intended to facilitate and encourage the production of ADUs and JADUs. With the implementation of these programs, it is reasonable to anticipate an increase in the number of ADUs permitted during the planning period relative to prior years. Given the number of ADUs currently permitted, approved and pending, the City projects the issuance of 20 ADU building permits in 2021. With a modest annual increase of 10% in the number of ADU building permits issued in the subsequent years of the planning period, the Housing Element projects a reduced total of 227 ADUs in the 6th Cycle planning period. Table 5-5 of the Housing Element is updated as follows:

Table 5-5. Number of Projected ADU Building Permits per Year (2021-2029): Chino Hills	
Year	ADU Building Permits
2021 - 22	20
2022 - 23	22
2023 - 24	24
2024 - 25	26
2025 - 26	29
2026 - 27	32
2027 - 28	35
2028 - 29	39
Total	227

Sites Identified in Prior Planning Periods: Sites identified in prior planning periods shall not be deemed adequate to accommodate the housing needs for lower-income households unless a program, meeting statutory requirements, requires rezoning within three years. The element should clarify if sites were identified in prior planning periods and if so, which sites and include a program if utilizing previously identified sites in the current planning period. For more information on program requirements, please see HCD’s Housing Element Sites Inventory Guidebook at <https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>.

The Shoppes II site is the one vacant site identified in the prior planning period that is carried forward in

the 6th Cycle Housing Element. The site, as previously described in the 5th Cycle Housing Element, had been zoned to allow 235 very high-density housing units on approximately 3.5 acres of the City owned 8-acre site. In spring of 2021, the City increased the residential zoning capacity of the Shoppes II site to 295 units. The 6th Cycle Housing Element designates the entire 8-acres of the Shoppes II site for very high-density housing and increases the number of units to 374 to accommodate lower-income housing. The site is eligible for ministerial approval provided that a project reserves 20% of the units for lower-income households. The required rezoning of the Shoppes II site to accommodate the increased number of very high-density units is included in Policy H-1.2 of the Housing Plan and will be completed by October 1, 2024.

Zoning for Variety of Housing Types:

- *Emergency Shelters:* The element describes that the Business Park zone permit emergency shelters without discretionary action. The element should also describe development standards. For example, the element must address whether parking requirements are limited to staff working in the emergency shelters and do not require more parking than other residential or commercial uses in the zone.

Response: The discussion in Section V.B.4 has been expanded to add the following information regarding emergency shelters:

An emergency shelter could locate within an existing structure, or if new construction is proposed, the emergency shelter would be subject to development standards of the Business Park and Light Industrial Districts zone. These standards are:

- Minimum lot size of 10,000 square feet
- Front setback to building of 25 feet
- Side setbacks of 10 feet or 20 feet to street
- Rear setbacks of 0 feet, except to residential which is 40 feet but may be reduced to 0 feet if approved by City and Fire District
- No maximum floor area ratio
- No maximum height.

Currently, the City adopted parking standard for emergency shelters is 1 space per 4 beds. This parking standard is considerably less than other Business Park zoned uses, which is 1 space per 250 square feet of office; 1 space per 500 square feet of manufacturing; and 1 space per 1,000 square feet of warehouse. Parking for emergency shelters is calculated based on a survey of adjacent cities to accommodate typical staffing needs.

However, the City recognizes that pursuant to AB 139, this existing parking standard needs to be revised to be based on the needs of staff working in the emergency shelters rather than beds. The City commits to revising this parking standard consistent with state law. This commitment is included in Policy H-4.4 Metrics, Section VI.B of the Housing Element.

- *Permanent Supportive Housing and Low Barrier Navigation Centers:* Permanent supportive housing and low barrier navigation centers shall be a use by-right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code sections 65651 and 65660. The element must demonstrate compliance with these requirements and include programs as appropriate.

Response: The City of Chino Hills commits to amending its Development Code to allow Low Barrier Navigation Centers by right in areas zoned for multifamily and mixed-use as required by Title 7, Division 1, Chapter 3, Article 12 of the California Government Code. This commitment is added to the 6th Cycle Housing Element as Action H-1.2.2, and will be completed within three years and no later than October

1, 2024.

- *Housing for Agricultural Employees:* The element must demonstrate zoning in compliance with the Employee Housing Act, specifically Health and Safety Codes sections 17021.5, 17021.6 and 17021.8. For example, section 17021.5 requires employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. The element must demonstrate compliance with these zoning requirements or include programs to amend zoning as appropriate.

Response: Added discussion is included in Sections II.E.5, II.E.8 and Policy H-4.5 Metrics to address farmworker housing. This added discussion states that although the number of farmworkers in Chino Hills is small, policies that support affordable housing can assist farmworkers. These policies include: (1) Continue to expand the supply of multifamily housing through zoning and working closely with residential developers; (2) Continue to seek grant funds toward expanding affordable housing options; (3) Continue to support opportunities for group homes, other type of congregate or semi-congregate housing options, including SROs, that can provide affordable housing options to farmworkers.

3. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land-use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. (Gov. Code, § 65583, subd. (a)(5).)*

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 parking and heights. 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.

Response: As shown in Housing Element Table 4-4 (previously Table 4-3), multifamily development has achieved densities of over 20 du/ac given the City's existing development standards, including height and parking.

- The RM-3 zone allows for residential densities of up to 35 du/ac and heights of up to 42 feet.
- The Mixed-Use Residential zone allows for residential densities of up to 35 du/ac, heights of up to 80 feet, reduced open space of 50 square feet per unit, and does not specify minimum setbacks or other minimum standards for residential project.
- The Shoppes Specific Plan allows high density residential for a maximum Floor Area Ratio (FAR) of 2.25; a maximum height of 70 feet to roofline and 80 feet to top of architectural features; and minimum setbacks of 10 feet on all sides.
- Both the Mixed-Use Residential zone and Shoppes Specific Plan allow for reduced parking standards and/or shared parking.

As shown above in Table 4-4, the City has six existing sites that have achieved a developed density of 20 du/ac or higher. To date, the City's existing development standards have not presented a constraint to achieving residential densities greater than 20 du/ac. However, to ensure City development standards continue to accommodate residential density of over 20 dwelling units per acre, the City commits to adjusting development standards. Specifically, the City commits to adjusting its RM-3 development standards to allow for reductions in minimum parking, building separation, setbacks, open space and/or FAR standards, and/or increased building heights to accommodate minimum residential densities of 20 du/ac. These adjustments will be formalized through Zoning Code amendments to be completed within

three years. Further, to ensure no net loss, the City commits to review its high density residential development standards annually as part of its annual General Plan reporting process. This commitment is included in Section VI.B, Policy H-1.2 Metrics.

State Density Bonus Law: While the element describes the City has recently utilized density bonuses, it should also discuss whether the City complies with State Density Bonus Law (Gov. Code, § 65915) and include programs as appropriate.

Response: Chapter 16.10.130 of the Chino Hills Development Code addresses density bonuses and other incentives for affordable housing projects. The City commits to updating its Development Code to comply with current State Density Bonus Law (Government Code Section 65915) through the policies of the 6th Cycle Housing Element. Action H-1.2.2 is added to the Housing Element, which commits to completing this Code update by October 1, 2024.

Building Codes and Enforcement: The element must describe and analyze which building code (e.g., 2019) is enforced, any local amendments to the building code and their enforcement for impacts on housing supply and affordability. For additional information and a sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/constraints/codes-and-enforcement-on-offsite-improvement-standards.shtml>.

Response: The following discussion is added to Section III.B.1 of the 6th Cycle Housing Element:

Building Code: *The City of Chino Hills has adopted and follows the 2019 California Building Code and 2019 Residential Code. In adopting the Code, the City included one amendment applicable to residential development. This amendment is as follows:*

Fire Resistant Roofing: The roof covering on any structure regulated by this Code shall be Class "A" as classified in Section 1505.2 except that repairs of and additions to existing structures, which repairs and additions require the replacement or installation of no more than twenty-five percent (25%) of the total roof area in any twelve-month period, may be made using material to match the existing roof.

Much of Chino Hills is in a Fire Hazard Overlay. The most recent fire was in July 2019, which burned 154 acres and one home. Class "A" roofing material is required by the State Fire Marshal in any Fire Hazard Zone. Although this roofing material may be more expensive initially, it tends to last longer than class B or C, so over the long run it proves less expensive. The City has not received complaints from residential builders regarding the cost of the Class "A" roofing material.

Site Improvements: The element must identify subdivision level improvement requirements, such as minimum street widths (e.g., 40 foot minimum street width), and analyze their impact as potential constraints on housing supply and affordability. For additional information and a sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/constraints/codes-and-enforcement-on-offsite-improvement-standards.shtml>.

Response: The following discussion is added to Section III.B.1 of the 6th Cycle Housing Element:

Site Improvements: Standard width of a local street in Chino Hills is 60 feet for a public street and 50 feet for a private street. Because Chino Hills is largely built out, public streets and utilities are largely in place. Most multifamily developments that have occurred during recent years have street improvements already in place, and are required to install 5-foot sidewalks at its street frontage, if none are in place. Internal access roads within multifamily developments require a minimum width of 26 feet to accommodate emergency access vehicles. Multifamily

developments with water, wastewater, and storm drainage systems typically install private connections to adjacent public utilities. These types of site improvements are typical of residential development in similarly largely built-out communities and is not a constraint to residential development.

Fees and Exactions: The element must describe all required fees for single family and multifamily housing development, including impact fees, and analyze their impact as potential constraints on housing supply and affordability. For example, the analysis could identify the total amount of fees and their proportion to the development costs for both single family and multifamily housing. For additional information and a sample analysis and tables, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/constraints/fees-and-exactions.shtml>.

Response: A per unit table of housing fees is added to Section III.B.2 of the Housing Element. This table and discussion are provided below:

Average per unit fees are calculated in Table 3-3 below. As shown in the table, total City fees for a single family house is approximately \$44,099 per unit, and for a multifamily development is \$27,771 per unit. A current review of average sale prices in Chino Hills show a median single family house price of about \$1,100,000, and a median townhome/condominium price of about \$625,000. Based on these sale price averages, City development and impact fees represent about 4% of the cost for a single family house and a multifamily housing unit. These fees are similar to those charged by adjacent cities and do not represent a constraint to residential development.

Table 3-3. Typical Per Unit Residential Development: Chino Hills		
Fee	Single Family (based on a per unit estimate of a 160 D.U. project)	Multiple Family (based on a per unit estimate of a 300 D.U. project)
Entitlement Fees		
Design Review – Tract (Single Family only)	\$ 89	\$ -
General Plan / Zoning Map Amendment (If required)	\$ 95	\$ 51
Environmental Review (If required)	\$500	\$ 267
Site Plan Review (Multifamily only)	\$ -	\$ 80
Tentative Parcel Map (Multifamily only)	\$ -	\$ 28
Tentative Tract Map (Single Family only)	\$ 149	\$ -
<i>Sub-Total</i>	\$ 833	\$ 426
Development Impact Fees		
Traffic Facility Fee	\$262	\$262
Traffic Impact Fee	\$555	\$385
Water Facility Fee	\$7,363	\$5,154
Sewer Facility Fee	\$530	\$530
Storm Drain Facility Fee	\$1,447	\$1,447
General Facility Fee	\$1,914	\$1,914
Parks & Recreation Facility Fee	\$2,589	\$2,589
Existing Infrastructure Fee (EIF)	\$11,450	\$11,450
Affordable Housing In-lieu Fee	\$2,500	\$1,000
<i>Sub-Total</i>	\$28,610	\$24,731
Building Fees		

Table 3-3. Typical Per Unit Residential Development: Chino Hills		
Fee	Single Family (based on a per unit estimate of a 160 D.U. project)	Multiple Family (based on a per unit estimate of a 300 D.U. project)
Geotechnical Report Review	\$5,000	\$278
Building Permit Fees	\$6,810	\$1,746
Grading Inspection Fee	\$247	\$28
Building Permit Authorization	\$2,598.00	\$344
<i>Sub-Total</i>	<i>\$14,655</i>	<i>\$2,396</i>
Total Fees	\$44,098	\$27,553

SB 35 Streamlined Ministerial Approval Process: The element must clarify whether there are written procedures for the SB 35 (Chapter 366, Statutes of 2017) Streamlined Ministerial Approval Process and add a program to address these requirements if necessary.

Response: Action H-1.2.3 is added to the 6th Cycle Housing Element with the commitment of completing this action by October 1, 2022:

Provide procedures for streamlined residential development processing consistent with State law, including SB 35, and make the streamlined procedures readily available to developers and the public including posting on the City website.

Constraints on Persons with Disabilities: The element must analyze potential constraints on housing for persons with disabilities. Specifically, the element must include analysis and programs, as appropriate, to address procedures for group homes for seven or more persons. For example, group homes for seven or more persons are subject to a minor use permit, unlike other similar uses. The element should specifically analyze this constraint for impacts on housing supply and choices and approval certainty and objectivity for housing for persons with disabilities and include programs as appropriate.

Response: Added discussion is provided in Sections II.E.2, IIIB.1, and Policy H-4.3 Metrics of the 6th Cycle Housing Element that include the following additions to the Housing Element:

- *To facilitate residential care facilities for more than 6 persons, the City commits to amending its Development Code to allow Permanent Supportive Housing by right in areas zoned for multifamily and mixed-use as required by Title 7, Division 1, Chapter 3, Article 11 of the California Government Code, which would expand affordable housing and care opportunities for disabled persons. This commitment is added to the Housing Element as Action H-1.2.2, and will be completed within three years and no later than October 1, 2024.*
- *To date, the City has had no request for a group, transitional, or supportive home for more than 6 persons. Although there is no evidence that this requirement is a constraint, the City will develop a program to facilitate the larger group homes for disabled persons during this planning period. This program will include waiving fees for the MUP for groups homes of more than 6 persons. The City also will monitor requests and applications for group homes of more than 6 persons, and if the MUP process is found to be a constraint, the City will eliminate MUP requirement.*

Zoning, Development Standards and Fees: The element must clarify compliance with new transparency requirements for posting all zoning, development standards and fees on the City's website and add a program to address these requirements, if necessary.

Response: The following discussion is added to Section III.B.4 of the 6th Cycle Housing Element:

Posting of Standards and Fees: All codified zoning, development standards, fees, and applications, including those related to residential development, are posted on the City Community Development Department's website. City staff updates the website on a regular basis as zoning, standards, fees, and/or applications are updated, in compliance with California Government Code Section 65940.1 (AB 1483). As a policy of the City adopted General Plan, the City has an on-going program to convert Planned Development (PD) documents developed under the County to traditional zoning. This program is intended to clarify PD development standards and to make them more accessible to the public. In addition, a program is added as Policy H-1.2.7 and Policy Metric H-1.2.4 to the Section VI. Housing Plan on ensure compliance with AB 1483.

Water Sewer Priority: 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>.

Response: The following discussion is added to Section III.D.1 of the 6th Cycle Housing Element:

Water and Sewer Priority: The City and its partner water and wastewater service providers have procedures to grant priority water and sewer service to developments with units affordable to lower-income households consistent with Government Code Section 65589.7. The City commits to immediately delivering this 6th Cycle Housing Element to its water and sewer service providers upon the Element's adoption. This commitment is carried forward as a policy of this Housing Element.

4. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584. (Gov. Code, § 65583, subd. (a)(6).)*

The element must analyze requests to develop housing at densities below those anticipated in the sites inventory and the length of time between receiving approval for housing development and submittal of application for building permits. The analysis must address any hinderances on housing development and programs should be added as appropriate.

Response: The Action H-1-2.4 and Policy H-1.2 Metrics of the 6th Cycle Housing Element states:

Action H-1.2.4: Establish a monitoring system to tabulate residential development, by number of units, density and affordability, and review annually against the RHNA objections of this Housing Element to ensure compliance with the state's no net loss requirements.

Policy H-1.2 Metrics: Establish a monitoring system to tabulate residential development by October 1, 2023, then annually, and as part of the General Plan Annual Performance review, the City will review the number and density of residential development applications and building permits to measure compliance with the quantified objectives of this Housing Element. This review will be conducted on a site-by-site basis pursuant to Government Code section 65863, and will track the number of extremely low-, very low-, low-, moderate-, and above moderate-income units constructed to calculate the remaining unmet RHNA. The evaluation procedure will also track the

number of units built on the identified sites to determine the remaining site capacity by income category and will be updated continuously as developments are approved. To ensure compliance with the state's no net loss law, no action can be taken to reduce the density or capacity of a site (e.g., downzone, moratorium), unless other additional adequate sites are identified prior to reducing site density or capacity. This review will include an update of the available residential site inventory presented in this Housing Element. If a potential shortfall is expected, this review will include the identification of additional sites or increased residential density on currently identified sites. This is an ongoing process.

Timing: By October 1, 2023 and then ongoing

5. *Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)*

The element includes some general quantification; however, should include analysis of households with special housing needs. The analysis should include, but is not limited to, factors such as household income, tenure, housing types, zoning, and available resources. Specifically, the element should address tenure for elderly households and large households and permanent and seasonal farmworkers (e.g., USDA county level data). For additional information and a sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/large-families-female-head-household.shtml>.

Response: Special housing needs discussion has been expanded in both Section II.E and Section IV.A of the 6th Cycle Housing Element to address comments provided in HCD's comment letter. This expanded discussion is included in Sections II.E.5 and II.E.8 and Policy H-4.5 Metrics, and includes farmworker housing. This added discussion states that although the number of farmworkers is small, policies that support affordable housing can assist farmworker housing needs. These policies include continuing to support opportunities for group homes, other type of congregate or semi-congregate housing options, including SROs, that can provide affordable housing options to the lowest income persons in the City, including temporary and low wage workers such as farmworkers.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

To have a beneficial impact in the planning period and address the goals of the housing element, programs must be revised with discrete timelines. Programs to be revised include Actions H-2.1 (Additional Grant Funds), H-2.2 (Mobilehome Parks), H-4.1 (Partner with Affordable Developers), H-4.2 (Identify Locations), H-4.3 (Seek Grant Funds) and H-4.1.4 (Expand Accessibility).

Response: Section VI.B of the 6th Cycle Housing Element includes an expanded programs and metrics section that includes discrete timelines. Many of the programs identified in the Housing Element are ongoing and this status is noted where appropriate.

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*

As noted in Finding B3, 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:

Policy H-1.1 (Rezone Program): The element includes Policy H-1.1 to rezone sites to accommodate housing for lower-income households. The program must meet all the requirements of Government Code section 65583.2, subdivisions (h) and (i). Specifically, the program must commit to permit owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower income households.

Response: Discussion in the 6th Cycle Housing Element including Section VI.B includes expanded actions and metrics that specify rezoning to allow for owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower income households.

Action H-1.5.5 (ADU Monitoring): The program should commit to monitor permitted ADUs and affordability every other year and take appropriate action such as adjusting assumptions or rezoning within a specified time (e.g., 6 months).

Response: This commitment to monitor permitted ADUs and affordability every other year has been added to the ADU monitoring action.

City-Owned Sites: Given the element includes City-owned sites toward the RHNA for lower-income households, it should include a schedule of actions to facilitate development such as outreach, requests for proposals, facilitating entitlement and assisting with funding.

RESPONSE: The following section V.B.5 has been added to the Housing Element:

City Owned Sites:

Four of the sites listed in Table 5-3 are owned by the City of Chino Hills: Shoppes II, Park Overflow, Habitat for Humanity 4528 Fairway Boulevard, and Habitat for Humanity 4628 Fairway Boulevard. The City is moving forward to facilitate the development of each of these sites.

- Shoppes II site: The City is currently working with an appraiser to ascertain the value of the Shoppes II site. Following completion of the Housing Element adoption and required subsequent General Plan and Development Code amendments, the City will outline a schedule of actions for development of the site. This schedule of actions for the Shoppes II site will begin in 2024, following completion of the bidding and planning process for the Parks Overflow site, described below.

- Park Overflow site: The City has retained a consultant to assist with the RFQ and selection process for the lower income senior apartment project. The City also has a state grant (Permanent Local Housing Allocation) to assist with this process. The City expects that the RFQ will be issued in early 2022. Following selection of a successful bidder, development of the senior housing project is expected to begin in 2024, with a possible completion date in 2025.
- Habitat for Humanity Houses 4528 and 4628 Fairview Boulevard: Transfer of these sites from the City to Habitat for Humanity was approved by the City Council on September 14, 2021. Habitat for Humanity expects to proceed with the sites' development immediately, with construction complete by 2023.

Infrastructure: The element notes the City will be undertaking master plans for water and sewer capacity and as a result should include a program to complete the master plans and take steps as appropriate to insure adequate planned capacity to accommodate the RHNA.

RESPONSE: The City is in the process of updating both the Urban Master Water Plan (UWMP) and Sewer Master Plan to assess future water system requirements. The additional residential units and associated population increase that will result from the 6th Cycle RHNA will increase City buildout and affect future water and sewer demands and capacity. Updated population and housing projections have been prepared by Community Development staff to include both 6th Cycle RHNA and expected ADU units in the updated UWMP. This updated language is included in Section III.D.1. of the 6th Cycle Housing Element.

Previously Identified in Prior Planning Periods: If utilizing sites identified in prior planning period(s), the element must include a program for vacant sites identified in two of more consecutive planning periods' housing elements or nonvacant sites identified in a prior housing element, that are currently identified to accommodate housing for lower-income households. The program must be implemented within the first three years of the planning period and commit to zoning that will meet the density requirements for housing for lower-income households and allow by-right approval for housing developments that include 20 percent or more of its units affordable to lower-income households. (Gov. Code, § 65583.2, subd. (c).)

RESPONSE: The Shoppes II site is the one vacant site identified in the prior planning period that is carried forward in the 6th Cycle Housing Element. The site, as previously described in the 5th Cycle Housing Element, had been zoned to allow 235 very high density housing units on approximately 3.5 acres of the City owned 8-acre site. In spring of 2021, the City increased the residential zoning capacity of the Shoppes II site to 295 units. The 6th Cycle Housing Element designates the entire 8-acres of the Shoppes II site for very high density housing and increases the number of units to 374 to accommodate lower-income housing. The required rezoning of the Shoppes II site to accommodate the increased number of very high density units is included in Policy H-1.2 of the Housing Plan and will be completed by October 1, 2024.

3. *The housing element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

While the element includes programs to assist in the development of very low-, low-, and moderate-income households, it must also include a program(s) to assist in the development of housing affordable to ELI and all special needs households. Program actions could include prioritizing some funding for housing developments affordable to ELI households and offering financial incentives or regulatory concessions to encourage the development of housing types, such as multifamily, single-room occupancy (SRO) units, to address the identified housing needs for ELI households.

Response: As discussed previously, the 6th Cycle Housing Element uses available data to identify Extremely Low Income (ELI) housing needs. This information includes: Housing Overpayment by race/ethnicity and renter/owner; Affordable Rental and For Sale pricing; Accessory Dwelling Unit Affordability. RHNA objectives for ELI are assumed pursuant to AB 2634, which requires local jurisdictions to project the housing needs of extremely low income households (0-30% AMI). In estimating the number of extremely low income households, a jurisdiction can use 50% of the very low income allocation or apportion the very low income figure based on Census data. This is the method applied in the Housing Element as SCAG did not provide specific ELI numbers. This approach is also applied in the Quantified Housing Objectives of the Housing Element.

Expanded discussion regarding ELI and households in poverty is added as Section II.E.7 of the Housing Element, and a new Policy, Actions, and Metrics section is added to Section VI.B of the Housing Element.

4. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Findings B4 and B5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs to address and remove or mitigate any identified constraints.

Response: A discussion of the required findings have been added to the 6th Cycle Housing Element and are included in the Findings for B4 and B5, above.

5. *Promote AFFH opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding B2, the element must include a complete assessment of fair housing. Based on the outcomes of that analysis, the element must add or modify programs. For additional guidance on program requirements to AFFH, please see HCD's guidance at <https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>.

Response: As discussed above, Section IV.C.5 of the 6th Cycle Housing Element is expanded to add exhibits and text describing segregation and integration.

6. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance. (Gov. Code, § 65583, subd. (c)(6).)*

Policy H-2.4 (Maintaining Affordability) should be revised with specific commitment to comply with noticing requirements, coordinate with qualified entities to purchase properties and provide education and support to tenants. In addition, the element should identify qualified entities. For more information, see HCD's webpage at <https://www.hcd.ca.gov/policy-research/preserving-existing-affordable-housing.shtml>.

Response: At this time, the City of Chino Hills does not have any government assisted affordable housing. However, to ensure future compliance, Action H-2.4.4 has been added to the 6th Cycle Housing Element to ensure that all government assisted, affordable housing at risk of conversion to market rate comply with required noticing requirements, including coordination with qualified entities to purchase properties and provide education and support to tenants.

D. Public Participation

Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort. (Gov. Code, § 65583, subd. (c)(9).)

While the element describes community meetings and the City's website, moving forward, the City should employ additional methods for public outreach efforts, 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, the element should also summarize future public comments and describe how they were considered and incorporated into the element.

Response: Chino Hills commits to continuing and expanding the public participation process as it moves forward with adopting the 6th Cycle Housing Element and subsequent General Plan and Zoning Amendments that will implement the Housing Element. This process will include surveys targeted at reaching extremely low, very low, and low income households, and special needs groups. The surveys will request specific information on housing and service conditions and needs. To reach these targeted groups, the City will reach out to local nonprofit housing groups, religious facilities, fair housing, and special needs groups. These groups will also be invited to future housing and General Plan update workshops that the City plans to hold throughout the Housing Element and subsequent General Plan and Zoning Amendments.