

# STAFF REPORT



## COMMUNITY DEVELOPMENT



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**DATE:** July 21, 2020

**TO:** Justin Hess, City Manager

**FROM:** Patrick Prescott, Community Development Director  
VIA: Fred Ramirez, Assistant Community Development Director  
BY: Lisa Frank, Senior Planner

**SUBJECT:** Consideration of Proposed Housing Element and Safety Element Updates

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### **RECOMMENDATION**

Provide input and direct staff to proceed in initiating the process to undertake the required updates to the *Burbank2035* General Plan Housing and Safety Element Updates, including new requirements for Environmental Justice.

### **BACKGROUND**

The *Burbank2035* General Plan serves as the City's comprehensive long-range policy document that guides the City's future physical development. It includes seven State-mandated elements: Air Quality and Climate Change; Land Use; Mobility; Noise; Safety; Open Space and Conservation, and Housing, as well as an optional Plan Realization Element. The Housing Element is required to be updated every 8 years and the next update is due to be completed by October 2021. Additionally, other recent changes in State law now require the City to simultaneously update the Safety Element, as well as address new requirements for Environmental Justice goals, policies, and objectives within the existing *Burbank2035* General Plan. The General Plan amendment that will take place as a result of this required update process was initiated by the Community Development Director, as authorized pursuant to Burbank Municipal Code (BMC) section 10-1-103 regarding initiation of a General Plan amendment. In order to assist the City in the General Plan update process, Planning staff has engaged a consultant team lead by KWA Associates.

With input and direction from the City Council following this study session, Planning staff and the consultant team will formally kick off the update process that will include ongoing opportunities for input from the community. The Housing Element Update, specifically, will be an opportunity to advance the City Council's housing goals and coordinate concurrent long-range planning efforts while ensuring consistency with laws for housing, climate adaptation planning, and Environmental Justice.

## **DISCUSSION**

This report serves as an introduction to the General Plan update process that will be taking place, and begins with the “*Burbank2035* General Plan: Housing & Safety Element Assessment and New Environmental Justice Component” (“Assessment”) prepared by the consultant team and included in Attachment 1. The Assessment lays the foundation for the update process by:

- Reaffirming that the City's affordable housing strategy and housing production goals established by the City Council will provide the framework for the Housing Element Update;
- Evaluating the City's accomplishments under the current Housing Element, including the effectiveness of listed housing programs;
- Summarizing the City's progress in meeting its fair share housing goals through the current 2014-2021 5<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA), as noted in Table 2 of Attachment 1;
- Identifying new and updated State housing laws directly relevant to the next 8-year Housing Element, creating a clear path to the mandated State certification of the updated Housing Element; and,
- Summarizing and providing preliminary recommendations regarding the requirements for the Safety Element update for climate adaptation planning, and new Environmental Justice requirements.

### **6<sup>th</sup> Cycle Housing Element Update**

State law requires that all local governments adequately plan to meet the housing needs of everyone in the community through adoption of local housing elements of their general plans. The existing Housing Element covers the planning period from 2014-October 2021, known as the 5<sup>th</sup> Cycle. The 6<sup>th</sup> Cycle will cover the next planning period that covers 2021 through 2029. The Housing Element Update for the 6th planning cycle will include new requirements that must be accounted for in order to ensure a State-compliant housing element. The most significant of these changes relates to the Housing Element Site Inventory. Local governments are required to prepare an inventory of land suitable for

residential development to meet the jurisdiction's RHNA allocation. Currently, the Southern California Association of Governments (SCAG) draft estimates show that Burbank will have a 6th cycle RHNA allocation of approximately 8,752 new homes, with the final draft RHNA allocation expected to be released by SCAG in the fall of 2020. The new criteria from the State places greater scrutiny on the identification of available sites for housing to accommodate the City's RHNA allocation, and will necessitate additional documentation from the City to demonstrate that the sites identified have a realistic potential to be developed. New housing laws affecting the sites inventory in particular are outlined in Table 3 and Appendix B of Attachment 1, and include SB 6, AB 686, SB 166, and AB 1397. In light of the new requirements of State housing law introduced over the last few years, the existing programs in the Housing Element will be updated as needed in order to properly reflect the applicable statutory requirements.

The Housing Element Update is closely connected to the City Council's affordable housing strategy, which includes as one of the housing policy "puzzle pieces," the goal of facilitating the building of 12,000 housing units over the next 15 years. The Council housing strategy seeks to address the jobs-to-housing imbalance in Burbank and facilitate the development of new housing that is affordable to all economic segments of the community, including the City's workforce. It also takes advantage of the City's public transportation infrastructure to reduce vehicle miles traveled and traffic congestion from employee commutes while helping to ensure responsible development of new housing. The Council housing strategy therefore provides the basis for many of the goals, policies and programs that will be identified as part of the Housing Element Update.

#### *Concurrent General Plan Updates - Safety Element and Environmental Justice*

Although the Housing Element Update is the primary focus of this General Plan update process, this effort will include concurrent updates to other elements of the *Burbank2035* General Plan in order to comply with several other recent updates in State law, as follows:

- SB 379, adopted in 2017, requires all cities and counties to update their safety elements to include climate adaptation and resiliency strategies upon the next revision to any other element of their general plans. This includes developing a set of goals, policies, and objectives based on a vulnerability assessment to identify those vulnerabilities that are most applicable to the jurisdiction.
- SB 1000 states that revisions or adoption of two or more elements of a general plan on or after January 1, 2018, trigger a requirement to adopt an Environmental Justice element, or related goals, policies, and objectives integrated in other elements that identify disadvantaged communities within the jurisdiction based on

definitions provided in State law. Goals, policies, and objectives must aim to reduce health risks to disadvantaged communities, promote civic engagement, and prioritize the needs of disadvantaged communities.

A preliminary assessment of the revisions that will be necessary as part of the Safety Element update are summarized in Table 4 of Attachment 1, and include updating projections regarding potential climate change-related risks (for instance, flooding and fire) as well as updating City maps to illustrate potential environmental hazards resulting from climate change. The new requirement for Environmental Justice goals, policies, and objectives pursuant to SB 1000 will be included as a component of the public outreach process, and the resulting goals, policies, and objectives will likely be incorporated into several elements of the *Burbank2035* General Plan. A preliminary assessment of potential topics to address are provided in Table 6 of Attachment 1.

### Project Schedule

The Housing Element Update is required to be reviewed by the California Department of Housing and Community Development (HCD), and must be certified by HCD by October 2021. The Safety Element and Environmental Justice component must be submitted to the Governor's Office of Planning and Research (OPR) and will be provided to OPR at the time of the Housing Element submittal to HCD. The following key milestones are identified in order to meet the strict statutory deadline associated with the Housing Element Update:

- Stakeholder and general public workshops: August-October (with opportunities for input and engagement ongoing throughout the process)
- Report back to City Council on feedback received following public workshops;
- Planning Board Study Session: December 2020
- Initiation of environmental review process pursuant to the California Environmental Quality Act (CEQA): beginning January 2021
- Submittal of 60-day HCD review of draft 6<sup>th</sup> Cycle Housing Element: February 2021
- Administrative Final Housing & Safety Elements: May 2021
- Planning Board and City Council public hearings: July-September 2021
- Certification by HCD: October 2021

### Public Outreach

The update process for the Housing and Safety Elements, along with the Environmental Justice component, will include a significant public outreach component. This will include stakeholder and general community workshops, presentations to City boards and commissions, a project-specific website where relevant information and announcements

will be posted on an ongoing basis, and dissemination of a housing element survey to be made available in multiple languages. Additionally, Government Code 65583(c)(7) states that "The local government shall make a diligent effort 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."

City staff will take extra steps to provide targeted outreach to local housing and service providers, non-profits, and faith-based organizations to seek input from those groups that are already intimately connected to and engaged in local housing and related issues. Additionally, staff is working with the consultant team to identify alternative ways to conduct outreach in light of the limitations imposed by the COVID-19 pandemic.

### Next Steps

Following the study session, City staff will begin public outreach as described above and will work with the Consultant to expand on the preliminary analysis undertaken as part of the Assessment included in Attachment 1, including development of the Site Inventory. With more input and additional analysis following stakeholder and community workshops, staff will return to the City Council to report back on the input received and the status of the update process.

### **FISCAL IMPACT**

The City Council previously approved a budget appropriation during the 2019-2020 fiscal year covering the amount of \$379,313 needed to undertake the work associated with the Housing and Safety Element updates, including the Environmental Justice component, as required by State law. Additionally, City staff has applied for supplemental grant funds through the California Department of Housing and Community Development Local Early Action Planning (LEAP) program to support development and implementation of the Housing Element and other long range planning efforts. On June 23, 2020, the City Council approved the appropriation of these funds by amending the Fiscal Year 2020-2021 Annual Budget upon receipt of the award. A total award amount of \$500,000 would be appropriated with \$30,000 these grant funds set aside for the Housing Element.

Implementation of the update process and associated community outreach efforts will not have any further fiscal impact on the City beyond what was previously budgeted. The policy documents are intended to guide future policy implementation work that may include updates to the zoning regulations and specific plans, which in turn would facilitate responsible development that helps to build and protect neighborhoods. Upgrades to City infrastructure to serve future housing projects and potential new property tax revenues resulting from reassessment of future infill development sites could have a positive fiscal impact to the City's general fund budget.

## **CONCLUSION**

City staff is seeking to initiate the process of updating the Housing and Safety Elements, and incorporate new Environmental Justice goals, policies, and objectives throughout the *Burbank2035* General Plan. The update process, although State-mandated, presents an opportunity to create consistency in all of the City's long range planning and policy efforts, provide ongoing opportunities for input from the community on these efforts, and advance the Council's housing production goal of facilitating the building of 12,000 housing units over the next 15 years. Additionally, by maintaining a compliant and State-certified Housing Element, the City will remain eligible and competitive for State grant funding opportunities that ultimately help the City in implementing its housing strategy. This study session is intended to introduce the General Plan update process and seek input before proceeding with next steps.

## **ATTACHMENTS**

Attachment 1 – *Burbank2035* General Plan: Housing & Safety Element Assessment and New Environmental Justice Component