

## FREQUENTLY ASKED QUESTIONS (FAQs)

### **What is a Housing Element?**

The Housing Element is one of eight required elements of the General Plan, along with land use, circulation, open space, conservation, safety, noise, and environmental justice. It is essentially the Town's plan for addressing local housing needs. Unlike other elements of the General Plan, the Housing Element must be updated every eight years to plan for housing needs over the next 8-year cycle. The Housing Element also has a more detailed list of statutorily required contents than other elements and it must be certified by the California Department of Housing and Community Development (HCD) with every update. For these reasons, the Housing Element is typically published under a separate cover than the rest of the General Plan.

### **Why do we need to update it?**

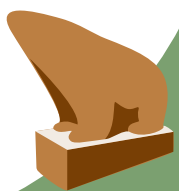
By law, each city or town in California must update its Housing Element every eight years to account for changing demographics, market conditions, and determined housing need. Additionally, for the upcoming cycle, the State has introduced new requirements for the eligibility of sites included on the inventory and for analysis of fair housing conditions that need to be addressed to ensure the Element remains legally compliant. There are also penalties for jurisdictions that fail to adopt a certified Housing Element, including suspension of local authority to issue building permits or grant zoning changes, variances, or subdivision map approvals; court-imposed fines of up to \$100,000 per month, which if not paid can be multiplied by a factor of six; or receivership, whereby a court-appointed agent is empowered to remedy identified Housing Element deficiencies and bring the Housing Element into substantial compliance with State law.

### **What's in our Housing Element?**

One of the key components of the Housing Element is the inventory of sites available for housing, presented in a table showing the location, size and zoning applicable to each site together with a projection of the number of housing units that could realistically be accommodated on the parcel in view of past trends and local conditions. A map of the site is also included.

By law, the Housing Element must also include an assessment of local housing needs, potential constraints to housing production, and fair housing issues - which means any factors that impede access to housing for disadvantaged groups like the disabled, the elderly, or racial or linguistic minorities. In view of that assessment, the Housing Element must include a program of actions to address identified needs, constraints and fair housing issues.

The Town's current Housing Element covers the 8-year period from 2015 through 2023. The inventory in the current element identifies 19 sites available for housing with a combined capacity for 44 new homes. The Element also identifies the potential for development of 90 accessory dwelling units (ADUs) in residential neighborhoods throughout Ross should homeowners choose to construct them. View the current Housing Element [here](#).



## What is RHNA?

A term that is central to the Housing Element process is RHNA, which stands for Regional Housing Needs Allocation. It is the total number of new housing units that the Town must plan to accommodate in the upcoming cycle. RHNA is split into four categories representing different levels of affordability, based on median income level in the county. The affordability categories are as follows:

- Very Low Income - Households making less than 50 percent of the average median income (AMI)
- Low Income - Households making 50-80 percent of AMI
- Moderate Income - Households making 80-120 percent of AMI
- Above Moderate Income - Households making more than 120 percent of AMI

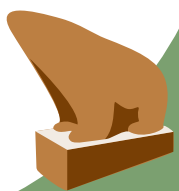
Since housing production is driven largely by market forces, the Town is not required to build new housing to meet its RHNA. The mandate in State law is that the Town ensure that local zoning has sufficient capacity to meet RHNA for all income categories throughout the 8-year planning cycle. Additionally, HCD will be reviewing the Housing Element to ensure it includes policies and programs to facilitate accommodating the RHNA.

## Where does RHNA come from?

The State determines the estimated need for new housing in each region of California for the upcoming cycle, based on population projections and other factors including rates of vacancy, overcrowding, and cost-burden. Each regional planning agency then allocates a target to each city or town within its jurisdiction, considering factors such as access to jobs, good schools, and healthy environmental conditions. For the San Francisco Bay Area, the Association of Bay Area Governments (ABAG) developed and refined a methodology for RHNA allocations with input from local jurisdictions between October 2019 and December 2021.

For the period from January 2023 through January 2031, the Town's RHNA allocation is provided below. The Town is required to ensure that local zoning has sufficient capacity to meet RHNA at all income levels throughout the period.

Ross RHNA Allocations				
VERY LOW INCOME (<50% of AMI)	LOW INCOME (50-80% of AMI)	MODERATE INCOME (80-120% of AMI)	ABOVE MODERATE INCOME (>120% of AMI)	TOTAL
34	20	16	41	111



Ross's RHNA allocation for the upcoming period is substantially higher than it was in the prior cycle (2015-23). This is true for communities across California. It is primarily a result of two factors: first, prior cycle RHNA allocations were lower than usual because numbers were reduced to reflect the high vacancy rates during the Great Recession; and second, new State law now requires that in addition to population projections, statewide housing need assessments take into account factors like overcrowding and cost burden, which has resulted in higher-than-normal RHNA numbers across California for the upcoming cycle.

### **Ross is a built-out community, how can we accommodate our RHNA?**

Accommodating RHNA will require a thoughtful strategy that satisfies the legal requirements while preserving the unique and historic sense of place so important to our community. Ross does not have many vacant properties available for new housing, but new State laws that seek to facilitate development of accessory dwelling units (ADUs) and smaller scale housing can help Ross accommodate its RHNA. ADUs - sometimes called caretaker or second units - are built on single-family residential properties, either as standalone structures or incorporated into the main house. They can be more affordable due to their smaller size and offer opportunities for lower income households, including home help workers, seniors, or teachers. The Town has recently adopted an ADU ordinance that established design parameters and regulations for ADUs.

[\[Link to ADU ordinance\]](#)

### **Who lives in affordable housing?**

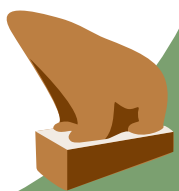
"Affordable housing" typically refers to rents or mortgage payments that are manageable for people earning 80 percent of the area median income (AMI) or less. It is assumed that not more than 30% of the household income is related to housing costs, although this percentage often can be much higher. In Marin County, annual AMI is \$149,600 for a family of four or \$104,700 for a single person living alone. This means that home help workers, seniors on fixed incomes, and some teachers or nurses would qualify.

### **What is the project timeline?**

The graphic below shows project phasing and key milestones. By law there are certain defined timeframes that must be respected and that have been programmed into the schedule. These include a 30-day public review period before the Draft Housing Element is sent to HCD for review and a 90-day review period for HCD. Additionally, an environmental impact report (EIR) will likely be required for the project and there is a mandatory 45-day public comment period for the Draft EIR.

[\[Link to Project Timeline\]](#)

Under State law, the statutory deadline for adoption of the Housing Element is January 15, 2023; however, there is a 120-day grace period. The intent is for the Town to adopt the updated Housing Element by the end of March 2023, which falls within the grace period.



## How can I get involved?

Community participation is an important component of the project and there will be many opportunities to share your thoughts and insights. Outreach activities planned include: 3 community open house meetings; an online survey; and "pop up" outreach at the post office or events like "Live on the Common" concerts. The timeline above shows the general timing of these events. As details are firmed up, they will be posted to the Town website. You can also subscribe to our e-mailing list to receive updates and stay in the know.

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