

## Using the Housing Element Update Process to Expand Affordable Housing

Over the next year and a half, most cities and counties in California will be engaging in a very important planning process that provides a unique opportunity to advocate for policies that expand the supply of affordable housing in your region. This process - the statutorily required update to each city's Housing Element - occurs only once every eight years, and will help determine how each city or county in the region grows and whether it does so in a way that includes housing and shelter for low-income people.

**What is the Housing Element?** The housing element is one of seven mandatory documents (or "elements") that together make up a city or county's General Plan. Housing Element law has many important, detailed requirements about the content of the housing element, but in summary it consists of analysis of needs, resources and constraints to the development of housing, the locality's goals and qualified objectives for housing, and a set of programs to meet those needs and accomplish the goals and objectives. The local government must have a public process to take input on the element. Once adopted, the plan is submitted to the State Department of Housing and Community Development (HCD) for its review, and approval. Throughout the process, the law's detailed, mandatory requirements provide opportunities for advocacy.

**An Important Civil Rights Law.** Advocates, including Legal Services programs advocating for the housing needs of their clients, have long viewed the housing element as an important tool not only for expanding the supply of housing, but for addressing land use policies and other barriers that result in the exclusion of low-income people from certain communities. Done right, housing elements must address, and in many cases, remove these barriers, helping to overcome historical development patterns that result in racial and economic disparities. Advocates have used both local government advocacy and litigation to win policies in the housing element such as inclusionary zoning, affordable housing incentives, new funding sources for housing, and the removal of barriers to shelters that have resulted in new housing and services for families in need.

### Where to Start and How to Learn More.

- Familiarize yourself with the update schedule in your region. This round of housing element updates begins with the San Diego area in the spring of 2013, LA and Sacramento areas in the Fall of 2013, and others following thereafter. The complete schedule is [here](#).
- Read more about the law and how to use it. The Public Interest Law Project's [California Housing Element Manual](#) is a good place to start. In addition, the text of the law can be found at Government Code § 65580 *et seq.*
- Engage other advocates. Affordable housing developers, tenant advocates, local affordable housing advocacy groups and others all have an interest in the housing element process, and can contribute expertise and resources.
- Consult with WCLP and PILP. Advocates at WCLP and PILP have co-counseled on numerous housing element cases and can provide helpful guidance throughout the process.

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to secure housing, healthcare and a strong safety net  
for low-income Californians.**