

## Land Inventory FAQs

### **Is the RHNA a construction quota or mandate?**

The RHNA is a policy planning requirement that identifies housing *needs* and is not a construction mandate. Jurisdictions are required to maintain enough sites to accommodate RHNA but are not required to build housing or issue permits for sites selected.

### **How will the City select RHNA sites?**

The City uses a state required methodology to determine which sites best meet state criteria and could realistically be developed within the housing cycle. This is different from a maximum buildout calculation that would assume all residentially zoned sites will redevelop into the maximum allowable density housing. Properties included in the RHNA inventory show potential development and are not meant to be targeted for specific kind of development. Due to the complexities of redeveloping underutilized sites, Stockton's RHNA analysis focuses on vacant properties and approved projects that have yet to be built. The City must submit a list of sites for the State's approval that collectively demonstrate enough zoning capacity to meet our RHNA allocation.

### **Can I build something other than housing if my property is a selected RHNA site?**

The City is not required to build housing to comply with RHNA, just maintain enough housing sites that could accommodate development consistent with the RHNA projections. The choice to pursue development is, and always will be, that of the property owner. As such, identification of a RHNA site does not qualify as a taking, as a regulatory taking occurs when governmental regulations limit the use of private property to such a degree that the landowner is effectively deprived of all economically reasonable use or value of their property.

### **What if a RHNA site becomes something other than housing?**

Should a property owner with a RHNA site choose to be developed as something else, the City must demonstrate that there are enough remaining RHNA capacity sites to maintain housing capacity compliance with the adopted Housing Element analysis. State law refers to this policy as a "No Net Loss" analysis, which requires the City to make specific findings every time a RHNA site (or site primarily zoned for housing) is developed for another use. To anticipate such requests within the next eight-year housing cycle, the City is attempting to establish a surplus of RHNA housing sites of approximately 30% over the required amount. The State will review a City's rationale for the 30% surplus buffer and may accept or reject the City's proposal based on a similar realistic rationale as the other RHNA sites.