



2023-2031 Housing Element

**City Council
January 24, 2023**

**Eloiza Murillo-Garcia, Housing Manager
Zachary Dahl, Deputy Director
Community Development Department**

Housing Element Team

City of San Mateo

- Zachary Dahl, Deputy Director
- Eloiza Murillo-Garcia, Housing Manager
- Manira Sandhir, Planning Manager
- Sandra Council, Housing Manager (retired)
- Julia Klein, Principal Planner
- Linda Ly, Associate Planner
- Nicholas Vu, Housing Specialist

Consultants

- Diana Elrod, Diana R. Elrod Consulting
- Nicholas Hamilton, Good City Co.
- Root Policy
- 21 Elements (San Mateo County Planning Collaborative)



Tonight's Agenda and Presentation Overview

- **Staff Presentation**

- Housing Element Background
- Draft Housing Element Timeline and Revisions
- Sites Inventory Overview
- Revised Draft Housing Element Overview
- Public Comments and Responses
- Planning Commission Recommendation
- Next Steps

- **Clarifying Questions**

- **Public Comment**

- **City Council Deliberation and Action**



Housing Element Background

- Required Element of the General Plan
- Requires Certification by State Housing and Community Development Department (HCD)
- 6th Housing Element Cycle – 2023-2031
- Regional Housing Needs Allocation
 - Bay Area – 441,176 units
 - City of San Mateo – 7,015 units



City's Regional Housing Needs Allocation (RHNA)

Income Category	Very Low 50% AMI	Low 80% AMI	Moderate 120% AMI	Above Moderate Income	Total
2023-31 Allocation	1,777	1,023	1,175	3,040	7,015

AMI – Area Median Income

County of San Mateo AMI is \$166,000 for a 4-person household



Draft Housing Element Timeline and Revisions

- Housing Element Timeline
- HCD First Review Letter
- Past City Council Direction
- Overview of Housing Element Revisions



Draft Housing Element Timeline

- **April 6** Draft Housing Element Published
- **April 6 – May 6** 30-day Public Comment Period
- **April 26 & May 3** Planning Commission Public Hearings
- **May 23** City Council Public Hearing
- **July 1** Updated Draft HE submitted to HCD
- **September 28** HCD First Review Letter Received
- **November 7** City Council Study Session



HCD First Review Letter

- HCD Review Letter included 91 comments
 - Comments included consideration of comments made by organizations and individuals
- Revisions in response to HCD Comments (Attachment 2, Exhibit B)
 - Each comment numbered and categorized with applicable HE section
 - City response
 - Location of changes within Housing Element
- Comment areas include:
 - Affirmatively Furthering Fair Housing (AFFH)
 - Constraints Analysis
 - Goals, Policies and Programs (GPPs)
 - Sites Inventory



Past City Council Direction – May 23, 2022

Council provided direction for staff to proceed with submitting the Draft Housing Element to HCD with some additions:

- Evaluate minimum residential requirements in mixed-use zoning districts
- Prioritization of senior housing
- Evaluation of parking standards for sites near transit
- Exploration of ways to support non-profits and faith-based organizations to produce affordable housing



Past City Council Direction – Nov. 7, 2022

City Council Study Session on HCD Review Letter

- Generally supported staff draft responses
- Provided direction for staff to make revisions necessary to address HCD comments
- Prioritize submitting Updated Housing Element to HCD by January 31, 2023 deadline



Key Housing Element Revisions

Affirmatively Furthering Fair Housing

- More information on development and the prioritization of contributing factors in the City
- More detail on fair housing legal cases and inquiries
- Expanded data on changes in racial composition in the City
- Enhanced discussion of special needs groups
- Greater analysis of R/ECAPs and RCAAs



Key Housing Element Revisions

Constraints Analysis

- More information on the City's land use controls
 - Which ones constrain/impact housing development
 - For identified constraints, linked program(s) to address/reduce
- Evaluated R3 open space and design review constraints
 - Updated Policies H1.8 and H1.13 accordingly
- Added additional information about the General Plan Update (GPU) and how Measure Y will be addressed as part of the GPU adoption process in 2023/24



Key Housing Element Revisions

Goals, Policies and Programs

- Updated and clarified timelines for various programs
- Moved up implementation targets for various programs to occur earlier in the cycle per HCD's comments
- Added two new policies to Goal H1 (Production) and one new policy to Goal H4 (Promotion)
- Many of the policies and program measures under all five goals were revised to provide additional clarity, increase commitment and outline how they address identified constraints



Key Housing Element Revisions

Housing Sites Inventory

- Included more detail on pipeline projects
- Detailed narrative explaining each site individually and outlined basis for the realistic capacity calculation
- More information on affordable housing projects in the pipeline and proposed on City land
 - Kiku Crossing and Bespoke (public parking lot adjacent to Talbot's building)



Key Housing Element Revisions

Housing Sites Inventory (cont.)

- Updated narrative and methodology section for development on nonvacant sites
- Added background information on age/size of building demolished for recently entitled development, existing versus allowable floor area, etc.
- Detailed descriptions of existing uses and maximum redevelopment potential
- New policy for outreach to owners of properties on the Sites Inventory



Sites Inventory Overview

- Statutory Requirements
- Methodology
- Realistic Capacity
- Non-Vacant Sites
- Pipeline Projects
- Accessory Dwelling Units



Sites Inventory Statutory Requirements

- Purpose of the sites inventory is to ensure there is enough land zoned at appropriate densities to accommodate RHNA allocation, plus a buffer
- It is not a list of all sites that may be developed; some identified sites will not be developed with housing, while some sites not identified in the inventory will be developed with housing
- The Housing Element's policies and programs focus on encouraging new housing production, increasing development feasibility and expanding new housing opportunities



Sites Inventory Methodology

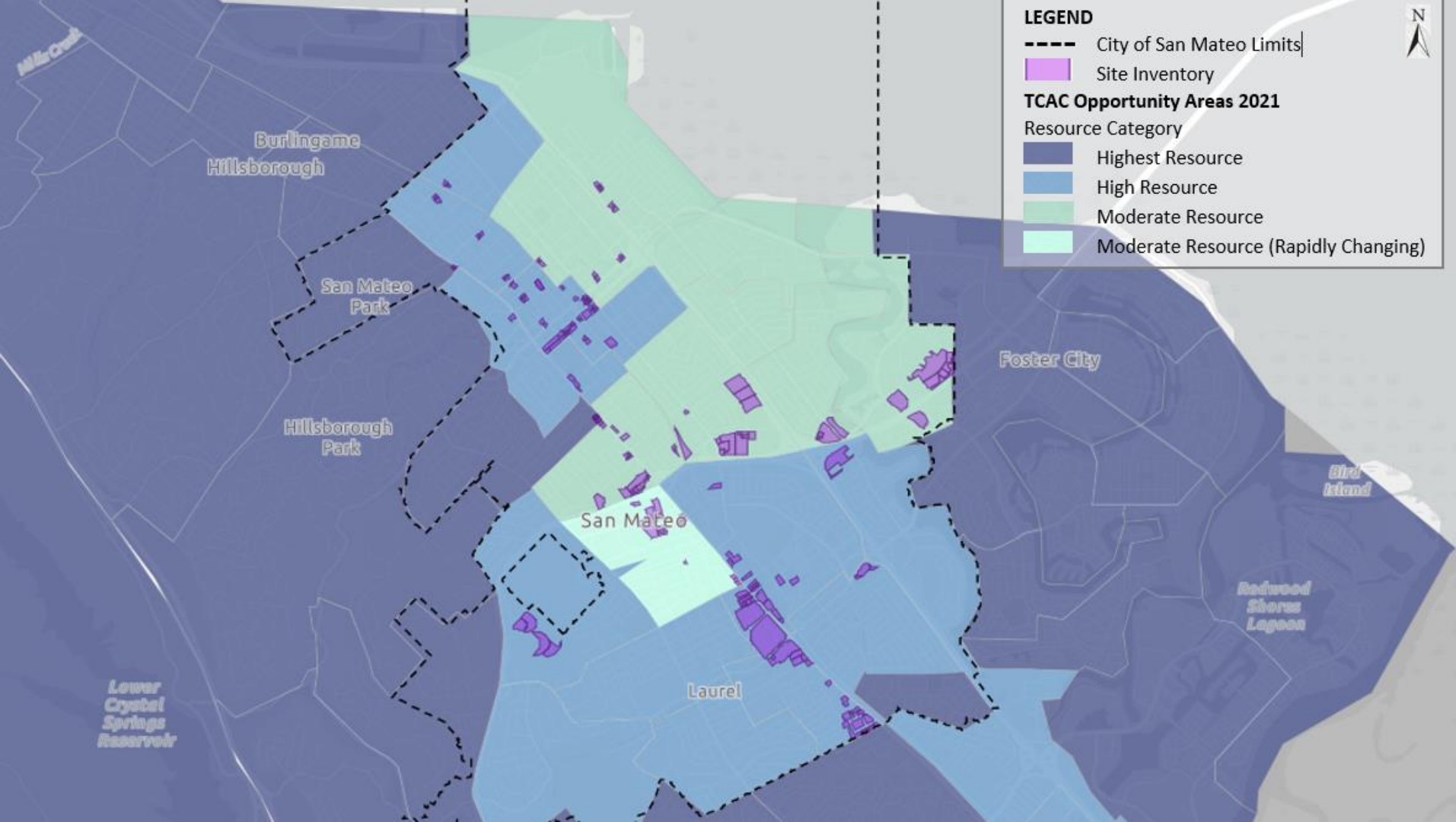
- Sites were identified through a methodical review of individual parcels, primarily within the ten GPU study areas
- Initial vetting of site typologies approved by HCD
- Sites ranked as to likelihood of redevelopment, with "1" being least likely (sites with substantial constraints, location of chain retail, etc.) to "5", which include pipeline projects or with owner/developer interest
- Other sites were included, primarily in the "4" category (for example, those with vacant uses, low FAR, older developments, etc.)
- Met with developers to discern what they look for to redevelop sites



Sites Methodology (cont.)

- Reviewed zoned versus built density to determine assumptions
- Continued revisions to the inventory mean some units/sites were removed while others were added
- Recent developments average well over 100% of zoned density because of density bonus
 - Relatively low density of 50 du/acre results in high probability of projects utilizing density bonus and maximizing available density
- Using conservative estimate of 100% for larger sites, 50% for smaller sites; this approach, with evidence to support, confirmed by HCD





Multi-Family Residential Realistic Capacity

- Residential Development Approvals (2017-2022)
 - 11 of 14 infill projects exceeded 100% of zoned density (50 du/ac)
 - Aggregate: 58.3 units/acre (112% of max density)
 - Three outlier development projects with much lower densities than the infill housing projects (Avg. 18.2 du/ac)
 - Specific site and use related restrictions - flood zone, located far away from transit, and/or being ownership instead of rental
- Residential Realistic Capacity:
 - 100% of base zoned density for multi-family (R3, R4, R5) infill sites
 - 50 du/ac or 35 du/ac in accordance with base zoning
 - For sites smaller than 0.5 acre, 50% of base density
 - For sites similar to the outlier projects, density estimated at 18.2 du/ac.



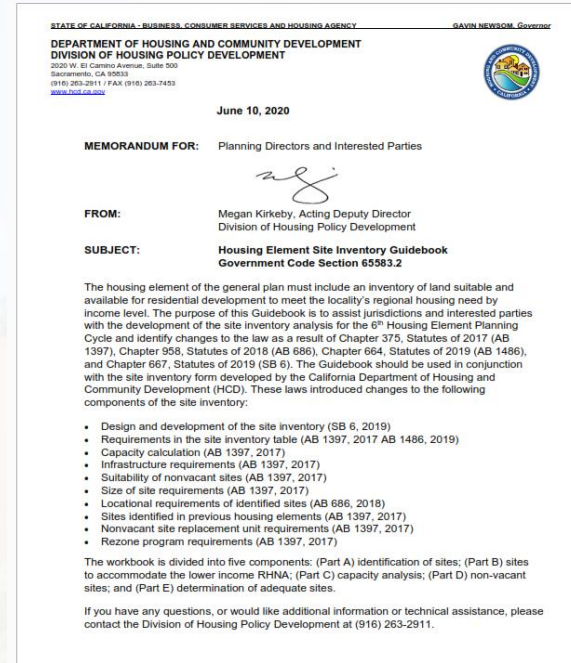
Mixed-Use/Commercial Realistic Capacity

- Mixed-Use/Commercial Approvals (2017-2022)
 - 20 of 25 projects included residential uses
 - 9 projects 100% residential and 11 mixed-use
 - 11 projects exceeded 100% of base density
 - Avg density was 49 units/acre (98% of base zoned density)
- Mixed-Use/Commercial Realistic Capacity
 - State guidance: 80% of trend, which results in 39 du/ac
 - For mixed-use sites, potential density estimated at 30 to 35 du/ac
 - For sites smaller than 0.5 acre, 50% of base density



Non-Vacant Sites

- Guidance from HCD articulates the factors to look for in determining redevelopment potential
- "Gold standard" is owner or developer interest
- Things to consider: age of development; local development trends; market considerations; land value information; known leases; degree of underutilization, etc.



Non-Vacant Sites (cont.)

- Any individual factor cannot be taken alone, but rather in the context of the market and development trends
- For example, presence or absence of long leases is not, by itself, determinative
- Current owner disinterest does not necessarily prevent inclusion on the Sites Inventory
- Must consider the extent to which residential is highest and best use, plus experience with development on similar sites in the City and regionally



Pipeline Housing Projects

- Projects that have been approved, permitted, or received a certificate of occupancy since the beginning of the RHNA period (after June 30, 2022) can be credited toward meeting the City's RHNA allocation based on the affordability and unit count of the development.
- New development currently in the pipeline:
 - 640 new housing units under construction
 - 1,580 new housing units approved
 - 680 new housing units under review
- **The total pipeline project units is 2,915 (42% of the City's total RHNA)**



Accessory Dwelling Units

- ADU/JADU Annual Permit Data – four-year avg

	2019	2020	2021	2022	4-Year Ave.
Applications Submitted	56	94	94	115*	90
Permits Issued	44	47	66	84*	60

**Updated final numbers including December 2022*

- Estimate of 55 new ADUs annually
- **440 new ADUs estimated over the eight-year cycle**
- Using very conservative assumptions to estimate ADU affordability mix
 - 5% Very Low, 30% Low, 50% Moderate and 15% Above Moderate
- Both 2021 and 2022 exceed the annual estimate of 55 ADU permits
- Updated ADU programs to support achievement of this production target



Revised Draft Housing Element Overview

- General Plan Update
- Measure Y
- City Properties and Funding
- Missing Middle Housing
- AFFH
- Goals, Policies and Programs



General Plan Update



- General Plan Update process started in 2018, with target for adoption by the end of 2023
- Draft Land Use Map will significantly increase densities
 - Increasing densities from 35-50 du/ac to 100-200 du/ac
 - Up to 21,900 new housing units over next 20 years
- Over 90 percent of Sites Inventory sites are within a Study Area and will have an updated land use designation with increased base density



Burlingame
Hillsborough

San Mateo
Park

Hillsborough
Park

San Mateo

Laurel

Foster City

Bird
Island

Redwood
Shores
Lagoon

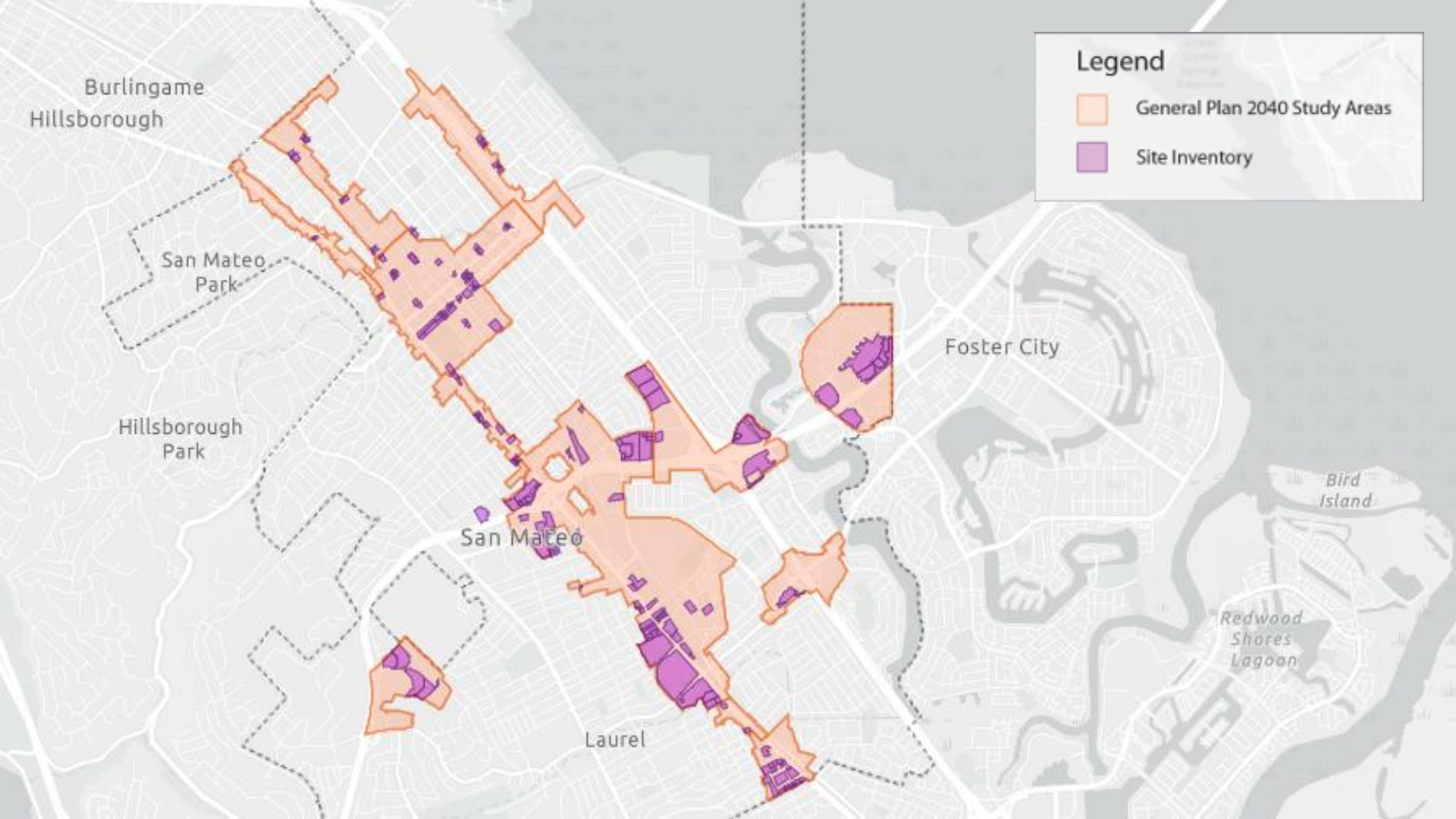
Legend



General Plan 2040 Study Areas



Site Inventory



General Plan Update – Measure Y

- GPU facilitating discussion to build consensus around a path forward with Measure Y
- All elements of the GPU that exceed Measure Y will require voter approval before they can take effect
- Community input, and ultimately City Council direction, will guide how to best address the elements of the GPU that go beyond the Measure Y
- An initiative that updates and/or modifies Measure Y could be placed on the ballot in 2024
- **Policy H1.21** added to support this community discussion and highlight the non-governmental constraint on housing production posed by Measure Y



City Properties and Funding

- 480 E. 4th Ave (Kiku Crossing) –225 BMR units; to be completed in spring 2024
- 445 S. B St (Bespoke) – 60 units in a mixed-use project; public-private partnership with developer; approval target is 23/24; construction in 25/26
- Housing Fund (approx. \$5.8M)
 - Commercial Linkage Fee
 - 20% of general fund property tax revenues from former Redevelopment Area (RDA) sites
 - Permanent Local Housing Allocation (PLHA), Below Market Rate (BMR) fractional and in-lieu fees, and other miscellaneous housing funds
- Generate approximately \$26M over next eight years (estimate)
- **Policy H1.2** - Utilize Public Funding and Properties for New Affordable Housing



Kiku Crossing Funding Sources



Funding Source	Funding Amount	% of Total Funding
City Funds	\$7,500,000	4.4%
County Funds	\$5,200,000	3.0%
HEART	\$1,800,000	1.1%
Midpen Sponsor Loan	\$5,000,000	2.9%
Deferred Developer Fee	\$2,000,000	1.2%
Tax Credit Equity	\$74,800,000	43.8%
State Funds (CALHFA)	\$73,500,000	43.1%
Miscellaneous	\$790,000	0.5%
Total	\$170,590,000*	100%
City Land Value (1 acre)	Approximately \$9,700,000	

*Approximate cost per unit: \$758,177 (*excludes land costs*)



Missing Middle Housing

- Missing Middle housing: small to medium-scale development such as duplexes, triplexes, and 4-10 unit projects
- Missing Middle Housing and constraints to development a key City priority
- Policies and programs focus on reducing development standard constraints and costs, expanding opportunities and streamlining the development review
 - Policy H1.4 Incentivize Accessory Dwelling Unit Development
 - Policy H1.6 Streamline Housing Application Review
 - Policy H1.7 Update Zoning Code Development Standards
 - Policy H1.8 Adopt Objective Design Standards
 - Policy H1.13 Encourage Development of Missing Middle



Affirmatively Furthering Fair Housing (AFFH)

- AB 686 requires public agencies to provide AFFH analysis beginning January 1, 2019. Must include:
 - Fair housing enforcement and outreach capacity,
 - Segregation and integration
 - Disparities in access to opportunity,
 - Disproportionate housing needs and displacement risks, and
 - Racially/ethnically concentrated areas of poverty
- Must “administer programs and activities relating to housing and community development in a manner that affirmatively furthers fair housing, and take no action inconsistent with this obligation”



AFFH (cont.)

- **Challenges identified:**

- Racial/ethnic minority populations disproportionately impacted by poverty, overcrowding, cost burdens and homelessness;
- Northeast areas of the City most impacted; and
- Discrimination complaints based on disability and race.



AFFH (cont.)

- **City's approach to address:**

- New programs to reduce barriers to housing in high opportunity areas;
- Promoting housing supply;
- Conserving/improving assets in areas of poverty; and
- Protecting residents from displacement.



AFFH (cont.)

- Revisions include more narrative on local trends and needs, as well as prioritization of contributing factors
- Inventory analysis demonstrates that the proposed affordable housing sites are not in areas with existing concentrations of lower income households
- The inventory therefore is not expected to increase segregation
- Further, the location of affordable units in the inventory will provide lower income households with access to transit and services



Other Required Components

- Existing and Potential Housing Resources
- Climate Change Context and Energy Conservation Requirements
- Prior Housing Element Review and Accomplishments
 - Housing units – 2,573 units completed until 7th year
 - 81.3% of the City's 5th Cycle RHNA (3,164 units)
 - Adopted Commercial Linkage fee and increased inclusionary Requirements to 15%
 - Process Improvements and Code Amendments



Goals, Policies, and Programs

- **Goal 1 – Production** - Production of new housing at all income levels, but especially affordable housing. *Twenty-one Policies*
- **Goal 2 – Preservation** - Preserve existing housing that is affordable to lower- and middle-income residents. *Six Policies*
- **Goal 3 – Protection** - Protect current residents to prevent displacement. *Seven Policies*
- **Goal 4 – Promotion** - Promote social resilience through public education and community outreach to make information more available and accessible. *Five Policies*
- **Goal 5 – Affirmatively Furthering Fair Housing** - Address issues of fair housing, equity and access while reinforcing that affirmatively furthering fair housing is both a stand-alone priority and inseparable from achieving the other HE goals. *Fourteen Policies*



GOAL H1: Production of new housing at all income levels, with a focus on affordable housing

- Utilize public funds and properties to build more affordable units
- Support ADU production through regional collaboration, promotion, availability of resources and streamlined review
- Encourage housing development through Zoning Code amendments to reduce constraints, minimum densities for mixed-use, updated policies for missing middle housing, and simplified review processes
- New policy to coordinate with water and sewer providers and
- New policy to address Measure Y constraints and increase housing capacity (21,000+ new units) by supporting adoption of General Plan Update



GOAL H2: Preservation of existing housing that is affordable to lower- and middle-income residents

- Prevent conversion of existing affordable units from becoming market rate by renegotiating agreements
- Use public funds to acquire units or require developers to replace lost units
- Indirectly preserve affordable housing by improving the quality of life of residents to prevent displacement
- Incentivize upgrades to low-income homes through rehabilitation, accessibility modifications, or energy efficiency changes
- Enable capital improvements and resiliency projects that protect against threats posed by climate change



GOAL H3: Protection of current residents to prevent displacement

- Prevent gentrification and displacement through protection of lower-income residents
- Address homelessness and increase shelter capacity that can protect housing insecure individuals and families from having to leave the City entirely
- Affirmatively fund and support outreach services for at-risk renters and/or those facing fair housing challenges
- Prioritize special needs tenants in below market rate units
- Explore a rental registry to track rents and monitor trends in evictions
- Undertake several actions to affirmatively further fair housing



GOAL H4: Promotion of community engagement and public outreach

- Increase access and awareness of housing programs through use of new technology as part of a robust and proactive public outreach strategy
- Provide education and information on regulatory requirements and specific programs and protections offered locally, regionally, and by the state to improve access to housing for all income groups and special needs communities
- Support countywide rental waitlist to centralize occupancy of BMR units
- Conduct public outreach in a diversity of methods and forms to reach all residents and program beneficiaries to ensure those in need can find supportive programs and service providers
- New policy added to conduct direct outreach to owners/developers of properties on the Sites Inventory



Goal H5: Affirmatively Furthering Fair Housing

- AFFH Fair Housing Action - cross references items that are interwoven with the Housing Plan's other four goals, policies, and programs.
- Actions address issues focused on groups that have disparate housing needs in the City, concentrated in census tracts that have high rates of poverty. Example – Hispanic community, and single-female heads of household.
- Persons with disabilities also experience housing discrimination due to low economic opportunity and failure of landlords to provide reasonable accommodations. Actions identified have specific quantified objectives to reach the target households.



Revised Draft Housing Element Timeline

- **December 30** Revised Draft Housing Element Published
- **Dec. 30 – Jan. 9** Public Comment Period (*7 days required*)
- **January 10** Planning Commission Public Hearing
- **January 24** City Council Public Hearing
- **January 31** Submit Adopted HE submitted to HCD



Public Comments Received

- Received 130 written public comments since December 30th, including comments received during the public review period
- Comment letters from groups/organizations
 - Housing Action Coalition
 - Sierra Club Loma Prieta Chapter
 - Beresford Hillsdale Neighborhood Association
- Summary of comments
 - Concerns about feasibility of properties on Sites Inventory
 - Concerns about too much housing being allowed
 - Concerns about the spread/location of new housing construction
 - Expressed support for Housing Element adoption



Revisions in Response to Public Comments

- **Policy H1.2** - Utilize Public Funding and Properties for New Affordable Housing
 - (new) program to support affordable housing on the City owned parking lot at 4th and Railroad as part of the public-private partnership (Bespoke project)
 - (new) program to support affordable housing development on the City owned property at 4142 El Camino Real
 - The City owned parking lot at 5th and B (adjacent to Ravioli House) is not on the Sites Inventory and not anticipated for development this cycle.
- **Policy H1.7** - Update Zoning Code Development Standards
 - (new) Amend the Zoning Code to make residential uses permitted in C2, C3, E1 and E2 for non-R Overlay areas (currently a special use)
- Add Supplemental Table in Appendix C to clarify/consolidate evidence to support development feasibility of each site in the Sites Inventory



Site Specific Response to Public Comments

Site	Total Units	HAC Concern	Staff Response
Bridgepoi nte	672	Long-term leases for existing uses and/or parking; do not show discontinuance of uses.	Leases are not the only factor in determining sites as they can be bought out. Significantly underutilized site with surface parking lots. GPU and update of Bridgepointe Specific Plan would increase density and housing feasibility. Detailed justification provided in Appendix C.
Hillsdale Mall Sites	1,383	Measure Y constraint would limit development of this housing.	Letter of owner interest factors in existing Measure Y constraints; Added detailed justification in Appendix C; Reduced units since first Draft Housing Element based on owner input.
The Atrium	245	Requires special use permit for residential uses in Executive Office (E1) or rezoning.	Owner interest in redevelopment (2022) due to large parking lot and two-story office building; significantly underutilized site; <u>A new program to convert residential uses from special uses to permitted uses in C2/C3/E1/E2 zones is proposed (Policy H1.7).</u>
Borel Square	243	Long-term leases for existing uses.	Letter of owner interest; significantly underutilized site with surface parking lots, one-story development, and partially vacant.
Elk's and Shriner's	268	Expressions of interest do not constitute substantial evidence for this and other similar sites.	Preliminary inquiries from owners/representatives; bolstered by the nature of the site which is a significantly underutilized site with older one-story buildings and large surface parking lots; Nearby projects demonstrate ability to redevelop these two sites; Maintaining (e) use does not preclude addition of new housing on site.
Olympic Plaza	402	Grocery store use expected to continue; Mixed-use would lower density.	Preliminary conversations between owner and the City's Housing Manager regarding potential for redevelopment. Significantly underutilized site with surface parking and 1-2 story older building stock. Patterns of development in City show maximization of density; Maintaining (e) grocery store use does not preclude addition of new housing on site.
Sites AN	28	City-owned sites should have a concrete plan for development of housing or should be consolidated with neighboring use.	Typo regarding APN number of the site. Underutilized site adjacent to City land at 4142 El Camino Real. City to explore partnership opportunities with adjacent property owners, including at 4100 El Camino Real, to develop housing at these sites. <u>A new program to enable consolidation and development at this site is proposed (Policy H1.2).</u>



Supplemental Sites Inventory Table

Table A-1: Housing Element Sites Inventory, Supplemental Table

Site Address/Intersection	Assessor Parcel Number	Consolidated Sites	Parcel Size (Acres)	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Total Capacity (units)	Realistic Capacity Proposed (units/acre)	Percent of Base Density	Draft General Plan Update (GPU) Designation (Proposed)	Draft GPU Density (units/acre)	Existing Use / Vacancy	Pipeline Project Status	Constraints	Justification
121 N San Mateo Dr	032-292-070	A	0.59	Executive Office	E2	50	15	25	51%	Residential High	100 to 200	Medical office building	0	No constraints found	One story, old building, larger than .5 acre, same owner
117 N San Mateo Dr	032-292-080	A	0	Executive Office	E2	50				Residential High	100 to 200	Medical office building	0	No constraints found	One story, old building, larger than .5 acre, same owner
5 N San Mateo Dr	032-312-250	B	0.98	Executive Office/High Density Multi-Family	E2-0.5/R5	50	35	36	71%	Mixed-Use High	100 to 200	Med Center surface Parking Lot	0	No constraints found	General interest in redevelopment, large surface parking lot, larger than .5 acre, same owner
123 Baldwin Ave	032-312-270	B	0	Executive Office/High Density Multi-Family	E2-0.5/R5	50				Mixed-Use High	100 to 200	Med Center surface Parking Lot	0	0	0
117 Baldwin Ave	032-312-150	B	0	Executive Office/High Density Multi-Family	E2-0.5/R5	50				Mixed-Use High	100 to 200	Med Center surface Parking Lot	0	0	0
26 N San Mateo Dr	032-312-100	B	0	Executive Office/High Density Multi-Family	E2-0.5/R5	50				Mixed-Use High	100 to 200	Med Center surface Parking Lot	0	0	0
27 N San Mateo Dr	032-312-070	B	0	Executive Office/High Density Multi-Family	E2-0.5/R5	50				Mixed-Use High	100 to 200	Med Center surface Parking Lot	0	0	0
402 Tilton Ave	032-331-010	C	0.76	Medium Density Multi-Family	R3	35	26	34	98%	Residential Low 2	9 to 39	1 unit - Single family residential	0	Needs consolidation, adjacent to railway	Zoned to encourage aggregation, larger than .5 acre consolidated, same owner
406 Tilton Ave	032-331-020	C	0	Medium Density Multi-Family	R3	35				Residential Low 2	9 to 39	1 unit - Single family residential	0	Needs consolidation	Zoned to encourage aggregation, larger than .5 acre consolidated, same owner
20 N Railroad	032-331-150	C	0	Medium Density Multi-Family	R3	35				Residential Low 2	9 to 39	Industrial/warehouse use	0	Needs consolidation, adjacent to railway	Zoned to encourage aggregation, larger than .5 acre consolidated
145 N Kingston	033-171-040	D	1.24	High Density Multi-Family	R4	50	35	28	56%	Residential Low/Medium	9 to 39; 40 to 99	2 unit - Duplex	0	Pre-Application completed but project is on hold, Affordability by Inclusionary Ordinance	Former PA19-008 Monte Diablo Townhomes
139 N Kingston	033-171-050	D	0	High Density Multi-Family	R4	50				Residential Low 1	9 to 39	5 unit - 2 story residential apts	0	0	0
131 N Kingston	033-171-060	D	0	High Density Multi-Family	R4	50				Residential Low/Medium	9 to 39; 40 to 99	1 unit - Single family residential	0	0	0
1218 Monte Diablo	033-171-180	D	0	High Density Multi-Family	R4	50				Residential Medium	40 to 99	Neighborhood retail/parking	0	0	0
1731 Leslie St	035-215-060	E	0.6	Transit Oriented Development	TOD	50	30	50	100%	Mixed-Use Medium	40 to 99	Service commercial	0	Needs consolidation, Needs cleanup (a	
1741 Leslie St	035-221-010	E	0	Transit Oriented Development	TOD	50				Mixed-Use Medium	40 to 99	Service commercial	0	0	
1753 Leslie St	035-221-020	E	0	Transit Oriented Development	TOD	50				Mixed-Use Medium	40 to 99	Service commercial	0	0	
678 Concar Dr	035-242-090	F	14.53	Transit Oriented Development	TOD	50	961	66	132%	Mixed-Use Medium	40 to 99	Entitlement Approved; Affordability by Inclusionary Ordinance	1880 Grant Dr are se	Green	Entitlement Approved
666 Concar Dr	035-242-140	F	0	Transit Oriented Development	TOD	50				Mixed-Use Medium	40 to 99	Seven 11 Shopping center/retail	0	0	Dark Green Under Construction

LEGEND
Light Green

Pre-Application Completed/Application Submitted

Green

Entitlement Approved

Dark Green

Under Construction

Planning Commission Discussion

- Expressed concerns about the sites inventory and methodology
 - Realistic capacity calculation not realistic
 - Lack of substantial evidence to support housing development feasibility on many of the sites
- Goals, Policies and Programs not adequately revised to address HCD's comments
 - Lack of significant commitment for implementation or measurable metrics
 - Does not fully meet AFFH requirements



Planning Commission Recommendation

- Recommend that the City Council not adopt the Revised Draft Housing Element (voted 3-0 with two commissioners absent)
 - The Sites Inventory does not include substantial evidence to demonstrate realistic capacity and housing development feasibility for all of the identified opportunity sites
 - The Fair Housing Plan does not fully address all Affirmatively Furthering Fair Housing (AFFH) requirements
 - The Housing Element does not adequately address the City's constraints to housing production necessary to meet its RHNA
 - The goals, policies and programs have not been sufficiently updated to address HCD comments



Next Steps

- Receive public comments and take action on Housing Element
- Action to adopt would include findings that the Housing Element is substantially compliant with State law
- Following adoption, Housing Element would be submitted to HCD by the January 31, 2023
- HCD has 60-day statutory review period to either certify or return with comments



Loss of Local Control “Builder’s Remedy”

- Housing elements are required to comply with current State housing element law by January 31, 2023
- HCD is no longer providing 120-day grace period to housing elements
- A jurisdiction without an adopted sixth cycle housing element is at risk of being deemed out of compliance
 - Subject to loss of local zoning and land use control.
 - Development applications could utilize the “Builder’s Remedy” provision in the HAA, (Government Code Section 65589.5).
- Local adoption, not HCD certification, is the key step required for a housing element to be found substantially compliant per state law.



Recommendation

Adopt a Resolution to approve a General Plan Amendment to update the Housing Element for the Sixth Housing Cycle (2023-2031) that is compliant with state law, provides a plan for at least 7,015 new housing units and affirmatively furthers fair housing, and determine that adoption of the Housing Element is exempt from review under the California Environmental Quality Act, based on the listed findings and including the staff recommended revisions.



Thank You!

San Mateo
City Hall

Highest
Resource



Clarification Questions



Public Comments

Highest
Resource



Recommendation

Adopt a Resolution to approve a General Plan Amendment to update the Housing Element for the Sixth Housing Cycle (2023-2031) that is compliant with state law, provides a plan for at least 7,015 new housing units and affirmatively furthers fair housing, and determine that adoption of the Housing Element is exempt from review under the California Environmental Quality Act, based on the listed findings and including the staff recommended revisions.



Compliance with Statutory Provisions

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
Section 65583	
The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing.	See below for details.
The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.	See below for details
The element shall contain all of the following:	
(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:	Housing needs—see Appendix A, Needs Analysis Resources—see Appendix C, Housing Resources

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(a)(1) An analysis of population and employment trends and documentation of projections	Appendix A, pp H-A-9 through H-A-22
(a)(1) A quantification of the locality’s existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality’s share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction’s allocation of very low income households pursuant to Section 65584.	Appendix A, pp H-A-9 through H-A-22; for ELI data, see H-A-22 et seq.
(a)(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay,	Appendix A, H-A-23 through H-A-31; for overpayment see H-A-43 et seq.
(a)(2) housing characteristics, including overcrowding, and	Appendix A, H-A-43 et seq.
(a)(2) housing stock condition.	Appendix A, H-A-36 et seq.

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(a)(3) 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, and an analysis of the relationship of the sites identified in the land inventory to the jurisdiction’s duty to affirmatively further fair housing. Note: Please see Section 65583.2 regarding the land inventory.</p>	<p>See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) For detail on individual sites, nonvacant site analysis and relationship to constraints, etc., see Appendix C, pp H-C-12 et seq. For AFFH analysis of inventory, see Appendix D, H-D-72 et seq.</p>
<p>(a)(4)(A) The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter.</p>	<p>Appendix B, H-B-39 through H-B-42; see also base document’s Policy H3.7, page H-80</p>
<p>(a)(4)(A) If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit.</p>	<p>Appendix B, H-B-39 through H-B-42; see also base document’s Policy H3.7, page H-80</p>
<p>(a)(4)(A) The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters.</p>	<p>Appendix B, H-B-39 through H-B-42; see also base document’s Policy H3.7, page H-80</p>

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(a)(4)(A) Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:</p> <ul style="list-style-type: none"> (i) The maximum number of beds or persons permitted to be served nightly by the facility. (ii) Sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone. (iii) The size and location of exterior and interior onsite waiting and client intake areas. (iv) The provision of onsite management. (v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart. (vi) The length of stay. (vii) Lighting. (viii) Security during hours that the emergency shelter is in operation. 	<p>Appendix B, H-B-39 through H-B-42; see also base document’s Policy H3.7, page H-80</p>
<p>(a)(4)(B) The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).</p>	<p>Appendix B, H-B-39 through H-B-42; see also base document’s Policy H3.7, page H-80</p>

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(a)(4)(C) A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction’s need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit.</p>	<p>Appendix B, H-B-39 through H-B-42; see also base document’s Policy H3.7, page H-80</p>
<p>(a)(4)(D) A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.</p>	<p>Appendix B, H-B-39 through H-B-42; see also base document’s Policy H3.7, page H-80</p>
<p>(a)(5) 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 [Note: The types of housing identified in Section 65583(c)(1) include multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.]</p>	<p>See Constraints, Appendix B. For detail, see below</p>

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(a)(5) for persons with disabilities as identified in the analysis pursuant to paragraph (7),	Appendix B, H-B-37 et seq.
(a)(5) including land use controls,	Appendix B, H-B-5 through H-B-11
(a)(5) site improvements,	Appendix B, H-B-18 through H-B-19
(a)(5) fees and other exactions required of developers,	Appendix B, H-B-31 though H-B-36
(a)(5) local processing and permit procedures,	Appendix B, H-B-20 through H-B-31
(a)(5) The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584	Base document Policies H1.1 through H1.21, especially Policies H1.3, H1.4, H1.6, H1.7, H1.13, H1.18
(a)(5) and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7).	Appendix B, H-B-38, and base document policies H1.14, H4.3, H4.4 H5.1.1, H5.1.2, H5.2.1, H5.2.2, H5.2.3, H5.4.1, H5.4.2, H5.4.3, and H5.4.4

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(a)(6) The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality’s planning for the development of housing for all income levels and the construction of that housing.	Appendix B, H-B-46 through H-B-55, and base document policies H1.9, H1.10 and H1.21
(a)(7) An analysis of any special housing needs, such as those of the	
(a)(7) elderly;	Appendix A, H-A-23 et seq. and H-A-55 et seq.
(a)(7) persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code;	Appendix A, H-A-56 through H-A-59
(a)(7) large families;	Appendix A, H-A-53 et seq.
(a)(7) farmworkers;	Appendix A, H-A-66 et seq.
(a)(7) families with female heads of households;	Appendix A, H-A-54 et seq.
(A)(7) And families and persons in need of emergency shelter.	Appendix A, H-A-59 through H-A-65

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(a)(7) The need for emergency shelter shall be assessed based on the capacity necessary to accommodate the most recent homeless point-in-time count conducted before the start of the planning period, the need for emergency shelter based on number of beds available on a year-round and seasonal basis, the number of shelter beds that go unused on an average monthly basis within a one-year period, and the percentage of those in emergency shelters that move to permanent housing solutions.</p>	<p>Appendix A, H-A-59 through H-A-65; see also Appendix B, H-B-39 through H-B-42</p>
<p>(a)(7) The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period.</p>	<p>Appendix A, H-A-59 through H-A-65; see also Appendix B, H-B-39 through H-B-42</p>
<p>(a)(7) An analysis of special housing needs by a city or county may include an analysis of the need for frequent user coordinated care housing services.</p>	<p>N/A</p>
<p>(a)(8) An analysis of opportunities for energy conservation with respect to residential development. Cities and counties are encouraged to include weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. This may include energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system.</p>	<p>Base document, H-48 and H-49, and policy H2.3</p>

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(a)(9) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. “Assisted housing developments,” for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. “Assisted housing developments” shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65915.</p>	<p>Base document, H-24 through H-27; complete list of developments is in Appendix A, Attachment 2</p>
<p>(a)(9)(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use, and the total number of elderly and nonelderly units that could be lost from the locality’s low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.</p>	<p>Appendix A, Attachment 2</p>
<p>(a)(9)(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate.</p>	<p>Base document, H-24 through H-27</p>

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(a)(9)(C) The analysis shall identify public and private nonprofit corporations known to the local government that have legal and managerial capacity to acquire and manage these housing developments.	Base document, H-24 through H-27
(a)(9)(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs that can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program that have not been legally obligated for other purposes and that could be available for use in preserving assisted housing developments.	Base document, H-24 through H-27
(b) (1) A statement of the community's goals, quantified objectives, and policies relative to affirmatively furthering fair housing and to the maintenance, preservation, improvement, and development of housing.	Goals, policies and programs, including AFFH: base document, H-71 through H-87 Quantified objectives: base document, H-88 through H-91
(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period.	Quantified objectives: base document, H-88 through H-91

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c) A program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, that 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	Goals, policies and programs, including AFFH: base document, H-71 through H-87
(c) through the administration of land use and development controls,	Policies H1.1 through H1.21
(c) the provision of regulatory concessions and incentives,	Policies H1.3, H1.4, H1.6, H1.7, H1.13, H1.18, and others
(c) the utilization of appropriate federal and state financing and subsidy programs when available,	Policy H1.2 and H2.1
(c) and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code).	Policy H1.2 and H2.1

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:</p>	
<p>(c)(1) 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 Section 65584.09.</p>	<p>No sites need to be rezoned in order to accommodate the RHNA allocation</p>
<p>(c)(1) Sites shall be identified as needed to affirmatively further fair housing</p>	<p>For AFFH analysis of inventory, see Appendix D, H-D-72 et seq.</p>
<p>(c)(1) and to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing,</p>	<p>See base document programs, H-71 through H-87; see also discussion in Constraints, Appendix B, beginning on H-B-5</p>
<p>(c)(1) factory-built housing,</p>	<p>Appendix B, H-B-44</p>

Compliance with Statutory Provisions

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c)(1) mobilehomes,	Appendix B, H-B-44
(c)(1) housing for agricultural employees,	Appendix B, H-B-43
(c)(1) supportive housing,	Appendix B, H-B-42
(c)(1) single-room occupancy units,	Appendix B, H-B-45; and base document H-44
(c)(1) emergency shelters,	Appendix B, H-B-39 et seq.
(c)(1) and transitional housing.	Appendix B, H-B-42

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(c)(1)(A) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year housing element planning period pursuant to Section 65588, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Section 65585 or the date that is 90 days after receipt of comments from the department pursuant to subdivision (b) of Section 65585, whichever is earlier, unless the deadline is extended pursuant to subdivision (f). Notwithstanding the foregoing, for a local government that fails to adopt a housing element that the department has found to be in substantial compliance with this article within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning of those sites, including adoption of minimum density and development standards, shall be completed no later than one year from the statutory deadline in Section 65588 for adoption of the housing element.</p>	<p>No sites need to be rezoned in order to accommodate the RHNA allocation</p>
<p>(c)(1)(B) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2. The identification of sites shall include all components specified in Section 65583.2. Note: Please see Section 65583.2 regarding the land inventory and conformance with subdivision (h).</p>	<p>No sites need to be rezoned in order to accommodate the RHNA allocation</p>

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(c)(1)(C) Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low income households.</p>	<p>Base document implementation plan, Policy H1.17</p>
<p>(c)(2) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.</p>	<p>Base document Policies H1.1 through H1.21</p>
<p>(c)(3) 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</p>	<p>Base document Policies H1.1 through H1.21, especially Policies H1.3, H1.4, H1.6, H1.7, H1.13, H1.18</p>
<p>(c)(3) 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.</p>	<p>Appendix B, H-B-38, and base document policies H1.14, H4.3, H4.4 H5.1.1, H5.1.2, H5.2.1, H5.2.2, H5.2.3, H5.4.1, H5.4.2, H5.4.3, and H5.4.4</p>

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c)(3) Transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.	Appendix B, H-B-42 and base document policy H1.15
(c)(3) Supportive housing, as defined in Section 65650, shall be a use by right in all zones where multifamily and mixed uses are permitted, as provided in Article 11 (commencing with Section 65650).	Appendix B, H-B-42 and base document policy H1.15
(c)(4) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.	Base document Policies H2.1, H2.2, H2.4, H2.6
(c)(5) Promote and affirmatively further fair housing 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.	AFFH policies in base document, H5.1.1 through H5.4.5
(c)(6) Preserve for lower income households the assisted housing developments identified pursuant to paragraph (9) of subdivision (a).	Base document policy H2.2

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c)(6) 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.	Base document, H-24 through H-27 and policy H2.2
(c)(6) The program may include strategies that involve local regulation and technical assistance.	Base document, H-24 through H-27 and policy H2.2
(c)(7) Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, “accessory dwelling units” has the same meaning as “accessory dwelling unit” as defined in paragraph (4) of subdivision (i) of Section 65852.2.\	Base document policies H1.4 and H5.1.3
(c)(8) Include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals.	<p>For responsible parties, including AFFH: base document, pages H-71 through H-87</p> <p>Consistency with the general plan: base document, page H-19</p>

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c)(9) 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.	See Appendix F in its entirety, and the base document for a summary (H-50 through H-60)
(c)(10)(A) Affirmatively further fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2. The program shall include an assessment of fair housing in the jurisdiction that shall include all of the following components:	See Appendix D in its entirety
(c)(10)(A)(i) A summary of fair housing issues in the jurisdiction	Appendix D, H-D-10 through H-D-15
(c)(10)(A)(i) and an assessment of the jurisdiction’s fair housing enforcement and fair housing outreach capacity.	Appendix D, H-D-16 through H-D-23
(c)(10)(A)(ii) An analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends,	Appendix D, H-D-24 through H-D-49
(c)(10)(A)(ii)racially or ethnically concentrated areas of poverty and affluence,	Appendix D, H-D-41 through H-D-49

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c)(10)(A)(ii) disparities in access to opportunity,	Appendix D, H-D-50 through H-D-56
(c)(10)(A)(ii) and disproportionate housing needs,	Appendix D, H-D-57 though H-D-71
(c)(10)(A)(ii) including displacement risk.	Appendix D, H-D-67 through H-D-71
(c)(10)(A)(ii) The analysis shall identify and examine such patterns, trends, areas, disparities, and needs, both within the jurisdiction.	See Appendix D in its entirety, as this information is woven throughout
(c)(10)(A)(ii) and comparing the jurisdiction to the region in which it is located, based on race 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) and Section 65008.	See Appendix D in its entirety, as this information is woven throughout
(c)(10)(A)(iii) An assessment of the contributing factors, including the local and regional historical origins	Appendix D, H-D-6 through H-D-15
(c)(10)(A)(iii) and current policies and practices, for the fair housing issues identified under clauses (i) and (ii).	Appendix D, H-D-16 through H-D-23

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c)(10)(A)(iv) An identification of the jurisdiction’s fair housing priorities and goals, giving highest priority to those factors identified in clause (iii) that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance,	Appendix D, H-D-14 et seq.
(c)(10)(A)(iv) and identifying the metrics and milestones for determining what fair housing results will be achieved.	AFFH policies are located in the base document, policies H5.1.1 through H5.4.5
(c)(10)(A)(v) Strategies and actions to implement those priorities and goals, which may include, but are not limited to, enhancing mobility strategies	AFFH policies H5.1.1 through H5.1.3
(c)(10)(A)(v) and encouraging development of new affordable housing in areas of opportunity,	AFFH policies H5.2.1 through H5.2.3
(c)(10)(A)(v) as well as place-based strategies to encourage community revitalization, including preservation of existing affordable housing,	AFFH policies H5.3.1 through H5.3.3
(c)(10)(A)(v) and protecting existing residents from displacement.	AFFH policies H5.4.1 through H5.4.5

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(c)(10)(B) A jurisdiction that completes or revises an assessment of fair housing pursuant to Subpart A (commencing with Section 5.150) of Part 5 of Subtitle A of Title 24 of the Code of Federal Regulations, as published in Volume 80 of the Federal Register, Number 136, page 42272, dated July 16, 2015, or an analysis of impediments to fair housing choice in accordance with the requirements of Section 91.225 of Title 24 of the Code of Federal Regulations in effect before August 17, 2015, may incorporate relevant portions of that assessment or revised assessment of fair housing or analysis or revised analysis of impediments to fair housing into its housing element.</p>	N/A
<p>(c)(10)(C) The requirements of this paragraph shall apply to housing elements due to be revised pursuant to Section 65588 on or after January 1, 2021.</p>	See above
<p>(d)(1) A local government may satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters pursuant to paragraph (4) of subdivision (a) by adopting and implementing a multijurisdictional agreement, with a maximum of two other adjacent communities, that requires the participating jurisdictions to develop at least one year-round emergency shelter within two years of the beginning of the planning period.</p>	N/A
<p>(d)(2) The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit toward its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.</p>	N/A

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(d)(2) The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit toward its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.	N/A
(d)(3) Each member jurisdiction of a multijurisdictional agreement shall describe in its housing element all of the following:	N/A
(d)(3)(A) How the joint facility will meet the jurisdiction's emergency shelter need. (d)(3)(B) The jurisdiction's contribution to the facility for both the development and ongoing operation and management of the facility. (d)(3)(C) The amount and source of the funding that the jurisdiction contributes to the facility.	N/A
(d)(4) The aggregate capacity claimed by the participating jurisdictions in their housing elements shall not exceed the actual capacity of the shelter.	N/A
(e) Except as otherwise provided in this article, amendments to this article that alter the required content of a housing element shall apply to both of the following: [Note that this provision is applicable to AB 2339 (Chapter 654, Statutes of 2022), which amended Section 65583(a)(4). Jurisdictions adopting their housing element after January 1, 2023 should describe why this amendment is not applicable to them.]	



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(1) A housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when a city, county, or city and county submits a draft to the department for review pursuant to Section 65585 more than 90 days after the effective date of the amendment to this section.	N/A
(2) Any housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when the city, county, or city and county fails to submit the first draft to the department before the due date specified in Section 65588 or 65584.02.	N/A
(f) – (j): Not applicable	N/A
Section 65583.1(a)	
(a) The Department of Housing and Community Development, in evaluating a proposed or adopted housing element for substantial compliance with this article, ... may also allow a city or county to identify sites for accessory dwelling units based on the number of accessory dwelling units developed in the prior housing element planning period whether or not the units are permitted by right, the need for these units in the community, the resources or incentives available for their development, and any other relevant factors, as determined by the department.	Base document H-39 et seq.



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(b) Sites that contain permanent housing units located on a military base undergoing closure or conversion as a result of action pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526), the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510), or any subsequent act requiring the closure or conversion of a military base may be identified as an adequate site if the housing element demonstrates that the housing units will be available for occupancy by households within the planning period of the element. No sites containing housing units scheduled or planned for demolition or conversion to nonresidential uses shall qualify as an adequate site.</p>	N/A
<p>Note: If communities are using the provisions of Section 65583.1(c), which allow RHNA credit for conversion of non-affordable to affordable housing and for preservation of existing affordable housing at risk of loss, the applicable provisions need to be added to this table.</p>	N/A
<p>Section 65583.2</p>	
<p>(a) A city's or county's inventory of land suitable for residential development pursuant to paragraph (3) of subdivision (a) of Section 65583 shall be used to identify sites throughout the community, consistent with paragraph (10) of subdivision (c) of Section 65583,</p>	Base document methodology discussion, H-27 through H-44
<p>(a) that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels pursuant to Section 65584. As used in this section, "land suitable for residential development" includes all of the following sites that meet the standards set forth in subdivisions (c) and (g):</p>	See below

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(a)(1) Vacant sites zoned for residential use.	See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.
(a)(2) Vacant sites zoned for nonresidential use that allows residential development.	See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.
(a)(3) Residentially zoned sites that are capable of being developed at a higher density, including sites owned or leased by a city, county, or city and county	See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.
(a)(4) Sites zoned for nonresidential use that can be redeveloped for residential use, and for which the housing element includes a program to rezone the site, as necessary, rezoned for, to permit residential use, including sites owned or leased by a city, county, or city and county.	See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.
(b) The inventory of land shall include all of the following:	

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(b)(1) A listing of properties by assessor parcel number.	See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53
(b)(2) The size of each property listed pursuant to paragraph (1), and the general plan designation and zoning of each property.	See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53
(b)(3) For nonvacant sites, a description of the existing use of each property.	See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53
(b)(3) If a site subject to this paragraph is owned by the city or county, the description shall also include whether there are any plans to dispose of the property during the planning period and how the city or county will comply with Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.	See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53. Publicly owned sites generally have pending projects on them
(b)(4) A general description of any environmental constraints to the development of housing within the jurisdiction, the documentation for which has been made available to the jurisdiction. This information need not be identified on a site-specific basis.	See discussion on-site constraints in Appendix C, H-C-13 et seq. See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51. See also discussion in Appendix B, H-B-52 through H-B-54

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(b)(5)(A) A description of existing or planned water, sewer, and other dry utilities supply, including the availability and access to distribution facilities.</p>	<p>See discussion on-site constraints in Appendix C, H-C-13 et seq. See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51. See also discussion in Appendix B, H-B-52 through H-B-54</p>
<p>(b)(5)(B) Parcels included in the inventory must have sufficient water, sewer, and dry utilities supply available and accessible to support housing development or be included in an existing general plan program or other mandatory program or plan, including a program or plan of a public or private entity providing water or sewer service, to secure sufficient water, sewer, and dry utilities supply to support housing development. This paragraph does not impose any additional duty on the city or county to construct, finance, or otherwise provide water, sewer, or dry utilities to parcels included in the inventory.</p>	<p>See discussion on-site constraints in Appendix C, H-C-13 et seq. See electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51. See also discussion in Appendix B, H-B-52 through H-B-54</p>
<p>(b)(6) Sites identified as available for housing for above moderate-income households in areas not served by public sewer systems. This information need not be identified on a site-specific basis.</p>	<p>N/A</p>



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(b)(7) A map that shows the location of the sites included in the inventory, such as the land use map from the jurisdiction's general plan, for reference purposes only.	See map figures in base document, pages H-38 and H-43, and Appendix C, pages H-C-15 and H-C-51
(c) Based on the information provided in subdivision (b), a city or county shall determine whether each site in the inventory can accommodate the development of some portion of its share of the regional housing need by income level during the planning period, as determined pursuant to Section 65584. The inventory shall specify for each site the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing.	Base document methodology discussion, H-27 through H-44
(c) A nonvacant site identified pursuant to paragraph (3) or (4) of subdivision (a) in a prior housing element and a vacant site that has been included in two or more consecutive planning periods that was not approved to develop a portion of the locality's housing need shall not be deemed adequate to accommodate a portion of the housing need for lower income households that must be accommodated in the current housing element planning period unless the site is zoned at residential densities consistent with paragraph (3) of this subdivision and the site is subject to a program in the housing element requiring rezoning within three years of the beginning of the planning period to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households. An unincorporated area in a nonmetropolitan county pursuant to clause (ii) of subparagraph (B) of paragraph (3) shall not be subject to the requirements of this subdivision to allow residential use by right.	Appendix C, H-C-14 et seq. Note: No rezoning required.



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c) Notwithstanding the foregoing, for a local government that fails to adopt a housing element that the department has found to be in substantial compliance with state law within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning pursuant to this subdivision shall be completed no later than one year from the statutory deadline in Section 65588 for adoption of the housing element.	To be adopted by January 31, 2023.
(c) The analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing,	See base document programs, H-71 through H-87; see also discussion in Constraints, Appendix B, beginning on H-B-5
(c) factory-built housing, mobilehomes,	Appendix B, H-B-44
(c) housing for agricultural employees,	Appendix B, H-B-43
(c) supportive housing,	Appendix B, H-B-42
(c) single-room occupancy units,	Appendix B, H-B-45; see also base document H-44



Compliance with Statutory Provisions

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c) emergency shelters, and	Appendix B, H-B-39 et seq.
(c) transitional housing	Appendix B, H-B-42
(c) and whether the inventory affirmatively furthers fair housing.	For AFFH analysis of inventory, see Appendix D, H-D-72 et seq.
(c) The city or county shall determine the number of housing units that can be accommodated on each site as follows:	
(c)(1) If local law or regulations require the development of a site at a minimum density, the department shall accept the planning agency's calculation of the total housing unit capacity on that site based on the established minimum density. If the city or county does not adopt a law or regulation requiring the development of a site at a minimum density, then it shall demonstrate how the number of units determined for that site pursuant to this subdivision will be accommodated.	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.)



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c)(2) The number of units calculated pursuant to paragraph (1) shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in paragraph (5) of subdivision (a) of Section 65583,	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.)
(c)(2) the realistic development capacity for the site,	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.)
(c)(2) typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction,	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.)
(c)(2) and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c)(2)(A) A site smaller than half an acre shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site is adequate to accommodate lower income housing.	N/A – no sites less than half an acre are included as sites for lower income
(c)(2)(B) A site larger than 10 acres shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site can be developed as lower income housing.	Base Housing Element document, H-35 through H-37
(c)(2)(B) For purposes of this subparagraph, “site” means that portion of a parcel or parcels designated to accommodate lower income housing needs pursuant to this subdivision.	
(c)(2)(C) A site may be presumed to be realistic for development to accommodate lower income housing need if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed and approved for development on the site.	See pipeline projects, base document H-39 and Appendix C, H-C-22 through H-C-34



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(c)(3) For the number of units calculated to accommodate its share of the regional housing need for lower income households pursuant to paragraph (2), a city or county shall do either of the following:	
(c)(3)(A) Provide an analysis demonstrating how the adopted densities accommodate this need. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower income households.	<p>See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.)</p> <p>See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.</p>
<p>(c)(3)(B) The following densities shall be deemed appropriate to accommodate housing for lower income households:</p> <p>(i) For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre.</p> <p>(ii) For an unincorporated area in a nonmetropolitan county not included in clause (i): sites allowing at least 10 units per acre.</p> <p>(iii) For a suburban jurisdiction: sites allowing at least 20 units per acre.</p> <p>(iv) For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre.</p>	<p>See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.)</p> <p>See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.</p>
(4)(A) For a metropolitan jurisdiction:	



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(4)(A)(i) At least 25 percent of the jurisdiction's share of the regional housing need for moderate-income housing shall be allocated to sites with zoning that allows at least 4 units of housing, but not more than 100 units per acre of housing.	See base document, H-45
(4)(A)(ii) At least 25 percent of the jurisdiction's share of the regional housing need for above moderate-income housing shall be allocated to sites with zoning that allows at least 4 units of housing.	See base document, H-45
<p>(B) The allocation of moderate-income and above moderate-income housing to sites pursuant to this paragraph shall not be a basis for the jurisdiction to do either of the following:</p> <ul style="list-style-type: none"> (i) Deny a project that does not comply with the allocation. (ii) Impose a price minimum, price maximum, price control, or any other exaction or condition of approval in lieu thereof. This clause does not prohibit a jurisdiction from imposing any price minimum, price maximum, price control, exaction, or condition in lieu thereof, pursuant to any other law. (iii) The provisions of this subparagraph do not constitute a change in, but are declaratory of, existing law with regard to the allocation of sites pursuant to this section. 	
(C) This paragraph does not apply to an unincorporated area.	
(D) For purposes of this paragraph:	

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(i) "Housing development project" has the same meaning as defined in paragraph (2) of subdivision (h) of Section 65589.5.	
(ii) "Unit of housing" does not include an accessory dwelling unit or junior accessory dwelling unit that could be approved pursuant to Section 65852.2 or Section 65852.22 or through a local ordinance or other provision implementing either of those sections. This paragraph shall not limit the ability of a local government to count the actual production of accessory dwelling units or junior accessory dwelling units in an annual progress report submitted pursuant to Section 65400 or other progress report as determined by the department.	
(E) Nothing in this subdivision shall preclude the subdivision of a parcel, provided that the subdivision is subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land.	
(d) For purposes of this section, a metropolitan county, nonmetropolitan county, and nonmetropolitan county with a micropolitan area shall be as determined by the United States Census Bureau. A nonmetropolitan county with a micropolitan area includes the following counties: Del Norte, Humboldt, Lake, Mendocino, Nevada, Tehama, and Tuolumne and other counties as may be determined by the United States Census Bureau to be nonmetropolitan counties with micropolitan areas in the future.	



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(e) (1) Except as provided in paragraph (2), a jurisdiction shall be considered suburban if the jurisdiction does not meet the requirements of clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (c) and is located in a Metropolitan Statistical Area (MSA) of less than 2,000,000 in population, unless that jurisdiction's population is greater than 100,000, in which case it shall be considered metropolitan. A county, not including the City and County of San Francisco, shall be considered suburban unless the county is in an MSA of 2,000,000 or greater in population in which case the county shall be considered metropolitan.</p>	
<p>(2)(A)(i) Notwithstanding paragraph (1), if a county that is in the San Francisco-Oakland-Fremont California MSA has a population of less than 400,000, that county shall be considered suburban. If this county includes an incorporated city that has a population of less than 100,000, this city shall also be considered suburban. This paragraph shall apply to a housing element revision cycle, as described in subparagraph (A) of paragraph (3) of subdivision (e) of Section 65588, that is in effect from July 1, 2014, to December 31, 2028, inclusive.</p>	
<p>(2)(A)(ii) A county subject to this subparagraph shall utilize the sum existing in the county's housing trust fund as of June 30, 2013, for the development and preservation of housing affordable to low- and very low income households.</p>	



Compliance with Statutory Provisions

GOVERNMENT CODE PROVISION

HOUSING ELEMENT COMPLIANCE

(2)(B) A jurisdiction that is classified as suburban pursuant to this paragraph shall report to the Assembly Committee on Housing and Community Development, the Senate Committee on Housing, and the Department of Housing and Community Development regarding its progress in developing low- and very low income housing consistent with the requirements of Section 65400. The report shall be provided three times: once, on or before December 31, 2019, which report shall address the initial four years of the housing element cycle, a second time, on or before December 31, 2023, which report shall address the subsequent four years of the housing element cycle, and a third time, on or before December 31, 2027, which report shall address the subsequent four years of the housing element cycle and the cycle as a whole. The reports shall be provided consistent with the requirements of Section 9795.

(f) A jurisdiction shall be considered metropolitan if the jurisdiction does not meet the requirements for “suburban area” above and is located in an MSA of 2,000,000 or greater in population, unless that jurisdiction’s population is less than 25,000 in which case it shall be considered suburban.

(g)(1) For sites described in paragraph (3) of subdivision (b) [non-vacant sites], the city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential.

Compliance with Statutory Provisions

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(g)(1) The methodology shall consider factors including the extent to which existing uses may constitute an impediment to additional residential development,	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.
(g)(1) the city's or county's past experience with converting existing uses to higher density residential development,	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.

Compliance with Statutory Provisions

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(g)(1) the current market demand for the existing use,	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.
(g)(1) an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development,	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.

Compliance with Statutory Provisions

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(g)(1) development trends,	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.
(g)(1) market conditions,	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.

Compliance with Statutory Provisions

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(g)(1) and regulatory or other incentives or standards to encourage additional residential development on these sites.	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51.
(g)(2) In addition to the analysis required in paragraph (1), when a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.) See also electronic sites inventory in Appendix C, Housing Resources starting on page H-C-53, as well as individual sites analyses in the same Appendix, H-C-16 through H-C-51. In addition, the City will adopt findings that the use is likely to be discontinued during the planning period.

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(g)(3) Notwithstanding any other law, and in addition to the requirements in paragraphs (1) and (2), sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income, subject to any other form of rent or price control through a public entity's valid exercise of its police power, or occupied by low or very low income households, shall be subject to a policy requiring the replacement of all those units affordable to the same or lower income level as a condition of any development on the site. Replacement requirements shall be consistent with those set forth in paragraph (3) of subdivision (c) of Section 65915.</p>	<p>Base document policy H2.6</p>
<p>(h) The program required by subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583 shall accommodate 100 percent of the need for housing for very low and low-income households allocated pursuant to Section 65584 for which site capacity has not been identified in the inventory of sites pursuant to paragraph (3) of subdivision (a) on sites that shall be zoned to permit owner-occupied and rental multifamily residential use by right for developments in which at least 20 percent of the units are affordable to lower income households during the planning period.</p>	<p>No rezoning is required to meet the RHNA allocation. All sites in the inventory on which lower income units are identified are zoned at least 30 units per acre See also base document policy H1.10</p>
<p>(h) These sites shall be zoned with minimum density and development standards that permit at least</p>	<p>No rezoning is required to meet the RHNA allocation. All sites in the inventory on which lower income units are identified are zoned at least 30 units per acre</p>



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(h) 16 units per site at a density of at least 16 units per acre in jurisdictions described in clause (i) of subparagraph (B) of paragraph (3) of subdivision (c),	No rezoning is required to meet the RHNA allocation. All sites in the inventory on which lower income units are identified are zoned at least 30 units per acre
(h) shall be at least 20 units per acre in jurisdictions described in clauses (iii) and (iv) of subparagraph (B) of paragraph (3) of subdivision (c)	No rezoning is required to meet the RHNA allocation. All sites in the inventory on which lower income units are identified are zoned at least 30 units per acre
(h) and shall meet the standards set forth in subparagraph (B) of paragraph (5) of subdivision (b).	No rezoning is required to meet the RHNA allocation. All sites in the inventory on which lower income units are identified are zoned at least 30 units per acre



GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
<p>(h) At least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted, except that a city or county may accommodate all of the very low and low-income housing need on sites designated for mixed uses 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.</p>	<p>No rezoning is required to meet the RHNA allocation. All sites in the inventory on which lower income units are identified are zoned at least 30 units per acre</p>
<p>(i) For purposes of this section and Section 65583, the phrase “use by right” shall mean that the local government’s review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act.</p>	
<p>(i) A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.</p>	

Compliance with Statutory Provisions

GOVERNMENT CODE PROVISION	HOUSING ELEMENT COMPLIANCE
(i) Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5.	
(j) Notwithstanding any other provision of this section, within one-half mile of a Sonoma-Marín Area Rail Transit station, housing density requirements in place on June 30, 2014, shall apply.	



Revisions in Response to HCD Comment Letter

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
1	Past Housing Element Review	As part of the evaluation of programs in the past cycle, the element must analyze the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female headed households, farmworkers and persons experiencing homelessness). Programs should be revised as appropriate to reflect the results of this evaluation.	Reviewed/updated past HE evaluation to analyze effectiveness, and identified areas where GPPs in Draft HE will be strengthened/expanded, as needed.	See entirety of Appendix E.
2	Needs - AFFH	<u>Fair Housing Issues</u> : The element must include other relevant factors that contribute to fair housing issues in the jurisdiction. For instance, the element can analyze historical land use and investment practices or other information and demographic trends	The requested information has been updated.	See H-D-6, as well as H-D-17 et seq.

Revisions in Response to HCD Comment Letter

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
3	Needs - AFFH	<u>Enforcement</u> : While the element lists fair housing laws in Appendix D, it must state whether the City complies with federal and state fair housing laws. If the City does not currently comply, a program should be added as appropriate.	Revised Draft HE to add more specific language on how it complies with federal and state fair housing laws.	See page H-D-16 through H-D-23
4	Needs - AFFH	<u>Integration and Segregation</u> : The element provided some data regarding segregation and integration of race, disability, familial status, and income. The element must describe the census tracts that have geographic concentrations of race (i.e., concentrations identified as white majority). In addition, the element must discuss and analyze data on persons with disabilities for trends over time and patterns across census tracts as well as evaluate patterns at a regional basis, comparing the City to the region. The element must also include a local and regional analysis of integration and segregation for familial status. Lastly, the element must describe and analyze concentrations of income geographically throughout the City.	Additional language has been added to address this comment.	See H-D-24 through H-D-49

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
5	Needs - AFFH	<u>Racial/Ethnic Areas of Concentration of Poverty and Affluence (R/ECAP)</u> : The element includes information relative to R/ECAP within the City but should also analyze where they are in the region. The element must also address concentrated areas of affluence both locally and regionally. The combination of the R/ECAP and areas of affluence analyses will help guide goals and actions to address fair housing issues. The analysis should evaluate the patterns and changes over time at a local (e.g., neighborhood to neighborhood) and regional level (e.g., city to region).	As information was not yet available on RCAAs when the draft was submitted, it is included in this revision.	See H-D-41 and through H-D-49.
6	Needs - AFFH	<u>Disproportionate Housing Needs including Displacement</u> : While the element includes some data on disproportionate needs, additional information is needed. The element must describe any geographic concentration of cost burden and overcrowding by tenure, as well as any concentrations of substandard housing both locally and regionally. In addition, the element must describe and analyze the census tracts with displacement risk. While the map depicts a lot of areas vulnerable to displacement, this must be supported with an analysis.	More narrative has been provided on disproportionate needs.	See H-D-57 through H-D-71



Revisions in Response to HCD Comment Letter

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
7	Needs - AFFH	<u>Sites Inventory</u> : While the element includes a summary of some factors, the analysis must identify whether sites improve or exacerbate conditions and whether sites are isolated by income group. A full analysis should address the income categories of identified sites with respect to location, the number of sites and units by all income groups and how that affects the existing patterns for all components of the assessment of fair housing (e.g., segregation and integration, access to opportunity). If sites exacerbate conditions, the element should identify further program actions that will be taken to promote equitable quality of life throughout the community (e.g., anti-displacement and place-based community revitalization strategies).	The Draft HE contained an extensive discussion of how the inventory relates to AFFH criteria. This analysis was crafted by Root Policy in conjunction with staff.	See H-D-72 through H-D-77
8	Needs - AFFH	<u>Contributing Factors</u> : The element identifies many contributing factors to fair housing issues. The element must prioritize these factors to better formulate policies and programs and carry out meaningful actions to Affirmatively Furthering Fair Housing (AFFH). In addition, the element must describe how the actions in Appendix D Fair Housing Plan are tied to the housing element programs and include implementation.	These revisions to the Housing Element include prioritization of contributing factors.	See H-D-14 et seq.

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9	Needs - AFFH	<u>Goals, Actions, Metrics, and Milestones</u> : 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 specific commitment, 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.	The implementation plan has been revised to provide more defined metrics, outcomes and timing, as appropriate.	See implementation plan in the main Housing Element document, beginning on H-84.
10	Needs - Other	<u>Extremely Low-Income Households (ELI)</u> : The element must quantify the number of existing and projected ELI households, and also analyze their housing needs. The analysis of ELI housing needs should consider tenure and rates of overpayment.	This information is included in the needs packet provided by ABAG and expanded upon by the City, including in AFFH..	See throughout Appendix A, starting on page H-A-22; see also narrative woven throughout the AFFH, Appendix D.

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11	Needs - Other	<u>Overpayment</u> : The element must quantify and analyze the number of lower-income households overpaying by tenure (i.e., renter and owner).	This information has been added to Appendix A.	See H-A-43 through H-A-46
12	Needs - Other	<u>Housing Costs</u> : While the element includes estimated rents for residents, it utilizes American Community Survey (ACS) data. The element should supplement census data with other sources (e.g., local knowledge).	This information was included in Appendix A.	See H-A-41 through H-A-43
13	Inventory	<u>Progress in Meeting the Regional Housing Need Allocation (RHNA)</u> : The City's RHNA may be reduced by the number of new units built since June 30, 2022; however, the element must demonstrate their affordability based on actual sales price, rent level or other mechanisms ensuring affordability (e.g., deed restrictions). The element should also discuss the status, any barriers to development and other relevant factors to demonstrate their availability in the planning period.	Detailed information for pipeline projects, as well as other sites in the inventory, in Appendix C.	See detailed sites discussion in Appendix C, Housing Resources, beginning on page H-C-22.

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
14	Inventory	<u>Realistic Capacity</u> : While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements and typical densities of existing or approved residential developments at a similar affordability level. The element currently assumes realistic capacity at 100 percent of base zoned density for multifamily units in R-3, R-4, and R-5 zones. The analysis must provide substantial support and demonstrate a history of developing at maximum density within the City. Examples to support realistic capacity assumptions should also include affordability levels, and percent of maximum densities.	The draft provides additional narrative to explain the inventory's use of 100% of zoned capacity as the realistic capacity for larger developments.	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.). See also detailed sites discussion in Appendix C, Housing Resources
15	Inventory	The calculation of residential capacity must also account for the likelihood of residential development in zoning where 100 percent nonresidential uses are allowed. The analysis should be based on factors such as development trends including nonresidential, performance standards requiring residential uses or other relevant factors such as enhanced policies and programs. For example, the element could analyze all development activity in these nonresidential zones, how often residential development occurs and adjust residential capacity calculations, policies, and programs accordingly.	Additional language has been added to address this comment	See base document (2023-231 City of San Mateo Draft Housing Element) for detailed methodology of inventory (H-27 et seq.). See also detailed sites discussion in Appendix C, Housing Resources



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
16	Inventory	<u>Small and Large Sites</u> : Sites smaller than an half acre and larger than 10 acres in size are deemed inadequate to accommodate housing for lower-income housing unless it is demonstrated that sites of equivalent size were successfully <u>developed during the prior planning period</u> for an equivalent number of lower-income housing units as projected for the site or unless the housing element describes other evidence to HCD that the site is adequate to accommodate lower-income housing (Gov. Code, § 65583.2, subd. (a) (3))	This information is provided in the Draft HE narrative (i.e. Concar Passage) for large sites; there are no small sites that have been identified as potentially affordable.	See base document page H-35 through H-37
17	Inventory	In addition, the element must describe feasibility of the Hillsdale and Bridgepointe sites including likelihood of development during the planning period, whether a specific plan is needed, and if the existing uses will remain.	More information has been included in Housing Resources on individual development sites, including Hillsdale and Bridgepointe.	See base document page H-35 through H-37
18	Inventory	Lastly the element must describe a history of lot consolidation as a method of developing housing as well as whether the City has any incentives to consolidate lots with different owners.	Analysis is added to Appendix C with specific project identified	See H-C-14 and individual sites analyses in that Appendix.



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
19	Inventory	<u>Suitability of Nonvacant Sites</u> : The element must include an analysis demonstrating the potential for redevelopment of <u>nonvacant sites</u> . To address this requirement, the element describes in general the existing use of each nonvacant site, for example, “commercial” or “parking lot”. This alone is not adequate to demonstrate the potential for redevelopment in the planning period. The description of existing uses should be sufficiently detailed to facilitate an analysis demonstrating the potential for additional development in the planning period.	Greater analysis of individual sites has been included in the Housing Resources Appendix.	See individual sites' analysis in Appendix C, as well as narrative beginning on H-C-14. In addition, a new policy H 4.5 has been added, to conduct outreach to property owners.
20	Inventory	In addition, the element must analyze the extent that existing uses may impede additional residential development. For example, the element includes sites identified as parking lots, church, gas station, an auto repair, and a warehouse; but must also demonstrate whether these existing uses would impede development of these sites within the planning period. The element can summarize <u>past experiences converting existing uses to higher density residential development, include current market demand for the existing use, provide analysis of existing leases or contracts that would perpetuate the existing use</u> or prevent additional residential development and include <u>current information on development trends and market conditions in the City and relate those trends to the sites identified</u> . The element could also consider indicators such as <u>age and condition of the existing structure, expressed developer interest, existing versus allowable floor area, low improvement to land value ratio, and other factors</u> .	Greater analysis of individual sites has been included in the Housing Resources Appendix.	See individual sites' analysis in Appendix C. Some sites were removed or their anticipated capacity was reduced based on additional analysis.



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<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
21	Inventory	<p>In addition, as noted in the housing element, the housing element relies upon <u>nonvacant sites</u> 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.</p>	<p>Additional analysis has been provided to bolster the arguments for including nonvacant sites in the inventory.</p>	<p>See H-C-14 et seq. The City will make the required findings at adoption.</p>



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<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
22	Inventory	<u>City-Owned Sites</u> : The element must include additional discussion on each of the City-owned sites identified to accommodate the RHNA. Specifically, the analysis should address general plan designations, allowable densities, support for residential capacity assumptions, existing uses and any known conditions that preclude development in the planning period and the potential schedule for development. If zoning does not currently allow residential uses at appropriate densities, then the element must include programs to rezone sites pursuant to Government Code section 65583.2, subdivisions (h) and (i). In addition, the housing element must include a description of whether there are any plans to sell the property during the planning period and how the jurisdiction will comply with the Surplus Land Act Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.	Two City-owned sites were identified on the sites inventory list - 445 S. B Street (APN: 034-179-050;-060) and 505 S. B Street (APN: 042-242-170). The City has a preliminary agreement with a developer to construct a 60-unit, 100% affordable housing project at 445 S. B Street. The 505 S. B Street site has been removed as it does not appear feasible for housing development during this cycle. The 23-31 HE and Appendix C have been updated to provide further information about the 445 S. B St site	See Appendix C detailed sites narratives.

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<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
23	Inventory	<p><u>Replacement Housing Requirements</u>: If the sites inventory identifies sites with existing residential uses, it must identify whether the current residential uses are affordable to lower-income households or describe whether the additional residential development on the site requires the demolition of the existing residential use. For nonvacant sites with existing, vacated, or demolished residential uses and occupied by, or subject to an affordability requirement for, lower-income households within the last five years there must be a replacement housing program for units affordable to lower-income households. (Gov. Code, § 65583.2, subd. (g)(3).)</p> <p>Absent a replacement housing program, these sites are not adequate sites to accommodate lower-income households. The replacement housing program has the same requirements as set forth in Government Code section 65915, subdivision (c)(3). The housing element must be revised to include such analysis and a program, if necessary.</p>	<p>The sites inventory table identifies sites with existing residential uses and a preliminary check indicated that none of these units are deed restricted or affordable to low-income households. The City has an existing replacement housing program under the Housing Crisis Act. The Housing Element includes a policy (H-2.6) to require no net loss of all housing units (per the Housing Crisis Act sunset date of 2034) and to study implementation beyond 2034.</p>	See revised language on H-45, as well as policy H 2.6.

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<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
24	Inventory	<p><u>Previously Identified Nonvacant and Vacant Sites</u>: If nonvacant sites identified in a prior adopted housing element or vacant sites identified in two or more consecutive planning periods, the sites are inadequate to accommodate housing for lower-income households unless:</p> <ul style="list-style-type: none">• The site's current zoning is appropriate for the development of housing affordable to lower-income households by either including analysis or meeting the appropriate density and• The site is subject to a housing element program that requires rezoning within three years of the beginning of the planning period to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households. (Gov. Code, § 65583.2, subd. (c).)	A program has been added to address this comment.	See policy H 1.10.

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<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
25	Inventory	<p><u>Accessory Dwelling Units (ADU)</u>: The element projects 480 ADUs over the planning period or approximately 60 ADUs per year over the eight-year planning period. The element also notes permitting 44 ADUs in 2019, 47 in 2020, and 66 in 2021. The trend does not consider the number of permits in 2018 (eight ADUs) and does not support an assumption of 60 ADUs per year. To support assumptions for ADUs in the planning period, the element should reduce the number of ADUs assumed per year and reconcile trends with HCD records, including additional information such as more recent permitted units and inquiries, resources and incentives, other relevant factors and modify policies and programs as appropriate. Further, programs should commit to additional incentives and strategies, frequent monitoring (every other year) and specific commitment to adopt alternative measures such as rezoning or amending the element within a specific time (e.g., six months) if needed.</p>	<p>More analysis and discussion has been included in the main Housing Element, and a program has been added to ensure ongoing monitoring.</p>	<p>See page H-39 as well as implementation policy H 1.4.</p>



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
26	Inventory	<u>AB 725</u> : For jurisdictions that are considered Metropolitan, the element must identify at least 25 percent of the remaining moderate and above moderate RHNA on sites that allow at least four units of housing (e.g., four plex or greater) (Gov. Code, § 65583.2, subd. (c)(4)).	Language has been included to address this requirement.	See H-45
27	Inventory	<u>Infrastructure</u> : While the element includes a general discussion on water and sewer capacity, it must demonstrate sufficient existing or planned water and sewer capacity to accommodate the City's regional housing need for the planning period. (Gov. Code, § 65583.2, subd. (b).).	The Draft HE is using existing zoning capacity to meet its RHNA, and both of the City's water providers have an adopted Urban Water Management Plans based on this existing zoning capacity; sewer capacity has been demonstrated with the current and future treatment plant.	See policy H1.20 as well as additional discussion in H-19 and H-20



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28	Inventory	In addition, the element generally mentions <u>infrastructure constraints for infill development</u> . The element must describe and analyze the constraints as well as their impacts on the identified sites to meet the RHNA.	The individual sites analysis in Housing Resources includes site-by-site discussion of infrastructure constraints. In addition, added narrative is found in Appendix B.	See H-B-17 and H-B- 51, as well as individual sites tear sheets in Appendix C
29	Inventory	For your information, 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. HCD recommends including a cover memo describing the City’s housing element, including the City’s housing needs and regional housing need. The element should demonstrate compliance with these requirements and add or modify programs, if necessary. For additional information and sample cover memo, see the Building Blocks at https://www.hcd.ca.gov/priority-for-water-and-sewer .	The Draft HE includes information to demonstrate compliance with this requirement.	See policy 1.20.
30	Inventory	<u>Environmental Constraints</u> : While the element generally describes a few environmental conditions within the City (p. H-B-44), it must relate those conditions to identified sites and describe any other known environmental or other constraints that could impact housing development on identified sites in the planning period.	The individual sites analysis in Housing Resources includes site-by-site discussion of infrastructure constraints.	See individual sites tear sheets starting on H-C-16

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
31	Zoning for Housing Types	<i>Emergency Shelters:</i> The housing element must demonstrate the permit processing, development, and management standards for emergency shelters are objective and encourage and facilitate the development of, or conversion to, emergency shelters. In particular, the element describes development standards for emergency shelters; however these standards are beyond the development standards allowed under housing element law. <u>The element must demonstrate that emergency shelters are subject to the same development and management standards applicable to residential or commercial development within the same zone except for those standards prescribed by Government Code section 65583 (a)(4)(A).</u>	The constraints analysis provides general information about zoning capacity, strategies and programs to provide emergency shelters and address homelessness. In addition, a policy has been added to address this comment.	See Appendix B H-B-39 et seq., and policy H 3.7 with explicit references to the code.
32	Zoning for Housing Types	The element must also clarify that emergency shelters are allowed without discretionary action in the C2 zone and describe sufficient and suitable capacity in the identified zone.		
33	Zoning	In addition, the element should describe how emergency shelter parking requirements comply with AB139/Government Code section 65583, subdivision (a)(4)(A) or include a program to comply with this requirement.		



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34	Zoning	<i>Low Barrier Navigation Centers:</i> While the element includes a program to allow Low Barrier Navigation Centers, it is limited to emergency shelter zones. 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 section 65660. The element must demonstrate compliance with this requirement and include programs as appropriate.	Discussion in constraints updates information on these uses, and a program addresses this comment.	See H-B-42 et seq.; see also policy H 3.7.
35	Zoning	<i>Single Room Occupancy (SRO) Units:</i> The element must describe where SROs are allowed or add a program as appropriate.	The Housing Element includes a program to explicitly identify where SROs can be located.	See policy H 1.7.
36	Zoning	<i>Manufactured Housing:</i> The element must clarify whether manufactured homes are subject to additional regulations beyond state law if on a permanent foundation and add a program as needed	The Housing Element includes a program to explicitly allow manufactured housing and are subject to the same zoning requirements as single-family homes.	See policy H 1.7.



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37	Zoning	<i>Accessory Dwelling Unit (ADU):</i> The element indicates the City modifies its zoning code to ease barriers to the development of ADU's. However, after a cursory review of the City's ordinance, HCD discovered several areas which are not consistent with State ADU Law. HCD will provide a complete listing of ADU non-compliance issues under a separate cover. As a result, the element should add a program to update the City's ADU ordinance in order to comply with state law. For more information, please consult HCD's ADU Guidebook, published in December 2020, which provides detailed information on new state requirements surrounding ADU development	In anticipation of receiving a letter on the ADU ordinance, a program has been amended to address this comment.	See policy H 1.4.
38	Constraints	<u>Land Use Controls:</u> 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, heights, lot coverage and limits on allowable densities. 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.	The constraints analysis has been updated throughout in order to address this comment.	See Appendix B in its entirety.

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
39	Constraints	The element must analyze the maximum heights of 35 feet in multifamily zones and whether three-story buildings are allowed as well as whether allowed densities can be met in the TOD Hillside Station with a 24-foot height restriction.	The maximum height in multifamily zones ranges between 35 to 55 feet. There are no limits on building stories in the City. TOD Hillside Station area allows maximum heights of 24 feet to 55 feet. The 24 feet height limit applies to single-family zone parcels in the Hillside TOD Specific Plan. The narrative has been edited in the Land Use Controls section (Table 2) to clarify the height requirements as up to 55 feet.	See section beginning on H-B-5
40	Constraints	The element should also analyze the open space requirements for the R-3 zone.	A program was identified to study impediments to missing middle housing (including open space requirements). The constraints analysis was updated to evaluate the impacts.	See H-B-6 and program H 1.13.



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41	Constraints	In addition, the element should analyze requiring more than one parking space for studio and one-bedroom units and the minimum requirement of 2.2 spaces for 1,400 square foot units regardless of bedroom size and add programs to specifically address the constraints.	Additional narrative has been added to address this comment, and a policy has been amended to reflect compliance a variety of parking requirements.	See H-B-11 and policy H 1.7.
42	Constraints	<p>In addition, the element should clarify how multifamily developments are allowed in the E and C zones and whether they require a use permit.</p> <p>Both in the element and in public comments, height restrictions, floor area definitions, maximum densities of 50 dwelling units an acre, and design review guidelines were identified as constraints to development and should be addressed in programs as appropriate.</p>	<p>Multi-family developments are allowed in certain E and C zones, both by-right and through a Special Use Permit (noted in Appendix B, Section 2.7.7). The Draft HE analysis and policies address this comment as follows:</p> <ul style="list-style-type: none"> - Revise floor area definition (Policy H1.7) - Adopt Objective Design Standards (Policy H1.8). - Existing height and density requirements do not preclude multi-family development or prevent the City from meeting its RHNA. - The General Plan Update process is anticipated to allow for increased heights and densities. 	See page H-B-5 and policies H 1.7, H 1.8, H 1.13, and H 1.21



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
43	Constraints	Fees and Exaction: 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. While Table 4 lists fee deposits, the element should also include typical fees for each and clarify whether the fees are the same for single family and multifamily developments.	Constraints Analysis included fees and analysis by typical single-family and multifamily development (Table 6). Additional narrative has been included to add to the analysis.	See narrative beginning on page H-B-20
44	Constraints	The element should also identify fees related to annexation, variances, conditional use permits (CUP), general plan amendments, zone changes, site plan review, planned unit developments, specific plans, development agreements, and environmental fees. Table 6 should also describe the typical fees as a percent of the total development cost for both single family and multifamily developments and add a program as appropriate.	Additional narrative has been included to add to the analysis.	See narrative beginning on page H-B-20 and then beginning page H-B-31, as well as Table 6.



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45	Constraints	<p>Local Processing and Permit Procedures: While the element includes information about processing times, it should also <u>describe the procedures for a typical single family and multifamily development</u>. The analysis should address the approval body, the number of public hearing if any, approval findings and any other relevant information, specifically for special use permits, site plans and architectural review (as <u>well as whether finding five is related to a crime free ordinance</u>). The analysis should address impacts on housing cost, supply, timing and approval certainty. The element should identify and analyze approval findings for impacts on approval certainty, <u>the presence of processes or guidelines to promote certainty and add or modify programs as appropriate</u>. The element should also clarify whether the listed <u>typical approval times are for both single family and multifamily developments</u>. Lastly, it should clarify whether the preapplication process <u>adds six to nine months in addition to the typical approval times listed and add or modify programs as appropriate</u>.</p>	<p>Additional narrative has been included to add to the analysis.</p>	<p>See narrative beginning on H-B-24</p>



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46	Constraints	Local Ordinances: While the element identifies the City's community benefit program, it must describe whether the incentives are in addition to state density bonus law. The element must clarify how the 75 dwelling units an acre allowed using the community benefit program interacts with the restricted densities under measure Y. In addition, the element must describe how the inclusionary program, community benefit program, and state density bonus law interact with incentives provided.	Constraints analysis is updated to describe the envisioned layering of density bonus and community benefits.	See page H-B-13 as well as policy H 1.3.
47	Constraints	Zoning Fees and Transparency: The element must <u>clarify its</u> compliance with new transparency requirements for posting all zoning and development standards, and inclusionary requirements for each parcel on the jurisdiction's website pursuant to Government Code section 65940.1(a)(1).	The constraints section states that the City meets all transparency requirements for Gov. Code Section 65940.1(a)(1).	Constraints Section 2.7.1, links to webpages added in footnotes, cross-references in Sections 2.7.1 & 2.7.2

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48	Constraints	Measure Y: The element must describe the impacts of measure Y on height and density restrictions as a constraint on housing development and affordability. The element must add a program to include outreach and mitigation measures for the impact of Measure Y on housing development throughout the planning period. The element should analyze the measure as a constraint on development based on site suitability for development.	The Draft HE identifies a path to meeting the City's 6th cycle RHNA allocation within the limits of Measure Y; and Measure Y was discussed in the Constraints Analysis, noting it as a housing production constraint that results in additional sites needed to meet the City's RHNA. The community discussion about Measure Y and housing growth in the City over the next 20 years is happening and will continue as part of the GPU adoption process. See new narrative.	See section beginning on page H-B-55. See also policy H 1.21 in the implementation plan (main Housing Element document)
49	Constraints	State Density Bonus Law: The City's current density bonus ordinance should be reviewed for compliance with current state density bonus law and programs should be added as necessary. (Gov. Code, § 65915.)	The City's current Density Bonus Ordinance was updated in 2018 and may not be fully consistent with State law. The City has been defaulting to the state statutes for implementation.	Policy H 1.3 includes provisions for updating the ordinance in 2023-24.



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<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
50	Constraints	Design Review: The element must describe and analyze the design review guidelines and process, including approval procedures and decision-making criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis could describe required findings and discuss whether objective standards and guidelines improve development certainty and mitigate cost impacts. The element must demonstrate this process is not a constraint or include a program to address this permitting requirement, as appropriate.	The City is in the process of developing Objective Design Standards and has a program to implement. Additional narrative has been provided to address this comment.	See H-B-29 et seq., as well as policy H 1.6.
51	Constraints	On/Off-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.	Greater discussion in the Constraints Appendix addresses this comment.	See page H-B-18

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
52	Constraints	Constraints on Housing for Persons with Disabilities: The element briefly describes its reasonable accommodation procedures. However, the element should also describe the process and decision-making criteria such as approval findings and analyze any potential constraints on housing for persons with disabilities.	More narrative has been included on the City's Reasonable Accommodation requirements, including those that can be accomplished by-right.	See discussion beginning on H-B-38
53	Constraints	In addition, the element states that Policy H.1.14 commits to revise the definition of family, but there are no actions within the program to revise the definition of family to remove constraints. The element must add or revise a program to remove the constraints as noted.	A program has been modified to address this comment.	See Policy H 1.14.
54	Constraints	Lastly, group homes for seven or more persons appears to be excluded from several zones allowing residential uses and subject to a CUP. The element should evaluate these requirements as constraints and include specific commitment to amend zoning and permit procedures to allow these uses in all residential zones with objectivity to facilitate approval certainty.	This was included as a program to allow larger group homes consistent with State law and fair housing requirements. Additional narrative has been added to the constraints section about group homes.	See page H-B-37 et seq. and amended policy H 1.14.



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
55	Constraints	Developed Densities and Permit Times: The element must be revised to include analysis of requests to develop housing at densities below those anticipated, and the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need.	The initial draft included an analysis of time lapse between planning approval and building permit submittal, as well as requests for developments at reduced densities.	See H-B-51
56	Needs	<u>Special Needs Populations</u> : While the element quantifies the City's special needs populations, it must also analyze their special housing needs. For a complete analysis of each population group, the element should discuss challenges faced by the population, the existing resources to meet those needs (availability senior housing units, # of large units, # of deed restricted units, etc.), an assessment of any gaps in resources, and proposed policies, programs, and funding to help address those gaps. In addition, the element must quantify and analyze the number of elderly persons in the City	This information was provided in the needs packet supplied by ABAG, and in other places throughout the Element (such as in the resources section).	See both Appendix A (Needs) as well as Appendix D (AFFH).



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
57	GPPs	To address the program requirements of Government Code section 65583, subdivision (c)(1-6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following:	With respect to all comments on programs requiring additional information, please see the revised implementation plan at the end of the base Housing Element document for revisions.	
58		Policy 1.2 (Utilize Public Funding): This program should include proactive outreach to developers throughout the planning period as well as a geographic target for the metric.	Policy has been updated.	Base Housing Element document.
59		Policy 1.4 (Incentivize ADU Development): This program should revise action C to include discrete timing of how often it will be completed and monitored. In addition, action D should include back-up actions if estimates are not met (e.g., identify additional sites or provide additional incentives) as well as monitor affordability.	Policy has been updated.	Base Housing Element document.



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
60		Policy 1.5 (Encourage Family Housing): The program should include back-up actions, with specific timing, if the identified incentives are not implemented.	The current program measure and implementation action discuss proposing 3-bedroom affordable units as part of the City's inclusionary requirements. However, this requires further study before implementation. Back up implementation measure added.	Base Housing Element document.
61		Policy 1.6 (Streamline Housing Application Review): Action B must include specific timing of when permit application requirements will be updated. In addition, the timing of action C must be completed earlier in the planning period.	Policy has been updated.	Base Housing Element document.
62		Policies 1.15 (Supportive Housing Requirements) and 1.16 (Mobile Home Parks): These programs must revise timing to be implemented earlier in the planning period for a beneficial impact.	Policy has been updated.	Base Housing Element document.



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
63		Policy 1.17 (Farmworker Housing): This program must move up timing to be implemented earlier in the planning period. In addition, the program should cite the Government Code for farmworker housing.	Policy has been updated.	Base Housing Element document.
64		Policy 1.18 (Permitting and Development Fee Review): This program must clarify timing in Action A, specifically whether the study will be complete within the identified timeframe or if the fees will be reduced by that date. In addition, Action B must specify when the first review will occur and when adjustments will take place.	Policy has been updated.	Base Housing Element document.
65		Policy 1.19 (Senior Housing): This program must clarify what potential actions will be implemented for seniors as well as whether other special needs groups are included in the program.	Policy has been updated.	Base Housing Element document.



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
66		Policy 2.1 (Housing Rehabilitation Efforts), 2.3 (Energy and Water Efficiency), 3.4 (Expand Tenant Protections), and 4.3 (Community Education and Outreach): This program must describe how often outreach will occur throughout the planning period.	Policy has been updated.	Base Housing Element document.
67		Policy 3.3 (Evaluate Housing Revenue Sources): This program must describe the implementation component for action A.	Policy has been updated.	Base Housing Element document.
68		Policy 3.5 (Creation of Below Market Rate Set Asides): This program must add implementation and timing for what will result from the study.	Policy has been updated.	Base Housing Element document.



Revisions in Response to HCD Comment Letter

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
69		Policy 4.2 (Countywide Below Market Rate Unit Waitlist): This program must clarify how support will be provided as well as how often throughout the planning period.	Policy has been updated.	Base Housing Element document.
70		Policy 4.4 (Enable Affirmative Marketing): Timing must be clarified to state whether the marketing will occur once in the planning, or on a project-by-project basis.	Policy has been updated.	Base Housing Element document.
71		Policy 5.1.2 (Regional Down Payment Assistance): This program should include outreach for education.	Policy has been updated.	Base Housing Element document.

Revisions in Response to HCD Comment Letter

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
72		Policy 5.2.2 (Incentivize Developers): This program must clarify whether incentives are in place, timing to implement the incentives, as well as conducting proactive outreach.	Policy has been updated.	Base Housing Element document.
73		Policy 5.3.2 (Fund Minor Home Repairs): The program should clarify how often outreach will occur as well as specify whether the metrics are annually or throughout the planning period.	Policy has been updated.	Base Housing Element document.
74		Policy 5.4.2 (Project Sentinel): This program should be revised to include outreach and describe how awareness will be increased.	Policy has been updated.	Base Housing Element document.

Revisions in Response to HCD Comment Letter

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
75		Policy 5.4.3 (Fair Housing Webpage): This program should describe how often the website will be updated and whether outreach will be included.	Policy has been updated.	Base Housing Element document.
76		Policy 5.4.5 (Future Improvements in Disadvantaged Communities): This program must include an action to implement the feasibility study as well as a back-up if the study is not implemented.	Policy has been updated.	Base Housing Element document.
77	Other GPPs	<u>Policy 1.1 (Monitor RHNA)</u> : While this program ensures sufficient sites are identified, it should commit to identifying additional sites throughout the planning period if needed to accommodate the City's RHNA.	Policy has been updated.	Base Housing Element document.

Revisions in Response to HCD Comment Letter

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
78	Other GPPs	<u>Policy 1.10 (Establish By-Right Housing for Prior Housing Sites) and 2.6:</u> Previously identified nonvacant sites are inadequate to accommodate the need for lower-income households unless the site is subject to a housing element program that requires rezoning within three years of the beginning of the planning period to allow residential use by-right for housing developments in which at least 20 percent of the units are affordable to lower-income households. (Gov. Code, § 65583.2, subd. (c).) The program must be revised to comply as well as clarify that the densities for the identified sites are appropriate for lower-income households. In addition, timing of Policy 2.6 should occur no later than 3 years from the start of the planning period.	Policy has been updated.	Base Housing Element document.
79	Other GPPs	<u>Policy 1.12 (Encourage Residential Uses within Housing Overlay):</u> The program must clarify which commercial zones will be included in the program actions.	Policy has been updated.	Base Housing Element document.

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
80	Other GPPs	<u>Policy 2.4 (Capital Improvements in Lower-Resourced Neighborhoods)</u> : The program should describe what capital improvements will be included.	Policy has been updated.	Base Housing Element document.
81	Other GPPs	<u>Policy 3.7 (Expanding Homeless Shelters)</u> : This program must clarify implementation actions after the study in action A. In addition, a government citation must be added for Action C and implementation timing must be earlier in the planning period to ensure beneficial impact.	Policy has been updated.	Base Housing Element document.
82	Other GPPs	While the element includes Policy 5.1.3 (Regional Forgivable Loan Program) to support the regional program to assist ELI households, it is a regional policy. The element should specify what actions the City is taking to address the ELI need. The program should also specify whether proactive outreach will occur to implement the program.	Policy has been updated.	Base Housing Element document.



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
83	Other GPPs	Policy 1.3 (Increase Below Market Rate Unit Production): This program should be revised to include an action to comply with State Density Bonus law as well as specific timing for implementation. The program should clarify whether the action currently listed is in addition to state law requirements.	Policy has been updated.	Base Housing Element document.
84	Other GPPs	Policy 1.7 (Update Zoning Code Development Standards): This program must make a firm commitment to remove parking requirements that are a constraint to multifamily development.	Policy has been updated.	Base Housing Element document.
85	Other GPPs	Policy 1.13 (Encourage Development of Missing Middle Housing): This program should include specific implementation and specify whether the identified policies and codes will be revised to remove constraints.	Policy has been updated.	Base Housing Element document.



<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
86	Other GPPs	Policy 1.14 (Evaluate and Update Special Needs Group Housing Requirements): This policy should commit to reviewing and revising procedural requirements to permit group homes for seven or more persons in all zones allowing residential uses based on objective criteria to facilitate approval certainty. In addition, the program must be implemented earlier in the planning period to ensure a beneficial impact.	Policy has been updated.	Base Housing Element document.
87	GPPs AFFH	While programs in Table 13 include specific timelines, all programs in the element that AFFH must include specific metrics and milestones with geographic targets that address the fair housing analysis. In addition, Policy 5.2.1 (City Supported Housing) should specify what actions will be taken to add more affordable housing to moderate and high resource areas as well as whether incentives are provided.	Policy has been updated.	Base Housing Element document.



Revisions in Response to HCD Comment Letter

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
88	Other GPPs	Policy 2.2 (Retention of Existing Lower-Income Units) and 5.3.3 (Monitor Affordable Housing Projects) should reference State Preservation Notice Law (Gov. Code, § 65863.10, 65863.11, and 65863.13) and state noticing requirements to tenants and affected public entities. The program should also be expanded to include other potential at-risk properties not included in the analysis. HCD will send additional information under separate cover.	Policy has been updated.	Base Housing Element document.
89	Quantified Objectives	The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. While the element includes these objectives for construction, it must also include estimates for rehabilitation and not limit conserved units to at-risk properties.	The City does 31 rehab projects annually through CDBG over 8 years plus 10 expected CALHOME rehabs. This information was included.	See base document page H-89.

Revisions in Response to HCD Comment Letter

<u>Comment Number</u>	<u>Section</u>	<u>HCD Comment</u>	<u>City Response</u>	<u>Location</u>
90	Public Participation	While the element includes a summary of public participation including outreach to the community, it must also describe whether translation services were available outside of the Lets Talk Housing sessions.	Information on translation services has been included in the public participation Appendix.	See base document page H-52 and Appendix F
91	Consistency with the GP	While the element discusses how internal consistency will be achieved with other elements of the general plan as part of the housing element update, it should also discuss how internal consistency will be maintained throughout the planning period.	Additional narrative has been added to address this comment.	See discussion in the main Housing Element document, page H-19