

HCD Feedback Matrix Tracking

Letter Heading	Statutory Requirement	Letter Comment	Document Addressed	Page (s) Addressed
A. Review and Revision	Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)	<p>The element was not revised to address this statutory requirement. Please see HCD’s prior July 9, 2021 review letter. July 9 comment:</p> <p>As part of the evaluation of programs in the past cycle, the element must provide an explanation of 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).</p>	TBR 4 - Review of Housing Element Past Performance	Page 119
B. Housing Needs, Resources and Constraints	1. Affirmatively further[ing] fair housing (AFFH) in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A))	<p>Enforcement and Outreach</p> <p>The element was not revised to address this statutory requirement. Please see HCD’s prior July 9, 2021 review letter. July 9 comment:</p> <p>The housing element must include a summary and analysis of outreach. This entails a description of outreach materials, stakeholder and community meetings, etc.</p> <p>The element should also include a description of the referral process for housing complaints.</p>	<p>TBR 5 - Public Outreach</p> <p>TBR 6 - AFFH</p>	Page 180
B. Housing Needs, Resources and Constraints	1. Affirmatively further[ing] fair housing (AFFH) in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A))	<p>Sites Inventory</p> <p>While the element was revised with some discussion related to identified sites and AFFH. It must still include analysis for all the components of the assessment of fair housing (e.g., segregation and integration, access to opportunity) addressing:</p> <ol style="list-style-type: none"> 1) The number or proportion of units by income group; 2) magnitude of the impact of identified sites on existing socio-economic patterns; 3) whether identified sites and capacity is isolated in geographic areas by income group; and 4) conclude whether the inventory exacerbates or improves segregation and inclusion. 	TBR 6 - AFFH	Pages - 231, 233, 237, 239 & 241
B. Housing Needs, Resources and Constraints	2. Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)	<p>Condition of Housing Stock</p> <p>The element was not revised to address this statutory requirement. Please see HCD’s prior July 9, 2021 review letter. July 9 comment: Condition of Housing Stock:</p> <p>The element identifies the age of the housing stock (page 38, TBR-1). However, it must include:</p> <ol style="list-style-type: none"> 1) analysis of the condition of the existing housing stock; and 2) estimate the number of units in need of rehabilitation and replacement. <p>For example, the analysis could include estimates from a recent windshield survey or sampling, estimates from the code enforcement agency, or information from knowledgeable builders/developers, including non-profit housing developers or organizations.</p> <p>For additional information, see the Building Blocks at http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/housing-stock-characteristics.shtml.</p>	<p>TBR 1 - Community Profile</p> <p>TBR 4 - Review of Housing Element Past Performance - Table HEPP1</p>	Page 32

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B. Housing Needs, Resources and Constraints	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. (Gov. Code, § 65583, subd. (a)(3).)	<p>Progress in Meeting the Regional Housing Need Allocation (RHNA):</p> <p>The City’s RHNA may be reduced by the number of new units pending, approved, permitted or constructed since July 1, 2021.</p> <p>The element credits (Table HR-3) 202 entitled or pipeline units toward the RHNA for lower-income household but must also demonstrate the affordability of the units.</p> <p>Specifically, the element must assign these units based on actual or anticipated sales price or rent level of the units or other mechanisms ensuring affordability (e.g., deed-restrictions).</p>	TBR 3- Housing Resources	Page 105
B. Housing Needs, Resources and Constraints	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. (Gov. Code, § 65583, subd. (a)(3).)	<p>Realistic Capacity:</p> <p>As noted in the prior review, the element must account for the likelihood of residential development in zones allowing 100 percent nonresidential uses. The element (p. 119) notes that sites with mixed-use zoning are developed with 100 percent commercial uses 33 percent of the time.</p> <p>As a result, the element should also describe how the calculation of capacity accounts for this likelihood of 100 percent commercial uses and reflect this likelihood in the residential capacity calculation of identified sites.</p>	TBR - 3 - Housing Resources Appendix A	TBR 3 - Page 105
B. Housing Needs, Resources and Constraints	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. (Gov. Code, § 65583, subd. (a)(3).)	<p>Nonvacant Sites:</p> <p>As noted in the July 9, 2021 review, the element identifies nonvacant sites to accommodate the regional housing need for lower-income households, it must support analysis factors with development trends, past experience and reflect the values of those factors in the sites inventory. Please see HCD’s prior review for additional information. July 9 comment:</p> <p>In addition, as noted in the prior review, if the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households, it 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)).</p> <p>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 RHNA.</p>	TBR & Appendix B	Page 106 & Appendix A Sites Inventory Table
B. Housing Needs, Resources and Constraints	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. (Gov. Code, § 65583, subd. (a)(3).)	<p>Zoning for a Variety of Housing Types (Emergency Shelters):</p> <p>The element now clarifies the industrial zone permits emergency shelters without discretionary action and has ample capacity to accommodate the need for emergency shelters. However, the element should also identify and analyze the actual development standards for any constraint on development and add or modify programs as appropriate.</p>	TBR 2 Housing Constraints - Design Review TBR-1 - Community Profile - Homeless Population Action Plan	Page 77 Page 30 Program HE-5-8 - Page 25

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B. Housing Needs, Resources and Constraints	4. 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 for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)	<p>Design Review:</p> <p>The element mentions projects are subject to design review and site plan review and any project may be referred to the Planning Commission subject to the Director or Committee's discretion. However, the element should analyze these requirements as potential constraints and add or modify programs as appropriate.</p> <p>First, the element should evaluate the relationship between the design review and site plan review, particularly, since the procedures appear to have over-lapping requirements. The analysis should address any impacts on timing and approval certainty.</p> <p>Second, the element should analyze the potential uncertainty of referring development to the Planning Commission.</p> <p>Lastly, the element lists approval findings that may impact approval certainty and costs. For example, "... consistent with the character of the neighborhood and surrounding sites and shall not be detrimental to the orderly and harmonious development of their surroundings and of the City" may impact approval certainty.</p> <p>The element should specifically evaluate these findings, including any measures to promote certainty and add or modify programs if appropriate.</p>	<p>TBR 2 - Housing Constraints</p> <p>Action Plan - Related Actions</p>	<p>Development Review Process - Pages 86 - 92</p> <p>Site Plan/Design Review overlap addressed on Page 90</p> <p>CPC referrals are addressed on Page 90</p> <p>Approval findings are previously addressed on Page 91 (end of section)</p>
B. Housing Needs, Resources and Constraints	4. 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 for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)	<p>Constraints on Housing for Persons with Disabilities:</p> <p>The element describes that requests for reasonable accommodation are subject to various approval findings, most notably, variance findings that require demonstration of unnecessary hardships and special circumstances that do not apply to comparable properties.</p> <p>A reasonable accommodation procedure should be a unique exception process and intended to promote eliminating barriers to housing for persons with disabilities. Variance findings add, among other things, complexity, uncertainty, and subjectivity that act as a constraint. Programs should be added or modified to address this constraint.</p>	<p>Housing Plan - Program HE 5-2</p> <p>Action Plan - Related actions</p>	<p>HE TBR Section 2 - Page 99</p> <p>HE Plan - Program HE-5-2 - Page 24</p> <p>Action Plan - Action HE-5.7 - Page 10</p> <p>LARGE GROUP HOMES: Policy HE-5-3 - Housing Plan - Page 24</p> <p>Action Plan - Action HE-2.3 - Page 7</p>
B. Housing Needs, Resources and Constraints	Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)	<p>Farmworkers:</p> <p>The element was not revised to address this statutory requirement. Please see HCD's prior July 9, 2021 review letter. July 9 comment:</p> <p>The element must quantify and analyze the housing needs of farmworkers. While the element includes a general discussion, it must still include complete information to guide an appropriate analysis. Specifically, the element must identify and analyze farmworkers in the City using local data and include county and regional data for seasonal and permanent farmworkers (e.g., USDA data).</p>	TBR 1- Community Profile	Page 23

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C. Housing Programs	<p>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 Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)</p>	<p>As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:</p> <p>Sites Identified in Prior Planning Periods:</p> <p>While the element includes Program HE 1-2 (By Right Approvals) to extend by-right approval to previously identified sites, the Program should clarify those by-right requirements pursuant to Government Code section 65852.2, subdivisions (c) and (i).</p>	<p>Housing Plan - Program HE 5-2</p> <p>Action Plan - Related actions</p>	<p>Action Plan - HE5.2 - Page 9</p>
C. Housing Programs	<p>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 Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)</p>	<p>As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:</p> <p>Replacement Requirements:</p> <p>The element identifies sites with existing residential uses and as a result must be subject to a replacement policy pursuant to Government Code section 65583.2, subdivision (g)(3).</p> <p>The element includes Program HE 5-2 (Zoning Code Amendments) and states the zoning code update "could" include replacement provisions but, instead, should specifically commit that the zoning code update or other policies "shall" include replacement provisions.</p>	<p>Housing Plan - Program HE 5-2</p> <p>Action Plan - Related actions</p>	<p>Housing Plan - Program HE-5-2 - Page 24</p>
C. Housing Programs	<p>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 Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)</p>	<p>As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:</p> <p>Parking for Emergency Shelters:</p> <p>Action HE-2.3 commits to update provisions for emergency shelters but should also specifically commit to revise parking requirements pursuant to AB 139 (Chapter 335, Statutes of 2019).</p>	<p>TBR 2 - Housing Constraints</p> <p>Action Plan - Related Actions</p>	<p>TBR 2 - Page 78</p> <p>Action Plan - HE-2.3 - Page 9</p>

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C. Housing Programs	<p>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 Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)</p>	<p>As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:</p> <p>Concurrent Rezoning:</p> <p>HCD understands the City will be completing rezoning prior to the start of the planning period (October 15, 2021) to accommodate the RHNA, including for lower-income households.</p> <p>Please be aware, if rezoning is not completed by October 15, 2021, the element must include a program(s) to rezone sites with appropriate zoning and development standards pursuant to Government Code sections 65583, subdivision (c)(1), and 65583.2, subdivisions (h) and (i).</p>	<p>TBR - 3 - Housing Resources</p> <p>Appendix A</p> <p>Action Plan</p>	<p>Appendix A - Anticipated yield per site included in Site Inventory Table and Mapbook; TBR 3 - Page 105</p>
C. Housing Programs	<p>The housing element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)</p>	<p>The element was not revised to address this statutory requirement. Please see HCD's prior July 9, 2021 review letter. July 9 comment:</p> <p>While the element includes Program HE-1-11 to address extremely low income which commits to working with developers to identify funding for housing affordable to extremely low -income households, it does not provide specific actions the city will take to assist in the development of housing for ELI households.</p> <p>In addition, the element must include programs to address the housing needs of special needs populations including seniors, large households, farmworkers, female headed households, homeless, and persons with disabilities including developmental disabilities.</p> <p>Program actions could include prioritizing some funding for housing developments affordable to ELI households and special needs population and offering financial incentives or regulatory concessions to encourage the development of housing types, such as multifamily, single-room occupancy (SRO) units, permanent supportive housing to address the identified housing needs for ELI households.</p> <p>For additional information, see the Building Blocks at http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/extremely-low-income-housing-needs.shtml.</p>	<p>Housing Plan</p> <p>Action Plan</p>	<p>Throughout Housing Plan and Action Plan</p>
C. Housing Programs	<p>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 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. (Gov. Code, § 65583, subd. (c)(3).)</p>	<p>As noted in Finding B4, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City must revise or add programs and address and remove or mitigate any identified constraints. In addition, the element should be revised as follows:</p> <p>Group Homes for Seven or More Persons:</p> <p>Action HE-5.7 (Eliminate Zoning Discrimination) should be revised to at least explicitly review and revise zoning and procedures to allow group homes for seven or more persons in all residential zones and promote approval certainty and objectivity.</p>	<p>Housing Plan</p> <p>Action Plan</p>	<p>Program HE-5-3 - Page 24</p> <p>Action HE-5.7 - Page 10</p>

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C. Housing Programs	<p>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 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. (Gov. Code, § 65583, subd. (c)(3).)</p>	<p>As noted in Finding B4, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City must revise or add programs and address and remove or mitigate any identified constraints. In addition, the element should be revised as follows:</p> <p>Streamlined Approvals (SB 35): Action HE-5.2 (Zoning Code Streamlining) should be revised to explicitly establish a written procedure to comply with SB 35 ministerial streamlining provisions.</p>	Action Plan - Action HE-5.2	Action HE-5.2 - Page 9
C. Housing Programs	<p>4. Promote AFFH 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. (Gov. Code, § 65583, subd. (c)(5).)</p>	<p>As noted in Finding B1, the element does not include a complete assessment of fair housing.</p> <p>Depending on a complete analysis, the element may need to add or revise programs as appropriate.</p> <p>For your information, 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 of segregation, promote inclusion and equitable quality of life.</p> <p>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.</p> <p>HCD will provide additional guidance on goals and actions under separate cover.</p>	TBR 6 - AFFH	Action Plan - Page 2-12
C. Housing Programs	<p>5. The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). 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. The program may include strategies that involve local regulation and technical assistance. (Gov. Code, § 65583, subd. (c)(6).)</p>	<p>At Risk Preservation:</p> <p>The element includes Program HE-1-10 (At-Risk Preservation) and Action HE-1.9 (At-Risk Preservation); however, the Program or Action should be revised with specific commitment to preserve assisted developments at-risk of conversion to market rate uses.</p> <p>Specifically, commitment should include 1) monitoring and complying with noticing requirements within 3 years, 12 months, and 6 months of the affordability expiration date, 2) coordinating with qualified entities such as non-profit organizations, 3) assisting with funding or supporting funding applications, 4) providing education and support for tenants and 5) establishing specific time parameters around each action where appropriate.</p>	<p>Housing Plan - Program HE-1-10</p> <p>Action Plan - Action HE-1.9</p>	Action Plan - page 4 & Housing Plan page 17
D. Quantified Objectives	<p>Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b)(1 & 2).)</p>	<p>Quantified Objectives</p> <p>The element was not revised to address this statutory requirement. Please see HCD's prior July 9, 2021 review letter. July 9 comment:</p> <p>Include quantified objectives estimating the number of housing units by income category that can be constructed, rehabilitated, and conserved over a five-year time period. This requirement could be addressed by utilizing a matrix like the one illustrated below:</p>	<p>TBR 3- Housing Resources</p> <p>Action Plan</p>	Action Plan - Page 31 & 32

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E. Public Participation	Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(8).)	<p>The element now includes a complete summary of the public participation process to date, including a description of public comments.</p> <p>However, the element must also describe how public comments were considered and incorporated into the element.</p>	<p>TBR 5 - Public Outreach</p> <p>TBR 6 - AFFH</p>	TBR 5 - Page 162
	AFFH	FROM HCD CALL 12/2: Revise/expand selected Actions and KPIs to connect to specific geographies/categories of need as identified in AFFH Analysis	Action Plan - Action HE-5.2	Action Plan - Page 2.