

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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December 21, 2023

Vibeke Norgaard, City Manager  
City of Sand City  
1 Pendergrass Way  
Sand City, CA 93955

Dear Vibeke Norgaard:

**RE: City of Sand City's 6<sup>th</sup> Cycle (2023-2031) Draft Housing Element**

Thank you for submitting the City of Sand City's (City) draft housing element received for review on September 27, 2023. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation, with you, Anastazia Aziz, Kylie Pope, and Michael Groves on November 29, 2023. In addition, HCD considered comments from LandWatch and David Kellogg pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Gov. Code, § 65580 et seq). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to

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Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the effort and cooperation provided during the review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Mao Lee, of our staff, at [Mao.Lee@hcd.ca.gov](mailto:Mao.Lee@hcd.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall  
Senior Program Manager

Enclosure

## APPENDIX CITY OF SAND CITY

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <https://www.hcd.ca.gov/planning-and-community-development/hcd-memos>. Among other resources, the housing element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks> and includes the Government Code addressing State Housing Element Law and other resources.

### **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).)*

As part of the evaluation of programs in the past cycle, the element must also 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). Programs should be revised as appropriate to reflect the results of this evaluation.

### **B. Housing Needs, Resources, and Constraints**

1. *Affirmatively further[ing] fair housing 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).)*

Outreach: The element describes outreach efforts for the broader housing element, but it should also incorporate outreach relative to affirmatively furthering fair housing (AFFH). This outreach is particularly important to informing fair housing issues, contributing factors and appropriate goals and actions. Outreach should consider a variety of methods to gather input on the various components of the assessment of fair housing (e.g., segregation and integration, disparities in access to opportunity, disproportionate housing needs) and may utilize information from the 2020 Analysis of Impediments to Fair Housing Choice.

Assessment of Fair Housing: The element includes some data and analysis regarding different patterns for various socio-economic characteristics in Appendix A. However, a

complete analysis should include data and maps on all fair housing components and analyze this data for patterns and trends at the local and regional level including disparities in access to opportunity (environmental, transportation) at the local level and access to opportunity (economic, education, environmental, transportation), Racially/Ethnically Concentrated Areas of Poverty (R/ECAP) and Racially Concentrated Areas of Affluence (RCAA), and disproportionate housing needs (displacement and substandard housing conditions) at the regional level. In addition to evaluating trends and patterns, the element should analyze coincidences with other components of the assessment of fair housing. Lastly, the assessment should be complemented by local data and knowledge and other relevant factors and add or modify goals and actions as appropriate.

Identified Sites and AFFH: The element does not address this requirement. 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). The element should also discuss whether the distribution of sites improves or exacerbates conditions. 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). In particular, the element indicates that a majority of the housing need for lower-income households is concentrated in the South of Tioga R2 parcel. The element should discuss whether this strategy potentially isolates a significant number of the housing need for lower-income households and include actions as appropriate, such as additional zoning for a variety of housing choices.

Local Data and Knowledge: The element includes a general discussion of local data and knowledge and other relevant factors (pp. A-84-85) but must include local data, knowledge, and other relevant factors to discuss and analyze any unique attributes about the City related to fair housing issues. The element should complement federal, state, and regional data with local data and knowledge where appropriate to capture emerging trends and issues, including utilizing knowledge from local and regional advocates and service providers, City staff, and related local and county planning documents.

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).)*

Overpayment: The element must quantify the number of lower-income households overpaying for housing by tenure (i.e., renter and owner). While the element provided percentages for these factors, percentages without a baseline figure do not document the scope of the potential housing needs.

Housing Conditions: The element identifies the age of the housing stock and notes that less than five percent of structures are in need of rehabilitation (p. A-73). However, the element must still include an estimate of the number of units in need of rehabilitation and replacement. In addition, the element should clarify whether estimates were obtained from a recent windshield survey or sampling, a code enforcement agency, or information from knowledgeable builders/developers, including nonprofit housing developers or organizations.

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).)*

Progress in Meeting the Regional Housing Need Allocation (RHNA): The element relies on pipeline projects to meet its RHNA. Specifically, the element appears to identify 74 units that are either under construction or have been constructed (p. C-26) but must also demonstrate the affordability of these units. Specifically, the element must assign these units to the various income groups based on actual or anticipated sales price or rent level of the units or other mechanisms ensuring affordability (e.g., deed-restrictions) and demonstrate their availability in the planning period.

Further, based on the information provided in the analysis, it appears that the South of Tioga parcels (Sites #1 and #2) should be classified as a pipeline project. To count these units as progress towards RHNA, the element must demonstrate these units are expected to be constructed during the planning period. To demonstrate the availability of units within the planning period, the element could analyze infrastructure schedules, the City's past completion rates on pipeline projects, outreach with project developers, and should describe any expiration dates on entitlements, anticipated timelines for final approvals, and any remaining steps for projects to receive final entitlements. This is particularly important given that this project was identified to accommodate the RHNA during the last planning period but has not yet been constructed. Programs should be added or revised based on the outcomes of a complete analysis.

Realistic Capacity: 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 land use controls and site improvements, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.

In addition, the City is utilizing an overlay with sites that appear with zoning that allow 100 percent nonresidential uses. The element should include analysis based on factors such as development trends, performance standards, or other relevant factors and account for the likelihood of 100 percent nonresidential uses in the calculation of residential capacity. 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. For more information, see the *Building Blocks* at: <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/analysis-sites-and-zoning>.

Suitability of Nonvacant Sites: While the element includes some analysis in Appendix C demonstrating the potential redevelopment of nonvacant sites, additional information is required to address this finding. Specifically, the description of existing uses should be sufficiently detailed to facilitate an analysis demonstrating the potential for additional development in the planning period. In addition, the element needs to also analyze the extent that existing uses may impede additional residential development. For example, the element includes sites such as Art Park and the Salvation Army Good Samaritan Center. The element can summarize 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 or prevent additional residential development and include current information on development trends and market conditions in the City and relate those trends to the sites identified. The element could also consider indicators such as age and condition of the existing structure expressed developer interest, low improvement to land value ratio, and other factors.

Small Sites: The element identifies Sites #3 (Salvation Army Good Samaritan Center) and #4 (Art Park) at less than a half-acre (pp. C-6; C-13-14). Sites smaller than a half-acre in size are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites are suitable to accommodate housing for lower-income households. While the element includes some discussion on lot consolidation, it should also provide specific examples with the densities, affordability, and if applicable, circumstances leading to lot consolidation or subdivision. The element should relate these examples to the sites identified to accommodate the RHNA for lower-income households to demonstrate that these sites can adequately accommodate the City's lower-income housing need. Programs should be revised accordingly based on the outcomes of a complete analysis.

Infrastructure: The element (p. B-42) states that the City has 197.886 acre-feet of water entitlements and 23.163 acre-feet of water allocations available. However, the element states that the City needs 32 acre-feet of water supply to meet the RHNA. The element should clarify whether water entitlements are being used to satisfy a portion or all of the RHNA by distinguishing how the water is allocated to projects. Further, while the element includes Program 2.B (Water and Sewer Providers and City Water Distribution Policy), it must also be revised to include discrete timelines for implementation throughout the planning period. Finally, the element must include programs to address sewer infrastructure capacity such as pursuing

funding and other opportunities to secure and expand additional sewer capacity in the East Dunes area.

Environmental Constraints: While the element generally describes potential environmental constraints (pp. B-44-45; C-28), it must still describe any other known environmental or other conditions that could impact housing development on identified sites in the planning period (e.g., shape, contamination, easements, conditions, compatibility).

Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at [sitesinventory@hcd.ca.gov](mailto:sitesinventory@hcd.ca.gov) for technical assistance.

#### Zoning for a Variety of Housing Types:

- *Emergency Shelters*: The element indicates that emergency shelters are conditionally permitted in the Public Facilities (PF) zone. However, the element must identify a zone to permit emergency shelters without discretionary action. In addition, the element must also describe and analyze the development standards of the PF zone and analyze proximity to transportation and services for these sites, hazardous conditions, and any conditions inappropriate for human habitability. Further, the element should also describe how emergency shelter parking requirements are consistent with AB139/Government Code section 65583, subdivision (a)(4)(A), which requires only 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 or include a program to comply with this requirement. Lastly, the element must describe how it complies with the requirements of Assembly Bill 2339 (2022). Among other changes, this amendment to Government Code section 65583, subdivision (a)(4) expands the definition of "emergency shelters," specifying the type of zoning designations that must be identified to allow emergency shelters as a permitted use without a conditional use or discretionary permit and demonstrate the appropriateness of sites to accommodate emergency shelters. The element must add or modify programs to demonstrate compliance with these requirements within one year of adoption.
- *Supportive and Transitional Housing*: The element notes that supportive and transitional housing are permitted in the R-1, R-2, R-3, and MU-P zones (pg. B-14). However, the analysis should be revised to indicate whether transitional and supportive housing are allowed in all other zones that allow for residential uses (e.g., CZ R-2, R-3, CZ VS R-2, CZ MU-P, CZ-EDA, PF zones, etc.). The element should clarify whether the City permits these types of housing as a residential use and only subject to those restrictions that apply to other residential dwellings



of the same type in the same zone pursuant to Government Code section 65583 (a)(5). Further, supportive housing 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 65651. The element must demonstrate compliance with these requirements and include programs as appropriate.

- *Low Barrier Navigation Center (LBNCs)*: The element includes Program 3.E (Low Barrier Navigation Center) to add a definition for LBNCs in the Zoning Code and allow them in the PF zoning district (p. 2-21). For your information, LBNCs 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. Program 3.E should be modified to demonstrate compliance with this requirement.
- *Employee Housing*: The element must demonstrate zoning is consistent with the Employee Housing Act (Health and Safety Code, § 17000 et seq.) or add or modify programs. Specifically, section 17021.5 requires employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. Section 17021.6 requires employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone. For additional information and sample analysis, see the *Building Blocks* at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/farmworkers>.
- *Multifamily Housing*: Multifamily housing in Multifamily zones is subject to conditional use permits. The element should include specific analysis of this requirement as a constraint and revise or add program(s) as necessary.
- *Mobilehomes/Manufactured Housing*: Manufactured homes that are built on a permanent foundation must be allowed in the same manner and in the same zones as conventional or stick-built structures. Specifically, manufactured homes on a permanent structure should only be subject to the same development standards that a conventional single-family residential dwelling would be subject to. The element indicates manufactured housing is conditionally permitted in the R-2 and R-3 zones (p. B-19), which appears inconsistent with state law. The element must demonstrate consistency with this requirement or add or modify programs as appropriate.
- *Accessory Dwelling Units (ADUs)*: The element should clearly identify whether the City is counting ADUs toward the RHNA. The element states ADU programs and incentives may lead to at least two ADU units but in other areas, identifies no ADUs are counted toward the RHNA. The element should reconcile this information and accurately indicate how many ADUs are being projected for the planning period. In addition, the element must demonstrate the anticipated



affordability of ADUs based on actual or anticipated rents or other mechanisms ensuring affordability (e.g., deed restrictions). For example, the element may utilize a rent survey or other information from the County that examines rents and ADU affordability in the region. Lastly, a cursory review of the City's ADU ordinance by HCD discovered areas which appear to be inconsistent with State ADU Law. As a result, the element should add or modify a program to update the City's ADU ordinance to comply with state law with discrete timing (e.g., 6 months). HCD will provide a complete listing of ADU noncompliance issues under a separate cover.

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).)*

Land Use Controls: While the element includes a discussion of land use controls in Appendix B, it must still 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 open space and minimum lot coverage requirements. The analysis should address any impacts on cost, supply, housing choice, affordability, timing, approval certainty, and ability to achieve maximum densities, and add or modify programs to address identified constraints.

Processing and Permit Procedures: The element should address public comments received regarding Programs 1.G (Objective Design Standards) and 1.P (Clarify Permit Processing). The element should also address public comments on this revised draft submittal and discuss compliance with the Permit Streamlining Act and intersections with CEQA and timing requirements, including streamlining determinations and add or modify programs as appropriate.

Growth Ordinances: The element includes a discussion of the City's short-term rental ordinance (p. B-24), but should also clarify and where applicable, analyze any other locally adopted ordinances that directly impact the cost and supply or residential development (e.g., inclusionary requirements, growth controls).

Zoning and Fees Transparency: The element should clarify its compliance with new transparency requirements for posting fees and all zoning and development standards and add program(s) to address these requirements as necessary.

Codes and Enforcement: The element provides an overview of the building code implementation in Sand City but should also identify any local amendments to the building code and analyze impacts on the cost and supply of housing. The element must also analyze how municipal codes are enforced (e.g., proactive versus reactive

enforcement, typical citations, resources) and add programs as necessary to address any identified constraints.

#### Constraints on Housing for Persons with Disabilities:

- *Definition of a Family/Household:* Zoning should implement a barrier-free definition of family. The element must identify and analyze the City's definition of family as a potential constraint on housing for persons with disabilities and include programs as appropriate.
  - *Group Homes:* The element includes minimal analysis on group homes (p. B-14) and should clarify how the City's zoning code regulates various types of housing for persons with disabilities. Examples include residential care facilities, group homes, and sober living homes for six or fewer persons or seven or more persons. Zoning code regulations that isolate and regulate various types of housing for persons with disabilities based on the number of people and other factors may pose a constraint on housing choice for persons with disabilities. The element should include specific analysis of these and any other constraints for impacts on housing for persons with disabilities and add or modify programs as appropriate.
  - *Reasonable Accommodation:* The element briefly describes its reasonable accommodation procedures (p. B-21). 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.
5. *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).)*

Special Needs Households: While the element includes some data, a general discussion of housing challenges faced by special needs households, and proposed programs, it must still quantify the number of female-headed households in the City. In addition, the element must provide an analysis of the existing needs and resources for each special needs group. For example, the element should discuss the existing resources to meet housing needs (availability of shelter beds, number of large units, number of deed-restricted units, community services, etc.) and an assessment of gaps in resources. Local officials, special needs service providers or County social and health service providers may be able to assist with information to complete the analysis. The element may need to add or revise policies and programs based on the outcomes of a complete analysis.

## C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which 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. (Gov. Code, § 65583, subd. (c).)*

To have a beneficial impact in the planning period and address the goals of the housing element, programs must be revised with definite timelines, and be evaluated to ensure meaningful and specific actions and objectives. Programs should contain timelines for implementation, updated to reflect current conditions and circumstances. Programs should also contain quantified metrics and milestones. Additionally, all programs should be evaluated to ensure meaningful and specific actions and objectives. Programs containing unclear language (e.g., “evaluate”; “consider”; “encourage”; etc.) or vague commitments should be amended to include more specific and measurable actions. For example, Program 1.Q (Contracted Permit Review and Processing) describes the City’s recent efforts to expedite review of multi-family housing applications but provides no further information on the ongoing progress or implementation outcomes anticipated by June 2024. As another example, Program 4.C (Encourage Transportation Demand Management Strategies) commits the City to actions including the reduction of minimum parking standards but should be revised to include specific timeframes for completion of the described actions.

2. *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).)*

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 and zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

- *City-Owned Sites:* The element includes Program 3.I (Surplus Local Land for Affordable Housing) but should commit to numerical objectives consistent with

assumptions in the sites inventory and a specific commitment to a schedule of actions to facilitate development in the planning period, including alternative actions completed by a specified date (e.g., by 2028) if the sites will likely not develop in the planning period. Actions should include discrete timing for outreach with developers, issuing requests for proposals, incentives, assisting with funding and entitlements, and issuing building permits.

- *Sites Identified in Prior Planning Periods:* The element includes Program 1.C (West End Housing Diversity Overlay) and commits the City to by-right approval for housing developments with five or more units that include 15 percent or more of its units affordable to lower-income households. If utilizing this program to make prior identified sites available or address a shortfall of capacity to accommodate the lower-income RHNA, the Program should be revised to fully align with Government Code sections 65583, subdivision (c)(1) or 65583.2, subdivision (c), including removing requirements related to a minimum of five units.

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).)*

As noted in Findings B4, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to add or revise programs and address and remove or mitigate any identified constraints.

4. *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 ... (Gov. Code, § 65583, subd. (c)(5).)*

Goals, Priorities, Metrics, and Milestones: As noted in Finding B1, the element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Currently, the City's AFFH actions are mostly limited to outreach and marketing activities. 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.

#### **D. Quantified Objectives**

*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).)*

The element provides a summary of quantified objectives (pg. 2-3). However, the element must include quantified objectives for the number of housing units that will be conserved or preserved during the planning period. Conservation objectives may include the variety of strategies employed by the City to promote tenant stability, code enforcement and repair programs that conserve the housing stock, and the preservation of units at-risk of conversion to market rate.

#### **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)(9).)*

While the element includes a general summary of the public participation process (Appendices E and F), it must also demonstrate diligent efforts were made to involve all economic segments of the community in the development of the housing element. The element should be revised to discuss outreach to lower-income and special needs groups during the public participation efforts. For example, the element could describe participation in community workshops and if translation services were provided. In addition, while the element references the inclusion of a “Public Comment Report,” no such report was found. The element should summarize public comments and describe how they were considered and incorporated into the element.

#### **F. Consistency with General Plan**

*The Housing Element shall describe the means by which consistency will be achieved with other general plan elements and community goals. (Gov. Code, § 65583, subd. (c)(7).)*

While the element describes how General Plan consistency will be achieved (pgs. 1-9-10; 2-8-9), it must also identify how it will be maintained during the planning period. For example, to maintain internal consistency, the element could modify Program 1.E (Update the General Plan) to conduct an internal consistency review of the general plan as part of the annual general plan implementation report required by Government Code section 65400. The annual report can also assist future updates of the housing element.

## **G. Coastal Zone and Replacement Requirements**

*Coastal localities shall document the number of low- and moderate-income units converted or demolished, and the number of replacement units provided. (Gov. Code, § 65588, subd. (d).)*

The element does not address this statutory requirement. To determine whether the City's affordable housing stock in the coastal zone is being protected and provided as required by Government Code section 65588, the element must be revised to include the following:

1. The number of new housing units approved for construction within the coastal zone since January 1982.
2. The number of housing units for persons and families of low- and moderate-income required to be provided in new housing developments either within the coastal zone or within three miles.
3. The number of existing residential dwelling units occupied by low- and moderate-income households either within the coastal zone or three miles of the coastal zone that have been authorized to be demolished or converted since January 1982.
4. The number of residential dwelling units for low- and moderate-income households that have been required for replacement.