

Sand City 6th Cycle Draft 2 Preliminary Review

Received: 2/28/2024

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Check-in meeting with HCD: April 12, 2024

Previous Letter Finding	Page #	Prelim Review	Notes and Discussion	Revisions
Review and Revise				
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.	A-50 App D	~/No	While difficult to measure, should generally discuss outcomes and whether programs were effective and make appropriate adjustments	Page A-53 through A-55 Discussion of 5 th cycle programs related to special needs groups has been included.
Affirmatively Furthering Fair Housing				
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.	1-10- A- 106-	~/Yes		
Assessment of Fair Housing: The element includes some data and analysis regarding different patterns for various socio-economic characteristics in Appendix A. However, a City of Sand City's complete analysis should include data and maps on	A-14-	~/Yes	See local data and knowledge below	

<p>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/Ethnicallly 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.</p> <p>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.</p>				
<p>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</p>	<p>C-38- C-2- (364 of pdf)</p>	<p>~/Yes</p>		

appropriate, such as additional zoning for a variety of housing choices.				
<p>Local Data and Knowledge: The element includes a general discussion of local data and knowledge and other relevant factors (p. 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.</p> <p>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.</p>	1-11-A-112-	~/No	Add local data and knowledge and other relevant factors, especially given census tracts and data? See HCD sample local data and knowledge guide	Race: Page A-15 Disability: Page A-65 Familial Status: Page A-33 Income: Page A-39 and A-40 Overcrowding: Page A-47 and A-48 Homelessness: A-77 Economic Opportunity: Page A-82 and A-83 Educational Opportunity: Page A-86 and A-87 Environmental Opportunity: Page A-88 Transit: Page A-96 and A-97 Displacement: Page A-107 and A-108 Housing Conditions: Page A-110 and A-111 Fair Housing Outreach Capacity: Page A-121 Fair Housing Enforcement: Page A-116 through A-121 Compliance with Fair Housing Laws: Page A-121 through A-123 Contributing Factors: Page A-125 through A-128 Identified Sites and AFFH: Page C-71 through C-103
Housing Needs Assessment				
<p>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.</p>	A-44-	~/Yes		
<p>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</p>	A-99	Yes		

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.

Sites Inventory				
<p><u>Progress in Meeting the Regional Housing Need Allocation (RHNA):</u> 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.</p> <p>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.</p>	C-10-C-23-	No	South Tioga: Affordability? How? DA? Barriers to development in the planning period? Program to monitor?	<p>Page C-21</p> <p>Language was revised to change “enable” to “required a minimum of.”</p> <p>Footnotes were also added to direct reader to Table C-6 to see affordability categories of units.</p>
<p><u>Progress in Meeting the Regional Housing Need Allocation (RHNA) (Cont.):</u> 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.</p> <p>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.</p>	C-10-C-23-	No	See above	<p>Page C-22</p> <p>Statements were added to clarify that infrastructure improvements are nearly complete for the South of Tioga project, and that there are no constraints to preclude development. The City is preparing to accept the improvements with an estimated timeline of Summer 2024.</p>
<p><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</p>	C-14-C-23-C-26	~/Yes		

<p>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.</p>				
<p><u>Realistic Capacity (Cont.):</u> 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.</p>	C-14-	~/?	Should discuss recent trends of all developments in the mixed-use zones – any recent 100% non-residential development in the utilized zones?	<p>Page C-11</p> <p>Statement has been added clarifying the City has not received any proposals for 100 percent non-residential projects in the MU-P Zone.</p>
<p><u>Suitability of Nonvacant Sites:</u> 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.</p>	C-2- C-20-	Yes		

<p>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.</p>	C-6- C-14-	Yes		
<p>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.</p> <p>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.</p>	2-11 2-18 B-56- C-19- C-4 (366 pdf)	~/No	Programs 1.H, 2.B Add discrete timing to programs (e.g., at least every other year, three times in the planning period)	Page 2-11 Program 1.H was revised to include discrete timing for pursuing funding and other opportunities to secure and expand additional sewer capacity in the East Dunes area.
<p>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.,</p>	2-28 B-59- C-4 (366 pdf)	~/No /?	Program. 3.M – add discrete timing Other constraints?	Page 2-32 Program 3.M was revised to include discrete timing. Page C-74

<p>shape, contamination, easements, conditions, compatibility).</p>				<p>Statement was added clarifying there are no environmental or other conditions that pose a constraint to development of sites identified in the sites inventory.</p>
<p>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 for technical assistance.</p>		FYI	Submitted 9/27/2023; submit with adopted if any changes	
Zoning for a Variety of Housing Types				
<p>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</p>	2-23-B-23-	No/?	<p>Program 3.D</p> <p>Bed limit of 2?</p> <p>Address bed limit as a constraint and adjust capacity analysis to demonstrate capacity for at least one shelter (e.g., 15 beds), including addressing adjacency to treatment plant as unfit for human habitation</p>	<p>Page B-21 Analysis was added to address the bed limit constraint and Program 3.D was augmented to include a Municipal Code amendment to remove the bed limit (page 2-24).</p> <p>Page B-21 Analysis of PF Zone development standards is provided. No constraints to development.</p> <p>Capacity analysis is provided estimating that a shelter could be constructed on a 5,475 square foot city-owned parking lot to provide a maximum of 27 beds.</p>

<p>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.</p>				
<p>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.</p>	<p>2-17 B-22-</p>	<p>No</p>	<p>Program 1.S Program 1.S should commit to permit transitional and supportive in all zones allowing residential uses and only subject to requirements of other residential uses of the same type in the same zone</p>	<p>Page 2-17 Program 1.S was revised to include an amendment to the Municipal Code to permit transitional and supportive housing in all zones allowing residential uses and only subject to the requirements of other residential uses of the same type in the same zone (R-1, R-2, R-3, PUD, MU-P, PF, CZ R-2, CZ R-3, CZ VS R-2, CZ MU-P, CZ-EDA) pursuant to Government Code section 65583(a)(5).</p>
<p>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.</p>	<p>2-17 B-26-</p>	<p>Yes</p>	<p>Program 1.S</p>	
<p>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</p>	<p>2-17 2-28</p>	<p>Yes</p>	<p>Program 1.S Program 3.J</p>	

<p>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.</p>				
<p>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.</p>	2-17 B-14 B-7-	Yes	Program 1.S	
<p>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.</p>	2-17 B-19	Yes	Program 1.S	
<p>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</p>	2-16 B-18- C-37 C-3 C-13 C-49-	Yes	Program 1.K Tables C-3 & C-4	

(e.g., 6 months). HCD will provide a complete listing of ADU noncompliance issues under a separate cover.				
Governmental Constraints				
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.	B-8-	~	Table B-2 Add analysis to support conclusions regarding lot coverage, especially considering heights in zones allowing multifamily uses	Page 2-18 Program 1.S was revised to include an amendment to the Municipal Code to increase height standards for residential development in the R-3 Zone to permit a maximum of 40 feet (four stories). Page B-5 Appendix B was revised to include analysis of R-3 height standards and references Program 1.S to amend the Municipal Code to permit four stories.
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.	2-9 2-16 B-11-	?	Programs 1.G, 1.P and 1.S Does the City make determinations of CEQA exemption and streamlining within 30 days of a complete application? How are LandWatch 6/23/2023 comments addressed?	Page B-12 and B-13 Appendix B was revised to include a statement clarifying that the City makes a determination of CEQA streamlining or exemption within 30 days of receiving a complete application. Comments received from LandWatch are recorded in the May 5 – June 4, 2023 Public Comment Report. Responses to comments were provided, and some revisions were made to the draft. Please see the Public Comment Report pages 2-3 through 2-7 for an outline of revisions made in response to LandWatch comments.
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	B-33	Yes		

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.	B-43	Yes		
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.	B-37	Yes		
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.	2-29 B-33	Yes	Program 3.K	
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.	2-27 B-21-	No	Program 3.K Program 3.K should commit the City will amend zoning and procedures to allow 7+ (regardless of licensing) in all zones allowing residential uses. The City will replace the CUP requirement with a site development	Page 2-30 Program 3.K was revised to include amendments to the Municipal Code to amend zoning and permitting procedures to allow 7+ (regardless of licensing) in all zones allowing residential uses, and replace the CUP requirement with a site development permit and permit similar to other uses of the same type in the same zone.

			permit and permit similar to other uses of the same type in the same zone.	
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.	2-29- B-31-	Y/?	Program 3.L Can keep the administrative or financial burden	Page 2-31 Program 3.L was revised to only remove the following reasonable accommodation finding “result in a “significant impact on surrounding uses.” The finding related to administrative or financial burden will remain.
Special Needs				
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.	A-49- A-62-	~/No	Resources? Programs? Gaps? Magnitude?	ELI households: Page A-58 Seniors: Page A-60 and A-61 Persons with disabilities: Page A-66 Large households: Page A-67 and A-68 Single-parent households: Page A-70 and A-71 Farmworkers: Page A-74 Persons experiencing homelessness: Page A-77 and A-78
Housing Programs: Beneficial Impact				
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.	2-4-	~/Yes		

<p>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.</p>				
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Housing Programs: Adequate Sites				
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<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 and zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:</p>		TBD	Depends on complete analysis	
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<p>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.</p>	2-26-C-7-C-16-	No/?	<p>Program 3.I</p> <p>Add alternative actions by a specified date</p> <p>Add permit without discretionary action (prior identified site)? MU-P without discretionary action on Site 2?</p>	<p>Page 2-28 and 2-29</p> <p>Program 3.I was revised to include by-right requirements for the site, which was previously identified in the 5th cycle. Additionally, alternative actions were added to the program for monitoring during the planning period.</p> <p>Page C-42</p>
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				The discussion for Site #2 was revised to include by-right requirements and references Program 3.I.
<p>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.</p>	2-26 C-13	Yes	<p>Program 1.C</p> <p>Only applies to Site 2 (Art Park - City owned site) that will be 100% affordable – see above for by right requirements</p>	

Housing Programs: Constraints				
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.		TBD	Depends on complete analysis	
Housing Programs: Affirmatively Furthering Fair Housing				
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.	A-114 2-5-	TBD/ ?	Depends on complete analysis Metrics and geographic targeting added?	
Quantified Objectives				
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.	2-3	Yes	Table 2-1	
Public participation				
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	1-11- App D	~/No	Should employ additional methods moving forward	The City is conducting targeted stakeholder interviews during the 7-day

<p>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.</p>				<p>public review period with community stakeholders.</p>
<p>Consistency with General Plan</p>				
<p>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.</p>	<p>1-10 2-9 2-28</p>	<p>Yes</p>	<p>Program 1.E</p>	
<p>Coastal Zone</p>				
<p>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:</p> <ol style="list-style-type: none"> 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 	<p>B-5-</p>	<p>No/?</p>	<p>Data? Revisions to address finding? Between 1978 - 1982</p>	<p>Page B-2 and B-3 The findings have been addressed.</p>

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.				
Other Revisions				
Program 3.M – site remediation	2-30	No	Add discrete timing	Page 2-32
SB 35 and SB 330 processing	2-16 2-20 B-19-	Yes	Programs 1.R and 2.D	
50% nonvacant	C-16-	N/A	Sites 1, 2 and 3 are vacant and greater than 50% of lower-income RHNA	
Prohousing designation	2-4- C-50	N/A		
Other				
Document availability		Yes		
Rezone timing		?	Lower-income RHNA shortfall? Prior identified site (Site 2)?	
50% nonvacant resolution	C-16-	N/A	Sites 1, 2 and 3 are vacant and greater than 50% of lower-income RHNA	
Electronic sites inventory		FYI	Submitted 9/27/2023; submit with adopted if any changes	
AB 2339	2-23 B-23-	No/?	Bed limit? Address bed limit as a constraint and adjust capacity analysis to demonstrate	Pages B-21 and 2-24

			capacity for at least one shelter (e.g., 15 beds), including addressing adjacency to treatment plant as unfit for human habitation	
Overlay				
Site 1 – MU-P rezone	2-21	Yes		