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

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November 18, 2024

Craig W. Spencer, Director
Department of Housing and Community Development
County of Monterey
1441 Schilling Place, South Second Floor
Salinas, CA 93901

Dear Craig W. Spencer:

RE: County of Monterey's 6th Cycle (2023-2031) Draft Housing Element

Thank you for submitting the County of Monterey's (County) draft housing element received for review on August 20, 2024. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review. Pursuant to Government Code section 65585, subdivision (c), HCD considered comments from John Heyl; California Rural Legal Assistance (CRLA); LandWatch of Monterey County; Jeff Damavandi; Slama Consulting; David Kellogg and York School.

The draft element addresses many statutory requirements; however, revisions will be necessary to substantially 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.

As a reminder, the County's 6th cycle housing element was due December 15, 2023. As of today, the County has not completed the housing element process for the 6th cycle. The County's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the County to revise the element as described above, adopt, and submit to HCD to regain housing element compliance.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the County 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.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government does not adopt a compliant housing element within 120 days of the statutory deadline (December 15, 2023), then any rezoning to make prior identified sites available or accommodate the regional housing needs allocation (RHNA) shall be completed no later than one year from the statutory deadline pursuant to Government Code sections 65583, subdivision (c) and 65583.2, subdivision (c). Please be aware, if the County does not adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until these rezones are completed.

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 Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the County 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 County 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 is committed to assisting the County 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.

Sincerely,



Paul McDougall
Senior Program Manager

Enclosure

APPENDIX COUNTY OF MONTEREY

The following changes are necessary to bring the County'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. 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 and Enforcement: While the element briefly mentions the County has not faced any judgements, consent decrees or enforcement actions as a result of fair housing violations, it should also discuss any findings, lawsuits or settlements. This analysis should not be limited to fair housing complaints and should include legal matters that could have a direct or indirect impact on access to fair housing such as land use related measures. In addition, the element should discuss compliance with state and federal laws. For example, a discussion should address compliance with Government Code section 8899.50 which, generally among other provisions, requires all public agencies to (1) administer programs and activities relating to housing and community development in a manner that affirmatively furthers fair housing (AFFH), and (2) take no action inconsistent with this obligation.

Local and Regional Patterns and Trends: The element includes some mapping and reporting of socio-economic characteristics and identified sites but largely does not analyze patterns and trends of those socio-economic characteristics. Among other items, the assessment of AFFH should address patterns and trends of socio-economic characteristics within each of the communities (comparing neighborhoods or areas) and the communities compared to the region. This analysis may aggregate some community areas such as planning areas. The analysis should address all components of the AFFH assessment, including segregation and integration, racially/ethnically concentrated areas of poverty and affluence, disparities in access to opportunity and disproportionate housing needs, including displacement risk. The assessment should also incorporate local data and knowledge and other relevant factors, particularly in smaller rural areas, to better evaluate patterns of disparities in access to opportunities and prioritize contributing factors to fair housing issues.

Disproportionate Housing Needs, including Displacement Risk: The element includes some general information on persons experiencing homelessness, housing conditions and displacement risk but should provide analysis, as follows:

- *Persons Experiencing Homelessness:* The element generally discusses some characteristics of persons experiencing homelessness but should also explain patterns of need and any gaps in providing services. Specifically, the element should discuss whether there are areas of the County with a higher number of persons experiencing homeless, whether transportation, services and programs are available and add or modify programs to address any gaps in resources and strategies.
- *Housing Conditions:* The element lists the housing conditions in community areas throughout the County but should also analyze those housing conditions and whether there are any patterns within the communities to better geographically target programs and resources. For example, the element could discuss the degree of rehabilitation needs and compare different areas of the County.
- *Displacement Risk:* The element briefly describes that displacement risk is higher in some areas of the County but should examine the conditions that may lead to higher displacement risk, such as sharp increases in rents and sales price, recent redevelopment, cost burdens or other factors. Based on the outcomes of this analysis, the element should add or modify programs as appropriate to address displacement risks.

Identified Sites and AFFH: The element provides maps and reports the number of units planned in each of the community areas but should also analyze the impact of those planned units within each of the communities and at the County level. For example, the element should compare the planned units by income group by areas of the County (e.g., east, west, north, south) and discuss the impact on the existing number of households and socio-economic characteristics relative to promoting inclusive communities. The analysis should address the number of units by income group and location, any isolation of the regional housing need allocation (RHNA) by income group and discuss how the sites improve fair housing conditions. Further, the analysis should address the distribution of units within each of the communities by income group. The analysis should be supported by local data and knowledge and other relevant factors and programs should be added or modified as appropriate to promote inclusive and equitable communities within each of the communities and at a county level. For example, based on the outcomes of this analysis, the element should add or modify programs to promote housing mobility (choices and affordability throughout communities) and enhance place-based strategies toward community revitalization.

Local Data and Knowledge and Other Relevant Factors: While the element provides some general information on the history of the County, it should utilize local data and knowledge and other relevant factors to supplement the data and maps and better examine patterns within communities and across communities. Examples of local data

and knowledge include local and regional advocates, public comments (e.g., CRLA), service providers, County officials, past surveys and plans and assessments of community conditions such as parks, streets, sidewalks and infrastructure. Examples of other relevant factors including historical land use, infrastructure availability, zoning, governmental and nongovernmental spending including transportation investments, demographic trends, historical patterns of segregation, or other information that may have impeded housing choices and mobility.

Contributing Factors to Fair Housing: Upon a complete analysis, the element must assess and prioritize contributing factors to fair housing issues that are unique to the unincorporated areas of Monterey County and add or modify programs as appropriate to be responsive to the analysis and contributing factors and take meaningful action to combat discrimination, overcome patterns of segregation and foster inclusive communities.

2. *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 RHNA: The County's RHNA may be reduced by the number of new units pending, approved, permitted or built (pipeline) since June 30, 2023; however, however, the element must demonstrate their affordability and availability in the planning period. For affordability, the element indicates some units will accommodate units affordable to lower-income and moderate-income households but should demonstrate affordability based on actual or anticipated sales prices and rents or other mechanisms that ensure affordability (e.g., deed restrictions). For availability, the element should discuss remaining steps, any known barriers and likelihood of construction in the planning period, including accounting for the chances of expired or unused entitlements in the planning period.

Realistic Capacity: The element appears to utilize non-residential zones toward the RHNA. For non-residential zones that are not part of the rezoning to address a shortfall of capacity for the lower-income RHNA, the element should clearly describe any zones that allows 100 percent non-residential uses and account for the likelihood of 100 percent non-residential uses in the calculation of residential capacity. For example, the element could describe all development in the pertinent zones and how often development included a residential component then adjust realistic capacity assumptions as appropriate.

Infrastructure: While the element generally describes water and sewer capacity, including limitations, it should describe or list the existing and planned water and sewer capacity in each of districts or community areas relative to planned residential capacity. In addition, the element must discuss the existing and planned accessibility of infrastructure to identified sites. Based on the outcomes of a complete analysis, the

element must add or modify programs to address any limitations to facilitate the availability of identified sites.

Environmental Constraints: While the element generally describes some potential environmental constraints, it must also describe any other known environmental or other conditions that could impact housing development on identified sites in the planning period. (e.g., shape, agricultural preservation strategies, contamination, coastal zone compatibility, easements, unit caps or other constraints in community plans or other conditions affecting the availability of identified sites). For example, the element should discuss whether development on identified sites would be precluded or significantly impacted given any potential compatibility issues with coastal resources or any caps or other constraints on unit allocations in community plans. Based on the outcomes of a complete analysis, the element should add or remove sites, as appropriate and add or modify programs to mitigate any potential constraints on development.

Large Sites: Sites larger than ten acres 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. To address this requirement, the element discusses several recent developments, including units affordable to lower-income households, on large sites. However, these recent trends do not appear to match assumptions on identified sites. For example, most recent developments include an affordability component of 20 percent or less. Conversely, the affordability component on most identified sites is greater than 50 percent. The element should either justify utilizing a higher affordability component or rescale affordability assumptions on identified sites similar to recent trends (e.g., 20 percent or less). For example, for sites where the planned development area (using only a portion of an underutilized site) is less than ten acres, the element could discuss some recent trends on underutilized portions of sites with higher affordability. For larger sites (greater than 20 acres), the element could discuss the opportunity for parceling at appropriate sizes and how higher affordability will be facilitated. Based on the outcomes of this analysis, the element should add or modify programs to establish incentives to promote parceling at appropriate sizes and affordability to lower-income households.

Suitability of Nonvacant Sites: The element must include an analysis demonstrating the potential for additional development on nonvacant sites. No further analysis is necessary where property owners have expressed an interest in residential development in the planning period. Generally, to meet this requirement, the analysis should address several factors including the extent to which existing uses may constitute an impediment to additional residential development; past experience in converting existing uses to higher density residential development; the current market demand for the existing use and existing leases or other contracts or conditions that perpetuate the existing use. However, in almost all cases, the element identifies sites where undevelopable portions are vacant. For these sites, the element should discuss any recent trends, compare those trends to identified sites and describe any impediments to additional development such as leases, contracts or property conditions. For other sites, the element should add analysis as described above.

Publicly-Owned Sites: While the element briefly describes its strategy to use publicly-owned sites to accommodate a portion of the RHNA for lower-income households, it should analyze status, necessary steps, any known barriers to development in the planning period, development schedule, including anticipated completion dates and add or modify programs based on the analysis.

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

Zoning for a Variety of Housing Types:

- *Emergency Shelters:* The element should clarify that emergency shelters are permitted without discretionary action and analyze whether the definition of emergency shelters complies with recent changes to state law. In addition, the element should demonstrate sufficient capacity to accommodate the need for emergency shelters and analyze development standards as potential constraints on emergency shelters including but not limited to proximity criteria, bed limits, parking and the operations plan, particularly neighborhood plan. Based on a complete analysis, the element should add or modify programs as appropriate.
 - *Transitional and Supportive Housing:* Transitional housing and supportive housing are permitted as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. These uses should be permitted as described above in all zones allowing residential uses in coastal and inland areas. The element appears to indicate these uses are not permitted in the same manner as other residential uses. For example, some zones in the coastal area appear to exclude these uses and parking requirements appear inconsistent with other residential uses. The element must demonstrate compliance with this requirement or add or modify programs if necessary.
 - *Single Room Occupancy (SRO) Units:* The element generally lists SROs as allowed uses with a conditional use permit (CUP) in some zones and lists development standards but should also analyze development standards and permit procedures as potential constraints. For example, private facilities, common space, management and parking requirement may be constraints. Based on the outcomes of a complete analysis, the element should add or modify programs to address any constraints on development.
3. *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: The element must identify and analyze all relevant land use controls impacts as potential constraints on a variety of housing types. The analysis should analyze land use controls independently and cumulatively with other land use controls. The analysis should specifically address requirements related to multifamily heights and parking for smaller bedroom types (e.g., studio and one bedroom). The analysis should address any impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints.

In addition, the element appears to indicate that applicants for a density bonus must meet State Density Bonus Law (SDBL) eligibility criteria for affordability and comply the local inclusionary requirement. The element should either clarify that units satisfying the local inclusionary requirements can also be used to meet SDBL eligibility criteria or add or modify programs to comply with SDBL, Government Code section 65915, subdivision (o)(8)(A).

Local Processing and Permit Procedures: The analysis must evaluate the processing and permit procedures' impact as potential constraints on housing supply (number of units), cost, timing, feasibility and approval certainty. For example, the analysis should describe and analyze processing and approval procedures and time for typical single-family and multifamily developments, including type of permit, level of review, approval findings and any discretionary approval procedures. For example, the element lists typical times but should analyze times as a constraint on development and should list and analyze approval findings for a typical multifamily development that complies with the general plan and zoning.

Codes and their Enforcement: The element provides an overview of the building code implementation but should also identify any local amendments to the building code and analyze impacts on the cost and supply of housing.

On/Off-Site Improvements: While the element includes a brief discussion of on- and off-site improvements, it must identify typical requirements on development beyond street widths and analyze their impact as potential constraints on housing costs.

Inclusionary Housing: The element generally mentions the County's inclusionary zoning ordinance, but it must also analyze the County's inclusionary housing requirements, including its impacts as potential constraints on the development of housing for all income levels. The analysis should evaluate the inclusionary broader policy's implementation framework, including the percentage of new residential construction that is dedicated to affordable housing, the types of options and incentives offered, relationships with SDBL and any other factors that may impact housing costs.

Housing for Persons with Disabilities (Reasonable Accommodation): The element mentions the County currently has a procedure for requesting and granting reasonable accommodation for persons with disabilities; however, the element should describe and analyze approval findings. Specifically, the element should analyze the application of findings related to negative impacts on property and add or modify programs to address identified constraints.

Zoning and Fees Transparency: While the element explains that fees are posted on the County's website, it must also clarify its compliance with new transparency requirements for posting all zoning and development standards on the County's website pursuant to Government Code section 65940.1(a)(1).

4. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including... ..length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584... (Gov. Code, § 65583, subd. (a)(6).)*

Approval Time: The element explains the length of time between receiving approval and application for building permits can take up to a few years or more. However, the element should also analyze any potential hinderances on the construction of the RHNA and add or modify programs as appropriate.

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).)*

Persons with Developmental Disabilities: The element briefly discusses persons with cognitive difficulties but should specifically quantify and analyze person with developmental disabilities. The analysis should address the number of persons, trends, patterns within the County, challenges faced by the population, housing situation for individuals (e.g. independent, living with parents, etc.), and effectiveness of policies and programs to address housing needs. To assist with this analysis, the element can utilize data from the California Department of Developmental Services.

Farmworkers: While the element notes the number of permanent and seasonal farmworkers, given the significant need in the County, it should specifically evaluate trends, characteristics, disproportionate needs, effectiveness of resources and strategies, magnitude of the housing need, including disproportionate housing need and the effectiveness of past policies, programs, and funding to help address those gaps. The analysis may utilize past farmworker plans, housing studies and other studies generally applicable to their special housing needs. For example, the element could utilize the Farmworker Housing Study and Action Plan for Salinas Valley and Pajaro Valley or a recent study conducted by University California at Merced that is available at https://clc.ucmerced.edu/sites/clc.ucmerced.edu/files/page/documents/fw_hs_report_2.2_2383.pdf. Based on the outcomes of the analysis, the element should add or modify programs to address this significant special housing need in the region.

6. *An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use... (Gov. Code, § 65583, sub. (a)(9).)*

The element states there are no housing developments at-risk of converting to market rate uses in the ten-year period. However, HCD records indicate Chualar Farm Center is at-risk in the ten-year period. The element should reconcile this information and if units are at-risk in the ten-year period, the element should add or modify programs as appropriate.

B. Housing Programs

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).)*

As noted in Finding A2, 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 County 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:

- *Program H-2.A (Encourage, Incentivize and Monitor Accessory Dwelling Units):* While the Program commits to implement alternative actions if assumptions in the sites inventory are not met, it should also commit to when the alternative actions will be complete.
- *Program H-2.H, H-3.A and H-3.C (Rezoning for the Shortfall of RHNA Capacity):* The element should clarify which of these Programs are intended to address the shortfall of capacity to accommodate the RHNA and must modify Program(s) with specific commitment and discrete timing to meet all requirements pursuant to Government Code sections 65583, subdivision (c)(1) and 65583.2, subdivisions (h) and (i). For example, the Program(s) should commit to minimum acreage, shortfall, appropriate development standards to facilitate maximum densities, permitting housing developments with 20 percent affordability to lower-income households without discretionary action, minimum densities, maximum

allowable densities and residential only requirements. Currently, Program H-2.H appears to introduce affordability requirements well in excess of statutory requirements and Program H-3.A only appears to “initiate” rezoning and should commit to complete rezoning. In addition, all three programs should be revised with timing to complete all necessary rezones within one year of the statutory deadline (December 15, 2024).

Finally, the element appears to indicate that sites will be rezoned with a minimum density of 20 units per acre and, in some cases, a maximum allowable density of 20 units per acre. While this minimum density proposal is required to meet statutory requirements, a coterminous maximum allowable density would require a precise development proposal and does not allow a range of allowable densities. This lack of a range of allowable densities presents a constraint on development. The element should consider a range of allowable densities to promote development feasibility (e.g., 20 to 30 units per acre).

- *Program H-2.D (By-right Approval on Reuse of Prior Housing Opportunity Sites)*: The Program must be implemented within one year of the statutory deadline (December 15, 2024).
- *Program H-2.E (Mid-Cycle Review)*: The Program should commit to when alternative actions will be completed upon a mid-cycle review.
- *Program H-3.D (Coordination with Public Entities)*: The Program should also commit to a *schedule of actions* to facilitate development in the planning period in stride with assumptions in the inventory such as numerical objectives; removing barriers to development; facilitating entitlements, assisting with funding, issuing building permits and alternative actions by a specified date if the sites are not progressing toward completion in the planning period.
- *Infrastructure and Large Sites*: As noted in Finding A2, Programs must be added or modified based on a complete analysis.
- *Pipeline Projects*: Given the element’s reliance on pipeline projects, the element should add or modify programs to facilitate development (e.g., coordination with applicants to approve remaining entitlements, expediting approvals) and monitor progress toward completion in the planning period, including alternative actions (e.g., rezoning) to be completed by a specified date if pipeline projects are not progressing toward completion in the planning period.
- *Program H-4.G (Zoning Ordinances and General Plan Efficiencies)*: The Program should clearly commit to permit permanent supportive housing in all zones allowing multifamily development without discretionary action and comply with other provisions of Government Code section 65651.

2. *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).)*

The element should add or modify programs to assist in the development of housing for lower-income and special needs households, as follows:

- *Program H-2.M (State and Federal Funding for Affordable Housing):* The Program should be modified with specific commitments to deliverable and proactively identify development and funding opportunities.
 - *Program H-2.P (Available Resources):* The Program should commit to at least annually and proactively send out targeted email notifications to affordable housing developers and other relevant stakeholders.
 - *Program H-5.G (Farmworker Housing):* The Program should be expanded based on a complete analysis of farmworker housing needs. In addition, the Program should consider approaches to addresses the housing needs of farmworkers in existing housing stock such as rehabilitation, weatherization or other conservation efforts. Finally, the Program should be revised with discrete timing (e.g., at least annually, by 2026) for all deliverables.
 - *Persons Experiencing Homelessness:* The element must include specific actions to assist in the development or conservation of housing or address the needs of persons experiencing homelessness. For example, as noted on page 5-17, the element could retain and modify Program H-5.C (Homeless Service).
 - *Program H-2.Q (Sufficient Water and Sewer Resources):* The Program should commit to discrete timing (e.g., by 2026) for establishing a procedure to grant priority sewer service to developments with units affordable to lower-income households.
 - *Program H-1.A (Preservation and Monitoring of Affordable Housing):* The Program should commit to outreach and coordination with qualified entities that can acquire and manage at-risk developments.
 - *Rehabilitation:* The element should consider additional actions toward the rehabilitation of the existing housing stock. For example, the County could utilize existing funding and apply for funding to rehabilitate the existing housing stock in areas of higher need.
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 A3 and A4, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the County may need to revise or add programs and address and remove or mitigate any identified constraints.

In addition, Program H-5.F (Housing Opportunities) should commit to permit group homes for seven or more persons (regardless of licensing) in all zones allowing residential uses, including inland and coastal areas. In addition, the Program should commit to address the CUP as a constraint, including permitting the use as a residential use, similar to other uses of the same type in the same zone.

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).)*

As noted in Finding A1, the element requires a complete AFFH analysis. Depending upon the results of that analysis, the County may need to revise or add programs. In addition, 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, milestones, geographic targeting and metrics or numerical targets and, as appropriate, address housing mobility enhancement, new housing choices and affordability in higher opportunity or higher income areas, place-based strategies for community revitalization and displacement protection. For example, the element must add significant and meaningful housing mobility actions to overcome the existing patterns in the County related to the broader region and place-based strategies toward community revitalization in areas of relatively higher concentrations of lower-income households and poverty.

C. 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 includes quantified objectives for new construction, rehabilitation and conservation. However, the quantified objectives should be expanded for rehabilitation and conservation. For rehabilitation, the element should consider objectives in stride with the needs of the community. For conservation objectives, the element may include other activities intended to conserve housing such strategies employed by the County to promote tenant stability, code enforcement and energy conservation and incorporate unit at-risk of conversion to market rate uses, if applicable.

D. 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 County made considerable effort to include the public through pop-up events, community workshops, study sessions, surveys, and stakeholder interviews, moving forward, the County should employ additional methods for public outreach efforts in the future, particularly to include lower-income and special needs households and neighborhoods with higher concentrations of poverty and lower-income households. For example, the County could conduct targeted stakeholder interviews or establish a committee representative of lower-income households in future public outreach efforts.

In addition, the element describes various these of public comments and lists programs but in some cases, the listed programs do not appear to respond to the intent of the comments. Further, the County received many comments on this review as well as part of its efforts leading up to this submittal that do not appear to be incorporated into the themes of public comments. The element should expand the discussion of public comment themes and how those comments were incorporated into the element, including clarifying linkage to responsive actions.

E. General Plan Consistency

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 demonstrates how internal consistency was achieved with other elements of the General Plan, it should also discuss how internal consistency will be maintained throughout the planning period. Alternatively, to maintain consistency throughout the planning period, the County could consider an internal consistency review as part of Program H-2.1 (Annual Housing Element Reporting).