

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

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December 10, 2021

Saied Naaseh, Director  
Community Development Department  
City of Carson  
701 East Carson Street  
Carson, CA 90745

Dear Saied Naaseh:

**RE: City of Carson's 6<sup>th</sup> Cycle (2021-2029) Draft Housing Element Update**

Thank you for submitting the City of Carson's (City) draft housing element received for review on October 11, 2021. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on November 8, 2021 with you; Alvie Betancourt, Planning Manager/Community Development; Debra Scott, Rehabilitation Counselor; Art Gomez, Rehabilitation Inspector; and your consultants Rajeev Bhatia and Matt Alvarez-Nissen. In addition, HCD considered comments from the Public Interest Law Project, 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 (Article 10.6 of the Gov. Code). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

As a reminder, the City's 6th cycle housing element was due October 15, 2021. As of today, the City has not completed the housing element process for the 6th cycle. The City's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the City to revise the element as described above, adopt, and submit to HCD to regain housing element compliance.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), then any rezoning to accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law,

and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

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.

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 programs; 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 City meets housing element requirements for these and other funding sources.

HCD appreciates the hard work and cooperation the housing element update team 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 Shawn Danino, of our staff, at [shawn.danino@hcd.ca.gov](mailto:shawn.danino@hcd.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall".

Paul McDougall  
Senior Program Manager

Enclosure

## APPENDIX CITY OF CARSON

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 <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>. Among other resources, the housing element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at <http://www.hcd.ca.gov/community-development/building-blocks/index.shtml> 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 review of programs in the past cycle, the element must provide an evaluation 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).

### **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: Outreach specifically related to affirmatively furthering fair housing (AFFH) is foundational to a complete analysis and formulating appropriate goals and actions to overcome patterns of segregation and foster more inclusive communities. The element should summarize outreach efforts and relate this input to all components of the AFFH analysis and modify or add goals and actions as appropriate. Further, the element mentions a 2020 analysis of impediments to fair housing choice (AI) which includes outreach that can be utilized as part of this analysis and to better formulate appropriate programmatic response.

Enforcement: The element should also discuss the City's compliance with existing fair housing laws as well as any past or current fair housing lawsuits, findings, settlements, judgements, or complaints.

Disparities in Access to Opportunity: The element includes some discussion of disparities in access to opportunity, including by utilizing the TCAC/HCD composite maps. However, the analysis should address the patterns and trends for all components of disparities in access to opportunity (e.g., education, economy, transportation, and environment). For example, the City may, as discussed on the December 8, 2021 call, for example, expand programs that improve access to public transportation as well as protected bike lanes and carshare programs, or improve walkability and pedestrian infrastructure. In addition, the City can analyze transportation cost burden to determine programs that integrate housing and transit access. Relatedly, the City can also analyze Vehicle Miles Traveled (VMT) and outline programs to reduce the cost and distance of commuting. This analysis may utilize the HCD AFFH Data Viewer available at <https://www.hcd.ca.gov/community-development/affh/index.shtml>.

Disproportionate Housing Needs including Displacement Risk: The element includes analysis relative to overpayment and overcrowding but it must also address housing conditions, persons experiencing homelessness. Specifically, the element should address patterns and trends relative to housing conditions and should address disproportionate impacts on protected groups, areas of the City with greatest need and evaluate disparities in access to opportunities relative to homelessness. Finally, the analysis could utilize data and mapping from the Urban Displacement Project which shows a few areas with advanced gentrification. For more information, see the website at <https://www.urbandisplacement.org/maps/los-angeles-gentrification-and-displacement/>.

Identified Sites and AFFH: The element includes some general discussion of identified sites and AFFH, but it should include supporting information and analysis to complete the discussion. 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 re-evaluate the discussion of 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).

Goals, Priorities, Metrics, and Milestones: The element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and 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 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.

- 2. Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all income levels, including extremely low-income households. (Gov. Code, § 65583, subd. (a)(1).)*

Extremely Low-income (ELI) Households: The element includes some basic information regarding ELI households such as the number of households. However, given the unique and disproportionate needs of ELI households, the element must include analysis to better formulate policies and programs. For example, the element should analyze tenure, cost burden, overcrowding and other household characteristics then examine the availability of resources to determine gaps in housing needs. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/extremely-low-income-housing-needs.shtml>.

3. *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).)*

Housing Conditions: The element provides some brief information on age of the housing stock. However, it must estimate the number of units in need of rehabilitation and replacement. For example, the analysis could include estimates from a recent windshield survey or sampling, estimates from the code enforcement agency, or information from knowledgeable organizations. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/housing-stock-characteristics.shtml>.

4. *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).)*

Approved and Under Review Projects: The element lists approved and under review projects totaling 3,157 units, including 1,138 housing units toward the regional housing needs allocation (RHNA) for moderate-income households. The element should discuss what approvals remain necessary for projects under review, including expected timelines for completion of the entitlement process. In addition, on our December 8, 2021 call, City staff confirmed that the Torrance / Main Specific plan was withdrawn, and the District @ South Bay project was reduced from 1,250 units to 900 total units. The project descriptions should be revised to reflect the most current information on the approval status. In addition, the element must also describe the City's methodology for assigning these units to the various income groups based on actual or proposed sales price or rent levels or other mechanisms ensuring affordability (e.g., deed restriction).

Realistic Capacity: The element identifies sites in various mixed or flex use zones and states that residential capacity was reduced in these zones since not all sites will develop with mixed-use or include a residential component. However, the element must support this assumption through development trends, residential performance standards and policies and programs. For example, the element could analyze all development activity in these or similar non-residential zones, how often residential development occurs and adjust residential capacity calculations, policies, and programs accordingly.

Suitability of Nonvacant Sites: The element identifies nonvacant sites to accommodate the regional housing need based on an assessed value ratio and floor area ratio, but it must also support these assumptions, reflect the values of these ratios in the parcel inventory and include additional factors for a complete methodology. The methodology must consider factors including the extent to which existing uses may constitute an impediment to additional residential development, past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites.

In addition, because the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households, it must demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in the planning period. (Gov. Code, § 65583.2, subd. (g)(2).) Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA.

Replacement Housing Requirements: If the sites inventory identifies sites with existing residential uses, it must identify whether the current residential uses are affordable to lower-income households or describe whether the additional residential development on the site requires the demolition of the existing residential use. For nonvacant sites with existing, vacated, or demolished residential uses and occupied by, or subject to an affordability requirement for, lower-income households within the last five years, there must be a replacement housing program for units affordable to lower-income households. (Gov. Code, § 65583.2, subd. (g)(3).) Absent a replacement housing program, these sites are not adequate sites to accommodate lower-income households. The replacement housing program must meet the same requirements pursuant to Government Code section 65915, subdivision (c)(3). The housing element must be revised to include such analysis and a program, if necessary.

Mobilehome Park Preservation: The inventory identifies mobilehome park(s) (p. 172) with potential for redevelopment in the planning period and should include specific discussion and programs given the importance of this housing type in addressing a variety of housing needs. The discussion should address the appropriateness of identifying these sites given the importance of the housing type, suitability, and availability of the sites in the planning period, impacts on residents, consistency of redevelopment with general plan, including housing element goals and add or modify programs, including replacement programs, based on the outcomes of this discussion. For example, the element should discuss if the mobilehome parks are likely to be redeveloped in the planning period given Government Code section 66427.5 and provisions related to AB 2782 (Chapter 35, Statutes of 2020). AB 2782 requires, among other things, noticing to homeowners prior to local approval of change in use and a replacement and relocation plan and steps to mitigate impacts on displaced residents.

Small and Large Sites: Sites smaller than half an acre or greater than ten acres are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites of equivalent size with affordability were successfully developed during the prior planning period or other evidence that demonstrates the suitability of these sites. The element currently discuss how development might occur on larger sites and identifies smaller sites, but it must still provide analysis of past trends or present other evidence to demonstrate the suitability of these sites. For example, the analysis could describe the City’s role or track record in facilitating past lot consolidation, common ownership, policies, or incentives offered or proposed to encourage and facilitate lot consolidation or other conditions rendering parcels suitable and ready-for-lot consolidation.

City-Owned Sites: The element must include additional discussion of the City-owned sites identified to accommodate the RHNA. Specifically, the analysis should address general plan designations, allowable densities, support for residential capacity assumptions, existing uses and any known conditions that preclude development in the planning period and the potential schedule for development. If zoning does not currently allow residential uses at appropriate densities, then the element must include programs to rezone sites pursuant to Government Code section 65583.2, subdivisions (h) and (i). In addition, the housing element must include a description of whether there are any plans to sell the property during the planning period and how the jurisdiction will comply with the Surplus Land Act Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.

Environmental Constraints: While the element generally describes environmental constraints were considered in determining realistic capacity, it must also describe any other known environmental or other conditions that could impact housing development on identified sites in the planning period.

Infrastructure: The element includes some discussion on water and sewer providers in the City. However, it must also clarify whether sufficient total water and sewer capacity (existing and planned) can accommodate the regional housing need and include programs if necessary.

Accessory Dwelling Units (ADU): The element projects 280 ADUs over the planning period based on an average of 35 ADUs per year since 2017. However, the element should list the number of ADUs per year to support this assumption and rescale assumptions if necessary. For your information, HCD records indicate ADUs permitted since 2018 as none reported in 2018, 46 in 2019 and none reported in 2020.

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/community-development/housing-element/index.shtml#element> 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 permitted in the Manufacturing Light and Manufacturing Heavy zone (Page 92). However, the element should also clarify whether shelters are permitted without discretionary action, discuss typical parcel sizes and the presence of reuse opportunities and any conditions inappropriate for human habitability. In addition, the element should list and evaluate the actual development standards for compliance with statutory requirements and add or modify programs as appropriate. For example, parking requirements may need to be updated pursuant to AB 139 (Chapter 335, Statutes of 2019) 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.
  - *Permanent Supportive Housing:* 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 this requirement and include programs as appropriate.
5. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and 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 and mixed-use height limits and minimum lot sizes. 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.

Building Codes and Enforcement: The element must describe the City's building and zoning code enforcement processes and procedures, including any local amendments to the building code, and analyze their impact as potential constraints on housing supply and affordability.

Onsite / Offsite Improvements: The element describes on- and off-site improvements that may be required to approve housing development (p. 88) including pavement, curbs, gutters, sidewalks, drainage facilities. The element should identify actual standards and analyze their impact as potential constraints on housing supply and affordability.

Processing and Permit Procedures: While the element includes information about processing procedures, it should also analyze the timing to obtain various entitlements as a possible constraint.

Constraints on housing for Persons with Disabilities: The element describes its reasonable accommodation procedures, but it should also identify and evaluate any definition of family utilized in zoning and land use. In addition, the element notes residential care facilities for seven or more persons are excluded from several zones that allow residential uses and subjects the use to a conditional use permit (CUP) process. The element should analyze these requirements as potential barriers to housing for persons with disabilities and include programs to address these constraints including amending zoning to permit the use in residential zones and address and remove, replace or mitigate the CUP requirement.

Zoning, Development Standards and Fees: The element must clarify compliance with new transparency requirements for posting all zoning, development standards and fees on the City's website and add a program to address these requirements, if necessary.

6. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including... the 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).)*

Developed Densities and Permit Times: The element must analyze requests to develop housing at densities below those anticipated and the length of time between receiving approval for a housing development and submittal of an application for building permits. The analysis should address any hinderances on the construction of a locality's share of the regional housing need and include programs if necessary.

7. *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).)*

The element includes some general quantification; however, the element should include analysis of households with special housing needs. The analysis should include, but is not limited to, factors such as trends, household income, tenure, housing types, zoning, and available resources. In addition, the element should address the number of persons with disabilities by type (e.g., ambulatory, cognitive, hearing difficulty), large households by tenure, and the characteristics and trends of persons experiencing homelessness.

8. *Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next ten years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions. (Gov. Code, § 65583, subd. (a)(9) through 65583(a)(9)(D).)*

While the element includes a listing of properties at risk of conversion to market rate and estimates the cost of replacement, it must also include an identification of public and private nonprofit corporations known to the City to have the legal and managerial capacity to acquire and manage at-risk units, and identification and consideration of use of federal, state, and local financing and subsidy programs. In addition, the element lists Carson Gardens Apartment with an expiration date of 2031 and a moderate risk. This date differs from HCD's records (2021) and the element should reconcile this information if necessary.

### **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 through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (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 discrete timelines (e.g., annually, year). Programs to be revised include Programs 1 (Residential Rehabilitation), 2 (Owner-Occupied Rehabilitation Program), 4 (Affordable Housing Strategy) and 11 (Mobilehome Park Maintenance and Preservation).

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 B4, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

- *Program 9 (Adequate Sites and No Net Loss):* The Program should be amended to ensure compliance with all of the by-right requirements provided in Government Code section 65583.2, subdivisions (h) & (i), including clarifying by-right to permit multifamily development without discretionary action and 20 percent affordability to lower-income households and residential only or residential performance standard requirements. In addition, the Program should commit to anticipated allowable densities, appropriate development standards to facilitate maximum allowable densities, the shortfall of sites to accommodate the RHNA and the minimum acreage to be rezoned.
- *Sites Identified in Prior Planning Periods:* The element must include a program for vacant sites identified in two or more consecutive planning periods' housing elements or nonvacant sites identified in a prior housing element, that are currently identified to accommodate housing for lower-income households. The program must be implemented within the first three years of the planning period and commit to zoning that will meet the density requirements for housing for lower-income households and allow by-right approval for housing developments that include 20 percent or more of its units affordable to lower-income households.
- *Replacement Housing Requirements:* The housing element must include a program to provide replacement housing. (Gov. Code, § 65583.2, subd. (g)(3).) The replacement housing program must adhere to the same requirements as set forth in Government Code section 65915, subdivision (c)(3).
- *City-owned Sites:* The element should include specific commitment to a schedule of actions to encourage development on City-owned sites. Actions include establishing appropriate zoning and development standards, additional incentives, schedule for development, significant outreach with developers of affordability housing, reducing fees, expediting permit processing, and seeking financing or supporting applications for funding.

3. *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).)*

While the element includes programs to assist in the development of very low-, low-, and moderate-income households, it must also include a program(s) to assist in the development of housing for all ELI households and special needs households (e.g., elderly, homeless, farmworkers, persons with disabilities, female-headed households). Program actions could include proactive outreach and assistance to non-profit service providers and developers, prioritizing some funding for housing developments affordable to special needs households and offering financial incentives or regulatory concessions to encourage a variety of housing types.

4. *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 Finding B5 and B6, the element requires a complete analysis of potential governmental and non-governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

5. *The Housing Element shall include programs to conserve and improve the condition of the existing affordable housing stock. (Gov. Code, § 65583, subd. (c)(4).)*

Program 11 (Mobilehome Park Maintenance and Preservation): The Program notes the importance of importance of this housing type and that the City has limited control but can enact programs to encourage preservation. However, the City appears to be taking action to convert mobilehome parks and displace residents. An action within the City's control and apparently inconsistent with the program objectives as well as Policy 3-5. The element should be revised to correct these inconsistencies and specifically commit to action to preserve mobilehome parks, including timelines or steps the City will take in the planning period.

6. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding B1, the element does not include a complete analysis to address AFFH requirements. Based on a complete analysis, the element must add or revise programs. Actions must have 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.

7. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance. (Gov. Code, § 65583, subd. (c)(6).)*

Program 10 (Preservation of At-risk Affordable Housing): In addition to various other actions, the Program should commit to promptly coordinate with non-profit corporations known to the City to have the legal and managerial capacity to acquire and manage at-risk units.

8. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, "accessory dwelling units" has the same meaning as "accessory dwelling unit" as defined in paragraph (4) of subdivision (i) of Section 65852.2. (Gov. Code, § 65583, subd. (c)(7).)*

Program 8 (Accessory Dwelling Units): The Program should commit to when additional strategies will be implemented and should monitor ADU production and affordability on a regular basis (e.g., bi-annually) and commit to alternative actions (e.g., rezone) within a specific time (e.g., within 6 months) if ADUs are not permitted as anticipated.

#### **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 must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. While the element includes these objectives by income group for very low-, low-, moderate- and above-moderate income, the element must also include objectives for extremely low-income households.

#### **E. Public Participation**

*Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd. (c)(8).)*

While the City includes some information about the public outreach process, the City should clarify how the draft was made available and moving forward, the City 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 lower-income households. In addition, while the element has summarized comments, it must also describe how they were considered and incorporated into the element. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/getting-started/publicparticipation.shtml>.

#### **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).)*

The housing element states the housing element is consistent with the general plan; however, as noted above, the housing element appears to be internally consistent and should be reconciled for consistency. In addition, the element should discuss how internal consistency will be maintained throughout the planning period. For example, the City could consider an internal consistency review as part of its annual general plan implementation report required under Government Code section 65400.