

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

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March 9, 2023

Lina Velasco, Director
Community Development Department
City of Richmond
450 Civic Center Plaza
2nd Floor
Richmond, CA 94804

Dear Lina Velasco:

RE: City of Richmond's 6th Cycle (2023-2031) Draft and Adopted Housing Element

Thank you for submitting the City of Richmond's (City) draft and adopted housing element. The California Department of Housing and Community Development (HCD) received the City's housing element (adopted on January 24, 2023) for review on February 8, 2023. The adopted housing element was received while the initial draft (Received December 9, 2022) was under review. HCD is considering the adopted element to replace the initial draft submittal and is reporting the results of its review of the adopted element pursuant to Government Code section 65585, subdivision (b) and (h). Please be aware; however, Government Code section 65585, subdivision (e) requires local governments to consider HCD's findings prior to adopting the housing element. Therefore, as the City failed to comply with this requirement, the City must consider HCD's findings on the adopted element consistent with requirements pursuant to Government Code sections 65585, subdivisions (e) and (f). In addition, HCD considered comments from CarLa, 350 Contra Costa, YIMBY Law and Greenbelt Alliance, and Scott Littlehale pursuant to Government Code section 65585, subdivision (c).

The adopted 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.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website

and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

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 (January 31, 2023), 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).

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 will meet housing element requirements for these and other funding sources.

We are committed to assist the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Connor Finney, of our staff, at Connor.Finney@hcd.ca.gov.

Sincerely,

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

Paul McDougall
Senior Program Manager

Enclosure

APPENDIX CITY OF RICHMOND

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 analyze 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). While the element quantifies results, it must also compare and evaluate those results to the objectives projected or planned. Based on an evaluation, programs should be revised as appropriate to reflect the results of this evaluation.

B. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Regional Analysis: The element generally describes local patterns and trends but must also analyze the City relative to the rest of the region regarding integration and segregation, disparities in access to opportunity, particularly relating to access to educational opportunities, and disproportionate housing needs and displacement risks.

Disproportionate Housing Needs including Displacement: While the element includes some data on disproportionate needs, additional information is needed. The element must describe any displacement risk due to disaster. In addition, the element must include a local (within the City) analysis of substandard housing, evaluating areas of higher need or concentrations of units in need of rehabilitation.

2. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

Overpayment: The element must quantify and analyze the number of lower-income households overpaying by tenure (i.e., renter and owner).

Housing Costs: While the element includes estimated rents for residents, it utilizes American Community Survey (ACS) data. The element should supplement census data with other sources (e.g., local knowledge).

Housing Conditions: The element must include an estimate of 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 builders/developers, including nonprofit housing developers or organizations.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Progress in Meeting the Regional Housing Needs Allocation (RHNA): The element must demonstrate the affordability and availability of pipeline projects in the planning period. The element should demonstrate affordability based on actual sales price, rent level or other mechanisms ensuring affordability (e.g., deed restrictions). For availability, the element should also discuss the status, any barriers to development and other relevant factors to demonstrate their availability in the planning period. Furthermore, the element should address public comments regarding the feasibility of brownfield sites being made available during the planning period. In addition, the City should address the public comment related to feasibility of development on the brownfield sites within the planning period.

Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the 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. The element also should analyze the likelihood that the identified units will be developed as noted in the inventory in zones that allow 100 percent nonresidential uses (e.g., mixed-use). This analysis should consider the likelihood of 100 percent nonresidential development, performance standards, and development trends supporting the likelihood of residential development.

Small Sites: Sites smaller than a half-acre in size are deemed inadequate to accommodate housing for lower-income housing unless it is demonstrated that sites of equivalent size and affordability were successfully developed during the prior planning period for or unless the housing element describes other evidence that the site is suitable and adequate to accommodate housing for lower-income households (Gov. Code, § 65583.2, subd. (c)(2)(A).). For example, a site with a proposed and approved housing development that contains units affordable to lower-income households would be an appropriate site to accommodate housing for lower-income households. (Gov. Code, § 65583.2, subd. (c)(2)(C).) Lastly the element must describe a history of lot consolidation as a method of developing housing as well as whether the City has any incentives to consolidate lots with different owners.

Suitability of Nonvacant Sites: The element must include an analysis demonstrating the potential for redevelopment of nonvacant sites. To address this requirement, the element describes in general the existing use of each nonvacant site. 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 must analyze the extent that existing uses may impede additional residential development. 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, existing versus allowable floor area, low improvement to land value ratio, and other factors. For sites with residential uses, the inventory could also describe structural conditions or other circumstances and trends demonstrating the redevelopment potential to more intense residential uses. For nonresidential sites, the inventory could also describe whether the use is operating, marginal or discontinued, and the condition of the structure or could describe any expressed interest in redevelopment. In addition, the element references Table B3, but it should tie the examples to the nonvacant sites in the inventory and how they have similar factors.

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 has the same requirements as set forth in Government Code section 65915, subdivision (c)(3). The housing element must be revised to include such analysis and a program, if necessary.

Accessory Dwelling Units (ADU): The element projects 517 ADUs over the planning period which is significantly greater than current trends from 2018-2021. To support assumptions for ADUs in the planning period, the element should reduce the number of ADUs assumed per year and reconcile trends with HCD records, including additional information such as more recent permitted units and inquiries, resources and incentives, other relevant factors and modify policies and programs as appropriate. Further, programs should commit to additional incentives and strategies, frequent monitoring for production and affordability (every other year) and specific commitment to adopt alternative measures such as rezoning or amending the element within a specific time (e.g., six months) if needed.

AB 725: For jurisdictions that are considered Metropolitan, the element must identify at least 25 percent of the remaining moderate and above moderate RHNA on sites that allow at least four units of housing (e.g., four plex or greater) (Gov. Code, § 65583.2, subd. (c)(4)).

Environmental Constraints: The element must relate environmental constraints to identified sites and describe any other known environmental or other constraints that could impact housing development on identified sites in the planning period.

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.

Zoning for a Variety of Housing Types:

- *Emergency Shelters*: While the element allows emergency shelters by-right in at least one zone, it must provide an analysis of proximity to transportation and services for these sites, hazardous conditions, and any conditions in appropriate for human habitability.
- *Low Barrier Navigation Centers*: While the element includes a program to allow Low Barrier Navigation Centers, it is limited to nonresidential zones. Low Barrier Navigation Centers 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. The element must demonstrate compliance with this requirement and include programs as appropriate.
- *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 these requirements and include programs as appropriate.
- *Accessory Dwelling Units*: After a cursory review of the City's ordinance, HCD discovered several areas which were not consistent with State ADU Law. HCD will provide a complete listing of ADU noncompliance issues under a separate cover. As a result, the element should add a program to update the City's ADU

ordinance in order to comply with state law. For more information, please consult HCD's ADU Guidebook, published in December 2020, which provides detailed information on new state requirements surrounding ADU development.

4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Land Use Controls: 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 parking, heights, lot coverage and limits on allowable densities. 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. The element must clarify whether the zoning is changing in the Richmond Corridors Form Based Codes. If so, a rezone program may be necessary. The element should also clarify what densities are allowed in the general plan designations and how they correlate to the zoning districts. In addition, the element should clarify whether three-story developments are allowed regardless of the height limits have to be below 35-foot height restriction in the RM1 and RM2 zoning districts. The element should also analyze whether open space requirements are a constraint on achieving maximum densities. The element should also analyze whether the height limit of 35 feet is a constraint in the CM1, CM2, CM3, and CM4 zones within 30 feet of a residential district or add a program as appropriate. Lastly, the element should clarify whether covered parking requirements are for both single and multifamily developments.

Fees and Exaction: The element must describe all required fees for single family and multifamily housing development, including impact fees, not just deposits, and analyze their impact as potential constraints on housing supply and affordability. While the element currently lists fee deposits, it should estimate the actual cost of fees for a typical single family and multifamily development. In addition, multifamily fees listed are twice as high compared to single family developments, this should be analyzed with additional programs added if necessary. Lastly, the element must clarify whether the fees listed are both for single family and multifamily developments.

Local Processing and Permit Procedures: While the element includes information about processing times, it should also describe the procedures for a typical single family and multifamily development. The analysis should address the approval body, the number of public hearing if any, approval findings and any other relevant information, specifically for special use permits, site plans and architectural review (as well as whether finding five is related to a crime free ordinance). The analysis should address impacts on housing cost, supply, timing and approval certainty. The element should identify and analyze approval findings for impacts on approval certainty, the presence of processes

or guidelines to promote certainty and add or modify programs as appropriate. The element should also list and analyze typical approval times for both single family and multifamily developments. Lastly, the element should list and evaluate the findings for conditional use permits (CUP) and planned unit developments (PUD) requirements.

Design Review: The element must describe and analyze the design review guidelines and process, including approval procedures and decision-making criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis could describe required findings and discuss whether objective standards and guidelines improve development certainty and mitigate cost impacts. The element must demonstrate this process is not a constraint or include a program to address this permitting requirement, as appropriate.

SB 330: The element should demonstrate how the City complies with SB 330 and add or modify programs if necessary. For example, the element should address actions that result in lesser intensification pursuant to Government Code section 66300 as well as provisions related to the Housing Accountability and Permit Streamlining Acts.

Building Codes: The element states it is currently utilizes the 2019 Building Code but should also discuss the more recent Building Code and add or modify programs, if necessary.

Local Ordinances: While the element describes some local ordinances, it should describe how Richmond Hills Initiative affect sites and development, including impacts on housing supply (number of units), costs, feasibility and timing.

On/Off-Site Improvements: The element must identify typical subdivision level improvement requirements, such as minimum street widths (e.g., 40-foot minimum street width), and analyze their impact as potential constraints on housing supply and affordability.

Constraints on Housing for Persons with Disabilities: The element briefly describes its reasonable accommodation procedures. However, the element should also describe the approval process and analyze any potential constraints on housing for persons with disabilities. Lastly, group homes for seven or more persons appears to be excluded from several zones allowing residential uses and subject to a CUP. The element should evaluate these requirements as constraints and include specific commitment to amend zoning and permit procedures to allow these uses in all zones allowing residential uses with objectivity to facilitate approval certainty similar to other residential uses of the same form. For more information, please see HCD's guidance at <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/group-home-technical-advisory-2022.pdf>.

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including... requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and 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 be revised to include analysis of 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 that potentially hinder the construction of a locality's share of the regional housing need.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element. (Gov. Code, § 65583, subd. (c).)*

To address the program requirements of Government Code section 65583, subdivision (c)(1-6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following:

- *Programs 1C (One Stop Permit Center), 2G (Pre-Approved Small Lot Home Plans), 5B (Assistance for At-Risk Affordable Housing Units), and 6D (Enforcement of Just Cause for Eviction Ordinance):* The programs should be revised to include proactive outreach throughout the planning period.
- *Program 1G (Compliance with Changes in State Housing Law):* This program should be revised to include specific timing for implementation. In addition, the element must include specific actions to address identified governmental constraints.
- *Program 2C (Affordable Housing Assets Fund):* The program should be revised to include specific timing of how often the City will seek new funding as well as include proactive outreach.
- *Program 3A (Design Review and Use Permit Process Improvements):* The program should be revised to include specific actions that will be taken and describe how design review findings and group home requirements will be revised.
- *Program 3C (Objective Design Standards for Housing in the Form-Based Code):* The program should clarify whether the objective design standards will be for both single family and multifamily developments.
- *Program 3D (Density Bonus):* The program should be revised to include timing of updating the ordinance as needed.

- *Program 4D (State and Federal Housing Funds)*: While this program commits to applying for funding, it should commit to applying for funding annually.
- *Program 4E (Homelessness Coordination Efforts)*: The program should include specific timing for implementation.
- *Program 4F (Homelessness Strategic Plan)*: The program should be revised to include specific timing to implement the actions in the plan.
- *Program 4J (Funding for Emergency, Transitional, and Supportive Housing)*: The program should include specific timing of how often the City will seek funding.
- *Program 5C (Online Housing Resource Center)*: The program should include timing on how often the resources will be updated.
- *Program 5L (Sanitary Sewer Lateral Grant Program)*: The program should include proactive outreach to residents throughout the planning period.
- *Program 6A (Community Land Trust)*: The program should include specific timing and actions to implement the plan.
- *Program 6V (LGBTQ+ Housing Issues)*: The program should include specific timing to implement the identified solutions.

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*

As noted in Finding B3, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

Program 2E (Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs)): The program should be revised to monitor ADU production and affordability every two years. In addition, the program should also include proactive outreach as well as additional incentives to promote ADU development.

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).)*

The element must include a program(s) with specific actions and timelines to assist in the development of housing for extremely low-income households. The program(s) could commit the City to adopting priority processing, granting fee waivers or deferrals,

modifying development standards, granting concessions and incentives for housing developments that include units affordable to extremely low-income households; assisting, supporting or pursuing funding applications; and outreach and coordination with affordable housing developers.

In addition, the element must include programs to assist in the development of housing for lower- and moderate-income households, including special needs households. Specifically, programs should be added or modified to address the needs of farmworkers and persons with disabilities. For example, for farmworkers, the element could commit to proactive actions to coordinate with nonprofit developers, employers, and other related organizations, to explore funding and incentives and to identify specific development opportunities.

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 Findings B4 and B5, the element requires a complete analysis of potential governmental and nongovernmental 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. In addition, the element should be revised as follows:

Program 3E (Allow residential care facilities consistent with state law): This program must be revised to allow group homes in all zones that allow residential uses, objectively with approval certainty similar to other residential uses of the same form.

Program 4G (Low Barrier Navigation Centers and Emergency Shelters): While this program commits to allowing low barrier navigation centers in nonresidential zones, it should be revised to allow them as a use by-right in all zones where multifamily is permitted.

5. *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 B1, the element must include a complete analysis of affirmatively furthering fair housing (AFFH). Depending upon the results of that analysis, the City may need to revise or add or modify goals and actions. 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, must address housing mobility enhancement, new housing choices and affordability in

higher opportunity or relatively higher income areas, place-based strategies for community preservation and revitalization and displacement protection.

6. *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 5A (Monitor At-Risk Affordable Housing Units): The program should be revised to include proactive outreach to owners of properties with rental restrictions. In addition, the element should include actions to ensure compliance with State Preservation Notice Law Government Code sections 65863.10, 65863.11, and 65863.13.

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).)

While the element includes quantified objectives for construction, it must also include estimates for rehabilitation and conservation objectives that are not limited to at-risk properties.

E. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(9).)

While the element includes a summary of public participation including outreach to the community, it must also address specific public comments related to site feasibility and permitting processes.