

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

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February 16, 2023

Kevin Jackson, Director
Planning & Building Department
City of Piedmont
120 Vista Avenue
Piedmont, CA 94611

Dear Kevin Jackson:

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

Thank you for submitting the City of Piedmont's (City) draft housing element update that was received for review on November 18, 2022. 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 conversations on January 6, 2023, and January 12, 2023 with you, Pierce Macdonald, Senior Planner, as well as your consultants, Kathryn Slama and David Bergman. In addition, HCD considered comments from several stakeholders and members of the community, 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.

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 make prior identified sites available or accommodate the regional housing needs allocation (RHNA), including for

lower-income households, shall be completed no later than one year from the statutory deadline. Please be aware, if the City fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until all necessary rezones pursuant to Government Code sections 65583, subdivision (c)(1) and 65583.2, subdivision (c) 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 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.

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

HCD appreciates the hard work and dedication you, Pierce Macdonald, as well as your consultants, Kathryn Slama and David Bergman, provided in preparation of the City's housing element. If you have any questions or need additional technical assistance, please contact Shawn Danino, of our staff, at shawn.danino@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

Enclosure

APPENDIX CITY OF PIEDMONT

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

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

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

While the element includes analysis of past programs' accomplishments over the previous planning period (pp. D-19 to 24), it should also evaluate the cumulative effectiveness of the previous housing element's programs to address the housing needs of special needs populations.

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 and Enforcement: While the element mentions the City does not have any pending legal matters related to fair housing laws such as lawsuits or settlements (p. F-3), it should also discuss how the City proactively complies with fair housing laws and regulations. Examples include Government Code sections 65008 and 8899.50. For additional information, please see HCD's guidance memo at <https://www.hcd.ca.gov/planning-and-community-development/affirmatively-furthering-fair-housing>.

Income and Racially Concentrated Areas of Affluence (RCAs): While the element includes some broad discussion of RCAs (p. F-15), it should include specific analysis of income and RCA at a regional level (City compared to the broader region). The analysis should at least address trends, coincidence with other fair housing factors (e.g., race, highest resource, overpayment), effectiveness or absence of past strategies (e.g., lack of publicly assisted housing and lack of multifamily zoning), local data and knowledge and other relevant factors such as past zoning or local initiatives (see

below). The element must add or modify significant and meaningful programs based on the outcomes of this analysis, including actions to improve housing mobility within and beyond City boundaries that are not limited to the regional housing need allocation (RHNA).

Identified Sites and Affirmatively Furthering Fair Housing (AFFH): The element generally discusses identified sites relative to socio-economic categories. For example, the element notes 100 percent of sites intended for lower income households are identified in the highest resource TCAC category and are not located in concentrated areas of poverty but the entire City is the highest resource category and the City does not have any concentrated areas of poverty. Instead, to evaluate whether the inventory AFFH, the analysis should address the location (e.g., neighborhoods, planning areas), number of units by income group, magnitude of the impact and, particularly, any isolation of the RHNA then evaluate how the identified sites are expected to improve and/or exacerbate fair housing conditions. For example, a large portion of the lower-income RHNA is isolated in three remote areas on the boundaries of the City yet a significant portion of the moderate and above moderate RHNA is located throughout the City. The element should evaluate these patterns and based on the outcomes of this analysis, consider identifying additional sites and add or modify programs to promote housing mobility throughout the City (Not limited to the RHNA).

Local Data and Knowledge: The element includes state and federal data but must utilize other sources of local data and knowledge to supplement the data and mapping including planning documents such as locally adopted ordinances, other elements of the general plan, infrastructure assessments, and mobility assessments to fully describe the impacts on fair housing patterns and trends at a local and regional level.

Other Relevant Factors: While the element includes analysis with regards to fair housing on some factors, such as rates of home ownership by race and ethnicity (p. F-31), it must include other relevant factors that contribute to fair housing issues in the jurisdiction, such as zoning, growth control measures, and other initiatives. For instance, the element can analyze historical land use and investment practices, the City Charter, or other information and demographic trends.

Contributing Factors to Fair Housing Issues: Upon a complete AFFH analysis, the element must assess and prioritize contributing factors to fair housing issues and add or modify programs as appropriate.

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).)*

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).)

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).)

Overpayment: While the element identifies the total number of households overpaying for housing (pp. A-54 and 55), it must quantify and analyze the number of lower-income households overpaying for housing by tenure (i.e., renter and owner) and add or modify policies and programs as appropriate.

Extremely Low-Income Households (ELI): While the element includes some information on ELI households relative to race, it should also evaluate tenure, overpayment, resources and strategies available and the gap and magnitude of housing needs to better formulate policies and programs.

Housing Costs: While the element includes information on sales and rental prices (pp. A-52 to 55), rental information from the American Community Survey does not fully reflect market conditions and the element should include additional data sources (e.g., Zillow, Apartments.com).

Special Housing Needs: While the element quantifies (pp. A-28 to 38) the City's special needs populations, it must also analyze their special housing needs. For a complete analysis of each population group, the element should discuss challenges faced by the population, the existing resources to meet those needs (availability of senior housing units, number of large units, number of deed restricted units, etc.), an assessment of any gaps in resources, and proposed policies, programs, and funding to help address those gaps.

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).)*

Realistic Capacity: The estimate of the number of units for each site must be adjusted based on the land use controls and site improvements and other factors. The element appears to identify sites with zoning that allows 100 percent nonresidential development. If so, the calculation of residential capacity should account for the likelihood of 100 percent nonresidential development. For example, the element could discuss existing or planned residential performance standards (e.g., 50 percent of development required to be residential), examine how often 100 percent nonresidential development occurs in the pertinent zone and adjust calculation accordingly or enhance policies and programs to encourage residential development.

Infrastructure: The element describes infrastructure concerns and limitations (p. C-30) such as water and sewer line retrofits and upsizing. However, it must also demonstrate sufficient total water and sewer capacity (existing and planned) to accommodate the regional housing need.

Large Sites: Sites larger than ten acres in size are deemed inadequate to accommodate housing for lower-income households unless sites of equivalent size and affordability were developed in the prior planning period or other analysis demonstrates the suitability of these sites. The element identifies one large site of 11.9 acres (p. B-25). However, the element must also demonstrate the suitability of this site as described above. For example, the element could discuss how parceling will facilitate development with units affordable to lower-income households or how the housing will be incorporated into the overall development as part of a mixed-income approach. Based on the outcomes of this analysis, the element must add or modify programs to encourage housing for lower-income households on large sites.

Nonvacant Sites: The element describes the methodology for selecting nonvacant sites with residential development potential (p. B-9). However, to demonstrate the potential for redevelopment, the element should be revised, as follows:

- *Extent Existing Uses Impede Additional Development:* The element broadly describes potential for development based on parking areas and the age of structures but should further evaluate the existing uses to demonstrate the potential for redevelopment. For example, the element should describe whether the existing uses are anticipated to be razed or if the site will be intensified with existing uses remaining and if so, whether the needed parking is an impediment. The element should also discuss any indicators that the properties will turnover in the planning period such as property owner or developer interest, expiring leases, vacancy, marginal operations, lack of improvements or lack of market demand for the use.
- *Development Trends:* The element lists several recent developments on nonvacant sites and concludes based on these trends, the identified sites will redevelop in the planning period. However, the element should support this conclusion by discussing how the characteristics of recent developments relate to identified sites. For example, the element lists a recent development on a site with an office building but should discuss the similarity to the identified site. For example, the element could discuss how the office building was a two-story building with operating offices, included a similarly situated parking lot and how the parking was replaced.

In addition, if the element relies on nonvacant sites to accommodate more than 50 percent of the Regional Housing Needs Allocation (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).) For your information, absent findings in the resolution as part of adoption 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.

Publicly-Owned Sites: The element identifies four City-Owned parcels to accommodate a large portion of the City's lower-income RHNA and includes some broad discussion of the site characteristics and anticipated specific plan process. However, the element should specifically discuss the extent existing uses impede additional development including timing of any potential relocation or similar activity, any known conditions that

preclude or affect the timing or feasibility of development in the planning period and potential schedule for development. Based on this analysis, the element should add or modify programs with a schedule of actions to facilitate development in the planning period.

Environmental Constraints: While the element generally describes a few environmental conditions within the City (p. C-29), it must describe how these conditions relate to identified sites including any other known environmental or other conditions (e.g., shape, easements, relocation, parking replacement) that could impact or preclude housing development in the planning period.

Accessory Dwelling Units (ADU): The element may utilize ADUs toward the RHNA based on past trends, affordability, resources and incentives and other relevant factors. While the element discusses ADU assumptions toward the RHNA based on past trends, it should also discuss other relevant factors and adjust assumptions as appropriate. Specifically, the analysis should account for the availability of the units for occupancy which was a key issue in the prior cycle as noted in the review and revise portion of the element (See Program 1.D – p. D-4). The analysis should incorporate the information gathered from the prior planning period, adjust assumptions as appropriate and if necessary, identify additional sites.

In addition, for your information, HCD reviewed the City's ADU ordinance and noted some areas inconsistent with statutory requirements. HCD will provide a complete listing of ADU non-compliance issues under a separate cover. As a result, the element should add or modify existing programs to ensure the City's ADU ordinance will be updated to comply with state law.

Electronic Copy of the 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): The element mentions emergency shelters are permitted in Zone B (p. C-10). However, the element should also clarify shelters are permitted without discretionary action and discuss available acreage, including typical parcel sizes and the presence of reuse opportunities. In addition, the analysis should address proximity to transportation and services and any conditions inappropriate for human habitability. In addition, subsequent draft submissions may need to comply with the requirements of Chapter 654, Statutes of 2022 (AB 2339). For more information on timing requirements and these new statutory requirements, please see HCD's memo at <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf>.

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).)*

Site Improvements: While the element includes some broad description of on and off-site improvements (p. C-24), it must list actual standards and analyze their impact on the cost of development.

Housing for Persons with Disabilities: The element concludes that the definition of family used in zoning and land use does not include unrelated individuals and does not unnecessarily constrain living configurations. However, the element should list the definition and analyze the impacts on housing for persons with disabilities. This is particularly important since upon a cursory review, the City's definition appears to have potential constraints on persons with disabilities such as requiring families to be "traditional", "sharing household activities" and requiring a "single written lease". Based on the outcomes of this analysis, the element should add or modify programs to address identified constraints and modify the family definition.

In addition, the element briefly mentions a reasonable accommodation procedure, including some findings of approval. However, based on a cursory review, the procedure has provisions that may act as a constraint on housing for persons with disabilities. For example, the procedure appears to disallow waiving a conditional use permit and the decision-making criteria includes other considerations such as impacts on surrounding uses and equivalent level of benefit that will not result in exceptions to development standards. The element should specifically evaluate these provisions as potential constraints and add or modify programs to address identified constraint.

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).)*

A large share of the programs lists implementation timelines as "ongoing." While this may be appropriate for some programs, programs with specific implementation actions must include completion dates resulting in beneficial impacts within the planning period. Programs that should be modified to add discrete timing include (but are not limited to) 5.F (Everyone Home), 5.G (Faith Community Participation), 5.H (Housing for ELI Households), and 5.J (Developmentally Disabled Residents).

Additionally, several programs and actions have timelines that should be moved earlier in the planning period to ensure a beneficial impact. Many of these programs' timelines are benchmarked to the date of housing element adoption. Those programs should be revised to reflect actual dates. Examples include Programs 1.D (Allow Religious Institution Affiliated Housing in Zone A), 1.F (Increase Allowances for Housing in Zone B), 1.G (Facilitating Multi-family development in Zone C), 1.H (Increase Allowances for Housing in Zone D), 1.P (General Plan Amendments), and 1.Q (Density Bonus Ordinance).

Additionally, programs must have specific commitment to housing outcomes or deliverables. Several programs include actions with no description of how those actions will be implemented (e.g., "support", "study", "explore", "evaluate", etc.). For example, Program 3.E states that the City will "investigate affordable housing fund" and "meet with Council in 2023 to discuss potential risks and opportunities". However, it does not make any firm commitment to establish an affordable housing fund. Programs should be amended, as appropriate, to include specific commitment. Examples include Programs 1.G (Facilitating Development in Zone C), 1.H (Increasing Allowances in Zone D), 1.O (Gas Station Remediation Study), 2.B (Availability of Small Homes), 3.E (Affordable Housing Fund), 4.F (Capital Improvement Plan Updates), 4.G (Monitoring the Effects of the City Charter), 4.H (Consider Modifying Charter on Zoning Amendments), 4.J (Small Lot Housing Study), 4.K (Small Lot Affordable Housing Study), 5.C (Assistance to Nonprofit Developers), 5.H (Housing for ELI Households), and 5.J (Developmentally Disabled Residents).

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 1.R (Lower-Income Sites to Address Shortfall):* The element commits to rezone sites and address various requirements related to Government Code section 65583.2, subdivisions (h) and (i). However, the Program should also commit to the shortfall of sites, minimum acreage, allowable densities, and development standards that will facilitate maximum allowable densities.

- *Program 1.L (Specific Plan)*: The Program should be revised based on a complete analysis as noted in Finding B3. In addition, the Program should commit to complying with the Surplus Land Act, finalizing necessary entitlements, and issuing building permits by a specified date and evaluating progress by a specified date and if necessary, identifying alternative sites by a specified date to accommodate development in the planning period.
- *Program 4.N (Allow Transitional and Supportive Housing)*: The Program commits to allow transitional and supportive housing similar to other dwellings. But, in addition, the element should specifically commit to permit permanent supportive housing without discretionary action in zones allowing multifamily and mixed-use development and comply with Government Code section 65651.

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 programs with specific actions and timelines to assist in the development of housing for lower-income households, including ELI and special needs households, as follows:

- *Program 5.C (Assistance to Nonprofit Developers)*: The element should specifically commit to proactively and annually reaching out to developers of affordable housing and identify development opportunities. In addition, the program should commit to establish a package of incentive that will be ready to assist the development of housing for lower-income households such as funding, adopting priority processing, granting concessions and incentives beyond State Density Bonus Law, waiving fees, and assisting with site preparation or predevelopment.
- *Program 5.D (Persons with Development Disabilities)*: The Program should include actions beyond an explanation of the process to retrofit a home. For example, the Program could commit to work with regional providers and non-profit developers to identify development opportunities, pursue funding, develop a pilot program or other actions more geared toward housing outcomes.
- *Program 5.H (ELI Households)*: While the Program commits to “explore” ways to expand housing for ELI households, it should also commit to pursue and establish strategies. In addition, the Program commits to amend zoning to allow SROs but should also commit to appropriate development standards and permit procedures that encourage the use.
- *Program 5.E (Housing Support for Families in Crisis)*: In addition to providing support and referral to County services, the element should also seek to develop opportunities within the City to address the housing needs of special needs populations such as specific efforts within Program 1.L (Specific Plan) or identifying additional sites, capacity, and funding to pursue permanent supportive housing.
- *Program 5.F (Faith Community Participation)*: The Program should go beyond identifying potential partners and commit to establish partnerships and pursue strategies such as providing technical assistance, amending zoning, and

assisting with funding application and coordinating with non-profit agencies and developers.

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 B4, 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:

- *Programs 1.G (Development in Zone C) and 1.H (Housing in Zone D):* These Programs generally commit to increase allowable densities but should also go beyond “consider” or implementing “possible” incentives and specifically commit to establish appropriate procedures and development standards that improve approval certainty and facilitate maximum densities without exceptions. For example, Program 1.G (Development in Zone C) could commit to establish heights of at least five stories and Program 1.H could commit to establish heights of at least seven stories. This is particularly important given the lack of implementation in the prior planning period (p. D-6).
- *Programs 4.G (Monitoring the City Charter) and 4.H (Modifying the Charter):* Program 4.G from the prior planning period (p. D-17) specifically committed to evaluate the effects of the City Charter on multifamily development and take appropriate action to address the constraint. These actions were not limited to the RHNA. In response, the City appears to have taken no action to address this fundamental constraint on housing choices and, as a result, the current programs must have specific commitment to address the constraint. For example, Program 4.H should go beyond “consider modifying” and commit to a schedule of actions to modify the Charter and alternative actions to address the constraint if the Charter is not amended by a specified date.
- *Program 4.P (Residential Care Facilities):* The Program should commit to permit group homes for six or fewer persons as a single-family residential use regardless of licensing. In addition, regarding group homes for seven or more persons, the Program commits to considering other provisions but, instead, should specifically commit to amend procedures and zoning to allow these uses in all residential zones with objectivity to promote 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. *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 must include a complete assessment of fair housing. Based on the outcomes of that analysis, the element must add or modify programs. Programs to AFFH should go beyond status quo actions, include specific commitment, discrete timing, geographic targeting and metrics or numerical targets and should generally address housing mobility, encourage new housing choices in higher resource areas, improve place-based strategies toward community revitalization and protect existing residents from displacement. For example, the element must add significant and meaningful housing mobility actions to promote housing choices and affordability (not limited to the RHNA) and overcome the existing patterns in the City relative to the broader region.

6. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent... (Gov. Code, § 65583, subd. (c)(7).)*

The element includes many meaningful actions to promote the creation of ADUs. However, the element should also commit to monitor the production and affordability of ADUs at least twice in the planning period and take appropriate action such as adjusting assumptions or rezoning within a specified time (e.g., 1 year) if assumptions are not realized.

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 City made considerable effort to include the public through workshops and surveys and included some broad responses to public comments under a separate City Council staff report, moving forward, the City should employ additional methods for public outreach efforts in the future, particularly to include lower-income and special needs households or representatives. For example, the City could conduct targeted stakeholder interviews or establish a committee representative of lower-income households in future public outreach efforts. In addition, the element explains various public comments but should also discuss how those comments were incorporated into the elements.