

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

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September 17, 2021

Oscar Orci, Director
Department of Development Services
City of Long Beach
411 W. Ocean Blvd.
Long Beach, CA 90802

Dear Oscar Orci:

RE: Review of City of Long Beach's 6th Cycle (2021-2029) Draft Housing Element

Thank you for submitting the City of Long Beach's (City) draft housing element received for review on July 20, 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 telephone conversation on September 10, 2021, with Alison Spindler-Ruiz, Advance Planning Officer, along with City staff and the consulting team. In addition, HCD considered comments from Abundant Housing L.A., Legal Aid Foundation of Los Angeles, Our Future Los Angeles, and YIMBY Law, 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 revisions needed to comply with State Housing Element Law.

To remain on an eight-year planning cycle, the City must adopt its housing element within 120 calendar days from the statutory due date of October 15, 2021 for Southern California Association of Governments (SCAG) localities. If adopted after this date, Government Code section 65588, subdivision (e)(4), requires the housing element be revised every four years until adopting at least two consecutive revisions by the statutory deadline. For more information on housing element adoption requirements, please visit HCD's website at: http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb375_final100413.pdf.

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 County to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.

HCD is 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 Colin Cross, of our staff, at (916) 820-1275 or colin.cross@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannan West". The signature is fluid and cursive, with the first name "Shannan" being more prominent than the last name "West".

Shannan West
Land Use & Planning Unit Chief

Enclosure

APPENDIX CITY OF LONG BEACH

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.)

Special Needs Housing: As part of the evaluation of programs in the past cycle, the element must evaluate the cumulative 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).

Coastal Zone Housing: The element does not address this statutory requirement. To determine whether the City's affordable housing stock in the coastal zone is being protected and provided as required by Government Code section 65588, the element must include:

1. The number of new housing units approved for construction within the coastal zone since January 1982.
2. The number of housing units for persons and families of low- and moderate-income required to be provided in new housing developments either within the coastal zone or within three miles.
3. The number of existing residential dwelling units occupied by low- and moderate-income households required either within the coastal zone or three miles of the coastal zone that have been authorized to be demolished or converted since January 1982.
4. The number of residential dwelling units for low- and moderate-income households that have been required for replacement.

B. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing (AFFH) 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).)*

Site Inventory: The element contains an analysis of the site inventory that addresses some AFFH requirements. However, the analysis does not fully identify whether sites improve or exacerbate conditions or whether the sites are isolated by income group. The element states “a majority of the eastern side of the City is highest or high resource, while the western section of the City is a mix of moderate and low resource areas and areas of high segregation and poverty. Most of the sites identified are located on the western side of the City” (p. F-40). A complete analysis should address this pattern, analyzing the income categories of identified sites, the number of sites and units by income and how that effects the existing patterns for all components of the assessment of fair housing (e.g., segregation and integration, access to opportunity). The element should also discuss how the sites strategy can increase opportunity in the identified areas, and how access to higher-resource areas might be created despite containing few identified sites and the exclusion of the Founding and Contemporary Neighborhood (FCN) PlaceType from consideration in the inventory. Depending on the results of a complete analysis, the element should add programs as appropriate.

Local Data and Knowledge: The element should incorporate local data and knowledge of the jurisdiction into the AFFH section. To assist in meeting this requirement, the element should provide local data not captured in regional, state, or federal data analysis.

Other Relevant Factors: The element must include other relevant factors that contribute to fair housing issues in the jurisdiction. For instance, the element can analyze historical land use and investment practices or other information and demographic trends.

Contributing Factors: While the element identifies many contributing factors to fair housing issues, these contributing factors should be prioritized to demonstrate the most salient issues to Long Beach. The analysis shall result in strategic approaches to inform and connect goals and actions to mitigate contributing factors to affordable housing.

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 to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.

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 (ELI) households. (Gov. Code, § 65583, subd. (a)(1).)*

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 identify the projected housing needs for ELI households and include analysis to better formulate policies and programs. For example, the element could analyze tenure, cost burden, overcrowding and other household characteristics then examine the availability of resources to determine gaps in housing needs. The projected housing need for ELI households can be calculated by using available census data to determine the number of very low-income households that qualify as ELI households or presume that 50 percent of the regional housing need allocation (RHNA) for very low-income households qualify as ELI households. 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).)*

While the element describes and analyzes the age of the housing stock, it must also include an estimate of the number of units in need of rehabilitation and replacement.

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).)*

Site Inventory: The parcel listing (pp. C-19 – C-50) should describe the existing use of each site sufficiently to facilitate analysis of the potential for additional development in the planning period. The listing should also break down the anticipated affordability of the units by income category. Units are currently listed as being “market rate” or “below market rate” without addressing the RHNA income categories of above moderate-income, moderate-income and lower-income households.

Realistic Capacity: For most zones, the element assumes a realistic capacity of 75 percent of the maximum yield (p. C-5), given various development standards. The element should support this assumption with a listing of projects that have developed at such densities in those zones. These project listings should include the affordability of those developments by income category.

Additionally, the inventory relies on zones that allow nonresidential uses, such as the NSC PlaceTypes. The realistic capacity calculations for these zones should account for the possibility of nonresidential development on sites in those zones and adjust the estimates for the inventory if necessary. The estimates must also account for land use controls, such as whether these zones allow 100 percent nonresidential uses. To demonstrate the likelihood for residential development in nonresidential zones, the element could describe any performance standards mandating a

specified portion of residential and any factors increasing the potential for residential development such as incentives for residential use, and residential development trends in the same nonresidential zoning districts. For example, the element could analyze all development activity in these nonresidential zones, how often residential development occurs and adjust residential capacity calculations, policies, and programs accordingly.

Suitability of Nonvacant Sites: The element must analyze the extent to which existing uses may impede additional residential development and include 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.

In addition, the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households. For your information, the housing element 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.

Small Sites: For small parcels anticipated to be consolidated, the element must demonstrate the potential for lot consolidation. For example, the analysis could describe the City's role or track record in facilitating small-lot consolidation, policies or incentives offered or proposed to encourage and facilitate lot consolidation, conditions rendering parcels suitable and ready for redevelopment, recent trends of lot consolidation, and/or information on the owners of each aggregated site.

Accessory Dwelling Units (ADU): The element assumes an average of 350 ADUs per year will be constructed during the planning period, for a total of 2,800 ADUs. The element's analysis and programs do not support this assumption. For example, based on HCD records, the City is averaging about 159 ADU permits per year. To support assumptions for ADUs in the planning period, the element should reconcile trends with HCD records, reduce the number of ADUs assumed per year as appropriate and include additional information such as resources and incentives, other relevant factors and modify policies and programs as appropriate. The element should support its ADU assumptions based on the number of ADU permits issued. Further, the ADU assumptions being used to meet the RHNA should be broken down by income category. The element references the ADU affordability analysis prepared by SCAG (p. C-2) but should also apply those income category assumptions to the potential ADUs included in the inventory.

Suitability and Availability of Infrastructure: The element must demonstrate sufficient existing or planned water, sewer, and other dry utilities supply capacity, including the availability and access to distribution facilities to accommodate the City's regional housing need for the planning period.

In addition, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. The element should discuss compliance with these requirements and if necessary, add or modify programs to establish a written procedure by a date early in the planning period. For additional information and sample cover memo, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/other-requirements/priority-for-water-sewer.shtml>.

Electronic Site Inventory: Pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/community-development/housing-element/index.shtml> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov.

Sites with Zoning for a Variety of Housing Types:

- *Emergency Shelters:* The element mentions emergency shelters are permitted with an administrative permit in the IG zone. The element should also discuss available acreage in the zone, 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.
 - *Transitional and Supportive Housing:* The element describes transitional and supportive housing as a residential use, only subject to the same conditions for similar uses in the same zone. However, the element also indicates transitional and supportive housing are excluded from mixed-use zones. Transitional and supportive housing must be permitted in all zones allowing residential uses. The element should describe consistency with this requirement or add or modify programs as appropriate.
 - *Manufactured Housing:* The element indicates manufactured homes are not allowed in the R-2-A and should either discuss how excluding this use complies with Government Code section 65852.3 or add or modify programs.
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 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 for congregate care and residential care facilities. Based on the outcomes of this analysis, the element should include programs to address identified constraints.

State Density Bonus Law: The element notes (p. 62) the City is in the process of updating a density bonus ordinance, but it should also discuss consistency with state requirements and add or modify programs if necessary.

Fees and Exaction: The element identifies all required planning fees but should also analyze their impact as potential constraints on housing supply and affordability. For example, the analysis could identify the total amount of fees and their proportion to the development costs for both single family and multifamily housing. For additional information and a sample analysis and tables, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/constraints/fees-and-exactions.shtml>.

Local Processing and Permit Procedures: The element identifies the City's Site Plan Review Committee (SPRC) as a potential constraint, citing stakeholder concern about the review process (p. 44). This analysis should evaluate the SPRC in greater detail, including a discussion of the threshold for site plan review, the review process, and the SPRC's approval findings. Depending on the results of this analysis, the element should include programs as appropriate.

On/Off-site Improvements: While the element identifies some improvement requirements, it should ensure that all requirements are identified, describe the specific requirements in further detail, and analyze their impact as potential constraints on housing supply and affordability.

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.

Constraints on Housing for Persons with Disabilities: The element details that residential care facilities serving six or fewer persons are permitted in all residential zones. However, residential care facilities serving seven or more persons require a conditional use permit and are excluded from some residential zones. The element should analyze these requirements as potential constraints on housing for persons with disabilities and add or modify programs as appropriate.

In addition, the housing element provides the City's definition of family, stating "the definition of family does not present a constraint to housing for persons with disabilities" (p. D-25). This statement alone is not adequate to demonstrate that the definition is not a constraint. The element should include analysis and add or modify programs as needed.

Zoning and Fees Transparency: The element must clarify its compliance with new transparency requirements for posting all zoning, development standards and fees on the City's website or add or modify programs.

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

Approval Time and Requests for Lesser Densities: The element must include analysis of requests to develop housing at densities below those identified, the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially. The element must address any hinderance on the development of housing and include programs as appropriate.

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).)*

While the element quantifies the number of most special-needs populations, it must also quantify and analyze the number of permanent and seasonal farmworkers (e.g., USDA county-level data).

8. *Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next 10 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).)*

The element includes an analysis of at-risk units that addresses some requirements. However, the element should expand the qualified entities identified for potential preservation of at-risk units. For more information on qualified entities, please see <https://www.hcd.ca.gov/policy-research/preserving-existing-affordable-housing.shtml>.

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, objectives, and specific commitments, including:

- Program requiring a specific commitment include Actions 1.4.2 (Public Land for Affordable Housing), 1.4.3 (Allowable Land Uses in Tidelands), 1.4.4 (City-owned Zoning), 1.5.1 (Religious Facility Housing Overlay), 3.1.3 (Tenant-Based Rental Assistance Programs), 3.3.7 (Homeownership Assistance), 4.1.4 and 4.1.5 (Continuum of Care), 5.4.3 (Comprehensive Code Enforcement), and 7.2.2 (Dedicated Rental Housing Staff).
- Programs requiring specific objectives include Programs 3.4 (New Funding Mechanisms for Affordable Housing), 4.1 (Continuum of Care), 5.2 (Tenant Protection), and 5.4 (Comprehensive Code Enforcement). Objectives should be quantified when possible.
- Programs requiring discrete timelines include Actions 1.1.4 (Adequate Sites for RHNA), 1.1.5 (Assistance to Developers), 1.6.3 (Affordable Housing Development Assistance), 2.1.4 (Development Incentives) and 6.3.1 (Voucher Mobility).

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:

- *Rezoning:* Program 1.1 (Adequate Sites for RHNA) commits to rezoning sites to accommodate the City's RHNA but must also comply with all by-right provisions pursuant to Government Code section 65583.2, subdivisions (h) and (i).
- *Accessory Dwelling Units:* Action 1.7.3 should be modified to monitor permitted ADUs and affordability every other year and take appropriate action

such as adjusting assumptions or rezoning within a specified time period (e.g., 6 months).

- *Employee Housing*: As noted on page D-24, Action 2.3.1 should clarify that zoning will be amended in compliance with Health and Safety Code section 17021.5.
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 ELI 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 ELI households; assisting, supporting or pursuing funding applications; and outreach and coordination with affordable housing 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 Findings B5 and B6, 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.

Additionally, as noted in Finding B5 and on page 44 of the element, a low threshold for the SPRC is a potential barrier and Program 2.1 (Development Incentives) should be revised with specific comments to address the potential constraint.

5. *Promote AFFH 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 Assessment of Fair Housing (AFH). Depending on a complete analysis, the element may need to add or revise programs as appropriate.

In addition, the element's programs for anti-displacement and new housing in high-opportunity areas do not appear adequate to address the fair housing issues described in the element. The existing programs for anti-displacement are 6.4 (Replacement Housing Requirements), 6.5 (Tenants' Right to Counsel), and 6.6

(Unpermitted ADU Amnesty Program). Programs 6.4 and 6.5 involve coming into compliance with existing state law, and program 6.6 does not satisfy the requirement for specific and meaningful actions toward anti-displacement. Similarly, the element's programs for new housing opportunities include 6.7 (Inclusionary Housing), 6.8 (Community Land Trusts), and 6.9 (Monitoring Housing Production). While important, the element's programs for new housing opportunities in high opportunity areas should consider additional actions. These modified program actions may also depend on the results of a complete AFH.

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, it must also include objectives for ELI households. The element should also add conservation objectives, in addition to objectives for the preservation of units at-risk of conversion to market rate uses.

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 element includes a general summary of the public participation process, it should also summarize public comments and describe how they were considered and incorporated into the element.

In addition, HCD understands the City made the housing element available to the public July 9, 2021, under two weeks before submittal to HCD. By not providing a sufficient opportunity for the public to review and comment on a draft of the element in advance of submission, the City has not yet complied with statutory mandates to make a diligent effort to encourage the public participation in the development of the element and it reduces HCD's ability to consider public comments in its review. The availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD's review. The City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including making revisions to the document where appropriate. HCD's future review will consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element. The City's consideration of public comments must not be limited by HCD's findings in this review letter.