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B-56-57	B-53-54	A.1.a	Needs, Resources, Constraints	Integration and Segregation: The element must be revised to include a regional analysis (e.g., comparing the City as a whole to the broader region) for familial status.	Narrative and charts were added to Appendix B, Section 3.7 Familial Status (household type and households by presence of children); compared to San Mateo County and the region.	
B-3-5 B-8-9	B-3-5 B-8-9			The element should include local data and other relevant factors such as historical zoning and land use potentially resulting in a lack of access to housing choices and affordability.	Expanded discussion is included in Appendix B, Section 1.2, History of Segregation in the Region and 1.3, Foster City Land Use and Zoning History. From its beginnings, Foster City has provided a variety of housing types. Higher density multi-family development in the R-3 and R-4 zoning districts is included in all of the City's residential and mixed-use neighborhoods. Although homes sales started in 1963 with single-family homes, by 1974, the provision of a mix of apartments, townhouses, condominiums, and single-family homes provided housing choices for a wide variety of household sizes and income levels. (p. B-8)	
HE-37, B-8	HE-38, B-8				Foster City has historically accommodated a diversity of housing needs by offering a variety of housing types in all residential neighborhoods—more so than many jurisdictions in the County. Yet home values and rents are much higher in Foster City than in the County and the Bay Area overall. Foster City's fair housing actions that are part of the overall Housing Element are intended to address barriers to housing	

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B-74-81	B-68-75	A.1.b	Needs, Resources, Constraints	Disparities in Access to Opportunity: The element should analyze whether there is equal access to jobs for residents of all economic segments, in addition to comparing employment trends in the City to patterns in surrounding areas (e.g., lower economic scores in areas bordering the City).	Additional analysis is included in Appendix B, Section 4.2 Employment. When compared to the earnings of employed residents in Foster City, the percentages of jobs in each income category vary only up to 1.5%. This close alignment provides access to jobs for all economic segments, although there are 234 fewer jobs in Foster City in the lowest income category According to the TCAC Opportunity Areas Economic Scores, all of Foster City falls in the two highest resource categories. Foster City compares favorably to nearby cities, which include tracts with lower economic opportunity scores.	
B-100- 105	B-94 - 98	A.1.c.1	Needs, Resources, Constraints: AFFH	Disproportionate Housing Needs Including Displacement: The element should include a regional analysis of cost burden.	In Appendix B, Section 5.2 Cost Burden and Severe Cost Burden, the regional analysis of cost burden was expanded to note that Foster City's rates of cost burden are slightly lower than the County or the Bay Area. Foster City has historically accommodated a diversity of housing needs by offering a variety of housing	

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					types in all residential neighborhoods—more so than many jurisdictions in the County. Yet home values and rents are much higher in Foster City than in the County and the Bay Area overall. Foster City's fair housing actions that are part of the overall Housing Element are intended to address barriers to housing choice by adding affordable housing options and preserving existing housing opportunities. (p. HE-37)	
B-107- 113	B-99 - 103	A.1.c.2	Needs, Resources, Constraints	In addition, the element must include a local (patterns within the City) and regional analysis of overcrowding.	In Appendix B, Section 5.3 Overcrowding, additional analysis is provided of overcrowding including local patterns and comparison to the region. The vast majority of households (95%) in Foster City are not overcrowded slightly better than the percentage of households that are not overcrowded in San Mateo County (92%) and the Bay Area at large (93%). Additional analysis is provided of the geographic extent of overcrowding, noting that for renter households, the largest number of overcrowded units is in Tract 6080.25 The geographic extent of overcrowding of owner-occupied units appears to be somewhat aligned with the census tracts with larger proportions of Asian population, such as Tracts 6081, 6083, and 6080.24	

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					The increased quantity and distribution of affordable housing as proposed in the Sites Inventory will address disproportionate housing needs of overcrowding by providing more affordable housing in a wider variety of locations in the City. Program H-D-1-b General Plan and Zoning Amendments to Facilitate Housing on Housing Opportunity Sites in the Sites Inventory includes the actions needed to ensure the sites are zoned to facilitate additional housing. Policy H-E-1 includes creating more and retaining existing affordable housing.	
A-39-40, B-114	A-39, B- 104	A.1.c.3	Needs, Resources, Constraints	The element must also include an analysis of where local substandard housing exists geographically.	In Appendix A, Section 5.3, Substandard Housing, additional analysis is provided of the presence or lack of substandard housing and reference is made to Appendix B, Section 5.4 for additional information. In Appendix B, Section 5.4, Substandard Housing, additional analysis is included by census tract showing the percentage of units reporting a lack of complete plumbing or complete kitchen. The Census data corroborates the local knowledge ascertained from the City's building inspectors that there are very few, if any, substandard units.	

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HE-4; HE-60- 63; B- 122-130	HE-4; HE 61- 62; B- 111-118	A.1.d	Needs, Resources, Constraints	Identified Sites and Affirmatively Furthering Fair Housing (AFFH): The element must include a locational analysis (neighborhood by neighborhood) of the regional housing needs allocation (RHNA) by income group and evaluate the impact of identified sites in each area. The element should include an analysis of impacts on existing patterns of socio-economic concentrations and whether sites exacerbate conditions and identify further program actions that will be taken to promote equitable quality of life throughout the community (e.g., anti-displacement and place- based community revitalization strategies).	In Appendix B, Section 6, Site Inventory Analysis, additional information was added analyzing the sites in each census tract for any potential impacts on socio-economic conditions. Most of the units in the Sites Inventory are in census tract 6080.04, which is the central core of Foster City with the best access to transit, services, and jobs. The Sites Inventory provides a balance between expanding the geographic area that includes restricted units to provide additional housing choices and locating new units where there is easy access to transit, services, and jobs. There are no existing patterns of socio-economic concentrations that could be exacerbated by the inclusion or exclusion of housing sites. Programs are included to minimize the potential displacement of tenants in existing affordable units or in existing rental units under Goal H-D Protect the Supply and Affordability of Rental Housing, for example: Programs H-C-2-c (Replacement Unit Requirements), H-C-3-a (Anti-Displacement Plan for Redevelopment of Existing Multifamily Development), H-C-3-b (Anti-Displacement Strategy), H-E-1-a (Existing Unit Purchase Program), H-F-1-a (Facilities and Services for Special Needs), H-F-1-d (Reasonable Accommodation), H-G-1-a (Non-	

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					discrimination) and many other programs are included in the Housing Element. Three programs are identified for geographic targeting:	
					H-F-1-j Public Investment in Accessibility – to target two tracts with slightly higher percentage of population with disabilities. H-B-2-1 Lower Income Homeowner Rehabilitation Loans and H-B-2-b Facilitate Non-Profit Rehabilitation/Maintenance Assistance – to target two tracts with higher owner cost burden.	
A-44-45	A-43-45	A.2.a	Needs, Resources, Constraints	Overpayment: While the element was revised to include extremely low-income households that are overpaying for housing, the element 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.	Appendix A, Section 5.5 and Appendix B, Section 5.2 Cost Burden and Severe Cost Burden includes additional analysis of cost burden by tenure and cost burden by income level. 1,514 households (46%) of the total 3,292 lower income households are extremely cost burdened. An additional 809 households (25%) are cost burdened. Key findings indicate that there are disparities in housing cost burden in Foster City by income, race and ethnicity and by tenure (renters/owners). Policy H-	

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					C-4, 'Rental Assistance Programs' is added to help renters. The increased quantity and distribution of affordable housing as proposed in the Sites Inventory will address disproportionate housing needs of overpayment by providing more affordable housing in a wider variety of locations in the City. Program H-D-1-b General Plan and Zoning Amendments to Facilitate Housing on Housing Opportunity Sites in the Sites Inventory includes the actions needed to ensure the sites are zoned to facilitate additional housing. Policy H-E-1 includes creating more and retaining existing affordable housing. Policy H-C-4, 'Rental Assistance Programs' is included in the Housing Element.	
D-53-54	D-47-48	A.3.a.1	Sites Inventory	Progress in Meeting the RHNA: While the element was revised to address affordability of the number of new units built or pending since June 30, 2022, it must also address the availability of projects in the planning period. The element should describe the status, any barriers to development, and other relevant	A new section, "Progress in Meeting the RHNA" was added to Appendix D starting on p. D-457 This section includes the status of sites in the Sites Inventory indicating that many are either under construction, have submitted applications, or are actively preparing plans for review. A section on "Suitability of Non-Vacant Sites/Realistic Availability' is also added to Chapter 5. The City	

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				factors to demonstrate their availability in the planning period.	looked at several factors to evaluate the potential for redevelopment of these properties.		
HE-85- 86	HE-77- 78	A.3.a.2	Sites Inventory	Lastly, because of the significance of pending and approved projects to meet the City's RHNA, the element should include a program to monitor progress including specific commitments to annually monitor production and affordability of pipeline projects and if necessary, evaluate whether build out will occur as anticipated in the sites inventory at least twice in the planning period. The Program should also commit to identify additional sites by specific dates if necessary.	Program H-A-1-b was revised as follows: No Net Loss/Development Pipeline Monitoring. Evaluate residential development proposals for consistency with the 2023-2031 Housing Element Sites Inventory. If a development approval will cause the Sites Inventory to be unable to accommodate all income levels of the RHNA, then additional site(s) shall be added pursuant to Government Code Section 65863(b)(1). No later than December 2023, the City will develop a procedure to monitor the development of proposed projects and vacant and non-vacant sites in the Sites Inventory and ensure that adequate sites are available throughout the 6th Cycle Planning Period to meet the remaining RHNA by income category to implement "no net loss" requirements. The City will monitor and report on the "no net loss" requirement on an annual basis with the Annual Progress Report. The procedure will monitor: 1) Unit count and income/affordability assumed on parcels included in the sites inventory as proposed projects, vacant, and underutilized sites.	H-A-1-b	

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					 Actual units constructed and income/affordability when parcels are developed. Net change in capacity and income/affordability and a summary of remaining capacity and income/affordability in meeting the City's remaining RHNA. Within one year of report on the "no net loss", if necessary, make adjustments (e.g., incentives, rezonings, etc.) or identify additional sites. Responsible Agency: City Council, Planning Commission, Community Development Department Timeframe: Develop procedure for monitoring by December 2023 and provide information annually by April 1 as part of General Plan Annual Progress Report Performance Metric(s): Maintenance of Sites Inventory sufficient to accommodate the RHNA Funding Source: General Fund 	
D-6-8	D-6-8	A.3.b	Sites Inventory	Sites Inventory: The element must clarify whether the listed capacity is the total capacity (maximum allowable) or includes realistic capacity assumptions.	A new section on "Realistic Capacity" was added to Appendix D explaining that the listed capacity in the Sites Inventory is the realistic capacity. The introductory paragraph for the Sites Inventory table used in various places in the Housing Element was clarified to indicate "realistic capacity."	

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D-6-8	D-6-8	A.3.c	Sites Inventory	Realistic Capacity: While the element provides assumptions for buildout on each site, support must be provided for assumptions. Many of the sites are on parcels with existing apartment developments. Many of the sites assumes 100 percent of base zoned density for the multifamily units in the Beach Cove, Franciscan, Harbor Cove, Sand Cove, Lagoons, Eaves Apartments, and Shadow Cove sites. The analysis must provide substantial support and demonstrate a significant history of developing at maximum density. In addition to the information provided, the listing should include all multifamily development by allowable density and use of any exceptions to allowable densities. The analysis should also utilize gross allowable densities. Alternatively, the element could rescale assumptions (e.g., 80 percent of maximum allowable densities) or utilize minimum densities. Lastly, the element must clarify whether it is	Additional information was included in Appendix D in support of the analysis of realistic capacity, including: • more information on the density of previous approvals • the proposed increase in allowed density in the Civic Center Mixed Use designation • revised table of Multi-Family Development Densities: 2002-2022 showing 1) a significant history of development at or above the densities used for realistic site capacities, 2) gross densities and net densities, 3) added notes to identify use of density bonus to allowable densities. For the two (2) of the twelve (12) sites without expressed owner interest in adding housing units within the planning period, the capacity in the Sites Inventory has been reduced: • Franciscan from 104 to 83 units • Lagoons from 161 to 121 units Additional explanation of the Planned Development	
				assumed that projects will have to utilize the planned development (PD) process and therefore have	process is provided in Appendix C and Chapter 4. The PD process allows the applicant to choose to comply with the objective standards in the base	

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				additional discretionary requirements.	zoning or choose to request flexibility in those standards.		
D-15-19	D-15-16	A.3.d.1	Sites Inventory	Suitability of Nonvacant Sites: While the element states there is general interest from some property owners and existing leases will not prevent additional residential development, the discussion should address any barriers to redevelopment in the planning period.	Additional analysis and explanation is added in the section "Suitability of Non-Vacant sites" in Appendix D. Discussion is included analyzing the specifics for each site regarding why its nonvacant status is not an impediment to housing development. After analysis of each site, it is noted that the nonvacant status is not an impediment for any of the sites. Barriers to redevelopment include factors applicable to any development such as availability of financing and time required for the entitlement process. In addition, a new section, "Progress in Meeting the RHNA" was added to Appendix D starting on p. D-47. This section includes the status of sites in the Sites Inventory indicating that many are either under construction, have submitted applications, or are actively preparing plans for review. To address governmental constraints that are not site specific, Program H-D-3-a is included to Update Planned Development Process, H-E-3-b for Financing and Subsidy Programs, H-E-3-c for Cooperative Ventures, H-D-6-d or Development Impact Fee Waiver and various programs to reduce		

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					regulatory constraints, including H-D-6-a, H-D-6-b, and H-D-6-c.	
D-46-48	D-42-43	A.3.d.2	Sites Inventory	In addition, the 1010 Metro Center site states that realistic capacity was reduced by 50 percent because 100 percent commercial is allowed. The element should discuss likelihood of residential development in addition to the letter of interest from the owner.	Comments were added to Appendix D regarding why it is very likely that the site will be redeveloped with a mix of commercial and residential uses. Given that there are no existing uses on the site makes it very likely that the site will be redeveloped with a mix of commercial and residential uses. The owner has been unable to secure a commercial tenant for several years. The site is one of the best located commercial or housing sites in the City with direct freeway access as well as convenient access to services, transit, parks and civic amenities. Development of the site will not impact existing residential neighborhoods.	
D-15-19 HE-61- 64	D-15-18 HE-53- 56	A.3.e	Sites Inventory	In addition, if the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households, the housing element must demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in the planning	Additional explanation of why the existing uses are not an impediment to development has been added to Chapter 5 Housing Resources and Sites, Appendix D in the section on Suitability of Non-Vacant Sites, and in the specific discussion for each site. Discussion is included analyzing the specifics for each site regarding why its nonvacant status is not an impediment to housing development. After analysis of each site, it is noted that the nonvacant status is not an impediment for any of the sites. Barriers to redevelopment include factors applicable	

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				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.	to any development such as availability of financing and time required for the entitlement process. To address governmental constraints that are not site specific, Program H-D-3-a is included to Update Planned Development Process, H-E-3-b for Financing and Subsidy Programs, H-E-3-c for Cooperative Ventures, H-D-6-d or Development Impact Fee Waiver and various programs to reduce regulatory constraints, including H-D-6-a, H-D-6-b, and H-D-6-c. Findings based on substantial evidence are included in the draft adoption resolution.			
HE-113; C-34-35	HE-103; C-33	A.3.f.1	Zoning for a Variety of Housing Types	Emergency Shelters: While the element stated that there is sufficient capacity in the PF, C-1, and C-2 zones, it must demonstrate the permit processing, development, and management standards for emergency shelters are objective and	The amendment of the City's regulations for emergency shelters in Chapter 17.82 for consistency with AB 2339 is proposed to be adopted concurrently with the Housing Element. The discussion in	H-F-2-d		

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				encourage and facilitate the development of, or conversion to, emergency shelters. In particular, the element describes a maximum of ten beds, a maximum stay of 60 days, and parking requirements that do not appear to comply with statutory requirements pursuant to Government Code section 65583, subdivision (a)(4)(A). A program must be added to specifically address these constraints.	Appendix C has been revised to reflect this. A copy of the proposed changes is provided in Appendix H. Program H-F-2-d has been revised to amend Chapter 17.82 as necessary to comply with State law upon adoption of the Housing Element: H-F-2-d Emergency Shelter Zoning. The City will allow emergency shelters as provided in Chapter 17.82 that allows a year-round emergency shelter as a permitted use in Neighborhood Business (C-1), General Business (C-2), and at churches/synagogues in the Public Facilities (PF) Zoning District. The City will amend Chapter 17.82 as necessary to comply with State law, including AB 2339 limiting parking requirements to not require more parking than other residential or commercial uses within the same zone and changing the maximum number of beds to twenty-five (25), upon adoption of the Housing Element. Responsible Agency: Community Development Department Timeframe: Amend Chapter 17.82 by the end of 2024 upon adoption of the Housing Element (see Appendix H). Performance Metric(s): Number of emergency shelters allowed Funding Source: General Plan Maintenance Fund	

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HE-114	HE-103	A.3.f.2	Constraints	Low Barrier Navigation Centers: The element was revised to state that low barrier navigation centers are allowed in the same zones as emergency shelters. 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.	Zoning amendments for LBNCs adopted in January 2023 allow LBNCs in C-1 and PF. See Ordinance 657 in Appendix H. Program H-F-2-e has been revised to amend zoning regulations to allow LBNCs in R-3, R-4, R-T, CM/PD, C-2 as follows: H-f-2-e Low Barrier Navigation Centers. In addition to the amendments included in Ordinance 657 to allow LBNCs in C-1 and PF Districts, amend the Zoning regulations to allow low-barrier navigation centers (low-barrier, service-enriched shelters focused on moving people into permanent housing that provide temporary living facilities) by right in the R-T, R-3, R-4, C-2, and CM/PD zoning district(s), consistent with AB 101 (2019). Responsible Agency: Community Development Department Timeframe: by December 2023 Funding Source: General Fund	H-F-2-e
C-33	C-30, 31	A.3.f.3	Zoning for a Variety of	Transitional and Supportive Housing: While the element states transitional and supportive housing is allowed in all zones allowing residential uses	The inclusion of a reference to criteria was in error. The text on page C-30 and C-31 is amended as follows:	H-F-3-a H-F-3-b

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			Housing Types	where certain criteria are met, it must describe whether these criteria are in addition to what is required of other residential uses. If different, the element must include a program to address the constraint.	Foster City's zoning regulations were amended in January 2023 by Ordinance 657 to allow transitional and supportive housing as permitted uses by right in all of the residential and the C-2 mixed use zoning districts as well as the nonresidential zoning districts where certain criteria are met. Programs H-F-3-a and H-F-3-b are revised as follows:	
HE-114	H-103				H-F-3-a Transitional and Supportive Housing Zoning. Enforce the existing zoning regulations as amended in January 2023 by Ordinance 657 that allow transitional and supportive Housing, as required by State law, so they are treated as a residential use that will be subject only to the same restrictions that apply to other residential uses of the same type in the same zone. Responsible Agency: Community Development Department Timeframe: Ongoing Funding Source: General Fund	
HE-114	H-103- 104				H-F-3-b Supportive Housing. Review and revise the Zoning regulations as amended in January 2023 by Ordinance 657 for consistency with AB 2162, effective January 1, 2019, requiring supportive housing by-right in certain zoning districts. Responsible Agency: Community Development Department	

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					Timeframe: Amend regulations by December 2023 Funding Source: General Fund	
HE-109- 110	HE-99	A.3.f.4	Zoning for a Variety of Housing Types	Single Room Occupancy (SRO) Units: While the element added Program H-E-9-b (Small Housing Units), the program must clarify which zones will allow SROs, development standards and how they will be permitted.	Program H-E-9-b is revised as follows: H-E-9-b Small Housing Units. Amend the Zoning regulations to specifically allow housing targeted for extremely low-income households, including single room occupancy (SROs) and group homes for these income groups in the CM/PD, C-2, and PF zoning districts. Responsible Agency: Community Development Department Timeframe: Amend zoning regulations by December 2024 Performance Metric(s): Facilitate ten (10) rental units less than 500 square feet by 2031 Funding Source: General Plan Maintenance Fund	H-E-9-b
HE-101	HE-91	A.3.f.5	Zoning for a Variety of Housing Types	Accessory Dwelling Units (ADUs): While the element includes Program H-D-4-a ADUs, it must commit to updating the City's ADU ordinance to comply with state law within a specific timeframe (e.g., 6 months).	Program H-D-4-a is revised as follows: H-D-4-a ADUs. Continue implementation of Chapter 17.78, Accessory Dwelling Units. Update the City's ADU ordinance to comply with State laws by December 2023 and subsequently update the City's	H-D-4-a

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					regulations to comply with new State laws within six months of being effective. Responsible Agency: Community Development Department Timeframe: Update Chapter 17.78 to comply with 2023 State laws by December 2023 and update the City's regulations to comply with subsequent new State laws within 6 month of being effective. Quantifiable Objectives: 24 ADUs by 2031 Funding Source: General Plan Maintenance Fund	
HE-51- 54 HE-104- 105	HE-45- 48 HE-94- 95	A.4.a	Constraints	Land Use Controls: While the element commits to revising minimum unit sizes, it should evaluate other various development standards for impacts on housing costs, feasibility, and the ability to achieve maximum densities. This analysis should specifically address minimum lot sizes, open space requirements.	Key findings from the expanded analysis of constraints in Appendix C Constraints are included in Chapter 4. Programs H-D-6-b, H-D-6-c, H-D-6-e and H-D-6-f are included to amend the Zoning regulations, including the revisions highlighted in yellow, specifically including amendment of minimum lot sizes, coverage, open space and setback requirements by December 2023: Programs H-D-6-b, H-D-6-c, H-D-6-e, and H-D-6-f are revised as follows: H-D-6-b Minimize Zoning Constraints. Evaluate zoning regulations that discourage the development of diverse housing types, including smaller, more affordable units and two- and three-bedroom units suitable for families and children. Amend City codes, including rescinding minimum floor areas in Chapter	H-D-6-b H-D-6-c H-D-6-e H-D-6-f

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					17.56, provide that manufactured homes are permitted in single-family districts, and other amendments to encourage diverse housing types. Responsible Agency: Community Development Department, Planning Commission, City Council Timeframe: Rescinded minimum floor areas in Chapter 17.56 and provided for manufactured homes by January 2023 (see Appendix H); amend zoning regulations to further encourage diverse housing types by December 2024 Performance Metric(s): Number of City codes amended Funding Source: General Plan Maintenance Fund H-D-6-c Amend Parking Requirements. Amend parking requirements for multi-family housing as necessary, including but not limited to setting a maximum of two stalls per unit and reducing guest parking requirements by 50%, to allow General Plan densities and to reduce housing costs and provide appropriate parking requirements for elderly, developmentally disabled, or other special needs populations. Responsible Agency: Community Development Department, Planning Commission, City Council Timeframe: Report with recommendations to Planning Commission and City Council by December	

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				Funding Source: General Plan Maintenance Fund H-D-6-e Multi-Family Objective Design Standards. Amend the Zoning regulations, including but not limited to R-3 and R-4, to include objective design standards and objective approval findings for new and redeveloped multi-family or mixed-use developments to address building design as well as provision of open space and recreational amenities, including amendment of lot size, coverage, setbacks, open space and other requirements to ensure the densities allowed by the General Plan can be achieved in compliance with the Housing Accountability Act. Responsible Agency: Community Development Department, Planning Commission, City Council Timeframe: Adopt objective design standards and amend zoning regulations by December 2023 Funding Source: General Plan Maintenance Fund	
				H-D-6-f SB9 Objective Design Standards. Amend the Zoning and Subdivision regulations to include objective design standards in compliance with SB9 to allow additional housing units on single-family parcels.	

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					Responsible Agency: Community Development Department, Planning Commission, City Council Timeframe: Amend zoning regulations by December 2024 Funding Source: General Plan Maintenance Fund	
C-24 HE-52	C-23	A.4.b	Constraints	Fees and Exaction: While the element was revised to list planning fee deposits, it must also list typical fees for multifamily and single-family developments and evaluate them for impacts on housing development costs.	Evaluation of fees was added to Appendix C and Chapter 4. Typical fees for a typical multi-family and single-family unit are provided and compared to other jurisdictions in Table 7 and 8 of Appendix C: Constraints. A summary of the fees analysis is included in Chapter 4 and a section, "Fees Summary", was added in Appendix C noting that: Most, if not all, developers consider any fee a significant constraint to the development of affordable housing. Although the various fees account for a significant portion of the development cost, the fees collected are necessary to pay for much needed infrastructure and to help mitigate new growth throughout the city. Foster City's fees are higher than the median but within the interquartile range for single-family and multi-family units in a small project but are significantly lower than the median and the quartile 1 for multi-family units in a large project. Impact fees are also charged to cover	

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					the cost of providing municipal services or mitigating project impacts. Program H-D-6-d, Development Impact Fee Waiver is included.	
HE-53	HE-47	A.4.c	Constraints	Zoning and Fees Transparency. While the element includes information about processing times, it must also clarify its compliance with new transparency requirements for posting all zoning and development standards for each parcel on the jurisdiction's website pursuant to Government Code section 65940.1(a)(1).	A statement was added on page HE-45 noting that the City maintains public Information on the City's website to assist applicants, consistent with Government Code Section 65940.1(a)(1)(B), including information on fees, zoning and development standards, application requirements, fee reports, and nexus studies. This information is provided at: https://fostercity.org/commdev/page/residential-development-standards-and-fees . Topics included on this page are: Current Master Fees & Service Charges Schedule Housing Affordability Requirements Zoning and Development Standards Fee and Nexus Studies Development Impact Fees Mitigation Fee Act Reports	

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					Development Application Submittal Requirements	
HE-51- 53 C-25-29	HE-45-47 C-23-28 HE-93-94	A.4.d.1	Constraints	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. The analysis should address impacts on housing cost, supply, timing, and approval certainty. The element should also describe and evaluate the findings for a conditional use permit (CUP) if applicable to typical single family and multifamily developments that meet zoning requirements.	Key findings on Permit Processing are included in Chapter 4 and additional analysis regarding 'local processing and permit procedures' is added to Appendix C. In conclusion, Foster City's development and permitting process Is not a constraint to housing development, (HE-45) Typical procedures are described in Appendix C in the section on "Process Overview". The procedures and timing for a typical single-family and multi-family development is described in Table 14 and in the accompanying narrative. Findings are listed. Program H-D-6-a is revised as follows: H-D-6-a Minimize Governmental Constraints. The City will review the entire development process and remove any governmental and regulatory constraints to the production of affordable housing, including streamlining the preliminary review process and to	H-D-6-a

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					allow more types of projects to be approved at the staff level. The City will: 1) engage with affordable housing developers to identify governmental constraints, 2) continue to evaluate and improve the streamlined processing system to facilitate residential development, and 3) streamline 100% affordable housing with a priority staff-level planning entitlement process. Responsible Agency: Community Development Department, Public Works Department, Planning Commission, City Council Timeframe: Engage with affordable housing developers by December 2024, amend zoning code to streamline processing system by December 2025; repeat in 2028 Performance Metric(s): Number of zoning requirements, fees, processing timelines and review procedures removed related to affordable housing Funding Source: General Plan Maintenance Fund Description of Conditional Use Permit, process and findings is included in Appendix C. No Conditional Use Permit is required for single-family in R-1 and R-2 zones and multi-family dwellings in R-T, R-3, R-4, and R-5 and mixed-use zones, regardless of height. A conditional use permit for residential use is required in C-2 district as this zone is meant for general business.	

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C-26	C-25-26	A.4.d.2	Constraints	In addition, the element should clearly describe whether the PD process is required or optional to applicants. If required, the element should include specific analysis of the impacts of absence of fixed development standards on housing supply (number of units), cost, timing, feasibility and approval certainty.	A more complete description was added to Appendix C describing the PD process. The applicant can choose to comply with the objective standards in the base zoning or may request flexibility in those standards. The PD combining district provides a vehicle for encouraging flexibility in design standards and is not considered a constraint.	
HE-105	HE-95	A.4.e	Constraints	Design Review. While Program H-D-6-e (Multifamily) states it will study design review, it must include a specific commitment to address identified constraints (i.e., lot size, coverage, setbacks, open space).	Program H-D-6-e is revised as follows: H-D-6-e Multi-Family Objective Design Standards. Amend the Zoning regulations, including but not limited to R-3 and R-4, to include objective design standards and objective approval findings for new and redeveloped multi-family or mixed-use developments to address building design as well as provision of open space and recreational amenities, including amendment of lot size, coverage, setbacks, open space and other requirements to ensure the densities allowed by the General Plan can be achieved in compliance with the Housing Accountability Act.	H-D-6-e

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C-9-12	C-9-12	A.4.f	Constraints	Inclusionary Requirements: While the element was revised to state the inclusionary requirements are feasible based on a study, it should analyze the requirements and its impacts as potential constraints on the development of housing for all income levels and mandated affordability levels.	Additional analysis of inclusionary requirements was provided in Appendix C and Chapter 4. While inclusionary zoning is intended to have a positive impact on housing affordability by increasing the supply of affordable units, it has the potential to add to the cost of market rate housing. In March 2022, City adopted Below Market Rate Inclusionary Program. The specific income level requirements were based on an analysis of the financial feasibility of inclusionary housing requirements utilizing market data and cost information, as well as a comparison with neighboring jurisdictions to ensure that the requirements do not unduly constrain the production of housing.	
C-7-9	C-7-9	A.4.g	Constraints	Codes and Enforcement: While the element was revised to describe which building code is enforced, it must also describe the City's code enforcement process and procedures (i.e. proactive or complaint based) and analyze their impact as potential constraints on housing supply and affordability.	A new section on code enforcement was added to Appendix C describing the code enforcement process and procedures and analyzing for potential constraints on housing supply and affordability. The conclusion is that code enforcement is not a constraint to housing supply or affordability.	

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		B.1	Housing Programs	To address the program requirements of Government Code section 65583, subd. (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:	(Note: comments and responses related to programs have been ordered by program number.)		
HE-99- 100	HE-90- 91	B.1.a	Housing Programs	Program H-D-2-a (Potential Re-Use of Commercial Sites): While the program will evaluate progress midcycle, it must also commit to implement the amendments with a discrete timeline.	Program H-D-2-a is revised as follows: H-D-2-a Potential Re-Use of Commercial Sites. The City will reevaluate the land use designations for the City's neighborhood shopping centers or other commercial sites biannually beginning in 2026 or 1) if approvals of development trigger the "no net loss" requirements; 2) if the owner initiates redevelopment of a commercial site, 3) any of the commercial activities become not viable. If residential or mixeduse developments are considered, criteria for determining the appropriate housing types include: 1. The type of street (major, collector, etc.) which would provide access to the site and levels of	H-D-2-a	

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					service on the street in the morning and afternoon peak hours. 2. Availability of public services and facilities such as infrastructure (water, sewer, etc.), school capacity, parks and open space. 3. The ability of the project to provide landscaping for parking areas, facade modulation and orientation of buildings which would ensure privacy for, and minimize impacts on, any adjacent single-family homes, and reduce the perception of density in a multi-family project. 4. Potential to provide housing for employees. 5. The ability of the project to provide neighborhood serving commercial uses. 6. Potential to provide waterfront amenities and/or waterfront commercial uses. 7. Maintaining a Sites Inventory that can accommodate the RHNA. Responsible Agency: Community Development Department, Planning Commission, City Council Timeframe: Biannual review and report to Planning Commission and City Council with first report and adoption of accompanying general plan amendments and/or zoning actions by July 2026, or sooner if circumstances require as outlined above. Funding Source: General Plan Maintenance Fund	

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HE-103	HE-93	B.1.b	Housing Programs	Program H-D-5-a (School Sites): The program should consider actions beyond meeting to have a beneficial impact in the planning period, including establishing appropriate zoning, anticipated outcomes, and discrete timelines.	Program H-D-5-a is revised as follows: H-D-5-aSchool Sites. Pursue opportunities with the public school district and private schools, including but not limited to General Plan and PF zoning amendments, to incorporate on-site residential uses for faculty and staff along with educational facilities to increase the supply of school employee housing. Target Responsible Agency: Community Development Department Timeframe: Adopt General Plan and PF zoning amendments and meet with San Mateo-Foster City School District and at least one private school by December 2024 Performance Metric(s): Adoption of zoning amendments; A minimum of two meetings held with public school districts and private schools. Funding Source: General Fund	H-D-5-a
HE-103	HE-93- 94	B.1.c	Housing Programs	Program H-D-6-a (Minimize Governmental Constraints): While the program was revised to add a second review, they program should consider actions beyond reporting recommendations and include how	Program H-D-6-a is revised as follows: H-D-6-a Minimize Governmental Constraints. The City will review the entire development process and remove any governmental and regulatory constraints to the production of affordable housing, including	H-D-6-a

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				constraints will be identified and removed with discrete timing.	streamlining the preliminary review process and to allow more types of projects to be approved at the staff level. The City will: 1) engage with affordable housing developers to identify governmental constraints, 2) continue to evaluate and improve the streamlined processing system to facilitate residential development, and 3) streamline 100% affordable housing with a priority staff-level planning entitlement process. Responsible Agency: Community Development Department, Public Works Department, Planning Commission, City Council Timeframe: Engage with affordable housing developers by December 2024, amend zoning code to streamline processing system by December 2025; repeat in 2028 Performance Metric(s): Number of zoning requirements, fees, processing timelines and review procedures removed related to affordable housing Funding Source: General Plan Maintenance Fund	
HE-107	HE-97	B.1.d	Housing Programs	Program H-E-3-c (Cooperative Ventures): The program should be revised to include how often the City will conduct proactive outreach and discrete timing for implementation.	Program H-E-3-c is revised as follows: H-E-3-c Cooperative Ventures. Encourage cooperative and joint ventures between owners, developers, non-profit groups, and/or the City in the provision of BMR housing. Target: Ongoing through targeted outreach methods.	H-E-3-c

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					Responsible Agency: Community Development Department Timeframe: Biannual with first outreach meeting by June 2024. Performance Metric(s): Number of cooperative ventures under the program Funding Source: General Fund	
HE-110	HE-99	B.1.e	Housing Programs	Program H-F-1-a (Facilities and Services for Special Needs): The program should include actions for persons with developmental disabilities as well as discrete timing of how often outreach will occur.	Program H-F-1-a is revised as follows: H-F-1-a Facilities and Services for Special Needs. Support housing that incorporates facilities and services to meet the health care, transit or social service needs of households with special needs, including seniors, extremely low-income households and persons, farmworkers, people with developmental disabilities, and persons with disabilities through an expedited permit review process. Proactively contact non-profit service providers and developers for persons with disabilities and other special needs groups on annual basis to inquire about their needs and notify them about funding opportunities, as they become available. Responsible Agency: Community Development Department Timeframe: Establish expedited permit review process and begin annual proactive outreach by December 2023	H-F-1-a

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					Performance Metric(s): Facilitate development of at least one (1) new facility serving special needs during the planning period. Funding Source: General Plan Maintenance Fund	
HE-114	HE-103	B.1.f	Housing Programs	Program H-F-2-d (Emergency Shelter Zoning): The program must include specific commitment to address parking and other identified constraints by a specified date.	Program H-F-2-d is revised as follows: H-F-2-d Emergency Shelter Zoning. The City will allow emergency shelters as provided in Chapter 17.82 that allows a year-round emergency shelter as a permitted use in Neighborhood Business (C-1), General Business (C-2), and at churches/synagogues in the Public Facilities (PF) Zoning District. The City will amend Chapter 17.82 as necessary to comply with State law including AB 2339, including limiting parking requirements to not require more parking than other residential or commercial uses within the same zone and changing the maximum number of beds to twenty-five (25), upon adoption of the Housing Element. Responsible Agency: Community Development Department Timeframe: Amend Chapter 17.82 upon adoption of the Housing Element (see Appendix H). Performance Metric(s): Number of emergency shelters allowed Funding Source: General Plan Maintenance Fund	H-F-2-d

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HE-59- 72 Append ix C	HE-51- 63 Appendix D	B.2.a	Housing Programs	As noted in Finding A3, 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:	Additional analysis has been added to support the adequacy of the sites and zoning. Many programs have been revised as discussed below. There is not a shortfall of sites. Zoning changes have been made or are committed to encourage a variety of housing types.	
Append ix H	Appendix H	B.2.b	Housing Programs	Program H-D-1-b (General Plan and Zoning Amendments): While the program states that it was completed in January 2023, the City should demonstrate the rezones were complete by submitting documentation (e.g., resolution) to HCD. Please be aware, if rezoning, specifically for the lower-income RHNA, is not completed by January 31, 2023, the element must include a program(s) to rezone sites with appropriate zoning and development standards pursuant to Government	A summary of adopted zoning ordinances and resolutions is included as a new Appendix H: Program Implementation Prior to and Upon Adoption of Housing Element. Complete copies of the adopted ordinances and resolutions can be provided.	

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				Code sections 65583, subdivision (c)(1), and 65583.2, subdivisions (h) and (i).		
HE-102	HE-93	B.2.c	Housing Programs	Program H-D-4-h (ADU Monitoring): While the program commits to evaluating alternative actions by the end of 2026, it must commit to specific alternative actions and monitor production and affordability of ADUs more than once in the planning period (e.g., every two years).	Program H-D-4-h is revised as follows: H-D-4-h ADU Monitoring. The City shall track new ADUs (at single-family and multi-family sites) and collect information on the use and affordability of these units in each Annual Progress Report. Biannually through the projection period (beginning in 2025), if determined that at least 50% units are not meeting a lower-income housing need, the City shall adopt additional incentives to facilitate ADUs. Responsible Agency: Community Development Department Timeframe: Annual monitoring by April 1 as part of Annual Progress Report; determination biannually beginning in 2025 Performance Metric(s): Percentage of ADUs meeting lower-income need Funding Source: General Fund	H-D-4-h
		B.3	Housing Programs	As noted in Finding A4, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise		

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				or add programs and address and remove or mitigate any identified constraints. In addition, the element should be revised as follows:		
HE-104	HE-92	B.3.a	Housing Programs	Program H-D-6-c (Parking Requirements): While the program was revised, it should commit to specific parking standards, including guest parking requirements, or ensure reductions will not constraint housing development and include a specific timeframe to amend accordingly.	Program H-D-6-c is revised as follows: H-D-6-c Amend Parking Requirements. Amend parking requirements for multi-family housing as necessary, including but not limited to setting a maximum of two stalls per unit and reducing guest parking requirements by 50%, to allow General Plan densities and to reduce housing costs and provide appropriate parking requirements for elderly, developmentally disabled, or other special needs populations. Responsible Agency: Community Development Department, Planning Commission, City Council Timeframe: Report with recommendations to Planning Commission and City Council by the end of 2024 Funding Source: General Plan Maintenance Fund	H-D-6-c
HE-104	HE-94	B.3.b	Housing Programs	Program H-D-6-b (Minimize Zoning Constraints): While the element commits to amend zoning for manufactured homes and minimum floor areas, it must commit and timing to amend all listed and necessary zoning amendments listed in the program. In addition,	Program H-D-6-b is revised as follows: H-D-6-b Minimize Zoning Constraints. Evaluate zoning regulations that discourage the development of diverse housing types, including smaller, more affordable units and two- and three-bedroom units suitable for families and children. Amend City codes, including rescinding minimum floor areas in Chapter	H-D-6-b

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				manufactured housing should be allowed as a single-family use in all zones allowing single family residential.	17.56, provide that manufactured homes are permitted in single-family districts, and others amendments to encourage diverse housing types. Responsible Agency: Community Development Department, Planning Commission, City Council Timeframe: Rescinded minimum floor areas in Chapter 17.56 and provided for manufactured homes by January 2023 (see Appendix H); amend zoning regulations to further encourage diverse housing types by December 2024 Performance Metric(s): Number of City codes amended Funding Source: General Plan Maintenance Fund	
HE-111	HE-100	B.3.c	Housing Programs	Program H-F-1-d (Reasonable Accommodation): The program should specifically commit to revising the City's reasonable accommodation constraints with specific timing for implementation.	Program H-F-1-d is revised as follows: H-F-1-d Reasonable Accommodation. Utilize the adopted Chapter 17.84, containing a review process to provide individuals with disabilities reasonable accommodation in rules, policies, practices, and procedures that may be necessary to ensure equal access to housing. The purpose of these procedures and an ordinance is to provide a process for individuals with disabilities to make requests for reasonable accommodation in regard to relief from the various land use, zoning, or building laws, rules, policies, practices and/or procedures of the City.	H-F-1-d

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					Review Chapter 17.84 for conformance with State Law and amend if necessary by December 2023. Update the City's website to make information on how to submit a request more accessible by December 2023. Responsible Agency: Community Development Department Timeframe: Amend Chapter 17.84 by December 2023. Update City's website by December 2023, implement as requests are made Funding Source: General Plan Maintenance Fund	
HE-112	HE-101- 102	B.3.d	Housing Programs	Program H-F-1-i (Community Care Facilities): While the program states it will revise how community care facilities are allowed, it must commit to allowing group homes objectively to facilitate approval certainty similar to other residential uses of the same form. In addition, the program must allow group homes in all residential zones and should address spacing requirements as a constraint on housing for persons with disabilities.	Program H-F-1-i is revised as follows: H-F-1-i Community Care Facilities. Amend the City's zoning regulations to expand the zoning districts that allow community care facilities to simplify and clarify definitions, permitted uses, and processing procedures for residential care facilities and group homes in all residential districts for conformance with State law, including but not limited to eliminating spacing requirements for persons with disabilities, allowing group homes objectively to facilitate approval certainty similar to other residential uses, and allow group homes in all residential zones. Responsible Agency: Community Development Department, Planning Commission, City Council Timeframe: Amend Municipal Code by the December	H-F-1-i

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					2024 Funding Source: General Plan Maintenance Fund		
HE-43- 46 B-139- 147	HE-39- 43 B-125- 133	B.4.a	AFFH	As noted in Finding A1, the element requires a complete AFFH analysis. Depending upon the results of that analysis, the City may need to revise or add programs. The element must be revised to add 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, milestones, and geographic targets 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.	Based on the revised AFFH Analysis, the Summary Matrix of Fair Housing Issues and Actions was revised (Table 3-1 in Chapter 3 of the Housing Element and Table 17 in Appendix B) and a new Table 18 was added to Appendix B: AFFH Meaningful Actions Matrix that links the specific programs to AFFH issues. Based on the revised AFFH analysis, the following programs were revised, as discussed above: H-D-4-a ADUs H-D-4-h ADU Monitoring H-E-9-b Small Housing Units H-F-1-a Facilities and Services for Special Needs H-F-1-d Reasonable Accommodation H-F-1-i Community Care Facilities H-F-2-d Emergency Shelter Zoning H-F-2-e Low Barrier Navigation Centers H-F-3-a Transitional and Supportive Housing Zoning H-F-3-b Supportive Housing	H-D-4-a H-D-4-h H-E-9-b H-F-1-a H-F-1-i H-F-2-d H-F-2-e H-F-3-a H-F-3-b	

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HE-85- 116	HE-77- 105	Programs		Many programs were modified to include more specific timeframes. Others that were modified to include more specific performance metrics, but not otherwise mentioned above, include: H-C-3-d Facilitate Tenant Protection Act of 2019 (AB 1482) H-D-4-g Multi-Family ADUs H-E-1-a Existing Unit Purchase Program-Opportunities for Supportive Housing H-E-2-a Inclusionary 20% Requirements H-E-2-b Affordable Housing Overlay Inclusionary 15% Requirement Including Extremely Low-Income H-E-9-a Family Friendly Housing H-E-9-b Small Housing Units H-F-1-c Adaptable/Accessible Units for the Disabled H-F-1-e Home Sharing for Special Needs Population H-F-1-g Extremely Low-Income Units for Special Needs Population H-F-1-h Age Friendly Initiative H-G-1-a Non-Discrimination H-G-2-a Anti-Discrimination Regulations H-G-2-c Information Specific to Fair Housing H-G-2-d Multi-Lingual Tenant Resources	H-C-3-d H-D-4-g H-E-1-a H-E-2-a H-E-2-b H-E-9-a H-E-9-b H-F-1-c H-F-1-f H-F-1-f H-F-1-d H-G-1-a H-G-2-a H-G-2-d