

Responses to HCD Comments - City of San Joaquin HCD Comment Letter received on November 2, 2023

On November 2, 2023, the City of San Joaquin received a comment letter from the California Department of Housing and Community Development (HCD) on the HCD Review Draft Housing element, which was submitted to HCD on August 7, 2023, along with revisions submitted on October 20, 2023. The City reviewed these comments and revised the document. This version of the Housing Element shows all revisions in track changes, with the latest revisions highlighted in yellow. To help the reader track the revisions, this attachment to the Housing Element outlines the comments from HCD's November 2, 2023, letter with responses from the City describing how and where comments were addressed in the Revised HCD Draft Housing Element.

A. 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).)*

HCD Comment 1: Concentrated Areas of Poverty: The element includes information relative to Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) and areas of High Segregation and Poverty but should evaluate the characteristics of these areas, changes over time, comparisons to other neighborhoods in terms of equitable quality of life and consider other relevant factors, such as public participation, past policies, practices, and investments and demographic trends.

Response 1: Revised the analysis of R/ECAPs in Section 1M-3 (Fair Housing), on Page 1M-3-20 to describe some of the characteristics of rural communities in the San Joaquin Valley that are considered concentrated areas of poverty.

HCD Comment 2: Disproportionate Housing Needs, Including Displacement Risk: The element includes some general information on persons experiencing homelessness but should also evaluate patterns and access to opportunities. Specifically, the element should examine patterns of need or areas with higher concentrations of persons experiencing homelessness, including access to transportation and services. The element should utilize local data and knowledge such as service providers and City officials to assist this analysis.

In addition, to better evaluate displacement risks, the element could utilize new data available for displacement risk on HCD's Affirmatively Furthering Fair Housing (AFFH) Data Viewer available at <https://www.hcd.ca.gov/planning-and-community-development/affirmatively-furthering-fair-housing>.

Response 2: Updated analysis in Section 1M-3 (Fair Housing), starting on page 1M-3-44, to evaluate local trends in homelessness and describe regional resources available. Added discussion of 2022 Estimated Displacement Risk Model and risk of displacement for very low-, extremely low- and low-income households (0-50 percent of AMI and 50-80 percent of AMI) on page 1M-3-48.

HCD Comment 3: Contributing Factors to Fair Housing Issues: Based on the outcomes of a complete analysis, the element should re-assess and prioritize the

contributing factors to fair housing issues.

Response 3: Added prioritization levels to contribution factors/meaningful actions to Table 1M-3.10 on page 1M-3-57 of Section 1M-3 (Fair Housing).

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).)*

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).)

HCD Comment 4: Housing Needs and Special Needs Assessment: The element includes a quantification of housing needs, including special needs for the region and some reporting of demographics for the City. While this quantification is generally adequate, the element should analyze the quantification to better understand housing needs and formulate appropriate policies and programs for the City. For example, this analysis should address trends, characteristics, magnitude of needs, resources and potential strategies and should at least be conducted for population growth, employment, tenure, overpayment, overcrowding, housing unit types, and special needs households.

Response 4: Expanded analysis of special housing needs in Section 1M-0 (Summary of Needs), starting on page 1M-3, to include qualitative analysis of needs and available resources for special housing needs groups.

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).)*

HCD Comment 5: Realistic Capacity: The element identifies a site within the C-MS zone, which does not have an explicit minimum or maximum density. The element then calculates a capacity assumption by analyzing development standards and concluding a project density of 34 dwelling units per acre. However, the element must also describe any past redevelopments (residential and non-residential) and incorporate this information into the capacity assumptions.

Response 5: The C-MS zone is a new mixed use zone and there have not been any recent examples of development within this zone. In response to this comment, the City reduced its assumptions of the feasible development potential on the aforementioned site by 50 percent and instead of the 22 inventoried units, the Housing Element now inventories 11 moderate-income units on the site. Revisions can be found on pages 1M-2-7 and 1M-2-10.

HCD Comment 6: Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and

definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Response 6: Comment noted. The City will submit the adopted sites inventory using the provided electronic form with its adopted housing element.

HCD Comment 7: Zoning for a Variety of Housing Types (Emergency Shelters): While the element mentions emergency shelters are allowed in the Manufacturing (M) zone, subsequent draft submissions must comply with the requirements of Chapter 654, Statutes of 2022 (AB 2339). Among other things, the element should clarify shelters are permitted without discretionary action in a zone that allows a residential use and discuss available capacity, calculate the capacity available on sites to accommodate emergency shelters, and proximity to transportation and services. Secondly, the element must demonstrate the permit processing, development, and management standards for emergency shelters are objective, encourage and facilitate the development of, or conversion to, emergency shelters, and are in accordance with Government Code section 65583, subdivision (a)(4)(A) and add or modify a program to comply with this requirement.

Response 7: Program 13 has been modified to commit to permitting emergency shelters by right in the R3 zone. In addition, the analysis on page 1M-4-10 in Section 1M-4 (Constraints) has been expanded to discuss capacity for shelters in the R3 zone.

B. Housing Programs

1. *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... 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).)*

HCD Comment 8: 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.

Response 8: The revisions made in response to Finding A3 above did not result in any significant changes to the inventory of sites or change any conclusions related to the availability of sites during the planning period. No new programs or program revisions are recommended.

2. *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).)*

HCD Comment 9: 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. In addition, goals and actions must specifically respond to the analysis and 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 or numeric targets, geographic targeting, and milestones and must address, as appropriate, housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies toward community revitalization, and displacement protection. For example, the element should expand place-based strategies toward community revitalization beyond implementing general plan policies. HCD will send examples under separate cover.

Response 9: In response to this comment, the City modified Program 23 (Improve Access to Resources) to clarify that the City shall pursue state and federal grant funding for public infrastructure improvements throughout the City and areas of highest need at least twice in the planning period, including but not limited to street improvements, enhanced streetscapes, sidewalks, lighting, safe routes to schools, park improvements, community facilities, community amenities, and expanding broadband internet access. The City added another objective to facilitate at least four public improvements during the planning period.

C. 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).)

HCD Comment 10: While the City made considerable effort to include the public through workshops and surveys, moving forward, the City should employ additional methods for public outreach efforts in the future, particularly to include lower-income and special needs households. For example, the City could conduct targeted stakeholder interviews or establish a committee representative of lower-income households in future public outreach efforts. For additional information, see the Building Blocks at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/public-participation>.

Response 10: Comment noted. The City acknowledges the value of diligent public participation and will continue to engage with the community and seek feedback on revisions made to the Housing Element.