



Association of Bay Area Governments



Technical Assistance
for Local Planning

HOUSING

Responding To HCD Comments: Citrus Heights

CITY BACKGROUND AND RHNA STRATEGY

Citrus Heights is a relatively young, medium-sized city northeast of Sacramento. It was one of the first cities to submit its Housing Element for HCD review. The city had a RHNA of 697 units and only five vacant sites, all of which had entitled or pending developments. The city used their well-documented ADU program, existing zoning, and projected plans for entitled areas to surpass their RHNA.

KEY LESSONS Working with HCD Reviewers

- **Provide detailed documentation to explain your assumptions**

Citrus Heights worked closely with HCD to make sure their reviewer understood the details of their projects and programs. The city pulled together individual plans and site maps and program documentation to describe how they would meet their RHNA.

KEY LESSONS Sites Inventory Comments

- **Work on rezoning before adoption**

The city had no vacant land that was not entitled and wanted to ensure that their entitled projects would count toward their RHNA. One of these sites was an old mall with a specific plan pending adoption. Under existing zoning, the site was already mixed use allowing 40 residential units per acre. After discussions with their reviewer, HCD allowed the city to use a conservative estimate of 250 units toward their RHNA for this planning period, with a much higher projection of 2,200 units in subsequent years. Even this conservative estimate was integral to meeting the RHNA.

- **Create and improve programs that will encourage development**

For the 6th cycle, the city projected 100 new ADUs toward meeting their RHNA. However, HCD expressed concerns about the projection, which was higher than what was realized in recent years. In response, the city provided documentation on their track record of ADUs being built and added information about their existing ADU program and a new preapproved ADU program. They used this as evidence that the number of ADUs would increase and also provided a commitment to review progress. By developing and improving their ADU program and providing evidence that these programs were working, HCD took note of the city's good faith effort and allowed the full 100 ADUs to count toward their RHNA.

KEY LESSONS AFFH Comments

- **Create new AFFH policies to supersede existing policies**

Because guidance had not yet been published when the city was drafting their Housing Element, Citrus Heights initially submitted their Housing Element without including AFFH. After HCD's review and the release of AFFH guidance, the city added analysis and policies to be in compliance with AFFH rules. Rather than undertake a comprehensive overhaul of their existing ordinances, the city created new AFFH-focused policies that superseded and enveloped existing policies. This saved a considerable amount of time and ensured that the city was meeting AFFH requirements.



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Responding To HCD Comments: City of Irvine

CITY BACKGROUND AND RHNA STRATEGY

Irvine is a large, master-planned city in Orange County. The city had the fifth highest RHNA in the region with 23,610 units. The city has a very young housing stock and little room in their existing residential zones to build new units. As a result, they relied on large parcels, overlays in underutilized commercial zones, and redevelopment of surface parking and religious sites.

KEY LESSONS Working with HCD Reviewers

- **Take detailed notes on your discussions with HCD**

Keep close track of all discussions with HCD to refer back to and ensure you are responding to all concerns your reviewer has shared. Unaddressed comments that arise outside of formal review could cause an additional review period and lengthen the review process.

KEY LESSONS Sites Inventory Comments

- **Explain the reason you chose certain areas for development**

Irvine utilized very large parcels to meet much of their RHNA. HCD raised concerns about using large parcels outside of existing residential zones. Irvine responded to these concerns by providing documentation that their young existing housing stock was unlikely to be redeveloped at higher densities. They also documented that previous projects on large parcels had been developed successfully into housing.

- **Seek examples from jurisdictions with certified Housing Elements**

HCD was concerned that the city would not be able to meet affordability targets without segregating affordable units to certain areas of the city. HCD wanted very specific language, timelines, and implementation measures to ensure that their development would promote housing affordability and spread affordable housing units across the city. Irvine addressed these comments by asking HCD to provide them with sample language from certified Housing Elements. To address HCD's concerns, further support development of affordable units, and spread those units across the city, the city will explore increasing their inclusionary housing requirement from 15% to 20%. They will also consider rolling back housing credits that had previously led to much more development of very low-income compared to low-income housing in the hopes of balancing the ratio of very low to low-income units.

KEY LESSONS AFFH Comments

- **Document your work**

HCD was concerned that there had not been enough outreach to the city's Asian population and had concerns that the city was not meeting outreach requirements for underrepresented and disadvantaged communities. Irvine used demographic information, including population and median income to document that their Asian population, which is nearing a majority of their population, is well represented and generally wealthy. They also explained that their low-income population statistics are coming from resident college students, and they are misrepresented as disadvantaged because, although they are technically low-income, they are dependent on parents who help them with expenses. Irvine also documented that their public outreach attempts were created and distributed in seven different languages to solicit feedback from underrepresented and hard-to-reach residents.



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Responding To HCD Comments: Long Beach

CITY BACKGROUND AND RHNA STRATEGY

Long Beach is one of the largest cities in California and had a RHNA of 26,500 units. The city had recently completed a 15-year process to update its Land Use Element which rezoned for 28,000 new units. The city was able to use the Land Use Element as a roadmap to meet their RHNA. Because less than 10% of the city's sites were vacant, they used extensive data, documentation, and analysis to support their assumptions that redevelopment would occur to the densities envisioned.

KEY LESSONS Working with HCD Reviewers

- **Keep in close contact with your reviewer and log everything**

By the end of their final review, the city was meeting with HCD on an almost a bi-weekly basis to discuss proposed changes to address HCD's comments. In their words, "HCD reviewers were there to help us out" and the city was in constant communication with HCD to discuss comments and ensure proposed changes would address them. The city found that steady communication allowed them to ask questions that helped clear up misunderstandings and gave them clarity on how to bring their Housing Element into compliance. Additionally, the city kept detailed matrices to ensure all comments from HCD were addressed and could be easily referenced during check-ins and official reviews to facilitate the certification process.

KEY LESSONS Sites Inventory Comments

- **Present evidence that areas will redevelop as envisioned**

As part of the Land Use Element, the city rezoned commercial areas to mixed-use and used projected units in these areas to meet their RHNA. HCD had concerns about whether commercial zones would in fact redevelop with residential units. The city pulled permit data, development data, and sub-market vacancy trend data to show that commercial areas that were previously rezoned to mixed-use had been redeveloped with residential units and were likely to continue doing so, thus helping to demonstrate that their assumptions were valid.

KEY LESSONS AFFH Comments

- **Provide context and develop programs and policies that address fair housing concerns**

The city's second round of review focused heavily on AFFH. HCD wanted more information about how the city would address historic patterns of disinvestment, exclusionary housing, and concentrations of affluence. The city analyzed assessor data and found that there was little to no 10-and-up unit development in affluent white areas which make up 40% of the city. HCD was concerned that the city was proposing very few new residential units in these areas and wanted to know why this was the case. The city explained that during their Land Use Element process there was a great deal of backlash from residents to up-zoning in these areas and that to attempt another rezoning after just completing a politically contentious General Plan update would be nearly impossible. Instead, the city proposed policies and programs that would encourage the distribution of residential units across the city, especially in affluent white areas. This included an overlay for religious sites in high-opportunity areas, leveraging HUD funding in high-income census tracts, and financial incentives for redevelopment in single-family areas. The background on the General Plan helped HCD to understand the political landscape, and the city's development of new policies and programs demonstrated a good faith effort to begin addressing historic patterns of exclusion by expanding housing options in high-opportunity areas.



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Responding To HCD Comments: Westlake Village

CITY BACKGROUND AND RHNA STRATEGY

Westlake Village is a relatively young, wealthy, master-planned city northwest of Los Angeles with a population of a little over 8,000. The city had a 6th Cycle RHNA of 142 units and few vacant sites. The city met their RHNA by adopting a specific plan to allow residential and mixed-use development in a commercial area.

KEY LESSONS Working with HCD Reviewers

- **Keep working while you wait for HCD's formal comments**

After the city submitted their Housing Element to HCD, they had multiple phone calls with their reviewer to work on revisions before resubmitting. In several cases they asked for sample language or examples from other housing elements to reference. This avoided a long delay in responding after the formal HCD review letter was received. Substantive changes to the zoning ordinance were also needed and the city continued working on those while HCD reviewed their revised Housing Element.

KEY LESSONS Sites Inventory Comments

- **Explain and document why you chose certain locations for new housing**

HCD had concerns related to fair housing in response to placing all new units in one commercial area. They were especially concerned about access to transit, schools, parks, and other amenities needed to support a new residential population. The city provided a write up and maps showing that the area had access to these amenities.

KEY LESSONS AFFH Comments

- **Respond to comments by adding data and citing programs and policies**

Because all the identified housing inventory sites were in one commercial area, HCD raised concerns about isolating affordable development in one geographic area of the city. HCD asked the city to specifically look at existing multifamily zones and other commercial zones for housing opportunities. Westlake Village explained that their multifamily zones are made up of entirely of condominiums, and developers would be highly unlikely to secure permission from multiple condo owners to acquire properties for the relatively modest planned density increases. HCD encouraged the city to consider rezoning in other areas. The city agreed to a Housing Element program to study and consider other

commercial areas for residential development opportunities. The city also added information about programs and policies aimed at addressing fair housing concerns.

- **Make connections with CBOs and develop an ongoing outreach program**

HCD wanted the city to do more outreach to low-income households, people of color, non-English speakers, and disadvantaged populations. Initially the city did outreach solely in English because their demographics showed few non-English speaking residents. During review, the city disbursed flyers in Spanish. HCD wanted Westlake Village to do more outreach to nonprofits, developers and community organizations that work with disadvantaged populations. Due to its size and demography, Westlake Village did not have these organizations within their city limits. At HCD's suggestion, the city did outreach to community-based organizations within the county and in nearby cities and established outreach protocols to continue to do outreach with these organizations and local affordable housing developers in the future.