

# City of Petaluma

Adopted Revisions Received: 3/22/23

Addressing HCD Findings Letter Dated: January 27, 2023

HCD's Finding	Page #	Satisfied? (y/n)	Analyst's Evaluation
<p>Accessory Dwelling Units (ADUs): While the element now adds information regarding ADU permits issues in 2022 to establish a baseline for ADU assumptions during the planning period, the element must also incorporate ADUs permitted in 2018 (five ADUs). Per HCD's Sites Inventory Memo, jurisdictions may opt to use trends in ADU construction since January 2018 to estimate new production; currently, the element estimate production beginning with 2019 ADU permit information. The element must reconcile this information and add 2018 ADU permitting information to estimate production for the planning period.</p>	C-2	X	<p>The element adds in 2018 data and shows a track record of consistently building an average of 16 units per year. Those assumptions are reflected in the per-year assumptions.</p>
<p>Realistic Capacity: The element appears to assume residential development on sites with zoning that allow 100 percent nonresidential uses. While the element mentions the identified sites represent a substantial opportunity for housing and the area is adjacent to, or within, the Downtown Core, it must still account for the likelihood of non-residential uses. The element should include analysis based on factors such as development trends, performance standards, or other relevant factors. 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. For additional information, see the Building Blocks at <a href="https://www.hcd.ca.gov/planning-and-">https://www.hcd.ca.gov/planning-and-</a></p>		N	<p>Clarify: what were the revisions used to address this?</p>

community-development/housing-elements/building-blocks/analysis-sites-and-zoning.			
Suitability of Nonvacant Sites: The element lists various factors (e.g., age of structure, improvement to land value ratio, existing density versus potential density) utilized to indicate the potential for redevelopment in the planning period (p. C-0); however, it should support the validity of these factors. To support these factors, the element should evaluate development trends or recent experience in redevelopment relative to the factors. For example, the element could utilize Table C-6 (Trends to Determine Realistic Density) and list the values of the factors for prior uses. The element must be able to make a connection between past redevelopment and sites listed in the inventory by citing similar characteristics by describing existing uses, development trends, market conditions, and development incentives.	C-8 to C-10	~	<p>The element has now included prior projects that have redeveloped and included FAR and ILV ratio metrics.</p> <p>Clarify: Are all the sites listed in the inventory meeting both the FAR and ILV ratio?</p>
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 <a href="https://www.hcd.ca.gov/planning-and-community-development/housing-elements">https://www.hcd.ca.gov/planning-and-community-development/housing-elements</a> for a copy of the form and instructions. The City can reach out to HCD at <a href="mailto:sitesinventory@hcd.ca.gov">sitesinventory@hcd.ca.gov</a> for technical assistance.			<p>Check with Sites Team</p> <p><b>Please re-send</b></p>
<i>Permitted Uses – Single Room Occupancy (SRO) Units:</i> Table B3 (page B-16) and subsequent analysis describes permitted uses for a variety of housing types but do not address how single room occupancy (SROs) units are allowed. The element must include a description of how the uses are allowed and conformity with applicable state laws.	B-25/26	X	Program 7 commits to amending the Zoning Code to allowing for SROs in the MU, R4, and R5 districts.

Land-Use Controls: While the element describes development standards and some land use controls, it must also analyze those land use controls for impacts on housing supply (number of units), costs, financial feasibility, timing, approval certainty, and ability to achieve maximum densities without exceptions (e.g., conditional use permits, variance, planned development).	B-10	?/N	The element acknowledges that there might be development constraints due to land-use controls and states the housing element includes actions to address these potential constraints but does not provide specific examples of what will be reduced.  Clarify: Is this covered by Program 5?
In addition, the element (page B-10) states the minimum open space requirement could preclude the development of multifamily rental apartments but does not commit to addressing this constraint in Program 7. Therefore, the element must include actions that commit the City to remove this constraint.	20	~	“align with regional trends” – should clarify that a reduction will happen
Furthermore, the element (pages B-10 and B-11) clarifies covered/uncovered parking requirements for multifamily residential projects. However, the element does not fully describe the requirement for a project to provide an overall ratio of at least 1.5 spaces per unit as a potential constraint to smaller-unit residential projects. Therefore, the element should analyze this parking requirement and add or modify programs to address this constraint.	19	?/~	Program 7: “... <i>reduce the parking standards for small units...</i> ” <ul style="list-style-type: none"> <li>• Specify what it will be reduced to</li> <li>• Discuss 1.5 spaces per unit/project requirement</li> </ul>
Local Processing and Permit Procedures: While the element (page B-28) describes typical planning application and processing timelines, it should also describe the approval body, the number of public hearings if any, and any other relevant information. The analysis should address impacts on housing cost, supply, timing, and approval certainty.	B-28 B-30	~	Describes but does not analyze relative to the listed factors (housing cost, supply, timing, and approval certainty). Must include relevant analysis.
Constraints on Housing for Persons with Disabilities: While the element modifies Program 7 to permit residential care facilities for seven or more persons in residential zones subject to a conditional use permit	19-20	X	The element commits Program 7 to allow for Residential Care facilities serving 7 or more persons to be conditionally permitted in residential, mixed-use, and

<p>(CUP) with findings that promote objectivity and certainty, the element does not address the current requirement for residential care facilities to be permitted on an upper floor or behind a ground floor street fronting use in the MU1A, MU1B, MU1C, C1, and C2 zones. This requirement is a constraint on housing for persons with disabilities being built and the element must add or modify a program to remove this constraint.</p>			<p>commercial zones subject to objective findings. Also, the element removes the upper floor/behind ground floor street fronting requirement.</p>
<p>Developed Densities: The element must be revised to analyze requests to develop housing at densities below those anticipated in the sites inventory, including hindrance on the construction of a locality's share of the regional housing need.</p>	B-38/39	~	<p>Clarify: Did the element look at 5<sup>th</sup> Cycle sites included in the "...no projects were approved below the permitted densities"?</p>
<p>While the element provides some information on energy conservation (page B-31) by describing Building Code amendments, the element must provide a full analysis of opportunities for energy conservation.</p>	7-8	X	<p>The element now lists the General Plan and City policies in place to assist with energy conservation.</p>
<p>All programs should be evaluated to ensure meaningful and specific actions, objectives, and commitments. Multiple programs do not have any quantifiable metric to track and measure program success and must be revised to incorporate a quantifiable metric or outcome. In addition, programs containing unclear language (e.g. "Evaluate"; "Consider"; "Explore"; etc.) must be amended to include more specific and measurable actions. These programs include Program 1 (Adequate Sites for regional housing needs allocation (RHNA) and Monitoring of No Net Loss), Program 2 (Replacement Housing), Program 3 (Accessory Dwelling Units), Program 4 (Efficient Use of Multi-Family Land), Program 5 (Flexible Development Standards), Program 6 (Religious and Institutional Facility Housing Overlay), Program 7 (Zoning Code Amendments), Program 12 (Housing-Commercial Linkage Fee), Program 20 (Historic Preservation), Program 21 (Condominium Conversion),</p>			<p>Program 20: What are alternative tools? What is the date (e.g., month and year) for this action? What would trigger alternative tools?</p>

<p>Program 25 (Adequately Sized Rental Housing for Families), Program 26 (Universal Design and Visitability), Program 27 (Housing for Farmworkers and Hospitality Workers), and Program 29 (Tenant Protection Strategies).</p>			
<p>In addition, many program actions involve a review of existing standards, procedures, and practices, and additional actions “as appropriate”. For example, the programs should list the specific trigger for additional action for allocating resources to Program 3 (Accessory Dwelling Units) and revising the minimum open space requirement and parking requirements in Program 7 (Zoning Code Amendments). Additional programs include Program 4 (Efficient Use of Multi-Family Land). The element should review all programs with such language, and describe what action, or lack thereof, would trigger additional program changes.</p>			<p>Program 4: Establish minimum densities – OK</p> <p>Program 3: Commit to pursue financial incentives</p> <p>See above comments on open space and parking requirements</p>
<p>As noted in Finding A1, 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.</p>		Continue	
<p>As noted in Findings A2 and A3, 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.</p>		Continue	
<p>The element must include quantified objectives to establish an estimate of housing units by income category that can be conserved over the planning period. Conservation objectives could be incorporated using</p>	45	x	The element has added conservation objectives.

anticipated outcomes from Program 19 (Mobile Home Rent Stabilization).			
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