

City of Yucaipa 2021-2029 Housing Element

Response to HCD Comments on 1st draft

HCD Comment	Status
A. Review and Revisions	
<p>Special Needs Population (HCD Letter Appendix, p. 1) Provide evaluation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, disabled, large households, female headed households, farmworkers and homeless).</p>	<p>Detailed accomplishments for special needs programs See Page 5-4</p>
B. Housing Needs Assessment	
<p>Regional Trends and Patterns (HCD Letter Appendix, p. 1) The element must analyze regional patterns and trends for each category and subcategory of analysis. A regional analysis should compare conditions at the local level to the rest of the region (county or other subregional geography).</p>	<p>Provided analysis of regional patterns and trends for each category of analysis. See pp. 3-32 thru 3-47.</p>
<p>Race/Ethnic Concentrated Areas of Poverty (HCD Letter Appendix, p. 1) The element should provide supporting maps and/or data to show which census block groups have household poverty rates of 15-20% and analyze them in relationship to other categories of analysis (e.g., segregation and integration, access to opportunity, and disproportionate housing needs).</p>	<p>Element analyzed two higher poverty areas: Dunlap Acres and Central Core with respect to all categories/groups. See pp. 3-32 thru 3-41.</p>
<p>Access to Opportunity (HCD Letter Appendix, p. 2) The element should include complete local data for economic conditions and analyze the data for trends and patterns. In addition, the element should provide analysis of disparities in access to opportunity that specifically address the housing and community development needs of persons with disabilities.</p>	<p>Revised economic conditions (see pp. 3-42 thru 3-47). Revised disability analysis comparing city to the region. No concentration exists.</p>
<p>Disproportionate Need including Displacement (HCD Letter Appendix, p. 2) The element should include complete local data for homelessness and analyze the data for trends and patterns.</p>	<p>Included more complete local data for homelessness and analyzed patterns and trends. (see pp. 3-38)</p>
<p>Other Relevant Factors (HCD Letter Appendix, p. 2) The element must analyze the impact of the Program 5 Crime Free Multi-Housing on affirmatively furthering fair housing (AFFH) throughout the City. Additional other relevant factors include historical land use and investment practices or other information and demographic trends</p>	<p>See Attorney Letter for the Crime-Free Program. Analyzed investment in oldest areas (See pp. 3-40 and 3-41)</p>
<p>Sites to Meet the 2021-2029 RHNA (HCD Letter Appendix, p. 2) Include a map of the sites that states that proposed sites to meet the lower-income RHNA are geographically distributed to AFFH. Accompanying analysis shall also be reflective of housing development at all income-levels and evaluate the sites relative to socio-economic patterns. Address how the sites are identified to improve conditions (or if sites exacerbate conditions, how a program can mitigate the impact), whether sites are isolated by income group and should be supported by local data and knowledge.</p>	<p>Revised discussion to show how sites are distributed throughout the City, are not concentrated, nor exacerbate conditions. Maps included. (See pp. 4-21 thru 4-26.</p>
<p>Goals, Policies, and Metrics (HCD Letter App. p. 2) Currently, programs are not sufficient to facilitate meaningful change and address AFFH. Based on the outcomes of a complete analysis, the element must be revised to add or modify goals and actions to 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 metrics and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.</p>	<p>Revised specific programs listed in the contributing factors table to show how they relate to fair housing. Included place-based program efforts Table 3-13 (pp. 3-62)</p>
<p>Analysis of Housing Characteristics (HCD Letter, App. p. 3)</p>	<p>Revisions made See pp. 2-12</p>

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<p>However, it must include analysis of the condition of the existing housing stock and estimate the number of units in need of rehabilitation and replacement.</p>	
<p>Sites Inventory (HCD Letter, App. p. 3) While there does seem to be a surplus of sites in the moderate-income category, the element must either reallocate capacity from this surplus to show that there are sufficient sites to accommodate the RHNA by income group or include a program to rezone capacity to accommodate the shortfall</p>	<p>Readjusted Uptown Sites so that no shortfall exists. Surplus also exists in moderate income category to address a shortfall in the above mod category. See p. 4-20, Table 4-7</p>
<p>Previously Identified Sites (HCD Letter, App. p. 3) The element must indicate if sites identified in the inventory were previously identified in past housing elements. If nonvacant sites identified in a prior adopted housing element or vacant sites identified in two or more consecutive planning periods, the sites are inadequate to accommodate housing for lower-income households unless conditions are met (Govt Code 65583.2(c)</p>	<p>Clarifications made under description of each strategy. See pp. 4-9 to pp. 4-18 Program #7 includes commitment to comply with Govt Code 65583.2 Sub. c</p>
<p>Small Sites (HCD Letter, App. p. 3) The element should provide specific examples with the densities, affordability and, if applicable, circumstances leading to consolidation (e.g., common ownership). The element should relate these examples to sites identified to accommodate the lower income RHNA to demonstrate sites can adequately accommodate the City's lower-income housing need. As the element relies on consolidated small sites to accommodate the RHNA for lower-income households (Strategy 6 sites 1, 2, and 3), it should include a program(s) to facilitate lot consolidation and development of housing on small sites.</p>	<p>Clarified that small sites in Uptown are not needed to accommodate the lower income RHNA. However, provided example of small lot project and created lot consolidation program to encourage development. See pp. 4-14 thru 4-16 See new Program #21</p>
<p>Large Sites (HCD Letter, App. p. 4) The element must include analysis describing the feasibility of large parcel development of housing affordable to lower-income households. For example, the analysis could describe opportunities for specific-plan development and further subdivision or other methods to facilitate the development of housing affordable to lower-income households on large sites.</p>	<p>Clarified how two large sites are anticipated to develop in phased fashion. City is working to facilitate development. See pp. 4-19</p>
<p>Zoning for Lower Income Households (HCD Letter, App. p. 4) Element assumes densities at 24 units per acre can accommodate the housing need for lower-income, but it does not include a complete analysis supporting the appropriateness of this density to facilitate lower-income housing.</p>	<p>Demonstrated how sites zoned for 20-24 du/ac is being built on with affordable housing. See pp. 4-5</p>
<p>Suitability of NonVacant Sites (HCD Letter, App. p. 4) The element must include an analysis demonstrating the potential for redevelopment of nonvacant sites. The description of existing uses should be sufficiently detailed to facilitate an analysis demonstrating the potential for additional development in the planning period. In addition, the element needs to also analyze the extent that existing uses may impede additional housing.</p>	<p>Nonvacant sites not needed to accommodate the RHNA given the surplus in moderate income category. However, demonstrated how Uptown sites could develop. See pp. 4-14 thru 4-16.</p>
<p>Replacement Requirement (HCD Letter, App. p. 5) If the sites inventory identifies sites with existing residential uses (Strategy 6 sites 3 and 4), it must identify whether they are affordable to lower-income households or describe whether the additional residential development on the site requires the demolition of the existing residential use. For nonvacant sites with existing, vacated, or demolished residential uses and occupied by, or subject to an affordability requirement for, lower-income households within the last five years there must be a replacement housing program for units affordable to lower-income households (Gov. Code, § 65583.2, subd. (g)(3)).</p>	<p>City does not need nonvacant Uptown sites to satisfy RHNA. However, replacement program added nonetheless in case that becomes the case in the future. This would also apply to the mobilehome park conversion. See Program #29.</p>

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<p>Accessory Dwelling Units (HCD Letter, App. p. 5) The element assumes an ADU build out of 50 ADU and/or JADU per year based upon 2020 and potential 2021 production levels. The element lists 43 permitted ADUs in 2020, but HCD data lists 19 ADUs produced in 2020. Given the City has only produced an average of 10 units per year since 2018, it is not clear if this production level will be achievable in the planning period. Thus, the element should be updated to include a realistic estimate of the potential for ADUs and include policies and programs that incentivize production.</p>	<p>Clarified that ADUs permitted jumped to 36 annually in 2021, justifying current estimate. Clarified ADUs allowed in both RM-24 and on PD Zones. See Programs #9 and #22 for updates to ADU Ordinance.</p>
<p>Sites with Zoning (HCD Letter, App. p. 5 and 6) Emergency Shelters parking requirements should be updated per AB 139. <i>Accessory Dwelling Units (ADUs):</i> ADUs do not appear to be permitted consistent with state law. For example, ADUs are not permitted in all zones allowing residential uses (Table 3-5). The element should demonstrate consistency with state requirements including programs as appropriate.</p>	<p>Clarified ADUs permitted by right in RM-24 and PD Zones. Proposed required code changes for ADUs and parking. Programs #9, #22, and #31.</p>
<p>Land Use Controls ((HCD Letter, App. p. 6) The element must identify and analyze all relevant land use controls impacts as potential constraints on a variety of housing types. Evaluate the cumulative impacts of land use controls on the cost and supply of housing, including the ability to achieve maximum densities and cost and supply of housing. For example, the element must analyze minimum lot size requirements (e.g., RM-24 minimum lot size is five acres where multifamily is allowed) [p.3-12]. The element must also clarify whether sites identified to accommodate for lower income RHNA meets minimum lot sizes by zoning district (p. 3-12 and 4-17) or would require lot consolidation to be developed. Furthermore, the element should describe typical amenities required for multifamily and parking requirements for one bedroom multifamily and analyze these requirements for impacts to the cost of development. The analysis should also describe past or current efforts to remove identified governmental constraints. The element should include programs to address or remove the identified constraints.</p>	<p>Analysis clarified impact of parking with respect to recent projects (pp. 3-14), analyzed amenity standards (pp. 3-15), other standards such as district size, lot/building coverage, height, density, and cumulative standards (see pp. 3-16.) Program #22 committed to periodic review and amending of identified constraints.</p>
<p>Local Processing and Permit Procedures (HCD Letter, App. p. 6) The element should describe the City’s SB35 (Chapter 366, Statutes of 2017) streamlined ministerial approval procedure and application and include programs if appropriate.</p>	<p>Element analyzed permit process (pp. 3-23) and included Program 17 to establish expedited process.</p>
<p>Zoning, Development Standards and Fee Transparency (HCD Letter, App. p. 6) The element must clarify its compliance with new transparency requirements for posting all zoning, development standards and fees for each parcel on the jurisdiction’s website.</p>	<p>Made clarifications on website posting (see pp. 3-2 and 3-13).</p>
<p>Low Barrier Navigation Centers and Permanent Supportive Housing (HCD Letter, App. p. 6) Low barrier navigation centers and permanent supportive housing 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 sections 65651 and 65662. The element must demonstrate compliance with this requirement and include programs as appropriate.</p>	<p>Analyzed in housing element (pp. 3-12) and proposed Programs #22 and #31 to comply with state law.</p>
<p>Constraints on Housing for People with Disabilities (HCD Letter, App. p. 7) The element details that residential care facilities six or fewer are treated same as residential uses and permitted RL, RS, RM and PD zones. However, facilities serving seven or more persons are treated similarly to other multifamily-family type projects and conditionally permitted in RM & PD zones (p. 3-7 and 3-10). The element should analyze the process as a potential constraint on housing for persons with disabilities, including whether the uses are excluded from</p>	<p>City included Program #30 to address changes that may be necessary to existing codes and processes.</p>

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<p>some residential zones and add or modify programs as appropriate to ensure zoning permits group homes objectively with approval certainty.</p>	
<p>Crime Free Ordinance (HCD Letter, App. p. 7) In Program 5, the City states that it will continue to implement a “Crime Free” ordinance. This program could be potentially problematic for a number of reasons including impeding the City’s ability to AFFH, and the City should provide further analysis on whether this ordinance could constitute a constraint on providing housing for all income levels throughout the city.</p>	<p>See Attorney Letter. Included Program #5 to Continue implementation of program and make changes, if needed, to ensure compliance with fair housing laws.</p>
<p>Length of Time to Issue Building Permit (HCD Letter, App. p. 8) The element must be revised to include the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality’s share of the regional housing need.</p>	<p>Clarified timeframe of development (See pp. 3-5)</p>
<p>Homeless Needs (HCD Letter, App. p. 8) Include a current local estimate of the number homeless individuals and families in need of emergency shelter based on annual and seasonal need. When possible, the estimate should be divided into single males, single females, and families (one or more adults with children) as the shelter needs of each subgroup differ significantly. Furthermore, the analysis should include how the current estimate and 32 beds year-round is determined and the total capacity in the CS zone (p. 2-27).</p>	<p>Revised count (pp. 2-26), assessed unmet need, and justified CS-Zone suitable to address any shortfall (p. 2-27). Discussed in fair housing section as well (pp. 3-38). Committed to code amendments (Program #31)</p>
<p>At-Risk Analysis (HCD Letter, App. p. 8) The element identifies Yucaipa Crest is expected to expire in 2026. If units are identified as at-risk within a ten-year period (2021–2031), the analysis of “at-risk” units must include the following (Gov. Code, § 65583, subd. (a)(9).):</p>	<p>Reanalyzed Yucaipa Crest and Terrace at risk status; (p. 2-31) and included Program #24 to address preservation.</p>
<p>C. Housing Programs</p>	
<p>Housing Programs (HCD Letter, App. p. 9) To address the program requirements of Govt Code 65583, sub (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: •General: All programs must be evaluated to provide discrete timing to account for how often the action will occur as well as to ensure a beneficial impact throughout the planning period and quantify objectives where feasible. •Program 3 (Single-Family Home Repair): Quantify the number of homes needing repair. •Program 4 (Multiple-Family Housing Repair): Quantify the number of units needing repair.</p>	<p>Reviewed programs and adjusted as necessary to make them definitive, quantifiable, and clarify responsible party where possible. Made changes to Program #3 and #4 to quantify homes needing repair.</p>
<p>Identify Actions to make sites available (HCD Letter, App. p. 9) HCD understands while the general plan designations for sites within the CG-O, R-24,IN, RM-24, CG-USP land use designations are in place, it is unclear which sites need rezoning and whether the implementing zoning amendments have yet to be adopted. Please be aware, if zoning is not in place by beginning of the planning period (October 15, 2021), the element must include a program to commit to adopting the zoning changes. For programs expected to accommodate a shortfall of sites to meet the RHNA for lower-income households (Program 10, 12, and 13), the program must commit to housing element rezone requirements pursuant to Govt code 65583.2 (h) and (i).</p>	<p>All sites have appropriate zoning that allow residential development, except 5-acre site zoned IN. The site will be rezoned to RM-24 concurrent at housing element adoption. (See Program #12)</p>

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<p>Extremely Low Income Program (HCD Letter, App. p. 10)</p> <p>The element must include a program(s) to assist in the development of housing affordable to low-, very low- and ELI households. Programs must be revised or added to assist in development of housing for ELI households. Program actions could include prioritizing some funding for housing developments affordable to ELI households and offering financial incentives or regulatory concessions to encourage the development of housing types, such as multifamily, SRO units, to address the identified housing needs for ELI households.</p>	<p>Program #26 added</p>
Public Participation	
<p>Public Participation (HCD Letter, App. p. 11)</p> <p>While the element includes a general summary of the public participation process (p.1-4 and p.5-4), it must demonstrate diligent efforts were made to involve all economic segments of the community in the development of the housing element, specifically lower-income households. The element could describe efforts to provide translation services and to circulate the housing element among low- and moderate-income households and organizations that represent them and to involve such groups and persons in the element throughout the process. In addition, the element should summarize public comments and describe how they were considered and incorporated</p> <p>The availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD’s review. The City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including making revisions to the document where appropriate. HCD’s future review will consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element. The City’s consideration of public comments must not be limited by HCD’s findings in this review letter.</p>	<p>The City complied with AB215 requirements prior to submittal to HCD.</p> <p>Housing Element revised description of public outreach process (See pp. 5-5 thru 5-8) and how the results were incorporated in the element.</p>