

Required Findings of Substantial Compliance with State Housing Element (HE) Law

Sec. 65583. *the housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:*

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| 1 | 65583(a) | An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following: | Quantification and Analysis of Need | Housing Needs: Chapter 10, pages 10-16 through 10-31. Appendix A, pages A-109 through A-167. The entirety of Appendix B. | Yes |
| 2 | 65583(a)(1) | 1) An analysis of population and employment trends and documentation of projections. 2) A quantification of the locality's existing and projected housing needs for all income levels, including extremely low-income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. 3) These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low-income households allotted under Section 65584 that qualify as extremely low-income households. The local agency may either use available census data to calculate the percentage of very low-income households that qualify as extremely low-income households or presume that 50 percent of the very low-income households qualify as extremely low-income households. The number of extremely low-income households and very low-income households shall equal the jurisdiction's allocation of very low-income households pursuant to Section 65584. | Quantification and Analysis of Need | 1) Appendix B, pages B-7 through B-13 and Chapter 10, page 10-23 2) Appendix A, pages A-2 and A-111 through A-113 3) Appendix A, pages A-111 through A-113. Supporting details are provided in Appendix A. | Yes |
| 3 | 65583(a)(2) | An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. | Quantification and Analysis of Need | <u>Cost Burden</u> : Appendix A, pages A-109 through A-123 and pages A-161 through A-164. Appendix B, pages B-32 through B-36. <u>Housing adequacy and age of structures</u> : Appendix A, page A-139 through A-140. Appendix B, pages B-22 through B-23. <u>Substandard housing</u> : Appendix A, pages 132 through A-138. Appendix B, pages B-25 through B-27. <u>Overcrowding</u> : Appendix A, pages A-123 through A-130 and page A-165. Appendix B, | Yes |

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| | | | | pages B-32 through B-39. <u>Household characteristics</u> : Appendix B, pages B-3 through B-21. | |
| 4 | 65583(a)(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, and an analysis of the relationship of the sites identified in the land inventory to the jurisdiction's duty to affirmatively further fair housing. | Quantification and Analysis of Need | Appendix D, pages D-2 through D-67. Appendix C, pages C-1 through C-15 and page C-53. Appendix A, pages A-152 through A-161. | Yes |
| 5 | 65583(a)(4)(A) | The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following: | Zoning for a Variety of Housing Types | Chapter 10, Implementation Program AP, pages 10-64 through 10-65. Appendix B, pages B-55 through B-56. Appendix C, pages C-59 through C-60. Estimated homeless count and capacity: Appendix C, page C-59. | Yes |

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| 6 | 65583(a)(4)(A)(i) | The maximum number of beds or persons permitted to be served nightly by the facility. | Zoning for a Variety of Housing Types | Appendix C, pages C-59 through C-60. | Yes |
| 7 | 65583(a)(4)(A)(ii) | Sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone. | Zoning for a Variety of Housing Types | Chapter 10, Implementation Program AP, pages 10-64 through 10-65 and further described in Appendix C, page C-59. | Yes |
| 8 | 65583(a)(4)(A)(iii) | The size and location of exterior and interior onsite waiting and client intake areas. | Zoning for a Variety of Housing Types | Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of emergency shelters. | Yes |
| 9 | 65583(a)(4)(A)(iv) | The provision of onsite management. | Zoning for a Variety of Housing Types | Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of emergency shelters. | Yes |
| 10 | 65583(a)(4)(A)(v) | The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart. | Zoning for a Variety of Housing Types | Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of emergency shelters. | Yes |
| 11 | 65583(a)(4)(A)(vi) | The length of stay. | Zoning for a Variety of Housing Types | Definition of emergency shelter provided in Appendix C, page C-59 and Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of emergency shelters. | Yes |
| 12 | 65583(a)(4)(A)(vii) | Lighting. | Zoning for a Variety of Housing Types | Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of emergency shelters. | Yes |
| 13 | 65583(a)(4)(A)(viii) | Security during hours that the emergency shelter is in operation. | Zoning for a Variety of Housing Types | Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of emergency shelters. | Yes |
| 14 | 65583(a)(4)(B) | The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act | Zoning for a Variety of Housing | Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all | Yes |

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| | | (Division 13 (commencing with Section 21000) of the Public Resources Code). | Types | State requirements on the provision of emergency shelters. | |
| 15 | 65583(a)(4)(C) | A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction's need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit. | Zoning for a Variety of Housing Types | Capacity to accommodate emergency shelters and zones where they are permitted by-right discussed in Appendix C, page C-59. | Yes |
| 16 | 65583(a)(4)(D) | A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph. | Zoning for a Variety of Housing Types | Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of emergency shelters. | Yes |
| 17 | 65583(a)(5) | An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, local processing and permit procedures, and any locally adopted ordinances that directly impact the cost and supply of residential development. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7). | Actual and Potential Governmental Constraints | <u>Supportive housing, transitional housing, and emergency shelters:</u> Appendix C, pages C-16 through C-12 and Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of transitional and supportive housing. <u>Disabled:</u> Chapter 10, Implementation Program AP, page 10-65 indicates the Town will prioritize special needs housing by allowing for reduced processing times and streamlined procedures for applicable zoning/land use applications. Include preferential handling of special needs populations in management plans and regulatory agreements of funded projects. | Yes |
| 18 | 65583(a)(6) | An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Section 65584. The analysis shall also demonstrate local efforts to remove | Potential and Actual Nongovernmental Constraints | Appendix C, pages C-60 through C-64. | Yes |

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| | | nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing. | | | |
| 19 | 65583(a)(7) | An analysis of any special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. The need for emergency shelter shall be assessed based on the capacity necessary to accommodate the most recent homeless point-in-time count conducted before the start of the planning period, the need for emergency shelter based on number of beds available on a year-round and seasonal basis, the number of shelter beds that go unused on an average monthly basis within a one-year period, and the percentage of those in emergency shelters that move to permanent housing solutions. The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period. An analysis of special housing needs by a city or county may include an analysis of the need for frequent user coordinated care housing services. | Housing Needs for Special Needs Populations | <u>Special Needs</u> : Appendix A, pages A-34 through A-72. <u>Emergency shelter capacity based on point in time homeless count</u> : Appendix C, page C-59. | Yes |
| 20 | 65583(a)(8) | An analysis of opportunities for energy conservation with respect to residential development. Cities and counties are encouraged to include weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. This may include energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system. | Miscellaneous | Chapter 10, pages 10-34 through 10-35 and Implementation Program AK, page 10-61. | Yes |
| 21 | 65583(a)(9) | An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing | Affordable Housing Units At-Risk of Conversion | Appendix A, pages A-29 through A-31 and Appendix B, pages B-24 through B-25. | Yes |

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| | | program or used to qualify for a density bonus pursuant to Section 65916. | | | |
| 22 | 65583(a)(9)(A) | The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use, and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis. | Affordable Housing Units At- Risk of Conversion | Appendix A, pages A-29 through A-31 and Appendix B, pages B-24 through B-25. | N/A |
| 23 | 65583(a)(9)(B) | The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate. | Affordable Housing Units At-Risk of Conversion | The Town has no deed restricted affordable units at risk of conversion to market rate housing. | N/A |
| 24 | 65583(a)(9)(C) | The analysis shall identify public and private nonprofit corporations known to the local government that have legal and managerial capacity to acquire and manage these housing developments. | Affordable Housing Units At-Risk of Conversion | The Town has no deed restricted affordable units at risk of conversion to market rate housing. | N/A |
| 25 | 65583(a)(9)(D) | The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs that can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program that have not been legally obligated for other purposes and that could be available for use in preserving assisted housing developments. | Affordable Housing Units At-Risk of Conversion | The Town has no deed restricted affordable units at risk of conversion to market rate housing. | N/A |
| 26 | 65583(b)(1) | A statement of the community's goals, quantified objectives, and policies relative to affirmatively furthering fair housing and to the maintenance, preservation, improvement, and development of housing. | Public Participation | Chapter 10, pages 10-35 through 10-40, Implementation Program AT on page 10-69, and pages 10-73 through 10-75. | Yes |

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| 27 | 65583(b)(2) | It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period. | Quantification and Analysis of Need | Table 10-4 of Chapter 10, page 10-34. | Yes |
| 28 | 65583(c) | A program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, that may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing and subsidy programs when available, and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following: | Schedule of Actions/Programs | <u>Timeframe</u> : Chapter 10, pages 10-41 through 10-72. <u>Regulatory incentives and concessions</u> : Chapter 10, Policy HE-3.1 on page 10-38 and Implementation Programs N, O, and Q. | Yes |
| 29 | 65583(c)(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 to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to affirmatively further fair housing and to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobile homes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. | Schedule of Actions/Programs | Chapter 10, Implementation Program C on pages 10-40 through 10-41. | Yes |
| 30 | 65583(c)(1)(A) | Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year housing element planning period pursuant to Section 65588, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Section 65585 or the date that is 90 days after receipt of comments from the department | Schedule of Actions/Programs | Chapter 10, Implementation Programs AQ and AR on pages 10-66 through 10-68 for the rezonings that were adopted by the Town Council on November 21, 2023. | Yes |

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| 31 | 65583(c)(1)(B) | Schedule of Actions/Programs | Chapter 10, Implementation Programs AQ and AR on pages 10-66 through 10-68 for the rezonings that were adopted by the Town Council on November 21, 2023. | Yes |
| 32 | 65583(c)(1)(C) | Schedule of Actions/Programs | Chapter C, page C-60 for discussion that there are not any permanent or seasonal farmworkers living in Los Gatos nor any migrant worker student populations. Implementation Program AP, pages 10-64 through 10-65 states that the Town will modify the Town Code to allow Employee Housing per Health and Safety Code Section 17000, et seq. | Yes |
| 33 | 65583(c)(2) | Schedule of Actions/Programs | Chapter 10, Implementation Programs N, O, P, and T. | Yes |
| 34 | 65583(c)(3) | Schedule of Actions/Programs | Chapter 10, Policies HE-3.1 through HE-3.5 and Implementation Programs K, J, L, O, Q, AA, AB, AC, AP, and AW. Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of emergency shelters. | Yes |
| 35 | 65583(c)(4) | Schedule of Actions/Programs | Chapter 10, Implementation Programs I, P, AG, AI, and AJ. | Yes |

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| 36 | 65583(c)(5) | 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 protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. | Schedule of Actions/Programs | Chapter 10, Implementation Programs I, N, O, P, T, U, V, X, and AT. | Yes |
| 37 | 65583(c)(6) | Preserve for lower income households the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance. | Schedule of Actions/Programs | Chapter 10, Implementation Programs AG on page 10-59. | Yes |
| 38 | 65583(c)(7) | Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, "accessory dwelling units" has the same meaning as "accessory dwelling unit" as defined in paragraph (4) of subdivision (i) of Section 65852.2. | Schedule of Actions/Programs | Chapter 10, Implementation Programs Q on pages 10-49 through 10-50. | Yes |
| 39 | 65583(c)(8) | Include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals. | Schedule of Actions/Programs | Chapter 10, Section 10.6 Implementation Programs, pages 10-41 through 10-72. | Yes |
| 40 | 65583(c)(9) | Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort. | Public Participation | Chapter 10, page 10-10 through 10-16 and Appendix I for additional details. | Yes |
| 41 | 65583(c)(10)(A) | Affirmatively further fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2. The program shall include an assessment of fair housing in the jurisdiction that shall include all of the following components: | Affirmatively Further Fair Housing | See Appendix A for supporting details of the Fair Housing Analysis. | Yes |
| 42 | 65583(c)(10)(A)(i) | A summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction's fair housing enforcement and fair housing outreach capacity. | Affirmatively Further Fair Housing | Appendix A, page A-20 through A-28 and A-67 through A-72. | Yes |

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| 43 | 65583(c)(10)(A)(ii) | An analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty and affluence, disparities in access to opportunity, and disproportionate housing needs, including displacement risk. The analysis shall identify and examine such patterns, trends, areas, disparities, and needs, both within the jurisdiction and comparing the jurisdiction to the region in which it is located, based on race and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2) and Section 65008. | Affirmatively Further Fair Housing | Appendix A, pages A-34 through A-72. | Yes |
| 44 | 65583(c)(10)(A)(iii) | An assessment of the contributing factors, including the local and regional historical origins and current policies and practices, for the fair housing issues identified under clauses (i) and (ii). | Affirmatively Further Fair Housing | Appendix A, pages A-16 through A-28. | Yes |
| 45 | 65583(c)(10)(A)(iv) | An identification of the jurisdiction's fair housing priorities and goals, giving highest priority to those factors identified in clause (iii) that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance, and identifying the metrics and milestones for determining what fair housing results will be achieved. | Affirmatively Further Fair Housing | Chapter 10, pages 10-73 through 10-75. Appendix A, pages A-67 through A-72 and pages A-167 through A-171. | Yes |
| 46 | 65583(c)(10)(A)(v) | Strategies and actions to implement those priorities and goals, which may include, but are not limited to, enhancing mobility strategies and encouraging development of new affordable housing in areas of opportunity, as well as place-based strategies to encourage community revitalization, including preservation of existing affordable housing, and protecting existing residents from displacement. | Affirmatively Further Fair Housing | Chapter 10, pages 10-73 through 10-75. | Yes |
| 47 | 65583(c)(10)(B) | A jurisdiction that completes or revises an assessment of fair housing pursuant to Subpart A (commencing with Section 5.150) of Part 5 of Subtitle A of Title 24 of the Code of Federal Regulations, as published in Volume 80 of the Federal Register, Number 136, page 42272, dated July 16, 2015, or an analysis of impediments to fair housing choice in accordance with the requirements of Section 91.225 of Title 24 of the Code of Federal Regulations in effect before August 17, 2015, may incorporate relevant portions of that assessment or revised assessment of fair housing or analysis or revised analysis of impediments to fair housing into its housing element. | Affirmatively Further Fair Housing | Appendix G. | Yes |
| 48 | 65583(c)(10)(C) | The requirements of this paragraph shall apply to housing elements due to be revised pursuant to Section 65588 on or after January 1, 2021. | Affirmatively Further Fair Housing | Noted. | Yes |
| 49-72 | 65583(d) - (j) | N/A - The Town relies on its own zoning to demonstrate capacity for emergency shelters. See above. | Zoning for a Variety of Housing Types | Chapter 10, Implementation Program AP, pages 10-64 through 10-65 indicates that the Town shall amend the Town Code to align with all State requirements on the provision of emergency shelters. | N/A |
| 73 | 65583.1(a) | The Department of Housing and Community Development, in evaluating | Methods for | Land Use/Rezoning Changes: Chapter 10, | Yes |

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| | | a proposed or adopted housing element for substantial compliance with this article, may allow a city or county to identify adequate sites, as required pursuant to Section 65583, by a variety of methods, including, but not limited to, redesignation of property to a more intense land use category and increasing the density allowed within one or more categories. The department may also allow a city or county to identify sites for accessory dwelling units based on the number of accessory dwelling units developed in the prior housing element planning period whether or not the units are permitted by right, the need for these units in the community, the resources or incentives available for their development, and any other relevant factors, as determined by the department. Nothing in this section reduces the responsibility of a city or county to identify, by income category, the total number of sites for residential development as required by this article. | identifying adequate sites/ site inventory | Implementation Programs AQ and AR to create and apply the Housing Element Overlay Zone to apply to the sites included in the Site Inventory to modify the development standards (i.e., density, lot coverage, FAR, height) on those sites. ADUs: Based on the average of ADU building permits issued between the years 2020 to 2022, Appendix D, pages D-68 through D-69. |
| 74-115 | 65583.1(b) - (c) | The Department of Housing and Community Development may allow a city or county to substitute the provision of units for up to 25 percent of the community's obligation to identify adequate sites for any income category in its housing element pursuant to paragraph (1) of subdivision (c) of Section 65583 where the community includes in its housing element a program committing the local government to provide units in that income category within the city or county that will be made available through the provision of committed assistance during the planning period covered by the element to low- and very low income households at affordable housing costs or affordable rents, as defined in Sections 50052.5 and 50053 of the Health and Safety Code, and which meet the requirements of paragraph (2). Except as otherwise provided in this subdivision, the community may substitute one dwelling unit for one dwelling unit site in the applicable income category. The program shall do all of the following: (A) Identify the specific, existing sources of committed assistance and dedicate a specific portion of the funds from those sources to the provision of housing pursuant to this subdivision. (B) Indicate the number of units that will be provided to both low- and very low-income households and demonstrate that the amount of dedicated funds is sufficient to develop the units at affordable housing costs or affordable rents. (C) Demonstrate that the units meet the requirements of paragraph (2). | Methods for identifying adequate sites/ site inventory | N/A |
| 116 | 65583.1(d) | A city or county may reduce its share of the regional housing need by the number of units built between the start of the projection period and the deadline for adoption of the housing element. If the city or county reduces its share pursuant to this subdivision, the city or county shall include in the housing element a description of the methodology for assigning those housing units to an income category based on actual or projected sales price, rent levels, or other mechanisms establishing affordability. | Methods for identifying adequate sites/ site inventory | Chapter 10, page 10-33. Appendix D, pages D-2 and D-72. |

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| 117 | 65583.2(a) | A city's or county's inventory of land suitable for residential development pursuant to paragraph (3) of subdivision (a) of Section 65583 shall be used to identify sites throughout the community, consistent with paragraph (10) of subdivision (c) of Section 65583, that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels pursuant to Section 65584. As used in this section, "land suitable for residential development" includes all of the following sites that meet the standards set forth in subdivisions (c) and (g): | Inventory of land suitable for development/vacant sites | Appendix D. | Yes |
| 118 | 65583.2(a)(1) | Vacant sites zoned for residential use. | Inventory of land suitable for development/vacant sites | Appendix D, pages D-10 through D-12. | Yes |
| 119 | 65583.2(a)(2) | Vacant sites zoned for nonresidential use that allows residential development. | Inventory of land suitable for development/vacant sites | Appendix D, pages D-10 through D-14. | Yes |
| 120 | 65583.2(a)(3) | Residentially zoned sites that are capable of being developed at a higher density, including sites owned or leased by a city, county, or city and county. | Inventory of land suitable for development/vacant sites | Appendix D, pages D-4 through D-8. | Yes |
| 121 | 65583.2(a)(4) | Sites zoned for nonresidential use that can be redeveloped for residential use, and for which the housing element includes a program to rezone the site, as necessary, rezoned for, to permit residential use, including sites owned or leased by a city, county, or city and county. | Inventory of land suitable for development/vacant sites | Chapter 10, Implementation Programs AQ and AR, pages 10-66 through 10-68 to create and apply the Housing Element Overlay Zone (HEOZ) to apply to the sites included in the Site Inventory to modify the development standards (i.e., density, lot coverage, FAR, height) on those sites. The rezonings were adopted by the Town Council on November 21, 2023. | Yes |
| 122 | 65583.2(b) | The inventory of land shall include all of the following: | Inventory of land suitable for development/vacant sites | Appendix D, Sites Inventory Analysis and Appendix H, Sites Inventory Form. | Yes |
| 123 | 65583.2(b)(1) | A listing of properties by assessor parcel number. | Inventory of land suitable for development/vacant sites | Appendix D, Sites Inventory Analysis and Appendix H, Sites Inventory Form. | Yes |

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| 124 | 65583.2(b)(2) | The size of each property listed pursuant to paragraph (1), and the general plan designation and zoning of each property. | Inventory of land suitable for development/ vacant sites | Appendix D, Sites Inventory Analysis and Appendix H, Sites Inventory Form. | Yes |
| 125 | 65583.2(b)(3) | For nonvacant sites, a description of the existing use of each property. If a site subject to this paragraph is owned by the city or county, the description shall also include whether there are any plans to dispose of the property during the planning period and how the city or county will comply with Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5. | Inventory of land suitable for development/ vacant sites | Appendix D, Sites Inventory Analysis and Appendix H, Sites Inventory Form. | Yes |
| 126 | 65583.2(b)(4) | A general description of any environmental constraints to the development of housing within the jurisdiction, the documentation for which has been made available to the jurisdiction. This information need not be identified on a site-specific basis. | Inventory of land suitable for development/ vacant sites | Appendix C, pages C-54 through C-56. | Yes |
| 127 | 65583.2(b)(5)(A) | A description of existing or planned water, sewer, and other dry utilities supply, including the availability and access to distribution facilities. | Inventory of land suitable for development/ vacant sites | Appendix C, pages C-62 through C-64. | Yes |
| 128 | 65583.2(b)(5)(B) | Parcels included in the inventory must have sufficient water, sewer, and dry utilities supply available and accessible to support housing development or be included in an existing general plan program or other mandatory program or plan, including a program or plan of a public or private entity providing water or sewer service, to secure sufficient water, sewer, and dry utilities supply to support housing development. This paragraph does not impose any additional duty on the city or county to construct, finance, or otherwise provide water, sewer, or dry utilities to parcels included in the inventory. | Inventory of land suitable for development/ vacant sites | Appendix H, Sites Inventory Form. | Yes |
| 129 | 65583.2(b)(6) | Sites identified as available for housing for above moderate-income households in areas not served by public sewer systems. This information need not be identified on a site-specific basis. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 130 | 65583.2(b)(7) | A map that shows the location of the sites included in the inventory, such as the land use map from the jurisdiction's general plan, for reference purposes only. | Inventory of land suitable for development/ vacant sites | Appendix D, pages D-15 through D-67. | Yes |

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| 131 | 65583.2(c) | Based on the information provided in subdivision (b), a city or county shall determine whether each site in the inventory can accommodate the development of some portion of its share of the regional housing need by income level during the planning period, as determined pursuant to Section 65584. The inventory shall specify for each site the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing. A nonvacant site identified pursuant to paragraph (3) or (4) of subdivision (a) in a prior housing element and a vacant site that has been included in two or more consecutive planning periods that was not approved to develop a portion of the locality's housing need shall not be deemed adequate to accommodate a portion of the housing need for lower income households that must be accommodated in the current housing element planning period unless the site is zoned at residential densities consistent with paragraph (3) of this subdivision and the site is subject to a program in the housing element requiring rezoning within three years of the beginning of the planning period to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households. Notwithstanding the foregoing, for a local government that fails to adopt a housing element that the department has found to be in substantial compliance with state law within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning pursuant to this subdivision shall be completed no later than one year from the statutory deadline in Section 65588 for adoption of the housing element. An unincorporated area in a nonmetropolitan county pursuant to clause (ii) of subparagraph (B) of paragraph (3) shall not be subject to the requirements of this subdivision to allow residential use by right. The analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing, factory-built housing, mobile homes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing, and whether the inventory affirmatively furthers fair housing. The city or county shall determine the number of housing units that can be accommodated on each site as follows: | Inventory of land suitable for development/vacant sites | <p>Chapter 10, Implementation Programs AQ and AR, pages 10-66 through 10-68 to create and apply the Housing Element Overlay Zone (HEOZ) to apply to the sites included in the Site Inventory to modify the development standards (i.e., density, lot coverage, FAR, height) on those sites. The rezonings were adopted by the Town Council on November 21, 2023.</p> <p>Chapter 10, Implementation Programs AR and AS, pages 10-68 through 10-69, states that the following types of sites used to fulfill the Town's lower income RHNA will be subjected to by-right approval without discretionary review pursuant to Government Code section 65583.2(H) and (I) when 20 percent or more of the units are affordable to lower income households:</p> <ul style="list-style-type: none"> - Rezone Sites: All sites that are to be rezoned with the HEOZ, given that the rezoning occurs after the statutory deadline of the Housing Element (January 31, 2023). - Reuse Sites: Sites that were used in the 5th cycle Housing Element to meet the RHNA will be rezoned with the HEOZ. <p>Appendix C, page C-15 for the development standards for the HEOZ.</p> <p>Appendix A, pages A-167 through A-171 for analysis on how the Sites Inventory affirmatively furthers fair housing.</p> | Yes |

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| 132 | 65583.2(c)(1) | If local law or regulations require the development of a site at a minimum density, the department shall accept the planning agency's calculation of the total housing unit capacity on that site based on the established minimum density. If the city or county does not adopt a law or regulation requiring the development of a site at a minimum density, then it shall demonstrate how the number of units determined for that site pursuant to this subdivision will be accommodated. | Inventory of land suitable for development/ vacant sites | The total capacity of the Sites Inventory in the Housing Element is based on the minimum density. Appendix C, page C-15 for the minimum and maximum density range permitted by the HEOZ. | Yes |
| 133 | 65583.2(c)(2) | The number of units calculated pursuant to paragraph (1) shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in paragraph (5) of subdivision (a) of Section 65583, the realistic development capacity for the site, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities. | Inventory of land suitable for development/ vacant sites | The total number of units calculated in the Sites Inventory in the Housing Element is based on the minimum density. Development trends are provided in Table D-4 of Appendix D, page D-6. | Yes |
| 134 | 65583.2(c)(2)(A) | A site smaller than half an acre shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site is adequate to accommodate lower income housing. | Inventory of land suitable for development/ vacant sites | Appendix D, page D-13. | Yes |
| 135 | 65583.2(c)(2)(B) | A site larger than 10 acres shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site can be developed as lower income housing. For purposes of this subparagraph, "site" means that portion of a parcel or parcels designated to accommodate lower income housing needs pursuant to this subdivision. | Inventory of land suitable for development/ vacant sites | N/A no sites over 10 acres. | Yes |
| 136 | 65583.2(c)(2)(C) | A site may be presumed to be realistic for development to accommodate lower income housing need if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed and approved for development on the site. | Inventory of land suitable for development/ vacant sites | N/A | Yes |

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| 137 | 65583.2(c)(3) | For the number of units calculated to accommodate its share of the regional housing need for lower income households pursuant to paragraph (2), a city or county shall do either of the following: | Inventory of land suitable for development/ vacant sites | N/A | Yes |
| 138 | 65583.2(c)(3)(A) | Provide an analysis demonstrating how the adopted densities accommodate this need. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower income households. | Inventory of land suitable for development/ vacant sites | Appendix D, pages D-3 through D-14. | Yes |
| 139 | 65583.2(c)(3)(B) | The following densities shall be deemed appropriate to accommodate housing for lower income households: | Inventory of land suitable for development/ vacant sites | No response required. | N/A |
| 140 | 65583.2(c)(3)(B)(i) | For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 141 | 65583.2(c)(3)(B)(ii) | For an unincorporated area in a nonmetropolitan county not included in clause (i): sites allowing at least 10 units per acre. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 142 | 65583.2(c)(3)(B)(iii) | For a suburban jurisdiction: sites allowing at least 20 units per acre. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 143 | 65583.2(c)(3)(B)(iv) | For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre. | Inventory of land suitable for development/ vacant sites | Chapter 10, Implementation Programs AQ and AR, pages 10-68 through 10-69 to create and apply the Housing Element Overlay Zone (HEOZ) to apply to the sites included in the Site Inventory to modify the development standards (i.e., density, lot coverage, FAR, height) on those sites, in addition to Table C-3 of Appendix C, page C-15. The rezonings were adopted by the Town Council on November 21, 2023. | Yes |

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| 144 | 65583.2(c)(4)(A) | For a metropolitan jurisdiction: | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 145 | 65583.2(c)(4)(A)(i) | At least 25 percent of the jurisdiction's share of the regional housing need for moderate-income housing shall be allocated to sites with zoning that allows at least 4 units of housing, but not more than 100 units per acre of housing. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 146 | 65583.2(c)(4)(A)(ii) | At least 25 percent of the jurisdiction's share of the regional housing need for above moderate-income housing shall be allocated to sites with zoning that allows at least 4 units of housing. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 147 | 65583.2(c)(4)(B) | The allocation of moderate-income and above moderate-income housing to sites pursuant to this paragraph shall not be a basis for the jurisdiction to do either of the following: | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 148 | 65583.2(c)(4)(B)(i) | Deny a project that does not comply with the allocation. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 149 | 65583.2(c)(4)(B)(ii) | Impose a price minimum, price maximum, price control, or any other exaction or condition of approval in lieu thereof. This clause does not prohibit a jurisdiction from imposing any price minimum, price maximum, price control, exaction, or condition in lieu thereof, pursuant to any other law. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 150 | 65583.2(c)(4)(B)(iii) | The provisions of this subparagraph do not constitute a change in, but are declaratory of, existing law with regard to the allocation of sites pursuant to this section. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 151 | 65583.2(c)(4)(C) | This paragraph does not apply to an unincorporated area. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 152 | 65583.2(c)(4)(D) | For purposes of this paragraph: | Inventory of land suitable for development/ vacant sites | N/A | N/A |

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| 153 | 65583.2(c)(4)(D)(i) | "Housing development project" has the same meaning as defined in paragraph (2) of subdivision (h) of Section 65589.5. | Inventory of land suitable for development/ vacant sites | N/A |
| 154 | 65583.2(c)(4)(D)(ii) | "Unit of housing" does not include an accessory dwelling unit or junior accessory dwelling unit that could be approved pursuant to Section 65852.2 or Section 65852.22 or through a local ordinance or other provision implementing either of those sections. This paragraph shall not limit the ability of a local government to count the actual production of accessory dwelling units or junior accessory dwelling units in an annual progress report submitted pursuant to Section 65400 or other progress report as determined by the department. | Inventory of land suitable for development/ vacant sites | N/A |
| 155 | 65583.2(c)(4)(E) | Nothing in this subdivision shall preclude the subdivision of a parcel, provided that the subdivision is subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land. | Inventory of land suitable for development/ vacant sites | N/A |
| 156 | 65583.2(d) | For purposes of this section, a metropolitan county, nonmetropolitan county, and nonmetropolitan county with a micropolitan area shall be as determined by the United States Census Bureau. A nonmetropolitan county with a micropolitan area includes the following counties: Del Norte, Humboldt, Lake, Mendocino, Nevada, Tehama, and Tuolumne and other counties as may be determined by the United States Census Bureau to be nonmetropolitan counties with micropolitan areas in the future. | Inventory of land suitable for development/ vacant sites | N/A |
| 157 | 65583.2(e)(1) | Except as provided in paragraph (2), a jurisdiction shall be considered suburban if the jurisdiction does not meet the requirements of clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (c) and is located in a Metropolitan Statistical Area (MSA) of less than 2,000,000 in population, unless that jurisdiction's population is greater than 100,000, in which case it shall be considered metropolitan. A county, not including the City and County of San Francisco, shall be considered suburban unless the county is in an MSA of 2,000,000 or greater in population in which case the county shall be considered metropolitan. | Inventory of land suitable for development/ vacant sites | N/A |

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| 158 | 65583.2(e)(2)(A)(i) | Notwithstanding paragraph (1), if a county that is in the San Francisco-Oakland-Fremont California MSA has a population of less than 400,000, that county shall be considered suburban. If this county includes an incorporated city that has a population of less than 100,000, this city shall also be considered suburban. This paragraph shall apply to a housing element revision cycle, as described in subparagraph (A) of paragraph (3) of subdivision (e) of Section 65588, that is in effect from July 1, 2014, to December 31, 2028, inclusive. | Inventory of land suitable for development/vacant sites | N/A | N/A |
| 159 | 65583.2(e)(2)(A)(ii) | A county subject to this subparagraph shall utilize the sum existing in the county's housing trust fund as of June 30, 2013, for the development and preservation of housing affordable to low- and very low-income households. | Inventory of land suitable for development/vacant sites | N/A | N/A |
| 160 | 65583.2(e)(2)(B) | A jurisdiction that is classified as suburban pursuant to this paragraph shall report to the Assembly Committee on Housing and Community Development, the Senate Committee on Housing, and the Department of Housing and Community Development regarding its progress in developing low- and very low-income housing consistent with the requirements of Section 65400. The report shall be provided three times: once, on or before December 31, 2019, which report shall address the initial four years of the housing element cycle, a second time, on or before December 31, 2023, which report shall address the subsequent four years of the housing element cycle, and a third time, on or before December 31, 2027, which report shall address the subsequent four years of the housing element cycle and the cycle as a whole. The reports shall be provided consistent with the requirements of Section 9795. | Inventory of land suitable for development/vacant sites | Progress reports are provided annually to the State and reviewed annually by Town Council. | Yes |
| 161 | 65583.2(f) | A jurisdiction shall be considered metropolitan if the jurisdiction does not meet the requirements for "suburban area" above and is located in an MSA of 2,000,000 or greater in population, unless that jurisdiction's population is less than 25,000 in which case it shall be considered suburban. | Inventory of land suitable for development/vacant sites | N/A | N/A |

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| 162 | 65583.2(g)(1) | For sites described in paragraph (3) of subdivision (b), the city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential. The methodology shall consider factors including the extent to which existing uses may constitute an impediment to additional residential development, the city's or county's past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites. | Inventory of land suitable for development/ vacant sites | Appendix D, pages D-2 and D-26 through D-67. | Yes |
| 163 | 65583.2(g)(2) | In addition to the analysis required in paragraph (1), when a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period. | Inventory of land suitable for development/ vacant sites | Appendix D, pages D-5 through D-12. | Yes |
| 164 | 65583.2(g)(3) | Notwithstanding any other law, and in addition to the requirements in paragraphs (1) and (2), sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income, subject to any other form of rent or price control through a public entity's valid exercise of its police power, or occupied by low- or very low income households, shall be subject to a policy requiring the replacement of all those units affordable to the same or lower income level as a condition of any development on the site. Replacement requirements shall be consistent with those set forth in paragraph (3) of subdivision (c) of Section 65915. | Inventory of land suitable for development/ vacant sites | Chapter 10, Implementation Program AU on page 10-71. | Yes |

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| 165 | 65583.2(h) | The program required by subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583 shall accommodate 100 percent of the need for housing for very low and low-income households allocated pursuant to Section 65584 for which site capacity has not been identified in the inventory of sites pursuant to paragraph (3) of subdivision (a) on sites that shall be zoned to permit owner-occupied and rental multifamily residential use by right for developments in which at least 20 percent of the units are affordable to lower income households during the planning period. These sites shall be zoned with minimum density and development standards that permit at least 16 units per site at a density of at least 16 units per acre in jurisdictions described in clause (i) of subparagraph (B) of paragraph (3) of subdivision (c), shall be at least 20 units per acre in jurisdictions described in clauses (iii) and (iv) of subparagraph (B) of paragraph (3) of subdivision (c) and shall meet the standards set forth in subparagraph (B) of paragraph (5) of subdivision (b). At least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted, except that a city or county may accommodate all of the very low and low-income housing need on sites designated for mixed use if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project. | Inventory of land suitable for development/ vacant sites | Chapter 10, Implementation Programs AQ and AR, pages 10-68 through 10-69 to create and apply the Housing Element Overlay Zone (HEOZ) to apply to the sites included in the Site Inventory to modify the development standards (i.e., density, lot coverage, FAR, height) provide by right development when 20 percent or more of the units are affordable to lower income households. The rezonings were adopted by the Town Council on November 21, 2023. | Yes |
| 166 | 65583.2(i) | For purposes of this section and Section 65583, the phrase “use by right” shall mean that the local government’s review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5. | Inventory of land suitable for development/ vacant sites | Chapter 10, Implementation Programs AQ and AR, pages 10-68 through 10-69 to create and apply the Housing Element Overlay Zone (HEOZ) to apply to the sites included in the Site Inventory to modify the development standards (i.e., density, lot coverage, FAR, height). The rezonings were adopted by the Town Council on November 21, 2023. | Yes |

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| 167 | 65583.2(j) | Notwithstanding any other provision of this section, within one-half mile of a Sonoma-Marín Area Rail Transit station, housing density requirements in place on June 30, 2014, shall apply. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 168 | 65583.2(k) | For purposes of subdivisions (a) and (b), the department shall provide guidance to local governments to properly survey, detail, and account for sites listed pursuant to Section 65585. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 169 | 65583.2(l)(1) | The changes to this section made by Chapter 193 of the Statutes of 2020 shall become operative on January 1, 2022. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 170 | 65583.2(l)(2) | The changes to this section made by Chapter 193 of the Statutes of 2020 shall not apply to a housing element revision that is originally due on or before January 1, 2022, regardless of the date of adoption by the local agency. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 171 | 65583.2(m) | This section shall remain in effect only until December 31, 2028, and as of that date is repealed. | Inventory of land suitable for development/ vacant sites | N/A | N/A |
| 172 | 65583.3(a) | For a housing element or amendment adopted on or after January 1, 2021, the planning agency shall submit to the department an electronic copy of its inventory of land suitable for residential development developed pursuant to paragraph (3) of subdivision (a) of Section 65583 and subdivision (b) of this section with the copy of its housing element or amendment submitted pursuant to subdivision (g) of Section 65585. The local government shall ensure, to the best of its knowledge, that the inventory of land submitted to the department is true and correct. | Sites inventory | Appendix H, Sites Inventory Form. | Yes |
| 173 | 65583.3(b) | Notwithstanding subdivision (a) of Section 65301, each local government shall prepare the inventory required under paragraph (3) of subdivision (a) of Section 65583 using standards, forms, and definitions adopted by the department. The department may review, adopt, amend, and repeal the standards, forms, or definitions to implement this subdivision and subdivision (a) of Section 65583. Any standards, forms, or definitions adopted to implement this subdivision and subdivision (a) of Section 65583 shall not be subject to Chapter 3.5 | Sites inventory | Appendix D, Sites Inventory Analysis and Appendix I, Sites Inventory Form. | Yes |

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| | | (commencing with Section 11340) of Part 1 of Division 3 of Title 2. | | | |
| 174 | 65583.4(a) | Notwithstanding subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583, subdivision (c) of Section 65583.2, and subparagraph (C) of paragraph (4) of subdivision (e) of Section 65588, a local government shall have three years and 120 days from the statutory deadline in Section 65588 for adoption of the housing element to complete any rezonings required by subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583 and subdivision (c) of Section 65583.2 if all of the following apply: | Statutory deadline/ timeframe to complete any rezonings, if applicable | Chapter 10, Implementation Programs AQ and AR, pages 10-68 through 10-69 to create and apply the Housing Element Overlay Zone (HEOZ) to apply to the sites included in the Site Inventory to modify the development standards (i.e., density, lot coverage, FAR, height). The rezonings were adopted by the Town Council on November 21, 2023. | Yes |
| 175 | 65583.4(a)(1) | The statutory deadline in Section 65588 for adoption of the sixth revision of the housing element was in the 2021 calendar year. | Statutory deadline/ timeframe to complete any rezonings, if applicable | Section 65583.4 is N/A; Housing Element due January 31, 2023. | N/A |
| 176 | 65583.4(a)(2) | The local government failed to adopt a sixth revision of the housing element that the department had found to be in substantial compliance with this article within 120 days of the statutory deadline in Section 65588 for adoption of the housing element. | Statutory deadline/ timeframe to complete any rezonings, if applicable | N/A | N/A |
| 177 | 65583.4(a)(3) | The local government adopts a sixth revision of the housing element and the department finds the adopted element to be in substantial compliance with this article within one year of the statutory deadline established pursuant to Section 65888 for adoption of the housing element. | Statutory deadline/ timeframe to complete any rezonings, if applicable | N/A | N/A |

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| 178 | 65583.4(b)(1) | The deadline for completing required rezoning pursuant to subdivision (a) shall be extended by one year if the local government has completed the rezoning at densities sufficient to accommodate at least 75 percent of the units for low- and very low-income households and if the legislative body at the conclusion of a public hearing determines, based upon substantial evidence, that any of the following circumstances exist: | Statutory deadline/ timeframe to complete any rezonings, if applicable | N/A | N/A |
| 179 | 65583.4(b)(1)(A) | The local government has been unable to complete the rezoning because of the action or inaction beyond the control of the local government of any other state, federal, or local agency. | Statutory deadline/ timeframe to complete any rezonings, if applicable | N/A | N/A |
| 180 | 65583.4(b)(1)(B) | The local government is unable to complete the rezoning because of infrastructure deficiencies due to fiscal or regulatory constraints. | Statutory deadline/ timeframe to complete any rezonings, if applicable | N/A | N/A |
| 181 | 65583.4(b)(1)(C) | The local government must undertake a major revision to its general plan in order to accommodate the housing-related policies of a sustainable communities strategy or an alternative planning strategy adopted pursuant to Section 65080. | Statutory deadline/ timeframe to complete any rezonings, if applicable | The Town Council certified the Environmental Impact Report and adopted the 2040 General Plan on June 30, 2022. A referendum to repeal the Land Use and Community Design Elements of the adopted 2040 General Plan was received and verified by the County Registrar. On October 4, 2022, the Town Council adopted a resolution to provide that the 2020 General Plan Land Use and Community Design Elements will govern during the period of suspension. | Yes |
| 182 | 65583.4(b)(2) | The resolution and the findings shall be transmitted to the department together with a detailed budget and schedule for preparation and adoption of the required rezonings, including plans for citizen participation and expected interim action. The schedule shall provide for adoption of the required rezoning within one year of the adoption of the resolution. | Statutory deadline/ timeframe to complete any rezonings, if applicable | N/A | N/A |

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| 183 | 65584.0(a)(1) | For the fourth and subsequent revisions of the housing element pursuant to Section 65588, the department shall determine the existing and projected need for housing for each region pursuant to this article. For purposes of subdivision (a) of Section 65583, the share of a city or county of the regional housing need shall include that share of the housing need of persons at all income levels within the area significantly affected by the general plan of the city or county. | AFFH/RHNA | N/A | N/A |
| 184 | 65584.0(a)(2) | It is the intent of the Legislature that cities, counties, and cities and counties should undertake all necessary actions to encourage, promote, and facilitate the development of housing to accommodate the entire regional housing need, and reasonable actions should be taken by local and regional governments to ensure that future housing production meets, at a minimum, the regional housing need established for planning purposes. These actions shall include applicable reforms and incentives in Section 65582.1. | AFFH/RHNA | Chapter 10, Implementation Programs AQ and AR, pages 10-68 through 10-69 to create and apply the Housing Element Overlay Zone (HEOZ) to apply to the sites included in the Site Inventory to modify the development standards (i.e., density, lot coverage, FAR, height). The rezonings were adopted by the Town Council on November 21, 2023. | Yes |
| 185 | 65584.0(a)(3) | The Legislature finds and declares that insufficient housing in job centers hinders the state's environmental quality and runs counter to the state's environmental goals. In particular, when Californians seeking affordable housing are forced to drive longer distances to work, an increased amount of greenhouse gases and other pollutants is released and puts in jeopardy the achievement of the state's climate goals, as established pursuant to Section 38566 of the Health and Safety Code, and clean air goals. | AFFH/RHNA | N/A | N/A |
| 186 | 65584.0(b) | The department, in consultation with each council of governments, shall determine each region's existing and projected housing need pursuant to Section 65584.01 at least two years prior to the scheduled revision required pursuant to Section 65588. The appropriate council of governments, or for cities and counties without a council of governments, the department, shall adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county at least one year prior to the scheduled revision for the region required by Section 65588. The allocation plan prepared by a council of governments shall be prepared pursuant to Sections 65584.04 and 65584.05. | AFFH/RHNA | N/A | N/A |
| 187 | 65584.0(c) | Notwithstanding any other provision of law, the due dates for the determinations of the department or for the council of governments, respectively, regarding the regional housing need may be extended by the department by not more than 60 days if the extension will enable | AFFH/RHNA | N/A | N/A |

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| | | access to more recent critical population or housing data from a pending or recent release of the United States Census Bureau or the Department of Finance. If the due date for the determination of the department or the council of governments is extended for this reason, the department shall extend the corresponding housing element revision deadline pursuant to Section 65588 by not more than 60 days. | | | |
| 188 | 65584.0(d) | The regional housing needs allocation plan shall further all of the following objectives: | AFFH/RHNA | No response required. | N/A |
| 189 | 65584.0(d)(1) | Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very low-income households. | AFFH/RHNA | N/A | N/A |
| 190 | 65584.0(d)(2) | Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080. | AFFH/RHNA | Chapter 10, Policy HE-1.7, page 10-36 and Chapter 10, Policies HE-5.1 and HE-5.2, page 10-39. | Yes |
| 191 | 65584.0(d)(3) | Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction. | AFFH/RHNA | N/A | N/A |
| 192 | 65584.0(d)(4) | Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey. | AFFH/RHNA | N/A | N/A |
| 193 | 65584.0(d)(5) | Affirmatively furthering fair housing. | AFFH/RHNA | No response required. | N/A |
| 194 | 65584.0(e) | For purposes of this section, "affirmatively furthering fair housing" means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing | AFFH/RHNA | Appendix A, Affirmatively Furthering Fair Housing. | Yes |

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| | | laws. | | | |
| 195 | 65584.0(f) | For purposes of this section, “household income levels” are as determined by the department as of the most recent American Community Survey pursuant to the following code sections: | AFFH/RHNA | N/A | N/A |
| 196 | 65584.0(f)(1) | Very low incomes as defined by Section 50105 of the Health and Safety Code. | AFFH/RHNA | N/A | N/A |
| 197 | 65584.0(f)(2) | Lower incomes, as defined by Section 50079.5 of the Health and Safety Code. | AFFH/RHNA | N/A | N/A |
| 198 | 65584.0(f)(3) | Moderate incomes, as defined by Section 50093 of the Health and Safety Code. | AFFH/RHNA | N/A | N/A |
| 199 | 65584.0(f)(4) | Above moderate incomes are those exceeding the moderate-income level of Section 50093 of the Health and Safety Code. | AFFH/RHNA | N/A | N/A |
| 200 | 65584.0(g) | Notwithstanding any other provision of law, determinations made by the department, a council of governments, or a city or county pursuant to this section or Section 65584.01, 65584.02, 65584.03, 65584.04, 65584.05, 65584.06, 65584.07, or 65584.08 are exempt from the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code). | AFFH/RHNA | N/A | N/A |
| 201 | 65584.09(a) | For housing elements due pursuant to Section 65588 on or after January 1, 2006, if a city or county in the prior planning period failed to identify or make available adequate sites to accommodate that portion of the regional housing need allocated pursuant to Section 65584, then the city or county shall, within the first year of the planning period of the new housing element, zone or rezone adequate sites to accommodate the unaccommodated portion of the regional housing need allocation from the prior planning period. | Rezoning/ RHNA | N/A | N/A |
| 202 | 65584.09(b) | The requirements under subdivision (a) shall be in addition to any zoning or rezoning required to accommodate the jurisdiction’s share of the regional housing need pursuant to Section 65584 for the new planning period. | Rezoning/ RHNA | N/A | N/A |

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| 203 | 65584.09(c) | Nothing in this section shall be construed to diminish the requirement of a city or county to accommodate its share of the regional housing need for each income level during the planning period set forth in Section 65588, including the obligations to (1) implement programs included pursuant to Section 65583 to achieve the goals and objectives, including programs to zone or rezone land, and (2) timely adopt a housing element with an inventory described in paragraph (3) of subdivision (a) of Section 65583 and a program to make sites available pursuant to paragraph (1) of subdivision (c) of Section 65583, which can accommodate the jurisdiction's share of the regional housing need. | Rezoning/ RHNA | Chapter 10, Appendix D, Sites Inventory Analysis, and Appendix I, Sites Inventory Form. | Yes |