

## City/County: City of Lompoc

### HCD Question/Concerns Resulting from Review

Page Number(s)	HCD Question/Concern by Topic	Jurisdiction's Response	Page Number in Revised Doc	Accepted?	HCD Perspective on Response
<b>PUBLIC PARTICIPATION</b>					
2-15-2-25	What efforts were made to achieve public participation of all economic segments of the community in the development of the element? What organizations that represent lower income were contacted?	We have added information related to eBlasts and noticing in the introduction.	2-11		
<b>REVIEW AND REVISE</b>					
2-34-2-37	The element includes a general discussion of the progress toward implementation from the previous element, but must describe how the goals, policies and programs of the updated element incorporate what has been learned from the results of the previous element.	We have added this summary beginning on page 2-38. Please note, we have also included an evaluation of each 5 <sup>th</sup> cycle program in Appendix B.	2-38		
GEN	The element must include analysis of the cumulative impact of the previous housing element's programs to address the housing needs of special needs populations.	We have added this summary beginning on page 2-38.	2-38		
<b>HOUSING NEEDS (Population/employment/Household Characteristics/Housing Stock)</b>					
GEN	The element must quantify housing units by type (S.F, MF, MH, etc.).	The Draft quantifies housing units by type for 2021 under the heading "Housing Type" (page 2-56) and compares change over time under the heading "Housing Growth" (page 2-57).	2-56 and 2-57		
<b>HOUSING NEEDS (Special Needs)</b>					
2-61	The element includes data on the number of households with householder age 65+ but should include the total number of elderly individuals.	The Draft includes this information under the heading "Age" beginning on page 2-43. Please see Table H-4	2-43		
GEN	The element should provide an overview of available resources for special housing needs groups.	We have added information on resources and service providers within the discussion of each special needs group.	Throughout the Special Needs Housing section		
<b>AFFH (Summary of Fair Housing Issues/enforcement/outreach/integration/segregation/RECAPs/A to O/displacement)</b>					
A-8-A-11	The element indicates that the city received a high number of fair housing complaints, particularly related to disability, but should include additional analysis of this data, if possible, to determine if any differences in geographies exist within the city. The analysis could also evaluate results from any fair housing testing or local knowledge from the fair housing service provider to obtain insight into local trends of fair housing complaints.	The Project Team is having trouble finding information on these complaints. Geographic information related to the complaints is likely confidential, so a geographic analysis may not be possible. We have contacted the service provider and will update the document if additional information is obtained.			

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GEN	The analysis must address compliance with existing fair housing laws.	Fair Housing Act, Disabilities Act  Pages A-10 to A-11 Added description of how the City complies with existing Fair Housing Laws	A-10 to A-11		
A-74	The element includes some discussion of local trends of homelessness but should include additional analysis to identify potential areas of higher need (i.e., encampments, etc.) and include program(s) as appropriate. The element should also provide meaningful analysis from homeless data, including disproportionate impacts on protected characteristics (e.g., race, family, disability), patterns of need and access to opportunities, including services, and transportation.	A-75 to A-76 Added information on homelessness population characteristics  A-76 to A-77 Added information on geographic distribution of homeless individuals in the city and needs	A-75 to A-77		
A-94	<u>Contributing factors:</u> The element should prioritize contributing factors.	Prioritized numbering page A-88	A-88		
<b>HOUSING NEEDS (Energy Conservation/At-Risk Housing)</b>					
2-59	The element indicates that the City has 31 affordable units with expiring affordability restrictions within the next eight years but must also include an assessment of conversion risk.	We have included the following information on page 2-63: "Despite the expiration of the deed-restriction, Rainbow Plaza currently (2023) continues to provide housing affordable to lower income households. The City is not aware of any plans by the property owner to convert these units to market rate, however, because the affordability end year has passed, the development is noted to be at very high risk of conversion in the table above. As of June 2023, the City has contacted the owner to evaluate the conversion risk-level and to encourage the preservation of the 31 affordable units in the development."	2-63		
2-60–2-61	The element includes a brief discussion of the cost of new affordable housing but must analyze the cost for replacing versus preserving the identified at-risk units.	We have added this analysis on page 2-63 under the new heading, "Cost Comparison of Preservation and New Construction"	2-63		
GEN	The element must identify qualified entities and funding sources to assist with maintaining the affordability of the identified at-risk units.	We have added this analysis under the heading "Qualified Entities and Funding Sources" on page 2-64	2-64		

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<b>HOUSING NEEDS (RHNA/Progress)</b>					
2-102– 2-105	The element must demonstrate the availability of pipeline projects in the planning period, including and any known barriers to development. Element should also include the mechanism holding the units affordable for each individual project.	The Project Team is working with Staff to compile this information.			
<b>ADEQUATE SITES (Inventory/E-Sites)</b>					
2-107	ADUs: How many ADU permitted in 2022? In line with assumptions for the planning period? The element should add or modify programs to monitor permitted ADUs and affordability every other year and take appropriate action such as adjusting assumptions or rezoning within a specified time period (e.g., 6 months).	Page 2-114 Added number of ADU permits issued in 2022, which is in line with assumptions	2-114		
2-112– 2-122	Inventory must indicate which sites were used in previously adopted housing element(s).	Page 2-123 to 2-134 Added to Table H-43	2-123 to 2-134		
2-124	Status of rezoning Site 32 to MU? Program needed?	Confirmed within program- Program H-A.20	Program H-A.20		
GEN	Do non-vacant sites include any residential units, either existing or demolished, that are/were occupied by, or subject to affordability agreements for lower income households within 5 years preceding the beginning of the planning period? If so, replacement program needed.	No sites have existing affordable units no program is needed.			
<b>ADEQUATE SITES (Analysis, incl. Sites AFFH)</b>					
2-108– 2-109	<u>Realistic capacity</u> : The element describes how the calculation accounts for typical densities of existing and approved projects, but must also address minimum density requirements, land use controls, site improvements, and access to current, or planned, water, sewer, and dry utilities.	Expanded on pages 2-115 to 2-116	2-115 to 2-116		
2-108, 2-112	Are 100% nonresidential projects permitted in the MU and OTC zones? What is the likelihood of a residential component?	Added details pointing to trends of 100% residential in mixed use redevelopment and noting that density assumptions included projects with commercial components. Also explained that the City has a high commercial vacancy indicating a low market demand for more commercial structures	2-115 to 2-116		

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2-109– 2-112	The element analyzes the jurisdiction's past experience converting existing residential and mixed-use uses to higher density residential development, development trends, and incentives that encourage development, but should also address current market demand for the existing uses and analysis of existing leases or other contracts that would perpetuate the existing uses or prevent additional residential development.	Added non-vacant site analysis starting on 2-119	2-119		
2-113– 2-122	<u>Non-vacant</u> : Non-vacant sites accommodate 50% or more of the lower-income need, therefore the housing element must demonstrate that the existing use is not an impediment to additional residential development in the planning period. This can be demonstrated by providing substantial evidence that the existing use is likely to be discontinued during the planning period.	Added non-vacant site analysis starting on 2-119	2-119		
2-113– 2-122	<u>Small Sites</u> : Do grouped sites in inventory (e.g., sites 35, 37, 39) indicate common ownership? Are they contiguous?  Sites smaller than a half-acre in size are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites are suitable to accommodate housing for lower-income households. The analysis could describe the City's role or track record in facilitating past lot consolidation, common ownership, policies, or incentives offered or proposed to encourage and facilitate lot consolidation or other conditions rendering parcels suitable and ready-for-lot consolidation. Based on a complete analysis, the city should consider adding or revising programs to include incentives for facilitating development on small sites.	Added small sites discussion/section on 2-121	2-121		
2-116–2-121	Sites 46/64/68/79: Please describe anticipated development. Will existing SFR use continue or discontinue with anticipated redevelopment? Analysis should be coupled with AFFH displacement program.	The Project Team is preparing a response to be included in the next iteration of the Element.			
2-119	What is the size of site 69? Status of school district project?	Added detail on school site in non-vacant site analysis (2-114) and edited the site in the table (2-130)	2-121		
2-126– 2-127	<u>Environmental Constraints</u> : Were other known constraints evaluated as well? Lot shape, easements, overlays, contamination?	There are no overlays or known easements on the identified sites. Details added for land use constraints.	2-116		

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A-90–A-93	<u>Sites &amp; AFFH</u> : Element includes discussion of sites in relation to identified fair housing issues but must also quantify and evaluate sites by area/location in relation to each indicator. HCD will send sample table.	Added in site inventory analysis at the end of the AFFH section	A-98		
<b>ADEQUATE SITES (Zoning for a Variety of Housing Types)</b>					
2-71, 2-95	The element must address whether existing zoning and development standards pose a constraint on new SRO construction and add programs as appropriate to facilitate development of this housing type.	This is addressed under the heading "Single-Room Occupancy Units (SROs)"	2-102		
2-86	<u>Housing for persons with Disabilities</u> : The element subjects residential care homes for six or more persons to a conditional use permit. The element must analyze the CUP permit process for its impacts on housing supply and choice and approval certainty and objectivity for housing for persons with disabilities and include programs as appropriate.	In the section "Constraints for Persons with Disabilities," we identify the use permit requirement as a constraint to development of large residential care facilities. An action has been added to Program H-A.8 to remove this constraint.	Program H-A.8		
2-86	<u>Reasonable Accommodation</u> : Element should evaluate the RA findings, comparing them to the model RA ordinance and make programmatic changes where appropriate.	We have added this analysis to page 2-93 and have added an action to remove subjectivity from the approval findings in Program H-A.8.	2-93 Program H-A.8		
2-93	<u>Emergency Shelters</u> : The element should include new provisions from AB 2339. For more information, see HCD's AB 2339 memorandum at <a href="https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf">https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf</a> .	The City does not fully comply with the recent changes. We have added a paragraph to page 2-100 identifying this constraint. Program H-A.8 includes an action committing the City to revising the Municipal Code for compliance with Government Code section 65583 (a)(4).	2-100 Program H-A.8		
FYI	<u>Accessory Dwelling Units</u> : Ordinance will be evaluated by the ADU team, pursuant to GC 65852 (h).	Noted.			
<b>CONSTRAINTS ON HOUSING (Governmental)</b>					
2-73	<u>Land-use controls</u> : Any minimum unit sizes or other standards not listed?	Other than minimum landscaped area (which has been added to Table H-34), there are no additional development standards to list.	2-78		
2-73	<u>Land-use controls</u> : How often and how likely is development at maximum density (44 du/ac) in MU and OTC zones, given 3-story height limits? Element should provide a cumulative analysis of land use controls.	The Project Team is preparing a response to be included in the next iteration of the Element.			

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2-74-2-75	<u>Land-use controls</u> : Parking for supportive housing, transitional housing, and residential group care homes should be for underlying use.	We have identified these additional parking requirements as a constraint on page 2-77 and have added an action to Program H-A.8 to update the Municipal Code to remove align parking requirements with those of residential uses in the same zone.	2-79 Program H-A.8		
2-74-2-75	<u>Land-use controls</u> : The element must describe and analyze the parking requirement for multifamily which requires 50% of parking spaces to be covered.	We have added this analysis to page 2-79.	2-79		
2-71	<u>Land-use controls</u> : Single-family residential (SF) is permitted by-right in MU zone, which may pose a constraint on higher density development. The element should include a program to remove this constraint on housing supply and affordability.	We have added the action, "Remove single-family dwellings from the list of allowable uses in the MU zone to remove potential constraints to multifamily housing types" to Program H-A.8.	Program H-A.8		
2-78-2-81	<u>Processing and permit procedures</u> : The element describes review findings and procedures for use permits (AUP, MUP, CUP), but should address impacts on housing cost, supply, timing, and approval certainty. For example, the element should analyze approval findings for impacts on approval certainty, the presence of processes or guidelines to promote certainty and add or modify programs as appropriate.	We had added information under the headings "Impacts to Approval Certainty" to pages 2-84 and 2-87	2-84 2-87		
2-81	<u>Design Review</u> : How is "appropriate relationship to surrounding development and land use" evaluated? Can it be objectively evaluated through Architectural Review Guidelines?	We have added to the analysis of Design Review procedures, including discussion of the neighborhood compatibility finding that is a potential constraint and data from City staff that: "no recent residential multifamily projects have been denied based on neighborhood compatibility findings. Additionally, Planning Commission comments related to potential neighborhood compatibility issues are clearly expressed to applicants and do not necessitate additional hearings to resolve."	2-86 to 2-87		
2-81	<u>Codes/standards</u> : The element discusses building code standards but should also describe the city's approach to enforcement (i.e., degree, type of enforcement).	We have added information on code enforcement to page 2-87	2-87		

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2-82	<u>On/off site improvements</u> : The element must identify improvement requirements, such as minimum street widths (e.g., 40-foot minimum street width), and analyze their impact as potential constraints on housing supply and affordability.	We have added information related to required on/off site improvement standards for curbs, gutters, and sidewalks.	2-88		
2-83	<u>Fees &amp; exactions</u> : The element details required fees for development but must also include impact fees. In addition, the element must analyze all fees for their impact as potential constraints on housing supply and affordability. For example, the analysis could identify the total amount of fees and their proportion to the development costs for both single family and multifamily housing and analyze surrounding jurisdictions' total fees.	We have added a discussion of impact fees on page 2-89 and within Table H-37.	2-89		
<b>CONSTRAINTS ON HOUSING (Non-Governmental)</b>					
2-89	The element quantifies the average cost of construction in nearby Solvang but must also include quantification of construction costs in Lompoc.	We have added this information to page 2-96 based on discussions with a local developer.	2-96		
GEN	Any local efforts to address non-governmental constraints that create a gap in the ability to meet RHNA by income category?	We have added to the discussion of Community Resources (2-145) and referenced this information in the non-governmental constraints analysis on page 2-97.	See Community Resources (2-145) and 2-97		
2-126	Available and accessible dry utilities infrastructure sufficient to support housing development?	The Project Team is preparing a response to be included in the next iteration of the Element.			
<b>QUANTIFIED OBJECTIVES</b>					
1-5-1-6	Reconcile quantified objectives for moderate & above moderate.	We have fixed the discrepancy.	1-5		
<b>PROGRAMS</b>					
1-16	Program H-A.8 (Municipal Code Updates): Timing should be amended to implement by 2/15/2025 or include a statement of implementation in the interim.	We have revised the timing to be implemented by February 15, 2025.	1-16		
1-19, 1-20, 1-22	Programs H-A.13, H-A.15, and H-A.19 include descriptions such as "if needed" and "as necessary," and should be amended to specify the trigger for the actions to occur.	The Project Team is preparing a response to be included in the next iteration of the Element.			
1-21	Program H-A.17 (At-Risk Assisted Affordable Housing Units): Program should be modified to include noticing requirements within 3 years and 6 months of the affordability expiration dates, in addition to coordinating with qualified entities such as non-profit organizations and establish specific time parameters around such actions.	We have revised the program accordingly.	1-21		

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GEN	Program needed for vacant/non-vacant sites for lower identified in multiple housing element(s). See Sites Inventory Guidebook p. 13 for sample program.	<p>We have included these in program H-A.20</p> <p><i>“Lower-income sites included in the sites inventory with a proposed zoning change, as well as vacant sites identified in two previous housing elements and non-vacant sites identified in the previous housing element, shall be rezoned, in compliance with Government Code Section 65583.2(h) and (i), to:</i></p> <ul style="list-style-type: none"> <li>• <i>permit owner-occupied and rental multifamily uses by-right (without discretionary approval) for developments in which 20 percent or more of the units are affordable to lower income households.</i></li> <li>• <i>accommodate a minimum of 16 units per site; and</i></li> <li>• <i>require a minimum density of 20 units per acre.”</i></li> </ul>	1-23		
GEN	Replacement program needed for non-vacant site occupied by lower-income household within the last 5 years?	No sites have existing affordable units so no program action is needed.			
GEN	<p>The element should include program(s) for displacement protections, including but not limited to first right of return, replacement requirements, just cause eviction, relocation ordinance etc.</p> <p>In addition, based on a complete AFFH analysis, the city may need to add or revise programs as appropriate to address identified needs (e.g., homeless supportive services). Programs must include specific commitments, discrete timelines for implementation throughout the planning period (e.g., month, year), metrics and geographic targeting.</p>	The Project Team is researching and discussing displacement programs. A program will be included in the next iteration of the Element.			
FYI	Based on a complete analysis of governmental constraints, the element may need to add or amend programs to address any identified constraints (e.g., zoning for SROs, use permit requirements, site improvement requirements, fees)	As discussed under the individual comments above, we have added program actions to respond to the revised analyses.			
FYI	Based on a complete analysis of small sites, the city should consider revising program H-A.12 to include incentives or add additional actions to facilitate lot consolidation.	Based on the analysis of small sites, the Project Team does not believe that additional incentives or actions are needed.			



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OTHER					
FYI	> 50% nonvacant resolution	The Project Team requests additional information from HCD for clarification on this FYI comment.			
FYI, 2-124	Rezone timing: Plan for rezoning Site 32 to MU to accommodate RHNA? Any other sites in need of rezone to accommodate RHNA or to add capacity?	Site 32 is the only site with a proposed rezone. Program H-A.20 includes the rezone requirements in compliance with Government Code Section 65583.2(h) and (i)	1-23		
FYI	E-Sites: Required submittal with adopted housing element	Noted			
FYI	Consistency with General Plan/Land Use Element	The Project Team is preparing a response to be included in the next iteration of the Element.			
Comments	D. Kellogg- Discuss compliance with the Permit Streamlining Act and intersections with CEQA and timing requirements, including streamlining determinations and add or modify programs as appropriate.	<p>The City currently practices compliance with the Permit Streamlining Act but has not codified the requirements. We have added the following action to Program H-A.8:</p> <p><i>“Amend the Municipal Code to... Specify who is responsible for making CEQA determinations and within the timeframes of PRC 21080.1 and PRC 21080.2; and determination of when the PSA is triggered per Government Code 65950(a)(5) the Permit Streamlining Act (PSA).”</i></p>	1-16		