

Response to HCD Findings on Draft Countywide 6th Cycle Housing Element

Finding	Interpretation	How the Comment Was Addressed	P. #
ALL JURISDICTIONS			
<i>1. Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)</i>			
<p>The element mentions a few programs were implemented and that some housing may accommodate special needs households but should instead review the various programs and whether the programs were cumulatively effective in addressing all special needs populations (i.e., elderly, persons with disabilities, large households, female headed households, farmworkers, and persons experiencing homelessness). For example, the element could inventory all special housing needs related programs, discuss implementation or lack of implementation efforts, evaluate cumulative effectiveness then discuss the appropriateness of actions in the current planning period.</p>	<ul style="list-style-type: none"> Review the various programs and whether the programs were cumulatively effective in addressing all special needs populations (i.e., elderly, persons with disabilities, large households, female headed households, farmworkers, and persons experiencing homelessness). 	<p>Chapter VI of the Background Report was updated to analyze the programs related to the special needs populations. Table VI-2 and associated text was added to address the implementation of programs addressing special needs groups and the cumulative production of units associated with each special needs category.</p>	<p>Background Report pp. 191-195</p>
<p><i>2. Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all income levels, including extremely low-income households. (Gov. Code, § 65583, subd. (a)(1).)</i> <i>Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)</i> <i>Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)</i></p>			
<p><u>Housing Needs Assessment:</u> The element includes a quantification of housing needs, including special needs for the Amador County area. While HCD applauds the collaboration and broader efforts to address housing needs and this quantification is generally adequate, the element should also analyze the quantification for each of the jurisdictions to better understand housing needs and formulate appropriate policies and programs. An analysis should generally address trends, characteristics, magnitude of needs, resources and potential strategies and should at least be conducted for population growth, employment, tenure, overpayment, overcrowding, housing unit types, extremely low-income households, and all special needs</p>	<ul style="list-style-type: none"> Analyze the quantification for each of the jurisdictions to better understand housing needs and formulate appropriate policies and programs. An analysis should generally address trends, characteristics, magnitude of needs, resources and potential strategies and should at least be conducted for population growth, employment, tenure, overpayment, overcrowding, 	<p>The Background Report addresses the identified factors for each jurisdiction. To make this information easier to find and understand, a Housing Needs Profile was added to the Annex for each jurisdiction.</p>	<p>See individual annexes: II. Housing Needs Profile</p>

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households. To address this requirement, a community specific profile could be added to each of the City’s annex sections.	housing unit types, extremely low-income households, and all special needs households.		
<p><u>Extremely Low-Income Households (ELI)</u>: The element lists some occupations and wages earned by ELI households then briefly mentions ELI households are roughly 10 percent of the population and over 80 percent overpay for housing. However, the element should include a specific analysis of ELI households and particularly evaluate the disproportionate impact on housing situations and needs, including overpayment, overcrowding, transportation and housing costs and other characteristics, resources and strategies and the magnitude of housing needs.</p>	<ul style="list-style-type: none"> • Include a specific analysis of ELI households and particularly evaluate the disproportionate impact on housing situations and needs, including overpayment, overcrowding, transportation and housing costs and other characteristics, resources and strategies and the magnitude of housing needs. 	<p>A more detailed analysis of ELI households, including disproportionate housing needs, was provided in the Housing Needs Assessment of the Background Report. ELI needs were also addressed in the Housing Needs Profile added to the Annex for each jurisdiction.</p>	<p>Background Report pp. 22-23; Individual Annexes – Housing Needs Profiles, ELI</p>
<p><u>Special Housing Needs (Farmworkers)</u>: The element notes that Amador County is one of the principal viticulture regions of California then generally explains that the housing needs of farmworkers are minimal based on American Community Survey data which is potentially a significant undercount of farmworker housing needs. Given the importance of the viticulture industry and the disproportionate housing needs of farmworkers, the element should more closely examine the housing needs of farmworkers. For example, the analysis could address household characteristics, income, challenges faced by the population, the existing resources to meet those needs, an assessment of any gaps in resources, and the effectiveness of past policies, programs, and funding to help address those gaps. The analysis may utilize past farmworker housing studies and other studies generally applicable to their special housing needs. For example, the element could utilize a recent study conducted by University California at Merced that is available at https://clc.ucmerced.edu/sites/clc.ucmerced.edu/files/page/documents/fwhs_report_2.2.2383.pdf. Based on the outcomes of</p>	<ul style="list-style-type: none"> • More closely examine the housing needs of farmworkers and add or modify programs to address this need. 	<p>The Background Report was updated to provide additional data regarding the farmworker population, including unpaid workers and migrant workers, and to also address estimated farmworkers by jurisdiction. The analysis was revised to address housing needs of farmworkers as reported in the 2022 Farmworker Health in California Report. Program 20 in the Housing Plan was revised to specifically address farmworker needs.</p>	<p>Background Report, pp. 32-34 Housing Plan, Program 20</p>

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<p>the analysis, the element should add or modify programs to address this significant special housing need in the region.</p>			
<p><i>3. Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)</i></p>			
<p><u>Regional Analysis:</u> The element includes some brief statements comparing Amador County to the broader region but should specifically analyze these differences to better formulate appropriate policies and programs. This analysis should address segregation and integration (e.g., race, disability, income), disparities in access to opportunity and displacement risk.</p>	<ul style="list-style-type: none"> Specifically analyze regional differences to better formulate appropriate policies and programs. 	<p>Additional discussion of regional trends and issues was added, including comparison of segregation and integration factors (race/ethnicity, disability, female-headed households, seniors, income) with income and access to opportunities, including economic, transportation, education, and environmental opportunities.</p>	<p>Background Report pp. 125, 127-131, 153, 169-171, 173, 174</p>
<p><u>Identified Sites and Affirmatively Furthering Fair Housing (AFFH):</u> While the element includes some broad discussion of identified sites and different components of fair housing (e.g., segregation and integration and disparities in access to opportunity), it should evaluate identified sites and AFFH as part of each jurisdiction annex. Further, this analysis should utilize local data and knowledge to examine the potential impacts of identified sites on existing socio-economic characteristics.</p>	<ul style="list-style-type: none"> Evaluate identified sites and AFFH as part of each jurisdiction annex. Utilize local data and knowledge to examine the potential impacts of identified sites on existing socio-economic characteristics. 	<p>Analysis of sites in the context of AFFH was added to the Annex for each jurisdiction. The Background Report was updated to include additional information regarding local data and knowledge; this information is reflected in the analysis provided for each jurisdiction.</p>	<p>Background Report pp. 122-123; Individual Annexes – Chapter V, Affirmatively Furthering Fair Housing Issues and Sites</p>
<p><u>Local Data and Knowledge:</u> State and federal data and mapping should be complemented by local data and knowledge, particularly in rural areas due to factors like sampling and the relationship between census tracts and city boundaries. While the element incorporates outreach efforts, it should utilize other local data and knowledge to better examine fair housing patterns and trends. The element should incorporate any relevant past surveys, assessments and plans as well as utilize the local knowledge of County, City, or other related officials and service providers.</p>	<ul style="list-style-type: none"> Utilize other local data and knowledge (relevant past surveys, assessments and plans, local knowledge of officials and service providers), in addition to outreach efforts, to better examine fair housing patterns and trends. 	<p>The Background Report was updated to include additional information regarding local data and knowledge. This information is reflected in the analysis provided for each jurisdiction, including input from staff, input from stakeholders, and community input (Housing Needs and Priorities Survey).</p>	<p>Background Report pp. 122-123 Individual Annexes – Chapter V, Affirmatively Furthering Fair Housing Issues and Sites</p>

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<p><u>Contributing Factors to Fair Housing Issues:</u> Based on the outcomes of a complete analysis, the element should re-assess contributing factors and prioritize those factors then formulate appropriate policies and programs.</p>	<ul style="list-style-type: none"> Re-assess contributing factors, priorities, and appropriate policies and programs. 	<p>The fair housing issues and contributing factors analysis was updated to reflect the additional analysis.</p> <p>The Housing Plan was updated to further address fair housing issues and contributing factors, including addressing access to resources, more positive outcomes and opportunities, improving opportunities and outcomes, increasing housing choice, and displacement.</p>	<p>Background Report pp. 186-188</p> <p>Housing Plan pp. 12, 14, 17-20,</p>
<p><i>4. 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. (Gov. Code, § 65583, subd. (a)(3).)</i></p>			
<p><u>Progress in Meeting the Regional Housing Need Allocation (RHNA):</u> The RHNA may be reduced by the number of new units built, permitted, approved, or pending since January 1, 2019; however, the element must demonstrate their affordability and availability in the planning period. Affordability should be demonstrated based on actual or anticipated rents or sales prices or other mechanisms ensuring affordability (e.g., deed-restrictions). Availability should address the status, anticipated completion, any barriers to development and other relevant factors such as build out horizons, phasing, and dropout rates to demonstrate the availability or likelihood of development in the planning period.</p>	<ul style="list-style-type: none"> Demonstrate the affordability and availability in the planning period of new units built, permitted, approved, or pending since January 1, 2019. 	<p>Each Annex was updated to identify the basis for the affordability and availability assumptions for constructed, permitted, approved, and pending units.</p>	<p>Amador County Annex pp. 39-41</p> <p>Ione Annex pp. 38, 39</p> <p>Jackson Annex p. 36</p> <p>Sutter Creek Annex p. 38</p>
<p><u>Realistic Capacity:</u> The element generally explains sites will be developed at 80 percent of the maximum allowable densities in residential zones and 50 percent of the maximum allowable densities in commercial and mixed-use zones. The element also includes Program 17 to require new development at 75 percent of maximum allowable densities. However, the element should be revised as follows:</p>	<ul style="list-style-type: none"> Assume 75% of maximum allowable densities in residential zones or provide supporting information to support the 80% of maximum allowable densities assumption. 	<p>Residential zones: Assumptions have been revised to 75% for residential sites, except for proposed projects and sites assumed to accommodate 1 unit (existing subdivision sites).</p>	<p>75% assumption for residential: Chapter IV of each Annex</p>

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<p><i>Residential Zones:</i> The element should either assume 75 percent of maximum allowable densities or provide information and analysis to support the 80 percent of maximum allowable densities assumption. Supporting information should list recent developments by number of units, zone, allowable density, built density, affordability, and use of exceptions such as state density bonus law.</p>			
<p><i>Commercial and Mixed-Use Zones:</i> While the element conservatively assumes only 50 percent of maximum allowable densities in these zones, these zones allow 100 percent nonresidential uses and the element should discuss the likelihood of a residential component and adjust assumptions as appropriate. For example, the element should examine all development (residential and nonresidential) in these zones, discuss how often a residential component occurs then either support or rescale the assumption. Alternatively, the element should add a program to require a residential component.</p>	<ul style="list-style-type: none"> Commercial and Mixed Use Zones: Discuss likelihood of residential component and adjust assumptions. 	<p>Commercial and Mixed Use Zones: The Housing Plan was revised to require a minimum of 50% residential uses on sites necessary to accommodate the RHNA in Amador City, Jackson, and Plymouth. The jurisdictions of Lone, Amador County, and Sutter Creek do not need commercial/mixed use sites to accommodate the RHNA.</p>	<p>Housing Plan p. 5</p>
<p><u>Environmental Constraints:</u> The element broadly discusses environmental constraints but should relate these constraints to identified sites. Particularly, the element should discuss whether these constraints preclude or significantly impact the feasibility of development on identified sites. In addition, this analysis should address any other known conditions that preclude or significantly impact the feasibility of development on identified sites. Examples include shape, conditions, restrictions, airport compatibility, contamination and easements, including conservation easements.</p>	<ul style="list-style-type: none"> Relate constraints to identified sites, including the feasibility of development on identified sites and address any other known conditions that preclude or significantly impact the feasibility of development on identified sites. 	<p>Flood: Background Report was updated to identify general areas affected by flooding. Background Report p.97 addresses approach to development in floodplain. Attachment A in each Annex was updated to identify acres of site in floodplain.</p> <p>Wildfire: Background Report updated to identify areas located in very high fire hazard severity zone and to address approach to fire safe development.</p> <p>Other Known Conditions: background report updated to address parcel characteristics, hazardous materials, airport compatibility, and easements/restrictions.</p>	<p>Background Report – p. 97-102</p> <p>Annexes: See additional figures.</p>

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		Figures were added to each Annex to identify environmental constraints relative to the inventory sites.	
<p><u>Electronic Sites Inventory</u>: For your information, pursuant to Government Code section 65583.3, an electronic sites inventory must be submitted with the adopted housing element. The inventory must utilize standards, forms, and definitions adopted by HCD. Please see HCD’s housing element webpage at https://www.hcd.ca.gov/planning-and-community-development/housing-elements for more information.</p>	<ul style="list-style-type: none"> Information only. 	Noted.	-
<p><i>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, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)</i></p>			
<p><u>Processing and Permit Procedures</u>: For most jurisdictions, the element discusses planned development zones, planned development overlay zones or other flexible zoning techniques. The element should clearly describe whether these zones and processes are required or optional for development applicants. If required, the element should discuss whether fixed development standards are available and if not, analyze impacts on housing supply (number of units), cost, timing and approval certainty and add or modify programs to address identified constraints.</p>	<ul style="list-style-type: none"> Identify whether planned development zones and processes are required or optional for development applicants and effects on housing supply. 	<p>Each Annex was updated as needed to address Planned Development or similar standards where a Planned Development zone was adopted and future projects within the area must comply. Where necessary, the annexes were updated to address the optional application of PD requirements. It is noted that inventory sites were calculated based on any applicable PDs, so any PD requirements (where entitled subdivisions or other approved projects have an approved PD) were considered in the inventory.</p>	<p>Amador County Annex- pp. 12-14 Amador City Annex- no changes needed lone Annex- pp. 24,25 Jackson Annex- p. 20 Plymouth Annex- no changes needed Sutter Creek Annex – no changes needed</p>
<p><u>Building Codes and their Enforcement</u>: The element identifies the utilized building code; however, it should also discuss whether the jurisdiction is utilizing the most recent 2022</p>	<ul style="list-style-type: none"> Address whether each jurisdiction is using the most recent 2022 building codes, the 	<p>Each Annex was updated to address the version of building codes in use and impacts on housing costs.</p>	<p>Amador County Annex- p. 27</p>

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<p>building codes. In addition, the element should discuss the type of enforcement on existing residential structures (e.g., complaint based) and evaluate any impacts on housing costs and lower-income households.</p>	<p>type of enforcement, and any impacts on housing costs and lower income households.</p>		<p>Amador City Annex- p. 14 Ione Annex- p. 27 Jackson Annex- p. 22 Plymouth Annex- p. 20 Sutter Creek Annex – p. 23</p>
<p><u>Site Improvements:</u> In most cases, the element discusses subdivision requirements but should also identify and analyze typical on and off-site improvements (e.g., street, sidewalk, and other mobility improvements) for impacts on housing costs. For Sutter Creek, while the element discusses these improvements, it mentions improvements are required adjacent to a tract. The element should explain the extent of adjacent improvements and evaluate the cost impacts of these improvements.</p>	<ul style="list-style-type: none"> Identify and analyze typical on- and off-site improvements. Address improvements required adjacent to tract in Sutter Creek. 	<p>The Background Report was updated to address typical on- and off-site improvements.</p>	<p>Background Report p. 90 Sutter Creek Annex – p. 23</p>
<p>Persons with Disabilities (Group Homes for Seven or More Persons): In most cases, group homes for seven or more persons appear to be subject to special regulations or not allowed in some residential zones. First, zoning should simply implement a barrier-free definition of family instead of subjecting, potentially persons with disabilities, to special regulations such as the number of persons, population types and licenses. Second, these housing types are, in some cases, excluded from some residential zones, most notably low-density zones, which can constrain the availability of housing choices for persons with disabilities. Finally, these housing types in many cases are subject to a special use or conditional use permit (CUP), potentially subjecting housing for persons with disabilities to higher discretionary standards where an applicant must demonstrate compatibility with the neighborhood, unlike other</p>	<ul style="list-style-type: none"> Analyze constraints on group homes for seven or more persons. 	<p>Each Annex was updated to address constraints on group homes for 7 or more persons. Program 17 of the Housing Plan was updated to address constraints to group homes for 7 or more persons.</p>	<p>Amador County Annex- p. 20 Amador City Annex- p. 10 Ione Annex- pp. 14-15 Jackson Annex- p. 13 Plymouth Annex- p. 12 Sutter Creek Annex – p. 16</p>

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residential uses. The element should include a specific analysis of these and any other constraints for impacts on housing for persons with disabilities. Based on this analysis, the element should add or modify programs as appropriate to permit these uses in all zones allowing residential uses with objectivity and only subject to the requirements of other residential uses of the same type in the same zone.			Housing Plan p. 25
<p><i>6. Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which 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... (Gov. Code, § 65583, subd. (c).)</i></p>			
<p>To have a beneficial impact in the planning period and address the goals of the housing element, programs must be revised with discrete timelines and specific commitments, as follows:</p>			
<p><i>Countywide Housing Working Group (CHWG):</i> Assembling and ongoing participation of the CHWG is essential to the implementation of the multi-jurisdictional housing element. The element should commit to annually evaluating the effectiveness of the CHWG in the implementation of programs and commit to alternative action, if necessary, to facilitate the implementation of relevant programs.</p>	<ul style="list-style-type: none"> Commit to annually evaluating the effectiveness of the CHWG in the implementation of programs and commit to alternative action, if necessary, to facilitate the implementation of relevant programs. 	<p>Program 1 was revised to include annual evaluation of the effectiveness of the CHWG and to implement alternative actions, if necessary, to implement relevant programs.</p>	<p>Housing Plan – p. 4</p>
<p><i>Programs 5 (Affordable Housing Land Acquisition), 11 (Preserve Multifamily and Mobile Home Opportunities), 19 (Infrastructure Capacity) and 25 (Energy Conservation Initiatives):</i> These Programs should include discrete timing (e.g., at least annually, by 2025) for implementation actions. In addition, Program 5 should include a specific schedule of actions to facilitate housing development, including affordability and compliance with the Surplus Land Act, on publicly-owned lands.</p>	<ul style="list-style-type: none"> Identify discrete timing for Programs 5, 11, 19, and 25 and include schedule of actions for Program 5 for disposition of lands under Surplus Lands Act. 	<p>Programs 5, 11, 19, and 25 were updated to identify specific timing for implementation. Program 5 was revised to address disposition pursuant to Surplus Lands Act for parcels included in the inventory of a jurisdiction (only Amador County).</p>	<p>Housing Plan pp. 8, 14, 31, 34, and 35</p>
<p><i>Numerical Objectives:</i> Programs 7 (Historically Significant Structures), and 11 (Preserve Multifamily and Mobile Home Opportunities) should be revised with numerical objectives.</p>	<ul style="list-style-type: none"> Identify numerical objectives for Programs 7 and 11. 	<p>Programs 7 and 11 were updated to specify numerical objectives.</p>	<p>Housing Plan pp. 10, 14</p>
<p>ELI Households: Based on the outcomes of a complete analysis, the element should include specific commitment and discrete</p>	<ul style="list-style-type: none"> Include specific commitment and discrete timelines to assist 	<p>Program 3 addresses maintaining suitable sites for providing housing units</p>	<p>Housing Plan - see all programs</p>

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<p>timelines to assist in the development of housing for ELI households. Examples of actions include adopting priority processing, granting fee waivers or deferrals, modifying development standards, granting concessions and incentives for housing developments that include units affordable to extremely low-income households; assisting, supporting, or pursuing funding applications; and at least annual outreach and coordination with affordable housing developers to identify development opportunities.</p>	<p>in the development of housing for ELI households</p>	<p>for ELI households. Program 6 addresses establishing affordability targets for lower income units, including extremely low income units. Program 8 identifies rehabilitation targets for extremely low income households for each jurisdiction. Program 9 addresses methods to assist and incentivize affordable and special needs housing and was revised to specifically address extremely low income housing and to ensure incentives are established specific to extremely low income households by each jurisdiction; Program 9 includes development objectives for extremely low income units for each jurisdiction. Program 16 addresses assisting extremely low income households through the Housing Choice Voucher program. Table 2 identifies quantified objectives for extremely low income households for new construction, rehabilitation and maintenance, and preservation for each jurisdiction.</p>	<p>referenced in explanation of how the comment was addressed (column to the left).</p>
<p><i>7. 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 Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)</i></p>			
<p>As noted in Finding 4, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the element may need to add or revise</p>	<ul style="list-style-type: none"> Add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. 	<p>The inventory was updated in the Annex for each jurisdiction as described under Finding 4. Program 3 of the Housing Plan was updated to ensure adequate</p>	<p>Housing Plan p. 5</p>

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<p>programs to address a shortfall of sites or zoning available to encourage a variety of housing types.</p>		<p>zoning and capacity for lower income sites.</p>	
<p><i>8. Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities... (Gov. Code, § 65583, subd. (c)(3).)</i></p>			
<p>As noted in Finding 5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the element may need to revise or add programs and address and remove or mitigate any identified constraints.</p>	<ul style="list-style-type: none"> Revise or add programs and address and remove or mitigate any identified constraints 	<p>While most of the potential constraints discussed in the Background Report and considered in the inventory of sites did not result in constraints to the development of sites (sites were selected to minimize exposure to potential constraints), Program 9 of the Housing Plan was revised to address funding to assist in meeting wildfire safety standards.</p>	<p>Housing Plan p. 12</p>
<p><i>9. 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... (Gov. Code, § 65583, subd. (c)(5).)</i></p>			
<p>As noted in Finding 3, the element requires a complete AFFH analysis. Depending upon the results of that analysis, the element may need to revise or add programs. Goals and actions must specifically respond to the analysis and the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, milestones, geographic targeting and metrics or numerical targets and, as appropriate, address housing mobility enhancement, new housing choices and affordability in higher opportunity or higher income areas, place-based strategies for community revitalization and displacement protection.</p>	<ul style="list-style-type: none"> Revise or add programs to specifically respond to the AFFH analysis and the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, milestones, geographic targeting and metrics or numerical targets and, as appropriate, address housing mobility enhancement, new housing choices and affordability in higher opportunity or higher 	<p>Program 13 was updated to address the revisions to the AFFH analysis, including specific commitments, a timeframe for each program, geographic targeting, and metrics for implementation. The programs address housing mobility enhancement, new housing choices and affordability in higher opportunity or higher income areas, place-based strategies for community revitalization, and displacement protection</p>	<p>Housing Plan pp. 15-21</p>

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	income areas, place-based strategies for community revitalization and displacement protection.		
COUNTY OF AMADOR			
A. Housing Needs, Resources, and Constraints			
<i>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, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)</i>			
<p>Housing for Persons with Disabilities: The element identifies the definition of family and explains the definition includes a licensed community care facility. The element should also explain how this definition relates to unlicensed group homes and add or modify programs appropriate.</p>	<ul style="list-style-type: none"> • Explain how the definition of family relates to unlicensed group homes and add or modify programs appropriate 	<p>The Annex was updated to analyze the County’s definition of family. Program 17 of the Housing Plan was modified to remove constraints associated with the definition of family.</p>	<p>Amador County Annex – pp. 19-20 Housing Plan p. 24</p>
CITY OF AMADOR CITY			
A. Review and Revise			
<i>Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)</i>			
<p>While the City did not submit a housing element in the 5th cycle of the housing element, it should still discuss its efforts to address housing needs, evaluate the effectiveness and learn from past efforts to inform appropriate actions in the current cycle. For example, the element could qualitatively discuss efforts or the lack of efforts, any steps taken to apply for funding, including planning resources or support application for funding. The element could also discuss any results, such as permitting development or facilitating entitlements.</p>	<ul style="list-style-type: none"> • Discuss Amador City’s efforts to address housing needs, evaluate the effectiveness and learn from past efforts to inform appropriate actions in the current cycle. 	<p>While Amador City did not submit a Housing Element to HCD for certification, the City did re-adopt its 4th Cycle Housing Element as the 5th Cycle Housing Element. Chapter VI of the Background Report has been updated to evaluate implementation of its 5th Cycle Housing Element.</p>	<p>Housing Plan pp. 214-219</p>
B. Housing Needs, Resources, and Constraints			
<p><i>1. The identification of one or more zoning designations that allow residential uses, including mixed uses, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit and that are suitable for residential uses. The identified zoning designations shall include sufficient sites meeting the requirements of subparagraph (H) with sufficient capacity, as described in subparagraph (I), to accommodate the need for emergency shelter identified in paragraph (7),</i></p>			

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<i>except that each local government shall identify a zoning designation or designations that can accommodate at least one year-round emergency shelter. (Gov. Code, § 65583 (a) (4))</i>			
<p><u>Zoning for a Variety of Housing Types (Emergency Shelters):</u> As noted in the element, the City does not have a zone that permits emergency shelters without discretionary action. A zone was required as part of the first year of the 4th cycle of the housing element, a date that has lapsed. As a result, HCD will not be able to find the element in substantial compliance with housing element law until the zoning is complete.</p>	<ul style="list-style-type: none"> Information only. 	<p>Noted; no changes necessary to Housing Element.</p>	<p>-</p>
<p><i>2. 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, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)</i></p>			
<p><u>Land Use Controls:</u> The element must identify and analyze all relevant land use controls and their impacts as potential constraints on a variety of housing types. The analysis should analyze land use controls independently and cumulatively with other land use controls. The analysis should specifically address requirements related to heights and lot coverage, particularly for multifamily uses. The analysis should address any impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints.</p>	<ul style="list-style-type: none"> Address requirements related to heights and lot coverage, particularly for multifamily uses. 	<p>The Amador City Annex was updated to address requirements related to maximum building heights and lot coverage, including for multifamily units.</p>	<p>Amador City Annex p. 8</p>
<p><u>Housing for Persons with Disabilities:</u> As noted on page 9 of the Amador City Annex, the City’s definition of family is a potential constraint. As a result, the element should include a program to address the identified constraint.</p>	<ul style="list-style-type: none"> Include a program to address the definition of family. 	<p>Program 17 in the Housing Plan is revised to remove constraints associated with the definition of family.</p>	<p>Housing Plan p. 24</p>
<p>CITY OF IONE</p>			
<p>A. Housing Needs, Resources, and Constraints</p>			
<p><i>1. The analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing...(Gov. Code, § 65583.2, subd. (c).)</i></p>			
<p><i>Zoning for a Variety of Housing Types:</i> The element should be revised, as follow:</p>			

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Finding	Interpretation	How the Comment Was Addressed	P. #
<i>Employee Housing Act:</i> The element mentions the Employee Housing Act and that zoning is consistent but should discuss how zoning meets the statutory requirements. This is particularly important because Table III-I-6 appears to indicate zoning is not consistent with the Employee Housing Act.	<ul style="list-style-type: none"> Discuss how the zoning meets the statutory requirements for employee housing. 	The discussion of employee housing is updated to specify how the City accommodates employee housing consistent with State law. Table III-I-6 is updated to correctly identify zones where employee housing is permitted.	lone Annex pp. 12 and 15
<i>Emergency Shelters:</i> While the element mentions zones that permit emergency shelters without discretionary action, it should also discuss available capacity, including acreage, typical parcel size and proximity to transportation and services.	<ul style="list-style-type: none"> Discuss available capacity, including acreage, typical parcel size and proximity to transportation and services for emergency shelter sites. 	The discussion is revised to identify that the City's zones for emergency shelters do not comply with State requirements that zones where emergency shelters are allowed by right to accommodate the unsheltered housing need must also permit residential uses. Program 17 in the Housing Plan is revised to address ensuring the City has adequately zoned sites of adequate size and located proximate to services to accommodate the City's unsheltered housing need.	lone Annex pp. 1 and 17
<i>Low Barrier Navigation Centers:</i> The element should clarify whether these uses are permitted without discretionary action.	<ul style="list-style-type: none"> Clarify whether low barrier navigation centers are permitted without discretionary action 	The analysis is revised to specify that low barrier navigation centers are permitted administratively without discretionary action.	lone Annex p. 18
<i>Permanent Supportive Housing:</i> The element should clarify whether these uses are permitted without discretionary action.	<ul style="list-style-type: none"> Clarify whether permanent supportive housing is permitted without discretionary action 	The analysis is revised to clarify that permanent supportive housing is permitted administratively without discretionary action.	lone Annex p. 17
<i>Accessory Dwelling Units (ADU):</i> HCD may review a City's ADU ordinance for compliance with ADU law. The element should add or modify a program to amend the City's ordinance, if necessary, to meet statutory requirements upon HCD review.	<ul style="list-style-type: none"> Add or modify a program to amend the City's ordinance, if necessary, to meet statutory requirements upon HCD review 	The lone Annex was revised to reflect that Program 18 of the Housing Plan ensures that the City addresses housing-related requirements associated with compliance with State housing laws.	lone Annex p. 14 Housing Plan p. 27
Based on the outcomes of these analyses, the element should add or modify programs to establish appropriate zoning for a variety of housing types.	<ul style="list-style-type: none"> Add or modify programs as necessary based on the above comments. 	See above for description of changes to Housing Plan programs, where needed.	-

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Finding	Interpretation	How the Comment Was Addressed	P. #
<p>2. 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, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)</p>			
<p><u>Land Use Controls:</u> The element must identify and analyze all relevant land use controls and their impacts as potential constraints on a variety of housing types. The analysis should analyze land use controls independently and cumulatively with other land use controls. The analysis should specifically address parking requirements, particularly for multifamily uses. The analysis should address any impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints.</p>	<ul style="list-style-type: none"> Specifically address parking requirements, particularly for multifamily uses. 	<p>The analysis of the City’s parking requirements was revised to further analyze requirements for multifamily uses, the cost of parking, and constraints associated with affordable and special needs housing.</p> <p>Program 17 in the Housing Plan was revised to remove constraints associated with parking.</p>	<p>Ione Annex p. 10 Housing Plan pp. 26-27</p>
<p>In addition, the element briefly states the City has a density bonus ordinance consistent with state law. However, the element should include a discussion to demonstrate compliance. For example, the element should discuss application requirements, eligibility criteria, levels of density bonuses, concessions and incentives, parking reductions and decision-making criteria.</p>	<ul style="list-style-type: none"> Include discussion of the density bonus ordinance to demonstrate compliance with State law. 	<p>The analysis of the City’s density bonus standards was revised to address the requirements of State law and to reflect changes to the Housing Plan to ensure the City’s density bonus requirements and process are consistent with State law.</p>	<p>Ione Annex pp. 22-23 Housing Plan pp. 26-27</p>
<p><u>Housing for Persons with Disabilities:</u> The element mentions the City has a reasonable accommodation ordinance but should also discuss the ordinance, including application requirements and approval findings and evaluate any potential constraints on housing for persons with disabilities.</p>	<ul style="list-style-type: none"> Discuss the reasonable accommodation ordinance, including application requirements and approval findings and evaluate any potential constraints on housing for persons with disabilities 	<p>The analysis was revised to provide a detailed assessment of the requirements and findings of the City’s reasonable accommodation process. The City’s process and findings are consistent with the State’s model ordinance and no constraints were identified.</p>	<p>Ione Annex pp. 19-20</p>
<p>CITY OF JACKSON</p>			
<p>A. Housing Needs, Resources, and Constraints</p>			

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Finding	Interpretation	How the Comment Was Addressed	P. #
<p>1. <i>The analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing... (Gov. Code, § 65583.2, subd. (c).)</i></p>			
<p><u>Zoning for a Variety of Housing Types (Emergency Shelters):</u> While the City may establish limits on the number of beds or persons in an emergency shelter, the element must analyze the 12-bed limit as a potential constraint for the development of emergency shelters and add or modify programs to address identified constraints.</p>	<ul style="list-style-type: none"> Analyze the 12-bed limit as a potential constraint for the development of emergency shelters and add or modify programs to address identified constraints 	<p>The emergency shelter analysis was revised to analyze the 12-bed limit. Program 17 in the Housing Plan was revised to address constraints associated with emergency shelters.</p>	<p>Jackson Annex pp. 14, 15 Housing Plan p. 25</p>
<p>2. <i>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, and local processing and permit procedures.>. (Gov. Code, § 65583, subd. (a)(5).)</i></p>			
<p><u>Fees and Exaction:</u> The element (p. 20-Jackson Annex) describes the City’s fees as significantly higher compared to surrounding jurisdictions. As a result, the element should evaluate the independent and cumulative impact of fees on housing costs and feasibility, including mitigations for housing types (e.g., infill, special needs, affordable) and add or modify programs to address the constraint as appropriate.</p>	<ul style="list-style-type: none"> As the City’s fees are described as significantly higher compared to surrounding jurisdictions, evaluate the independent and cumulative impact of fees on housing costs and feasibility, including mitigations for housing types (e.g., infill, special needs, affordable) and add or modify programs to address the constraint as appropriate. 	<p>The fee analysis was reviewed and revised. There had been an error in the essential services fee for single family units, which resulted in an overstatement of the City’s fees. With the correction to the City’s fees, the fees are comparable to the region. As described in the analysis, Program 9 addresses incentives for affordable and special needs housing development, such as reduced or deferred development fees.</p>	<p>Jackson Annex pp. 24,25</p>
<p><u>Constraints on Housing for Persons with Disabilities:</u> The element identifies parking requirements for group quarters at one space per bed but should also evaluate those requirements for impacts on housing cost and feasibility and add or modify programs to address identified constraints.</p>	<ul style="list-style-type: none"> Evaluate group home parking requirements for impacts on housing cost and feasibility and add or modify programs to address identified constraints. 	<p>The parking requirements analysis was revised to further address parking requirements for group homes and to analyze the effect of the cost of parking.</p>	<p>Jackson Annex p. 9</p>
<p>CITY OF PLYMOUTH</p>			
<p>A. Housing Needs, Resources, and Constraints</p>			

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Finding	Interpretation	How the Comment Was Addressed	P. #
<p><i>1. The analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing...(Gov. Code, § 65583.2, subd. (c).)</i></p>			
<p><u>Zoning for a Variety of Housing Types (Emergency Shelters):</u> While the element describes emergency shelters are permitted in various zones, it should also clarify if the use is permitted without discretionary action. In addition, the element should discuss available capacity, including acreage, typical parcel size and proximity to transportation and services. Finally, the element indicates parking requirements are inconsistent with state law and, as a result, the element should add or modify programs to address the constraint.</p>	<ul style="list-style-type: none"> • Clarify if the emergency shelter use is permitted without discretionary action. • Discuss available capacity, including acreage, typical parcel size and proximity to transportation and services. • Add or modify programs to address the constraint associated with parking requirements. 	<p>The element was revised to clarify whether discretionary action was required to allow emergency shelters in the SC, HC/C, and I/BP zones and to discuss parcel size, capacity, and proximity to services. Program 17 in the Housing Plan addresses removing constraints associated with emergency shelter parking requirements.</p>	<p>Plymouth Annex pp. 13,14 Housing Plan</p>
<p><i>2. 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, and local processing and permit procedures.>. (Gov. Code, § 65583, subd. (a)(5).)</i></p>			
<p><u>Land Use Controls:</u> The element must identify and analyze all relevant land use controls and their impacts as potential constraints on a variety of housing types. The analysis should analyze land use controls independently and cumulatively with other land use controls. The analysis should specifically address open space requirements for all residential uses. The analysis should address any impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints.</p>	<ul style="list-style-type: none"> • Specifically address open space requirements for all residential uses and address any impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints. 	<p>The element was revised to discuss the open space requirements for residential uses and to demonstrate that maximum allowed densities can be achieved. No revision to the programs was necessary.</p>	<p>Plymouth Annex p. 7</p>
<p><u>Fees and Exaction:</u> The element describes the City’s fees as significantly higher compared to surrounding jurisdictions. As a result, the element should evaluate the independent and cumulative impact of fees on housing costs and feasibility, including mitigations for housing types (e.g., infill, special needs,</p>	<ul style="list-style-type: none"> • As the City’s fees are described as significantly higher compared to surrounding jurisdictions, evaluate the independent and cumulative 	<p>The fee analysis was revised to address that the fees may serve as a constraint to housing development. As described in the analysis, Program 9 addresses incentives for affordable and special</p>	<p>Plymouth Annex pp. 23,24 Housing Plan p. 12</p>

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Finding	Interpretation	How the Comment Was Addressed	P. #
affordable) and add or modify programs to address the constraint as appropriate.	impact of fees on housing costs and feasibility, including mitigations for housing types (e.g., infill, special needs, affordable) and add or modify programs to address the constraint as appropriate.	needs housing development, such as reduced or deferred development fees. Program 9 was revised to also reduce fee-related impacts on deed-restricted moderate income housing.	
<u>Codes and their Enforcement:</u> The element should identify and analyze any local amendments to the building code for impacts on housing costs.	<ul style="list-style-type: none"> Identify and analyze any local amendments to the building code for impacts on housing costs. 	The building codes analysis was revised to clarify that the City’s adoption of the State’s uniform codes does not include any amendments.	Plymouth Annex p. 20
<u>Processing and Permit Procedures:</u> The element should clarify whether the City has procedures consistent with streamlining procedures pursuant to Government Code section 65913.4 (SB 35) and include programs as appropriate.	<ul style="list-style-type: none"> Clarify whether the City has procedures consistent with streamlining procedures pursuant to Government Code section 65913.4 (SB 35) and include programs as appropriate. 	The Annex addresses this under the Streamlined Review and Objective Design Standards discussion; the City has not yet implemented a process to address streamlining procedures pursuant to SB 35. The analysis was revised to indicate the Program 17 of the Housing Plan will establish a streamlined, ministerial (by-right) approval process to address this requirement.	Plymouth Annex pp. 19,20
<u>Constraints on Housing for Persons with Disabilities:</u> The element identifies parking requirements for group homes but should also evaluate those requirements for impacts on housing cost and feasibility and add or modify programs to address identified constraints.	<ul style="list-style-type: none"> Evaluate parking requirements for group homes on housing cost and feasibility and add or modify programs to address identified constraints. 	The parking analysis is revised to address the parking requirements for group homes, including cost, and to address associated constraints. Program 17 in the Housing Plan is revised to remove constraints associated with parking requirements for group homes.	Plymouth Annex p. 8
B. Housing Programs			
<u>Program 3 (Adequate Sites):</u> The element includes Program 3 to rezone sites to accommodate the Regional Housing Needs Allocation (RHNA). However, the element cannot be found in substantial compliance until rezoning is complete. Pursuant to	<ul style="list-style-type: none"> Information only. 	Noted; no changes necessary to Housing Element.	-

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Finding	Interpretation	How the Comment Was Addressed	P. #
<p>AB 1398, a jurisdiction that failed to adopt a compliant housing element within one year from the statutory deadline cannot be found in compliance until rezones to make prior identified sites available or accommodate a shortfall of sites pursuant to Government Code sections 65583, subdivision (c)(1)(A) and 65583.2, subdivision (c) are completed. As this year has passed and Program 3 has not been completed, the housing element is out of compliance and will remain out of compliance until the rezoning have been completed. Once the City completes the rezone, a copy of the resolution or ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence identifying the updated status of the City housing element compliance.</p>			
<p>CITY OF SUTTER CREEK</p>			
<p>A. Housing Needs, Resources, and Constraints</p>			
<p><i>1. The analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing...(Gov. Code, § 65583.2, subd. (c).)</i></p>			
<p><u>Zoning for a Variety of Housing Types (Employee Housing Act):</u> The element should demonstrate compliance with the Employee Housing Act and add or modify programs, as appropriate. Specifically, Health and Safety Code section 17021.5 allows employee housing for six or fewer persons similar to single-family uses. However, the element indicates these uses are not allowed in zones allowing single-family uses. The element should either describe how zoning meets these requirements or add or modify programs as appropriate.</p>	<ul style="list-style-type: none"> • Demonstrate compliance with the Employee Housing Act and add or modify programs, as appropriate. 	<p>Employee housing is currently not defined nor addressed in the City’s Zoning Ordinance, as described on p. 16 of the Sutter Creek Annex. Program 17 in the Housing Plan is revised to ensure that Sutter Creek revises its Zoning Ordinance to deem employee housing serving six or fewer employees as a single family structure and be subject to the same standards for a single family dwelling in the same zone per the requirements of Health and Safety Code Section 17021.5.</p>	<p>Housing Plan p. 25</p>
<p><i>2. 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,</i></p>			

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Finding	Interpretation	How the Comment Was Addressed	P. #
<p><i>building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)</i></p>			
<p><u>Fees and Exaction:</u> The element describes the City’s fees as significantly higher compared to surrounding jurisdictions. As a result, the element should evaluate the independent and cumulative impact of fees on housing costs and feasibility, including mitigations for housing types (e.g., infill, special needs, affordable) and add or modify programs to address the constraint as appropriate.</p>	<ul style="list-style-type: none"> As the City’s fees are described as significantly higher compared to surrounding jurisdictions, evaluate the independent and cumulative impact of fees on housing costs and feasibility, including mitigations for housing types (e.g., infill, special needs, affordable) and add or modify programs to address the constraint as appropriate. 	<p>The fee analysis was revised to address that the fees may serve as a constraint to housing development, including affordable, special needs, and deed-restricted moderate income housing. As described in the analysis, Program 9 addresses incentives for affordable and special needs housing development, such as reduced or deferred development fees. Program 9 was revised to also reduce fee-related impacts on deed-restricted moderate income housing.</p>	<p>Sutter Creek Annex pp. 26, 27 Housing Plan p. 12</p>
<p><u>Processing and Permit Procedures:</u> The element should clarify whether the City has procedures consistent with streamlining procedures pursuant to Government Code section 65913.4 (SB 35) and include programs as appropriate.</p>	<ul style="list-style-type: none"> Clarify whether the City has procedures consistent with streamlining procedures pursuant to Government Code section 65913.4 (SB 35) and include programs as appropriate. 	<p>SB 35 procedures are addressed under the Streamlined Review and Objective Design Standards discussion. Program 17 in the Housing Plan was revised to require Sutter Creek to provide a streamlined, ministerial (by-right) process for SB 35 projects.</p>	<p>Sutter Creek Annex p. 22</p>
<p><u>Housing for Persons with Disabilities:</u> As noted on page 14 of the Sutter Creek Annex, the City’s definition of family is a potential constraint. As a result, the element should include a program to address the identified constraint.</p>	<ul style="list-style-type: none"> Include a program to address the identified constraint associated with the definition of “family”.. 	<p>Program 17 of the Housing Plan has been revised to address this constraint.</p>	<p>Housing Plan p. 24</p>