

**City of St. Helena 2023-2031 Housing Element Update
Responses to HCD’s 90-day Comment Letter**

Comment	Revision
<p>A. As part of the evaluation of programs in the past cycle, the element must provide an explanation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female-headed households, farmworkers, and persons experiencing homelessness).</p>	<p>We have added the required evaluation under the new heading “Effectiveness in Meeting the Needs of Special Needs Populations” to page 2-39 of the track changed version.</p>
<p>Enforcement: While the element includes analysis of fair housing complaints, it must describe the City’s compliance with existing fair housing laws and regulations.</p>	<p>We have added a paragraph under the heading Local Resources on page A-12.</p>
<p>Concentration of Fair Housing Issues: The assessment of fair housing (AFH) demonstrated that there is a concentration of several fair housing issues within the east and southeast quadrant of the City. For example, this area has the highest concentrations of lower-income households, highest percentage of single-headed households, greatest percentage living below the poverty line, high exposure to environmental burdens, and is considered the only low-resourced area in the City. As a result, the analysis should address trends, past and current policy efforts, and their effectiveness, neighborhood investment or disinvestment, local data and knowledge, and other relevant factors, particularly relative to equitable quality of life, resources, and strategies to address any inequities in quality of life.</p>	<p>We have expanded the analysis under the heading 4. Local Area of Knowledge on page A-101 of the track change version.</p> <p>We have also expanded the analysis under heading “5. Sites Inventory Analysis,” on pages A-103 to A-105 of the track changed version.</p>
<p>2. Housing Costs (For Sale and Rental Prices): While the element includes estimated rents and for sale housing costs for residents, it utilizes American Community Survey (ACS) data. The element should supplement census data with other sources (e.g., local knowledge) to better reflect current market conditions.</p>	<p>We have expanded the analysis of for sale housing under the new heading “Current Market Rate For-Sale Housing” on page 2-101 of the track changed version; and “Current Market Rate Rental Housing” on page 2-107 of the track-changed version.</p>
<p>Progress towards Regional Housing Needs Allocation (RHNA): The element is crediting 87 above moderate-income units from the Hunter Subdivision Project towards the RHNA. However, HCD has received public comment indicating that the Hunter Subdivision project has been pending since 2010 and there are concerns about the City’s ability to process and approve this project during the planning period. The element should</p>	<p>We have clarified the analysis under the heading Pending or Approved/Entitled Projects on pages 2-194 and 2-195 of the track change version.</p>

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<p>provide an analysis demonstrating the likelihood of these units being built during the planning period.</p>	
<p>Nonvacant Sites: The element must include an analysis demonstrating the potential for redevelopment of nonvacant sites. In addition, the element could analyze the extent that existing uses may impede additional residential development. The element included a site-by-site description along with some general information about the characteristics for each site. While the element included an analysis of some sites existing uses, it did not provide an analysis for all sites. For example, Sites 1, 2, 3, 11, and 13 included information on the existing use but provided no analysis on the likelihood for redevelopment. For example, Site 1 and 2 stated that development will occur upon the removal of the existing uses and structures. However, the element did not include any information on the likelihood that this will occur during the planning period. Additionally, Site 6 includes two parcels with separate owners and states that one of the owners is interested in developing pursuant to Senate Bill 9, however provides no description or analysis about the likelihood that the second parcel will redevelop. Sites 7 and 9 do not include any analysis of the existing uses or information about the likelihood for redevelopment. Lastly, Sites 5, 6, 10, and 12 analysis is entirely dependent on property owner interest. The element should either provide additional information on these sites such as the nature of meetings with property owners, the likelihood that the owner will redevelop during the planning period or additional information that indicates the likelihood for redevelopment.</p> <p>To facilitate a complete analysis, the element can summarize past experiences converting existing uses to higher density residential development, include current market demand for the existing use, provide analysis of existing leases or contracts that would perpetuate the existing use or prevent additional residential development and include current information on development trends and market conditions in the City and relate those trends to the sites identified. The</p>	<p>We have added an analysis of nonvacant sites under the new heading “Suitability of Nonvacant Sites” beginning on page 2-201 of the track change version. The nonvacant site analysis was included in Site 7, 9, 10, and 12</p> <p>Sites 1-3 are City-owned sites and the existing uses would not impede redevelopment as the City has authority over its uses. Added timeline for City goals for these sites on page 2-196 and in Program H-L.</p> <p>Removed one parcel on Site 6 to only include parcel with owner interest (page 2-205) and removed Site 11 based on public comment (page 2-213)</p> <p>Clarified on Site 5 that there is on-going discussions and plans being prepared for affordable housing (page 2-204)</p>

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<p>element could also consider indicators such as age and condition of the existing structure expressed developer interest, low improvement to land value ratio, and other factors. Based on a complete analysis, the element may need to add or modify programs to further encourage and incentivize redevelopment of sites.</p> <p>Lastly, HCD received a number of comments concerning sites identified in the inventory that have a low likelihood of redevelopment due to existing buildings in commercial districts and on privately-owned property. As noted above, the element should provide additional analysis and information demonstrating the likelihood of redevelopment on these sites.</p>	
<p>Realistic Capacity: The element is generally assuming 75-80 percent of maximum allowable densities on most sites. However, while the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element mentions realistic capacity assumptions were taken into account for sites selection but should demonstrate what specific criteria, trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements, 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.</p> <p>The element also assumes that Site 5 will be developed for 50 lower-income units. However, this site allows a maximum allowable density of 26 units per acre and the site size is 1.8 acres equating to a total capacity of 46 units. While the site may have owner interest to develop beyond the maximum allowable densities, the element must either revise the capacity assumptions within the allowable densities or include a program to increase the sites allowable density. The element also should analyze the likelihood that the identified units will be developed as noted in the inventory in zones that allow 100 percent nonresidential uses. This analysis should</p>	<p>We have expanded the analysis under sites 4-12 beginning on page 2-203 of the track change version.</p> <p>We have adjusted the capacity assumptions for Site 5 to 46 units.</p>

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<p>consider the likelihood of nonresidential development, performance standards, and development trends supporting residential development.</p>	
<p>Publicly-Owned Sites: The element must include additional discussion on each of the City-owned sites identified to accommodate the RHNA. Specifically, the analysis should provide support for residential capacity assumptions, existing uses and any known conditions that preclude development in the planning period and the potential schedule for development. If zoning does not currently allow residential uses at appropriate densities, then the element must include programs to rezone sites pursuant to Government Code section 65583.2, subdivisions (h) and (i). In addition, the housing element must include a description of whether there are any plans to sell the property during the planning period and how the jurisdiction will comply with the Surplus Land Act Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.</p>	<p>We have expanded their analysis under the heading City-Owned Sites on page 2-196 of the track change version, as well as in the Site 1 summary on page 2-197.</p> <p>New Program H-L has been added to address City’ Owned Sites. – Rezone requirements have been added.</p>
<p>3.0 Replacement Housing Requirements: If the sites inventory identifies sites with existing residential uses, it must include a program to provide for replacement. Absent a replacement housing program, these sites are not adequate sites to accommodate lower-income households. The replacement housing program has the same requirements as set forth in Gov. Code section. 65915, subdivision (c)(3).</p>	<p>The sites inventory does not assume demolition or replacement of any units that meet the State criteria, including any parcel that:</p> <ul style="list-style-type: none"> • currently has residential uses or within the past five years has had residential uses that have been vacated or demolished, and • was subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low-income, or • 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
<p>Infrastructure Availability: The element included a capacity analysis for water, sewer and dry utilities. The analysis noted that there are some deficiencies in the current infrastructure system and additional upgrades will be needed to meet current demand such was the water distribution system, wastewater collection system, and storm drainage system. The element must include a program committing to actions and a timeline to</p>	<p>We have expanded the analysis under the heading Available of Infrastructure and Services on page 2-221 of the track change version.</p>

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<p>make sufficient infrastructure available to accommodate the RHNA. Additionally, while the element included an analysis of infrastructure capacity, the element must specifically indicate if total infrastructure capacity (existing and planned) is available to accommodate the RHNA.</p>	
<p>Environmental Constraints: The element describes a few environmental conditions within the City and indicates that the City certified a FEIR with the 2040 General Plan Update that described environmental constraints and mitigation measures. However, the element must specifically describe any known environmental constraints or any other conditions that preclude development on identified sites within the planning period.</p>	<p>We have expanded the analysis under the heading Environmental Constraints, beginning on page 2-223 of the track change version.</p>
<p>Sites Inventory Electronic Form: Please note, pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory.</p>	<p>We will provide an updated sites inventory form at the time of submission.</p>
<p>Emergency Shelters – The element states that emergency shelters are required to provide sufficient parking for employees and one space per two beds pursuant to AB 139 (Statutes of 2019). However, pursuant to Government Code section 65583, subdivision a)(4)(A), parking for emergency shelters should only be the number of spaces necessary for staff working in the shelter and no more than other uses in the same zones. The element should discuss compliance with this requirement or include a program, if necessary. Additionally, the element should describe any siting or spacing requirements imposed on emergency shelters. Lastly, the element must include an analysis of the suitability and capacity of the zone(s) identified to accommodate emergency shelters. Specifically, the analysis should demonstrate whether the I and SC zone have sufficient capacity to accommodate the identified housing need for emergency shelters. For example, identifying the number of parcels, typical parcels sizes, whether the sites are nonvacant, and the potential capacity for adaptive reuse. Lastly, in analyzing the suitability of these zones, the element should address</p>	<p>We have added an action for compliance with AB 139 in the municipal code update program (HE-F).</p> <p>We have added the required capacity analysis to pages 2-127 and 2-182 of the track changed version.</p>

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<p>proximity to transportation and services and any conditions inappropriate for human habitability.</p>	
<p>Transitional and Supportive Housing - While the element indicates that the City permits supportive housing by-right in all residential zones, the element must specifically demonstrate compliance with AB 2162 (Statutes of 2018). Specifically, supportive housing shall be a use by-right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code section 65651. The element must demonstrate compliance with this requirement and include programs, if necessary.</p>	<p>As required, the City allows transitional and supportive housing in all residential, commercial, and mixed use districts, subject only to the requirements of residential uses.</p> <p>We have updated pages 2-10, 2-13, 2-129, and 2-190 of the track changed version.</p>
<p>Accessory Dwelling Unit (ADU) – The element notes that ADUs are allowed in most residential zones. However, ADUs must be permitted in all zones that allow for residential uses including the AP Zone, mixed-use and commercial zones. The element should analyze consistency with this requirement and include a program, if appropriate. Additionally, after a cursory review of the City’s ordinance, HCD discovered several areas which were not consistent with State ADU Law. This includes, but is not limited to, the definition of a cooking facility, definition of an efficiency kitchen, allowing both an ADU and JADU for conversions on a lot with an existing or proposed single-family dwelling, separate conveyance of an ADU or JADU, and restricting bedroom count. The element must include a program to update the City’s ADU ordinance in compliance with state law.</p>	<p>We have revised the analysis on page 2-10, 2-192, and 2-193 to reflect the needed revisions to the code, as identified here.</p> <p>We have added the necessary actions to the municipal code update program (HE-F).</p>
<p>Zoning – The element must include an analysis of all residential zones, especially those identified to accommodate a variety of housing types and the regional housing needs allocation (RHNA) i.e., mixed-use, central business, overlay zones, etc., As part of the analysis, the element should identify all applicable land use controls including development standards, allowable densities, zoning, and any other relevant requirements. The analysis should evaluate these requirements for impacts on achieving maximum densities, cost, feasibility and supply (number of units) of housing. Lastly, the element should identify and analyze any minimum unit size requirements.</p>	<p>We have expanded our analysis within the governmental constraints section to included analysis of density and development standards in the CB, SC, and BPO zones, the HP, MHP, PD, RR, and SP overlay zones, the new Mixed-Use zone (currently part of the Draft Zoning Code Update, October 2022). We have also expanded our analysis to include discussion of minimum unit size requirements, which are only regulated for commercial parcels. Please see the heading “Zoning Code” in the “Governmental Constraints” section beginning on page 2-136 of the track changed version.</p>

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<p>Parking – The element notes that mobile home units are required to provide two spaces per mobile home unit in addition to centralized parking and multifamily housing is required to provide 1.5 – 2 parking spaces per unit. The element should analyze these requirements and their impacts on cost, supply, housing choice and affordability and include programs to address identified constraints.</p>	<p>We have expanded our analysis of parking requirements on pages 2-152 through 2-154 of the track changed version.</p> <p>We could not provide a direct cost analysis, but have provided a comparison to neighboring jurisdictions and an evaluation of how these requirements would impact a site in the inventory.</p>
<p>Local Processing and Permit Procedures: The element briefly discusses the required permits for a typical single family, subdivision, and multifamily project. This is not a complete analysis and does not address the requirements. The element must describe and analyze the City’s permit processing and approval procedures by zone and housing type (e.g., multifamily rental housing, mobilehomes, housing for agricultural employees, supportive housing. The analysis should consider processing and approval procedures and time for typical single-family and multifamily developments, including type of permit, level of review, approval findings and any discretionary approval procedures. The analysis must evaluate the processing and permit procedures’ impacts as potential constraints on approval certainty, feasibility, and housing supply and affordability.</p>	<p>We have completely overhauled the Governmental Constraints section to respond to these comments. Please see the new headings “Processing and Permit Procedures,” “Procedures for Selected Housing Types,” and beginning on page 2-160 of the track changed version.</p>
<p>Design Review: The element’s analysis of the design review process states that every development including an individual single-family home and multifamily housing must go through design review and approvals from planning commission which can take an average of three months processing time. In addition, the various approval criteria include subjective language related to the compatibility of design with the neighborhood and surrounding areas, compatibility with historical character, and designs that promote harmonious transitions. Design review processes that have little to no guidance or clarity and requiring findings related to character are generally considered a constraint. The element must analyze this process and the approval criteria for potential constraints on approval certainty, feasibility, supply and affordability. Based on a complete</p>	<p>We have revised the document under the heading “Design Review” beginning on page 2-163 of the track changed version.</p> <p>We have updated program H-F to include actions related to codifying objective design standards, as well as a by-right ministerial review process for affordable housing developments meeting state affordability thresholds, in compliance with SB 35 and SB 330.</p>

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<p>analysis, the element may need to include or modify a program to address and remove or mitigate any identified constraints.</p>	
<p>Local Ordinances: While the element included a discussion of the City’s inclusionary requirement, it must specifically identify and analyze any other locally adopted ordinances such as short-term rental ordinances that directly impact the cost and supply of residential development.</p>	<p>We have revised the Governmental Constraints section to include analysis of additional locally adopted ordinances (17.132, 17.134, 17.138, 17.144, and 17.146) associated with residential development or commercial uses in residential zones. Please see the analysis under the heading “Locally Adopted Ordinances” beginning on page 2-174 of the track changed version.</p>
<p>On/Off-Site Improvements: While the element indicates on and off-site improvements are listed in St. Helena’s municipal code, it must specifically identify subdivision level 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 cost.</p>	<p>We have expanded our analyses. Please see the changes to the On/Offsite Improvement Standards section beginning on page 2-148 of the track changed version.</p>
<p>Fees: The element includes a hypothetical example of fees for single family and a multifamily project that focuses on detailing impact fees for each project type. However, a complete analysis should identify all fees and costs including permit processing and planning fees, development fees, exactions, and any other applicable fees and analyze as potential constraints on housing supply and affordability.</p>	<p>We have updated our analysis accordingly. Please see the revised information under the heading “Fees and Exactions” beginning on page 2-156.</p>
<p>Building Codes and Enforcement: While the element states that the City has authority to deem any structure unsafe, it should specifically discuss the City’s code enforcement process (e.g., whether code enforcement activities are compliant-based or proactive).</p>	<p>We have updated our analysis accordingly. Please see the revised information under the heading “Building Codes and Enforcement” beginning on page 2-147 of the track-changed version.</p>
<p>Reasonable Accommodation – The element identifies approval findings for granting a reasonable accommodation including finding related to impacts on surrounding uses – essentially a CUP finding. However, reasonable accommodation should be a unique exception process from a CUP, especially given its importance in addressing barriers to housing for persons with disabilities. The element should include a program to amend the Reasonable Accommodation Ordinance and remove constraints, namely the “potential impact on surrounding uses” approval finding. Additionally,</p>	<p>We have revised the analysis accordingly. Please see information under the heading “Reasonable Accommodation” beginning on page 2-170 of the track changed version.</p> <p>We have also added an action to the Municipal Code Update program (H-F) committing the City to update Chapter 173.200 (Reasonable Accommodation) to remove discretionary finding requirements that constrain development, including finding #5, which considers impacts to surrounding properties or uses.</p>

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<p>the element should also indicate whether the City charges any fees to applicants filing reasonable accommodation requests.</p>	
<p>Other Requirements – The element must also include an analysis of zoning, development standards, building codes, and process and permit procedures as potential constraints on housing for persons with disabilities. Specifically, the analysis must describe any zoning code definitions of family and any spacing or concentration requirements for housing for persons with disabilities.</p>	<p>We have expanded our analysis of constraints to housing for persons with disabilities to include subsections for “Zoning and Land Use,” “Permits and Processing,” “Building Codes,” and “Definition of family,” beginning on page 2-170 of the track changed version.</p>
<p>Residential Care Facilities of Seven or More – The element states that these uses are permitted with a CUP in high-density residential zones. For your information, excluding these uses from residential zones and/or subjecting the uses to a CUP is generally considered a constraint and programs should be modified as appropriate with specific commitment to allow the use in residential zones with objectivity and certainty.</p>	<p>We have revised the analysis of small and large residential care facilities in the chapter on “Zoning for a Variety of Housing Types,” beginning on page 2-188.</p> <p>We have also made associated revisions in the section “Constraints to Housing for Persons with Disabilities” under the headings, “Zoning and Land Use” and “Permits and Processing” beginning on page 2-170 of the track changed version.</p> <p>We have updated the Municipal Code Update program (H-F) to commit the City to “allow residential care homes facilities of six or fewer in zones allowing single-family uses, subject only to the requirements of single-family uses, in compliance with State law (HSC § 1568.0831); and facilities with seven or more beds in zones allowing multifamily uses, subject only to the requirements multifamily uses.”</p>
<p>Residential Care Facilities of Six or Fewer – The element indicates that group homes of six or fewer are excluded from some residential zones. For your information, these uses must be allowed in any area zoned for residential use. The element should include or modify a program to address this requirement committing to allowing these uses in any zone that permits residential uses.</p>	<p>We have revised the analysis of small and large residential care facilities in the chapter on “Zoning for a Variety of Housing Types,” beginning on page 2-188.</p> <p>We have updated the Municipal Code Update program (H-F) to commit the City to “allow residential care homes facilities of six or fewer in zones allowing single-family uses, subject only to the requirements of single-family uses, in compliance with State law (HSC § 1568.0831); and facilities with seven or more beds in zones allowing multifamily uses, subject only to the requirements multifamily uses.”</p>

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	<p>We have also made associated revisions in the section “Constraints to Housing for Persons with Disabilities” under the headings, “Zoning and Land Use” and “Permits and Processing” beginning on page 2-170 of the track changed version.</p>
<p>Permit Times: The element must include an analysis of the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality’s share of the regional housing need.</p>	<p>We have updated the section “Processing and Permit Procedures” with an analysis of the length of time between receiving approval for a housing development and submittal of an application for building permits. Please see the subheading “Actual Project Times” beginning on page 2-162 of the track changed version.</p>
<p>Special Needs Households: While the element includes data and a general discussion of housing challenges faced by special needs households, it still must provide an analysis of the existing needs and resources for each special needs group including extremely low-income households, persons with disabilities including developmental disabilities, female headed households, and farmworkers. For example, the element should discuss the existing resources to meet housing needs (availability of shelter beds, number of large units, number of deed restricted units, etc.), an assessment of any gaps in resources, and proposed policies, programs, and funding to help address those gaps.</p>	<p>We have updated Chapter 7: Special Housing Needs extensively, including a new subsection on Extremely Low-Income Households. We have added analyses of existing resources as well as gaps in resources and actions items to all subsections. Please Chapter 7: Special Housing Needs, beginning on page 2-109 of the track changed version.</p>
<p>Ongoing Programs: Numerous programs continue to indicate an “ongoing” implementation status. While this may be appropriate for some programs, programs with quantified objectives or specific implementation actions must include completion or initiation dates resulting in beneficial impacts within the planning period. This includes but is not limited to Programs H-U, H-X, H-KK and H-P.</p>	<p>We have updated the timeframe of all programs previously marked “ongoing.”</p>
<p>Timelines: The element includes two programs with timelines for implementation towards the end of the planning period (Programs H-S and H-I). Given the importance of these programs and to achieve beneficial impact throughout the planning period, the element should revise these programs to be implemented earlier in the planning period.</p>	<p>We have updated these programs to be implemented earlier in the planning period.</p>

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<p>Shortfall of Sites (Program H-A): The element notes that several sites do not currently permit residential uses or have appropriate densities and will need to be rezoned to accommodate the RHNA. While the element included Program H-A to rezone sites, the program should identify acreage, allowable densities, and anticipated units to be rezoned and must specifically commit to meet all requirements pursuant to Government Code section 65583.2, subdivisions (h) and (i). For example, the program must commit to permit owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households. By-right means local government review must not require a CUP, planned unit development permit, or other discretionary review or approval.</p>	<p>I’ve updated the Program H-A with program text provided by HCD in the Sites Inventory Guidelines.</p>
<p>Replacement Housing Requirements: The housing element must include a program to provide replacement housing. Absent a replacement housing program, these sites are not adequate sites to accommodate lower-income households. The replacement housing program must adhere to the same requirements as set forth in Government Code section 65915, subdivision (c)(3).</p>	<p>The sites inventory does not include any sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, and:</p> <ul style="list-style-type: none"> • 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, or • 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
<p>Sites Identified in Multiple Planning Periods: While the element includes Program H-A to maintain an inventory to comply with Government code section 65583.2 (c), this program must commit to zone and allow for the following:</p> <ul style="list-style-type: none"> • sites must meet the density requirements for housing for lower income households, and • allow by-right approval for housing developments that include 20 percent or more of its units affordable to lower income households (Gov. Code, § 65583.2, subd. (c).). 	<p>We have updated Program H-A to commit to these requirements.</p>
<p>Nonvacant Sites Reliance to Accommodate RHNA: As the element relies upon nonvacant</p>	<p>We have added a new program, which appears as H-K, related non-vacant sites. The program</p>

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<p>sites to accommodate the regional housing need for lower-income households, it should include a program(s) to promote residential development of those sites. The program could commit to provide financial assistance, regulatory concessions, or incentives to encourage and facilitate new, or more intense, residential development on the sites. Examples of incentives include identifying and targeting specific financial resources and reducing appropriate development standards.</p>	<p>commits to adopting incentives to encourage new or more intense development on non-vacant lower-income sites.</p>
<p>Publicly-Owned Sites: The element identified publicly-owned sites to accommodate a portion of the RHNA. The element should include a program with numerical objectives that ensures compliance with the Surplus Land Act, provides incentives and actions along with a schedule to facilitate development of publicly- owned sites. Actions should include outreach with developers, issuing requests for proposals, incentives, fee waivers, priority processing and financial assistance.</p>	<p>We have added a new program, which appears as H-L, related to publicly owned sites. The program commits to engaging local affordable housing developers, conducting studies of the sites, and implementing an action, all by 2025. Rezone requirements have also been included in the program, based on HCD’s previous comment.</p>
<p>Senate Bill 9 Implementation: The element relies on the implementation and usage of Senate Bill 9 to accommodate a portion of the RHNA, promote a variety of housing types and choices, and implement affirmatively furthering fair housing requirements. While the element included program H-T to support lot splits, the element must include specific actions to implement and incentive the usage of SB 9. This includes but is not limited to establishing a compliant ordinance, development standards, incentives, and marketing and outreach to developers and property owners.</p>	<p>We have updated program H-U (formerly H-S) to include incentives and outreach related to SB 9 development generally. Program H-V (formerly H-U) includes an additional layer by further incentivizing affordable multi-unit developments in high resource areas specifically. We have committed the City to adoption these additional incentives by 2026 (as part of the current zoning code update)</p>
<p>Program H-C – Water Sewer Priority: For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) While the element commits to granting priority water and sewer to developments with units affordable to lower income households, local governments are also required to immediately deliver the housing element to water and sewer service providers. HCD recommends including a program, policy, or</p>	<p>We have updated Program H-C accordingly.</p>

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<p>commitment to deliver the adopted housing element to water and sewer providers and include a cover memo describing the City’s housing element, including the City’s housing needs and regional housing need.</p>	
<p>Program H-B (Growth Management System): The element notes that the City implemented a growth management system which likely violates SB 330 (Housing Crisis Act, 2019, Gov. Code, § 66300). The element included a program to remove the growth management system, however included the timeline has “ongoing.” The element should include a specific implementation timeline for when this system will be removed and implementation should happen earlier in the planning period (e.g., one year).</p>	<p>We have updated Program H-B to commit the City to implement these changes immediately and to update the revised zoning code prior to the sunset of SB 330 in 2025.</p>
<p>While the element described various efforts to achieve public participation in the preparation of the housing element update, it should also describe how comments were considered and incorporated into the element.</p>	<p>We have expanded our analysis, to include this info under Workshop #1, each of the Focus Group Meetings, and the Joint Study Sessions.</p> <p>For other events and efforts, this information is already included in the Draft. Please note that Workshops #2 and #3 include information related to the city response to each commentor. Additionally, each subheading <i>under Other Outreach Activities</i> identifies how input was incorporated. Finally, in Appendix B, the City has outlined the changes that were made to the Housing Element based on the public comments on the Public Review Draft (which are also included in the Appendix), including changes to programs, corrected data, and the addition of a new site (620 McCorkle).</p>