

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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September 2, 2022

Carlene Saxton, Director
Community Development Department
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

Dear Carlene Saxton:

RE: City of Moorpark's 6th Cycle (2021-2029) Draft Housing Element

Thank you for submitting the City of Moorpark's (City) draft housing element received for review on July 5, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on August 22, 2022, with you, Douglas Spondello, and the City's consultant Mark Hoffman from Placeworks.

The draft element addresses many statutory requirements described in HCD's May 9, 2022, review; however, additional revisions are necessary to fully comply with State Housing Element Law (Article 10.6 of the Gov. Code), as follows:

1. *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).)*

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).)

Concentration of Fair Housing Issues: The element includes additional information on the formation of the City and neighborhood trends due to a history of agricultural use. However, the analysis should be complemented by addressing past and current policy efforts, and their effectiveness; past place-based strategies to the Los Angeles Avenue Corridor-Downtown and Virginia Colony areas including investments in public utilities, housing, and infrastructure; neighborhood investment or disinvestment, local data and knowledge with input from residents, and other

relevant factors such as resources and strategies to address any inequities in quality of life. This analysis must tie to program actions to reverse displacement and address other quality of life improvements.

Displacement Risk: The element includes a discussion of displacement risk in the Los Angeles-Downtown neighborhood, and southern and northern areas of the City. In addition, the element also includes some regional analysis of overcrowding and overpayment. However, this analysis must also include a complete analysis of trends and patterns related to displacement risk by analyzing disaster-driven displacement concerns due to the prevalence of seismic, wildfire, and flooding at the local level. This analysis must tie to program actions to reverse displacement and address other quality of life improvements. Please refer to page 40 of the affirmatively furthering fair housing (AFFH) guidebook for specific factors that should be considered when analyzing disproportionate housing needs and displacement risks:

https://www.hcd.ca.gov/communitydevelopment/affh/docs/affh_document_final_4-27-2021.pdf.

Goals and Actions: The element must be revised to add goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends.

2. *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).)*

Progress in Meeting the Regional Housing Need Allocation (RHNA): The element relies entirely on pipeline projects and accessory dwelling units (ADUs) to meet its RHNA. While the element describes the status of most projects, it must still provide information on the City Site project (p. 119), which has a total of 468 units, including 234 units allocated to the lower-income RHNA. To count these units as progress towards RHNA, the element must describe the project and its status, and must demonstrate that these units are expected to be constructed during the planning period.

Program 15: Accessory Dwelling Units: The element was revised to adjust the projected ADUs the City is relying on to accommodate a portion of its RHNA to 80 units in the planning period based on past production between 2018 and 2021. The element should be updated to include and reflect the revised projection in Program 15: Accessory Dwelling Units.

3. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing... including land use controls... and local processing and permit procedures. (Gov. Code, § 65583, subd. (a)(5).)*

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).)

Parking: The element states that parking ratios approximate vehicle ownership patterns in the City given its suburban setting. However, the analysis should further address parking requirements for multifamily development, particularly requiring 1.75 parking spaces for smaller bedroom types (e.g., studios and one bedroom) and additional requirements of 0.5 guest parking space per unit for all units, except one-bedroom units. The element should analyze these parking requirements as a potential constraint on housing. While the element stated that applicants can receive parking waivers, it also acknowledged the process as highly discretionary, requiring a public hearing, written findings through a resolution, and that the process is rarely utilized. The analysis should address impacts on cost, supply, housing choice and affordability and include programs to address or remove the identified constraints. Depending on the analysis, the element could commit to a monitoring program for parking requirements of smaller bedroom unit types in multifamily developments. This program could monitor half-way through the planning period and commit to removing parking constraints to housing development.

Permit and Processing Procedures: The element includes additional information on processing procedures with the approval bodies, public hearings, and descriptions of approval findings. However, the analysis of permit and processing procedures should address impacts on housing cost and supply and add or modify programs as appropriate. For example, the element includes information on the Implementation Plan report which includes various tasks that were advisable to streamline development review, remove constraints, and to provide clear expectations outlined prior to a development application. The element should further describe this report and its implementation in the planning cycle, its impact on housing cost and supply, and identify and incorporate the Implementation Plan into Program 24: Permit Process Streamlining as initiatives to mitigate constraints.

4. *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).)*

Measurable Outcomes: The element must include measurable outcomes for programs including but limited to Programs 9 and 19. For example, Program 19 (Housing for Seniors and Disabled People) should specify a quantified outcome for

this action (e.g., assisting 10 Seniors or Disabled persons during the planning period).

The element will meet the statutory requirements of State Housing Element Law once it has been revised and re-adopted to comply with the above requirements.

As a reminder, the City's 6th cycle housing element was due October 15, 2021. As of today, the City has not completed the housing element process for the 6th cycle. The City's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the City to revise the element as described above, adopt, and submit to HCD to regain housing element compliance.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Electronic Sites Inventory: 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. The electronic sites inventory should also include pipeline projects. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/community-development/housing-element/index.shtml> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD is committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Molivann Phlong, of our staff, at Molivann.Phlong@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall
Senior Program Manager