

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

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May 14, 2024

Sage Schaan, Director
Planning Department
Town of Woodside
2955 Woodside Road
Woodside, CA 94062

Dear Sage Schaan:

RE: Town of Woodside's 6th Cycle (2023-2031) Revised Draft Housing Element

Thank you for submitting the Town of Woodside's (Town) revised draft housing element received for review on March 15, 2024, along with revisions received on May 10, 2024. The revisions were posted and made available for public comment for seven days prior to this review. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD has considered public comments from Steve Lubin, pursuant to Government Code section 65585, subdivision (c).

The revised draft element, including revisions, addresses many statutory requirements; however, revisions will be necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq), as follows:

1. *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... 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).)

Local Processing and Permit Procedures: While the element describes design review guidelines and processes for single-family developments, including approval procedures and decision-making criteria, it must also address their impacts as potential constraints on housing supply, cost, and approval certainty. For example, the analysis describes required approval findings that are

subjective such as conforming with “neighborhood character,” “aesthetic,” and “compatibility.” An analysis should address the impacts of these decision-making criteria on housing supply and cost and particularly approval certainty. The analysis may discuss how the Town mitigates potential impacts such as pre-application reviews or guidelines. Based on the outcomes of an analysis, the element must add or modify programs to address identified constraints.

2. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons... (Gov. Code, § 65583, subd. (c)(5)).*

The Town is entirely a racially concentrated area of affluence, highest resource category in disparities in access to opportunity and consists of households with the highest median income in the region. These conditions and circumstances warrant significant and robust actions, not limited to the Regional Housing Needs Allocation (RHNA), to meaningfully promote housing mobility and increase housing choices and affordability throughout the Town, including in lower-density neighborhoods. While the element contains a few programs to promote housing mobility such as accessory dwelling units (ADU), it must include additional actions that promote housing choices and affordability throughout the Town and increase quantified objectives for housing choices and affordability. Examples of housing mobility actions include identifying additional multifamily capacity, missing middle housing capacity, religious institutional sites, Town-Owned and public facility sites, and additional conversion of existing spaces within single-family residences to ADUs beyond junior accessory dwelling units (JADU).

The element will meet the statutory requirements of State Housing Element Law once it has been revised, re-adopted, if necessary, submitted, and reviewed by HCD to comply with the above requirements pursuant to Government Code section 65585 and rezones are completed as described below.

Pursuant to AB 1398, a jurisdiction that did not adopt a compliant housing element within 120 days from the statutory deadline must rezone sites within one year of the statutory deadline and meet requirements pursuant to Government Code sections 65583, subdivision (c)(1)(A) and 65583.2, subdivision (c). As this year has passed and Programs 2.1a (Higher Density Zoning), 3.1a (Housing and Canada College), 3.2a (Rezone Sites to Accommodate Multifamily) and 3.2b (Multifamily Residential Zone) have not been completed, the housing element is out of compliance and will remain out of compliance until the rezoning have been completed. Once the Town 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 Town housing element compliance.

As a reminder, the Town's 6th cycle housing element was due January 31, 2023. As of today, the Town has not completed the housing element process for the 6th cycle. The Town's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the Town 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 Town 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.

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 Affordable Housing and Sustainable Communities program, 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 Town 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 Town 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>.

We are committed to assisting the Town in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Anthony Errichetto, of our staff, at Anthony.Errichetto@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager