



Council Agenda Report

FROM: Kimberly Cole, AICP, Community Development Director
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SUBJECT: Approve or Direct any Changes to the Public Review Draft of the Housing Element; and Authorize the City Manager to send a Revised Draft Housing Element to HCD to Start the Legally Mandated 90-day HCD Review (Not a Project Under CEQA per Article 20, Section 15378 and Under General Rule Article 5, Section 15061)

RECOMMENDATION:

That the City Council receive a summary of public comments provided during the required 30-day public comment period on the 2023 – 2031 Draft Housing Element (Draft Housing Element); direct any changes to the public review draft of the Housing Element; and authorize the City Manager to send a revised Draft Housing Element to the State Housing and Community Development Department (HCD) to start the legally mandated 90-day HCD review.

VALUE DRIVERS:

Support efforts and policies that provide equitable access to affordable housing in Monterey and the region.

POLICY IMPLICATIONS:

State law requires cities to periodically update their Housing Element. Following a required 30-day public comment period, the draft Housing Element must be submitted to the California Department of Housing and Community Development (HCD) for a 90-day review. The City will have the opportunity to respond to HCD comments and written findings and submit a revised draft Housing Element to HCD.

If HCD finds that the draft housing element does not substantially comply with statutory requirements, the City must either revise the element in accordance with HCD's recommendation or adopt findings on why the City believes the element substantially complies with the statute despite HCD's comments.

The courts may apply a broad range of remedies if a housing element is not consistent with state law. (Government Code sections 65754-65763.) For example, a court could suspend the City's authority to issue building permits or grant zoning changes, variances, or subdivision map approvals.

FISCAL IMPLICATIONS:

Submitting the Draft Housing Element to HCD is included in the overall costs for the General Plan Update, which totals \$540,230. Funds for this effort have been included in the FY 2023-24 budget.

ENVIRONMENTAL DETERMINATION:

The City of Monterey determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA)(CCR, Title 14, Chapter 3 (“CEQA Guidelines), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

An Environmental Impact Report will be prepared on the Draft Housing Element prior to adoption.

ALTERNATIVES CONSIDERED:

Council could decide not to authorize the City Manager to send the Draft Housing Element of the Monterey 2031 – General Plan update to HCD. If staff does not proceed with the project, the City’s General Plan would be out of compliance with state law. The court may issue fines, among other penalties, for such noncompliance pursuant to Government Code section 65585(I). According to the San Francisco Chronicle, housing advocates filed 12 lawsuits against the cities of Burlingame, Cupertino, Daly City, Fairfax, Martinez, Novato, Palo Alto, Pinole, Pleasant Hill, Richmond, and Santa Clara County in February 2023 for alleged failure to comply with housing element requirements. There is also a so-called builder’s remedy process, which allows developers to bypass local zoning standards in order to build a certain percentage of affordable housing projects.

DISCUSSION:

Background

On February 21, 2023, the City Council and Planning Commission received a comprehensive report on the General Plan Update from the City’s consultant, Dyett and Bhatia – Urban and Regional Planners, who, along with staff, presented on this topic.

Cities are required to include in their general plans a housing element, identifying locations for future housing development for all income levels. The plan is to consider the housing development goals (3,654 units) set for the city by the state.

On May 23, 2023, the Planning Commission received the Monterey 2031 – General Plan update schedule. Staff informed the Planning Commission of the upcoming milestones for the project.

On June 20, 2023, the City Council reviewed the draft *Preliminary Sites Inventory and Key Strategies Memorandum*,¹ developed with extensive community input received during the community survey conducted from March 1, 2023 to April 30, 2023.² This Memorandum was presented to:

- Provide relevant background information regarding State guidance for site suitability and community input on locations and strategies for new housing;
- Introduce several areas of the City with the greatest potential to accommodate new housing, assess the capacity for new housing in each based on State site suitability guidelines; and
- Summarize the total potential housing capacity of the sites with the implementation of the potential strategies in relation to Monterey's RHNA allocation.

The City Council carefully reviewed each map in the draft *Preliminary Sites Inventory* and approved the inventory shown on Maps 1-2 and 5-9, approved Map 3 (Garden Road/Airport/Hwy 68) with increased density in the 50-acre Monterey Peninsula Unified School District site, and approved Map 4 excluding the Andronico's site (the portion of the site in the City of Monterey). The City Council also approved adding new opportunity sites to the inventory including the Heritage Harbor office complex, US Navy La Mesa Village, and Del Monte Shopping Center. The City Council directed staff to review these three new opportunity sites for feasibility to include in the inventory (Attachment 1).

CA HCD Required 30-Day Public Comment Review Period

Prior to submittal of the Draft Housing Element to the California Department of Housing and Community Development (HCD), state law requires local governments to make the draft document available for public comment for 30 days, and if any comments were received, take at least 10 business days to consider and incorporate public comments. State law requires the Housing Element to be released to the public for a 30-day public comment review period.³

The City released the Draft Housing Element on August 2, 2023 on the project website (<https://haveyoursaymonterey.org/monterey2031>). The 30-day public comment period for the Draft Housing Element was August 2, 2023 to September 4, 2023. Public review comments were received in person at the Planning Division, by mailing or emailing comments to the Planning Division, or at the Community Open House.

¹ *Preliminary Sites Inventory and Key Strategies Memorandum*, May 31, 2023 (Revised June 7): <https://haveyoursaymonterey.org/monterey2031/widgets/58946/documents>

² Community Survey Report, May 2023: <https://haveyoursaymonterey.org/monterey2031/widgets/58946/documents>

³ CA HCD, Housing Element Process and Public Comment Submission: <https://www.hcd.ca.gov/planning-and-community-development/housing-elements>; and CA State law (AB-215) September 28, 2021: https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=20210220AB215

On August 7, 2023, during the public comment review period, the Community Development Department hosted a Community Open House at the Monterey Conference Center from 6 – 8:30 pm. (Figure 1). A wide variety of outreach promoting the event was provided, including: a postcard mailer sent to every Monterey residence, posts on the City's website monterey.org as well as the City's engagement portal, HaveYourSayMonterey.org/Monterey2031, and featured spots in the City Focus newsletter and several weekly email campaigns. The City also sent a news release to media, business and neighborhood associations, announced in the newscast by the Spanish-language media company Entravision-Univision 67, and posted on social media several times preceding the event, as well as post-event [i.e., Facebook, Instagram, X (formerly known as Twitter), and Nextdoor]. The Monterey Herald, the Monterey County Weekly, and the Monterey Peninsula Chamber of Commerce reported on the event. The open house was added to the Monterey County Weekly Digital Calendar. Over 80 community members attended the open house to learn about the content of the Draft Housing Element and share their thoughts on proposed strategies to meet projected housing needs in Monterey. The Scoping Meeting for the Draft Environmental Impact Report was also held at this event. Open House display boards can be viewed online.⁴ A report on the Community Open House was prepared and includes comments received that evening from the public on the Draft Housing Element (Attachment 3); these comments are also summarized in the Summary of Draft Housing Element comments further in this report.

Figure 1. Community Open House



⁴ Community Open House Boards displayed:
<https://haveyoursaymonterey.org/monterey2031/widgets/58946/documents>

Public Review Draft Housing Element

On August 2, 2023, the Draft Housing Element was released for public review. The Draft Housing Element is a comprehensive update to the Housing Element of the General Plan, undertaken to accommodate the City's share of the regional housing need and address new State law. The Housing Element is an integrated part of the General Plan, published under separate cover. It is an eight-year plan that is updated more frequently than other General Plan elements to ensure its relevancy and accuracy.



The Draft Housing Element consists of four chapters and an Appendices, and is organized as described below:

- Chapter 1 – Introduction: An introduction to the purpose of the document and the legal requirements for a Housing Element, together with an overview of the community and the community involvement process.
- Chapter 2 – Community Profile: Documents population characteristics, housing characteristics, and current development trends to inform the current housing state of Monterey and to identify community needs.
- Chapter 3 – Adequate Sites for Housing: An inventory of adequate sites suitable for construction of new housing sufficient to meet needs at all economic levels.
- Chapter 4 – Housing Action Plan: Articulates housing goals, policies, and programs to address the City's identified housing needs, including those of special needs groups and the findings of an analysis of fair housing issues in the community. This Housing Element identifies a foundational framework of five overarching goals to comprehensively address the housing needs of Monterey residents and workers.
- Appendix A – Sites Inventory: Summarizes the City's ability to accommodate the RHNA on available land, and the selection of sites that advance Affirmatively Furthering Fair Housing (AFFH) federal law requirements.
- Appendix B – Housing Needs Assessment: Presents community demographic information, including both population and household data, to identify Monterey's housing needs.
- Appendix C – Constraints Analysis: Includes an analysis of constraints to housing production and maintenance in Monterey. Constraints include potential market, governmental, and environmental limitations to meeting the City's identified housing needs. In addition, an assessment of impediments to fair housing is included, with a fuller analysis of actions needed to comply with AFFH is included in a separate appendix.
- Appendix D – Fair Housing Assessment: Identifies fair housing issues and solutions to meet Monterey's AFFH mandate.
- Appendix E – Fifth Cycle Housing Accomplishments: Summarizes the City's achievements in implementing goals, policies, and actions under the previous Housing Element.
- Appendix F – Additional Analysis and Information in Support of Housing Projections: Includes additional details to demonstrate the viability of sites included on the inventory

of housing sites and the projections for housing development during the 2023-31 period, as well as a letter of intent from the Monterey Peninsula School District.

- Appendix G – Outreach Materials: Includes outreach materials, summaries, and a description of how community and stakeholder input has been reflected in the Housing Element.

Additionally, in response to direction from the City Council on June 20, 2023, the sites inventory included in the draft document (Chapter 3) was updated. Together with development proposals currently in the pipeline and new housing units expected to be approved and constructed within the planning period, the inventory has a total projected capacity for 5,802 new housing units, which is sufficient to meet the City's assessed share of the regional housing need at all income levels with a buffer. The inventory assumes a combination of strategies to ensure the City meets its RHNA obligations, including:

- Infill development on vacant and underutilized properties downtown and along commercial corridors, including North Fremont Street, Garden Road, Lighthouse Avenue, Del Monte Avenue, Munras Avenue, and Abrego Street;
- Preparation of a specific plan to guide future residential and mixed-use development in the Fort Ord/Ryan Ranch area, identify infrastructure needs and financing mechanisms, and establish measures to ensure sustainable development and adequate resource protection;
- Facilitating construction of accessory dwelling units (ADUs) and junior ADUs that provide affordable housing options on existing residential properties throughout the community; and
- Development or redevelopment of several larger sites to increase the range of housing options available in Monterey.

Public Comments on Draft Housing Element

Public comments on the Draft Housing Element were received by the Planning Division via email or mail during the public comment period from August 2, 2023 to September 4, 2023, and during the Community Open House on August 7, 2023. A memorandum, dated September 7, 2023 (Attachment 3), presents an overview and summary of comments received during the public review period for the Draft Housing Element, and includes recommendations for potential revisions for consideration of the Planning Commission and City Council before the document is sent to HCD for their 90-day review. Attachments to the memorandum include a matrix summarizing public comments received (note: this matrix includes direct links to all public comments in the attachment), all public comment letters, and a summary of the Community Open House.

The comments could be divided into three categories: property owner requests to be added to the site inventory, key themes, and unique requests.

Property owner requests:

1. Several property owners submitted comment letters or made requests via phone or email to have their properties added to the housing element inventory, including owners of sites downtown, and on North Fremont Street, Lighthouse Avenue, and Garden Road. All property owners whose sites were included in the draft inventory, whether vacant or

nonvacant, received a formal notification from the City. Additionally, a letter was sent to all property owners with non-vacant sites on the inventory to survey interest in housing development. A full 95 percent of non-vacant owners who responded to the survey expressed interest in developing housing on their sites.

Key comment themes included:

2. **Housing at Fort Ord.** By far the topic that drew the most comments was housing at Fort Ord. Of the 77 comment letters received, 59 addressed this topic and many participants at the open house meeting also provided feedback on housing at Fort Ord. Notably, a letter from LandWatch expressed concern for the environmental effects of development on the former military base, including the potential for impacts to sensitive biological species, groundwater overdraft, and vehicle miles travelled. The LandWatch letter contends that housing development at Fort Ord is not necessary to achieve RHNA and encourages increasing infill in central parts of Monterey. A total of 56 of the 59 comment letters that referenced housing at Fort Ord were form letters that repeated the assertions made in the LandWatch letter. By contrast, community members who provided comments at the open house meeting expressed strong support for housing at Fort Ord, especially as part of a mixed-use village on the property as envisioned in Program 1-H Fort Ord/Ryan Ranch Specific Plan of the Draft Housing Element. Open House attendees noted that housing at Fort Ord would help create affordable options for people employed at nearby Ryan Ranch, including nurses, medical workers, and administrative staff. Attendees also supported the mixed-use village concept as it would provide restaurants and services close to work for employees at Ryan Ranch, who currently need to drive off-site for lunch during workdays. Mirroring community input collected as part of the communitywide survey this past Spring, options were divided on the topic of housing at Fort Ord.
3. **Housing Affordability.** Many commenters expressed concern for the high cost of housing in the community and the long waiting list for affordable rental units. Comments of this nature were received both in comment letters and in person at the Open House. To address this issue, commenters expressed support for programs in the Draft Housing Element that seek to facilitate housing construction and promote infill development, affordable ADU/JADU construction, home sharing and tenant matching, and other innovations that increase the range of housing choices available in the community. Several Open House attendees and several other commenters asked about getting on a list to be notified as new housing becomes available, indicating that a service to connect property managers and prospective tenants such as that envisioned by United Way would be well received.
4. **Rental Assistance.** Several commenters, including some who attended the Open House and some who submitted letters, expressed support for the Program 4-B, Rental Assistance Pilot Program and encouraged the City to expand it further. Notably, senior renters on a fixed budget expressed anxiety about the continued rise in rents and their ability to keep up with rent increase in the future.
5. **Expanding Permit Streamlining.** Program 1-D Permit Streamlining Pilot Project in the Draft Housing Element proposes a pilot project to fast-track infill housing development in core areas of the city identified for high-density housing when adequate water supply becomes available. Several commenters suggested that this program could be expanded to cover a wider geographic area than currently proposed and proposed that

the ordinance could identify criteria that mirror those identified in State law for streamlining pursuant to Senate Bill 35 (SB35).

6. Employee Housing and the Business Community. Three letters suggested that additional provisions could be added to the Draft Housing Element to promote the production of housing by the business community, such as an “employer-sponsored housing” program. Such a program would involve a Zoning Code amendment to provide ministerial review of employer-sponsored housing projects subject to objective standards. A letter from CHOMP/Montage requested something similar and City staff has begun a dialog with this major regional employer to understand which sites they may be interested in pursuing and whether an overlay could be a strategy for facilitating the type of housing they envision providing.
7. Parking Requirements. A few commenters suggested that further reductions in parking requirements over and above those proposed in Program 2-E Revise Parking Programs of the Draft Housing Element could be incorporated to provide additional support for development feasibility, particularly in proximity to transit routes. Specifically, Monterey Bay Economic Partnership (MBEP) recommended that Program 2-E be amended to reduce parking requirements for projects developed within $\frac{3}{4}$ mile of transit routes with service frequency every hour during commute hours. On the other hand, other commenters emphasized the need to ensure adequate parking will be provided as new housing is built, particularly in infill areas and established neighborhoods. Two commenters also suggested that parking reductions could be granted to residential projects that provide bicycle infrastructure on-site.
8. Fire Safe Construction. Some commenters emphasized the need for fire safe construction in new development, including the use of fire-resistant materials and preventative site and building design techniques.
9. Form Based Code. One commenter suggested developing a form-based code, which is a zoning mechanism involving standards that focus on the look of the building and how it interacts with its surroundings, rather than standards for use and density. The commenter suggested that this focus can help allay community concerns and facilitate construction of projects aligned with community expectations.

There were also some Unique Comments

10. One commenter suggested increasing building height limits beyond those currently proposed in the Draft Housing Element in areas such as Alvarado, Lighthouse, North Fremont while also implementing companion policies that control average block heights to help ensure a cohesive design across properties in a given area.
11. MBEP suggested that the City consider a sliding scale for the inclusionary requirement (Program 2-I) rather than a fixed requirement of 10 percent Moderate and 10 percent Low Income in projects of six units or more. The sliding scale or similar mechanism could provide more flexibility and help with the development feasibility for smaller projects.
12. MBEP also recommended that the local density bonus (Program 3-C Local Density Bonus) be applied to parcels of all sizes, not just small sites, scaling it inversely to parcel size to offer more density for smaller projects.
13. MBEP noted that Program 1-I Highway 68 Area Plan Update could be amended to also specifically include coordination with County on infrastructure to serve 50-acre MPUSD site.

Staff Recommended Revisions to the Draft Housing Element

Recommended refinements to the Draft Housing Element for consideration of the Planning Commission and City Council are summarized in Memorandums dated September 7 and September 11, 2023 (Attachments 3 and 4). A brief overview follows:

1. Fort Ord Projections

Staff conducted a review of deed restrictions applicable to properties at Fort Ord. Two of the six parcels within the City of Monterey (APNs 031-191-018-000 and 031-191-019-000) are subject to deed restrictions that require remediation of Munitions and Explosives of Concern (MEC) and reimbursement agreements with federal agencies. These parcels are the northernmost parcels on the site. The timeline for completion of these activities is approximately 60 months, which would mean that housing construction on these sites within the 8-year Housing Element Cycle would be challenging to complete. Accordingly, they have been removed from the inventory and the text of Program 1-H Fort Ord/Ryan Ranch Specific Plan is revised as follows:

Program 1-A Fort Ord/Ryan Ranch Specific Plan. In a community survey conducted for the Housing Element that garnered over 1,050 responses, the former Fort Ord Military Base was the area of the city identified most favorably for new housing to meet current and projected need. Adjacent Ryan Ranch, home to a regional medical center and office park south of the airport, was also ranked highly as a location for new townhomes and apartments by respondents. Integrating new housing into this area would need to be done carefully and in a way that responds to the variety of preferences and concerns that community members expressed through the survey, as described in Chapter 3. Therefore, the City will prepare a specific plan to establish a clear vision for the area and to guide future development and conservation, identify infrastructure needs and financing mechanisms, and establish measures to ensure sustainable development and adequate resource protection. The overarching objective should be to foster the creation of a mixed-use village on a portion of the site to provide housing, jobs, schools, shops, services and recreation for future residents while also preserving carefully selected areas of natural open space and habitat. The Specific Plan should prioritize housing and mixed-use development on any combination of the parcels shown on Map 3-15 Sites Available for Housing. Additionally, given that the City of Monterey is the property owner, incentives should be incorporated to ensure that at least 220 of the new homes planned will be affordable to moderate income households and at least 220 homes will be affordable to lower income households.

2. Add Following Sites to Inventory:

- Add 1045 Cass Street (APN 001-671-003-000) as a pipeline project, assuming a total of 12 MFR units, with 10 Above Moderate, 1 Moderate, and 1 Low Income unit. The project proponent intends to submit a development application to the City in the coming weeks.
- Add 465 Tyler Street (APN 001692014000) as a housing opportunity site, assuming this 0.16-acre site develops with 9 units, consistent with realistic capacity projections for other sites in the Alvarado District Downtown.
- Add 2370 North Fremont St (APN 013161028000), In-Shape Fitness as a housing opportunity site. Capacity calculations for this site assume that the existing business and

surface parking lot fronting Casanova Avenue remain, and that redevelopment happens only on the underutilized promotion of the site fronting North Fremont. Accordingly, the revised inventory projects 45 units at densities deemed affordable for lower income households.

3. Employer Sponsored Housing:

Employer Sponsored Housing. The availability and cost of housing is a significant impediment to hiring and retention of employees for Monterey businesses. The Community Hospital of the Monterey Peninsula (CHOMP) has expressed interest in potentially building employee housing on property they own and other local businesses may also be interested. Therefore, the City will conduct outreach to major employers in the city to gauge interest in employee sponsored housing and discuss potential zoning mechanisms that could facilitate housing development for interested employers. If appropriate, the City will develop an overlay or comparable zoning mechanism to facilitate development of employee housing on properties they own, subject to objective standards.

4. 50-Acre MPUSD Site and Infrastructure:

Highway 68 Area Plan Update. MPUSD owns a vacant 50-acre parcel on relatively flat land, east of Tarpey Flats and south of Highway 68 and the Monterey Regional Airport. The Highway 68 Area Plan envisions a mix of up to 300 low and moderate income housing units on this property if MPUSD declares the property surplus, and the Plan provides policy direction and design guidelines that could serve as a starting point for planning of the site and surroundings. Through this program, the City will update the Highway 68 Area Plan to facilitate development of mixed income housing along with access and infrastructure improvements on the site. The Highway 68 Area Plan Update should identify portions the site for low-medium density housing, high density housing, and open space preservation, including creation of a parcel or parcels no greater than 10-acres in size for development at densities deemed appropriate to accommodate housing for lower income households; incorporate regulatory or process incentives to facilitate on-site provision of housing for households with limited financial resources; establish a basis for the City, and MPUSD, and Monterey County to jointly pursue an Enhanced Infrastructure Financing District (EIFD) to help fund the cost of infrastructure to support development of the site.

5. Moderate Income Housing Projections

Moderate income RHNA units are those that would be affordable to households making 80-120 percent of the area median income for Monterey County. In many California jurisdictions it is possible to demonstrate that smaller market rate housing units would be affordable to moderate income households on a per square foot basis by linking rents and sales prices that Moderate income households can afford to pay with local market prices. However, given the high demand for housing and the commensurate rents and sales prices in the City of Monterey, this is not possible. Therefore, staff consulted with HCD on September 8, 2023 regarding appropriate methodologies for projecting the realistic capacity for moderate income units.

Based on guidance received from HCD, Table 3-4 in the Draft Housing Element has been revised to show capacity for moderate income housing reflecting the following assumptions:

- 30 percent of ADUs and JADUs permitted during the planning period would be affordable to Moderate income households, based on the findings of a statewide ADU affordability study prepared by the Association of Bay Area Governments (ABAG);
- 10 percent of the units built on the 50-acre MPUSD property within the Highway 68 Specific Plan area would be affordable to Moderate income households, based on the City's inclusionary requirements to be revised per Program 2-I Inclusionary Zoning;
- 10 percent of the units projected for Above Moderate sites in infill areas would be affordable to Moderate income households, based on the City's inclusionary requirements to be revised per Program 2-I Inclusionary Zoning;
- 1 Moderate Income unit will be developed as part of the proposed 1045 Cass Street pipeline project newly added to the inventory based on property owner interest;
- 220 of the total 1,660 units at Fort Ord would be affordable to Moderate Income households, pursuant to Program 1-H Fort Ord/Ryan Ranch Specific Plan as revised;
- Program 3-C Local Density Bonus will be revised to also offer additional bonus density for projects that provide commitments to construct additional Moderate Income units over and above any Moderate units required under the City's Inclusionary Ordinance. It is assumed that this would incentivize an additional 93 moderate income units, which is equivalent to 10 percent of the total number of units projected for Above Moderate sites in infill areas. Accordingly, the text of Program 3-C is revised as follows:

Program 3-C Local Density Bonus. Enact a local density bonus program that offers additional density over the maximum base permitted in the Monterey City Code as an incentive for projects that consolidate small, adjacent lots; and/or develop 2- and 3-bedroom units; and/or commit to additional Moderate Income units over and above any provision of such units required under the City's Inclusionary Zoning Program. The local density bonus program would complement additional density available to qualifying projects under State Density Bonus law with the objective of addressing particular local constraints and needs. The prevalence of parcels less than 0.5 acres in size in centrally located parts of the city is a constraint on infill development and the city has a relatively high rate of overcrowding, due in part to the fact that a disproportionate share of large households live in poverty.

6. Affirmatively Furthering Fair Housing

Appendix D (Fair Housing Assessment) to the Draft Housing Element includes an analysis of existing conditions and trends related to Fair Housing. During the 30-day review period, staff conducted further review of the Appendix and recommends the clarifications and additions shown in track changes in the updated version of the Appendix. In summary, these revisions include:

- Minor text amendments for clarification shown in track changes;
- Additional of Section D.6, including a discussion of how buildout of the proposed inventory would improve or exacerbate fair housing conditions in Monterey, pursuant to HCD guidance contained in Affirmatively Furthering Fair Housing, Guidance for All Public Entities and for Housing Elements (April 2021); and
- Inclusion of a matrix summarizing fair housing issues identified in Appendix D, contributing factors and programs from Chapter 4 Housing Action Plan that address them (Table D-17)

Submittal of 2023-31 Draft Housing Element to HCD

The 30-day public review period for the City's Draft Housing Element ended September 4, 2023. Staff asks that the City Council approve or direct any changes to the public review draft of the Housing Element and authorize the City Manager to send a revised draft Housing Element to HCD to start their legally mandated 90-day first review.⁵

SAB/kc

- Attachment
1. Resolution approving or directing changes to the Draft Housing Element and Authorizing the City Manager to Send the document to HCD for the 90-Day Review (Exhibit A).
 2. City Council Regular Meeting Minutes, June 20, 2023.
 3. Summary of Public Comments on the Drafting Housing Element.
 4. Staff Recommended Revisions to the Draft Housing Element

E: Andrew Hill, Principal, Dyett and Bhatia
Housing List
All Business Associations
All Neighborhood Associations
LandWatch Monterey County

Writings distributed for discussion or consideration on this matter within 72 hours prior to the meeting, pursuant to Government Code § 54957.5, will be made available at the following link:
<https://monterey.org/Submitted-Comments>

⁵ CA HCD, Housing Element Process and Public Comment Submission: <https://www.hcd.ca.gov/planning-and-community-development/housing-elements>; and CA State law (AB-215) September 28, 2021: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB215