

HCD Housing Element Comments and City Responses City of Carpinteria

Comments from HCD's February 21, 2023 letter are included below in *black italics* with responses following each comment provided in **brown**.

A. Review and Revision

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).)

HCD comment

A thorough program-by-program review is necessary to evaluate City's performance in addressing housing goals. As part of this analysis, the element should describe the actual results of the prior element's programs, compare those results to the objectives projected or planned, and based on an evaluation of any differences between what was planned versus achieved, provide a description of how the objectives and programs of the updated element incorporate changes resulting from the evaluation. While the element includes some information on the progress in implementation from the previous element, it must evaluate the effectiveness of programs and reflect the results in the current element. In addition, Table A-1 states that Program 14 (Inspection on Sale), and Program 15 (Rental Housing Inspection) have been discontinued, but offers no analysis as to the effectiveness or ineffectiveness of the programs, and how that informed the decision not to include them in the current element. Based on the outcomes of this evaluation, programs should be revised as appropriate.

City response (Technical Report (TR) Appendix A; Housing Plan)

Appendix A has been revised to provide additional information and analysis regarding the effectiveness of goals, policies, and related actions in meeting the city's housing needs including actual results of the prior element's programs compared to the objectives projected or planned. The evaluation of differences between what was planned versus achieved has been instrumental in preparing updated objectives and programs in the 2023 Housing Element.

The City's objectives for new construction during the prior planning period was 163 total units, of which 65 were lower-income units consistent with the 5th cycle RHNA allocation. The City exceeded its total objective by 13% (184 actual units), and the 45 lower-income units approved represents over 69% of the objective, a significant achievement given that available housing subsidies fell far short of the need. Programs have been updated and revised based on the experience gained during the 5th cycle RHNA allocation. Specifically, Program 1 has been added to ensure adequate sites are available to meet the 6th cycle RHNA allocation and development standards do not act as impediments to achieving allowable densities. Program 2 has been updated to expand the ADU program and include monitoring throughout the planning period so that adjustments can be made as necessary if anticipated production levels are not being met. Program 11 has been updated to ensure compliance with state law for special needs housing and Program 17 identifies specific meaningful actions the City will take, in addition to combatting discrimination, to overcome patterns of segregation and foster inclusive communities during the planning period. In addition, specific commitments for evaluation of programs (generally annually) during the planning period and additional actions to improve programs at the mid-point of the planning period when review identifies potential for improvements have been added to many of

the programs. (See Housing Plan, Table H-2 which lists each program objective and its respective timeframe.)

With respect to Program 14 (Inspection on Sale), and Program 15 (Rental Housing Inspection) additional information has been provided in Table A-1 regarding the decision not to include them in the current element. These programs were discontinued after a lawsuit was filed challenging a similar program in the City of Santa Barbara as well as other lawsuits against similar programs nationwide. The City also found no evidence that these programs encouraged additional housing production nor preserved residential units.

HCD comment

As part of the review of programs in the past cycle, the element must also provide an evaluation 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). Programs should be revised as appropriate to reflect the results of this evaluation.

City response (TR Appendix A)

The evaluation 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) also has been expanded, and housing programs have been revised to reflect the results of this evaluation.

Some of the ways the housing needs of special needs populations were addressed during the prior planning period include, among others:

- **Safe Parking Program.** On October 24, 2022, the Carpinteria City Council contracted with New Beginnings Counseling Center to provide the Safe Parking Program in the City of Carpinteria for persons experiencing homelessness. The program is currently in the development stage.
- **Homeless Navigation Services.** A weekly lunch program managed by Home for Good is offered in the City as a means to gather local homeless persons to one area on a specific day and time where services are offered. As of 2022, the lunch program offers services from a County Drug and Alcohol Specialist, County Behavior Wellness, CityNet (the regional homeless services entity), New Beginnings, local business and entities, and community volunteers provide weekly lunches and provisions.
- **Permanent Housing for Homeless Individuals.** During 2021-2022 approximately 45 people experiencing homelessness in Carpinteria received assistance, including six people who were placed in permanent housing.
- **Accessible and Family Units.** The Casas de las Flores development includes three units with accessibility features that are available to lower-income households. In addition, seven one-bedroom, 14 two-bedroom, 12 three-bedroom flats and 10 three-bedroom townhomes are included in the development, along with a playground, walking paths, and laundry facilities to serve larger families.

- Housing for the Elderly. The Steadfast GranVida project approved in 2015 is a licensed Residential Care Facility for the Elderly (RCFE). The facility is licensed by the California Department of Social Services and includes 70 units with 76 beds. Phase 2 of this successful development is approved for an additional 50 residential units on a 1.8-acre commercial parcel at 5464 Carpinteria Avenue.
- Services for the Elderly. The City Council in 2022 established an Ad Hoc Senior Services Planning Committee which conducted a Community Needs Assessment to derive data-driven recommendations for the creation of a senior services program. The committee is currently exploring potential interim and long-term service models and partnerships.

Typically the production of special needs housing and other services supporting these populations are the result of a combination of multiple programs. Program 5 (Affordable Rental Housing), Program 7 (Density Bonus), Program 9 (Regulatory Concessions and Incentives), Program 10 (Fee Mitigation), and Program 11 (Special Needs Housing) all contributed to the production of special needs housing during the prior planning period.

Program 11 (Special Needs Housing) (Housing Plan, pp. 17-19) identifies actions intended to address the housing needs of various special needs groups and cross references other programs within the Housing Element that address the needs of each of these groups. In addition, Program 11 has been updated to commit the city to amending regulations by April 2024 to ensure compliance with new laws adopted in recent years addressing special needs housing.

B. Housing Needs, Resources, and Constraints

B.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).)

HCD comment

Enforcement: While the element currently describes services provided by the Santa Barbara Rental Housing Mediation Program (RHMP) and describes the number and characteristics of housing discrimination complaints, it must also describe capacity to provide enforcement and outreach which can consist of actions such as the ability to investigate or refer fair housing complaints, obtain remedies, or engage in fair housing testing. In addition, the analysis must address compliance with existing fair housing laws.

City response (Appendix D, p. D-9 to 20; TR pp. III-11 to 15)

The revised element includes additional analysis of fair housing enforcement and outreach, including the ability to investigate or refer fair housing complaints, obtain remedies, or engage in fair housing testing. In addition, the analysis includes compliance with existing fair housing laws, and Program 17 describes enforcement and outreach actions the City will take to affirmatively further fair housing during the planning period.

Capacity for Enforcement and Outreach. The RHMP and Legal Aid of Santa Barbara County have the capacity to provide fair housing enforcement, including the ability to investigate or refer fair housing complaints, obtain remedies, and/or engage in fair housing testing. Specifically, the RHMP has three full-time staff and a board of 15 trained community volunteers with capacity to

provide mediation services aimed at resolving rental housing disputes as well as providing information on landlord-tenant rights and responsibilities. The Legal Aid Foundation of Santa Barbara County has a membership of approximately 600 attorneys, judges, legal administrators, paralegals, law students, and members of various other professions. Legal Aid offers services to both low-income renters and homeowners in obtaining remedies to fair housing issues and conducts fair housing testing.

Compliance with Fair Housing Laws. The Constraints chapter of the Housing Element Technical Report and Appendix D describe the City's compliance with fair housing laws, including ways the City works to address potential impediments to fair housing choice, such as through reasonable accommodation procedures (Program 11), density bonus (Program 7) and zoning regulations for special needs housing (Program 11). The City continues to contract with the City of Santa Barbara RHMP to offer fair housing services and tenant/landlord counseling to residents (Program 17). Compliance with No Net Loss requirements is included in Program 1, and ongoing City policies and procedures are in place consistent with the Housing Accountability Act.

HCD comment

Outreach: The element describes outreach efforts for the broader housing element, but it should also incorporate outreach relative to affirmatively furthering fair housing.(AFFH) This outreach is particularly important to informing fair housing issues, contributing factors and appropriate goals and actions. Outreach should consider a variety of methods to gather input on the various components of the assessment of fair housing (e.g., segregation and integration, disparities in access to opportunity, disproportionate housing needs). For example, the outreach could specifically target fair housing organizations or neighborhoods with relatively concentrated poverty for input related to housing and community development needs and access to opportunities such as education and transportation. In addition, as the City has a high percentage of the community who is Spanish speakers, the element could include programs for outreach to this population.

City response (TR Appendix C & Appendix D, p. D-3 to -20)

Outreach efforts related to the Housing Element update and the AFFH analysis are described in Section 2 of Appendix D and in Appendix C. The outreach process included both City participation in the 2020 Santa Barbara County HOME Consortium Analysis of Impediments to Fair Housing (AI) and outreach focused on the City's Housing Element update.

The Santa Barbara County HOME Consortium conducted extensive public participation as part of the 2020 AI, including online surveys that were available to residents and other community stakeholders in both English and in Spanish. In addition to surveys being available online (using computers, smart phones, and other handheld devices), the surveys were also made available to residents in a paper-based version. Access to the survey was provided online, through stakeholder email lists, posted in public convening locations, and published in print with QR Codes made available for residents to scan and link to the survey. Survey responses were received in both English and Spanish.

As noted in Appendix C (Table C-1) the City directly invited several fair housing organizations to participate in the Housing Element update, including the Rental Housing Mediation Task Force, the Legal Aid Foundation of Santa Barbara County, California Rural Legal Assistance, the Central Coast Collaborative on Homelessness, the Santa Barbara County Housing Authority, and the Independent Living Resource Center.

The revised element (p. D-3 to 8) also describes the City's proactive initiatives to foster community engagement around racial equity issues, including intentional policy-making that reduces racial inequities and promotes community transparency and trust, as described in City Council Resolution No. 5981 and 6001 (Appendix D, Attachments D-1 and D-2).

To encourage continuing stakeholder involvement in local housing issues throughout the planning period, Program 17 in the Housing Plan includes a commitment to conduct ongoing, proactive outreach to engage members of all socio-economic groups and recruit members of underrepresented groups, including those who may not be fluent in English, to participate in City meetings.

HCD comment

***Integration and Segregation:** The element provided some data and mapping on integration and segregation across racial groups, disability, familial status and income by census tracts. However, the element must discuss and analyze this data for trends over time and patterns across census tracts, paying particular attention to geographic concentrations within the City and what might be contributing to these concentrations. Additionally, it must evaluate patterns on a regional basis, comparing the City to the region and surrounding jurisdictions.*

City response (TR Appendix D, p. D-20 to -28)

The element has been expanded to include additional analysis of regional and local patterns of integration and segregation, including trends over time and an evaluation of what might be contributing to concentrations.

Racial/Ethnic Makeup. While the racial/ethnic makeup of Carpinteria is very similar to the county as a whole, with Hispanics representing 45.6% of the city's population compared to 45.7% countywide, the city has become more diverse over the past decade with non-white population percentage increasing in most block groups. The percentage of non-white population in Carpinteria is highest in the western and central portions of the city, with some block groups containing 61-80% non-white population. Higher concentrations of minorities in those areas may be an indicator of fewer housing choices and other opportunities compared to nonminority residents.

Disability Status. Approximately 9.4% of the County population has a disability of some sort. This rate has remained fairly constant over the past decade. The northern portion of the city has disability rates <10% while the rest of the city has rates of 10-20%. This has also remained fairly constant over the past decade. The lower rates of persons with disabilities in the northern portion of the city may be due to the lack of availability of housing that is both affordable and accessible as well as there being fewer public transit options in this area.

Familial Status. According to 2020 American Community Survey (ACS) estimates, female-headed households comprised 16.8% of all households countywide, an increase from 11.6% reported in the 2014 ACS. The percentage of female-headed households in Carpinteria declined from 15.2% of households during 2010-2014 to 10.6% during 2016-2020, the reverse of the countywide trend. While there is a higher proportion of married couple households in the northwestern portion of the city, the percentage of children living in married couple households is relatively high (60-80%) in the remainder of the city as well.

Income. Higher lower/moderate-income (LMI) concentrations are located in the western and northeastern portions of the county. In Carpinteria, the southwestern portion of the city has the highest percentages of LMI households (50-75%) while LMI households comprise 25-50% of households in most other areas of the city. Poverty rates are less than 10% in all portions of the city. There are no Racially Concentrated Areas of Affluence (RCAAs) identified in Carpinteria. The nearest RCAAs to Carpinteria are found in the Montecito area of unincorporated Santa Barbara County to the west and in the Ventura area to the southeast.

HCD comment

***Disparities in Access to Opportunity:** The element provides information on the disparities in access to opportunity through the TCAC opportunity maps but must also provide a complete local and regional analysis of patterns and trends for all components. A comprehensive analysis should include the local and regional disparities of the educational, environmental, and economic scores through local, federal, and/or state data. It should also analyze persons with disabilities as well as access to transit. In addition, the element should analyze any overall patterns in disparities in access to opportunity within the City. The element should analyze access to transit throughout the City and whether there is access to protected classes. It should also analyze education and economic access both locally and regionally in relation to the provided maps. The maps display significant variation in economic scores throughout the City which must be analyzed. Lastly, the element must analyze the environmental data both local and regionally including describing what contributes to the varied scores.*

City response (TR Appendix D, p. D-32 to -41)

The element has been expanded to include additional analysis of regional and local patterns of integration and segregation in access to opportunities, including trends over time.

The California Tax Allocation Committee (TCAC) and HCD have developed maps showing access to various types of opportunities such as education, economic, transportation, and environmental indicators that were used for this analysis.

Educational Opportunity. The areas with the highest educational opportunity in Santa Barbara County are found in the south coast and in the Santa Ynez Valley with scores over 0.75 in much of these areas. All areas of the city have relatively high education scores (0.5 – 0.75). Kidsdata.org estimated that 42% of children in the Carpinteria USD were living in families with a high housing cost burden and about 9% of children were below poverty level. About 3% of children were identified as homeless. Because lower educational outcomes are often associated with housing problems such as overpayment, overcrowding and homelessness, many of the programs contained in the Housing Plan will help to improve educational opportunity in Carpinteria.

Economic Opportunity. TCAC economic opportunity maps are based on indicators including poverty, adult education, employment, job proximity, and median home value to generate numerical values for economic outcomes by census tract. Most of the city has lower economic opportunity scores than most other urban and semi-rural areas of the county. One of the regional planning challenges for Santa Barbara County is a jobs-housing imbalance, with higher job concentrations the South Coast area, particularly high-skill jobs.

In Carpinteria, the highest jobs proximity scores are found in the eastern half of the city (Figure D-21) while higher economic opportunity scores vary considerably depending on location. Most

of the city received less positive economic scores as seen in Figure D-22. The City does not have data that clearly explains the reason for lower economic scores. In general, there are fewer job opportunities in Carpinteria than in the nearby cities of Santa Barbara and Goleta. The lower cost of housing in Carpinteria relative to these other areas has resulted in Carpinteria residents commuting to jobs in other cities.

Transportation Opportunities. At the regional level, several bus and train options are available, particularly for the southern/coastal areas of the county. However, the most common form of transportation in Santa Barbara County is driving a car, truck, or van. Of that group, it is most common that workers drive alone rather than carpool.

The Santa Barbara Metropolitan Transit District (MTD) provides bus service on one route connecting Carpinteria to the Santa Barbara area to the west (Figure D-19). MTD offers many services for passengers with disabilities. All MTD buses are equipped with wheelchair lifts or ramps and can accommodate all wheelchairs and three-wheeled scooters that comply with the Americans with Disabilities Act guidelines. Passengers with disabilities may be eligible for the Mobility Pass, a reduced fare to ride MTD buses. To assist visually impaired riders, all transfer point bus stops and major intersections are announced by onboard annunciators. Additionally, as the bus approaches a transfer point bus stop, the onboard annunciator announces the bus line number, which is heard externally by waiting passengers. Passengers may also contact Easy Lift, the provider of paratransit service for persons who are unable to ride MTD buses due to a disability.

Compared to more densely urbanized areas, some transit users face longer walking distances from their residence to bus service and longer service intervals, which hinder opportunity. The city works cooperatively with MTD on bus routes and schedules as part of its land use planning activities with the goal of improving service for transit-dependent residents.

Environmental Opportunity. Environmental opportunity scores for Santa Barbara County are highest in the central portion of the county (Lompoc and Santa Ynez Valley areas) and the south coast areas. In Carpinteria, higher environmental opportunity scores are found in the eastern and northwestern portions of the city, away from the SR-101 freeway (Figure D-25), although scores are generally lower than in areas surrounding the city. The southwest portion of the city has the lowest category of environmental opportunity. In part, the lower scores in the city may be due to both Highway 101 and the UPRR railroad tracks extending east to west through the city, which contributes to reduced air quality. Historically, the Carpinteria Oil and Gas Processing Facility located at 5675 Carpinteria Avenue may have also contributed to lower scores. However, this facility has now been shuttered and is in the early stages of decommissioning, which may perhaps improve future CalEnviro scores as data is updated.

Disadvantaged Communities. There are no disadvantaged communities in the city. The only designated disadvantaged community in the county is located in the northwestern corner of the county.

HCD comment

Disproportionate Housing Needs including Displacement: While the revised element includes some information on all components of disproportionate housing needs (e.g., overpayment, overcrowding, substandard housing, and homelessness), analyses should evaluate the patterns and changes over time at a local (e.g., neighborhood to neighborhood) and regional level (e.g., city to region) for each of these components. The element must also provide an analysis of

regional patterns and trends in relation to displacement risk. The element should include a regional analysis for overpayment as well as analyze local concentrations of substandard housing. For overcrowding, the local analysis should include details on what contributes to overcrowding in certain areas of the City, how it relates to other fair housing factors, as well as a regional analysis. The analysis of persons experiencing homelessness should describe any demographics or characteristics for impacts on protected characteristics (e.g., race and disability) and access to shelter and services. Lastly, the element must analyze displacement risk both locally and regionally including displacement due to investment, disinvestment, and disaster driven displacement (i.e., fire, flood, and earthquake).

City response (TR Appendix D, p. D-41 to -55)

The element has been expanded to include additional analysis of disproportionate housing needs, including overpayment, overcrowding, substandard housing, and homelessness, patterns and changes over time at a local and regional level and in relation to displacement risk.

Overpayment. Renters are, by far, the most cost burdened group in the county. Approximately 57.9% of renters pay more than 30% of their income to housing costs, and 48% of these pay in excess of 35%. There is a disproportionately higher cost burden for homeowners, over 40%, north of Santa Maria, in central areas of the county bordering Los Padres National Forest, and along the southern coastline west of Goleta. In the city, 31% of homeowners were paying more than 30% of income for housing based on 2014-2018 ACS estimates.

Renter households with the highest cost burdened rates in the county, over 60%, are found in the northwest part of the County, including Santa Maria, Lompoc and around the cities in the southern coastal area. In the city, 51% of renters overpaid for housing per 2014-2018 ACS estimates. A comparison of 2010-2014 CHAS data (Table D-3) with 2014-2018 CHAS data (Table D-2) indicates that cost burden for Carpinteria renters increase from 49% to 51% of households while overpayment among owners remained steady at 31%. During both time periods, extremely-low-income households had the highest rates of overpayment.

Overcrowding. Nearly 11 percent of all Santa Barbara County households are overcrowded according to recent ACS estimates. However, overcrowding is more prevalent for renters (16%) as compared to only 5% of owners. In Carpinteria, about 9% of both owner-occupied and renter-occupied units were overcrowded. The highest rates of overcrowding (15 to 20%) occur in the eastern portion of the city where the housing stock is almost entirely multi-family housing (Figure D-32). A comparison of 2012 and 2020 ACS estimates shows that overcrowding for owner-occupied units in Carpinteria has increased substantially from 3% to 9% over the past decade while overcrowding has declined from 16% to 9% of renter-occupied units during this period. The significant increase in overcrowding of owner-occupied units may be due to the sharp increase in median sales prices – a 45% increase between 2015 and 2021 for single-family homes and a 21% increase in the same time period for condominiums. While market rental rates are not affordable to many renters, the California Economic Forecast Project's 2021 Carpinteria Valley Economic Profile reports that there are more affordable housing options in Carpinteria than in other parts of the south coast given that approximately 53% of the housing stock is comprised of apartments and mobile homes, and 3% comprised of income-restricted units which may account for the trending reduction in overcrowding in city rental units.

Substandard Housing. Approximately 90% of the city's housing stock was built prior to 1990 and is over 30 years old and likely to be in need of ongoing maintenance and repair. There is a slightly higher percentage of newer housing units countywide. Based on the observations of City

Building and Code Compliance staff, it is estimated that approximately 800 housing units may be in need of some type of rehabilitation and approximately 60 units may require replacement. Due to relatively high housing values, market forces are expected to encourage more private maintenance, rehabilitation, and lead paint remediation, as compared to lower-income communities. Areas in the southwest and northeast corners of the City may have slightly higher concentrations of substandard housing. Overall, however, City staff has observed a general improvement in the condition of housing as property values have risen along with the commensurate increase in sales prices and rental rates, as well as the availability of financing for home improvements at lower interest rates in recent years.

Homelessness. Countywide, 1,962 homeless persons were recorded in 2022, an increase of 34% compared to the 2013 homeless count. Approximately 53% of the homeless population was located on the south coast with most others located in the cities of Santa Maria (457 people) and Lompoc (290 people). In Carpinteria the number of homeless persons increased from 10 in 2013 to 21 in 2022 (Table D-5). The 2022 countywide count included 1,367 unsheltered persons and 595 persons living in emergency shelters or transitional housing. According to the 2022 PIT count, majority of homeless individuals enumerated identified as White (83%), which is higher than the general population at 50%. Eight percent identified as Black or African-American which is higher than the general population at 2%. Four percent identified as multiracial, while 3% identified as American Indian or Alaska Native. One percent identified as Asian, and one percent identified as Native Hawaiian or other Pacific Islander. A majority of survey respondents (62%) identified as Non-Hispanic, while 38% identified as Hispanic.

Twenty-nine percent of individuals reported having a chronic health condition, with 27% reporting having a physical disability, 31% reported substance abuse issues, 39% reported having a mental health disability, and approximately 9% reported having a developmental disability. One percent reported having an HIV/AIDS related illness. A breakdown of racial/ethnic data and other protected characteristics for the 21 individuals in Carpinteria were not provided in the survey results. People experiencing homelessness in the City tend to congregate downtown and near shopping centers during the day. During evening and nighttime hours, they also tend to be located in open space areas.

The housing element describes the facilities serving the homeless population in Carpinteria and the South Coast on pp. D-47 to D-49.

Displacement Risk. As seen in Figure D-33, a large area in western portion of Santa Barbara County as well as some smaller areas along the south coast face displacement risk. There is significant overlap between areas of displacement risk and other indicators such as minority concentrations and areas of poverty. In Santa Barbara County, displacement risk is affected by economic as well as natural factors such as flooding and wildfires, which may work in tandem such as flooding and mudflows after a wildfire such as occurred on January 9, 2018, when mud and debris loosened from burn-scarred areas in the Santa Ynez mountains plowed through Montecito, killing 23 persons and destroying more than 100 homes.¹ At the time it occurred, the Thomas Fire was the largest wildfire in California history.

Figure D-34 shows that the southwestern portion of the city is considered to be a sensitive community vulnerable to displacement. Environmental factors such as flood risk and risks associated with sea level rise may make this area more vulnerable to displacement.

¹ California Governor's Office of Emergency Services (<https://news.caloes.ca.gov/remembers-the-montecito-mudslides-two-years-later/>)

Additionally, this Census tract includes the area within the City where short-term rentals are allowed which has the potential to displace residents.

Displacement mitigation strategies include, but are not limited to, tenant protections, physical maintenance and conservation of the existing affordable housing stock, preservation of existing deed-restricted affordable units at-risk of conversion to market-rate, acquisition and rehabilitation of existing housing units, requiring the replacement of existing affordable units demolished as part of redevelopment, facilitating construction of additional affordable housing, and restricting the proliferation of short-term rentals under the City's short-term rental ordinance. Prevention of natural disasters such as fires and floods is an increasingly difficult regional and statewide challenge as the effects of climate change result in more intense storms, drought, and risk of wildfire.

Programs 1, 12, and 13 in the Housing Plan address risk of displacement. Program 1 includes a commitment to ensure compliance with legal protections and replacement housing requirements for existing tenants who may be displaced by new developments. Program 12 focuses on preservation of and rent control for mobile home parks and Program 13 facilitates preservation of existing apartment units through implementation of the city's Condominium Conversion Ordinance.

As discussed in the Housing Needs Assessment, there are no assisted low-income housing developments in Carpinteria that are at risk of conversion to market rate in the next 10 years.

HCD comment

Identified Sites and Affirmatively Furthering Fair Housing (AFFH): The element does not address this requirement. The element must identify and analyze sites throughout the community to foster inclusive communities and affirmatively further fair housing. For example, the analysis should address whether the identified sites improve or exacerbate each of the fair housing issue areas. For more information, See HCD's guidance at <https://www.hcd.ca.gov/planning-and-community-development/affirmatively-furthering-fair-housing>.

City response (TR Appendix D, p. D-56 to -59)

The element has been expanded to include additional analysis of how the sites inventory furthers fair housing objectives.

Access to Opportunity. As seen in Figure D-35, the City encompasses portions of five census tracts: 16.01, 16.04, 17.04, 17.06 and 9900, although tract 9900 is offshore and contains no population or land area suitable for development. The majority of the city is within tracts 16.01, 16.04, 17.04. Tract 17.06 only includes two small areas within the Carpinteria city limits, one north of Foothill Road encompassing Carpinteria High School, and the other at the western edge of the city north of Via Real, east of Sunset Drive and west of Cravens Lane (Sandpiper Mobile Home Park). Most of tract 17.06 is within unincorporated county territory to the north and west of the city. Although tract 17.06 is designated *High Resource*, the two Carpinteria neighborhoods in this tract are both fully developed with no opportunity for additional residential development in the foreseeable future. No census tracts in Carpinteria were identified as *Highest Resource* in the TCAC/HCD Opportunity Maps.

Figure D-37 shows opportunity areas within the city. All of the sites identified in Appendix B as underutilized sites (Table B-5) and candidate sites for rezoning (Table B-6) are located in areas designated *Moderate Resource* on the TCAC/HCD Composite Opportunity Map; therefore, the locations of sites further fair housing objectives and do not concentrate future housing development in areas of lower opportunity.

Integration and Segregation. The racial/ethnic makeup of Carpinteria is very similar to the county as a whole, with Hispanics representing 45.6% of the city's population compared to 45.7% countywide. Non-Hispanic whites are the largest group in Carpinteria (48.6% compared to 43.9% countywide). As seen previously in Figure D-4, the percentage of non-white population in Carpinteria is highest in the western and central portions of the City, with some block groups containing 61-80% non-white population. The underutilized sites are primarily located in the western portion of the city due to the characteristics of those individual properties that indicate suitability for redevelopment. However, candidate sites for rezoning represent a larger proportion of sites and are distributed throughout the central and eastern portions of the city. Therefore, the locations of sites further fair housing objectives and do not concentrate future housing development in areas of lower opportunity.

Racially and Ethnically Concentrated Areas of Poverty and Affluence. There are no designated R/ECAP or RCAA areas in Carpinteria; therefore, the locations of sites do not exacerbate racial/ethnic or economic concentrations.

Disproportionate Housing Needs and Displacement Risk. Higher rates of renter cost burden and overcrowding are generally found in the eastern portion of the city. Since the majority of sites identified for future housing development are also in the eastern area, additional housing on these sites would reduce disproportionate housing needs by expanding the supply of housing in areas where cost burden and overcrowding are most prevalent.

As shown in Figure D-34, areas in Carpinteria that have been identified as vulnerable to displacement are located in the southwestern portion of the city. Since most of the candidate sites for rezoning are located in the central and eastern portions of the city, the sites inventory furthers fair housing objectives and does not concentrate future housing development in areas with high displacement.

HCD comment

Local Data and Knowledge, and Other Relevant Factors: The element must include local data, knowledge, and other relevant factors to discuss and analyze any unique attributes about the City related to fair housing issues. The element should complement federal, state, and regional data with local data and knowledge where appropriate to capture emerging trends and issues, including utilizing knowledge from local and regional advocates, service providers and other planning documents or processes. Also, the element must include other relevant factors that contribute to fair housing issues in the jurisdiction. For instance, the element should analyze historical land use, zoning (e.g., lack of multifamily zoning), governmental and nongovernmental spending including transportation investments, demographic trends, historical patterns of segregation, or other information that may have impeded housing choices and mobility.

City response (TR Appendix D, p. D-2 to 8 and p. D-55 to -56)

Appendix D has been expanded to include additional analysis of local data and knowledge and other relevant factors contributing to fair housing issues.

Local Knowledge and Current Fair Housing Initiatives. In response to the recent unjustified killing of George Floyd (as well as countless others) and the subsequent protests across the nation, the City of Carpinteria adopted Resolution No. 5981 (see Attachment D-1) condemning the unjustified use of force and brutality against Black people, people of color and all marginalized communities including LGBTQ+ individuals by law enforcement and to stand in solidarity with protestors of systemic racism in our country.

By adopting Resolution No. 5981, the City has joined municipalities and local governments across the country in recognizing, and focusing on community engagement around racial equity issues, including intentional policy-making that reduces racial inequities and promotes community transparency and trust. The City's action also aligns with state and nationwide focus on these critical issues which are detrimental not only to particular racial groups, but also to the broader economic and social well-being of the entire community. On June 15, 2020 Gov. Gavin Newsom's Task Force on Business and Jobs Recovery issued an open letter, noting the effects of structural racism on society, including the economy, and urging action for a more inclusive and resilient economy. The letter outlines how people of color are disproportionately impacted by economic uncertainty, unemployment, and racism in policing, and highlights the income gaps across ethnicity, gender and ability that persist in our state. It notes, "taking a stand against racism is not just a moral imperative for our collective future, but an economic one. The discrimination inflicted upon Black Americans has entrenched discrimination that harms other people of color leaving them, and our entire economy, vulnerable to a shock like the COVID-19 crisis." Moreover, "recovering from COVID-19 also presents an opportunity to re-imagine our society and economy by striking out against injustice."

Carpinteria is home to many minorities, indigenous people, and people of color, including a vibrant Hispanic and Latino community comprising approximately 45% of the population. As memorialized in Resolution No. 5981, the City itself is not immune from a history of injustice towards racial minorities and commits to engage in a process that actively promotes racial equity within the City's population by reviewing and improving existing policies and subsequently revising and/or implementing new policies, actions, and programs to combat identified sources of injustice. Specifically, through its adoption of Resolution No. 5981, the City made several key commitments which can be organized into the following three general categories: (1) committing to collaborate with law enforcement to further community-oriented policing, build trust with the community and ensure the safety of all community members; (2) committing to review and revise City policies to incorporate antiracist policies into City government and ensure the equitable distribution of resources and public services; and (3) collaborating with, supporting, and amplifying minority-owned businesses, community groups and non-profit organizations within the City and broader community.

City staff and the City Council recognize that confronting the legacy of racial injustice and actively promoting racial equity within our community (as well as across the nation) is both challenging and highly important work. These efforts will be an ongoing, long-term process that will require sustained effort, and openness to learning from and engaging with experts and minority community leaders in enacting research-based, community-tailored, anti-racist policies. Although the City's commitments all share the same goal of ensuring and facilitating racial equity and justice, the City's role in implementation of specific policies, initiatives, and programs will depend on the situation. For example, while the City will likely take a lead role in reviewing City policies and programs for inequities, it may make more sense for the City to take a more collaborative approach and coordinate with existing governmental and/or community organizations to ensure the equitable provision of non-City based services. Similarly, it will be

important for City staff and the City Council to collaborate with and continue to learn from leaders of minority and social justice groups. The City is lucky to be home to a number of community groups and organizations actively working to combat inequities within the Carpinteria community; in some instances, therefore, it may be most effective for the City to partner with these existing organizations to further the commitments outlined in Resolution No. 5981.

For example, the City's Mission Statement recognizes the right of community members to influence decisions that affect their well-being and create forums for meaningful citizen participation, ensuring equitable regulation and service delivery. The City's Mission Statement also recognizes that needs and expectations may vary throughout the community, and the rights of our community members to take action to ensure diverse opportunities in housing, employment, and cultural activity in the community. The City's Sustainable Community Policy is also drafted to promote well-being and health, and ensure all community members have opportunities to contribute to a productive community. The following ideas and proposals are meant to build on the City's existing policies and to ensure that, going forward, policy-making is undertaken with intention to combat inequities and support racial justice and the equitable provision of public services across the City's diverse demographics.

At its public meeting on August 10, 2020 the City Council adopted Resolution No. 6001 (Attachment D-2) establishing as City policy the intention to continue to research example policies, initiatives and actions, and collaborate with local community groups to build a robust process to implement Resolution No. 5981. Resolution No. 6001 established the following policies, initiatives, and programs around the three commitments highlighted in Resolution No. 5981: (1) collaboration with law enforcement, (2) review of City policies, and (3) engagement with community groups and leaders.

1. Collaboration with Law Enforcement

The City will continue to work collaboratively with our local law enforcement to build community trust and legitimacy, implement community-oriented policing, and maintain a safe community as exemplified in specific provisions in the City's law enforcement contract.

The issues raised on a national level concerning police brutality and unjustified use of force by law enforcement are important, valid and have implications for our local law enforcement. The City's contract with Santa Barbara County for law enforcement services creates a somewhat unique situation where many of the decisions to change trainings and/or protocols are not within the City Council's direct control, nor scope of work. The City can, however, review its contract with County law enforcement to ensure services are deployed in a manner consistent with the needs and priorities of our community and as determined necessary, begin the process of identifying areas for improvement that may be discussed during contract renegotiation. To this end, the City Council could consider directing staff to review the City's current contract with the County Sheriff's Office with the following concepts (and the goal of ensuring racial justice) in mind:

A. Racial Sensitivity Trainings for Officers. The City could request the County Sheriff's Office to consider implementing and requiring officers-particularly those stationed in the City-to undergo special racial sensitivity trainings.

B. Community Representation. Although nature of the City's contractual relationship with the County Sheriff's Office for law enforcement services means that the City is not involved in hiring practices, the results of these practices are

critical in ensuring that, over time, the Sheriff's Office is able to deliver adequate services within the City. For example, the City may want to consider working with the County Sheriff's Office with the goal of ensuring that the officers stationed within the City are representative of City demographics, including ensuring that officers have adequate Spanish and other language fluency skills to appropriately communicate with the City's residents.

C. Data Sharing to Improve Transparency. A key aspect of pursuing the City's commitments outlined above will be reviewing and understanding data in an attempt to identify opportunities for improvement. To this end, the City could work with the County Sheriff's Department to ensure that both the Sheriff's Office and the City have adequate systems and personnel in place to collect and share data and information on how law enforcement services are being provided within the City.

D. Review of Patterns and Trends in Service Calls. The City may also want to collaborate with the Sheriff's Office to review patterns and trends in (1) local calls for service (location, type, etc.) and (2) the outcome of those calls (contact, citation, arrest, follow-up action, etc.) in order to better understand how local law enforcement services are being used across demographics within the City and identify areas for improvement.

E. Review of City Code Enforcement Policy. The City may also want to review specific aspects of the City's Code Enforcement policy - including policies, regulations, and practices - pertaining to minor crimes and infractions that may disproportionately burden and/or impact low-income and minority individuals. For example, various aspects of the City's parking enforcement program (and resulting violations) may disproportionately impact lower-income and/or minority residents and households.

F. Development of Action Plan. Because of the contractual nature of the City's law enforcement, the City may want to coordinate and engage with the Sheriff's Office in how to best facilitate initiating a process for determining and prioritizing opportunities for the improvement of local law enforcement services to ensure that these services align with the City's values, such as transparency, accountability, community trust building, and are equitably delivered to all City residents.

2. Review of City Policies

The City recognizes that as a community we have to actively work to be antiracist, including educating ourselves, better supporting leaders and institutions who are working to combat injustice and systematic racism, and working together toward the more equitable distribution of resources and public services. We commit to continuing to learn about, reflect on, and incorporate antiracist policies into City government, and strengthen a climate incompatible with racism in our community and nation.

To begin implementing the above commitment, one option is for the Council to request City staff to review and audit its policies and programs within the various City departments (Community Development; Public Works; Parks, Recreation and Public Facilities; community communication; City staffing; volunteer services; and Emergency Services) to better understand

usage, equity of benefits across the spectrum of economic, social and racial groups within our community. This work will help to first identify how the City's services are used by and benefit various groups within our community, where inequities exist in opportunities and services, inequities in community representation and how inequities can subsequently be improved, including:

A. District Elections. Moving from the City's current at-large election process to district elections could improve the equity of representation across various racial and economic groups within the community on the City Council. Note that the City currently employs an at-large method of elections where each City Councilmember is elected by registered voters of the entire City instead of district elections. After the 2020 Census, the City is planning to begin the process of forming electoral districts, through a public process, for the City to implement district-based elections by 2021.

B. City Staffing and Hiring. To improve the demographic representation of City staff (from Management down to front-line workers), the City could explore opportunities to increase diversity in the applicant pool for open positions and ensure existing diverse City staff members are appropriately supported in their positions to promote retention and promotion.

C. Appointment to Boards, Commission and Committees. In making appointments to various City boards, commissions, and committee, the City Council could consider reviewing and revamping its outreach, advertisement and nomination process to ensure that it is reaching diverse segments of the City's population and residents and/or incentivize youth and broader community involvement.

D. Parks and Open Space. The City could audit the City's policies on providing recreation services, with a focus on locations, improvements, and types of facilities that actively promote diverse interaction and community building. For example, recent studies have found that skateboarding and skateparks facilitate a sense of community. The City is currently in the process of permitting a skate park to be located near City Hall.

E. Transportation. The City could audit its transportation goals and policies (pedestrian, bicycle, other public transit, etc.) in order to ensure that services are equitably benefitting all City residents and collaborate with SBCAG and MTD to improve outreach and participation for local dialogue regarding the adequacy/equity of service within the City.

F. Housing. The City could review its housing policies and regulations through the lens of understanding the racially disparate patterns of homeownership, rent burden and homelessness. As your Council is aware, the area of housing policy has received a lot of interest and attention in the state legislature over the past several years and, as a result, the City has been engaged in a lot of policy work on this matter.

G. Implementing Trainings and Policies within City Administration. The City could develop and implement internal programs and training focused on City staff and administration (including hiring practices) for addressing bias, racism and

fostering a climate within our City government that helps serve as a model for the broader community of an antiracist and inclusive climate.

H. Engagement with other Local Governments. To support the development of antiracist policies and regulations, the City could consider engaging other municipalities with shared goals by becoming a member of Government Alliance for Race and Equality (GARE).

3. Engagement with Community Groups and Leaders

To accomplish the goals of this Resolution, the City will highlight and collaborate with minority leadership and social justice groups. The City commits to developing resources that support and amplify minority-owned businesses, community groups and non-profit organizations within our City and broader community.

The City is home to many minorities and recognizes the important contribution of all groups to our community including many social, racial and environmental justice groups that have long been working on issues of equity and inclusion. The City's work, to be effective, will need to reflect community values and to be a part of a sustained and coordinated effort with the local community and community groups. The goal to such coordination is to help ensure that the process to further articulate and define goals and specific actions reflects a diverse range of perspectives and appropriately prioritizes the community's needs and actions for the greatest benefit.

A. Community Survey. In order to develop resources that support and amplify minority-owned businesses, community groups and non-profit organizations, as an initial step the City could consider implementing a survey to gather community input and identifying community needs and interests. Such a survey could also be used to track community perception of racial inequality and promote community buy in. For example, the City of Seattle conducts an internal survey of all city employees every two years as well as a regular survey of city residents. These surveys allow Seattle to track the progress of the city as a whole, as well as individual departments, in terms of employee understanding of institutional and structural racism, and understanding of how departments are building racial equity into programs, policies, initiatives and budget decisions. Continued deployment of the survey allows Seattle to track progress through time and evaluate the efficacy of programs at addressing racial equity and justice.

B. Support of Minority-Owned Businesses and Groups. The City could develop policies and programs to support existing local minority-owned small businesses. Further, the City could request targeted community feedback to understand what, if any, impediments at the City level exist to growing the number of locally-owned small businesses by diverse entrepreneurs.

C. Collaboration with Existing Community Leaders and Groups. The City could also choose to collaborate with existing Community organizations and institutions - including the Carpinteria Unified School District, the Boys' and Girls' Club, Girls, Inc., the Family Resource Center, among others - to support and implement the City's commitments and further actions. These existing organizations could play an important role in bridging the relationship between

local government and individual community members, specifically with issues related to educational opportunities.

D. Creation of Racial Equity/Justice Position. One potential approach could be for the City to review best practices and resources to memorialize job functions within the existing City structure and/or create new position(s) that improve community involvement and collaboration with minority leaders, as well as build capacity within underserved groups in our community.

Other Relevant Factors. Historically, exclusionary housing policies throughout the nation, such as through redlining and discriminatory racial covenants, had the effect of reducing economic opportunities for racial minorities by denying them mortgages and leading to disinvestment in communities of color. As a result, minorities were often concentrated in segregated neighborhoods. While redlining has been prohibited by federal law, historic land use and economic policies resulted in patterns of segregation that are still present in the city and region. Some areas of Santa Barbara County that have higher median incomes, such as portions of Santa Barbara city and the unincorporated areas of Montecito and Hope Ranch, have lower concentrations of minorities compared to areas with lower median income and higher poverty such as Guadalupe and Santa Maria.

The level of segregation in Carpinteria is relatively low, with most areas of the city having a mix of racial/ethnic groups. Compared to more affluent areas, particularly in unincorporated portions of the county, Carpinteria is more diverse.

Segregation is principally the result of minorities' lower incomes and inability to afford housing in the more expensive areas of Santa Barbara County. In coastal areas, higher property values and rents close to the beach can have the effect of excluding minority populations. In Carpinteria, areas zoned for lower-density single-family housing are mostly located away from the beach north of the freeway, which helps to moderate affordability issues to some extent; however, as housing values have risen sharply in recent years, the displacement of lower-income minority communities is a major contributing factor to fair housing in Carpinteria. Providing more mixed-income developments through implementation of the R Overlay zoning amendment (Program 1 in the Housing Plan) should help to address this issue because the candidate sites for the R Overlay are distributed throughout the city. Further, Programs 1 and 17 include a commitment to increase housing opportunities in areas with good opportunity by giving priority consideration to sites with close access to public transit and services when selecting sites for rezoning to accommodate regional housing needs for lower-income units.

HCD comment

Contributing Factors to Fair Housing Issues: The element mentions fair housing issues and goals and priorities. However, these issues and goals do not appear to be rooted in any analysis related to Carpinteria specifically and do not appear adequate to facilitate the formulation of meaningful action to AFFH. The element should re-assess contributing factors upon completion of analysis and make revisions as appropriate. In addition, the element should prioritize these factors to better formulate policies and programs and carry out meaningful actions to AFFH.

City response (TR Appendix D, p. D-60 to -63)

Appendix D has been expanded to include additional analysis of contributing factors and the goals, policies and actions have been revised and expanded to identify priorities and strengthen City actions to affirmatively further fair housing.

Housing affordability and access to opportunity and mobility, homelessness, and fair housing education are the fair housing impediments identified by the city. Addressing all three of these impediments is a high priority for the city.

Housing Affordability & Access to Opportunity and Mobility. Housing affordability gaps in the city continue to increase. The California Economic Forecast Project's 2021 Carpinteria Valley Economic Profile indicates the median sales price of existing single-family residential properties increase 45% between 2015 and 2021. Median condominium sales price increased at a slower rate of 21% between 2015 and 2021. The city has more affordable housing options in Carpinteria than in other parts of the south coast due to a larger portion of the housing stock being comprised of apartments and mobile homes as well as 3 percent of units income-restricted. Nevertheless, most market rental rates in the city are not affordable to lower-income households. While these challenges are significant for most residents, they pose particular risks for vulnerable populations, including seniors, persons with disabilities, and female-headed households with children. Increasing housing opportunities in areas with good opportunity makes it easier for lower-income households to access the types of services and amenities that further social mobility.

Homelessness. The number of homeless persons in Carpinteria is increasing. Based on data from annual point in time surveys, the number of homeless persons increased from 10 in 2013 to 21 in 2022 (Table D-5). Greater coordination in service delivery to at-risk populations is needed to address needs and prevent homelessness. The City is experiencing increases in homelessness and at-risk populations become increasingly more likely to become homeless when there is a lack of affordable housing options and service delivery is disconnected. Further, in an environment where resources are limited, efficiency and partnership are necessary to connect what's available to those in need.

Fair Housing Education. Fair housing protections and education efforts have increased, but residents still report a lack of fair housing knowledge and specific discrimination around source of income. Education around fair housing rights and enforcement is an ongoing challenge that governments must address continuously. In particular, California's fair housing law includes source of income as a protected class, but residents reported that over 60% of discrimination they were aware of was based on source of income. As noted in Appendix D (p. D-61), Public outreach conducted as part of the 2020 County AI found that knowledge of fair housing laws and awareness of opportunities for fair housing education were contributing factors to fair housing problems in the region. For example, the AI survey specifically focusing on fair housing found that only 36% of respondents were familiar or very familiar with fair housing laws and nearly half were unsure of their legal rights regarding fair housing. In terms of education on fair housing issues, half of the respondents were not aware of any fair housing or anti-discrimination education opportunities in their community, and 85% had never participated in any kind of fair housing educational opportunity.

While the number of fair housing complaints filed in the City is low – one complaint filed between 2015 and 2019 – given the survey results, this may be due to lack of knowledge of fair housing rights and the resources available when rights are violated. Fair housing education is needed in Carpinteria to ensure that residents have knowledge and access to resources to ensure their housing rights are respected.

Each fair housing impediment is listed in Table D-6 with geographic target areas identified and details regarding the specific programs included in the Housing Plan which will result in meaningful actions to affirmatively further fair housing when implemented. Specific timeframes for implementing these actions to address housing affordability and access to opportunity and mobility, homelessness, and fair housing education and outreach are included in the Housing Plan 2023-2032 Housing Element Implementation Table (Table H-2).

B.2 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).)

HCD comment

Extremely Low-Income Households (ELI): While the element quantifies projected ELI households, it must also quantify the existing number of ELI households by tenure and analyze their housing needs.

City response (TR p. I-10)

Table I-8 of the draft element includes the number of ELI households in Carpinteria by tenure. The Technical Report has been revised to provide additional analysis regarding the existing and projected housing needs of ELI households, as well as City programs to address ELI needs.

According to recent Department of Housing and Urban Development (HUD) and Comprehensive Housing Affordability Strategy (CHAS) data, approximately 170 ELI owners and 335 ELI renters were identified in Carpinteria.

ELI households face a number of housing problems including overpayment and overcrowding. As indicated in **Error! Reference source not found.**, 94% of ELI owner households and 82% of ELI renter households pay more than 30% of income for housing. In addition, some extremely low-income persons may have disabilities or other special housing needs. To estimate future ELI housing needs it is assumed that 50% of the City's very-low-income regional housing need, or 143 units, are within the extremely-low-income category pursuant to California Government Code Section 65583(a)(1).

HCD comment

Housing Costs: While the element includes some information on sales prices, Federal Census Data does not fully reflect market conditions, and the element should include additional data sources that are localized and more recent. For example, current market rents can be collected through a phone survey of properties within the jurisdictions, surveying rental magazines, or online searches for rent information, and/or through a survey of property management companies.

City response (TR p. I-14 to -15)

The draft element included current housing rental rates based on an internet survey which has been supplemented with a more recent internet survey. The element has been revised to provide additional, more recent data regarding housing prices from the Santa Barbara Association of Realtors (SBOAR) and market trends from the California Economic Forecast Project 2021 Carpinteria Valley Economic Profile.

The 2021 Carpinteria Valley Economic Profile indicates the median sales price of existing single-family residential properties increase 45% between 2015 and 2021 (\$925,000 to \$1,680,000). Median condominium sales process increased at a slower rate of 21% between 2015 and 2021 (\$540,000 to \$680,000).

SBAOR reported sales prices of single-family homes in the Carpinteria/Summerland area increased by 12.6% from 2021 to 2022 to a median sales price of \$1,875,000 in 2022. Condominium sales, which are reported for the south coast area as a whole, increase by 16.5% from 2021 to 2022 to a median sales price of \$965,000 for 2022. According to SBAOR's February 2023 report of market activity, there have been 12 closed sales year-to-date with a median sales price of \$1,265,000. A February 2023 internet search of real estate for sale in the city found asking prices ranging from \$750,000 for a 787-square-foot condominium to over \$100 million for a 4-acre oceanfront property.

The 2021 Carpinteria Valley Economic Profile reported that there are more affordable housing options in Carpinteria than in other parts of the south coast. The report attributed this to approximately 53 percent of the housing stock being comprised of apartments and mobile homes, and 3 percent comprised of income-restricted units. Nevertheless, most market rental rates in the city are not affordable to lower-income households. An internet rental survey conducted in August 2022 found asking rents of \$1,395 per month for a studio unit and \$2,250 to \$5,500 for two-bedroom units. An internet survey in March 2023 found average rents continue to be in the same price range with many units asking much higher prices and a limited supply of less expensive units.

B.3 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).)

HCD comment

Progress in Meeting the Regional Housing Needs Allocation (RHNA): The City's RHNA may be reduced by the number of new units built, approved, or pending since June 30, 2022. The element indicates (Table B-1) that 77 units affordable to above moderate income households have been built or are under construction or approved; however, the element must demonstrate their availability in the planning period. 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.

City response (TR Appendix B, p. B-2 and Table B-3)

Additional information has been provided in Table B-3 regarding the status of units approved or pending and expected to be completed in the planning period. Table B-3 shows: (1) residential units completed after June 30, 2022, (2) approved projects that are not yet completed, and (3) pending project currently under planning review. These units are all assigned to the above-moderate income category based on anticipated sales price or rent. Nine of the 15 projects were/are being developed at 100% or more of the maximum allowed density. Overall, these sites were/are being developed at an average of 88% of their maximum allowed densities.

Of the 15 projects listed in Table B-3, 6 have been completed or are under construction, 1 is currently in building permit review, and 3 have planning approvals and are pending building permit submittal. Given their stage in the entitlement process and the lack of any known barriers to development, the City expects all of the approved units to be completed within the planning period. In addition, 5 projects identified in Table B-3, totaling 8 units are currently pending planning review. These are all residential projects on residentially zoned sites with 1 to 3 net new units each. There are no known barriers to these projects being approved and constructed within the planning period.

HCD comment

***Parcel Listing:** The element must list parcels by various factors such as size, zoning, general plan designation, affordability, and existing use. Table B4 must be revised to list the parcel number and parcel size of each identified site, and Table B6 should be revised to provide the affordability levels for each site. Additionally, Table B-5 appears to assume a density bonus will be applied to Site 5, and this assumes a capacity of 32 dwelling units per acre. Unless this site is a pending or approved project, the table should revise its capacity assumptions for this site to reflect the underlying zoning, which is 20 dwelling units per acre.*

City response (TR Appendix B)

Table B-4 has been revised to list every vacant single-family lot separately and Table B-6 has been revised to note that every site is suitable for lower-income housing. In addition, in Table B-5, information regarding Site 5 has been added to explain that the density assumption of 32 units per acre was used for this site because the property owner of the older motel development on this site has been in conversation with the city and an affordable housing provider and indicated an intent to redevelop the site with an affordable housing project utilizing state and local density bonus incentives to achieve a density of 32 units per acre. Profile sheets with details regarding each of the underutilized sites identified in Table B-5 has been added in Figure B-3 of Appendix B.

HCD comment

***Realistic Capacity:** While the element provides a brief description of capacity and affordability assumption (p. B-1), it should include additional and clear supporting information on typical densities of existing or approved residential developments at a similar affordability level. For example, the element could clearly list other recent projects, the zone, acreage, built density, allowable density, level of affordability and presence of exceptions such as a density bonus. 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.*

In addition, the element appears to assume residential development on sites with zoning that allow 100 percent nonresidential uses. While the element mentions the overlay and incentives for residential development, it must still account for the likelihood of 100 percent non-residential uses. For example, the element could analyze all development activity in these nonresidential zones, how often residential development occurs and adjust residential capacity calculation, policies and program accordingly.

City response (TR Appendix B)

The City's methodology for calculating realistic capacity for sites listed in the sites inventory has been revised and Appendix B has been updated accordingly to describe the methodology and assumptions used in detail.

The City's inventory of residential sites is summarized in Table B-1. Methodology and assumptions used in developing the inventory are discussed below for various categories of sites. Parcel specific inventories are provided in Table B-3 (Completed, Approved, and Pending Projects), Table B-4 (Vacant Sites), Table B-5 (Underutilized Sites with R Overlay), and Table B-6 (Candidate Opportunity Sites). The analysis reflects realistic housing capacity based on existing land use regulations, market trends, and any known constraints such as environmental conditions.

The methodology for Completed, Approved, and Pending Projects and Vacant Sites is provided in the two responses above. See also Appendix B, p. B-2. The remainder of the sites included in the city's site inventory are non-vacant, underutilized sites.

Non-Vacant Underutilized Sites. The sites inventory evaluated parcels with zoning that allows only residential use as well as parcels with zoning that allows either residential or non-residential uses, or mixed uses. Non-residential zone districts allowing residential or mixed uses include the following:

- CPD – Commercial Planned Development. Primary uses in the CPD district include offices, retail stores, service establishments, and wholesale businesses. Dwelling units are also permitted at a density up to 20 units/acre when integrated as part of the overall commercial development.
- CB – Central Business. Primary uses in the CB district include offices, retail stores, service establishments, and wholesale businesses. Dwelling units are also permitted at a density up to 20 units/acre when integrated as part of the overall commercial development.
- M-RP – Industrial/Research Park. Primary uses in the M-RP district include light industry, technical research, and business offices and mixed residential/industrial uses. Housing at up to 20 units/acre is also permitted when integrated as part of the overall development.
- M – General Industrial. Primary uses in the M district include light industrial and mixed residential/industrial uses. Dwelling units at up to 20 units/acre are permitted when integrated as part of the overall development.

In each of these zones, stand-alone residential development at 20 units/acre is permitted with the application of the R-Overlay.

Underutilized non-vacant properties with potential for additional housing are shown in Tables B-5 and B-6. Table B-5 includes properties with the R Overlay designation allowing stand-alone residential use while sites with non-residential zoning allowing mixed uses are shown in Table B-6. Sites listed in Table B-6 are also candidates for rezoning to apply the R Overlay as discussed below and in Program 1 of the Housing Plan.

Recent Development Trends. To estimate anticipated residential development on sites where 100 percent non-residential uses are permitted, the City examined development trends on all properties with non-residential zoning designations where residential is an allowed use during the prior housing element cycle to present (2015 to March 2023). As shown in Table B-2, residential and mixed-use development on sites allowing 100 percent non-residential use is a common occurrence in Carpinteria, including stand-alone residential development on non-residentially zoned commercial sites with the R Overlay. A summary of the trends depicted in Table B-2 is provided in Table B-2a.

Between 2015 and March 2023, 65% of development on non-residentially zoned sites allowing residential included residential as stand-alone development or as part of a mixed use development. Stand-alone residential projects were developed at an average of 96% of the maximum allowed density while mixed use projects were developed at 62% of the maximum density on average. On sites with the R Overlay, 80% of projects have included residential development.

Conversations with local commercial property owners and real estate professionals indicate that this trend is expected to continue and increase during the planning period due to changing market conditions that favor residential development as compared to office and commercial development. One example of this market trend is illustrated by the Lagunitas project (6380 Via Real – Candidate Site 5 in Table B-6) where the property owner has recently submitted a preliminary application to significantly reduce previously entitled commercial square footage on the property in favor of more multi-family residential units. Rezoning to add the R Overlay to this site pursuant to Program 1 would allow stand-alone multi-family development at a density of 20 to 25 units/acre excluding any density bonus. The owner has expressed interest in pursuing a residential only project if the R Overlay was applied. As discussed in the Candidate Sites for Rezoning section below, other property owners have also interest in having the R Overlay applied to their non-residentially zoned sites. Letters from some of these property owners are included in Appendix C.

Site Identification. Recent changes to state law require cities to evaluate the extent to which existing uses on non-vacant properties constitute an impediment to residential development during the planning period when a city is relying on non-vacant sites to accommodate 50 percent or more of its lower-income housing need. Substantial evidence that the existing uses on lower-income non-vacant sites listed in Tables B-5 and B-6 are likely to be discontinued and do not constitute an impediment to residential development include one or more of the following conditions, which are more specifically described for each site in Figures B-3 and B-4:

- Existing uses on many sites include older buildings that show signs of deferred maintenance or functional obsolescence, vacant space, or lower-value uses such as self-storage that could be replaced with higher-value residential development;
- Existing buildings have a relatively low site coverage that would allow residential development without requiring demolition of existing buildings;
- As shown in Tables B-2 and B-2a, there is a history of residential and mixed-use development on underutilized sites in Carpinteria;
- Property owners expressions of interest in residential development;
- The City is unaware of existing leases or other encumbrances that would prevent development on underutilized sites during the planning period;

- Lack of substantial known environmental constraints; and
- Close proximity to amenities such as services, schools, recreation, employment and public transportation.

All identified sites are located in areas designated Moderate Resources on the TCAC/HCD Composite Opportunity Map to further fair housing objectives and avoid concentration of future housing in areas of lower opportunity. The only areas designated High Resources in the City contain Carpinteria High School and Sandpiper Mobile Home Park, and do not include land available for additional residential development. There are no designated Highest Resources areas in the City. See additional discussion of the Site Inventory Analysis relative to fair housing objectives in Appendix D.

R Overlay Sites (Table B-5). Sites listed in Table B-5 have zoning designations that allow either stand-alone residential or mixed uses. In addition to the factors discussed under Site Identification above, while there are many other non-vacant properties in the City with non-residential zoning that allow mixed use, only sites larger than ½ acre and allowing stand-alone residential use were included in Table B-5.

With the exception of Site 12, the zoning designation for all of these properties is CPD (Commercial Planned Development) with the R (Residential Only) Overlay, which allows stand-alone residential development at a density of up to 20 units/acre. Site 12 is zoned PUD which allows residential as well as non-residential uses. No density is specified for the PUD zone. The owner of Site 12 recently submitted an application for a resort development including a 41-unit lower-income affordable housing development to be leased to, and operated by People's Self Help Housing. For the purposes of the site inventory, these recently proposed units have not been included.

Several of the smaller sites listed in Table B-5 have existing older residential units that could be removed and replaced with an increased number of units based on the R Overlay zoning designation. Table B-5 identifies potential net new units for sites with existing residential units. As noted in Program 1 of the Housing Plan, any development that would demolish existing housing units shall be subject to the affordable housing replacement requirements of Government Code Section 65583.2(g)(3). Some of the underutilized sites have Flood Hazard and/or Coastal Appeals Overlays over all or a portion of the site as indicated in detail for each site in Figure B-3. However, neither of these overlay designations would preclude infill development or redevelopment at the maximum allowed density. The City also has policies that allow and encourage clustering of development on project sites to avoid impacts to resources or other site constraints.

The realistic density assumed for these parcels with the R Overlay is based upon development trends for similar sites. As shown in Table B-2a, there have been six projects on sites with the R Overlay between 2015 and March 2023. Four of those projects include residential or mixed use development at an average of 80% of the maximum allowed density of 20 units per acre. Therefore, the site inventory for sites with the R Overlay assumes development of the identified sites will occur at a density of 80% of the maximum density, 16 units per acre. Further, to account for sites that may not be developed with residential uses, the estimated number of units was reduced to 67% of the total possible, consistent with development trends. This resulted in a capacity of 125 units on the sites identified in Table B-5.

While all of the sites listed in Table B-5 are larger than ½ acre with allowed densities of 20 units per acre and are therefore considered suitable for lower-income housing based on the default density provisions of State law, the City has conservatively assigned all sites smaller than one acre to the moderate-income category for purposes of the sites inventory analysis.

Other Underutilized Sites (Table B-6). Underutilized parcels allowing residential in combination with other uses and having potential for additional residential development are shown in Table B-6. Details for these sites are provided in Figure B-4. Because the current zoning designations do not allow stand-alone residential use, these parcels are also identified as candidate sites for rezoning to create additional incentives for residential development by applying the R Overlay, which would allow stand-alone residential use as an alternative to the uses allowed by the existing base zoning designation (see discussion of Candidate Sites for Rezoning below).

Sites in Table B-6 were selected from approximately 150 parcels with non-residential zoning that allow residential use based on factors including age of buildings, signs of deferred maintenance or functional obsolescence, lower-value uses, property owner interest, and close proximity to amenities such as services, schools, employment, and public transportation (see additional discussion in Site Identification above).

With the exception of two sites with agricultural zoning, all of the sites listed in Table B-6 currently allow multi-family residential use at a density of 20 units/acre mixed with non-residential uses. For the purposes of determining the number of units likely to be developed on these sites, the City assumed the sites would be redeveloped at 62% of the maximum allowed density based on recent development trends for mixed use development sites with non-residential zoning as shown in Tables B-2 and B-2a. The “Current Mixed Use Potential” column in Table B-6 lists the potential net new units for each site under existing zoning, 1,006 mixed use units total. As indicated by recent development trends, only 35% of sites that allow mixed uses including residential have been developed with residential units between 2015 and 2023. Therefore, the total Current Mixed Use Potential for the sites in Table B-6 was reduced to 35% of the total potential units for purposes of the RHNA analysis, that is a capacity of 355 units.

All of the sites listed in Table B-6 are larger than ½ acre and allow 20 units per acre. As such, they may be considered suitable for lower-income housing based on the default density provisions of State law. However, the City has conservatively assigned 25% of the predicted units to the moderate-income category and the remaining 75% to the above-moderate category for purposes of the RHNA sites inventory analysis.

HCD comment

Suitability of Nonvacant Sites: While the element identifies nonvacant sites to accommodate the regional housing need for lower-income households, it provides no methodology or description of their potential for redevelopment. The element must describe the methodology used to determine the additional development potential within the planning period. The methodology must consider factors including the extent to which existing uses may impede additional residential development, development trends, market conditions, any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, and regulatory or other incentives or standards to encourage additional residential development on these sites. (Gov. Code, § 65583.2, subd. (g).)

In addition, the housing element appears to rely upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households. For your information, the housing element must demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in the planning period. (Gov. Code, § 65583.2, subd. (g)(2).) Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA.

Finally, if element utilizes sites with existing residential uses, absent a replacement housing policy, these sites are not adequate sites to accommodate lower-income households. The replacement housing policy has the same requirements as set forth in Government Code section 65915, subdivision (c) (3).

City response (TR p. B-3 to 5, Tables B-2, B-2a, B-5, B-6)

As discussed in more detail in the response above, the analysis of nonvacant sites has been revised to evaluate the potential for redevelopment, including the extent existing uses constitute an impediment, recent developments, development trends and market conditions. The analysis identified development trends during the prior housing element cycle to present (2015-March 2023) to determine the likelihood of sites being redeveloped during the current planning period and the realistic density of development for non-residentially zoned sites that allow 100% non-residential uses and those that allow residential as part of mixed use development.

To estimate anticipated residential development on sites where 100 percent non-residential uses are permitted, the City examined development trends on all properties with non-residential zoning designations where residential is an allowed use during the prior housing element cycle to present (2015 to March 2023). As shown in Table B-2, residential and mixed-use development on sites allowing 100 percent non-residential use is a common occurrence in Carpinteria, including stand-alone residential development on non-residentially zoned commercial sites with the R Overlay. A summary of the trends depicted in Table B-2 is provided in Table B-2a.

**Table B-2a
Development Trends on Sites with Non-Residential Zoning, 2015 – 2023**

Project Type	Number of Projects	% of Total Projects	Average % of Maximum Density
All Projects on Non-Residential Zoned Sites			
Residential Only	5	30%	96%
Mixed Use	6	35%	62%
Non-Residential	6	35%	n/a
Total Projects	17		
Projects on Sites with R Overlay			
Residential & Mixed Use	4	67%	80%
Non-Residential Only	2	33%	n/a
Total Project on R Overlay Sites	6		

Between 2015 and March 2023, 65% of development on non-residentially zoned sites allowing residential included residential as stand-alone development or as part of a mixed use development. Stand-alone residential projects were developed at an average of 96% of the maximum allowed density while mixed use projects were developed at 62% of the maximum density on average. On sites with the R Overlay, 80% of projects have included residential development.

Conversations with local commercial property owners and real estate professionals indicate that this trend is expected to continue and increase during the planning period due to changing market conditions that favor residential development as compared to office and commercial development.

One example of this market trend is illustrated by the Lagunitas project (6380 Via Real – Candidate Site 5 in Table B-6) where the property owner has recently submitted a preliminary application to significantly reduce previously entitled commercial square footage on the property in favor of more multi-family residential units. Rezoning to add the R Overlay to this site pursuant to Program 1 would allow stand-alone multi-family development at a density of 20 to 25 units/acre excluding any density bonus. The owner has expressed interest in pursuing a residential only project if the R Overlay was applied.

Replacement Housing Program. Several of the smaller sites included in the site inventory have existing older residential units that could be removed and replaced with an increased number of units based on the R Overlay zoning designation. Tables B-5 and B-6 identify potential net new units for sites with existing residential units. As noted in Program 1 of the Housing Plan, any development that would demolish existing housing units shall be subject to the affordable housing replacement requirements of Government Code § 65583.2(g)(3).” Program 1 was also clarified to indicate the Mello Act (Gov. Code, §§ 65590-65590.1) also applies in the coastal zone.

HCD comment

Small and Large Sites: *Sites larger than ten acres in size or smaller than a half-acre in size are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites are suitable to accommodate housing for lower-income households. Since the City relies on both large and small site to accommodate its RHNA, the element must provide specific examples of past development in the City on similar site, with the densities, affordability and, if applicable, circumstances leading to consolidation. The element should relate these examples to the sites identified to accommodate the RHNA for lower-income households to demonstrate that these sites can adequately accommodate the City’s lower-income housing need. Based on a complete analysis, the City should consider adding or revising programs (e.g., Program 8) to include incentives for facilitating development on small and large sites.*

City response (TR p. B-3 to 7, Tables B-4, B-5 and B-6; Housing Plan pp. 14-15)

No vacant sites (Table B-4) or underutilized sites (Table B-5) smaller than ½ acre or larger than 10 acres are identified to accommodate lower-income housing in the sites inventory. Further, to be conservative, the City has conservatively assigned sites smaller than one acre to the moderate-income category. All sizes zoned for single-family residential are assigned to the above-moderate category. Of the Candidate Site parcels listed in Table B-6, one includes a parcel that is larger than 10 acres (Site 2) while 6 of the sites include parcels smaller than ½ acre that could be consolidated with one or more adjacent parcels.

Program 8 in the draft element includes incentives for consolidating small parcels. This program has been expanded to also include actions to facilitate subdivision of large parcels if necessary to accommodate development. In addition, per Program 8, the city is committed to amend the zoning code to implement SB 9 (2021) by December 2024.

HCD comment

Sites Identified in Prior Planning Periods: *Sites identified in prior planning periods shall not be deemed adequate to accommodate the housing needs for lower-income households unless a program, meeting statutory requirements, requires rezoning within three years.*

The element should clarify if sites were identified in prior planning periods and if so, which sites and include a program if utilizing previously identified sites in the current planning period.

City response (TR p. B-1)

Government Code Section 65583.2(c) provides that vacant sites identified in two prior consecutive elements and underutilized sites identified in one prior element shall not be deemed adequate to accommodate lower-income housing unless the zoning allows development by-right for projects in which at least 20 percent of the units will be affordable to lower-income households. One of the vacant sites listed in Table B-3 (Plum Avenue) was identified as potential lower-income housing sites in two prior housing elements. It is being counted as moderate-income housing site the current site inventory analysis. In addition, Candidate Site 21 in Table B-6 was identified as a lower-income housing site in the last housing element. The site is partially developed with an industrial building. The current site inventory assumes the site could be redeveloped as a mixed use site under the current M-RP zoning with 25% of units moderate-income and 75% above-moderate. No vacant or underutilized sites identified to accommodate lower-income housing in the current site analysis were identified for lower-income housing in a prior planning period; therefore, this requirement is not applicable.

HCD comment

Accessory Dwelling Units (ADU): The element projects 160 ADUs over the planning period or approximately 20 ADUs per year over the eight-year planning period. Given that the City has permitted two ADUs in 2021, it is not clear if this production level will be achievable in the planning period. As a result, the element should be updated to include a realistic estimate of the potential for ADUs and include policies and programs that incentivize the production of ADUs. Depending on the analysis, the element must commit to monitor ADU production throughout the course of the planning period and implement additional actions if not meeting target numbers anticipated in the housing element. In addition to monitoring production, this program should also monitor affordability. Additional actions, if necessary, should be taken in a timely manner (e.g., within six months). Finally, if necessary, the degree of additional actions should be in stride with the degree of the gap in production and affordability. For example, if actual production and affordability of ADUs is far from anticipated trends, then rezoning or something similar would be an appropriate action. If actual production and affordability is near anticipated trends, then measures like outreach and marketing might be more appropriate.

City response (Housing Plan pp. 8-9, TR Appendix B, pp. B-5 to 6)

The element has been revised to provide additional analysis of potential ADU production and Program 2 has been strengthened to provide additional commitments for monitoring and additional actions if anticipated production targets are not being achieved.

ADUs are included in the sites inventory, without specific parcels identified for future ADU development. Rather, a citywide estimate was used based on expectations for future ADU permits.

The City's current ADU Ordinance was reviewed and approved by the California Coastal Commission in December 2022 and became effective in February 2023. As compared to the prior ADU Ordinance, the City's new ADU Ordinance incentivizes construction of ADUs by broadly expanding the number of parcels eligible for an ADU, easing applicable development standards for ADU construction, streamlining the ADU permit review process, and eliminating Development

Impact Fees (DIFs) for ADUs smaller than 750 sq. ft. Based on the new standards and strong property owner interest, the City anticipates construction of approximately 20 ADUs per year during the planning period. ADU regulations are discussed in detail in Section III. Constraints and Program 2 in the Housing Plan describes actions the City will take to encourage ADU production. Through the ADU program, the City will provide two architect-designed ADU building plans specific for Carpinteria: (1) 400 square feet, one-bedroom / one bathroom; and (2) 480 square feet, one bedroom / one bathroom. These plans will be pre-approved by the City's Plans Examiner and available to residents by May 1, 2023 at no cost in order to facilitate additional ADU construction.

The program also includes a commitment to monitor ADU production and affordability annually and implement additional actions or incentives if production is not meeting anticipated levels at the mid-point of the planning period or as necessary to comply with future changes to state law. The program further specifies that the degree of additional actions should be in stride with the degree of the gap in production and affordability. For example, if actual production and affordability of ADUs is far from anticipated trends, then rezoning or something similar would be an appropriate action. If actual production and affordability is near anticipated trends, then measures like additional public outreach and marketing might be more appropriate.

HCD comment

Availability of Infrastructure: The element includes some discussion on water and sewer providers in the City (p. III-26). However, it must also clarify whether sufficient total water and sewer capacity (existing and planned) can accommodate the regional housing need and include programs if necessary.

City response (TR p. III-30-31, TR p. B-7)

The element has been revised to clarify that existing or planned water and sewer capacity is expected to be adequate to accommodate the level of expected housing development during the planning period.

The Carpinteria Valley Water District (CVWD) provides the domestic water supply for the City. The CVWD currently has a contractual supply of 2,813 acre-feet of water per year from the Cachuma Project. The District also operates three wells that draw from the Carpinteria groundwater basin, which has an estimated operational yield of 4,000 acre-feet per year. In addition, 2,200 acre-feet per year have been allocated to the CVWD from the State Water Project. Each of these supplies is subject to reduced deliveries during times of drought and water supply shortages. Each supply serves both City planning area and unincorporated Santa Barbara County areas within the CVWD boundary. According to CVWD, this water supply is expected to be adequate to serve projected development during the 2023-2031 planning period for both the city and unincorporated areas.

The Carpinteria Sanitary District (CSD) manages wastewater collection and treatment services in the City. The CSD treatment plant has a current permitted capacity of 2.5 million gallons per day (mgd). The plant currently treats about 1.1 mgd of wastewater; therefore, available treatment plant capacity exists to accommodate the level of development anticipated during the 2023-2031 planning period.

HCD comment

***Environmental Constraints:** While the element generally describes a few environmental conditions within the City (p. II-26), it must describe how these conditions relate to identified sites including any other known environmental or other constraints within the City that could impact housing development in the planning period.*

City response (TR p. III-30, p. B-7)

As noted in the analysis of non-governmental constraints (Section III.B.1), environmental constraints have been considered in the sites inventory analysis of capacity. As required by Government Code Section 65583.2(b)(4) the housing element provides a general description of environmental constraints to the development of housing within the jurisdiction, the documentation for which has been made available to the jurisdiction. Section 65583.2(b)(4) states “this information need not be identified on a site-specific basis.”

Environmental constraints to residential development in the city include physical features such as steep slopes, fault zones, floodplains or sensitive biological habitat. Coastal cities like Carpinteria are also affected by future sea level rise, which could constrain new housing development and also make some existing neighborhoods subject to increased flooding. In many cases, development is constrained by state and federal laws (e.g., FEMA flood hazard regulations, the Clean Water Act, Endangered Species Act, Coastal Act, State Fish and Game Code and Alquist-Priolo Act). The City’s General Plan/Local Coastal Program has been designed to protect sensitive areas from development, and to protect public safety. Although many portions of the city are affected by such environmental conditions, the estimated capacity of potential housing development sites identified in the land inventory reflects these constraints and sites were selected based on consideration of these constraints. While portions of sites may not accommodate development due to environmental constraints, e.g., required watercourse setbacks, city policy encourages clustering development elsewhere on the site which would allow the estimated densities to be achieved. Projects may also utilize tools such as a Variance or Modification to allow exceptions from other development standards in order to facilitate the planned type and intensity of development while complying with applicable resource protection requirements.

Appendix B has been revised to clarify that there are no known environmental constraints that would preclude the anticipated level of housing development during the planning period. Known site-specific environmental constraints also are identified on the site detail sheets provided in Figures B-3 and B-4.

HCD comment

***Electronic Sites Inventory:** For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City 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 a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.*

City response

An electronic copy of the sites inventory will be submitted to HCD with the adopted element pursuant to Government Code section 65583.3. No revisions to the Housing Element are required.

HCD comment**Zoning for a Variety of Housing Types:**

- *Emergency Shelter Capacity: Chapter 654, Statutes of 2022 (AB 2339), adds specificity on how cities and counties plan for emergency shelters and ensure sufficient and suitable capacity. Future submittals of the housing element may need to address these statutory requirements. For additional information and timing requirements, please see HCD's memo at <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf>.*

City response (Housing Plan, pp. 17-19)

Program 11 commits the city to reviewing and updating its zoning code to comply with new laws related to special needs housing adopted in recent years, including AB 2339 by April 2024.

HCD comment

- *By-Right Permanent Supportive Housing: 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 these requirements and include programs as appropriate.*

City response (Housing Plan p. 17-19; TR p. III-14 to -15)

The element has been revised to note recent changes to State law regarding supportive housing, and Program 11 has been revised to include a commitment to review and amend requirements for supportive housing to ensure consistency with Government Code section 65651 by April 2024.

B.4. 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).)

HCD comment

Land Use Controls: *The element must identify and analyze all relevant land use controls 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 parking, heights, lot or building coverage and limits on allowable densities. For example, the element states that three-story buildings are allowed in zones that have a thirty-foot height limit, but offer no analysis demonstrating how this is realistically feasible. In addition, the element should analyze maximum building coverage and front and rear setbacks in the R overlay, PUD, and Planned Residential Development zones and whether they are a constraint or add a program as appropriate. 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.*

City response (TR p. III-1 to -10; Housing Plan p. 6-8)

The element has been revised to provide additional analysis of land use controls as potential constraints, including parking, heights, lot or building coverage and limits on allowable densities, maximum building coverage and front and rear setbacks, and the ability to achieve maximum densities. In addition, Program 1 has been expanded to include a commitment to review all development standards in consultation with local architects and developers and revise standards as necessary to ensure that allowable densities can be achieved, including 3-story development in multi-family zones, and that standards do not pose unreasonable constraints on the cost and supply of housing. Per Program 1, Zoning Code amendments to provide adequate sites to accommodate RHNA, including amendments to development standards to ensure allowable densities can be achieved will be completed by February 2026 or sooner in accordance with state Housing Element law deadlines.

The following additional analysis of existing land use controls and development standards and their potential to constrain housing development is included in the Technical Report. Development standards that apply to residential uses in residential zones and non-residential zones are also summarized in **Error! Reference source not found.** and Table III-4, respectively.

Density. Residential density refers to the number of dwelling units per acre of land (du/ac). The zoning ordinance includes density standards consistent with the General Plan. The highest densities (20 du/ac) are allowed in the PRD, CPD, CB, M-RP, M and R Overlay zones. This density is considered suitable for lower-income housing pursuant to the “default density” provisions of Government Code Section 65583.2(c)(3)(B). The Casas de las Flores project of 43 lower-income units, completed during the prior planning period, was constructed at a density of 16 du/ac.

Lot or building coverage. Building coverage, according to the zoning regulations, means the amount of land that may be covered by buildings, usually measured as a percentage of the lot area. However, pools, spas and patios are not included within the meaning of a building. Tables III-3 and III-4 identify the lot coverage standards for each zone. Housing development in the PRD-20 Zone, the City’s highest density zone, can satisfy the lot coverage standard and attain the maximum number of housing units.

Building height. Building height means the vertical distance from the average finish grade of the lot covered by the building to the highest points of the coping of a flat roof or to the height of the highest gable of a pitch or hip roof. As discussed below, recent 100% affordable multi-family projects have been developed as 2-story buildings, although 3-story development is also possible within the 30-foot height limit using eight foot ceiling heights, dormers and flat roof designs.

Lot size. Single-family housing is permitted on a variety of lot sizes. Mobile home parks and subdivisions require a minimum of 10 acres. This minimum lot size enables mobile home parks to have at least 80 spaces. The PRD zone requires a minimum lot size of 7,000 square feet for newly created lots. However, existing lots smaller than 7,000 square feet can still develop at a minimum of 2,180 square feet per dwelling unit in the PRD-20 Zone.

Unit size. The City’s zoning regulations do not establish minimum or maximum housing unit sizes by housing type or zone, except for single room occupancy (SRO) units. The City encourages “...

studio and one bedroom units above commercial uses in the downtown district to reduce parking needs, facilitate affordability and encourage workforce housing in the downtown.”

Floor area ratio. Floor area ratio (FAR) is defined as the total floor area of enclosed buildings on a lot divided by the net area of the site expressed in a percent form. This definition excludes pools, spas and patios.

Setbacks. Required front, side and rear setbacks describe the minimum distance from the housing unit to the property line. Setbacks vary depending on zone and housing type. Housing development in the PRD-20 zone, the City’s highest density zone, can satisfy the setback requirements and attain the maximum number of housing units.

Open space requirements. Required open space means private open space that includes patios, decks and yards for the private use of the residents of individual units. Open space requirements range from 20% to 65% depending on zone and housing type, with lower requirements for multi-family zones. Housing development in the PRD-20 zone, the City’s highest density zone, can satisfy open space requirements and attain the maximum number of housing units.

Off-street parking. Chapter 14.54 of the Zoning Code requires the provision of parking for residential uses as follows:

- Single-family detached dwellings: two covered parking spaces per dwelling within a garage.
- Multiple-family dwellings (including two-family duplexes):
 - (1) For each single bedroom or efficiency dwelling unit designed and intended to accommodate not more than two persons: one covered space per unit, either in a carport or a garage;
 - (2) Two or more bedroom dwellings: a minimum of one covered parking space per unit plus one parking space per unit in a paved parking area;
 - (3) Visitor parking: one parking space per three dwelling units;
 - (4) Parking spaces shall not be located more than 200 feet from the building served by such spaces.
- Mobile homes (located in mobile home parks): two spaces on each mobile home site (may be tandem); one space for every three sites for guest parking.
- Clubs, fraternities, sororities, dormitories, boardinghouses and lodging houses: one space per four bed spaces and one space per two employees.
- Rest homes, family care and special care homes, and other group care or congregate care facilities: one space for each three beds plus one space for each employee.

Impacts of the parking standards on housing cost and supply are minimal, and the City’s parking standards can be accommodated on parcels that meet the minimum lot size requirements. That is, the parking standards do not reduce housing capacity below the maximum permitted by zoning on lots meeting the minimum lot size requirements.

The cost impact of the City’s parking standards on affordability pertains primarily to construction costs -- that is, the need to construct a garage compared to a carport. Once again, the cost

impacts are minimal because a garage is required only for single family homes. The number of parking spaces required of rental housing spaces are not extraordinary as a maximum of two spaces are required for rental housing units having two or more bedrooms. Developers may satisfy the standard by providing one carport and one paved space (covered or uncovered).

The City standards have not impeded the development of new housing. Over the past several years, there have been no requests for variances to permit carports instead of garages for single-family dwellings. However, pursuant to Program 7 of the Housing Plan, the City will continue to provide relief from the covered parking and parking space requirements in order to facilitate the development and rehabilitation of affordable housing.

The City's density bonus regulations allow qualifying projects to provide reduced parking consistent with State law. Required parking ratios are inclusive of handicapped and guest parking. In addition, a development may provide "onsite parking" through tandem parking or uncovered parking. These standards are considered reasonable and are not a constraint to housing development.

Cumulative effect of development standards. While individual development standards may be reasonable, the cumulative effect of all standards has the potential to adversely affect the cost and supply of housing. Under State density bonus law, developments meeting minimum affordability levels are eligible for modifications in development standards that help to reduce development cost. The City implements state density bonus by continuing to allowing modifications to development standards consistent with state law, as it may be amended from time to time, and Program 7 commits the City to updating its density bonus to implement state law and clarify procedures for developers. Further, Program 1 in the Housing Plan includes a commitment to review all residential development standards in consultation, including but not limited to building coverage, setbacks and height limits, with local architects and developers as part of the R Overlay amendment process and revise standards as necessary to ensure that allowable densities can be achieved and applicable standards do not pose an unreasonable constraint on the cost and supply of housing in all zones.

HCD comment

R-Residential Overlay: The element relies on sites in commercial and industrial zones that allow residential through the Residential Overlay. While some information was provided on how the overlay allows residential uses, the element must include a complete description and analysis of the Overlay, including a breakdown of affordability requirements if applicable.

City response (TR p. III-3 to -4, Housing Plan pp. 6-8)

The element has been revised to provide additional analysis of the R-Residential Overlay regulations, including affordability requirements.

The purpose of the R Overlay District is to provide the opportunity for residential-only development in zone districts that would otherwise not permit such uses. The intent is to encourage rehabilitation of existing housing stock in certain commercial and industrial areas (excluding coastal dependent industry), to increase the City's stock of affordable housing through new residential-only developments in areas that allow commercial, industrial and mixed use developments, and to assist the City in maintaining an appropriate balance between jobs and housing. The R Residential Overlay District does not apply to Visitor-Serving Commercial (VC)

designated parcels, with the exception that second story mixed use or residential use shall be allowed on VC designated parcels in the Downtown Core District.

As discussed in the Sites Inventory (Appendix B) and Program 1 in the Housing Plan, the R Overlay is proposed to be added to additional parcels to increase opportunities for residential development. Per Program 1, the R Residential Overlay is also proposed to be modified to allow development at a minimum density of 20 units per acre and will review development standards in consultation with local architects and developers and amend standards as necessary to ensure that allowable densities can be achieved, including 3-story development in multi-family zones, and that standards do not pose unreasonable constraints on the cost and supply of housing. In addition, Program 1 includes a commitment to establish affordability requirements as part of the R Overlay zoning amendment for selected candidate sites.

HCD comment

***Fees and Exaction:** The element must describe all required fees for single family and multifamily housing development (e.g., impact fees, environmental fees, rezoning fees, general plan change fees, annexation fees, etc.), and analyze their impact as potential constraints on housing supply and affordability. For example, the analysis should identify the total amount of fees and their proportion to the development costs for both single family and multifamily housing. For additional information and a sample analysis and tables, see the Building Blocks at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/fees-and-exactions>.*

City response (TR p. III-26 to -29)

The draft Technical Report (Section III.A.3) has been updated to list applicable planning and development fees and the proportion of fees compared to total development cost for single-family and multi-family development.

To evaluate the impact of fees on overall housing cost, two recent housing development projects were reviewed—a single-family house and a 4-unit condominium project. Planning and development impact fees totaled \$38,296 for the single-family house while fees for the condo development totaled \$12,753 per unit. These fees represent approximately 5 percent and 2 percent of total development cost, respectively.

Although development fees and improvement requirements increase the cost of housing, cities have little choice in establishing such requirements due to statewide limitations on property taxes and other revenue sources needed to fund public improvements. Given these factors, development fees are not considered to be a significant constraint on housing production in the City. Nevertheless, the City has recently undertaken a new cost study and will be soon undertaking a new nexus study to ensure compliance with current state law requirements regarding fees.

The City Council also adopted Resolution No. 5238 on April 12, 2010, which provides for a 50% reduction in DIFs for affordable housing projects providing 100% of their units in the low and very-low income category range for a period of no less than 55 years. This reduction in DIFs for 100% affordable projects supports the construction of low and very-low income housing which is often constructed in partnership with local nonprofit housing organizations.

HCD comment

***Processing and Permit Procedures:** While the element includes information about Planned Unit Development (PUD) standards, it should also describe standards for a Conditional Use Permit (CUP) and development Plan, along with processing times and procedures for a typical single family and multifamily development under each process. The analysis should address the approval body (e.g., Coastal Commission), the number of public hearing if any, approval findings and any other relevant information. The analysis should address impacts on housing cost, supply, timing and approval certainty. For example, the element should identify and analyze approval findings for impacts on approval certainty, the presence of processes or guidelines to promote certainty and add or modify programs as appropriate.*

Additionally, while the element states the entire City is located (p. 1-24) within the Coastal Zone, the element should describe coastal zone regulations and an analysis of whether the City coastal preservation policies will potentially impact future or existing housing development within the designated coastal zone of the City especially for sites that require rezoning identified in Table B6.

City response (TR p. III-18 to -26, Housing Plan, pp. 6-8 and 17-19)

The element has been revised to provide additional analysis of standards for a Conditional Use Permit (CUP), Development Plan, and Coastal Development Permit along with processing times and procedures for a typical single family and multifamily development under each process, the approval body (e.g., Coastal Commission), the number of public hearings, and approval findings and resulting impacts on housing cost, supply, timing and approval certainty, and an analysis of whether the City coastal preservation policies will potentially impact future or existing housing development.

Coastal Development Permits/Development Plan Approvals. Multi-family housing is a permitted use in the PRD, PUD, CPD, CB and M-RP Zones. This housing type includes rowhouses, townhouses, apartments, condominiums and community apartment projects. Multi-family housing is not subject to a conditional use permit in these zones. However, all uses, not only multi-family rental housing, are permitted subject to approval of a Development Plan and Coastal Development Permit.

A Development Plan describes the proposed development in terms of land uses, parking, circulation, building heights, building elevations and the number and types of dwellings in each building. After submittal of the Development Plan and Coastal Development Permit application, the Community Development Department circulates the application to other City departments and local special districts. The Planning Commission may then approve, conditionally approve or deny the project. The Planning Commission's decision may be appealed to the City Council. If the project is located in the Coastal Appeals Overlay District, the City's action may also be appealed to the California Coastal Commission pursuant to the Coastal Act.

Criteria for approval of a Development Plan are as follows:

- a. The proposed development is in conformance with the provisions of the applicable zoning district, coastal plan and implementation programs, general plan, and specific plan(s) if required;
- b. The proposed development is sited and designed to avoid risks to life and property due to geologic, flood, or fire hazards and that the proposed density of development is consistent with these objectives;

- c. The proposed development will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- d. The proposed development will not conflict with any recorded easements acquired by the public at large for access through the property or use of the property or any easements granted to any public agency or required as a condition of approval;
- e. The proposed development will not adversely affect necessary community services and values including but not limited to traffic circulation, sewage disposal, fire protection, water supply, and police protection;
- f. The proposed development will not be detrimental to the peace, health, safety, comfort, convenience, property values, or general welfare of the neighborhood.

Unless otherwise exempted from the State Coastal Act, any land use activity that fits within the definition of “development” requires a Coastal Development Permit (CDP). In Carpinteria, any entitlement for development including a Development Plan, Conditional Use Permit, Grading Permit, etc. requires a CDP as well. The purpose of the CDP is to review proposed development for consistency with State Coastal Act policies and the regulations of the City’s Local Coastal Program, which implements the Coastal Act within the City of Carpinteria. Coastal Development Permits include both administrative CDPs, which are considered by the Community Development Director, and discretionary CDPs, which are considered by the Planning Commission. Coastal Development Permits involving projects of a certain nature (e.g., large public works projects) or located within certain areas (e.g., within 100 feet of a stream or wetland) are eligible to be appealed to the California Coastal Commission.

The criteria for approval of a CDP is that the proposed development is in conformity with the City’s certified Local Coastal Program.

While City requirements and procedures for Coastal Development Permits and Development Plans are considered reasonable and do not adversely affect the cost and supply of housing, some of the criteria for Development Plan approval are subjective and could contribute to uncertainty in the permit process. To address this issue, Program 1 in the Housing Plan includes a commitment to review and amend Development Plan criteria to improve development certainty and objectivity consistent with the Coastal Act.

Conditional Use Permit. This permit is required for land uses that cannot be readily classified as principal permitted uses in individual districts by reason of their special character or possible effect on surrounding areas or the general community. The only residential uses currently requiring a CUP are SROs and large residential care facilities. Programs 1 and 11 are included in the Housing Plan to review and revise these requirements consistent with fair housing law and to further address the housing needs of lower-income households. The Planning Commission may impose conditions on such projects relating to both design and operation, and will require public review of the permit to ensure compliance with conditions. Criteria for approval of a CUP are as follows:

- a. The site for the proposed use is adequate in size and shape to accommodate the use;
- b. The site for the proposed use is served by streets and highways that are properly designed to carry the type and quantity of traffic generated by the subject use;
- c. The granting of the permit will not materially adversely affect such necessary community services as sewage disposal, fire protection, water supply, and police protection;

- d. The granting of the permit will not be detrimental to the health, safety, and general welfare of the neighborhood;
- e. The proposed use is consistent with the coastal plan, general plans, and applicable specific plan(s);
- f. The proposed use will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- g. The proposed development will not conflict with recorded easements acquired by the public-at-large for access through or use of the property within the proposed development or any easements granted to any public agency or required as a condition of approval;
- h. Any other conditions which are reasonably necessary to protect the public peace, health, safety, and general welfare.

CUP requirements do not adversely affect the cost and supply of housing because they primarily apply to non-residential uses and Program 11 commits to eliminating the CUP requirement for SROs.

Permit and Approval Time for Residential Projects. Carpinteria has a limited inventory of undeveloped land that provides for the development of typical single-family, subdivision or multi-family projects. Many developments are infill residential projects, particularly redevelopment of underutilized infill sites. Depending on the type of development and permits required, typical processing time ranges from two to six months for residential projects.

Since adoption of the 2014 Housing Element, the City has continually implemented the following Housing Element policy:

Facilitating Affordable Housing Development Review: Affordable housing developments shall receive the highest priority and efforts by staff, the Planning Commission, and City Council to: (a) provide technical assistance to affordable housing developers, including community involvement; (b) take into account project funding and timing needs in the processing and review of the applications; and (c) provide the fastest turnaround possible in determining application completeness.

Number of Meetings Required. Some projects require evaluation by the Architectural Review Board at a public hearing. Typically, these projects can expect one to three public hearings to receive feedback from the Architectural Review Board. The levels of review include conceptual, preliminary, final and in-progress review. Conceptual review is optional for many projects. Preliminary and final review meetings are required for all qualifying projects; however, they can be combined for some projects depending on the scope of work. In-progress review is requested by the Board, Director, staff and/or the applicant on a case by case basis to obtain feedback from the Board prior to the next hearing. If a project does not receive a favorable recommendation at either their preliminary or final review hearings, they would have to return for another hearing.

The Architectural Review Board provides only recommendations to the decisionmaker(s). For projects requiring Planning Commission approval, these recommendations are forwarded to the Planning Commission for consideration at a public hearing in conjunction with consideration of permit (e.g., Development Plan/Coastal Development Permit) approval.

Coastal Resource Protection Policies. The City's certified Local Coastal Program includes coastal resource preservation policies as required by the Coastal Act. While these policies may impact locations within the City where housing may be developed, the City also has policies that allow

and encourage clustering of development on project sites to avoid impacts to resources. In combination, these policies allow for housing development on sites even when a portion of the site may contain sensitive coastal resources. Further, the underutilized sites and candidate sites identified in Appendix B (Table B-5 and B-6, respectively) were selected because they do not contain a substantial amount of known sensitive coastal resources that would preclude development at maximum allowable densities.

HCD comment

***Building Codes and Enforcement:** The element must describe and analyze which building code is enforced, any local amendments to the building code and their enforcement for impacts on housing supply and affordability. For additional information and a sample analysis, see the Building Blocks at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/codes-and-enforcement-and-onsite-offsite-improvement-standards>.*

City response (TR p. III-17)

The draft element stated that the City has adopted the 2019 building codes and that local amendments are mostly related to geotechnical review and provisions for adequate drainage and do not pose unreasonable constraints to housing cost. The City is using the default 2022 building codes and plans to adopt the 2022 building code in 2023.

HCD comment

***Constraints on Housing for Persons with Disabilities:** The City's zoning code appears to isolate and regulate various types of housing for persons with disabilities based on the number of people and other factors. Examples include residential care facilities, group homes and sober living homes for six or fewer persons or seven or more persons. 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 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 CUP potentially subjecting housing for persons with disabilities to higher discretionary standards where an applicant must demonstrate compatibility with the neighborhood, unlike other residential uses. The element should include specific analysis of these and any other constraints, including their enforcement and considering public comments, for impacts on housing for persons with disabilities and add or modify programs as appropriate.*

Additionally, the element has some information on reasonable accommodation process, and identifies approval findings for granting a reasonable accommodation, including finding related to impacts on surrounding uses which could constrain the issuance of a reasonable accommodation and housing for persons with disabilities. The element should include a program, or revise Program 11 (Special Needs Housing) to amend the Reasonable Accommodation Ordinance and remove constraints, namely the "potential impact on surrounding uses" and the "any other factor(s) that may have a bearing on the request" approval findings. The "no preferable and/or feasible alternatives to the requested accommodation that may provide an equivalent level of benefit" finding should also be revised to align with language provided by Federal Housing and Urban Development (HUD) which requires the finding to consider, "the availability of alternative accommodations that would effectively meet the

requester's disability-related needs." Please refer to the following guidance for more information [huddojstatement.pdf](#).

City response (TR p. III-11 to -12; Housing Plan p. 17-19)

As stated on p. III-10 of the Technical Report, residential care facilities with six or fewer residents are permitted in any zone that allows residential uses and residential care facilities for 7 or more persons are conditionally permitted in any zone. In evaluating the appropriate language to include in Program 11 (Special Needs Housing) to address the housing needs of people with disabilities and comply with all applicable state and federal laws, the City reviewed the guidance provided by [huddojstatement.pdf](#) and the language used in other recently certified housing elements including Ventura County, Westlake Village, and Calabasas.

The element has been revised to provide additional analysis of potential constraints on persons with disabilities and Program 11 has been revised with language consistent with that included in other recently certified housing elements, committing the city to review and amend Code requirements consistent with State law by April 2024.

HCD comment

Zoning, Development Standards and Fees: The element must clarify compliance with new transparency requirements for posting all zoning, development standards and fees on the City's website and add a program to address these requirements, if necessary.

City response (Housing Plan p. 6-8)

Program 1 in the Housing Plan includes compliance with new transparency requirements for posting all zoning, development standards and fees on the City's website with updates at least annually by April each year throughout the planning period.

B.5 An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including... requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need... (Gov. Code, § 65583, subd. (a)(6).)

HCD comment

Approval Time and Requests Lesser Densities: The element must include analysis of requests to develop housing at densities below those identified, the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially. The element must address any hinderance on the development of housing and include programs as appropriate.

City response (TR pp. III-23)

The element has been revised to provide additional analysis of requests to develop housing at densities below those identified, and the length of time between receiving approval for a housing development and submittal of an application for building permits.

Requests for Lower than the Maximum Allowed Density. Developers of residential projects in the past have requested lower densities than the maximum allowed due to market considerations. However, due to the number of new state laws promoting higher density housing, there has recently been interest from property owners in maximizing the number of units through Density Bonus provisions and the proposed Residential Only Overlay (see Appendix B and Program 1 - Adequate Site to Accommodate Regional Housing Needs and Program 7 – Density Bonus in the Housing Plan).

Length of Time from Approval to Building Permit Application. The time it takes for a project to get from Planning approval to submittal of a building permit application depends on the applicant and the complexity of the project. The applicant would have to update the project plans to address any applicable conditions of approval or with building code requirements prior to submittal of the application for plan check. Other factors outside of governmental control, such as development financing can also impact the time from planning approval to building permit application. Typical time from project approval to application for a building permit is three to four months.

B.6 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).)

HCD comment

Special Housing Needs: The element includes some general quantification and analysis; however, the element should include an analysis of all households with special housing needs. Specifically, the element should address the total number of permanent, seasonal farmworkers (e.g., USDA county level data) and the characteristics and trends of female headed households. The analysis should include, but is not limited to, factors such as trends, household income, tenure, housing types, zoning, and available resources. The element must also include the number of persons with disabilities in the City.

City response (TR p. I-15 to -19)

The element has been revised to include additional analysis of households with special housing needs, including the total number of seasonal farmworkers from USDA county level data and the characteristics female headed households. The draft element included the number of persons with disabilities in the city (Table I-13) as well as the estimated number of persons with developmental disabilities in Carpinteria (164) from data published by the Department of Developmental Services.

Farmworkers. Agriculture is a major industry in Santa Barbara County and farm worker households are a special needs group due to the lower incomes typically earned by these households. Migrant workers, and their places of residence, are generally located in close proximity to agricultural areas providing employment.

As shown previously in the discussion of employment (**Error! Reference source not found.**), the Census Bureau estimated that there are about 404 Carpinteria residents employed in agriculture, forestry, fishing and hunting, and mining jobs. Recent data from the U.S. Department of Agriculture Census of Farmworkers reported a total of 22,985 farmworkers in Santa Barbara County in 2017, of which 9,895 (43%) were seasonal workers. Since 2012, it is estimated that the

number of farmworkers in the county has increased by approximately 2.8%. According to HCD pre-approved data compiled by SBCAG, over 91% of farmworkers work on larger farms with 10 or more workers.

Farmworkers are among the lowest paid employees in Santa Barbara County. The City of Carpinteria supports farmworker housing through programs to facilitate affordable housing development and rental assistance. Two affordable housing projects in Carpinteria, Dahlia Court and Chapel Court, are specifically targeted to farmworkers and their families. The City also supports farmworker housing through regulations in conformance with the Employee Housing Act as discussed further in Section III – Constraints.

Female Headed Households. Recent Census data reported that approximately 340 Carpinteria households (10.6%) were headed by a female compared to about 17% of households for the county as a whole (**Error! Reference source not found.**). Of those, 177 had children living with them (5.5%). Approximately 7% of all female headed households were below the poverty line. Female-headed households with children often face challenges such as lower wages and the added cost of childcare that leaves a smaller portion of household income available for housing. While female-headed households represent a relatively small portion of households, they may have significant difficulties finding affordable housing, particularly in expensive coastal areas, leading to problems such as overpayment and overcrowding. The Housing Plan includes several programs to address housing issues faced by female-headed households including Program 1. Adequate Site to Accommodate Regional Housing Needs, Program 4. Section 8 Rental Assistance, Program 5. Affordable Rental Housing, Program 6. Inclusionary Housing, Program 7. Density Bonus, Program 9. Regulatory Concessions and Incentives for Affordable Housing, Program 17. Affirmatively Furthering Fair Housing, and Program 18. Workforce Homebuyer Down Payment Loans.

B.7 Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions. (Gov. Code, § 65583, subd. (a)(9) through 65583(a)(9)(D).).

HCD comment

The element states no units are at-risk of converting to market rate uses. However, based on HCD's records, the element lists two properties (Atrium Apartments and Dahlia Court) that are at-risk of conversion in the next ten years. As a result, the element should analyze the risk of conversion for these apartments, and add or modify programs as appropriate.

City response (TR p. I-23 to -24; Housing Plan p. 16)

Table I-18 in the Technical Report provided data regarding the potential for assisted affordable units to convert to market rate. Data for this table was obtained from the California Housing Partnership Corporation (CHPC) and supplemented with more recent updates provided by the property managers – Santa Barbara Community Housing Corporation and People's Self Help Housing as we are aware CHPC data is not always up to date. As indicated in this table, there are no assisted developments at risk of conversion to market rate status. The earliest date restrictions end for Atrium Apartments is 2036 and the earliest restrictions end for Dahlia Court is 2041.

In addition, Program 16 has been revised to include monitoring at-risk units, contacting property owners within at least one year of the affordability expiration dates on projects, coordinating with qualified entities such as nonprofit organizations, and establishing specific time parameters around such actions.

C. Housing Programs

C.1 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).)

HCD comment

To address the program requirements of Gov. Code section 65583, subd. (c)(1-6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following:

- *Program 1 (Adequate Site to Accommodate RHNA): This program should be revised to provide definitive implementation timelines for each activity, and well as quantified objectives to demonstrate the City is addressing its RHNA shortfall.*
- *Program 2 (Accessory Dwelling Units): This program should be revised to clarify if pre-approved ADU plans have already been developed, or if they are still being developed. The program should also provide discrete timing for each implementation action listed, and include proactive outreach.*
- *Program 4 (Section 8 Rental Assistance): This program should be revised to include proactive outreach.*
- *Program 5 (Affordable Rental Housing): This program should be revised to provide a specific timeline stating when the assistance and incentive actions will be implemented.*
- *Program 6 (Inclusionary Housing): This Program should be revised to increase its quantified metric of 10 inclusionary units and provide a specific timeframe for implementation.*
- *Program 7 (Density Bonus): The program should include specific timing of when the ordinance will be updated.*
- *Program 8 (Facilitate Lot Consolidation): This program should be revised to include specific timing to implement the lot consolidation.*
- *Program 9 (Regulatory Concessions and incentives for Affordable Housing): This program should be revised to provide a specific timeline for implementing regulatory concessions.*
- *Program 11 (Special Needs Housing): This program should be revised to specifically state what the City will be doing to bring policies and procedures into compliance with state law for each element of housing for special needs listed in the program. Each activity should have accompanying timelines and quantifiable metrics where applicable.*
- *Program 12 (Conservation of Mobile Home Parks): The program should provide a quantifiable objective for the amount of units that are anticipated to be preserved.*

- *Program 14 (Housing Code Compliance): This program should be revised to provide a quantifiable objective as to the number of units that will be preserved through code compliance efforts, and commit to proactive outreach.*
- *Program 15 (Single-Family Housing Rehabilitation): This program should be revised to increase quantified objectives from two units for extremely low-income households and three units for low-income households. It should also provide distinct implementation timelines for each activity listed in the program activities.*
- *Program 16 (Multifamily Housing Rehabilitation): This program should add timing for how often the City will apply for funding, and commit to proactive outreach. It should also increase its quantified objectives from two extremely low-income units and one very low-income unit.*
- *Program 18 (Workforce Homebuyer Down Payment Loans): This program should provide quantifiable metrics, timing of implementation, and commit to proactive outreach.*

City response (Housing Plan p. 4-25)

Programs have been revised to clarify specific implementation actions, timelines, and quantified objectives where appropriate. Table H-2 has been added to the Housing Plan to list each implementation action/objective and its associated timeline. While more detail is provided in the Housing Plan, quantified objectives and timelines for each of the above identified programs are summarized as follows:

- **Program 1 (Adequate Site to Accommodate RHNA):** Process General Plan and Zoning Code amendments to provide adequate sites to accommodate the RHNA, including amendments to development standards and implementation of affordability requirements, by February 2026 or sooner in accordance with state Housing Element Law deadlines; When selecting sites for rezoning to accommodate regional housing needs for lower-income units, give priority consideration to sites with close access to public transit and services; Adopt streamlined review procedures and objective standards for residential development by December 2024; Post and update all zoning regulations and fees on the City website annually throughout the planning period; Continue to review and amend development review process and criteria to improve development certainty and objectivity consistent with the Coastal Act and take additional actions to improve certainty and objectivity by the mid-point in the planning period (2027), when review identifies potential improvements; Continue to comply with *No Net Loss* requirements on a project-by-project basis throughout the planning period; Enforce replacement requirements consistent with State law throughout the planning period; Notify water and sewer providers immediately upon adoption of the Housing Element.
- **Program 2 (Accessory Dwelling Units):** Offer incentives such as fast-track processing and reduced processing fees when ADUs are voluntarily deed-restricted for low- or moderate-income persons; Annual review of ADU regulations and updates to the City website; Provide two standardized pre-approved ADU plans on the City website and at City Hall by May 2023; Permit at least 20 additional ADUs per year during the planning period; Monitor ADU production and affordability annually and take additional actions to improve certainty and objectivity by the mid-point in the planning period (2027), when review identifies potential improvements, or in response to changes in state law.
- **Program 4 (Section 8 Rental Assistance):** Ongoing support and promotion of the use of Section 8 vouchers on the City website, newsletters and social media; Continue to partner

with the County and City of Santa Barbara Housing Authorities to support administration and explore possible expansion of Section 8 rental assistance in the City; Target proactive outreach efforts in areas with higher rates of poverty; Maintain 177 Section 8 vouchers in Carpinteria during the planning period; Review annually and report results by April of each year throughout the planning period; pursue changes by the mid-point in the planning period (2027), when review identifies potential improvements.

- Program 5 (Affordable Rental Housing): Annual outreach to affordable housing developers, annual application for grant funding, if available; Ongoing posting of available affordable units as they become available; Facilitate construction of 418 lower-income rental units, including 143 ELI units, during the planning period commensurate with the RHNA allocation; Provide assistance to nonprofit housing developers on an ongoing basis as qualifying projects are processed by the City.
- Program 6 (Inclusionary Housing): Process Inclusionary Housing Agreements for workforce housing on an ongoing basis with the objective of providing incentives necessary to accommodate at least 8 inclusionary affordable units during the planning period.
- Program 7 (Density Bonus): Update City density bonus regulations by April 2024 in conformance with current state law; Post and annually update density bonus regulations on the City website; Update density bonus regulations in response to additional changes in state law and/or by the mid-point in the planning period (2027) if housing production is not meeting objectives.
- Program 8 (Facilitate Lot Consolidation and Subdivision): Encourage consolidation of small lots and subdivision of large lots on a project-by-project basis throughout the planning period through incentives and discussions with housing developers during preliminary project reviews; Amend the zoning code and local coastal program to implement SB 9 (2021) by December 2024; Facilitate urban lot splits pursuant to SB 9 (2021) throughout the planning period; In coordination with research being conducted at the State level, evaluate and pursue opportunities to incentivize and provide funding assistance for homeowners to provide affordable units under SB 9.
- Program 9 (Regulatory Concessions and incentives for Affordable Housing): Provide concessions and incentives for affordable housing on a project-by-project basis; Facilitate construction of at least 418 lower-income units throughout the planning period commensurate with the RHNA allocation.
- Program 11 (Special Needs Housing): Specific objectives and timeframes for actions to support special needs housing are as follows:

Emergency Shelters: Amend regulations for emergency shelter parking standards consistent with AB 139 (2019) by April 2024; Continue to provide services to people experiencing homelessness in collaboration with the County of Santa Barbara, non-government organizations providing homeless services in the region, and local community-based volunteers and organizations, and continuously evaluate information to determine trends and issues related to homeless services as well as to evaluate the effectiveness and efficiency of those services.

Low Barrier Navigation Centers: Adopt regulations for low barrier navigation centers consistent with AB 101 (2019) by April 2024.

Transitional and Supportive Housing: Amend regulations for supportive housing consistent with AB 2162 (2018) by April 2024; continue to facilitate the production of transitional and supportive housing to serve the needs of persons with disabilities on a project by project basis throughout the planning period. (See also Programs 4, 5, 9 and 17.)

SRO Housing: Amend regulations to remove the Conditional Use Permit requirement for SROs by April 2024; continue to facilitate the production of SRO housing to serve the needs of lower-income persons on a project by project basis throughout the planning period. (See also Programs 4, 5, 9 and 17.)

Reasonable Accommodation: Support reasonable accommodation for persons with disabilities by amending regulations to remove subjective findings for approval related to potential impacts on surrounding uses by April 2024.

Residential Care Facilities: Amend permitting requirements and necessary findings for residential care facilities for 7 or more persons to ensure that they are consistent with state law and fair housing requirements by April 2024.

Elderly: In addition to the accessibility requirements of the building code, the housing needs of seniors can be addressed through smaller units, accessory dwelling units on lots with existing homes, shared living arrangements, congregate housing and housing assistance programs. The City will continue to actively engage the community through the City Council Ad Hoc Senior Services Planning Committee. The committee conducted and presented the results of a Community Needs Assessment Survey as well as data-supported recommendations for the creation of a senior services program to the City Council in November 2022. Based on the recommendations, the Council extended the term of the committee and revised its roles and responsibilities, tasking it with exploring and providing feedback on potential interim and long-term service models and partnerships for active adult/senior services in order to develop an actionable plan, or plans, for implementation by December 2023.

Large Households: The City will continue to implement programs designed to address housing affordability and accessibility that could benefit large households. (See Programs 1, 4, 8, 5, 6, 7, 9, 17, and 18.) The City will also continue to work with non-profit housing organizations to facilitate affordable housing to benefit large households and others struggling with housing affordability. For example, in recent years Carpinteria has been successful in facilitating affordable family housing developments with 3-bedroom units such as Dahlia Court and Casas de las Flores, both developed and managed by Peoples' Self-Help Housing Corporation.

Female-Headed Households: The City will continue to implement programs designed to address housing affordability and accessibility that could benefit female-headed households. (See Programs 1, 4, 8, 5, 6, 7, 9, 17, and 18.)

Farm Workers: The City of Carpinteria will continue to support farmworker housing through programs to facilitate affordable housing development and rental assistance. (See Programs 4, 5, and 9.) Two affordable housing projects in Carpinteria, Dahlia Court

and Chapel Court, are specifically targeted to farmworkers and their families. The City also supports farmworker housing through regulations in conformance with the Employee Housing Act.

- Program 12 (Conservation of Mobile Home Parks): Facilitate preservation of all mobile home parks (comprising 861 housing units) throughout the planning period; Continue to implement the Mobile Home Rent Stabilization Program by annually setting the maximum rent to be charged based on the Consumer Price Index (CPI) and publish information following the release of the CPI update each March, and no later than July 1 each year.
- Program 14 (Housing Code Compliance): Continue to facilitate preservation of 100% of the existing housing stock through Code compliance efforts and annual public announcements throughout the planning period; Conduct housing condition surveys two times during the 6th cycle (in 2024 and 2029) to determine the nature and extent of housing deterioration and rehabilitation assistance needs; Contact property owners and landlords with nonconforming conditions after each of the surveys for training on property maintenance requirements and tips; Continue neighborhood canvassing with code compliance and maintain a cooperative approach with residents to ensure violations are successfully processed without a need for legal action throughout the planning period; Connect property owners subject code compliance actions with financial assistance opportunities for rehabilitation work on a case by case basis throughout the planning period. (See also Programs 15 and 16.)
- Program 15 (Single-Family Housing Rehabilitation): Rehabilitation of 5 units occupied by extremely-low-income owner households and 5 units occupied by very-low-income owner households during the planning period; Annual contact with and review of USDA funding information; Annual promotional public announcements on the City website, through social media posts, and other public announcements; Assistance with grant or loan applications upon request; Annually promote the program to those with disabilities and older adults to implement accessibility modifications to help existing residents of housing continue to reside in their homes in coordination with the Ad Hoc Senior Services Committee.
- Program 16 (Multifamily Housing Rehabilitation): Annual funding requests; Promotion on the City website and through annual announcements, and targeted neighborhood noticing; Rehabilitation of 5 extremely-low-income units, 5 very-low-income unit, and 10 low-income units during the planning period; Contact affordable housing developments and coordinate with qualified entities on preservation actions at least one year prior to covenant expiration.
- Program 18 (Workforce Homebuyer Down Payment Loans): Continue to facilitate home ownership for the local workforce with an objective of two loans per year; Promote the program annually on the City website and other public locations and through social media and public announcements.

C.2 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)).

HCD comment

As noted in Finding B3, 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 City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. Additionally, the element should be revised as follows:

Shortfall of Sites: The element describes a shortfall of sites and indicates rezoning will occur to accommodate the RHNA by 2026. While the element includes Program 1 (Adequate Site to Accommodate RHNA), it must specifically commit to acreage, allowable densities and anticipated units. Additionally, if any zoning amendment or rezoning is necessary in the planning period to accommodate a shortfall of adequate sites or unaccommodated need for lower-income households, the zoning must permit multifamily uses without discretionary action and address several other requirements pursuant to Government Code section 65583, subdivision (c), paragraph (1) and section 65583.2, subdivisions (h) and (i). Specifically, if adoption does not occur by February 15, 2023 or if the zoning is necessary after February 15, 2023, then sites must address the requirements described above.

City response (Housing Plan p. 6-8)

Program 1 (Adequate Site to Accommodate RHNA) of the revised element includes a specific commitment for rezoning including minimum acreage and allowable densities to accommodate the shortfall of capacity identified in the sites inventory. The program includes all of the requirements of Government Code section 65583, subdivision (c), paragraph (1) and section 65583.2, subdivisions (h) and (i).

Program 1 has been updated to state as follows:

Adequate Sites to Accommodate Regional Housing Needs. The final RHNA allocation for the City for the 2023-2031 period is 901 additional housing units, including 286 units for very low income households, 132 units for low income households, 135 units for moderate income households, and 348 units for above moderate income households. As described in Appendix B, the land use and zoning designations in the City's current General Plan do not provide adequate capacity to fully accommodate the City's RHNA allocation in the lower-income levels for the 2023-2031 period. The City's current inventory of sites and pending projects has an estimated realistic capacity of only 190 of the 418 lower-income RHNA units—i.e., a shortfall of 228 potential housing units. To address this shortfall, the City will process amendments to the General Plan and Zoning Code to accommodate at least 100 percent of the RHNA shortfall plus a reasonable buffer to create sufficient capacity for lower-income affordable housing even if the City does not achieve the conservative assumptions for development in the site inventory during the planning period. The rezone amendments will include a minimum of 11.4 acres allowing densities of 20 to 25 units per acre (with a minimum density of 20 units per acre) to accommodate

lower-income housing with appropriate development standards, including, but not limited to allowances for 3-story buildings and affordability requirements, to encourage maximum allowable densities and to ensure lower-income housing projects are feasible.

The City intends to utilize the Residential Overlay District (“R Overlay District”) to expand the potential sites that can accommodate residential uses, thereby addressing the RHNA shortfall for lower income units and increasing the City’s capacity for moderate income units as well. The purpose of the R Overlay District is to provide the opportunity for stand-alone residential development in zone districts which would otherwise not permit such use. The City has performed a preliminary evaluation of housing development opportunities and has identified certain non-residential sites, identified in Appendix B, Table B-6 of the Technical Report, that may be qualified for inclusion in the R Overlay District. However, it is expected that more detailed site analysis and California Environmental Quality Act (CEQA) review during the implementation of this program could identify new opportunity sites while other sites may be deemed unsuitable or densities may be modified based on new information. When selecting sites for rezoning, the City will give priority consideration to sites with access to transit and services to further fair housing access for lower-income and special needs populations. The City may implement modified zoning strategies provided the total unmet RHNA need by income category is accommodated consistent with state-defined criteria. If future zoning strategies deviate from the targets expressed in this Housing Element but still meet the requirement to identify adequate sites to accommodate the unmet RHNA need, no amendment to the Housing Element would be required and deviations of any magnitude may be considered subject to public review and City Council approval.

As part of the rezoning program, the City will also review residential development standards in consultation with local architects and developers and amend standards as necessary to ensure that allowable densities can be achieved, including 3-story development in multi-family zones, reduced required parking standards, and that standards do not pose unreasonable constraints on the cost and supply of housing.

CodeSites rezoned to accommodate the shortfall of sites for lower-income housing will be consistent with Government Code Section 65583.2(h) and state law:

- 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 conditional use permit, planned unit development permit, or other discretionary review or approval;
- Permit the development of at least 16 units per site;
- Require a minimum density of 20 units per acre on sufficient sites to accommodate the City’s lower-income RHNA allocation; and
- Ensure a) at least 50 percent of the shortfall of low- and very low-income regional housing need can be accommodated on sites designated for exclusively residential uses, or b) if accommodating more than 50 percent of the low- and very low-income regional housing need on sites designated for mixed-uses, all sites designated for mixed-uses must allow 100 percent residential use and require residential use to occupy at least 50 percent of the floor area in a mixed-use project.

The Zoning Code update will also include streamlined review procedures and objective standards to minimize constraints on housing supply and affordability, and all zoning regulations, development standards and fees will continue to be posted on the City website and updated continuously in compliance with transparency requirements. The City will continually review and amend development review process and criteria to improve development certainty and objectivity consistent with the Coastal Act wherever possible.

The City shall continue to comply with the *No Net Loss* provisions of Government Code § 65863 through ongoing project-by-project evaluation to ensure that adequate sites are available to accommodate the City's RHNA share throughout the planning period. The City shall not reduce the allowable density of any site in its residential land inventory, nor approve a development project at a lower density than assumed in the Housing Element sites inventory, unless both of the following findings are made:

- a) The reduction is consistent with the adopted General Plan, including the Housing Element; and
- b) The remaining sites identified in the Housing Element are adequate to accommodate the City's remaining share of regional housing need pursuant to Government Code § 65584.

If a reduction in residential density for any parcel would result in the remaining sites in the Housing Element land inventory not being adequate to accommodate the City's share of the regional housing need pursuant to Section 65584, the City may reduce the density on that parcel if findings are made identifying sufficient additional, adequate and available sites with an equal or greater residential density so that there is no net loss of residential unit capacity.

Development on any site listed in Appendix B that proposes to demolish existing housing units shall be subject to a policy requiring the replacement of affordable units as a condition of any development on the site pursuant to Government Code Section 65583.2(g)(3). Replacement requirements shall be consistent with those set forth in Sections 65915(c)(3) and 65590-65590.1 (the Mello Act).

The City further intends to implement Program 1 consistent with the *Martinez v. City of Clovis* (Cal. Ct. App., Apr. 7, 2023, No. F082914) 2023 WL 2820092, and other applicable case law and HCD regulations interpreting the requirements of Government Code Section 65583.2(h) to ensure that the City has adequate sites to accommodate the City's lower-income RHNA allocation.

HCD comment

Nonvacant Sites Reliance to Accommodate RHNA: As the element relies upon nonvacant 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(s) 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.

City response (Housing Plan p. 6-18)

Program 1 has been revised to include additional actions the City will take to promote residential development of nonvacant parcels listed in the sites inventory, including Zoning Code

amendments to apply an overlay allowing residential only redevelopment of sites currently zoned for non-residential or mixed use and densities of at least 20 units per acre along with an affordability requirement, and amendments to development standards necessary to ensure that allowable densities can be achieved, including 3-story development in multi-family zones, reduced required parking standards, and that standards do not pose unreasonable constraints on the cost and supply of housing.

Program 5 (Affordable Rental Housing) commits the city to annual outreach to affordable housing developers, annual application for grant funding, and providing assistance to nonprofit housing developers on an ongoing basis as qualifying projects are processed by the City.

Program 7 (Density Bonus) continues the city's commitment to implement State Density Bonus law and update City density bonus regulations state law and post information about the program on the city's website.

Program 8 (Facilitate Lot Consolidation and Subdivision) encourages consolidation of small lots and subdivision of large lots on a project-by-project basis throughout the planning period through incentives and discussions with housing developers during preliminary project reviews. This program also commits the city to amend the zoning code and local coastal program to implement SB 9 (2021) by December 2024 and facilitate urban lot splits pursuant to SB 9 throughout the planning period.

Program 6 (Inclusionary Housing) provides incentives for development of price-restricted above-moderate housing for middle income and critical workforce households that cannot afford the high cost of market-rate housing in Carpinteria.

Program 9 (Regulatory Concessions and incentives for Affordable Housing) commits the city to working with housing developers to provided regulatory concessions and incentives for affordable housing development.

Program 11 (Special Needs Housing) commits the city to update zoning regulations for supportive housing, SROs, residential care facilities, reasonable accommodation, emergency shelters and low barrier navigation centers consistent with State law to encourage more of this type of housing development.

C.3 The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)

HCD comment

The element must include a program(s) with specific actions and timelines to assist in the development of housing for extremely low-income households. The program(s) could commit the City to 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 outreach and coordination with affordable housing developers. For additional information, see the Building Blocks at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/assist-development-housing>.

City response (Housing Plan p. 12)

Program 5 has been expanded to include additional specific actions and timelines to assist in the development of housing for extremely-low-income households, including:

- Annual outreach and collaboration with affordable housing developers
- Priority processing for projects with ELI units
- Fifty percent reduction of Development Impact Fees
- Deferral and/or waiver of City planning fees
- Reduction in the number of parking spaces required
- Modifications to development standards
- Provision of surplus property at no cost
- Provide funding support through the City's Housing Trust Fund or other sources for soft costs
- Support in the funding application process for low-income housing tax credits and other housing grant programs
- Encourage development of affordable family apartments with 2 or more bedrooms

C.4 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. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)

HCD comment

As noted in Findings B4 and B5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

City response (see responses to Findings B.4 and B.5 above)

The element has been revised to address this comment as described under responses to Findings B.4 and B.5 above. Programs have been revised to ensure constraints identified in the analysis of governmental and nongovernmental constraints are removed or mitigated as discussed under the responses to Findings B.4 and B.5 above.

C.5 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).)

HCD comment

The element must be revised to add or modify 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. Actions must have specific commitment, milestones, geographic targeting and metrics or numerical targets as appropriate, and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.

Currently the element only addresses AFFH Program 17. The element could revise other program actions to address the City's obligation to AFFH including how programs address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection. In addition, Program 5A should also describe how all the City's housing programs comply with and further the requirements and goals of Government Code section 8899.50, subdivision (b).

City response (Appendix D, pp. D-60 to -67; also see responses to Findings B.1 above)

The AFFH analysis and housing programs have been revised and expanded to address this comment as detailed in the responses to Finding B.1, above. Based on the expanded analysis of factors contributing to fair housing issues, the city has revised its goals, policies, and actions to identify priorities actions to affirmatively further fair housing.

Specifically, housing affordability and access to opportunity and mobility, homelessness, and fair housing education are the primary fair housing impediments identified by the city. Addressing all three of these impediments is a high priority for the city.

Housing Affordability & Access to Opportunity and Mobility. Housing affordability gaps in the City continue to increase. The California Economic Forecast Project's 2021 Carpinteria Valley Economic Profile indicates the median sales price of existing single-family residential properties increase 45% between 2015 and 2021. Median condominium sales price increased at a slower rate of 21% between 2015 and 2021. The City has more affordable housing options in Carpinteria than in other parts of the south coast due to a larger portion of the housing stock being comprised of apartments and mobile homes as well as 3 percent of units being income-restricted. Nevertheless, most market rental rates in the City are not affordable to lower-income households. When market rents are compared to the amounts households can afford to pay, it is clear that very-low- and extremely-low-income households have a very difficult time finding housing without overpaying. At a rent of \$2,250 per month for a two-bedroom unit, the gap between market rent and affordable rent at the very-low-income level is about \$500 per month, while the gap at the extremely-low-income level is about \$1,200 per month.

According to recent HUD/CHAS data based on 2014-2018 ACS estimates approximately 151% of all renters and 31% of all owners in Carpinteria were paying more than 30% of income for housing. Of those, 30% of renter households and 17% of owner households were paying more than 50% of income for housing. The highest rates of overpayment occur among very-low income and extremely-low income households. (Housing affordability is discussed in greater detail on Technical Report, pp. I-13 to 15 and Appendix D, pp. D-41 to 43.)

The impact of housing overpayment on lower-income households is particularly significant for special needs populations – seniors, persons with disabilities, and female-headed households with children. In the eastern portion of Carpinteria overpayment affects 60-80 percent of all renter households while overpayment rates in the western portion of the city are somewhat lower at 40-60 percent.

Homelessness. The number of homeless persons in Carpinteria is increasing. Based on data from annual point in time surveys, the number of homeless persons increased from 10 in 2013 to 21 in 2022. The City works collaboratively with service providers and other local governments on the south coast to address the needs of the homeless population. A detailed analysis of the homeless population and the existing programs and services provided by the City and its partners is described on Technical Report, pp. 1-19 to 24 and Appendix D, pp. D-50 to 53.

Fair Housing Education. Public outreach conducted as part of the 2020 County AI found that knowledge of fair housing laws and awareness of opportunities for fair housing education were contributing factors to fair housing problems in the region. For example, the AI survey specifically focusing on fair housing found that only 36% of respondents were familiar or very familiar with fair housing laws and nearly half were unsure of their legal rights regarding fair housing. In terms of education on fair housing issues, half of the respondents were not aware of any fair housing or anti-discrimination education opportunities in their community, and 85% had never participated in any kind of fair housing educational opportunity.

While the number of fair housing complaints filed in the City is low – one complaint filed between 2015 and 2019 – given the survey results, this may be due to lack of knowledge of fair housing rights and the resources available when rights are violated. Fair housing education is needed in Carpinteria to ensure that residents have knowledge and access to resources to ensure their housing rights are respected.

Each fair housing impediment is listed in Table D-6 below, with geographic target areas identified and details regarding the specific programs in the Housing Plan which will result in meaningful actions to affirmatively further fair housing when implemented. Specific timeframes for implementing these actions are included in the Housing Plan 2023-2032 Housing Element Implementation Table (Table H-2).

The comment's reference to Program 5A is unclear as there is not Program 5A included in the city's Housing Element.

C.6 The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance. (Gov. Code, § 65583, subd. (c)(6).)

HCD comment

The element must be revised to includes a program that takes actions to monitor at-risk units, including contacting property owners within at least one year of the affordability expiration dates

on projects, in addition to coordinating with qualified entities such as nonprofit organizations and establish specific time parameters around such actions.

City response (Housing Plan p. 22)

Program 16 has been revised to include ongoing monitoring for at-risk units, contacting property owners within at least one year of the affordability expiration dates on projects, and coordinating with qualified entities such as nonprofit organizations at least one year prior to the expiration of affordability requirements to identify specific actions that could be taken to preserve the units. As stated in Program 16, none of the existing six affordable developments in the city is at risk of converting to market rate in the next 10 years.

D. Quantified Objectives.

Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b)(1 & 2).)

HCD comment

The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. While the element includes quantified objectives for new construction and rehabilitation by income group for very low-, low-, moderate- and above-moderate income, it must also include quantified objectives for conservation and mobile homes by income category.

City response (Housing Plan p. 32)

The Housing Plan (Table H-1) has been revised to provide conservation quantified objectives by income category. A total of 464 extremely-low and very low-income, 287 low-income, and 287 moderate-income units are proposed to be conserved during the planning period through implementation of Program 4 (Section 8 Rental Assistance) and Program 12 (Conservation of Mobile Home Parks & Rent Stabilization).

E. Public Participation.

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(9).)

HCD comment

While the element includes a general summary of the public participation process (Appendix C, Table C-2), it should also summarize public comments and describe how they were considered and incorporated into the element. Further, the element should describe additional methods for past and future public outreach efforts, particularly to include lower-income and special needs households and neighborhoods with higher concentrations of lower-income households. For example, the element provides a list of stakeholders that participated in meetings with the City, but it should also describe who from these organizations participated, and which special needs groups they represented. In future, the City could conduct targeted stakeholder interviews or establish a committee representative of lower-income households in future public outreach

efforts. For additional information, see the *Building Blocks* at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/public-participation>.

City response (TR Appendix C; Housing Plan p. 23-25)

Appendix C of the draft element included actual copies of all public comments received, and Table C-2 includes a summary of public comments and a response describing how each comment was addressed in the Housing Element. Appendix C has been revised to incorporate additional public comments received subsequent to publication of the draft element.

In addition, Program 17 has been expanded to include additional future methods of public outreach to lower-income and special needs households and neighborhoods with higher concentrations of lower-income households, including targeted stakeholder interviews or a committee representative of lower-income households, particularly in the area of fair housing education.

F. Coastal zone.

Coastal localities shall document the number of low- and moderate-income units converted or demolished, and the number of replacement units provided. (Gov. Code, § 65588, subd. (d).)

HCD comment

The element does not meet the statutory requirements. To determine whether the City's affordable housing stock in the coastal zone is being protected and provided as required by Government Code section 65588, the element must be revised to include the following:

- 1. The number of new housing units approved for construction within the coastal zone since January 1982.*
- 2. The number of housing units for persons and families of low- and moderate-income required to be provided in new housing developments either within the coastal zone or within three miles.*
- 3. The number of existing residential dwelling units occupied by low- and moderate-income households either within the coastal zone or three miles of the coastal zone that have been authorized to be demolished or converted since January 1982.*
- 4. The number of residential dwelling units for low- and moderate-income households that have been required for replacement.*

City response (TR p. I-24 to -25)

All of the required information regarding housing in the Coastal Zone was provided in Table I-19 of the draft element. As indicated on p. I-24 and in Table I-19, approximately 1,750 new housing units have been approved for construction within the coastal zone between 1982 and 2022. The city's inclusionary policy requires "workforce" housing which is in the above-moderate category, therefore no housing units for persons and families of low- and moderate-income were *required* to be provided in new housing developments either within the coastal zone or within three miles. However, the city offers density bonuses, fee reductions, and other

incentives to encourage the production of affordable housing in the Coastal Zone. Several affordable housing projects providing units for persons and families of low- and moderate-income have been developed within the city, which is entirely within the Coastal Zone, through the efforts of non-profit developers. Twenty-three existing residential dwelling units occupied by low- and moderate- income households either within the coastal zone or three miles of the coastal zone that have been authorized to be demolished or converted since January 1982. The provisions of Government Code §65590 et seq. requiring replacement units excludes structures with fewer than three units, or fewer than 10 units for projects with more than one structure, among other exclusions. As such, 21 of the 23 demolished or converted units were required to be replaced.