

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

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January 19, 2024

Zachary Dahl, Director
Community Development Department
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403

Dear Zachary Dahl:

RE: City of San Mateo's 6th Cycle (2023-2031) Revised Draft Housing Element

Thank you for submitting the City of San Mateo's (City) revised draft housing element received for review November 22, 2023. In addition, the California Department of Housing and Community Development (HCD) received edits on January 17, 2024. Pursuant to Government Code section 65585, subdivision (c), HCD considered comments from Housing Action Coalition and David D. Bohannon Organization. Pursuant to Government Code section 65585, HCD is reporting the results of the review.

The revised draft element meets the statutory requirements that were described in HCD's March 27, 2023 review. The housing element will substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq) when it is adopted, submitted to and approved by HCD, in accordance with Government Code section 65585.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate. HCD encourages the City to actively consider comments, especially related to the identification of suitable sites to accommodate the regional housing need allocation (RHNA), addressing constraints on housing and programs to affirmatively further fair housing, on this revised draft and make adjustments as appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the City did not adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), any programs to make prior identified sites available (Policy H1.10 – Establish By-Right Designation for Prior Housing Sites) or address a shortfall of capacity to accommodate the RHNA must be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i). Please be aware, if the City does not adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until all necessary rezones are completed pursuant to Government Code section 65583, subdivision (c)(1)(A) and Government Code section 65583.2, subdivision (c).

For your information, as the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households, the City must find existing uses are not an impediment to additional residential development in the planning period 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. The City must make these findings as part of its adoption resolution.

As a reminder, 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.

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

HCD appreciates the dedication and work that was put into the housing element update and review process and looks forward to receiving the City's adopted housing element. Please contact Weston Starbird, of our staff, at weston.starbird@hcd.ca.gov with any questions or assistance

Sincerely,



Paul McDougall
Senior Program Manager