

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

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December 13, 2021

Brian James, Director
Planning and Building Department
City of Fountain Valley
10200 Slater Avenue
Fountain Valley, CA 92708

Dear Brian James:

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

Thank you for submitting the City of Fountain Valley's (City) draft housing element received for review on October 14, 2021. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on December 9, 2021, with the City's consultant, Colin Drukker from Placeworks. In addition, HCD considered comments from The Kennedy Commission and Chuong Vu pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

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

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), then any rezoning to accommodate the regional housing needs allocation, including for lower-income households, shall 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).

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

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.

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

Sincerely,



Paul McDougall
Senior Program Manager

Enclosure

APPENDIX CITY OF FOUNTAIN VALLEY

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>. Among other resources, the housing element section contains HCD's latest technical assistance tool, Building Blocks for Effective Housing Elements (Building Blocks), available at <http://www.hcd.ca.gov/community-development/building-blocks/index.shtml> and includes the Government Code addressing State Housing Element Law and other resources.

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).)

The element must provide a cumulative evaluation of the effectiveness of past 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).

B. Housing Needs, Resources, and Constraints

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).)*

Enforcement: While the element includes some analysis related to fair housing enforcement complaints, it must also describe the City's compliance with existing fair housing laws and regulations and include information on fair housing outreach capacity. For additional information, please see pages 28-30 on HCD's AFFH Guidance Memo at <https://www.hcd.ca.gov/community-development/affh/index.shtml>.

Disproportionate Housing Needs: While the element included an analysis of patterns and trends within the City, it must also analyze and compare the City with regional trends and patterns related to substandard housing conditions, households that are cost burdened and overcrowded, and persons experiencing homelessness.

Sites Inventory: While the element includes a general analysis of some sites relative to low and high resourced census tracts, it must analyze whether sites for all income categories improve or exacerbate each of the fair housing issue areas including segregation and

integration, racially and ethnically concentrated areas of poverty and affluence, access to opportunity, and disproportionate housing needs including displacement risk.

Local Knowledge and Data: The element should incorporate local data and knowledge of the jurisdiction into the Affirmatively Furthering Fair Housing (AFFH) section. To assist in meeting this requirement, the element should provide local data not captured in regional, state, or federal data analysis such as information on resident's lived experiences, and comments from community and stakeholder meetings.

Fair Housing Issues and Contributing Factors: The element needs to clearly identify fair housing issues based on the analysis, discuss the factor that contributed to the issue and link programs and actions toward overcoming the contributing factors. For example, the element states that overpayment contributes to disproportionate housing needs (p. 113). However, overpayment is considered the fair housing issue and the element should indicate what contributed to high proportion of renter households overpaying for housing (e.g., lack of affordable housing options). An additional example is that the element indicates that City lacks suitable housing options in high to moderate resourced areas (p. 115), however did not describe what factors may have contributed to that issue.

Goals, Actions, Milestones and Metrics: While the element included some programs to address fair housing issues, programs and actions may need to be revised or modified based on a complete list of fair housing issues and contributing factors. In addition, goals and actions must be significant and meaningful to overcome identified contributing factors. At minimum, actions must have specific commitment, milestones and metrics and should, based on the outcomes of the analysis, enhance housing mobility, provide new housing choices and affordability in high opportunity areas, and place-based strategies for community preservation and revitalization.

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).)*

Overpayment: While the element identifies the total number of overpaying households, it must quantify the number of lower-income households overpaying households by tenure (i.e., renter and owner).

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).)*

Unaccommodated Need from the 5th Cycle Planning Period: The City had a shortfall of 162 units to accommodate its lower-income regional housing needs allocation (RHNA) from the previous planning period. While the element notes the City completed rezoning through an overlay (p. 71), it must demonstrate the rezoning comply with the requirements of Government Code section 65583.2, subdivisions (h) and (i). For example, the element must demonstrate the rezoned sites have a site capacity of at least 16 units, permit rental

and owner multifamily development without discretionary review at minimum densities of 20 dwelling units per acre. The element must also demonstrate the sites were rezoned during the prior planning period which ended October 15, 2021. (Gov. Code, §§ 65585 and 65588.) If the element does not demonstrate compliance with the statutory requirements, it must include analysis and programs to accommodate the unaccommodated need from the prior planning period.

Realistic Capacity:

- *Nonresidential Zoned Sites:* The element indicates that certain sites will be rezoned to permit mixed-use development and that depending on the zoning, 10-30 percent of the ground floor must be reserved for commercial. The element should discuss and analyze how capacity calculations considered this requirement. Additionally, if the City permits 100% nonresidential uses then the element must analyze and account for the likelihood of residential development in zones that allow 100 percent nonresidential uses.
- *U8 Slater Investments Site:* The element includes a site-by-site discussion on capacity assumptions and generally assumes 50-80 percent of maximum densities for most sites. However, the element is assuming that the U8 site will be developed at 100 percent of the maximum allowable densities based on the owners' interest (p. 62). The element should still consider other relevant factors such as typically built densities, existing uses, mixed-use zoning, and whether development standards will facilitate reaching maximum allowable densities. Additionally, the element should discuss whether the capacity calculations including the consideration for nonresidential uses.

Suitability of Nonvacant Sites: The element must provide analysis for the potential of redevelopment on the U3 and U4 sites. Specifically, the element stated that the U3 site would have similar development trends to the Irvine Business Complex developed in the neighboring city. The element should analyze how the Irvine Business Complex is similar to the U3 site. For example, the element can discuss the type of existing uses, age of uses, lease agreements, or other relevant factors. Additionally, the element could discuss owner or developer interest and additional actions that will incentivize redevelopment. Lastly, the element should provide an analysis for the U4 site. It could discuss owner or developer interest, existing uses, or other relevant factors. Lastly, given the City's strong reliance on nonvacant sites and lack of experience in redeveloping site to high density residential, the City should consider developing programs and incentives to encourage residential development on nonvacant sites.

The sites inventory consists of all nonvacant sites. For your information, if the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower income households, the 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 regional housing need allocation.

Rezoning: The element indicates that several sites identified to accommodate the RHNA will need to be rezoned to permit residential development and/or increase densities that are appropriate for lower-income households. For your information, if zoning is not in place by beginning of the planning period (October 15, 2021), the element must include a program to commit to adopting the zoning changes by a specified date. Additionally, for sites that are expected to accommodate the City's lower-income RHNA, programs must commit to housing element rezone requirements pursuant to Government Code section 65583.2, subdivisions (h) and (i).

Accessory Dwelling Units (ADU): ADUs may be counted toward the RHNA based on past permitted units and other factors. The City is counting 720 ADUs over the eight-year planning period for an average of 90 ADUs per year. The element uses a trend analysis to support the assumption that the City will see an 18 percent year-over-year increase. HCD's records indicate that the City permitted 13 ADUs in 2018, 23 in 2019, and 38 in 2020 for an average of 24 ADUs between 2018-2020. If the City were to rely on HCD's safe harbor methodology by using production trends since 2018, it can conservatively project 192 ADUs for the entire planning period. Additionally, the City can utilize ADU permit data from the previous planning period prior to 2018 to determine ADU projections for the RHNA and support assumptions. However, Annual Progress Reports (APR) submitted by the City did not include data on ADU production from 2014-2017. While the City can use other factors to assume an increase in ADU production beyond past permit data, the City's current ADU trends do not support a two-to-three-fold increase and must be adjusted accordingly.

Additionally, the City is counting 82 percent of projected ADUs towards their lower-income RHNA. While the element included a local rent survey, discussion of general market rents, and construction costs, the analysis should consider other relevant factors such the age of ADUs surveyed and vacancy rates.

Electronic Sites Inventory: Pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/community-development/housing-element/index.shtml> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov.

Zoning for a Variety of Housing Types:

- *Emergency Shelters*: While the element identifies the C2 zone for emergency shelters (p. 26), it should also analyze the suitability and capacity of the C2 zone to meet the need for emergency shelters. For example, the element should identify the number of parcels, typical parcel sizes, available acreage, whether sites are underutilized, and any potential for reusing existing buildings to emergency shelters. The element should also discuss proximity to transit and services and any known hazardous conditions unfit for human habitation.

- *Housing for Farmworkers*: The element must demonstrate the zoning is consistent with the Employee Housing Act (Health and Safety Code, § 17000 et seq.), or include programs as appropriate. Specifically, section 17021.5 requires employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. Section 17021.6 requires employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone.
- *Accessory Dwelling Unit (ADU)*: After a cursory review of the City's ordinance, received by HCD in October 2020, HCD discovered several areas which were not consistent with State ADU Law. This includes, but is not limited to, zoning, setback requirements, height restrictions, among others. HCD will provide a complete listing of ADU non-compliance issues under a separate cover. As a result, the element should add a program to update the City's ADU ordinance to comply with state law. For more information, please consult HCD's ADU Guidebook, published in December 2020, which provides detailed information on new state requirements surrounding ADU development.

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).)*

Land Use Controls: The analysis should analyze land use controls cumulatively with other land use controls and its impact on achieving maximum densities. Additionally, the City will be rezoning sites to permit residential uses and increasing allowable densities to meet their RHNA. The element should also analyze any proposed development standards and its impact on achieving densities. Lastly, the element should analyze requirements related to multifamily parking and convalescent hospitals (e.g., 1 space per bed). 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.

Local Processing and Permit Procedures:

- *Typical Procedures*: While the element included some information on permit procedures, it should also describe the procedures for a typical single-family and multifamily development. The analysis should address the approval body, the number of public hearings, if any, approval findings, and any other relevant information. The analysis should address impacts on housing cost, supply, timing, and approval certainty.
- *Conditional Use Permit (CUP) in Multifamily Zones*: The element states that a CUP (conditional use permit) is required for all multifamily housing in multifamily zones (e.g., R-2, R-3, R-4). The element must specifically analyze the CUP process as a

potential constraint on housing supply and affordability. The analysis should identify findings of approval for the CUP and their potential impact on development approval certainty, timing, and cost. The element must demonstrate this process is not a constraint or it must include a program to address and remove or mitigate the CUP requirement.

- *Design Review*: The element stated that any proposed project not in the R1 zone must go through the design review process and that the process is meant to minimize potential adverse impacts. The element must describe and analyze the design review guidelines and process, including approval procedures and decision-making criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis could describe required findings and discuss whether objective standards and guidelines improve development certainty and mitigate cost impacts. The element must demonstrate this process is not a constraint or it must include a program to address this permitting requirement, as appropriate.

On/Off-Site Improvements: While the element generally described improvement required for a new project, it should identify and analyze typical off-site improvements required.

Codes and their Enforcement: The element stated that the City made local amendments to the state building code. The element should describe those local amendments and analyze impacts on the cost and supply of housing.

Constraints on housing for Persons with Disabilities:

- *Reasonable Accommodation*: The element states that the City's reasonable accommodation findings evaluate "whether the accommodation will create a substantial adverse impact on surrounding land uses" (p. 35). The element should analyze this reasonable accommodation finding for constraints on housing for persons with disabilities and revise programs to address identified constraints.
- *Family Definition*: The element should also describe and analyze the City's zoning code definition of family.
- *Residential Care Facilities for Seven or More Persons*: Residential care facilities or group homes for seven or more persons are subject to a conditional use permit in all zones allowing other residential uses (p. 30). The element should evaluate these requirements as constraints and include programs as appropriate.

Local Ordinances: The element must specifically analyze locally adopted ordinances such as inclusionary ordinances or short-term rental ordinances that directly impact the cost and supply of residential development.

Zoning and Fees Transparency: While the element states that the City posts fees on their website, it must clarify its compliance with new transparency requirements for posting all zoning and development standards for each parcel on the jurisdiction's website.

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the 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 in accordance with Government Code section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing. (Gov. Code, § 65583, subd. (a)(6).)

Requests for Lower Density, Permit Times, and Efforts to Address Nongovernmental Constraints: The element must analyze (1) requests to develop housing at densities below those identified in the inventory, (2) the length of time between receiving approval for a housing development and submittal of an application for building permits, and (3) any local efforts to address or mitigate nongovernmental constraints such as reduced fees, financing for affordable housing or expedited processes. The analysis should address any hinderances on the construction of a locality's share of the regional housing need and programs should be added or modified as appropriate.

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).)*

Special Needs Households: While the element includes data and a general discussion of housing challenges faced by special needs households, it still must provide an analysis of the existing needs and resources for each special needs group including seniors, extremely low-income households (ELI), and persons with disabilities including developmental disabilities. For example, the element should discuss the existing resources to meet housing needs (availability of shelter beds, number of large units, number of deed restricted units, etc.), an assessment of any gaps in resources, and proposed policies, programs, and funding to help address those gaps.

Farmworkers: While the element includes some data on farmworkers, it should specifically quantify the number of permanent and seasonal farmworkers at the county level (i.e., USDA data) to better understand the broader and unique housing needs of farmworkers.

C. Housing Programs

1. *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).)*

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. In addition, the element should be revised as follows:

Shortfall of Sites: The element appears to have identified sites that will require rezoning in the planning period to permit residential development and densities appropriate for lower-income housing. If so, the City must address a shortfall of sites to accommodate the RHNA for lower-income households.

For example, if a shortfall exists, the element must include a program to specifically commit to acreage, allowable densities, and anticipated units. In addition, to accommodate the housing needs of lower-income households, the program should specifically commit to rezoning pursuant to Government Code section 65583.2, subdivisions (h) and (i). Specifically, the program must commit to:

- 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 CUP, planned unit development permit, or other discretionary review or approval;
- accommodate a minimum of 16 units per site;
- require a minimum density of 16/20 units per acre; and
- at least 50 percent of the lower-income need must be accommodated on sites designated for residential use only or on sites zoned for mixed uses that accommodate all of the very low and low-income housing need, if those sites:
 - allow 100 percent residential use, and
 - require residential use occupy 50 percent of the total floor area of a mixed-use project.

Program 1D – Accessory Dwelling Units: While this Program commits to monitoring and revising ADU projections by 2023, the element should commit to monitoring bi-annually and if needed, revising assumptions every two years throughout the planning period. For example, if the City finds in 2023 that production is keeping pace with the identified assumptions, however two years later, production rates are not on track, the program should commit to revising projections within a specified timeframe (e.g., 6 months).

Program 3D – Transitional and Supportive Housing: While this Program commits to permitting transitional and supportive housing in all new zones as a result of the general plan update, it should also commit to complying with AB 2162 (Statutes of 2018) which permits supportive housing by right in all zones where multifamily and mixed uses are permitted including nonresidential zones that permit multifamily uses.

2. *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).)

As noted in Findings B4 and B5, the element requires a complete analysis of potential governmental and non-governmental 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.

- 3. 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 protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding A1, the element does not include a complete Assessment of Fair Housing (AFH). Depending on a complete analysis, the element may need to add or revise programs as appropriate.

- 4. 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).)*

Program 5a – Affordable Housing and Preservation: The City currently has 24 units at risk of converting by 2023. This Program should commit to proactive outreach to the owner to confirm compliance with State Preservation Notice Law (e.g., three years, one year, six months). Additionally, the Program should commit to proactive and prompt outreach with qualified entities with a specified timeframe.

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).)

The element must include quantified objectives for number of housing units that will be conserved and rehabilitated for moderate and above moderate-income category. Conservation objectives may include the variety of strategies employed by the City to promote tenant stability, code enforcement and repair programs that conserve the housing stock, and the preservation of units at-risk of conversion to market rate.

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)(8).)

While the element states that the City conducted two public workshops and facilitated a community survey, the element should also demonstrate that diligent efforts were made to involve all economic segments of the community in the development of the housing element. The element could describe efforts to circulate the housing element among low- and moderate-income households and organizations that represent them, any materials related to education of the housing element, and stakeholder interviews with organizations that represent special needs populations.

HCD understands the City made the housing element available to the public only two weeks prior to HCD submittal on October 14, 2021. By not providing an opportunity for the public to review and comment on a draft of the element without sufficient time, in advance of submission, the City has not yet complied with statutory mandates to make a diligent effort to encourage the public participation in the development of the element and it reduces HCD's ability to consider public comments in its review. The availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD's review. The City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including revising the document where appropriate. HCD's future review will consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element. The City's consideration of public comments must not be limited by HCD's findings in this review letter.