



## SPECIAL MEETING AGENDA – AMENDED

**Date:** 1/18/2024  
**Time:** 6:30 p.m.  
**Locations:** [Zoom.us/join](https://zoom.us/join) – ID# 891 7519 6389 and  
Arrillaga Family Recreation Center, Oak Room  
700 Alma St., Menlo Park, CA 94025

This amended agenda includes an updated remote location for Chair Onap.

**Chair Onap will be participating from:**  
**La Feve Beach Hotel Entebbe, London Room**  
**Plot 12 Nambi Rd.**  
**Entebbe, Uganda**

Members of the public can listen to the meeting and participate using the following methods.

### How to participate in the meeting

- Access the meeting, in-person, at Arrillaga Family Recreation Center
- Access the meeting real-time online at:  
[Zoom.us/join](https://zoom.us/join) – Meeting ID 891 7519 6389
- Access the meeting real-time via telephone at:  
(669) 900-6833  
Meeting ID 891 7519 6389  
Press \*9 to raise hand to speak

Subject to Change: The format of this meeting may be altered or the meeting may be cancelled. You may check on the status of the meeting by visiting the city website [menlopark.gov](https://menlopark.gov). The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information ([menlopark.gov/agendas](https://menlopark.gov/agendas)).

### Special Session

#### A. Call To Order

#### B. Roll Call

#### C. Regular Business

- C1. Approve the Housing Commission meeting minutes for August 2 and September 6, 2023  
([Attachment](#))
- C2. Consider and adopt a resolution recommending the City Council amend the 2023-2031 Housing Element of the General Plan, as conditionally approved by the California Department of Housing and Community Development ([Staff Report #24-001-HC](#))

C3. Approve the Housing Commission meeting calendar for 2024 ([Staff Report #24-002-HC](#))

**D. Reports and Announcements**

D1. Commissioner updates

D2. Future agenda items

D3. Staff updates and announcements

**E. Adjournment**

At every Regular Meeting of the Commission, in addition to the Public Comment period where the public shall have the right to address the Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during the Commission's consideration of the item.

At every Special Meeting of the Commission, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during consideration of the item.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the Commission by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at [jaherren@menlopark.gov](mailto:jaherren@menlopark.gov). Persons with disabilities, who require auxiliary aids or services in attending or participating in Commission meetings, may call the City Clerk's Office at 650-330-6620.

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**REGULAR MEETING MINUTES – DRAFT**

**Date:** 8/2/2023  
**Time:** 6:30 p.m.  
**Location:** Teleconference and  
Arrillaga Recreation Center, Oak Room  
700 Alma St., Menlo Park, CA 94025

**A. Call To Order**

Chair Nguyen called the meeting to order at 6:52 p.m.

**B. Roll Call**

**Present:** Campos, Leitch, Nguyen, Pimentel, Portillo, Walker (remote – AB 2449 Just Cause)  
**Absent:** Merriman  
**Staff:** Housing Manager Tim Wong, Management Analyst Adam Patterson, Assistant  
Community Development Director Deanna Chow

**C. Public Comment**

- Julie Shanson spoke on concerns related to the Below Market Rate (BMR) policy and levels of affordability of development projects.

**D. Presentations and Proclamations**

**D1. Presentation: Menlo Park housing resources (Attachment)**

Samaritan House Senior Director of Programs and Services La Trice Taylor made the presentation.

- Pam Jones spoke on concerns related to outreach and follow-up with residents and spoke in support of anti-displacement strategies.

The Commission received clarification on Samaritan House healthcare services, volunteer opportunities, support needs, priorities, outreach strategies, and program eligibility.

**E. Regular Business**

**E1. Recommendation to appropriate \$4.18 million from the Below Market Rate (BMR) housing fund to three Notice of Funding Availability (NOFA) 2022 applicants to support affordable housing activities (Staff Report #23-005-HC)**

Assistant Community Development Director Deanna Chow introduced the item.

Good City Company representative Sandy Council made a presentation (Attachment).

The Commission received clarification on housing preferences for veterans at the MidPen project.

The Commission received clarification on HIP Housing’s updated proposal (Attachment).

The Commission received clarification on its role in reviewing NOFA proposals.

The Commission received clarification on funding status, traffic mitigation, community amenities, smoking regulations, and veteran outreach for the MidPen project.

**ACTION:** Motion and second (Pimentel/ Portillo), to recommend to appropriate \$4.18 million from the BMR housing fund to three NOFA 2022 applicants to support affordable housing activities, passed 6-0 (Merriman absent).

**F. Reports and Announcements**

F1. Commissioner updates

None.

F2. Future agenda items

None.

F3. Staff updates and announcements

Staff introduced the new Housing Manager, Tim Wong.

Staff provided updates on community outreach events and upcoming Planning Commission and City Council meetings.

**G. Adjournment**

Chair Nguyen adjourned the meeting at 8:30 p.m.

Adam Patterson, Management Analyst II



# Menlo Park Housing Commission

August 2, 2023



# BMR Fund Request for Proposals

- NOFA for approx. \$2M issued 12/23/22
- 4 Proposals received- Total requests approx. \$15.5M
- All applicants meet eligibility/experience requirements
- All projects address many Menlo Park Housing Priorities
- Main areas of difference:
  - Location/amenities
  - Cost per unit/leverage other \$\$
  - Readiness
  - Large families

# Summary of Funding Requests

Organization	Type of activity	Location	Description	Subsidy per unit	Amount requested
Habitat for Humanity of Greater San Francisco	New Construct: Ownership	123 Independence Dr.	18 townhomes – Low income	\$111,111	\$2,000,000
MidPen Housing, Inc.	New Construct: Rental	795 Willow Road	62 rental units for veterans - Extremely Low income to Very Low	\$32,258	\$2,000,000
Rebuilding Together Peninsula	Preservation: Owner Rehab	Belle Haven Neighborhood	Rehab 8 owner occupied home- Low income	\$22,500	\$180,000
HIP Housing	New Construct: Rental	1162 El Camino Real	9 rental units -Low income	\$1,257,323	\$11,300,000
			Total Requested		\$15,480,00

# Staff Recommendations

- \$2 M to Habitat for 18 new ownership units
- \$2 M to MidPen for 62 new rental units/Veterans
- \$180,000 to Rebuilding Together to preserve 8 existing owner-occupied SF units







August 1, 2023

TO: Menlo Park Housing Commission  
701 Laurel St.,  
Menlo Park, CA 94025

RE: Meeting 8/2/2023  
Agenda Item E1  
Staff Report 23-005-HC

Regular Business: Recommendation to appropriate \$4.18 million from the Below Market Rate (BMR) housing fund to three Notice of Funding Availability (NOFA) 2022 applicants to support affordable housing activities

Dear Chair Nguyen and Housing Commission Members,

On behalf of HIP Housing, I want to thank you for your consideration of our 2022 NOFA proposal for the evolving project at 1162 El Camino. It was important for us to get this project on your radar and we appreciate your review.

Like us, staff also felt it was important for you to know about the project which contributed to us submitting a NOFA application. We continue to work with staff and Prince Street Partners on the donation of land for 1162 El Camino and on the preferred development size.

The projects being recommended for funding from the 2022 NOFA are exciting and wonderful examples of what is possible in our housing community. We look forward to keeping you updated as our project details evolve so that 1162 might also on day become a wonderful addition of very low-income, transit-oriented housing, in the District 3 downtown Menlo Park area.

To that end, should additional funding become available, HIP Housing would appreciate the opportunity to apply for pre-development funding to facilitate the continued progress of the 1162 project. Funds would be used to facilitate continued work with the City as well as for our work with Nibbi Brothers Constriction, development consultants, updated site plans, and any required building fees or reports.

While it is acknowledged that 1162 is an expensive project, the more units we can get approved the less the per unit cost. Luckily, we have some options for size. But regardless, we believe what the site may lack in size, is more than compensated for, by the opportunity for a model, low-income, transit-oriented housing opportunity in Menlo Park's beautiful downtown.

We look forward continued discussions on 1162 El Camino project and hope the Commission will consider \$50,000 in pre-development funding at a future date.

Very fondly,

Kate Comfort Harr  
Executive Director  
HIP Housing

Home. Heart. Hope.

**Board of Directors**

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- Ghion Dessie  
*Vice President of Finance*
- Katherine Goodman  
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Director*

HIP Housing  
800 S. Claremont, #210  
San Mateo, CA 94402  
650-348-6660  
[www.HIPhousing.org](http://www.HIPhousing.org)

## REGULAR MEETING MINUTES – DRAFT



**Date:** 9/6/2023  
**Time:** 6:30 p.m.  
**Location:** Teleconference and  
Arrillaga Recreation Center, Oak Room  
700 Alma St., Menlo Park, CA 94025

### A. Call To Order

Chair Onap called the meeting to order at 6:34 p.m.

### B. Roll Call

**Present:** Leitch, Pimentel, Onap, Walker  
**Absent:** Campos, Merriman, Portillo  
**Staff:** Housing Manager Tim Wong, Management Analyst Adam Patterson

### C. Public Comment

- Lynne Bramlett spoke in support of post-disaster displacement preparedness.

### D. Presentations and Proclamations

#### D1. Presentation: Menlo Park Below Market Rate housing administrator presentation (Attachment)

HousingINC's Principal, Robyn van Ekelenburg, and Owner/Director, Teresa Martinez Gonzales, made the presentation.

- Jenny Michel spoke on concerns related to housing affordability and tenant protections.
- Pam Jones spoke on concerns related to HousingINC's management of the below market rate (BMR) rental program, ongoing financial counseling for low-income residents, and the consideration of technological barriers in the BMR application process.

The Commission received clarification on HousingINC's plan for onboarding and the BMR tenant recertification process.

### E. Regular Business

#### E1. Review and recommend to City Council approval of the 2023-2024 Housing Commission work plan (Staff Report #23-006-HC)

Housing Manager Tim Wong introduced the item.

- Pam Jones spoke in support of anti-displacement programs and activities.
- Lynne Bramlett spoke in support of strategies to get Menlo Park's Housing Element Update approved and working to secure more grant funding for housing activities.

The Commission discussed revisions to the work plan including anti-displacement strategies and community outreach.

The Commission received clarification on the process for approving the work plan with updates, current and planned anti-displacement programs and assisting with the development of housing on public lands (e.g., downtown parking lots).

**ACTION:** Motion and second (Walker/ Pimentel), to recommend to City Council approval of the 2023-2024 Housing Commission work plan with the condition that anti-displacement be added as a third work plan goal and greater specificity be added to the existing work plan goal of focusing on the development of housing on public lands, passed 4-0 (Campos, Merriman, Portillo absent).

## **F. Reports and Announcements**

### **F1. Commissioner updates**

Vice Chair Walker provided updates on Samaritan House activities in Menlo Park.

### **F2. Future agenda items**

The Commission requested a status update on the development of the downtown parking lots.

### **F3. Staff updates and announcements**

Staff provided an update on the next meeting's agenda items.

## **G. Adjournment**

Chair Onap adjourned the meeting at 7:38 p.m.

Adam Patterson, Management Analyst II



**STAFF REPORT**

**Housing Commission**

**Meeting Date:** 1/18/2024  
**Staff Report Number:** 24-001-HC

**Public Hearing:** Consider and adopt a resolution recommending the City Council amend the 2023-2031 Housing Element of the General Plan, as conditionally approved by the California Department of Housing and Community Development

**Recommendation**

Staff recommends that the Housing Commission adopt a resolution recommending the City Council amend the 2023-2031 Housing Element of the General Plan, as conditionally approved by the California Department of Housing and Community Development (HCD). The draft Housing Commission resolution is included as Attachment A and a copy of the conditionally-approved Housing Element incorporating all revisions requested by HCD is included as Attachment A, Exhibit 1. The draft City Council resolution is included as Attachment A, Exhibit 2.

**Policy Issues**

The Housing Element is one of the state-mandated elements of the City's General Plan. The Housing Commission should consider the merits of the revisions to the Housing Element, including consistency with the General Plan, Municipal Code, and other adopted policies and programs. These policy issues are discussed in the remainder of this report.

**Background**

State law requires the City to maintain a general plan with specific elements to provide a vision for the City's future and inform local decisions about land use and development. In addition to including goals, policies, and implementation programs concerning housing issues, general plan housing elements must include an inventory or list of housing sites on which housing development is allowed at sufficient densities to accommodate a specific number of units at various levels of affordability, called the regional housing needs allocation (RHNA). Based on HCD's requirements, the City's Housing Element identifies sites for the City's RHNA of 2,946 units at specified levels of affordability (income limits/groups based on area median income, adjusted annually by HCD) plus a buffer of additional units at appropriate densities.

State law, specifically Government Code Section 65588, required the City to update the Housing Element by Jan. 31, 2023 for the eight-year planning period from 2023 to 2031 (also referred to as the 6<sup>th</sup> Cycle). The City Council adopted the Housing Element on Jan. 31, 2023 (Attachment B) and made findings of compliance with state housing element law. Following adoption, HCD requested additional revisions in April and Aug. 2023, which were integrated into the Housing Element. The City Council reviewed the revisions and authorized transmittal of the changes to HCD on June 27 and Oct. 10. Staff reports from those meetings, detailing HCD's requests and the City's responses, are included as Attachments C and D, respectively. On Dec. 16, HCD provided City staff with preliminary review comments on the revisions to the Housing Element. Staff addressed two minor comments and submitted the proposed revisions to



HCD. On Dec. 20, HCD provided a letter (Attachment E) indicating that the revisions are in substantial compliance with state law pending adoption of the revised Housing Element by City Council and certification by HCD.

As part of implementation of the adopted Housing Element, the City Council adopted General Plan and El Camino Real/Downtown Specific Plan (Specific Plan) amendments on Nov. 28, 2023, and Zoning Ordinance and zoning map amendments on Dec. 5, 2023 to accommodate the RHNA on Housing Element inventory sites and in associated zoning districts, prior to a state-mandated deadline of Jan. 31, 2024. The revisions to the Housing Element are consistent with the adopted zoning-related amendments and do not necessitate any changes to the actions that were taken to implement the Housing Element.

On Jan. 8, 2024, the Planning Commission conducted a public hearing to review the proposed Housing Element amendments and provided a recommendation to the City Council to approve the proposed amendments by a vote of 5-0-1 (Commissioner Barnes absent).

### Analysis

The focus of this staff report is on revisions made to the Housing Element since its Jan. 31, 2023 adoption. After the Housing Element was adopted, HCD requested and the City made subsequent revisions in the following topic areas:

- Racial/ethnic areas of concentration of affluence (RCAAs),
- Disproportionate housing needs including displacement,
- Contributing factors to fair housing issues,
- Progress in meeting the RHNA,
- Development of small and large sites,
- Suitability of nonvacant sites,
- City-owned sites, federally-owned and school sites,
- Environmental constraints,
- The electronic sites inventory,
- Zoning for a variety of housing types (emergency shelters),
- Land use controls,
- Density bonuses,
- Fees and exactions,
- Local processing and permit procedures,
- Constraints on housing for persons with disabilities,
- Shortfall of adequate sites,
- Actions, programs, metrics, milestones,
- Specific quantified objectives.

More detailed analysis regarding specific changes in each topic area is available in Attachments C and D. A summary table of the revisions requested by HCD since the Jan. 31, 2023 adoption of the Housing Element is included as Attachment F in reverse chronological order, starting with the Dec. 2023 responses to HCD's comments. A tracked changes version of the conditionally-approved Housing Element is included as Attachment G.

The Jan. 18 Housing Commission public hearing provides the Commission an opportunity to hear from members of the public, review the revisions to the Housing Element and HCD's conditional approval, and make a recommendation to the City Council on the revisions to the Housing Element. The City Council is scheduled to take action on adoption of the amendments to the Housing Element on Jan. 23, 2024.

### Correspondence

As of the writing of this report, staff has not received any correspondence on this item.



## Impact on City Resources

As part of the fiscal year 2020-21 budget, the City Council appropriated nearly \$1.5 million from the general fund to support the Housing Element Update (including preparation of the subsequent environmental impact report (SEIR)), which is a City Council priority. The contract was subsequently amended to accommodate additional revisions, meetings and outreach. Most recently, on Oct. 24, 2023, the City Council approved an additional budget augment for a contract total of \$1,700,212 to ensure the continued involvement of project consultants in conducting public engagement and finalizing the documents and tasks necessary to complete the project.

## Environmental Review

As part of the Housing Element Update project (i.e., Housing Element and Safety Element updates, a new Environmental Justice Element, and associated changes including zoning amendments), a SEIR (SCH Number 1990030530) was prepared. On Jan. 31, 2023, the City Council adopted Resolution No. 6808 certifying the SEIR and taking associated California Environmental Quality Act (CEQA) actions.

An addendum to the SEIR was prepared to reflect the City Council's direction to study increased densities, primarily in the Specific Plan area, above those studied in the SEIR. The addendum concluded that the adopted General Plan, Specific Plan, Zoning Ordinance, and zoning map amendments were covered by the previously-certified SEIR and no supplemental or subsequent EIR was required for the proposed amendments because none of the circumstances requiring a supplemental EIR or subsequent EIR existed (CEQA Guidelines §15162).

The proposed amendments to the Housing Element are also covered by the SEIR and none of the circumstances requiring a supplemental EIR or subsequent EIR exist (CEQA Guidelines §15162).

## Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of a notice in the local newspaper.

## Attachments

- A. Housing Commission resolution recommending adoption of amendments to the 2023-2031 Housing Element  
Exhibit to Attachment A
  - 1. Hyperlink conditionally-approved 2023-2031 Housing Element:  
[https://menlopark.gov/files/sharedassets/public/v/2/community-development/documents/projects/housing-element-update/2023-2031-city-of-menlo-park-housing-element-clean\\_010324.pdf](https://menlopark.gov/files/sharedassets/public/v/2/community-development/documents/projects/housing-element-update/2023-2031-city-of-menlo-park-housing-element-clean_010324.pdf)
  - 2. Draft City Council resolution adopting amendments to the 2023-2031 Housing Element
- B. Hyperlink adopted Jan. 31, 2023 Housing Element:  
<https://menlopark.gov/files/sharedassets/public/v/1/community-development/documents/projects/housing-element-update/city-of-menlo-park-2023-2031-housing-element.pdf>
- C. Hyperlink June 27, 2023 City Council staff report:  
<https://menlopark.gov/files/sharedassets/public/v/3/agendas-and-minutes/city-council/2023->

[meetings/agendas/20230627-city-council-regular-agenda-packet.pdf](#)

D. Hyperlink Oct. 10, 2023 City Council staff report:

<https://menlopark.gov/files/sharedassets/public/v/3/agendas-and-minutes/city-council/2023-meetings/agendas/20231010-city-council-special-and-regular-agenda-packet-w-pres.pdf>

E. Hyperlink HCD letter of substantial Housing Element compliance:

<https://menlopark.gov/files/sharedassets/public/v/1/community-development/documents/projects/housing-element-update/20231220-hcd-substantial-compliance-determination.pdf>

F. Summary table of revisions to Housing Element since Jan. 31, 2023

G. Hyperlink tracked changes version of conditionally-approved 2023-2031 Housing Element:

[https://menlopark.gov/files/sharedassets/public/v/1/community-development/documents/projects/housing-element-update/2023-2031-city-of-menlo-park-housing-element-track-change\\_010324.pdf](https://menlopark.gov/files/sharedassets/public/v/1/community-development/documents/projects/housing-element-update/2023-2031-city-of-menlo-park-housing-element-track-change_010324.pdf)

Report prepared by:

Tom Smith, Principal Planner

Report reviewed by:

Mary Wagner, Assistant City Attorney

Deanna Chow, Community Development Director

**HOUSING COMMISSION RESOLUTION NO. 2024-01****RESOLUTION OF THE HOUSING COMMISSION OF THE CITY OF MENLO PARK, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AMENDMENTS TO THE 2023-2031 HOUSING ELEMENT OF THE GENERAL PLAN, AS CONDITIONALLY APPROVED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

**WHEREAS**, the City of Menlo Park (“City”) was required by State Law to update its Housing Element in compliance with Government Code Section 65580 *et seq.* to guide the City’s housing efforts through the 2023-2031 planning period and meet a Regional Housing Needs Allocation (“RHNA”) of approximately 3,000 housing units; and

**WHEREAS**, the City conducted broad community engagement and outreach, including community meetings, pop-up events, a community survey, and scheduled a series of public meetings with the Housing Commission, Planning Commission, and City Council relative to the Housing Element update between May 2021 and December 2023; and

**WHEREAS**, on October 24, 2021, the Housing Commission and Planning Commission held a duly noticed public joint meeting to receive and provide feedback on the land use and site strategy options to meet the City’s RHNA, at which all interested persons had the opportunity to appear and comment; and

**WHEREAS**, on November 17, 2021, the Housing Commission held a duly noticed public meeting to provide receive and provide feedback on potential affordable housing strategy options to meet the City’s RHNA, at which all interested persons had the opportunity to appear and comment; and

**WHEREAS**, on May 16, 2022, the Housing Commission and Planning Commission held a duly noticed public joint meeting to review and provide comments on the draft Housing Element in preparation to transmit the draft document to the State of California Housing and Community Development Department (“HCD”) for a 90-day review period, at which all interested person had the opportunity to appear and comment; and

**WHEREAS**, on July 25, 2022, the City submitted its draft Housing Element to HCD, which started the 90-day review period by the State per Government Code Section 65585; and

**WHEREAS**, on October 21, 2022, the City received a comment letter from HCD on its draft Housing Element, identifying requested revisions to comply with State Housing Element law; and

**WHEREAS**, the draft Housing Element was revised to address the comments identified in the October 21, 2022; and

**WHEREAS**, the Housing Commission and Planning Commission held a duly noticed public hearing as prescribed by law to consider the 2023-2031 Housing Element on January 12, 2023; and

**WHEREAS**, on January 31, 2023, the City Council held a duly noticed public hearing as prescribed by law, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and determined the Housing Element to be in substantial compliance with Housing Element Law and the General Plan of the City of Menlo Park; and

**WHEREAS**, the City Council adopted Resolution No. 6809 and thereby adopted the 2023-2031 Housing Element following the January 31, 2023 public hearing; and

**WHEREAS**, after submittal of the adopted 2023-2031 Housing Element, the City received a letter from HCD on April 7, 2023 acknowledging that the adopted Housing Element addressed many statutory requirements, but requesting additional revisions; and

**WHEREAS**, on June 27, 2023 the City Council conducted a meeting to review and authorize staff to submit a Housing Element incorporating HCD's requested revisions for review; and

**WHEREAS**, after a required seven-day public review period had passed, the City submitted a revised 2023-2031 Housing Element to HCD for review on June 30, 2023; and

**WHEREAS**, on August 29, 2023, the City received a letter from HCD acknowledging that the adopted Housing Element addressed many statutory requirements, but requesting further revisions; and

**WHEREAS**, on October 23, 2023, the City Council conducted a meeting to review and authorize staff to submit a Housing Element incorporating HCD's additional requested revisions for review; and

**WHEREAS**, after a required seven-day public review period had passed, the City submitted a revised 2023-2031 Housing Element to HCD for review on November 3, 2023; and

**WHEREAS**, on December 16, 2023, the City received preliminary review comments from HCD indicating that, with minor modifications, the revised 2023-2031 Housing Element would be in substantial compliance with Housing Element Law; and

**WHEREAS**, on December 18, 2023, the City provided HCD with proposed additional minor changes to the 2023-2031 Housing Element in order to address the preliminary review comments; and

**WHEREAS**, on December 20, 2023, the City received a letter of conditional approval from HCD indicating the revised 2023-2031 Housing Element (**Exhibit 1**) is in substantial compliance with Housing Element Law following adoption of the changes and submittal of the final document to HCD; and

**WHEREAS**, the Housing Commission is an advisory body to the City Council whose primary charge is advising the City Council on housing matters, including reviewing and recommending on the Housing Element of the General Plan; and

**WHEREAS**, after notice having been lawfully given, a duly noticed public hearing was held before the Housing Commission on January 18, 2024, at which all persons interested had the opportunity to appear and comment; and

**WHEREAS**, after closing the public hearing, the Housing Commission considered all public and written comments, pertinent information, and documents related to the Housing Element.

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

**BE IT FURTHER RESOLVED** that the Housing Commission makes the following findings and recommendations:

1. The amended Housing Element demonstrates how the City would meet its RHNA obligation during the 2023-2031 planning period.
2. The amended Housing Element programs and policies are necessary to guide the City's housing efforts through the 2023-2031 planning period.
3. The Housing Commission thus recommends that the City Council adopt a resolution **(Exhibit 2)** approving the amendment to the 2023-2031 General Plan Housing Element. The City Council should make the necessary findings to adopt the amended Housing Element and submit it to HCD for certification.

**SEVERABILITY**

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

//

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//

I, Tim Wong, Housing Manager of Menlo Park, do hereby certify that the above and foregoing Housing Commission Resolution was duly and regularly passed and adopted at a meeting by said Housing Commission on the 18<sup>th</sup> day of January, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:



IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 18<sup>th</sup> day of January, 2024.

---

Tim Wong  
Housing Manager  
City of Menlo Park

Exhibits:

1. 2023-2031 Housing Element
2. Draft City Council resolution adopting amendments to the 2023-2031 Housing Element

**DRAFT CITY COUNCIL RESOLUTION NO. XXXX**

**DRAFT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK, CALIFORNIA, ADOPTING AMENDMENTS TO THE 2023-2031 HOUSING ELEMENT OF THE GENERAL PLAN, AS CONDITIONALLY APPROVED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

**WHEREAS**, there is a statutory recognition that the availability of housing is a matter of statewide importance and that cooperation between government and the private sector is critical to attainment of the State's housing goals; and

**WHEREAS**, California Government Code Section 65588(b) requires the City of Menlo Park to periodically prepare an update to the Housing Element of its General Plan; and

**WHEREAS**, the City of Menlo Park prepared the 2023-2031 Housing Element ("Housing Element") in accordance with California Housing Element law (Government Code Section 65580 *et seq.*, "Housing Element Law"); and

**WHEREAS**, California Government Code Section 65583 requires that the Housing Element contain: (i) an assessment of the City's housing needs and an analysis of the resources and constraints, both governmental and non-governmental, relevant to the meeting of these needs; (ii) an inventory of land suitable and available for residential development and an analysis of the development potential of such sites; (iii) a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and (iv) programs that set forth a schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element; and

**WHEREAS**, the City's share of the regional housing was established in the Regional Housing Needs Allocation Plan (RHNP) prepared and adopted by the Association of Bay Area Governments in December, 2021; and

**WHEREAS**, the allocation in the RHNP establishes the number of new units needed, by income category, to accommodate expected population growth over the planning period of the Housing Element; and

**WHEREAS**, Housing Element Law requires local governments to be accountable for ensuring projected housing needs reflected by the Regional Housing Needs Assessment (RHNA) allocation can be accommodated; and

**WHEREAS**, the City of Menlo Park was assigned a RHNA of 2,946 units (740 very-low income, 426 low income, 496 moderate income, and 1,284 above-moderate income); and

**WHEREAS**, as provided in Government Code Sections 65352 – 65352.5 the City mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and other entities listed and no California Native American tribe requested consultation; and

**WHEREAS**, the City conducted extensive community outreach over a period of more than 19 months including more than eight public meetings before the City Council; and

**WHEREAS**, in accordance with Government Code Section 65585(b), on May 11, 2022 the Housing Element was posted/released for public review, with the intent to garner as much feedback as possible, the City continued to receive and consider comments for the draft Housing Element up through July 5, 2022, and on July 22, 2022, the City submitted the 6<sup>th</sup> Cycle (2023-2031) Draft Housing Element to the State Department of Housing and Community Development (HCD); and

**WHEREAS**, HCD issued a letter to the City dated October 21, 2022, which found that in HCD's opinion the City's July 22, 2022 draft Housing Element required revisions to comply with Housing Element Law requirements; and

**WHEREAS**, the City incorporated all of HCD's specific requirements identified in the October 21, 2022 letter into the City's Housing Element Update so that the Housing Element met all Housing Element Law requirements; and

**WHEREAS**, the Planning Commission and Housing Commission held a duly noticed public hearing as prescribed by law to consider the 2023-2031 Housing Element Update on January 12, 2022; and

**WHEREAS**, the Planning Commission adopted Planning Commission Resolution No. 2023-04, on file with the Office of the City Clerk and incorporated by this reference, recommending that the City Council certify the Subsequent Environmental Impact Report (State Clearinghouse #2015062054) for the City of Menlo Park Housing Element Update, make CEQA findings of fact and adopt a statement of overriding considerations, and adopt the mitigation monitoring and reporting program; and

**WHEREAS**, the Planning Commission adopted Planning Commission Resolution No. 2023-05, on file with the Office of the City Clerk and incorporated by this reference, recommending approval of the 2023-2031 Housing Element Update, with recommended modifications; and

**WHEREAS**, the Housing Commission adopted Housing Commission Resolution No. 2023-01, on file with the Office of the City Clerk and incorporated by this reference, recommending approval of the 2023-2031 Housing Element Update, with recommended modifications; and

**WHEREAS**, on Jan. 31, 2023, the City Council adopted Resolution No. 6808 certifying the Subsequent Environmental Impact Report for the Housing Element Update (SCH Number 1990030530) (SEIR) and taking associated California Environmental Quality Act (CEQA) actions; and

**WHEREAS**, on January 31, 2023, the City Council held a duly noticed public hearing as prescribed by law, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and determined the Housing Element to be in substantial compliance with Housing Element Law and the General Plan of the City of Menlo Park; and

**WHEREAS**, the City Council adopted Resolution No. 6809 and thereby adopted the 2023-2031 Housing Element following the January 31, 2023 public hearing; and

**WHEREAS**, after submittal of the adopted 2023-2031 Housing Element, the City received a letter from HCD on April 7, 2023 acknowledging that the adopted Housing Element addressed many statutory requirements, but requesting additional revisions; and

**WHEREAS**, on June 27, 2023 the City Council conducted a meeting to review and authorize staff to submit a Housing Element incorporating HCD's requested revisions for review; and

**WHEREAS**, after a required seven-day public review period had passed, the City submitted a revised 2023-2031 Housing Element to HCD for review on June 30, 2023; and

**WHEREAS**, on August 29, 2023, the City received a letter from HCD acknowledging that the adopted Housing Element addressed many statutory requirements, but requesting further revisions; and

**WHEREAS**, on October 23, 2023, the City Council conducted a meeting to review and authorize staff to submit a Housing Element incorporating HCD's additional requested revisions for review; and

**WHEREAS**, after a required seven-day public review period had passed, the City submitted a revised 2023-2031 Housing Element to HCD for review on November 3, 2023; and

**WHEREAS**, on December 16, 2023, the City received preliminary review comments from HCD indicating that, with minor modifications, the revised 2023-2031 Housing Element would be in substantial compliance with Housing Element Law; and

**WHEREAS**, on December 18, 2023, the City provided HCD with proposed additional minor changes to the 2023-2031 Housing Element in order to address the preliminary review comments; and

**WHEREAS**, on December 20, 2023, the City received a letter of conditional approval from HCD indicating the revised 2023-2031 Housing Element is in substantial compliance with Housing Element Law following adoption of the changes and submittal of the final document to HCD; and

**WHEREAS**, an addendum to the SEIR was prepared to reflect the City Council's direction to study increased densities, primarily in the Specific Plan area, above those studied in the SEIR, the addendum concluded that the adopted General Plan, Specific Plan, Zoning Ordinance, and zoning map amendments were covered by the previously-certified SEIR and no supplemental or subsequent EIR was required for the proposed amendments because none of the circumstances requiring a supplemental EIR or subsequent EIR existed (CEQA Guidelines §15162); and

**WHEREAS**, the proposed amendments to the 2023-2031 Housing Element are also covered by the SEIR and none of the circumstances requiring a supplemental EIR or subsequent EIR exist (CEQA Guidelines §15162); and

**WHEREAS**, the Planning Commission held a duly noticed public hearing as prescribed by law to consider the amendments to the 2023-2031 Housing Element Update on January 8, 2024; and

**WHEREAS**, the Planning Commission adopted Planning Commission Resolution No. 2024-\_\_\_, on file with the Office of the City Clerk and incorporated by this reference, recommending adoption of the amendments to the 2023-2031 Housing Element; and

**WHEREAS**, on January 23, 2024, the City Council held a duly noticed public hearing as prescribed by law, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and determined the amendments to the 2023-2031 Housing Element to be consistent with Housing Element Law and the General Plan of the City of Menlo Park.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Menlo Park hereby finds that in its independent judgment and based on substantial evidence in the record, after fully considering all alternatives, that:

1. The foregoing recitations are true and correct and are hereby incorporated into this Resolution.
2. The amendments to the 2023-2031 Housing Element were considered within the Subsequent Environmental Impact Report (SCH #2015062054) (SEIR) for the Housing Element Update project, certified by Council Resolution No. 6808, adopted January 31, 2023. No supplemental or subsequent EIR is required because none of the circumstances requiring a supplemental or subsequent EIR exist (CEQA Guidelines Section 15162):
  - (a) No substantial changes are proposed in the project which will require major revisions of the previous SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The amendments to the 2023-2031 Housing Element do not create any additional environmental impacts.
  - (b) No substantial changes have occurred with respect to the circumstances under which the project is undertaken. The SEIR was certified in January 2023, and no substantial evidence has been submitted showing any change in the circumstances applicable to the project.
  - (c) No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous SEIR was certified as complete, has been submitted to the City.
3. The findings made by the City Council in Resolution No. 6809 are hereby incorporated herein by reference.
4. The City has considered the requests for additional information from the Department of Housing and Community Development and information has been included in the amendments to the 2023-2031 Housing Element that respond to these requests.
5. The amended 2023-2031 Housing Element is consistent with the purposes of the General Plan and Municipal Code in that the amendments support a variety of objectives including increasing housing choice by accommodating a variety of housing types to meet the needs of all Menlo Park residents; promoting the orderly development of Menlo Park and its surrounding area (Land Use Goal LU-1);



maintaining and enhancing the character, variety and stability of Menlo Park's residential neighborhoods (Land Use Goal LU-2); encouraging mixed-use projects with residential units through compatible project design (Land Use Policy LU-2.3); encouraging the development of accessory dwelling units on single-family lots (Land Use Policy LU-2.4); promoting residential uses in mixed-use arrangements (Land Use Policy LU-2.9); encouraging underutilized properties to redevelop with uses that complement existing uses and support vibrant neighborhoods (Land Use Policy LU-3.1); encouraging development of a range of housing types in the El Camino Real/Downtown Specific Plan ("Specific Plan") Area (Land Use Policy LU-5.2); exploring opportunities to evaluate and update parking requirements so that they are appropriate for new development to accommodate residents, employees, customers and visitors (Circulation Policy CIRC-7.1 and Program CIRC-7-A); planning for residential recreational needs through connected neighborhoods (Open Space/Conservation Policy OSC2.2); encouraging a sustainable approach to land use planning to reduce resource consumption, including a balance and match between jobs and housing, and higher density residential and mixed-use development connected to services and transit (Open Space/Conservation Policy OSC4.1); providing adequate sites with corresponding density to meet the City's RHNA; adopting State mandated and locally desired programs to implement the Housing Element Update effectively; and supporting development that help reduces vehicle miles traveled.

6. The amended 2023-2031 Housing Element complies with Housing Element Law, as provided in Government Code Section 65580 *et seq.*, and contains all provisions required by Housing Element Law.
7. Based on substantial evidence in the record including a strong history of residential development on non-vacant sites in Menlo Park, demonstrating market demand for such development; examples of affordable housing projects constructed on non-vacant sites throughout San Mateo and Santa Clara Counties in recent years; examples of the redevelopment of existing parking lots with residential uses throughout the Bay Area and the City's ownership and control of eight surface parking lots in the Downtown area; the removal of a residential development cap of 680 units and increased residential densities in the Specific Plan area; application of an Affordable Housing Overlay to all inventory sites except for Site #38 (the former Flood School site), allowing up to 100 dwelling units per acre for 100 percent affordable housing development; and other incentives for residential development citywide, such as permitting housing in certain existing commercial-only zoning districts and increasing residential densities in certain zoning districts where residential uses are currently allowed, the existing uses on the non-vacant sites identified in the site inventory to accommodate the RHNA are likely to be discontinued during the planning period and therefore do not constitute an impediment to planned residential development on the site during the planning period.
8. As required by Government Code Section 65585(e), the City Council has considered the findings made by the California Department of Housing and Community Development (HCD) included in HCD's letters to the City dated April 7, 2023; August 29, 2023; and December 20, 2023. Consistent with Government Code Section 65585(f)(1), the City has modified the 2023-2031 Housing Element

in response to the findings of the Department to substantially comply with the requirements of Article 10.6 of the Government Code as interpreted by HCD.

**BE IT FURTHER RESOLVED** that the amendments to the 2023-2031 Housing Element are hereby adopted (**Exhibit 1**).

**BE IT FURTHER RESOLVED** that this Resolution shall become effective upon adoption by the City Council.

**BE IT FURTHER RESOLVED** that the Community Development Director or designee is hereby directed to file all necessary material with the HCD for the Department to find that the Housing Element is in substantial compliance with Housing Element Law.

I, Judi Herren, City Clerk of Menlo Park, do hereby certify that the above and foregoing City Council Resolution was duly and regularly passed and adopted at the meeting by said City Council on the \_\_\_ day of January, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this \_\_\_ day of January, 2024.

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Judi Herren, City Clerk

Exhibits:

1. Amendments to the 2023-2031 Housing Element

Summary of Responses to HCD Comments

Summary of Responses to December 16, 2023 HCD Preliminary Review Comments			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
1	Remove the word “preponderance” as it relates to evaluation criteria under Program H1.H (Transparency on Progress towards RHNA and Mid-cycle Review).	Program H1.H was modified to remove the word “preponderance” as it relates to evaluation criteria.	Chapter 8: Goals, Policies and Programs
2	Clarify the range of allowable residential densities within the rezoning programs to accommodate lower income RHNA shortfall.	Program H4.K was modified to describe the City’s adopted increases in residential density to a range from a minimum of 20 du/ac and allowing for densities of up to 100 du/ac or greater.	Chapter 8: Goals, Policies and Programs

Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	<i>1. Promote AFFH</i>		
1	<u>Actions, Programs, Metrics, and Milestones:</u> The element was revised to include geographic targeting and some additional actions. However, given the disparities in access to opportunity between the east and west side of the City, the element still must include a significant and robust suite of actions to 1) promote housing mobility 2) increase new housing choices and affordability in higher opportunity or relatively higher-income areas 3) place-based strategies for community preservation and revitalization and 4) displacement protection. Additionally, given the stark contrast between different parts of the City in terms of income and access to opportunity, the element must be revised to include significant numeric metrics (beyond the	<p>Table 4-26 (Fair Housing Issue, Contributing Factors, and City Actions) has been modified to add specificity for geographic targeting (e.g., Belle Haven) and city actions linked with Housing Element programs and/or quantified metrics to support AFFH.</p> <p>A description of the community amenities program and funds, including benefits for the Belle Haven and Bayfront neighborhoods—areas that are identified as Underserved Communities in the city’s ongoing preparation of its first Environmental Justice Element—has been added. In Chapter 8, Program H5.J has been added to identify and support the preparation of Menlo</p>	<p>Chapter 4: Affirmatively Furthering Fair Housing</p> <p>Chapter 8: Goals, Policies and Programs</p>

Summary of Responses to HCD Comments

Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	Regional Housing Needs Allocation (RHNA)) focused on all four program areas noted above. For your information, quantified metrics should target beneficial impacts for people, households, and neighborhoods (e.g., number of people or households assisted, number of housing units built, number of parks or infrastructure projects completed). HCD will follow-up under a separate cover with additional guidance.	<p>Park’s first Environmental Justice Element. As stated in Program H5.J (Environmental Justice Element), the City will annually evaluate potential funding of environmental justice programs through utilization of community amenities funds and will implement at least one Environmental Justice Element program each year with emphasis on the highest priority programs. Examples may include sidewalks, lighting, and landscaping improvements; affordable ownership housing; anti-displacement programs; and open space and recreation enhancements.</p> <p>Table 4-26 identifies the factors that contribute to fair housing issues and sets forth specific city actions with metrics and milestones to address the issues; these actions, along with the programs in Chapter 8, constitute Menlo Park’s housing program strategy for implementation of the Housing Element. The city will report its progress in implementing its fair housing actions and all its Housing Element programs as part of Annual Progress Reports (APR).</p>	
	<i>2. Inventory of land suitable and available for residential development</i>		
2	<u>Zoning for a Variety of Housing Types – Emergency Shelters:</u> The element explains parking requirements for emergency shelters complies with AB 139 (Statutes of 2020). However, AB 139 provides that parking requirements shouldn’t be more than what is necessary for staff working in the shelter. The City’s requirements exceed the number	The Emergency Shelters section of Chapter 5 has been revised to discuss an inconsistency between the city’s existing off-street parking requirements and what state law allows for shelters. In Chapter 8, Program H3.G has been modified to note that parking requirements for emergency shelters will	<p>Chapter 5: Actual and Potential Constraints to Housing</p> <p>Chapter 8: Goals, Policies and Programs</p>

Summary of Responses to HCD Comments

Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	<p>of spaces necessary for staff and as a result, the element should add or modify programs to address the constraint.</p> <p>In addition, 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 <a href="https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf">https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf</a>.</p>	<p>be set at the number of spaces needed only to accommodate shelter staff.</p>	
3	<p><u>Electronic Sites Inventory</u>: Although the City has submitted electronic sites inventory as described in the prior review, if any changes occur, the City should submit revisions as part of any future re-adoption or submittal. Please see HCD’s housing element webpage at <a href="https://www.hcd.ca.gov/planning-and-community-development/housing-elements">https://www.hcd.ca.gov/planning-and-community-development/housing-elements</a> for additional information.</p>	<p>Unless City Council directs otherwise, staff will submit a revised electronic sites inventory using the methodology described in the “Responses to HCD comments” subsection of the staff report, and change numbers throughout the Housing Element for consistency.</p>	Various
4	<p><u>Programs</u>: As noted above, 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 must be revised, as follows: The element includes many complex and challenging strategies that are essential to the City’s</p>	<p>Program H1.H has been expanded to clarify that the mid-cycle review will evaluate progress on pipeline projects, nonvacant sites, zoning modifications, the AHO, and governmental constraints, and propose modifications to address any significant shortfalls and/or remaining governmental constraints.</p>	Chapter 8: Goals, Policies and Programs

Summary of Responses to HCD Comments

Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	<p>approach in addressing its housing needs including identifying publicly-owned sites, large pipeline projects and complex nonvacant typologies. As a result, the element should include a program to evaluate the effectiveness of these approaches and commit to adjustments, as appropriate, to continue working toward the housing element’s goals and objectives. Specifically, the element could include a program to conduct an in-depth mid-term evaluation of identified sites and programs, including their effectiveness in addressing the RHNA, and commit to adjustments within a specified time period. Topics should include pipeline projects, nonvacant sites, rezoning, Affordable Housing Overlay zone and governmental constraints (e.g., parking, lot coverage, Floor Area Ratio (FAR), etc.)</p>		
5	<p><u>Shortfall of Adequate Sites (Program H4.K – Rezone for Lower-Income Shortfall)</u>: HCD’s prior review found that this program must include several revisions related to appropriate statutory references, timelines and other provisions. While this Program was revised to address some of HCD’s prior review, it still must identify the shortfall by income group, acreage, allowable densities and commitment to appropriate development standards. Additionally, HCD’s prior review found that the element must clarify whether other programs are needed to meet the City’s RHNA and if so, it also needs to comply with the applicable rezone requirements under Government Code section 65583(c)). While the element clarified that Programs H4.I (Create New Opportunities for Mixed-Use Development) and H4.T (Residential Overlay) are needed to address a</p>	<p>In Chapter 7, the analysis of sites in the site inventory that are the appropriate size and density to meet HCD requirements for lower-income units has been expanded, and a shortfall of 193 lower-income units with the current zoning in place has been described in terms of income group, acreage, and allowable densities. The zoning programs that will be implemented to address the shortfall are described and the resulting surplus of units and adequacy of the sites has been quantified. In making the revisions, staff closely followed an example of how to address the comment provided by HCD staff.</p> <p>In Chapter 8, Program H4.K has been updated to numerically describe the lower-income unit shortfall under current zoning and reference the</p>	<p>Chapter 7: Site Inventory and Analysis</p> <p>Chapter 8: Goals, Policies and Programs</p>

Summary of Responses to HCD Comments

Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	shortfall of sites and implement rezones, it did not revise these programs to comply with all applicable requirements.	zoning programs that will be implemented to address the shortfall.	
6	<u>Federally-Owned Sites and School Sites:</u> HCD's prior review found that the element must include sufficient analysis demonstrating the feasibility and likelihood of these sites redeveloping during the planning period. While the element now includes an analysis, it should also include a program committing to facilitating development on these sites during the planning period. Specifically, the element should include a program with numerical objectives that ensures, if applicable, compliance with the Surplus Land Act, provides incentives and actions along with a schedule to facilitate development on these sites and alternatives (e.g., identifying additional sites) if production does not actualize as identified in the inventory. Actions could include but are not limited to outreach with owners, facilitating communications developers, issuing requests for proposals, incentives, fee waivers, priority processing and financial assistance.	Chapter 7 has been updated with the most recent status of potential and known projects on federally-owned and school sites, namely the USGS site, the VA site, and the former Flood School site, indicating continued progress, any known timing, and anticipated likelihood of development occurring during the Housing Element planning period (through 2031).  A new program, H4.U, has been added to Chapter 8 clarifying and quantifying potential incentives and city actions that will lead to housing on the federally-owned and school sites in the site inventory, and a commitment to review progress on the sites as part of the mid-cycle evaluation from Program H1.H.	Chapter 7: Site Inventory and Analysis  Chapter 8: Goals, Policies and Programs
	<i>3. Analysis of potential and actual governmental constraints</i>		
7	<u>Land Use Controls:</u> HCD's prior review found that the element must analyze development standards in the R-3 zones and whether standards facilitate achieving maximum densities. The element briefly discussed that landscaping, parking, and FAR requirements could act as a constraint to development and included a program to evaluate and modify these requirements. However, the	In Chapter 5, new text has been added acknowledging that HCD views lot coverage of less than 50 percent to be a constraint on multifamily development and references Program H4.J to address the constraint. Program H4.J in Chapter 8 has been revised to include actions to increase lot coverage to more	Chapter 5: Actual and Potential Constraints to Housing  Chapter 8: Goals, Policies and Programs

Summary of Responses to HCD Comments

Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	element must also include actions addressing lot coverage in R-3 zones as a constraint. Specifically, the element acknowledged that the City's current lot coverage requirements in these zones are generally lower than what's permissible in neighboring jurisdictions (p. 5-26). In addition, HCD finds that lot coverage for multifamily housing less than 50 percent is generally considered a constraint. The element must include or modify program(s) committing to increasing lot coverage requirements in these zones	than 50 percent in the city's R-3 and R-4 zoning districts.	
8	<u>State Density Bonus Law (SDBL)</u> : The element was revised to note that the City's affordable housing overlay zone conflicts with SDBL and included a program to address this conflict. However, irrespective of the City's overlay zone and as found in HCD's prior review, this analysis must specifically address how the City complies with SDBL. As found in HCD's prior review, the element could discuss the procedures, various levels of benefits (e.g., density, concessions and incentives, parking reductions), non-discretionary actions and burden of proof.	Chapter 5 has been updated with a new section titled "Existing Governmental Constraints – State Density Bonus Law." The analysis notes inconsistencies with current state law and notes a new section of Program H4.D in Chapter 8 to modify Chapter 16.97 of the city's Zoning Ordinance and state that no part of the chapter shall be read to oppose or otherwise interfere with State Density Bonus Law.	Chapter 5: Actual and Potential Constraints to Housing  Chapter 8: Goals, Policies and Programs
9	<u>Affordable Housing Overlay Zone (AHOZ)</u> : HCD's prior review found that the element must describe the City's AHOZ including analyzing densities and development standards under this zone. The element was revised to briefly describe past projects that utilized this zone, available incentives, and compliance with SDBL (p. 5-19). The element also stated that when combined with other incentives such as SDBL, a project could potentially achieve 100 du/ac. However, this analysis still does not address HCD's prior review. The element must	New text was added to Chapter 5 to provide more thorough descriptions of the AHO density bonuses, incentives, and thresholds, as well as potential updates to the AHO through Program H4.D. Site capacity calculations would be modified consistent with comment 3 above.	Chapter 5: Actual and Potential Constraints to Housing



Summary of Responses to HCD Comments

Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	specifically discuss and analyze the framework of the overlay zone including thresholds for a project to qualify for the additional density under this zone and any other applicable requirements. Further, HCD now understands that the City is utilizing the potential density available through the overlay zone to calculate realistic capacity for sites identified in prior planning periods, rezoned sites to accommodate a shortfall, and potentially other types of sites. This information is supported by statements and assumptions on Table 7-7 (RHNA and Reuse Sites), Site-specific fact sheets (Appendix 7-5), sites inventory (Appendix 7-1). To utilize these capacity assumptions, the element must include evidence demonstrating the likelihood of developers taking advantage of the density bonus and circumstances where the density bonus will not be utilized. Based on a complete analysis, the element may need to rescale assumptions and include programs as appropriate		
10	<u>Programs:</u> As noted above, the element does not include a complete analysis of potential 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. In addition, HCD's prior review found that the element must clarify what parking requirements will be reduced and ensure updates will not result in any constraints to development. While the element was revised to specify that adjustments in standards will be to facilitate achieving maximum densities, Program H4.M (Update Parking Requirements and Design	In Chapter 8, Program H4.M has been updated to include a provision that reduced parking requirements shall not constrain multifamily residential development and no more than one parking space shall be required for smaller units.	Chapter 8: Goals, Policies and Programs

Summary of Responses to HCD Comments

Summary of Responses to August 29, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	Standards) still should include specific information about reduction in parking requirements such as ensuring reductions will not constrain multifamily development and the number of spaces that will be considered (e.g., one space for smaller bedroom types).		

Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
1	The adopted housing element addresses many statutory requirements described in HCD's October 21, 2022 review; however, additional revisions are necessary to substantially comply with State Housing Element Law (Article 10.6 of the Gov. Code), see enclosed Appendix.	After receiving HCD's April 7, 2023 letter regarding the City's Housing Element adopted January 31, 2023, the City made changes to the document to respond to HCD's feedback. An overview of the revisions made in response to HCD's comments to ensure that the adopted Housing Element is in substantial compliance with State law is included below, including references to the location in the Housing Element (with redlined changes) where additions and/or revisions have been made in response to HCD's letter. With the referenced additions and revisions, the City Council believes that the 2023 to 2031 Housing Element continues to substantially comply with the requirements of State law.	Various
2	Racial/Ethnic Areas of Concentration of Affluence [sic] (RCAA): While the element was revised to state where the RCAA is geographically located within the City, it must provide an analysis. The analysis should incorporate local data and knowledge and other relevant factors such as past zoning and	Housing Element pages 4-47 and 4-48: Additional discussion has been added regarding restrictive covenants and federal discrimination in place when Menlo Park expanded after World War II, contributing to demographic and associated income disparities east and west of US-101. A	Chapter 4: Affirmatively Furthering Fair Housing

Summary of Responses to HCD Comments

Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	investment and add or modify programs as appropriate to promote housing mobility and place-based strategies for community revitalization	new table showing RCAA status of each census tract in city has been created, and identifies the number of Housing Element inventory sites and associated units by income category in each tract. Based on the results of the table, additional narrative has been added describing how the site inventory improves fair housing conditions by integrating affordable housing opportunities within areas of affluence.	
3	Disproportionate Housing Needs Including Displacement: While the element was revised to provide information on cost burden and displacement, it should also describe and analyze disproportionate housing needs for persons experiencing homelessness, including impacts on protected characteristics and patterns or areas of higher need relative to access to transportation and services.	Housing Element page 4-55: A summary of the disproportionate housing needs of unhoused individuals, especially in the Bayfront and Belle Haven neighborhoods because of less access to transportation and services as compared to more central areas of the city, has been provided. Housing Element pages 4-78 through 4-82: The Unhoused Individuals section of the chapter has been updated with new information from 2022, and describes Menlo Park's increase in homelessness compared to the County as a whole and possible reasons for the increase. A new Figure 4-37 was added showing a heat map of the 2022 Point-in-Time Count by census tract.	Chapter 4: Affirmatively Furthering Fair Housing
4	Contributing Factors to Fair Housing Issues: Based on the outcomes of a complete analysis, the element should re-assess and prioritize contributing factors to fair housing issues and add or modify programs as appropriate.	Housing Element pages 4-87 through 4-93: Based on the additional analysis performed, Table 4-26 has been expanded to cover more place-based strategies and community benefits to address fair housing issues, and relevant housing programs have been further described.	Chapter 4: Affirmatively Furthering Fair Housing
5	Progress in Meeting the Regional Housing Needs Allocation (RHNA): While the element was revised to address affordability, additional information is needed regarding availability of the new units during	Housing Element page 7-7: Footnote number 72 in Chapter 7 describes the Willow Village project and includes a link to the project page ( <a href="https://menlopark.gov/WillowVillage">https://menlopark.gov/WillowVillage</a> ) where the	Chapter 7: Site Inventory and Analysis

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	<p>the planning period, particularly for the Willow Village project. Specifically, while the element discusses the status of the Willow Village and anticipated timing for issuing building permits, it should also discuss any barriers to development, phasing and anticipated build out horizons to demonstrate the units can be available in the planning period. The element may utilize past build out trends to facilitate this analysis. In addition, the element references Program H1.H to monitor progress. However, the program must be revised to include specific commitments to annually monitor production and affordability of pipeline projects and if necessary, evaluate whether build out will occur as anticipated in the sites inventory at least twice in the planning period. The Program should also commit to identify additional sites by specific dates if necessary.</p>	<p>current status can be monitored. As noted on the project webpage, staff has reviewed detailed architectural control plans for the project and the first four sets will be reviewed at a June 26, 2023 Planning Commission meeting. Additional architectural control plans are anticipated to be reviewed by the Planning Commission during summer 2023 with a goal of completing the reviews by fall 2023. The project is subject to a development agreement that became effective in January 2023. The development agreement allows build-out to occur over a ten-year period (through January 2033). As a result, it can be reasonably assumed that the majority of residential units would be occupied, under construction, and/or granted building permits within the 2023 to 2031 planning period, and those units would count toward the City's production in annual progress reports to HCD. The development agreement includes a provision allowing for a seven-year extension of the agreement, partially contingent on occupancy of at least 865 residential units. Development of other Bayfront area residential mixed-use projects has occurred quickly following discretionary approvals, with pipeline projects such as Menlo Uptown (141 Jefferson Drive) and Menlo Portal (110 Constitution Drive), receiving initial building permits within approximately 10 months and 9 months, respectively. Both projects are currently under construction. However, to ensure a stronger commitment to providing transparency on the city's progress toward meeting its RHNA, Program</p>	<p>Chapter 8: Goals, Policies and Programs</p>

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		H1.H (Housing Element pages 8-6 and 8-7) commits to annual monitoring of pipeline projects that are not currently under construction and an evaluation of build-out progress. The program also commits to a mid-cycle review with the City Council in 2027 to evaluate overall progress on meeting the city’s RHNA. If the city is falling significantly short of its goals, additional sites and/or increased residential densities will be identified and the City Council will consider and take action on proposed zoning changes that may improve RHNA progress.	
6	Small and Large Sites: The element should be revised to demonstrate that sites of equivalent size and affordability were successfully developed during the prior planning period. While the element mentions a history of lot consolidation, examples must be provided to support assumptions and relate those trends to the identified sites. The element must also describe lot consolidation incentives or provide programs as appropriate. While the element describes assumptions for the development of large sites, it should provide examples to support those assumptions such as previous projects with parceling or other methods to develop affordable units on sites larger than 10 acres.	Housing Element pages 7-17 through 7-19: Parcel consolidation has not been a demonstrated constraint in Menlo Park’s recent residential development history. Of the 8 pipeline projects that are part of the Housing Element update, 6 include consolidated parcels. Of the 51 broader examples of past and present projects throughout the city listed in Appendix 7-3, Development in Menlo Park, 14 are located on parcels less than 0.5 acres in size (over one-quarter of the projects). The 2023 to 2031 Housing Element site inventory includes 32 parcels less than 0.5 acres in size. 15 of the parcels, or nearly half, are part of a consolidated site of more than 0.5 acres under common ownership. All of the parcels are in zones where development standards are being modified to encourage development and lot consolidation: 20 parcels in the El Camino Real/Downtown Specific Plan Area (Program H4.L), 4 parcels in the R-3 zone (Program H4.J), and 8 in C-4 or C-1-A zones (Program H4.I). The	Chapter 7: Site Inventory and Analysis  Appendix 7-3: Development in Menlo Park  Appendix 7-7: Housing Opportunity Sites and Redevelopment Factors

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		referenced programs will incentivize residential development on the parcels (see Appendix 7-7, column J). For large sites, two projects (one approved and one under review) in Appendix 7-3 are on parcels larger than 10 acres in size.	
7	<p>Suitability of Nonvacant Sites: While the element includes a description of existing uses, it must also demonstrate the potential for additional development in the planning period. In addition, the element must analyze the extent that existing uses may impede additional residential development. The element should provide past experiences of similar developments on religious institution sites and commercial sites with remaining buildings. In addition, the element should clarify whether the entire parking lots are assumed to be developed, or only the City-Owned portion. Finally, Public commenters have pointed to various issues that may impact the potential for redevelopment in the planning period. These comments should be addressed, and programs (e.g., increasing allowable densities) should be added or modified as appropriate. In addition, for your information, the element relies on nonvacant sites to accommodate 50 percent or more of the housing needs for lower-income households, which triggers requirements to make findings based on substantial evidence that the existing use is not an impediment and will likely discontinue in the planning period. While the resolution of adoption includes findings, any changes to the analysis should be reflected in future re-adoption of the element, if necessary.</p>	<p>Housing Element Appendix 7-7: A new appendix has been developed to demonstrate the suitability of nonvacant sites by comparing the site inventory to recent developments in Menlo Park and the surrounding area. The sites are then identified with redevelopment factors (previous use, low improvement to land value ratio, older buildings, maximum FAR less than or equal to 0.5, etc.) and development incentives (density increases, whether the site is in a TCAC high/highest opportunity area, and/or whether the site is within a half-mile of transit). In response to public comments, the City Council will be evaluating the proposed zoning changes to implement related Housing Element programs during summer 2023 and may consider additional increases in density in certain areas of the city, such as the downtown, above those indicated in the Housing Element.</p>	<p>Appendix 7-7: Housing Opportunity Sites and Redevelopment Factors</p>

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8	<p>City-Owned Sites: The element must include additional discussion on each of the City-Owned sites identified to accommodate the RHNA. Specifically, the analysis should address general plan designations, allowable densities, support for residential capacity assumptions, existing uses and any known conditions that preclude development in the planning period and the potential schedule for development. If zoning does not currently allow residential uses at appropriate densities, then the element must include programs to rezone sites pursuant to Government Code section 65583.2, subdivisions (h) and (i). The element should clarify whether any of the other City-Owned sites are considered for redevelopment. Lastly, while the element includes Program H4.G to comply with Surplus Lands Act, it must clarify whether the City commits to developing all of the City-Owned sites listed in the inventory or include a commitment to ensure at least the number of units assumed in the inventory will be developed between the identified sites.</p>	<p>Housing Element pages 7-29 through 7-31: Table 7-8 has been added to the Housing Element to address general plan designations, allowable densities, and other descriptive factors regarding the City-owned parking lots. The table also notes Program H4.D (modifications to the Affordable Housing Overlay) and the rezoning of the sites under Program H4.L to increase development potential on the sites. Under Program H4.G, the City will plan for the development of 345 or more affordable units on a combination of the City-owned parking lot sites while complying with the Surplus Lands Act. As part of the program, the City will grant additional points to proposals that address the city's most difficult to achieve housing priorities including providing a greater number of extremely low-, very low-, low-, and moderate-income units, or committing to make a percentage of the units preferential for people with special needs who will benefit from coordinated on-site services, such as for people living with disabilities, including developmental disabilities.</p>	<p>Chapter 7: Site Inventory and Analysis</p> <p>Chapter 8: Goals, Policies and Programs</p>
9	<p>Federally-Owned Sites and School Sites: While the element was revised to include some additional information on federally-owned sites, it should also include additional information on feasibility of development of the USGS and post office sites including time of the sale and whether the post office is likely to be redeveloped during the planning period. In addition, the element should analyze the feasibility of the VA development occurring during the planning period, and the disposition process and timing. The element must also ensure the school</p>	<p>Information regarding the USGS site was previously included in Chapter 7 of the Housing Element (pages 7-18 and 7-38). That information continues to provide an accurate history of the status of the site. In April 2023, the City received correspondence from the General Services Administration indicating that the USGS site is anticipated to be reoffered by public online auction in late 2024 after USGS completes its move to Moffett Field. The City will continue to coordinate with GSA and prospective buyers to communicate</p>	<p>Chapter 7: Site Inventory and Analysis</p>



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	<p>site will comply with Surplus Lands Act and whether the school district’s plan is likely to move forward during the planning period. Lastly, if zoning does not currently allow residential uses at appropriate densities, then the element must include programs to rezone sites pursuant to Government Code section 65583.2, subdivisions (h) and (i). The element must provide additional support and describe whether the City has contacted the owners regarding feasibility of development on these sites and whether they will be available during the planning period.</p>	<p>the intent for affordable housing and school facilities as part of a desired future development program, consistent with the Housing Element sites inventory.</p> <p>The Planning Commission held a study session on the VA project at 795 Willow Road on May 15, 2023. Following a final review of an updated and coordinated plan set, the Community Development Director will consider whether to issue a letter of general compliance with the R-4-S zoning district. This letter would identify that the project is generally in compliance with the R-4-S zoning district and would enable MidPen to continue to compete for State funding for the proposed project. As stated previously, the applicant has separately applied for funding for the proposed project through the City’s NOFA process. Given the continued progress of the project in 2023, it is reasonable to assume that the development could be permitted and constructed within the remainder of the planning period.</p> <p>Note: The Community Development Department has issued a letter of compliance and this update will be reflected in the revised Housing Element before submittal to HCD.</p> <p>In May 2023, the City received communication from the Ravenswood City School District that the former Flood School site was originally declared surplus in 2012, but out of an abundance of</p>	

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		<p>caution, the District will work with HCD to confirm that the Surplus Lands Act is followed as it continues with development of a project for the site within the planning period.</p> <p>Finally, based on discussions with HCD and community members and because of limited supporting evidence, the City is considering removal of the post office site at 3875 Bohannon Drive from the sites inventory. This would result in a reduction of 85 potential moderate-income units from the City's inventory, but would not affect the City's ability to meet its RHNA.</p>	
10	<p>Environmental Constraints: While the element was revised to describe hazardous materials, it must describe other conditions that could impact housing development in the planning period such as easements, shape, compatibility and other relevant factors.</p>	<p>Housing Element page 7-52: A general description of any known environmental features (flood hazard, fire hazard) that have the potential to impact the development viability of the identified sites has been added, noting that none of the sites are in an identified Fire Hazard Severity Zone, nor are any sites in protected wetlands. 9 sites are located partially or fully in a 500-year flood area. The environmental assessment for the Housing Element contains a list of Mitigation Monitoring Programs that support this determination that no environmental features preclude development of the sites.</p>	Chapter 7: Site Inventory and Analysis
11	<p>Electronic Sites Inventory: Although the City has submitted electronic sites inventory as described in the prior review, if any changes occur, the City should submit revisions as part of any future re-adoption or submittal. Please see HCD's housing element webpage at <a href="https://www.hcd.ca.gov/planning-and-community-">https://www.hcd.ca.gov/planning-and-community-</a></p>	<p>This comment has been noted and if the previously-submitted electronic sites inventory is modified as a result of any changes determined by the City Council, an updated version of the inventory will be submitted according to the instructions provided by HCD.</p>	Appendix 7-1: Site Inventory

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	development/housing-elements for additional information.		
12	<p>Zoning for a Variety of Housing Types (Emergency Shelters): While the element states that the number of allowed beds is a constraint, it must describe the permit processing, all development, and management standards of the Homeless Overlay that allows emergency shelters by-right. The element should provide an analysis of proximity to transportation and services for these sites (other than the VA center), hazardous conditions, and any conditions inappropriate for human habitability. The element should describe whether any of the 26 parcels included in the overlay are feasible to develop with an emergency shelter. Lastly, program H3.G must commit to addressing all constraints, in addition to the bed requirement by a specific date.</p> <p>In addition, 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 <a href="https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf">https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf</a>.</p>	<p>Housing Element pages 5-12 through 5-15: Additional narrative has been added to the Emergency Shelters section of Chapter 5, acknowledging that the City's standard of a maximum 16-bed capacity for emergency shelters for the homeless is a potential constraint and describing the permitting process; development standards; and an analysis of proximity to transportation and services, hazardous conditions, and habitability of the 26 sites within the Emergency Shelter for the Homeless Overlay regulated by Section 16.99 of the Municipal Code. Program H3.G, Zoning Text Amendments for Special Needs Housing (Housing Element page 8-17), has been updated to expand the maximum number of beds in an emergency shelter from 16 to 30 and to reflect inclusion of the entire Veterans Affairs Medical Center site in the Overlay, as previously identified in the City's 2015 to 2023 (5th Cycle) Housing Element.</p>	<p>Chapter 5: Actual and Potential Constraints to Housing</p> <p>Chapter 8: Goals, Policies and Programs</p>
13	<p>Land Use Controls: While the element was revised to remove the conditional use permit (CUP) for multifamily uses in the R4 zone, it should describe whether three stories are allowed without a use permit in the R-3, R3A, R3-C, C-2B, and R-MU</p>	<p>The changes below have been made.</p> <ul style="list-style-type: none"> <li>Housing Element pages 5-24 and 5-25: Story Limits: Table 5-2 has been edited to note no story limits in the R-3, R-3-A, R-3-C, C-2-B, and R-MU zones</li> </ul>	<p>Chapter 5: Actual and Potential Constraints to Housing</p>

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	<p>zones where height limits are 35 feet or less. The element should also analyze the land use controls including landscaping, parking, and floor area ration (FAR) requirements in the R-3 zone and whether the development standards facilitate achieving maximum allowable densities. The element should also describe and analyze densities and development standards that are allowed in the Affordable Housing Overlay. In addition, the element must describe and analyze the X Conditional Development District approval findings and whether they pose a constraint. Lastly, the element should add programs as appropriate to address any identified constraints.</p>	<ul style="list-style-type: none"> <li>• Housing Element pages 5-26 and 5-27: R-3 Development Standards: An analysis of the R-3 standards has been added, noting that development standards may preclude maximum allowable densities. As a result, Program H4.J (Housing Element page 8-27) has been changed to indicate that development standards for the R-3 district will be modified to facilitate development proposals that can achieve the maximum allowable densities;</li> <li>• Housing Element pages 5-19 and 5-20: AHO: Additional narrative regarding potential changes to the AHO has been added, with examples of recent use and a description of Program H4.D, which directs an update of the AHO to allow for densities of 100 dwelling units per acre or greater (when used in combination with the state density bonus program) and expansion of the AHO to encompass all sites in the housing inventory and and R-3 sites near downtown. (Program H4.D is located on Housing Element page 8-24.)</li> <li>• Housing Element pages 5-20 and 5-21: X District: Additional information has been added to indicate that the X district is a combining district that developers may voluntarily opt into to provide greater development flexibility and allow relief from standard zoning regulations. As a result, it is not a constraint, but a tool that may permit the</li> </ul>	<p>Chapter 8: Goals, Policies and Programs</p>

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		application of new and desirable development techniques.	
14	Density Bonus: While the element generally indicates the City's ordinance complies with State Density Bonus Law, it should describe the ordinance to support this conclusion and add or modify programs as appropriate. For example, the element could discuss the procedures, various levels of benefits (e.g., density, concessions and incentives, parking reductions), non-discretionary actions and burden of proof.	Housing Element page 5-19: Within the discussion of the City's proposed changes to the AHO and its expansion (Program H4.D), it has been stated that the updated AHO will be additive and can be combined with the state density bonus program, and also that incentives/concessions/waivers provided pursuant to the AHO can be combined with incentives/concessions/waivers available under state density bonus law. Additional incentives to be evaluated in the updated AHO include fee waivers, deferrals, or further reduction of other fees (such as traffic impact fees, recreation in-lieu fees, etc.); increased heights; reduced parking; and priority development review processing, among others.	Chapter 5: Actual and Potential Constraints to Housing
15	Fees and Exaction: The element must describe all required fees for single-family and multifamily housing development, including impact fees, and analyze their impact as potential constraints on housing supply and affordability. While the element lists some standard fees in Table 5-4, it must list typical fees including, but not limited to, zone changes, general plan amendments, variances, site plans, specific plans, affordable housing in lieu fee, lot line adjustment, and other environmental fees. Based on the outcomes of the analysis, the element should include programs to address identified constraints.	Housing Element pages 5-29 through 5-38: Other required planning fees from the most recent Menlo Park Fee Schedule (2019) have been added into Table 5-4. Table 5-5 has been refined to capture updated information from Table 5-4. Programs H3.I (Housing Element page 8-18) and H4.D (Housing Element page 8-24) are referenced to note that fees for affordable housing projects may be reduced in exchange for providing a deed-restricted ADU affordable to low income households or affordable housing on sites where the AHO is applicable.	Chapter 5: Actual and Potential Constraints to Housing  Chapter 8: Goals, Policies and Programs

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16	Local Processing and Permit Procedures: The element should clarify whether the typical processing time for approval in Table 5-8 is for both single- and multifamily developments. In addition, while the element states where in the City code findings for a CUP are located, the element should also describe and analyze the process and approval for a CUP. In addition, the element should analyze whether the listed findings for architectural control review are a constraint and add a program as appropriate.	Housing Element page 5-45: The chapter has been updated confirming that the City’s current architectural control findings 1, 2, and 3 (in Section 16.68.020 of the Municipal Code) do not meet the State’s definition of an objective standard. As a result, Program H7.A (Create Objective Residential Design Standards) (Housing Element page 8-39) has been updated to establish clear criteria for projects that require architectural control review.	Chapter 5: Actual and Potential Constraints to Housing  Chapter 8: Goals, Policies and Programs
17	Constraints on Housing for Persons with Disabilities: The element must include an analysis of zoning, development standards, building codes, and process and permit procedures as potential constraints on housing for persons with disabilities. In addition, while the element includes Program H3.A (Reasonable Accommodation) to remove the reasonable accommodation fee, the element must describe the findings and approval procedures and modify the program as appropriate. Lastly, Program H3.G Amendments for Special Needs) should also commit to amend permit procedures to allow group homes for seven or more persons with objectivity to facilitate approval certainty and similar to other residential uses of the same form.	The changes below have been made. <ul style="list-style-type: none"> <li>Housing Element pages 5-49 through 5-51: Chapter 5 has been updated with additional discussion regarding constraints on housing for persons with disabilities, with a focus on the City’s reasonable accommodation regulations. Program H3.A (Housing Element pages 8-13 and 8-14) has been modified to commit to updating the City’s reasonable accommodation procedures to eliminate subjective findings for consistency in compliance with guidance from the Department of Housing and Urban Development and the Department of Justice.</li> <li>Housing Element page 8-17: Program H3.G has been modified to read that group homes would be allowed “similar to other residential uses of the same form in the same zone, subject to only those limitations authorized by and consistent with state law and fair housing requirements.”</li> </ul>	Chapter 5: Actual and Potential Constraints to Housing  Chapter 8: Goals, Policies and Programs

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18	While the element was revised to include expiration dates on most at-risk properties, it must also identify public and nonprofit corporations known to the City to have the legal and managerial capacity to acquire and manage at-risk units (Qualified Entities). HCD will send a list of qualified entities under separate cover.	Housing Element page 3-38: A new “Administrative Resources” section has been added to Chapter 3 describing the role and current operations of Habitat for Humanity, HIP Housing, LifeMoves, MidPen Housing, and Peninsula Volunteers in Menlo Park. These organizations may serve as resources in implementation of the City’s housing activities based on their demonstrated ability to acquire and manage affordable housing and at-risk units in Menlo Park.	Chapter 3: Housing Conditions and Trends
19	To address the program requirements of Government Code section 65583, subdivision (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: <ul style="list-style-type: none"> <li>• Program H2.C (Assist in Implementing Housing Rehabilitation Programs): The program should be revised to include proactive outreach.</li> <li>• Program H3.E (Continue Support for Countywide Homeless Programs): The program was not revised. The program should describe what the City is doing to implement the results of the check-in meetings. The program should also include timing of implementing the resulting actions.</li> <li>• Program H3.H (Inclusionary Accessible Units): While the program was revised, it should describe actions the City will take to encourage</li> </ul>	The changes below have been made. <ul style="list-style-type: none"> <li>• Housing Element pages 8-9 and 8-10: Program H2.C has been updated to specify that outreach will be conducted.</li> <li>• Housing Element pages 8-15 and 8-16: Program H3.E has been modified to commit to involvement of the City’s Housing Division staff in the LifeMoves Homeless Outreach Team meetings along with continued participation of the City’s Police department, and consider the potential for assisting with funding a LifeMoves case manager that would be able to concentrate on assistance to homeless persons in Menlo Park, as has been done by other Bay Area cities. City staff will work to ensure that outreach and assistance is provided to areas with the most identified needs (Downtown, Belle Haven, and the Bayfront).</li> <li>• Housing Element page 8-18: Program H3.H has been revised to specify what type of incentives may be provided for accessible</li> </ul>	Chapter 8: Goals, Policies and Programs



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	the units and whether incentives will be provided.	units in the AHO, such as a density bonus of 1.5 affordable units for every fully accessible affordable unit provided. The specific incentives incorporated into to the AHO and BMR program guidelines will be included in a Housing Element Annual Progress Report to HCD and on the City's website.	
20	Shortfall of Adequate Sites: While program H4.K (Rezone for Lower-Income Shortfall) [sic], the program cited the wrong government code. The program must commit to identify sites with appropriate zoning to accommodate the regional housing need within the planning period. The program should identify the shortfall by income group, acreage, allowable densities, appropriate development standards and meet all by right requirements pursuant to Government Code section 65583.2, subdivisions (h) and (i), including but not limited to permitting multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households. In addition, the element must clarify whether programs H4.I (Create New Opportunities for Mixed-Use Development), H4.J (Increase Residential Density), H4.L (Modify El Camino Real/Downtown Specific Plan), and H4.T (Residential Overlay) are needed to meet the City's RHNA, and if so, address the requirements above. Lastly, timing of the rezone program states "within one year of housing element adoption", this should be revised to be completed within the first year of the planning period.	The changes below have been made. <ul style="list-style-type: none"> <li>• Housing Element page 8-27: Program H4.K has been updated to cite the correct government code sections and indicates that the City will permit multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households and specifies a completion timeframe of January 2024 (i.e., within the first year of the planning period).</li> <li>• Housing Element page 8-31: Program H4.T has been updated to indicate a timeframe of completion within the first year of the planning period.</li> <li>• Programs H4.J and H4.L (Housing Element pages 8-27 and 8-28) are not required to meet the City's RHNA, but Programs H4.I (Housing Element page 8-27) and H4.T (Housing Element page 8-31) are necessary. However, the zoning changes in these programs are specified in the Housing Element as to be completed by January 2024 (i.e., within the first year of the planning period).</li> </ul>	Chapter 8: Goals, Policies and Programs
21	Program H4.G (Prioritize Affordable Housing on City-Owned Parking Lots Downtown): While the	Housing Element page 8-26: Program H4.G has been modified to note that the City commits to	Chapter 8: Goals, Policies and Programs

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	program was revised to commit to the Surplus Lands Act requirements, it does not commit to develop all sites. The program must either commit to develop all parking lot sites or commit to develop the total number of units assumed in the inventory on the City-Owned sites.	develop, at a minimum, a total of 345 units on a combination of parking lot sites “consistent with the Housing Element sites inventory.” Housing Element page 7-30 provides more information about the program in Chapter 7.	
22	<p>As noted in Finding A3, the element requires a complete analysis of potential 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.</p> <p>In addition, Program H4.M (Update Parking Requirements and Design Standards) should clarify what parking requirements will be reduced and ensure updates will result in addressing constraints on development.</p>	Housing Element page 5-24: Table 5-2 has been updated with a new asterisk noting that “Program H4.M will revise parking standards so that only 1 space is required for a studio unit, and 1.25 spaces is required for a 1-bedroom unit, inclusive of guest parking.” (Program H4.M is described on Housing Element page 8-28.)	Chapter 5: Actual and Potential Constraints to Housing
23	As noted in Finding A1, the element requires a complete Affirmatively Furthering Fair Housing (AFFH) analysis. The element must be revised to add 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, metrics, and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in higher opportunity or relatively higher-income areas, place-based strategies for community preservation and	Housing Element pages 4-87 through 4-93: Based on the additional analysis performed, Table 4-26 has been expanded to cover more place-based strategies and community benefits to address fair housing issues, relevant actions have been further described, and geographic targets have been more clearly specified.	Chapter 4: Affirmatively Furthering Fair Housing

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Summary of Responses to April 7, 2023 HCD Comment Letter			
Comment Number	HCD Comment	Modification(s) to the Housing Element	Housing Element Chapters Revised
	revitalization and displacement protection. While some programs include metrics and milestones, additional programs that AFFH should also include them as well. In addition, geographic targets should be more focused and include high and highest opportunity areas or areas of higher income when appropriate.		
24	While the element was revised to include quantified objectives, it should include specific rehabilitation and conservation objectives by income group for extremely-low income and very low-income households instead of aggregating objectives.	Housing Element page 7-53: In Table 7-16, rehabilitation objectives and conservation objectives have been provided separately, with the objectives in both categories being targeted toward very low-income units.	Chapter 7: Site Inventory and Analysis



## STAFF REPORT

### Housing Commission

Meeting Date: 1/18/2024  
Staff Report Number: 24-002-HC

Regular Business: Approve the 2024 Housing Commission regular meeting schedule

### Recommendation

Staff recommends the Housing Commission approve the Housing Commission's 2024 regular meeting schedule ([Attachment A](#)).

### Policy Issues

The proposed action conforms to the current practice of having the Housing Commission set its meeting schedule annually. According to City Council Policy #CC-23-004, Commissions/Committees Policies and Procedures, Roles, and Responsibilities, a regular meeting of the Housing Commission shall be held on the first Wednesday of every month at 6:30 p.m.

### Background

The purpose of the annual Housing Commission meeting schedule is to provide the Housing Commission, staff, and the public with advance notice of proposed meeting dates.

### Analysis

Staff is proposing a meeting schedule for the 2024 calendar year. The proposed dates are based on the standard Housing Commission meeting schedule set in City Council Policy #CC-23-004. Staff requests that the Housing Commission carefully review the dates. While the proposed dates have taken City Holidays, elections, and school breaks into account, meetings are sometimes canceled or rescheduled.

### Impact on City Resources

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

### Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§15378 and 15061(b)(3) as it is a minor change that will not result in any direct or indirect physical change in the environment.

### Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

**Attachments**

- A. Proposed 2024 Housing Commission meeting schedule

Report prepared by:  
Adam Patterson, Management Analyst II

Report reviewed by:  
Tim Wong, Housing Manager

# HOUSING COMMISSION

## MEETING DATES FOR 2024

**January**

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**February**

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

**March**

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**April**

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

**May**

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22		24	25
26	27	28	29	30	31	

**June**

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

**July**

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**August**

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**September**

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15		17	18	19	20	21
22	23	24	25	26	27	28
29	30					

**October**

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

**November**

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

**December**

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**HC Meetings**

**City Hall closed**

Note: meeting dates are subject to change