

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

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April 20, 2022

Denice Thomas, Director  
Community Development Department  
City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301

Dear Denice Thomas:

**RE: City of Agoura Hill's 6<sup>th</sup> Cycle (2021-2029) Revised Draft Housing Element**

Thank you for submitting the City of Agoura Hill's (City) revised draft housing element received for review on February 22, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The revised draft housing element addresses most statutory requirements described in HCD's January 11, 2022 letter; however, additional revisions are necessary to fully comply with State Housing Element Law (Article 10.6 of the Gov. Code) as follows:

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Goals, Priorities, Metrics, and Milestones: As noted in the prior review, based on a complete assessment of fair housing, the element may need to add or modify programs. While the element includes additional actions to address fair housing issues, the element must add quantifiable outcomes or metrics to commitments in Program 16 (Fair Housing/Affirmatively Furthering Fair Housing) to measure how the programs will affirmatively furthering fair housing (AFFH) within the planning period. Example of actions that should be revised include but are not limited to actions related to facilitation SB 9 lot splits and duplexes, actions to assist in development of housing affordable to lower-income households including use of the affordable housing overlay and density bonuses. The element should also commit to market the actions related to the Housing Rights Center (HRC) and accessory dwelling units throughout the City. In addition, the element should include additional actions to facilitate new opportunities in higher opportunity areas and address potential displacement (i.e., rehabilitation of housing or other place-based strategies commitments).

2. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Large Sites: As noted on the prior review. The element identifies multiple sites (Site A and K) larger than ten acres. Sites greater than ten acres are not eligible absent a demonstration that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower-income housing units as projected for the site or unless other evidence is provided. While the element includes information about a recent application for a mixed-use project that was denied in Site A, this is not sufficient evidence to demonstrate the feasibility of developing large sites for housing affordable to lower-income households. The element must provide recent examples of projects on large sites that were converted into affordable multifamily housing to support conclusions. In addition, to support this analysis, the element should include programs or policies with incentives to include expedited or automatic approval of lot splits or creation of new parcels, or waivers of fees associated with subdivision, (Gov. Code, § 65583.2, subd. (c)(2)(A)).

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

Quantified Objective: While the element includes rehabilitation estimates of 200 units for above moderate it should also include estimates for lower and moderate-income units. As noted on the prior review, the quantified objectives do not represent a ceiling on development, but rather set a target goal for the City to achieve, based on needs, resources, and constraints.

The element will meet the statutory requirements of State Housing Element Law once it has been revised to comply with the above requirements.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), then any rezoning to accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

Additionally, pursuant to Government Code section 65585, subdivision (b) (AB 215, Statutes of 2021), any subsequent draft revision, the local government must post the draft revisions on its website and email a link to all individuals and organizations that have previously requested notices related to local governments housing element at least seven days before resubmitting to HCD.

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

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

HCD is committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Fidel Herrera, of our staff, at [fidel.herrera@hcd.ca.gov](mailto:fidel.herrera@hcd.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Melinda Coy', with a long horizontal stroke extending to the right.

Melinda Coy  
Senior Housing Accountability Manager