

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

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May 25, 2023

Clay Holstine, City Manager  
City of Brisbane  
50 Park Place  
Brisbane, CA 94005

Dear Clay Holstine:

**RE: City of Brisbane's 6<sup>th</sup> Cycle (2023-2031) Adopted Housing Element**

Thank you for submitting the City of Brisbane's (City) Housing Element that was adopted May 18, 2023 and received for review on May 19, 2023. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the adopted housing element in substantial compliance with State Housing Element Law (Gov. Code, § 65580 et seq) as of May 25, 2023. The adopted element was found to be substantially the same as the revised draft element that HCD's May 18, 2023 review determined met statutory requirements.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- Program 2.A.2 (Baylands Specific Plan and Zoning)
- Program 2.A.5 (Minimum Lot Size Reductions)
- Program 2.A.6 (Duplex Conversions and Single Family Lot Splits)
- Program 2.A.8 (Transitional and Supportive Housing)
- Programs 2.A.10 and 2.D.2 (Accessory Dwelling Units (ADU))
- Program 2.A.11 (Family Definition)
- Program 2.C.1 (Density Bonus)
- Program 2.E.1 (Affordable Housing Strategic Plan)
- Program 2.F.7 (Extremely Low-Income households)
- Program 2.G.1 (Density Transfer)
- Program 7.A.2 (Objective Design Standards for Mixed Use)
- Program 7.A.4 (Permit Processing Improvements)

In particular, HCD urges the City to diligently implement Program 2.A.2 (Baylands Specific Plan) and follow the schedule of actions to facilitate development, including

rezoning, streamlining and prioritizing processing and assisting and finalizing entitlements such as environmental review and specific plan adoption.

The City must monitor and report on the results of this and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

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 program, 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 now 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://opr.ca.gov/planning/general-plan/>.

HCD appreciates the cooperation and dedication the housing element update team provided throughout the housing element review and update. HCD particularly commends John Swiecki, Kenneth Johnson, Julia Ayres and Jeremiah Robbins for their hard work and professionalism. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Anthony Errichetto, of our staff, at [anthony.errichetto@hcd.ca.gov](mailto:anthony.errichetto@hcd.ca.gov).

Sincerely,



Paul McDougall  
Senior Program Manager