

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

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April 12, 2024

Tim Ogden, City Manager
City of Brentwood
150 City Park Way
Brentwood, CA 94513

Dear Tim Ogden:

RE: City of Brentwood's 6th Cycle (2023-2031) Adopted Housing Element

Thank you for submitting the City of Brentwood's housing element that was adopted February 13, 2024 and received for review on February 14, 2024 along with technical edits on April 11, 2023. Pursuant to Government Code section 65585, 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, including technical edits, in substantial compliance with State Housing Element Law (Gov. Code, § 65580 et seq) as of the date of this letter. The adopted element was found to be substantially the same as the revised draft element that HCD's January 2, 2024 review determined met statutory requirements. Further, the City has completed actions to make prior identified sites available to permit housing developments by-right (without discretionary action) in which at least 20 percent of the units are affordable to lower-income households. A copy of the adopted housing element, including technical edits, should be posted and available to the public and sent to HCD for confirmation.

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

- Action H.1c (ADU and JADU Monitoring)
- Action H.1n (Residential Incentives)
- Action H.1r (Parking Standards for Studios and One Bedroom Units)
- Action H.1s (Conditional Use Permit and Design and Site Development Review)
- Action H.1t (Mid-Point Policy)
- Action H.2i (Density Bonus Ordinance)
- Action H.2k (Flexibility for Residential Development Standards)
- Action H.2o (By-Right Development of 5th and 4th Cycle Sites)
- Action H.2o (Monitor Effects of Regional Fees)

- Action H.4a (Affirmatively Further Fair Housing)
- Action H.4k (Emergency Shelters)
- Action H.4m (Reasonable Accommodation)
- Action H.4n (Definition of Family)
- Action H.4o (Residential Care Facilities)

The City must monitor and report on the results of these 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://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the hard work and commitment the housing element update team provided throughout the housing element update and review. 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 Jamillah Williams, of our staff, at Jamillah.Williams@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager