

How to read a HCD Housing Element letter

This document contains replicas of two HCD letters. The first one is a Housing Element [In-Compliance](#) letter and the second one is a [Non-Compliance](#) one. Both letters have boxes that draw attention to their principal elements.

Housing Element In-Compliance Letter

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Division of Housing Policy Development
1800 Third Street Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
www.hcd.ca.gov
(916) 323-3174 FAX: (916) 327-2643

June 20, 2003

Mr. Richard Tooker, Director
Planning and Building Department
City of Calistoga
1232 Washington Street
Calistoga, California 94515

Dear Mr. Tooker:

RE: Review of the City of Calistoga's Revised Draft Housing Element

Thank you for submitting revisions to Calistoga's draft housing element received for our review on April 25, 2003 and by facsimile on June 17, 2003. As you know, the Department of Housing and Community Development (Department) is required to review draft housing elements and report our findings to the locality pursuant to Government Code Section 65585(b).

The City is to be commended for allowing multifamily housing by-right and facilitating mixed-use development and farmworker housing. In addition, the City's commitment to low- and moderate-income first-time homebuyers is exemplary. Revisions now include the identification of an alternative site J in the land inventory and new programs to establish a mixed-use ordinance and mitigate identified governmental constraints. The revised element more fully depicts the residential land-use patterns in Calistoga and how the City is addressing its diverse housing needs. As a result, we are pleased to find the City of Calistoga's draft housing element meets the statutory requirements of State housing element law (Article 10.6 of the Governmental

Local officer in charge of the Housing Element. Person to contact for comments and concerns related to housing.

Issues successfully addressed in the Housing Element revision.

Code). The revised element will be in full compliance with the law when it is adopted and submitted to this Department, pursuant to Government Code Section 65585(h).

The Department's finding of compliance will be conditioned on the successful implementation of the following adequate sites programs by the timelines specified in the element:

- Program 1.2A2 to rezone sites, including sites F and G to Community Commercial and R-3, at sufficient densities to facilitate and encourage accommodation of Calistoga's share of the regional housing need for lower-income households.
- Program 1.2A3 to amend the zoning ordinance to include development standards and incentives to promote mixed-use development and the adoption of a mixed-use ordinance.
- Program 1.2A4 to mitigate infrastructure constraints to residential development by construction of a new wastewater treatment plant.

Conditions set by HCD for compliance approval. They need special monitoring.

We appreciate your cooperation and patience during the course of our review and commend the City for working diligently to craft a housing element that meets the statutory requirements of the law and addresses Calistoga's existing and projected housing needs. If you have any questions or need further assistance, please contact Margaret Murphy, of our staff at (916) 445-5888.

In accordance with requests pursuant to the Public Records Act, we are forwarding copies of this letter to the persons and organizations listed below.
Sincerely, —

Name and phone number of the HCD official that revised the locality's housing element,

[Signature]
Cathy E. Creswell
Deputy Director

- cc: David Early, Design, Community & Environment
Keith Wagner, Law Office of J. William Yeates
Mark Stivers, Senate Committee on Housing & Community Development
Suzanne Ambrose, Supervising Deputy Attorney General, AG's Office
Terry Roberts, Governor's Office of Planning and Research
Nick Cammarota, California Building Industry Association
Marcia Salkin, California Association of Realtors
Marc Brown, California Rural Legal Assistance Foundation
Rob Weiner, California Coalition for Rural Housing
John Douglas, AICP, Civic Solutions
Deanna Kitamura, Western Center on Law and Poverty
S. Lynn Martinez, Western Center on Law and Poverty
Alexander Abbe, Law Firm of Richards, Watson & Gershon

Organizations and representatives carbon copied. Some of them might share similar housing views and concerns about the locality.

Michael G. Colantuono, Colantuono, Levin & Rozell, APC
Rene J. Jacobs, California Rural Legal Assistance, Inc.
Richard Marcantonio, Public Advocates
David Booher, California Housing Council
Paul Campos, Home Builders Assoc. of Northern California
Shannon Dodge, Non-Profit Housing Association of Northern California
Eve Bach, Arc Ecology
William Litt, Bay Area Legal Aid
Allison Brooks, Livable Communities Initiative
Charlie Carson, Home Builders Association-Northern Division
David Grabill, Sonoma County Housing Advocacy Group
Sue Hestor, Attorney-at-Law
Todd Schroeder, Ross and Scott Law Firm
David Gilbert, Attorney-at-Law

Housing Element Not-In-Compliance Letter

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June 12, 2003

City Manager

Mr. Steven Baker, City Manager
City of Suisun City
701 Civic Center Boulevard
Suisun City, California 94585

Local officer in charge of the
Housing Element. Person to
contact for comments and
concerns related to housing.

Dear Mr. Baker:

RE: Review of Suisun City's Adopted Housing Element

Thank you for submitting Suisun City's housing element adopted on March 4, 2003 and received for our review on April 3, 2003. As you know, the Department of Housing and Community Development (Department) is required to review adopted housing elements and report our findings to the locality pursuant to Government Code Section 65585(h). Mr. Michael Allen, of your staff, assisted our review through conversations in May and June.

We appreciate Suisun City's efforts to develop a housing element that addresses local housing needs, including programs to work with non-profit housing developers and allowing residential above commercial uses in the Downtown-Waterfront Specific Plan. While the adopted element has made progress and addresses most of the statutory requirements described in the Department's August 23, 2002 review, several critical requirements were not addressed and another revisions are needed to bring the element into compliance with State housing element law (Article 10.6 of the Government Code). We understand the element was adopted to meet finding application deadlines and welcome the opportunity to work directly with Suisun City in revising the element to address statutory requirements.

**Conditions for finding the housing element into compliance.
These issues require special attention and monitoring.**

The following revisions are needed to bring the element into compliance with State housing element law:

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)).*

The adopted element was not revised to address the findings from the Department's August 23, 2002 review (Future Development Potential Section on pages 38 to 41). Please see enclosed August 2002 letter.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels, the program shall provide for sufficient sites with zoning and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As previously noted, further analysis of the land inventory is needed. The adequacy of sites cannot be established prior to a more detailed analysis. While, the element now addresses our findings regarding Program 3.A-1 (Emergency and Transitional Housing), the element should also address all other findings from our August 23, 2002 review (see Section B2).

3. *Address arid, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, or provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities (Section 65583(c)(3)).*

Constraints on Housing for Persons with Disabilities: The adopted element was not revised to address the requirements, described in our August 23, 2002 review, of recently enacted legislation (Chapter 671, Statutes of 2001; SB 520).

Once Suisun City has revised the element to address the above requirements, the element will be in full compliance with State housing element law (Article 10.6 of the Government Code). If you have any questions or would like to discuss how we may be of assistance, including another

**Name and phone number of
the HCD official that revised
the locality's housing element.**

meeting in Suisun City, please contact Paul Mc Dougall, of our staff; at (916) 322-7995. In addition, your staff, specifically Mr. Allen and Mr. Munowitch, should be commended for their dedication in making firm steps toward compliance.

Also, we are pleased to report, as a result of the passage of Proposition 46, a historic increase in funds available on a competitive basis through the Department to assist in addressing housing and community development needs. Information on these programs, including Notices of Funding Availability (NOFA), will be posted on the Department's website. For program information and funding availability, please consult our homepage at www.hcdca.eov.

In accordance with their requests pursuant to the Public Records Act, we are forwarding a copy of this letter to the individuals listed below.

Sincerely,

Cathy E. swell Deputy Director

Enclosure

HCD attaches a copy of the Housing Element draft submitted. Copies might be obtained either through this agency or the local housing authority.

cc- Barry Munowitch, Community Development Director, City of Suisun City
Michael Allen, Assistant Planner, City of Suisun City
Mark Stivers, Senate Committee on Housing & Community Development
Suzanne Ambrose, Supervising Deputy Attorney General, AG's Office
Terry Roberts, Governor's Office of Planning and Research
Nick Cammarota, California Building Industry Association
Marcia Salkin, California Association of Realtors
Marc Brown, California Rural Legal Assistance Foundation
Rob Weiner, California Coalition for Rural Housing
John Douglas, AICP, Civic Solutions
Deanna Kitamura, Western Center on Law and Poverty
S_ Lynn Martinez, Western Center on Law and Poverty
Alexander Abbe, Law Firm of Richards, Watson & Gershon
Michael G. Colantuono, Colantuono, Levin & Rozell, APC
Ilene J. Jacobs, California Rural Legal Assistance, Inc.
Deborah Collins, Legal Services of Solano County
Sue Hestor, Attorney-at-Law
David Booher, California Housing Council
Paul Campos, Home Builders Assoc. of Northern California

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