

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

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December 9, 2019

Brent Schultz, Director  
Planning and Building Services  
County of Mendocino  
860 North Bush Street  
Ukiah, CA 95482

Dear Brent Schultz:

**RE: Review of Mendocino County's 6<sup>th</sup> cycle (2019-2027) Draft Housing Element**

Thank you for submitting Mendocino County's draft Housing Element received for review on October 22, 2019, along with revisions received on November 21, 2019. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from Legal Services of Northern California and Jacob Patterson pursuant to Government Code section 65585, subdivision (c).

The draft Housing Element addresses most of the statutory requirements and represents a diligent effort to address Housing Element law and the community's housing needs. However, the following is still necessary to comply with state Housing Element law (Government Code, Article 10.6):

1. *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).)*

**Infrastructure:** The element must demonstrate sufficient existing or planned water, sewer, and other dry utility's supply capacity to accommodate the county's regional housing need. (Gov. Code, § 65583.2, subd. (b).). While the element includes a variety of information and description about existing connections and other conditions, it must also note the number of available (existing or planned) water and sewer connections by community area or service district relative to identified sites, particularly in areas anticipated to accommodate the housing needs of lower-income household. HCD will send a sample analysis under separate cover.

Environmental Constraints: While the element generally describes environmental conditions within the county, it must also address the conditions relative to identified capacity, including whether development is precluded, whether constraints can be mitigated and impacts on feasibility. This analysis should specifically address sites anticipated to accommodate lower- and moderate-income households.

2. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land-use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

To address the program requirements of Gov. Code section 65583, subd. (c) (1-6), and to facilitate implementation, programs must include: (1) a description of the county's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. However, many programs must be revised to include definitive timelines (e.g., within one year or twice in the planning period), quantified objectives and proactive commitment toward the program objectives. Examples include but are not limited to Programs 1.2a, 1.5a, 2.1b, 3.4a, 3.4b, 4.1a, 4.2a, 4.2b, 4.3h and 6.2d.

3. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city or county's share of the regional housing need for each income level...(Gov. Code, § 65583, subd. (c)(1).)*

As noted in Finding 1, 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 county may need to add or revise programs to demonstrate adequate sites.

4. *Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(8).)*

The element includes a summary of public outreach (Appendix A) which includes many potentially meaningful policy and program suggestions. However, in some cases, there does not appear to be a policy and program response to the suggestions and the element should modify and add programs as appropriate. In addition, public participation in the development, adoption and implementation of the Housing Element is essential to effective housing planning. Throughout the Housing Element process, the county must 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. This is particularly important given HCD has expedited this review to facilitate the county meeting statutory requirements to remain on an eight-year planning period.

Once the element has been revised to address the above requirements, it will meet the requirements of state Housing Element law and comply upon adoption, submittal and review by 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 program; and the SB 2 Planning Grants as well as ongoing SB 2 funding consider Housing Element compliance and/or annual reporting requirements pursuant to Gov. Code section 65400. With a compliant Housing Element, Mendocino County will meet Housing Element requirements for these funding sources.

HCD appreciates the diligence and responsiveness the county's Housing Element team, particularly Jesse Davis, provided during the course of our review. HCD is committed to assisting Mendocino County in addressing all statutory requirements of Housing Element law. If you have any questions or need technical assistance, please contact Irvin Saldana, of our staff, at (916) 263-5151.

Sincerely,



for

Shannan West  
Land Use & Planning Manager

