

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

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March 29, 2021

Jon Robinson, Director
Community Development Department
City of West Sacramento
1110 West Capitol Ave
West Sacramento, CA 95691

Dear Jon Robinson:

RE: Review of West Sacramento's 6th Cycle (2021-2029) Draft Housing Element

Thank you for submitting the City of West Sacramento's (City) draft housing element update received for review on January 29, 2021, along with revisions received on March 12 and 24, 2021. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a telephone conversation on March 4 and 22, 2021 with Elijah Ortega, Community Investment Specialist; Raul Huerta, Senior Program Manager; David Tilley, Principal Planner; and Matthew Gerken, Consultant. In addition, HCD considered comments from Sacramento Housing Alliance and Legal Services of Northern California pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, the following revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code).

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

Affirmatively Furthering Fair Housing: The element includes a variety of information and analysis related to affirmatively furthering fair housing, however, additional information is necessary to address this requirement, as follows:

Fair Housing Enforcement and Capacity: The housing element must include a summary of fair housing enforcement and outreach capacity.

The analysis must address lawsuits and related enforcement actions, compliance with existing fair housing laws and regulations and fair housing enforcement and housing outreach capacity.

Local Familial Status Patterns: While the element discusses patterns related to concentration of persons with disabilities by type, it must also address patterns of persons by familial status within the City.

Local to Regional Patterns: The element describes dissimilarity indices for persons by race across the region but should also discuss familial status, persons with disabilities and households by income in West Sacramento relative to the rest of the region. Further, the element should discuss access to opportunity (e.g., economic, education, transportation) relative to the rest of the region.

Disproportionate Housing Need: The element must analyze trends and patterns related to disproportionate housing needs, including displacement risks within the locality and relative to the regional. This analysis must address overpayment, overcrowding, housing conditions, and risk of displacement.

Sites Inventory: The element must identify and analyze whether sites are located throughout the community to affirmatively further fair housing. To address this requirement, the element generally describes vacant sites relative to levels of access to transportation. However, this analysis must also address concentrated areas of race and poverty, access to education and employment, overpayment, overcrowding, housing conditions and displacement risk. Further, the analysis should identify sites by all income group, including lower income and indicate the size of sites in terms of number of units.

Identifying and Prioritizing Contributing Factors to Fair Housing Issues: The element must be revised to evaluate and prioritize contributing factors, including based on the outcomes of analysis described above. HCD will send examples under separate cover.

Goals and Actions: The element must be revised to add or modify goals and actions based on the outcomes of analysis described above. Goals and actions must specifically respond to the analysis and identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have metrics and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for

community preservation and revitalization and displacement protection. In addition, affirmatively furthering fair housing should be considered in programs 1.4, 1.6, 1.8, 1.9, 2.1.1, 2.1.2, 2.3, 3.2, 5.1, and 6.2. HCD will send examples under separate cover.

2. *The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7)... (Gov. Code, § 65583, subd. (a)(4)).*

Emergency Shelter Capacity: The element must demonstrate the ML, M-1, M-2, M-3, and BP zones have sufficient capacity to accommodate the identified need for emergency shelters. For example, the element should identify the number of parcels, typical parcels sizes, whether the sites are nonvacant, the potential capacity for adaptive reuse, and access to services. For additional information and a sample analysis, see the *Building Blocks* at http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb2_memo050708.pdf.

3. *Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households (Gov. Code, § 65583, subd. (c)(2)).*

Water and Sewer Priority: For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) The City includes program HE-PR-5.2 to establish written procedures within 5 years. However, given this requirement is more than 15 years old and the importance of encouraging housing for lower-income households, the program timing must be moved up much earlier in the planning period (e.g., 1 year).

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

To remain on an eight-year planning cycle, the City must adopt its housing element within 120 calendar days from the statutory due date of May 15, 2021 for Sacramento Area Council of Governments localities. If adopted after this date, Government Code section 65588, subdivision (e)(4), requires the housing element be revised every four years until adopting at least two consecutive revisions by the statutory deadline. For more information on housing element adoption requirements, please visit our website at: http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb375_final100413.pdf

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 must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate.

Specifically, HCD accepted revisions to the draft element on March 12 and 24, 2021 and received public comments March 18, 2021 – both fairly late in the review period. The City should proactively make these revisions available to the public, including commenters on this review and diligently consider and address comments, including making revisions to the document where appropriate. Consideration of comments should not be limited by HCD's findings in this review letter.

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.

HCD appreciates the hard work and dedication Elijah Ortega, Community Investment Specialist; Raul Huerta, Senior Program Manager; David Tilley, Principal Planner; and Matthew Gerken, Consultant, provided in preparation of the City's housing element and looks forward to receiving the City's adopted housing element. If you have any questions or need additional technical assistance, please contact Hillary Prasad, of our staff, at Hillary.Prasad@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannan West". The signature is fluid and cursive, with the first name "Shannan" and the last name "West" clearly distinguishable.

Shannan West
Land Use & Planning Unit Chief