

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

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July 12, 2021

Mary Beth Van Voorhis  
Planning Department  
Town of Loomis  
3665 Taylor Road  
Loomis, CA 95650

Dear Mary Beth Van Voorhis:

**RE: Review of the Town of Loomis's 6<sup>th</sup> Cycle (2021-2029) Draft Housing Element**

Thank you for submitting the Town of Loomis's (Town) draft housing element received for review on May 14, 2021. The California Department of Housing and Community Development (HCD) received revisions on June 28 and 29, 2021. Pursuant to Government Code section 65585, subdivision (b), the HCD is reporting the results of its review. Our review was facilitated by a telephone conversation on June 24, 2021, with yourself, Sean Rabe, Christy Consolini and the Town's consultants Cynthia Walsh, Lucy Rollins and Jennifer Gastelum with Placeworks, Inc. In addition, HCD considered comments from Legal Services of Northern California pursuant to Government Code section 65585, subdivision (c).

Pursuant to Government Code section 65585, subdivision (b), HCD is reporting the results of its review.

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))*

*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's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built*

*housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).*

Large Sites: Sites larger than 10 acres cannot be deemed adequate to accommodate the housing need of lower-income households unless the element demonstrates similar sites were developed affordable to lower-income households or other evidence is provided. The element identifies “Site 8” as adequate to meet the Town’s share of lower-income housing (Pg. V-47). Site 8 is a seven-acre Residential High Overlay on the larger 61-acre Village at Loomis site. However, the element does not identify the location of Site 8 in relationship to the larger 61-acre site (Pg. V-51). HCD understands the larger 61-acre site has not yet been subdivided into parcels and, according to Page V-48, in 2019 a special election held through a housing referendum overturned the development of the entire site. The element must further analyze the likelihood that the smaller Site 8 meant for housing affordable to lower-income households can be developed within the planning period separate from the development of the larger site, that the site will be subdivided from the larger 61-acres, and that site will have access to infrastructure including roads, water, sewer, and dry utilities.

Infrastructure: The element must demonstrate sufficient existing or planned water, sewer, and other dry utilities supply capacity, including the availability and access to distribution facilities to accommodate the Town’s regional housing need for the planning period. (Gov. Code, § 65583.2, subd. (b).). For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#environmental>.

Realistic Capacity: The element should be updated to provide a realistic capacity assumption on the site identified to meet the needs of lower-income households. Currently, the element assumes 100 percent development capacity and provides minimal analysis on parking, setbacks, and other development standards. The analysis should include factors such as land-use controls, development trends including typical density of existing or approved developments at similar affordability levels, performance standards or other relevant factors. Adequate site(s) should be identified prior to completing this analysis. For additional information, see the *Building Blocks* at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#zoning>.

2. *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)).*

*Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion,*

*sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).*

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:

Sites Inventory: While the Town provided an assessment of fair housing, it must provide an analysis of the identified sites to demonstrate that the sites inventory affirmatively further fair housing and that sites are located throughout the community. This is particularly critical as the element only identifies one site (Site 8) to accommodate its need for lower-income households. This site was part of the Village at Loomis project which was subject to a voter referendum. In addition, the element should also analyze sites selected to accommodate moderate- and above moderate-income households relative to socio-economic patterns. Lastly, the element should analyze and conclude whether the identified sites improve or exacerbate each of the fair housing issue areas. For more information, please see HCD's guidance at <https://www.hcd.ca.gov/community-development/affh/index.shtml>.

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 town's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*

As noted in the Finding 1, the element does not include a complete sites inventory or analysis; as a result, the adequacy of sites and zoning has not been established. Based on the results of a complete sites inventory and analysis, programs may need to be added or revised to address a shortfall of sites and zoning for a variety of housing types.

As a reminder, the Town's 6<sup>th</sup> cycle housing element was due May 15, 2021. As of today, the Town has not completed the housing element process for the 6<sup>th</sup> cycle. The Town's 5<sup>th</sup> cycle housing element no longer satisfies statutory requirements. HCD encourages the Town to make revisions to the element as described herein, adopt, and submit to HCD to regain housing element compliance.

To remain on an eight-year planning cycle, the Town 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](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 Town should 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.

Pursuant to Government Code section 65583.3, subdivision (b), the Town must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/community-development/housing-element/index.shtml> for a copy of the form and instructions. The Town can reach out to HCD at [sitesinventory@hcd.ca.gov](mailto:sitesinventory@hcd.ca.gov) for technical assistance. Please note, upon adoption of the housing element, the Town must submit an electronic version of the sites inventory with its adopted housing element to [sitesinventory@hcd.ca.gov](mailto:sitesinventory@hcd.ca.gov).

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 Town will meet housing element requirements for these and other funding sources.

For your information, some General Plan element updates are triggered by housing element adoption. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: [http://opr.ca.gov/docs/OPR\\_Appendix\\_C\\_final.pdf](http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf) and [http://opr.ca.gov/docs/Final\\_6.26.15.pdf](http://opr.ca.gov/docs/Final_6.26.15.pdf).

HCD is committed to assisting the Town in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Irvin Saldana, of our staff, at [Irvin.Saldana@hcd.ca.gov](mailto:Irvin.Saldana@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" written in a larger, more prominent script than the last name "West".

Shannan West  
Land Use & Planning Unit Chief