

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

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June 15, 2021

Mike Isom, Director
Development Services Department
City of Roseville
311 Vernon Street
Roseville, CA 95678

Dear Mike Isom:

RE: Review of the City of Roseville's 6th Cycle (2021-2029) Draft Housing Element

Thank you for submitting the City of Roseville's (City) draft housing element update received for review on April 16, 2021, along with revisions received on May 17 and May 28, 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 communications with Lauren Hocker, Senior Planner, and Trisha Isom, Housing Manager. In addition, HCD considered comments from Sacramento Housing Alliance 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(ing) 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).)

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:

- *Access to Opportunity*: The element should analyze trends and patterns at a local and regional level related to transportation and environmental quality.
 - *Disproportionate Housing Needs*: The element should analyze trends and patterns at a local and regional level related to substandard housing and homelessness needs.
 - *Goals and Actions*: The element must be revised to add or modify goals and actions based on the outcomes of a complete 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 address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.
2. *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...(Gov. Code, § 65583, subd. (c)(1).)

Realistic Capacity: The element discusses that a non-residential zone (CMU) does not require residential development, but usually residential is built on site or on another residential site. As a result, the calculation of capacity should account for the likelihood of residential not occurring on non-residentially zoned sites.

Large Sites: Sites larger than 10 acres in size are deemed inadequate to accommodate housing for lower-income households unless analysis demonstrates their suitability. To address this requirement, the City conferred with affordable developers and ultimately identified challenges in developing larger sites. To address these challenges, the element includes Program 16 to prioritize affordable housing, including streamlining lot line adjustments. However, the program should clearly commit to non-discretionary and over-the-counter lot line adjustments, and given the importance of these sites, the

program should include regular evaluation of the effectiveness of the program and commitment to additional actions such as identifying other sites by a date certain.

Nonvacant Sites: The element identifies nonvacant or underutilized sites and includes various strategies to promote their development, including catalyst sites with conceptual plans, parking and land use strategies and various improvements to enhance redevelopment. However, the element should expand the discussion of the extent existing uses impede additional development. For example, the element could discuss past experience converting existing uses to higher density residential development; current market demand for the existing use; analysis of existing leases or other contracts that would perpetuate the existing use or prevent additional residential development; development trends and market conditions.

Programs: As noted in the findings above, the element requires a complete analysis of the sites inventory. Depending upon the results of that analysis, the City may need to revise or add programs to demonstrate adequate sites to accommodate the regional housing need allocation.

3. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels... including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. (Gov. Code, § 65583, subd. (a)(5).)*

Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities... (Gov. Code, § 65583, subd. (c)(3).)

Housing for Persons with Disabilities: The element notes that larger group homes for seven or more persons are subject to a conditional use permit. While the element states larger group homes have different needs and that the use permit allows the City to work with applicants, it must also identify and analyze decision-making criteria for impacts on approval certainty and objectivity and include programs as appropriate.

4. *Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b)(1 & 2).)*

The element includes quantified objectives by income group and activity, including conservation objectives (Table X-1). However, these objectives could be expanded. For example, the quantified objectives could be supplemented by objectives described on page X-63 regarding housing choice vouchers, energy conservation programs, and the shared housing program.

5. *Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)*

While the element includes a general discussion of large households, including housing stock with larger bedrooms, it must also analyze large households by tenure (i.e., renters and owners). In addition, the element should analyze county level housing needs for permanent and seasonal farmworkers. The element should utilize this information to better inform policies and programs.

6. *The housing element shall contain programs which 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).)*

The element must include programs with proactive and specific efforts to assist in the development of housing for extremely low-income households and households with special needs; persons experiencing homelessness; farmworkers; persons with disabilities, including developmental; and elderly. Efforts should involve proactive and regular outreach to developers of affordable housing and should utilize incentives including financial and other resources. This requirement could potentially be addressed by expanding on the existing Program 19 (Federal and State Programs).

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

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

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 (SACOG) 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.

Pursuant to Government Code section 65583.3, subdivision (b), the City 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#> element for a copy of the form and

instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov.

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.

HCD understands the City made the housing element available to the public well prior to submittal; however, HCD further understands that document did not contain all portions of the housing element. By not providing an opportunity for the public to review and comment on the entire draft of the element in advance of submission to HCD, the City has not yet complied with statutory mandates to make a diligent effort to encourage the public participation in the development of the element and it reduces HCD's ability to consider public comments in the course of its review. The availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD's review. The City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including making revisions to the document where appropriate. HCD's future review will consider the extent the revised element documents were circulated and how the City solicited, considered, and addressed public comments in the element. The City's consideration of public comments must not be limited by HCD's findings in this review letter.

HCD appreciates the hard work and dedication of Lauren Hocker, Senior Planner and Trisha Isom, Housing Manager, 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 Divya Ram, of our staff, at Divya.Ram@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