

APPENDIX A-1
HCD Letter Review

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

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October 22, 2015

Mr. Manjeet Ranu, Acting Director
Planning and Building Department
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

Dear Mr. Ranu:

RE: Review of the City of Encinitas' 5th Cycle (2013-2021) Draft Housing Element

Thank you for submitting the City of Encinitas' revised draft housing element update which was received for review on September 11, 2015 along with additional revisions received on September 30 and October 5, 2015. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. Our housing element review was facilitated by a telephone conversation on September 21, 2015 with Mr. Michael Strong, Senior Planner. In addition, the Department considered comments from Attorney William D. Hartsock pursuant to GC Section 65585(c).

The revised draft element meets the statutory requirements described in the Department's July 3, 2015 review. This finding was based on, among other reasons, Program 1A (Accommodate the City's Regional Housing Needs Assessment Allocation). The program commits to rezone sufficient sites to accommodate a minimum of 1,093 units pursuant to GC Section 65583.2(h) and (i). The Department acknowledges the final choice of sites is predicated upon Proposition A voter approval. All three strategies presented would meet the statutory requirement.

The Department is unable to issue full compliance until required zoning has been implemented. GC Section 65584.09 requires a jurisdiction that failed to identify or make available adequate sites to accommodate all of the previous cycle's housing needs to zone or rezone adequate sites to accommodate all of the previous cycle's unmet housing needs within the first year of the next housing element cycle. Once required zoning has been completed, the revised element will comply with State housing element law (GC, Article 10.6) when adopted and submitted to the Department, in accordance with GC Section 65585(g)..

Please be aware, because the City of Encinitas intends to adopt its housing element after the general election in November 2016, it will be unable to meet the requirement to update its housing element by the April 30, 2017 due date for the first 4-year revision period. The timeframe between housing element adoption in 2016 and the first 4-year

revision due date in April 2017 is insufficient to accommodate the requirements of GC Section 65588(e)(4) to review progress of the adopted housing element and make appropriate revisions to the updated housing element. Therefore, the City of Encinitas' first 4-year update will be due on the due date for the 6th cycle planning period. This date is based on the adoption date of San Diego's Regional Transportation Plan.

For your information, various elements of the general plan are now required to be updated upon adoption or revision of the housing element. For example, safety and conservation elements of the general plan must include analysis and policies regarding fire, flood and hazard management information; also, the Land-Use Element must address disadvantaged communities. For example, on or before the next adoption of the housing element, GC Section 65302.10(b) (SB 244) requires each local government review and update the Land-Use Element of its general plan. The housing element update shall be based on available data, including, but not limited to, the data and analysis developed pursuant to GC Section 56430, of unincorporated island, fringe, or legacy communities inside or near its boundaries. The Department urges the City to consider these timing provisions and welcomes the opportunity to provide assistance. For additional information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/SB244_Technical_Advisory.pdf and http://opr.ca.gov/docs/Final_6.26.15.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 and considering and incorporating comments where appropriate.

The Department appreciates the hard work and dedication provided by Mr. Jeff Murphy, former Planning and Building Director; Mr. Mike Strong, Senior Planner; and the City's Consultant, Ms. Veronica Tam, in preparation of the housing element and looks forward to receiving Encinitas' adopted housing element. If you have any questions or need technical assistance, please contact Robin Huntley, of our staff, at (916) 263-7422

Sincerely,



Glen A. Campora
Assistant Deputy Director