

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



August 10, 2023

Hailey Lang, Deputy Director
Planning Department
County of Siskiyou,
806 South Main Street
Yreka, CA 96097

Dear Hailey Lang:

RE: County of Siskiyou's 6th Cycle (2023-2031) Revised Draft Housing Element

Thank you for submitting the County of Siskiyou's (County) revised draft housing element received for review on June 12, 2023. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The revised draft element addresses most statutory requirements described in HCD's March 21, 2023 review; however, revisions will be necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq), as follows:

1. *Identification of one or more zoning designations that allow residential uses, including mixed uses, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit and that are suitable for residential uses. The identified zoning designations shall include sufficient sites... (Gov. Code, § 65583, subd. (a)(4).)*

Zoning for a Variety of Housing Types (Emergency Shelters): HCD's prior review found the element must analyze the suitability and capacity of the C-H zone to meet the need for emergency shelters and address any special regulations. While the element now indicates the zone does not have any special regulations, it must still:

- Analyze the number of parcels, typical parcel sizes, whether sites are underutilized and any potential for reusing existing buildings for emergency shelters.
- Discuss proximity to transit and services and any known hazardous conditions unfit for human habitation.

In addition, as noted in the prior review, future submittal may need to address Chapter 654, Statutes of 2022 (AB 2339) which adds specificity on how cities and counties plan for emergency shelters and ensure sufficient and suitable capacity. These provisions apply to this submittal. However, the element was not revised to address these statutory requirements. For example, the element may need to address new definitions of emergency shelters, how identified zones allow residential uses, likelihood of uses discontinuing if applicable and sites located near amenities and services that serve people experiencing homelessness. The element may include a program to address these requirements. For additional information, please see HCD's memo at <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/ab2339-notice.pdf>.

2. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls... ..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: HCD's prior review found for group homes for seven or more persons, the element should analyze the lack of zones that allow residential uses and permit procedures such as conditional use permits (CUP) as constraints on this housing type. In response, Program 1.4.11 was added to allow these uses in all residential zoning districts with a conditional use permit. However, the element still must address the CUP as a constraint on housing for persons with disabilities. For example, Program 1.4.11 could be revised to allow group homes for seven or more persons in all zones allowing residential use by-right, similar to other residential uses of the same type in the same zone.

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

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. During the housing element revision process, the County 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. Please be aware, any revisions to the element must be posted on the local

government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Pursuant to Government Code section 65583.3, subdivision (b), the County must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory. While the County submitted the form as part of this draft submittal, the form should also be submitted as part of the adopted element submittal to sitesinventory@hcd.ca.gov. The County can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

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 County 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. HCD reminds the County to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the dedication the County's housing element team provided during the update. We are committed to assisting the County in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Claire Sullivan-Halpern, of our staff, at Claire.Sullivan-Halpern@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager