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February 22, 2024, HCD Letter

Housing Element Rezones

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

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February 22, 2024

Ryan Alsop, County Executive Officer
County of Napa
1195 Third Street Suite 310
Napa, CA, 94559

Dear Ryan Alsop:

RE: Napa County's 6th Cycle (2023-2031) Adopted Housing Element Update

Thank you for submitting the County of Napa's (County) housing element that was adopted on December 19, 2023 and received for review on January 3, 2024. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from Kellie Anderson pursuant to Government Code section 65585, subdivision (c).

The adopted element meets the statutory requirements of State Housing Element Law (Gov. Code, § 65580 et seq) that were described in HCD's April 27, 2023 review. However, the housing element cannot be found in substantial compliance until the County has completed necessary rezones that meet statutory requirements as described below.

Pursuant to Government Code section 65583, subdivision (c), a jurisdiction that did not adopt a compliant housing element within 120 days from the statutory deadline (January 31, 2023) must rezone sites within one year of the statutory deadline pursuant to Government Code sections 65583, subdivision (c)(1) and 65583.2, subdivision (c). As this year has passed and Program H-4d (Adequate Sites) has not been completed, the housing element is out of compliance and will remain out of compliance until all the necessary rezoning has been completed. Once the County completes the necessary rezoning, a copy of the resolution or ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence identifying the updated status of the County's housing element compliance.

Additionally, the County must continue timely and effective implementation of all programs including but not limited to the following:

- Program H-2a (Funds for Affordable Housing Combination District Sites)
- Program H-2d (Notices of Funding Availability)

- Program H-2i (Financial Assistance Accessory Dwelling Units (ADU))
- Program H-2j (Maintain Existing Mobilehome Parks)
- Program H-3d (Preference for Farmworker Households)
- Program H-3g (New Farmworker Family Housing)
- Program H-3k (Implement Farmworker Housing Study)
- Program H-4b (Extremely Low-income and Special housing Needs)
- Program H-4d (Adequate Sites)
- Program H-4f (Facilitate Mobilehome Park Rebuilding)
- Program H-4g (Large Sites)
- Program H-4k (Water and Sewer Services)
- Program H-4i (Monitor ADU Production)
- Program H-4m (State Owned Site)
- Program H-4n (Foster Road Annexation)
- Program H-5f (Update County Code)
- Program H-6c (Place-based Strategies)
- Program H-6d (Housing Mobility Strategies)

The County must monitor and report on the results of these and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

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 program, 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 hard work and dedication the County's team provided throughout the housing element update and review. HCD wishes County success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Pierce Abrahamson, of our staff, at Pierce.Abrahamson@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall
Senior Program Manager