

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

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April 5, 2024

Matt Diaz, Advanced Planning Manager
Community Development Department
City of Stockton
425 N. El Dorado St,
City of Stockton, CA 95202

Dear Matt Diaz:

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

Thank you for submitting the City of Stockton's (City) revised draft housing element received for review on February 6, 2024, along with revisions received on March 29, 2024. Draft revisions were made available for seven days pursuant to statutory requirements. 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 has considered comments from Disability Rights California pursuant to Government Code section 65585, subdivision (c).

The revised draft housing element addresses many statutory requirements in HCD's September 1, 2023 review; however, additional revisions are necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq), as follows:

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.... (Gov. Code, § 65583, subd. (c)(1).)

Small Sites: While the element anticipates 245 units, including 169 units for the lower-income regional housing need allocation (RHNA) on small sites, it still should demonstrate recent trends support current affordability assumptions on small sites. In addition, while the element includes Program 8 to facilitate small lot consolidation, the Program should include specific actions that will facilitate and encourage the consolidation of small sites to achieve the RHNA. For

example, the Program can commit to expedited review processes, waiving development impact fees, increasing allowable densities for consolidation of small lots and amending development standards including parking ratio requirements. Lastly, to assist in meeting this requirement, the element could rescale unit projections and affordability for small sites in the element.

Zoning for a Variety of Housing Types(Emergency Shelters): While the element provides information on existing and future zones to accommodate emergency shelters, it should still provide an analysis of the suitability of capacity, including typical parcel sizes and sufficient capacity to meet the need for emergency shelters.

Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Programs: As noted above, the element does not include a complete site analysis. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, Program 10 (large site development) should include a mid-cycle assessment of large site development. If development trends do not reflect RHNA projections on large sites, the element should commit to identifying additional strategies (e.g., additional sites, rezoning) within a specified time (e.g., within a year).

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... 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)(1).)

Local Processing and Permit Procedures: The element provides additional analysis on processing and permit procedures including decision-making criteria. However, the element generally should still analyze processing times and procedures related to a typical single-family and multifamily development that is

consistent with the general plan and zoning. As mentioned in HCDs previous letter, the element must provide the approval body, the number of approvals, the number of public hearings, and, particularly approval findings, if any. Lastly, the element should analyze any impacts on housing cost, supply, timing, and approval certainty. Based on the outcomes of a complete analysis, the element must add or modify programs to address identified constraints.

The element will meet the statutory requirements of State Housing Element Law once it has been revised, adopted, submitted, and reviewed by HCD to comply with the above requirements pursuant to Government Code section 65585.

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 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. 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.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government does not adopt a compliant housing element within 120 days of the statutory deadline (December 31, 2023), then any rezoning to make prior identified sites available or accommodate the RHNA shall be completed no later than one year from the statutory deadline pursuant to Government Code sections 65583, subdivision (c) and 65583.2, subdivision (c). Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i). Please be aware, if the City does not adopt a compliant housing element within 120 days from the statutory deadline, the element cannot be found in substantial compliance until these rezones are completed.

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, Affordable Housing and Sustainable Communities programs, and the 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 City 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 City 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 responsiveness and dedication the City's housing element team provided during the review. We are committed to assisting the City 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.

Sincerely,

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

Paul McDougall
Senior Program Manager