

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

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September 5, 2024

Jesse Cain, City Manager
City of Colusa
425 Webster Street
Colusa, CA 95932

RE: City of Colusa – Revocation of Housing Element Compliance Finding

Dear Jesse Cain:

The California Department of Housing and Community Development (HCD) is hereby notifying the City of Colusa (City) that HCD has revoked, as of the date of this letter, its March 1, 2021, findings that the City's housing element is in substantial compliance with Housing Element Law.¹ The City had adopted this housing element on December 1, 2020.

Background

On May 24, 2024, HCD sent the City a Letter of Inquiry requesting an update on the City's progress implementing rezone actions in Program H-2 (Housing Element Regulatory Amendments). The City provided a written response on June 17, 2024, stating the required zoning code amendments had not yet been adopted or prepared for consideration by the planning commission or the City Council.

On July 10, 2024, HCD issued the City a Corrective Action Letter with written findings that the City had failed to implement Program H-2 included in its housing element pursuant to Government Code section 65583, and that this failure brought the City's housing element out of substantial compliance with Housing Element Law. HCD provided the City with 30 days to respond to HCD's written findings pursuant to Government Code section 65585, subdivision (i)(1)(A).

Findings

As of the date of this letter, HCD has not received a written response as requested in the July 10, 2024, letter; therefore, the City has not demonstrated implementation of Program H-2. HCD thus finds that the City's housing element is no longer in substantial compliance with Housing Element Law. Consequently, HCD is revoking its finding of the City's housing element compliance, as authorized by Government Code section 65585,

¹ Gov. Code, § 65580 et seq.

subdivision (i)(1)(B). HCD's determination of non-compliance will remain in effect until the City completes required rezone actions in Program H-2. Once the City completes these program actions, 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 City's housing element compliance.

Consequences of Noncompliance

Various consequences may apply when a city does not have a housing element in compliance with Housing Element Law, including ineligibility or delay in receiving certain state funds, referral to the California Office of the Attorney General, court-imposed financial penalties, the loss of local land use authority to a court-appointed agent, and the application of the "builder's remedy."²

HCD is committed to assisting all localities in achieving and retaining substantial compliance with Housing Element Law. If you have questions or need additional information, please contact Reid Miller at reid.miller@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Zisser", with a long horizontal flourish extending to the right.

David Zisser
Assistant Deputy Director
Local Government Relations and Accountability

² Gov. Code, §§ 65585, subds. (j), (l); 65589.5, subd. (d)(5).