

Response to HCD Findings on Adopted Countywide 6th Cycle Housing Element – City of Sutter Creek

CITY OF SUTTER CREEK

1. Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)

Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)

The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)

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| <p><u>Housing Needs and Special Needs Assessment:</u> The element includes a quantification of housing needs, including special needs for the region. While this quantification is generally adequate, the element should analyze the quantification to better understand housing needs and formulate appropriate policies and programs for Sutter Creek. For example, while the analysis identifies trends and characteristics, it should also acknowledge the gap between magnitude of needs and available resources and identify potential strategies to address the need through relevant programs to assist in the conservation, improvement, and development of housing affordable to lower-income and special needs households.</p> | <p>The Sutter Creek Annex has been updated to provide additional information regarding population growth, employment, tenure, overpayment, overcrowding, housing unit types, and special needs households trends and services and to describe the housing needs associated with the City’s trends and characteristics.</p> | <p>Sutter Creek Annex pp. 1, 5, 6</p> |
| <p><u>Programs:</u> As noted above, the element requires a complete housing needs assessment. Depending upon the results of that analysis, the City may need to revise or add programs. In addition, the element should revise programs, as follows:</p> <ul style="list-style-type: none"> • <i>Program 1 (Countywide Housing Working Group (CHWG)):</i> While the Program now adds annual evaluation and alternative actions, it should provide a timeframe (e.g., six months) for when alternative actions will be completed. • <i>Program 20 (Partnerships with Affordable Housing Developers):</i> The Program should expand upon actions, such as adding additional proactive actions (e.g., applying for funding at least twice in the planning period) to support the development of housing for farmworkers. The Program must also add actions to address existing conditions for farmworkers. For example, the Program could clarify | <p>Program 1 is revised to identify a timeframe (6 months) for alternative actions to be identified and to require the alternative actions to be implemented on a semi-annual basis (e.g., actions that each jurisdiction will implement at least two times each year) for the remainder of the planning period.</p> <p>Program 20 has been revised to expand the entities the City will meet and coordinate with and to identify an objective of at least two funding applications for farmworker housing projects.</p> | <p>Housing Plan p. 4</p> <p>Housing Plan p. 35</p> |

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| <p>targeting in other rehabilitation programs along with increased metrics for farmworkers.</p> | | |
| <p><i>2. Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction (Gov. Code, § 65583, subd. (c)(10)(A))</i></p> <p><i>Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)</i></p> | | |
| <p><u>Regional Analysis:</u> The prior review required the element analyze the differences between the City and the broader region to address, among other things, disparities in access to opportunity and displacement risk. In the current analysis, the element mentions there is no correlation or not a significant correlation between increased displacement risk and any other special needs populations. However, in the previous discussion about cost burdened individuals and households, there were some special populations identified as having a predisposition to being cost burdened. Based on this information, the element then states cost burden is one of the factors of measuring displacement risk. Considering this information, the element should clarify the relationship between displacement risk and special needs populations.</p> | <p>The Sutter Creek Annex was revised to provide additional information regarding the relationship between displacement and income, including special needs groups. Table V-6 was added to address contributing factors to fair housing issues.</p> | <p>Sutter Creek Annex pp. 44, 47</p> |
| <p><u>Contributing Factors to Fair Housing Issues:</u> Based on the outcomes of a complete analysis, the element should re-assess contributing factors and prioritize those factors then formulate appropriate policies and programs.</p> | <p>The Sutter Annex is revised to include an assessment of contributing factors and to identify meaningful actions, including Table V-6. The Housing Plan was revised to specify metrics/numeric targets for Program 13 items 11 (Fair Housing Services), 4 (ADUs, JADUs, and SB 9 units), 16 (Rental Assistance/Housing Choice Vouchers), 9A (Provide Housing Opportunities for All Members of the Community), 9B (Provide Housing Opportunities for Households with Special Needs), 13 (Public Investment in Neighborhoods), 12 (Education and Outreach), and 14 (Resources for Renters and Owners) and to include additional steps to promote place-based strategies for community preservation and rehabilitation.</p> | <p>Sutter Creek Annex pp. 46,47 Housing Plan pp. 17-24</p> |
| <p><u>Programs:</u> As noted above, the element requires a complete affirmatively furthering fair housing (AFFH) analysis. Depending upon the results of that analysis, the City may need to revise or add programs. In addition, the element includes many meaningful</p> | <p>Program 13 is revised to specify metrics/numeric targets for items 11 (Fair Housing Services), 4 (ADUs, JADUs, and SB 9 units), 16 (Rental Assistance/Housing Choice Vouchers), 9A (Provide Housing Opportunities for All Members of the Community), 9B (Provide Housing Opportunities for</p> | <p>Housing Plan pp. 17-24</p> |

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| <p>actions to AFFH; however, actions should include metrics or numeric targets in terms of housing or community development outcomes (e.g., housing units, number of units assisted, number of people assisted).</p> | <p>Households with Special Needs), 13 (Public Investment in Neighborhoods), 12 (Education and Outreach), and 14 (Resources for Renters and Owners).</p> | |
| <p><i>3. 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).)</i></p> <p><i>Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities... (Gov. Code, § 65583, subd. (c)(1).)</i></p> | | |
| <p><u>Progress toward the Regional Housing Need Allocation (RHNA):</u> As noted in the prior review, the element must demonstrate the availability of pipeline projects in the planning period. To address this requirement, the element should discuss the status, remaining steps and any known barriers to development in the planning period for the proposed 45-unit DanCo supportive housing. Further, given the reliance on this project to accommodate the lower-income RHNA, the element should add or modify programs to facilitate entitlement of this project in the planning period, including an evaluation of progress toward completion in the planning period and committing to additional actions and alternative actions by a specified date. Incentives and alternative actions should be completed by a specified date.</p> | <p>The discussion of pending and entitled projects is updated to reflect that Danco Supportive Housing Project was approved, has applied for funding, is ready to submit for building permits, and is anticipated to be constructed during the 6th Cycle.</p> | <p>Sutter Creek Annex p. 39</p> |
| <p><u>Realistic Capacity:</u> As noted in the prior review, the element should account for the likelihood of 100 percent nonresidential development in zones allowing 100 percent nonresidential development. While the element amended its maximum density assumptions, it should still provide supporting information for the 50 percent assumption. Specifically, the element identifies several areas designated for a mix of uses but should clearly identify which zones allow 100 percent nonresidential development. For example, the element should clearly describe whether the C-2 and DTC zones allow 100 percent nonresidential use. Then, the element should discuss the trends in these zones for all development and how often development includes a residential component then account for that likelihood in the calculation of residential capacity.</p> | <p>The City analyzed development trends and determined that it is likely residential development will occur on 50% of sites that allow 100% nonresidential development as well as residential uses.</p> | <p>Sutter Creek Annex p. 38</p> |

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| <p><u>Electronic Sites Inventory:</u> The adopted submittal did not include an electronic sites inventory. For your information, pursuant to Government Code section 65583.3, an electronic sites inventory must be submitted with the adopted housing element. The inventory 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 more information.</p> | <p>Noted. The City will provide the electronic sites inventory when the element is submitted.</p> | |
| <p><u>Programs:</u> As noted above, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. 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.</p> | <p>See above responses. No changes are needed.</p> | <p>-</p> |
| <p><i>4. 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, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)</i></p> <p><i>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. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)</i></p> | | |
| <p><u>Local Processing and Permit Procedures:</u> While the element includes a statement about permitting standards for developments, it did not address the requirement. Please see HCD’s prior review for more information.</p> <p>Previous comment: The element should clarify whether the City has procedures consistent with streamlining procedures pursuant to Government Code section 65913.4 (SB 35) and include programs as appropriate.</p> | <p>The discussion of SB 35 is updated to specify that the City has not adopted streamlining procedures. The Housing Plan includes a program to address this issue; no change to the Housing Plan is needed.</p> | <p>Sutter Creek Annex p. 24</p> |
| <p><u>On-/Off Site Improvements:</u> While the element now discusses the extent of on- and off-site improvements, it should still evaluate the impacts on development costs and timing of development.</p> | <p>The discussion is revised to clarify the effect on cost and timing of development.</p> | <p>Sutter Creek Annex p. 25</p> |
| <p><u>Programs:</u> As noted above, the element requires a complete analysis of potential governmental constraints. Depending upon the</p> | <p>See above responses. No changes to the programs are necessary.</p> | <p>-</p> |

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| <p>results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.</p> | | |
| <p>In addition, while Program 17 (Zoning Code Amendments) commits to amend zoning for group homes for seven or more persons, it should clarify how the conditional use permit (CUP) will be addressed as a constraint. For example, the Program could commit to remove the CUP requirement and permit the use by-right.</p> | <p>This language has been used for each jurisdiction, including the certified Amador County Housing Element. When Program 17 is implemented, Sutter Creek will determine the appropriate language to determine that group homes for 7 or more persons are permitted with objectivity, which will ensure that any CUP requirements are objective so that they can be uniformly applied regardless of the specific type of residential development. Program 17 ensures that group homes are permitted in the same manner of other residential uses of the same type (similar to how transitional housing and supportive housing are permitted), which ensures that there is no discrimination against the group home use as it is subject to the same standards as other residential uses of the same type (e.g., single family home, etc.) in the same zone. No revisions are necessary.</p> | <p>-</p> |