

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

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December 19, 2018

Jim Goodwin, City Manager
City of Wheatland
111 C Street
Wheatland, CA 95692

RE: 5th Cycle (2013-2021) Housing Element Notice of Noncompliance

Dear Jim Goodwin:

The Department of Housing and Community Development (HCD) is responsible for administering State Housing Element Law (Article 10.6 of the Government Code), including the review of local housing elements for compliance pursuant to Gov. Code, section 65585, subdivision (b). In 2017, the Governor signed the 2017 Legislative Housing Package, which provides a renewed focus on housing, one of the most basic needs for every Californian. Chapter 370 Statutes of 2017, Assembly Bill (AB) 72 expands and clarifies HCD's enforcement authorities. Under Gov. Code, section 65585, subd. (i)(1)(A), HCD must review any action or failure to act that it determines is inconsistent with an adopted housing element or Gov. Code, section 65583, and issue written findings to the locality as to whether the action or failure to act substantially complies with Article 10.6 of the Government Code.

The 5th cycle planning period for the City of Wheatland is October 31, 2013 to August 31, 2021.

On July 17, 2017, the City of Wheatland submitted a draft housing element for HCD to review.

On September 15, 2017, HCD issued an 11-page findings letter to Wheatland outlining multiple revisions to the housing element necessary for compliance with state housing element law.

On October 30, 2017, the City of Wheatland submitted a revised draft housing element for HCD to review.

On December 19, 2017, HCD issued written findings to Wheatland noting additional zoning was necessary to accommodate a shortfall carryover of adequately-zoned sites from the 4th cycle planning period.

As of the date of this correspondence, Wheatland has failed to submit an adopted 5th cycle housing element to HCD for review, including documentation to establish required zoning actions have been implemented.

This failure to act constitutes a violation of Gov. Code Article 10.6, including, but not limited to, sections 65583, 65589.5, 65863, 65915 and 65008. HCD has determined that the city failed to act in compliance with section 65583 when it failed to submit a compliant adopted housing element by its 5th cycle due date of October 31, 2013. Under Government Code, section 65585, subd. (i)(1)(A), HCD provides the city until January 18, 2019 to respond to these written findings. HCD reserves the right to take further action, including those actions authorized by Gov. Code, section 65585, subd. (i) and (j).

Many federal, state, and regional funding programs consider housing element compliance as a condition for receipt of funds. (Senate Bill 1 Sustainable Communities grants; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and Senate Bill 2 Planning Grant). Without a compliant housing element, Wheatland may be ineligible for such funding sources. HCD welcomes the opportunity to assist Wheatland comply with housing element law. Please see the enclosure for a list of ways HCD can help.

If you have questions or need additional information, please contact Robin Huntley of our staff at (916) 263-7422.

Sincerely,



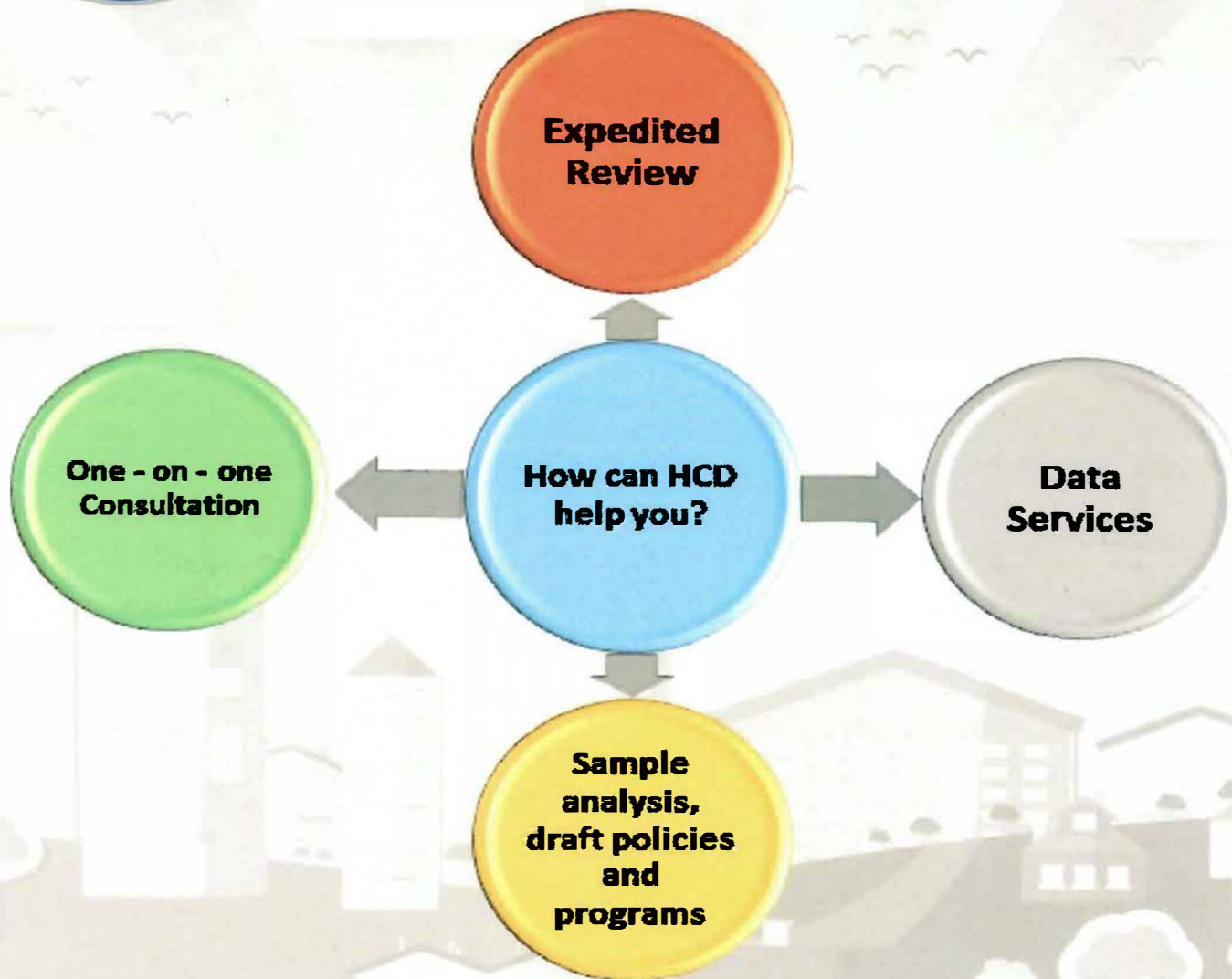
Zachary Olmstead
Deputy Director

Enclosure



Housing element out of compliance?

HCD is here to provide you with technical assistance!



For more information about the SB 2 Planning Grants Program and Housing Element TA, please contact:

Sohab Mehmood
SB 2 Planning Grants
916.263.1968

Robin Huntley
Housing Element TA
916.263.7422

Why it matters?

Housing Element compliance is a threshold requirement for many funding programs including the upcoming SB 2 planning grants as well as on-going SB 2 funding.