

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Division of Housing Policy Development

1800 Third Street, Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
(916) 323-3177 / FAX (916) 327-2643
www.hcd.ca.gov



September 16, 2009

MEMORANDUM FOR: Planning Directors and Interested Parties
Cathy E. Creswell
FROM: Cathy E. Creswell, Deputy Director
Division of Housing Policy Development
SUBJECT: **Application of Government Code Section 65302**
Chapter 369, Statutes of 2007 (AB 162)

For your information, Government Code Section 65302 requires all cities and counties to amend the safety and conservation elements of their general plan to include analysis and policies regarding flood hazard and flood management information upon the next revision of the housing element on, or after, January 1, 2009. Government Code Section 65302 also requires cities and counties, effective January 1, 2008, to annually review the land use element for those areas subject to flooding identified by flood plain mapping prepared by the Federal Management Agency (FEMA) or the State Department of Water Resources (DWR).

Any amendments to the safety, conservation, and land use elements, based on the requirements of Government Code Section 65302, will require a review of the housing element for internal consistency, which may in turn, require amendments to the housing element. For example, if sites identified in the housing element as suitable for housing development are subsequently identified as inappropriate for development, other sites may need to be identified. Annual review of the land use element will assist future updates of the housing element and facilitate identification of appropriate sites to accommodate the regional housing need. Local jurisdictions may contact DWR's Division of Flood Management for assistance in obtaining the most current floodplain mapping information needed for the analysis. Contact information is available on DWR's website at <http://www.dwr.water.ca.gov/floodmgmt/lrafmo/fmb/>.

The Department hopes this information is helpful. If you have any questions or would like additional information or technical assistance, please contact the Division at (916) 445-4728.