

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

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July 14, 2025

Elishia Hayes, County Administrative Officer  
County of Humboldt  
825 5th St.  
Eureka, CA, 95501

**RE: County of Humboldt 6<sup>th</sup> Cycle Housing Element Programs – Letter of Inquiry**

Dear Elishia Hayes:

The purpose of this letter is to inquire about the status of the County of Humboldt's (County) 6<sup>th</sup> Cycle Housing Element Implementation Programs pursuant to Government Code section 65585, subdivision (i). The California Department of Housing and Community Development (HCD) sent the County a letter on October 22, 2019 finding the County's housing element in substantial compliance with Housing Element Law.<sup>1</sup> This was based on, among other reasons, the County's responsibility to complete programs according to timeline commitments. As the commitment date has passed for the programs listed below, HCD requests that the County provide an update on the status and the accompanying documentation as appropriate (e.g., ordinances, resolutions, zoning codes, etc.) or provide a timeline for program completion for the following:

- Program H-IM4 (Tsunami Hazard Areas) that was due by December 31, 2019: Annual Progress Report (APR) from 2024 states that the County prepared policy and standards for implementation as part of the Humboldt Bay Area Plan (HBAP) in 2024, and the Local Coastal Program (LCP) Amendment will be submitted for California Coastal Commission (CCC) approval in 2026.
- Program H-IM7 (Implement the Martin Slough Interceptor (MSI) Project, and Initiate Specific Actions if the Project is Canceled) that was due by December 31, 2022: APR from 2024 states that the traffic impact fee ordinance for the Martin Slough Service Area was advanced to the Board of Supervisors in December 2019 and the Board approved a motion to have staff to come back with alternatives to meet Environmental Impact Report (EIR) requirements and to consult with the stakeholders and other subject matter experts. In addition, the program commits the County to replace the loss of inventory in the area served by the MSI on a one-for-one basis by rezoning qualified properties in other areas as needed to meet the Regional Housing Needs Allocation (RHNA) for lower-income households if the

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<sup>1</sup> Gov. Code, § 65580 et seq.

traffic mitigation has not been addressed in a manner that will permit sewer service connection of development of the land inventory at densities consistent with multi-family housing by December 31, 2020.

- Program H-IM21 (Use of Surplus County-Owned Property) was due by June 1, 2022: The program commits the County to evaluate the use of surplus county-owned property, including properties within the boundaries of incorporated cities, for development or financing of housing for low income, very low income, extremely low income (ELI), and special need populations.
- Program H-IM25 (Complete an Assessment of Fair Housing) that was due by May 15, 2021: The program commits the County to participate in a multijurisdictional Assessment of Fair Housing (AFH) and complete an AFH that meets the requirements of Government Code Section 65583(c)(9)(A).
- Program H-IM31 (Develop Inventories of Parcels Suitable for Shelter and Housing) that was due by December 31, 2021: The program commits the County to develop and maintain an online inventory of county-owned properties suitable for emergency shelters, and parcels suitable for supportive housing; managed low income, very low income, ELI, special occupancy parks for long term occupancy; and multifamily housing development projects that may be eligible for streamlined, ministerial approval process.
- Program H-IM34 (Evaluate the Efficiency and Effectiveness of the Planning and Building Department's Residential Development Permit Processes and Procedures) that was due by December 31, 2020: The program commits to conduct an audit of the County's residential entitlement process and procedures.
- Program H-IM37 (Density Bonuses) that was due by December 31, 2020: The program commits the County to amend the Zoning Regulations consistent with Government Code Section 65915 et seq.
- Program H-IM47 (Farmworker Housing) that was due by December 31, 2019: The program commits the County to amend the Zoning Regulations for farmworker housing consistent with Health and Safety Code Sections 17021.5 and 17021.6.
- Program H-IM61 (Establish a Mixed Housing Zoning District) which was due by December 31, 2021: The program commits to the County to amend the zoning regulations to add a principal zoning district to be applied within Housing Opportunity Zones that allow higher residential densities and flexible housing configurations.
- Program H-IM67 (Reasonable Accommodation) that was due by December 31, 2019: APR from 2024 states that the County has prepared an administrative draft and anticipates public hearings before the Planning Commission and Board of Supervisors by end of 2025.

### **Consequences of Failure to Implement Programs**

Government Code section 65585, subdivision (i), grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or Housing Element Law. This includes failure to implement program actions included in the housing element. Failure to implement actions in Programs H-IM4, H-IM7, H-IM21, H-IM25, H-IM31, H-IM34, H-IM37, H-IM47, H-IM61,

and H-IM67 by the statutory deadline means the County's housing element will no longer substantially comply with Housing Element Law, and HCD may revoke its finding of substantial compliance.

Various consequences may apply if the County 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."<sup>2</sup>

## **Conclusion**

Housing elements are essential to developing a blueprint for growth and are a vital tool to address California's prolonged housing crisis. Accordingly, state law has established clear disincentives for local jurisdictions that fail to comply with Housing Element Law. To ensure the County continues to meet the 6<sup>th</sup> cycle update requirements for a substantially compliant housing element, the County must submit any adopted ordinances or resolutions to HCD for review or documentation that demonstrates that housing element program commits have been met.<sup>3</sup>

HCD will consider any written response before taking further action authorized by Government Code section 65585, subdivision (i), including issuance of a Corrective Action Letter and removal of HCD's finding of housing element compliance.

Please provide a written response to this inquiry by August 14, 2025. If you have any questions or would like to discuss the contents of this letter, please contact Clare Blackwell of our staff at [Clare.Blackwell@hcd.ca.gov](mailto:Clare.Blackwell@hcd.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Melinda Coy", with a long, sweeping horizontal line extending to the right.

Melinda Coy  
Proactive Housing Accountability Chief  
Division of Housing Policy Development

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<sup>2</sup> Gov. Code, §§ 65585, subds. (j), (l)(1), (i), 65589.5, subd. (d)(6).

<sup>3</sup> Gov. Code, § 65585.