

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

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August 25, 2025

Lisa Plowman, Director of Planning & Development
Planning & Development Department
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101-2058
Via: pad@countyofsb.org

Dear Lisa Plowman:

RE: County of Santa Barbara – Richards Ranch – Letter of Technical Assistance

The California Department of Housing and Community Development (HCD) sent a letter of technical assistance to the County of Santa Barbara (County) on April 7, 2025, regarding the proposed Richards Ranch project located in Orcutt, Santa Barbara County (Project). The letter specifically addressed vesting under the Housing Accountability Act (HAA) and the right of an applicant under the Permit Streamlining Act (PSA) to revise and resubmit a full application multiple times in response to incompleteness findings by a local agency. It is HCD's understanding that the County did not contest HCD's guidance on these topics and the Project remains vested. HCD appreciates the County's understanding and cooperation in continuing to move the Project forward.

In addition to the multiple resubmittal issue, the applicant has raised the issue of a 30-day application completeness determination deadline under the PSA potentially not being met. Resolution of this issue is important because failing to meet the deadline results in an automatic determination of application completeness upon expiration of the 30-day period. This letter serves to summarize how the 30-day period is calculated, particularly when the first day falls on a holiday.

Background

The Project proposes 750 units, with 156 units (20 percent of units) restricted to lower-income households. The applicant submitted a preliminary application, pursuant to Government Code section 65941.1, on December 5, 2023. On March 1, 2024, the County issued a letter determining that all items required for the preliminary application were present. The applicant submitted a full housing development project application on May 31, 2024. The County provided an incompleteness letter on June 28, 2024. The applicant submitted a

second submittal of the full project application on September 23, 2024, and the County issued a subsequent incompleteness letter on October 23, 2024. The applicant filed a third submittal of the full project application on January 20, 2025, and the County issued a third incompleteness letter on February 20, 2025. The time between the third submittal and third incompleteness letter represents the 30-day period in question, as discussed below.

PSA 30-Day Completeness Determination Deadline

According to the PSA, jurisdictions are required to provide an application completeness determination no later than 30 days following the receipt of an application. If a determination has not been made within 30 days of the receipt of the application, then the application shall be deemed complete by operation of law.¹

HCD understands there is a disagreement between the County and the applicant regarding when the 30-day period began for the second resubmittal due to the Martin Luther King, Jr., holiday on January 20, 2025. HCD understands that the County's web-based application submittal system was open and received the application on January 20, 2025. The applicant operated under the assumption that the date of submittal was recorded on that date and did not receive notification to the contrary from the County during the assumed 30-day period. Moreover, the County's website contains an applicant-facing interface that stated the date of application receipt as January 20, 2025.

State law provides that the time in which any act provided by law is to be done is computed by excluding the first day, and including the last, unless the last day is a holiday, and then it is also excluded.² This would mean that the holiday is only excluded if it falls on the *final* day of the 30-day period. However, in this case, the holiday fell on the day of submission, January 20, meaning the first calendar day of the 30-day period fell on January 21, not on January 22 as the County asserts. As a result, the 30-day period ended on February 19, but the County issued an incompleteness determination on February 20, a day late. Therefore, a determination was not issued by the County within the 30-day period and the application must be deemed complete.

Conclusion

HCD finds that the application was deemed complete by operation of law because the County did not meet the PSA's 30-day completeness determination deadline.

HCD remains committed to supporting the County in facilitating housing at all income levels and hopes the County finds this clarification helpful. In addition, HCD has

¹ Gov. Code, § 65943, subd. (a).

² Code Civ. Proc., § 12; Civ. Code, § 10; Gov. Code, § 6800; Cal. R. Ct., R. 1.10.

enforcement authority over the PSA, among other state housing laws. Accordingly, HCD may review local government actions to determine consistency with these laws. If HCD finds that a jurisdiction is in violation of state law, HCD may notify the California Office of the Attorney General.³

HCD requests a written response from the County by September 24, 2025, indicating how the County plans to implement the guidance provided in this letter. If you have any questions regarding this letter or require additional technical assistance, please contact Bentley Regehr at bentley.regehr@hcd.ca.gov.

Sincerely,

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

David Zisser
Assistant Deputy Director

Attachment: April 7, 2025, Letter of Technical Assistance

³ Gov. Code, § 65585, subd. (j).