

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

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January 19, 2023

Cheryl Kitzerow, Director
Community Development Department
City of Menifee
2844 Huan Road
Menifee, CA 92586

Dear Cheryl Kitzerow,

RE: City of Menifee's 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Menifee's (City) housing element, which was adopted November 16, 2022 and received for review on November 23, 2022. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a telephone conversation on January 12, 2023, with yourself, Doug Darnell, Principal Planner; Orlando Hernandez, Planning Manager; and Kimberly Luna, Assistant Planner.

The adopted housing element addresses most statutory requirements described in HCD's September 9, 2022, letter. However, the housing element cannot be found in full compliance until the City has completed Program 5 (Candidate Sites Used in Previous Housing Element) to allow by-right processing of sites identified in previous housing elements pursuant to Government Code section 65583.2, subdivision (c) is completed. Pursuant to AB 1398, a jurisdiction that failed to adopt a compliant housing element within one year from the statutory deadline cannot be found in compliance until rezones pursuant to Government Code section 65583.2, subdivision (c) is completed. Once the City completes the program, a copy of the resolution or ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence identifying the updated status of the City's housing element compliance.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- Program Action 7 (Accessory Dwelling Unit Tracking Program): This program will create an ADU monitoring program for ADU development performance throughout the planning period.
- Program Action 21 (Emergency Shelters, Transitional and Supportive Housing): This program commits among other things to amend municipal code to permit supportive

housing as a use permitted by right in all zones where multiple family and mixed-use developments are permitted and to comply with emergency shelter parking requirements pursuant to AB 139.

- Program Action 26 (Farmworker and Employee Housing Act Compliance): This program commits to update the Municipal Code to comply with California Health and Safety Code Sections 17021.5, 17021.6 and 17021.8.
- Program Action 29 (Housing Market and Impact Study): This program commits to implementing incentives and actions to streamline affordable housing in general and affordable housing on large site development in the planning period.
- Program Action 32 (Affirmatively Furthering Fair Housing): This program will affirmatively further fair housing by implementing meaningful actions in addition to resist and overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.

The City must monitor and report on the results of this and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, 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. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City of Menifee now meets housing element requirements for these and other funding sources.

HCD appreciates the hard work and dedication the housing element team provided in preparation of the City's housing element. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. We are committed to assist the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Tristan Lanza, of our staff, at tristan.lanza@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager