

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

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Newsletter Editor
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Dear Editor Saunders:

I am writing in response to your article in The Planning Journal, Summer 2010 edition, "Housing Element Challenges and Opportunities in the SB 375 Era". The article provides helpful summaries and information about some of the technical and procedural requirements of SB 375. It also describes the author's perspectives on housing element requirements and review process. While most of the information provided is clear and objective, a few assertions require response.

What the article fails to recognize is that State housing element law has been the primary land-use and planning tool promoting sustainable development for more than the 20 years. The statute has long emphasized the need to provide a variety of housing types and densities. Specific statutory references to promote multifamily development and redevelopment have provided a critical tool and impetus for local governments working to promote sustainable infill development in their communities. Over the years, adoption of local housing elements and their programs have resulted in communities throughout the State increasing densities and promoting more compact development. For example, preliminary data from 2007 to today shows that over 3,110 acres of land from 63 jurisdictions throughout California have been or are proposed to be rezoned to higher densities.

The authors of SB 375 recognized the link between good housing planning and mobility and meeting sustainable community objectives. They recognized that improving mobility and transportation efficiencies requires effective coordination with housing and land-use planning and that the housing element provided the perfect implementation tool for meeting multiple objectives. As a result, SB 375 strengthened existing linkages between housing and transportation planning as well as housing element requirements to ensure timely implementation of rezoning programs. SB 375 recognized the housing element's focus on actual implementation created an effective vehicle to promote achievement of sustainable community objectives.

The article correctly notes the importance of the housing element site inventory in meeting both housing element and SB 375 goals. However, the perspective that "HCD is much more likely to accept vacant 'greenfield' sites zoned exclusively for housing than potential redevelopment sites, particularly those designated for mixed use,..." misrepresents both the law and Department of Housing and Community Development (Department) practice. The Department has long provided technical assistance and promoted policies that facilitate the efficient use of land in a variety of ways. During reviews of local housing elements as well as in written materials and presentations, the Department has highlighted the multiple benefits

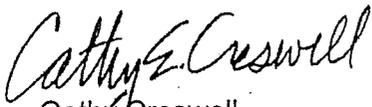
of promoting compact development, recycling underutilized sites and properties, and a mix of residential and nonresidential uses. The statute requires local governments to prepare an inventory of land *suitable* for residential development within the planning period. It provides that the land inventory may include vacant sites and sites having the potential for redevelopment; and based on the analysis of the inventory, identify the sites that can accommodate a portion of the regional housing need by income level and provide a variety of housing types. The statute provides significant guidance on the type of detailed analysis needed to demonstrate the adequacy of sites. This guidance was developed as part of the 2004 Housing Element Working Group and included both local government and planning representatives.

Because the analysis needed to demonstrate the suitability of a non-vacant or non-residentially zoned site is more complex than for a vacant site does not mean it is less desirable or appropriate. Nothing in the Department's guidance or practice infers a preference or objective towards vacant land. The choice of what land to zone or develop rightfully belongs and remains in control of local governments. The objective of the statute is to ensure sites identified to accommodate a community's projected growth are suitable and appropriate for development within the timeframe of the housing element.

The Department also disagrees with the notion in the article that "a realignment of priorities and assumptions regarding "suitable sites" may be needed if the goals of SB 375 are to be reflected in the regions housing elements." On the contrary, strengthened by the reforms of the Housing Element Working Group and amendments to the law by SB 375, housing elements are well suited and primed to effectively promote both housing and sustainable communities objectives. Housing element site inventory requirements bring the necessary amount of analytical rigor to effectively identify sites that have a realistic potential to be developed or redeveloped wherever the community feels is appropriate. Only if the sites are real and have a potential to actually be developed can the objectives of both housing element law and SB 375 be met.

The Department looks forward to working with SANDAG and the local governments within the region as they blaze the trail in implementing SB 375. Working together we can develop plans for communities that meet housing, transportation, environmental and economic objectives to build strong and sustainable communities.

Sincerely,


Cathy Creswell
Deputy Director