

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

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September 9, 2022

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

Dear Cheryl Kitzerow:

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

Thank you for submitting the City of Menifee's (City) revised draft housing element received for review on July 11, 2022, along with revisions received on August 26, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on August 16, 2022 with Doug Darnell, Senior Planner, Orlando Hernandez, Planning Manager and planning consultant, Dave Barquist.

The revised draft element, incorporating the revisions submitted, meets the statutory requirements described in HCD's February 11, 2022, review. However, the element must still meet public participation requirements as described below. The housing element will comply with State Housing Element Law (Article 10.6 of the Gov. Code) when it meets public participation requirements and is adopted, submitted to and approved by HCD, in accordance with Government Code section 65585.

For your information, pursuant to Senate Bill 197 (Chapter 70, Statutes of 2022), as the City did not adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), the City's adopted element must be found in compliance by October 15, 2022 to maintain its scheduled rezone deadline of October 2024 (Programs 3 and 5). If the element is not found in compliance by October 15, 2022, HCD cannot find the element in compliance until the rezoning is complete.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate.

In addition, HCD understands the City has not made draft revisions available to the public prior to submittal to HCD. Please note, new public participation requirements pursuant to AB 215 (Chapter 342, Statutes of 2021) requires the City to post draft revisions on its internet website and email a link to the draft revision to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting the draft revision to the department. By not providing an opportunity for the public to review and comment on a draft of the element in advance of submission, the City has not yet complied with statutory mandates. The availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD's review.

The City must proactively make these revisions available to the public pursuant to Government Code section 65585 (b), prior to submitting the adopted element to HCD and diligently consider and address comments, including making revisions to the document where appropriate. HCD's future review will consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element.

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 meets housing element requirements for these and other funding sources.

HCD wishes the City success in implementing its housing element and looks forward to following its progress through the annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Tristan Lanza, of our staff, at tristan.lanza@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager