



## Legislation Text

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**File #:** 24-315, **Version:** 1

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*Report Prepared by: Leah Brown, Management Analyst, Development Services*

**SUBJECT:** Report - Multijurisdictional Housing Element - Public Review Draft

### REPORT IN BRIEF

Report to review the Multijurisdictional Housing Element - Public Review Draft.

### RECOMMENDATION

**City Council** - Receive and comment on the Multijurisdictional Housing Element - Public Review Draft.

### DISCUSSION

#### History and Past Actions

The City's current Housing Element, one of the seven required elements of the General Plan, was adopted in September 2016. The Housing Element (HE) sets forth policies and programs for the provision of affordable housing throughout the community, promoting the production of available, affordable, and adequate housing. Previously, Housing Elements were required to be updated every 5 years, but the schedule was recently changed after the 2016 - 5<sup>th</sup> Cycle HE with required updates every 8 years. Legislative changes have increased the cost and complexity of the HE since the fifth cycle.

On December 5, 2022, City Council adopted a motion to participate in the Merced County Multijurisdictional Housing Element (MJHE) in cooperation with other local agencies within our Merced Area Council of Governments. Those other agencies partners are Merced County and the Cities of Atwater, Dos Palos, Los Banos, Livingston, and Gustine. The complexity of the new 6<sup>th</sup> Cycle of HE reports required financial coordination and administration which pushed the MJHE beyond its deadlines and the current HE is out of compliance. There is no monetary penalty for being out of compliance; however, certain grant funding is ineligible for reimbursement until the HE is back in compliance.

The process for submitting the document has some additional steps as well. First, the Draft MJHE must be made available to the public for comments for at least 30 days. On May 7, 2024, the City began a social media push to announce the Public Comment Period beginning on May 13, 2024. The review and comment period is May 13 to June 12, 2024. On May 13, it was published to the City Website as well as the MJHE website ([www.mercedmjhe.com](http://www.mercedmjhe.com) <<http://www.mercedmjhe.com>>) and links were posted on the City's social media sites. Hard copies of the Public Review Draft were placed at the Planning counter, Housing counter, City Clerk's offices and the Merced County Library. Emails were sent to various interested parties including the Planning Commission, Self Help Enterprises, and Leadership Council for Justice and Accountability. A radio interview was broadcast

on the local Community Conversations radio program announcing the MJHE public comment period.

The Draft MJHE has Appendices for each agency. The attachments to this report include Appendix G for the City of Merced. The full text for each of the other communities, as well as the Regional Housing Element chapters, within the MJHE can all be found on the [www.mercedmjhe.com](http://www.mercedmjhe.com) <<http://www.mercedmjhe.com>> website.

The Draft MJHE will be updated with public comments prior to being submitted to HCD for review. The City is required to take at least 10 days to respond to the comments and update the MJHE before submitting it to the State Department of Housing and Community Development (HCD) for their initial review. From there, HCD has 90 days in which to respond. If they require changes, and generally they will require several rounds of review and edits, the City has to respond and resubmit, then HCD gets 60 days for each subsequent review until they deem the MJHE in substantial compliance with the law. At that time, the MJHE will go to the Planning Commission and with their recommendation, it will then go back to City Council for a request for a resolution to adopt the MJHE.

The consultant, Rincon, will make a presentation to the City Council and public regarding the MJHE and the public review period.

Schedule:

<b>Task</b>	<b>Finish</b>
Publish for Public Review	<b>Monday 5/13/24</b>
End of Public Comment Period	<b>Wednesday 6/12/24</b>
Respond to Public Comments (required by law to be at least 10 business days)	<b>Wednesday 6/26/24</b>
Submit for HCD Review	<b>Mon 7/22/24</b>
HCD Review ends (90 calendar days)	<b>Mon 10/21/24</b>

SB 244 Analysis

The City undertook an SB 244 Analysis concurrent to the HE update. The SB 244 Analysis will need to be adopted separately since it will need to be incorporated into the General Plan Land Use Element per State Law. The SB 244 Analysis is a comprehensive evaluation of the Disadvantaged Unincorporated Communities near the City of Merced. It is pertinent to reference it since it was created in coordination with the MJHE and aided in the drafting of the MJHE.

**ATTACHMENTS**

1. Public Review Draft - City of Merced MJHE
2. Regional Housing Needs Assessment (RHNA)
3. SB 244 Analysis
4. Presentation