

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

1800 Third Street, Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
(916) 323-3177 / FAX (916) 327-2643
www.hcd.ca.gov



October 30, 2009

Ms. Catherine O. Kutsuris, Director
Department of Conservation and Development
County of Contra Costa
651 Pine Street, 4th Floor, North Wing
Martinez, CA 94553

DEPARTMENT OF CONSERVATION
AND DEVELOPMENT

2009 NOV -2 P 2:31

CONTRA COSTA

Dear Ms. Kutsuris:

RE: Review of the County of Contra Costa's Adopted Housing Element and Draft Revisions

Thank you for submitting Contra Costa's adopted housing element adopted on July 21, 2009 and received for review on August 3, 2009, along with additional revisions received on October 27, 28 and 29, 2009. The Department is required to review adopted and draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b) and (h). Communications with Ms. Kara Douglas, Affordable Housing Program Manager, and Mr. Patrick Roche, Principal Planner, facilitated the review.

The adopted element along with draft revisions address the statutory requirements described in the Department's May 1, 2009 review. For example, the element, as proposed for revision, includes Program 15a to adopt a reasonable accommodation procedure. As a result, the element will comply with State housing element law (Article 10.6 of the Government Code) when the draft revisions are adopted and submitted to the Department, pursuant to Government Code Section 65585(g).

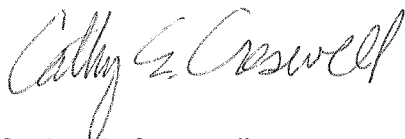
The inventory identifies a capacity of 1,154 units at appropriate densities to accommodate the remaining housing need of 1,130 units affordable to lower-income households. The inventory leaves little capacity to account for changes in or for developments which vary in capacity from what is planned. Please be aware, maintaining adequate sites at appropriate densities to accommodate Contra Costa County's regional housing need, including for lower-income households, throughout the planning period is required pursuant to Government Code Section 65863. In addition, this Section specifies no local government action shall reduce, require or permit the reduction of, the residential density or allow development at a "lower residential density" for any parcel identified in the sites inventory unless the local government makes written findings, the reduction is consistent with the adopted general plan, and the remaining sites identified in the element are adequate to accommodate the jurisdiction's share of the regional housing need. As defined by statute, "A lower residential density" refers to allowing fewer units on the site than were projected within the sites inventory of the housing element.

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The Department recommends the County consider adopting a program to monitor approved development relative to capacity estimates in the housing element (see sample program -- enclosed). The County may also use the annual progress report, required pursuant to Government Code Section 65400, to monitor and report on the remaining capacity of sites in the inventory.

The Department appreciates the effort and cooperation provided by Ms. Douglas and Mr. Roche, and looks forward to receipt of Contra Costa County's adopted revisions. If you have any questions, please contact Ken Holder, of our staff, at (916) 323-3180.

Sincerely,

A handwritten signature in cursive script that reads "Cathy E. Creswell".

Cathy E. Creswell
Deputy Director

Enclosure