

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

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April 12, 2024

Daniel T. Parra, City Manager
City of Orange Cove
633 Sixth Street
Orange Cove, CA 93646

Dear Daniel T. Parra:

RE: City of Orange Cove's 6th Cycle (2023-2031) Revised Draft Housing Element

Thank you for submitting the City of Orange Cove's (City) revised draft housing element update received for review on February 14, 2024. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The revised draft element addresses many statutory requirements described in HCD's December 22, 2023 review; however, revisions will be necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq), as follows:

1. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities... as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including... ..housing for agricultural employees... ..emergency shelters... (Gov. Code, § 65583, subd. (c)(1).)

City-Owned Sites: The element identifies two pending projects on City-Owned sites that were sold pursuant to the Surplus Land Act (SLA). The element should also discuss any known barriers that preclude development in the planning period. Based on the outcomes of this analysis, the element should add or modify programs to facilitate development in the planning period.

Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Programs: As noted above, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

- *Program 4 (Water and Wastewater Service)*: The Program should go beyond *review* of funding and commit to *apply* for funding at least every other year. In addition, the Program should commit to continue coordinating and taking appropriate action upon resubmittal of the application for the Howard Annexation and facilitate development in the planning period.
 - *Program 12 (Zoning Code Amendments)*: For emergency shelters, the Program should also commit to amending the definition of emergency shelters to comply with recent statutory changes (AB 2339). For employee housing, the Program should commit to amend zoning to comply with Health and Safety code section 17021.8 which generally allows a streamlined and ministerial permit process for eligible housing developments.
2. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

While the element includes several meaningful actions to affirmatively further fair housing (AFFH), actions should be revised with geographic targeting. For example, actions could include geographic targeting such as “throughout the City” or “areas of higher need”. Examples of programs that should be revised with geographic targeting include Programs 5 (Affordable Housing Incentives), 6 (Funding for Farmworker Housing), 7 (Farmworker Preference), 10 (Accessory Dwelling Units), 16 (Housing Assistance Rehabilitation Program), 18 (Code Enforcement) and 19 (Homebuyer Assistance). In addition, programs should be revised, as follows:

- *Program 21 (Housing Discrimination Monitoring and Referral):* The Program should commit to a more active and robust outreach campaign to better connect residents with fair housing organizations.
 - *Program 22 (Improve Access to Resources):* The Program should commit to applying for funding more frequently (e.g., at least every other year) in the planning period to pursue place-based strategies toward community revitalization. In addition, the Program should expand place-based strategies toward community revitalization and promoting healthy environments such as increasing community programs, improving indoor air quality and energy efficiency or other environmental health initiatives.
3. *Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(9).)*

While the element includes a general summary of the public participation process, including comments, it should specifically describe how comments were considered and incorporated into the element.

The element will meet the statutory requirements of State Housing Element Law once it has been revised, adopted, submitted, and reviewed by HCD to comply with the above requirements pursuant to Government Code section 65585.

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 should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

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 Affordable Housing and Sustainable Communities program, 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 will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the City's cooperation provided during the housing element review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Melissa Vasquez of our staff, at melissa.vasquez@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall
Senior Program Manager