

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

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July 24, 2024

Ben Gallegos, City Manager
City of Firebaugh
1133 P Street
Firebaugh, CA 93622

Dear Ben Gallegos

RE: City of Firebaugh's 6th Cycle (2023-2031) Adopted Housing Element

Thank you for submitting the City of Firebaugh's (City) housing element, which was adopted on July 1, 2024 and received for review on July 3, 2024. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the adopted housing element in substantial compliance with State Housing Element Law (Gov. Code, § 65580 et seq) as of the date of this letter. The adopted element was found to be substantially the same as the revised draft element that HCD's May 29, 2024 review determined met statutory requirements. This finding is based on, among other items, Program 6 (Use of Sites in Previous Cycles) taking effect upon adoption of the housing element.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- Program 1: Regional Collaboration on Housing Opportunities
- Program 3: Homeless/Unhoused Needs
- Program 5: Water and Wastewater Service
- Program 6: Use of Sites in Previous Cycles
- Program 7: Mixed-Use and Residential Uses in Commercial Zones
- Program 10: Affordable Housing Incentives
- Program 12: Support Funding for Farmworker Housing
- Program 13: Extremely Low-Income Households
- Program 15: Promote and Facilitate Accessory Units
- Program 21: Zoning Code Amendments
- Program 23: Lot Consolidation
- Program 26: Objective Design Standards
- Program 32: Improves Access to Resources

The City must monitor and report on the results of these and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the City did not adopt a compliant housing element within 120 days of the statutory deadline (December 31, 2023), Program 6 (Use of Sites in Previous Cycles) to make prior identified sites available must be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

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 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 now meets 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 hard work and commitment the housing element update team provided throughout the housing element update and review. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If you have any questions or need additional technical assistance, please contact Laurissa Wells, of our staff, at Laurissa.Wells@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager