

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

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April 7, 2020

Luis Lopez, Development Services Director
City of Coachella
53-990 Enterprise Way
Coachella, CA 92236

RE: Housing Element Rezoning Status

Dear Luis Lopez:

Thank you for submitting Ordinance No. 1143 adopted November 13, 2019 and received on December 31, 2019. The California Department of Housing and Community Development (HCD) also received and considered supplemental information the City of Coachella (City) provided, including, but not limited to, correspondence dated March 19, 2020. Pursuant to Government Code section 65585, subdivision (i), HCD is reporting the results of its review.

HCD finds the City has satisfied the requirements described in HCD's April 2, 2014, May 7, 2018, June 27, 2018, and September 11, 2018 review letters. Coachella has rezoned sufficient and suitable sites to accommodate the 4th cycle unaccommodated housing need of 1,916 units for lower-income households. This finding is based, among other things, implementation of the minimum density requirement pursuant to Government Code section 65583.2 subdivision (h) for the RM – General Neighborhood and the RM – Urban Neighborhood designations. As a result, the February 12, 2014 adopted element continues to comply with state housing element law (Article 10.6 of the Government Code).

The City must implement the minimum density of 20 units per acre requirement in the RM – General Neighborhood and RM – Urban Neighborhood designations and formally revise Ordinance No. 1143 by June 30, 2020 to further carry out the minimum density requirement. In addition, the City must complete Program 1.3 to rezone sufficient sites to accommodate the 5th cycle shortfall of housing need of 2,542 units for lower-income households. Program 1.3 must be completed by December 31, 2020. Any action inconsistent with or lack of action on this finding may immediately trigger HCD review and impact housing element compliance status pursuant to Government Code section 65585 subdivision (i).

Be advised timeframes imposed pursuant to Government Code Section 65583(c)(1)(A) have elapsed; therefore, the provisions of Government Code Section 65583(g) apply to Coachella. Specifically Government Code section 65583 subdivision (g) states in the event a local government fails to complete rezoning by the deadline prescribed in Government

Code section 65583 subdivision (c)(1)(A), a local government may not disapprove a housing development project, nor require a conditional use permit, planned unit development permit, or other locally imposed discretionary permit, or impose a condition that would render the project infeasible, if the housing development project:

- is proposed to be located on a site required to be rezoned and
- complies with applicable objective general plan and zoning standards and criteria, including design review standards, described in the rezone program action.

In addition, any subdivision of sites shall be subject to the Subdivision Map Act and design review shall not constitute a "project". Noncompliance with these requirements and other requirements of state law creates the risk of the jurisdiction being subject to a lawsuit and court order to compel action and compliance.

Also, pursuant to Government Code section 65863, local governments must ensure the inventory of sites or any site programs accommodate the regional housing need throughout the planning period of the element. In addition, no local government action shall reduce, require or permit the reduction of the residential density for any parcel, or allow development of any parcel, at a lower residential density than identified in the site inventory or program unless the local government makes written findings. The required findings must demonstrate the reduction is consistent with the adopted general plan, including the housing element and the remaining sites identified in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, CalTrans Senate Bill (SB) 1 Sustainable Communities grants; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and the upcoming SB 2 Planning grant as well as ongoing SB 2 funding consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. Without a compliant housing element, the City may be ineligible for some funding sources.

HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports required pursuant to Government Code section 65400. If you have questions, need additional information, technical assistance, or feedback contact Robin Huntley, Policy Manager, at (916) 263-7422.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannan West". The signature is fluid and cursive, written over a white background.

Shannan West
Land Use Planning Manager