

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

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June 25, 2020

Rudy Hernandez, Interim City Manager
City of Orange Cove
633 Sixth Street
Orange Cove, CA 93646

Dear Rudy Hernandez:

RE: Orange Cove's 5th Cycle (2015-2023) Adopted Four-Year Housing Element Update

Thank you for submitting the City of Orange Cove's (City) housing element adopted April 8, 2020 and received for review on June 15, 2020. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. The review was expedited to enable the jurisdiction to meet funding criteria for the Community Development Block Grant Program-Coronavirus Response Round 1 (CDBG-CV1).

The adopted element conditionally meets the statutory requirements of State Housing Element Law (Article 10.6 of the Government Code). The adopted element was found to be substantially the same as the revised draft element that HCD's February 7, 2020 review determined met statutory requirements.

The finding of compliance is conditioned on Program B8 which commits to two annexations (Howard and Macias) and the rezoning of 10 acres into the R-3 zoning district, allowing a minimum density of 20 units per acre and permitting multifamily development without discretionary review when the project includes 20 percent or more units affordable to lower-income households. Implementation of Program B8 will provide sufficient sites and zoning to accommodate the City's shortfall of 197 housing units affordable to lower-income households. The program additionally commits the City to seek tax credit housing developers for the sites, as well as revisiting the 80-acre annexation on the east side of Anchor Avenue that was initiated in 2009. For the element to remain in compliance after December 31, 2020, the City must fully implement Program B8 actions.

The housing element identifies sites smaller than one-half acre and larger than 10 acres to accommodate housing for lower-income households in Tables 34 and 35. Absent the analysis required by Government Code section 65583.2, subd. (c)(2)(A) and (B), HCD

did not consider these sites toward accommodating any portion of the Regional Housing Needs Allocation (RHNA) for lower-income households. The City should not consider them adequate, available or additional sites pursuant to Government Code section 65863 (No-Net Loss Law).

Government Code section 65588, subdivision (e)(4) requires a jurisdiction that failed to adopt its housing element within 120 calendar days from the statutory due date to revise its element every four years until adopting at least two consecutive revisions by the applicable due dates. The City missed the first opportunity to adopt on time (December 31, 2019). The next opportunity to adopt on time will be on or before the due date for the 6th planning cycle housing element update.

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: http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.

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 program; the SB 2 Planning Grants as well as ongoing SB 2 funding (Permanent Local Housing Allocation), consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With housing element compliance, the City meets the housing element requirements for these and other funding sources.

HCD appreciates the assistance Ray Hoak, Building and Planning Director, provided throughout the course of the housing element 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 HCD can provide assistance in implementing the housing element, please contact Paul McDougall, of our staff, at (916) 263-7420.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannan West". The signature is fluid and cursive, with the first name being more prominent.

Shannan West
Land Use & Planning Unit Chief