

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

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July 28, 2021

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

RE: City of Orange Cove – Notice of Revocation of Conditional Housing Element Compliance

Dear Rudy Hernandez:

The California Department of Housing and Community Development (HCD) finds the City of Orange Cove's (City) housing element is no longer in compliance with Housing Element Law and, as authorized by Government Code section 65585, subdivision (i)(1)(B), hereby revokes its June 25, 2020 finding of conditional compliance. HCD's determination of non-compliance will remain in effect until HCD has reviewed and approved documentation provided by the City demonstrating necessary action has been taken to establish compliance with Housing Element Law.

On June 25, 2020, HCD found the housing element for the City to be in conditional compliance with State Housing Element Law, conditioned upon the implementation of Program B8 no later than December 31, 2020. Through Program B8, the City committed 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. The program additionally committed the City to seek tax credit housing developers for the sites, as well as revisiting the 80-acre annexation on the east site of Anchor Avenue that was initiated in 2009.

Implementation of Program B8 would have provided sufficient sites and zoning to accommodate the City's shortfall of zoning for 197 housing units affordable to lower-income households, and the Program was essential to the City's compliance with Housing Element Law. For the element to remain in compliance the City was required to fully implement Program B8 actions by no later than December 31, 2020.

On May 17, 2021, HCD informed the City, pursuant to Government Code section 65585, subdivision (i)(1)(A), that the City failed to implement Program B8 within the prescribed timeframe of its conditional compliance and that the City's housing element no longer

complied with State Housing Element Law. HCD provided the City until June 12, 2021, to respond with how the City intended to take corrective action to bring its housing element into substantial compliance with Government Code Article 10.6, either through Program B8 or other means, or the City's conditional compliance would be revoked.

It is clear from correspondence and communications from the City and their representatives that the City has initiated actions to implement Program B8, but the annexations are not immediately forthcoming and no alternative pathways to compliance have been proposed. The shortfall of zoning for 197 housing units affordable to lower-income households remains with the December 31, 2020 deadline to maintain compliance now passed. As of the date of this letter, the City has not implemented this program, nor has it identified alternative means to address its shortfall of 197 housing units affordable to lower-income households.

Again, for the foregoing reasons, HCD finds the City's housing element is no longer in compliance with housing element law and revokes its June 25, 2020 finding of conditional compliance. HCD is committed to assisting Orange Cove to achieve and retain compliance with State Housing Element Law. As such, if you would like technical assistance, have any questions, or would like to discuss the content of this letter, please contact Robin Huntley of our staff at Robin.Huntley@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Megan Kirkeby', with a small dot at the end.

Megan Kirkeby
Deputy Director