

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

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February 20, 2026

Keith Gardner, Community Development Director
City of Twentynine Palms
6136 Adobe Road
Twentynine Palms, CA 92277

Dear Keith Gardner:

**RE: City of Twentynine Palms, Ofland Project General Plan Amendment and
Rezoning - Letter of Technical Assistance**

The California Department of Housing and Community Development (HCD) received an inquiry regarding the changes to general plan land use designations and zoning adopted by the City of Twentynine Palms (City) in conjunction with the City's approval of the Ofland project (Project). This letter provides technical assistance to the City regarding requirements of the Housing Crisis Act¹ (HCA) with respect to changes to general plan land use designations and zoning.

Background on Zoning Changes

HCD understands that the Project consisted of four applications:²

1. A general plan amendment to create the Open Space Conservation (OS-C) land use designation, re-designating the land use designation from Single-Family Residential - Estate (RS-E) to Commercial-Tourist (C-T) and OS-C, and to remove Shoshone Valley Road from Sullivan Road to the Twentynine Palms Highway from the Circulation Element of the General Plan, and to designate it as a Local Road.
2. A rezoning to designate the zoning on the subject site from RS-E to C-T and OS-C.
3. A development code amendment to create the Open Space Conservation zone, including development standards.
4. A conditional use permit (CUP) to allow the development of the resort on the Tourist Commercial portion of the property.

¹ Gov. Code, §§ 66300 – 66300.6.

² City staff report for July 22, 2025 City Council meeting at p. 2, available at <https://citwentynine-palmsca.civicweb.net/document/134829/Ofland%20Resort%20Project..pdf>.

HCD further understands that, at its July 22, 2025 meeting, the City Council approved the general plan amendment and approved the CUP pending final adoption of the rezoning and development code amendment.³ At its September 9, 2025 meeting, the City Council adopted the rezoning and development code amendment.⁴

HCA Requirements Regarding Land Use and Zoning Changes

The HCA prohibits an affected city⁵ from changing the general plan land use designation or zoning of a parcel of property to a less intensive use⁶ unless the city concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.⁷

Analysis

The general plan amendment adopted by the Council on July 22, 2025 changed the general plan land use designation of the parcel from RS-E to C-T and OS-C. The RS-E designation allowed for development of the property into 2.5-acre residential lots.⁸ The C-T designation allows “tourism-oriented uses, such as resorts, RV Parks, golf courses, restaurants, gift shops, art galleries, hotels/motels and entertainment facilities[.]”⁹ The OS-C designation “is intended for properties which are intended to be preserved in natural open space in perpetuity.”¹⁰ Accordingly, the general plan amendment changed the general plan land use designation to less intensive uses. Similarly, the rezoning adopted by the Council changed the zoning to less intensive uses.

The staff report for the July 22, 2025 City Council meeting referenced the HCA, noting that “the 61 potential primary dwelling units that would be lost on this property [due to the general plan amendment and rezoning] would have to be replaced.”¹¹ However, the City then stated that no changes were needed to ensure that there is no net loss in residential capacity because of the general plan buildout assumptions in the RS-E designation as a whole.

³ Minutes of July 22, 2025 City Council meeting, available at <https://citwenty-nine-palmsca.civicweb.net/document/135757/?printPdf=true>.

⁴ Minutes of September 9, 2025 City Council meeting, available at <https://citwenty-nine-palmsca.civicweb.net/document/136327/?printPdf=true>.

⁵ Twentynine Palms is an affected city for the purposes of the HCA. See HCD’s list of affected cities, available at <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/affected-cities.pdf>.

⁶ Gov. Code, § 66300, subd. (b)(1)(A).

⁷ Gov. Code, § 66300, subd. (h)(1).

⁸ Land Use Element of City’s General Plan, at p. LU-31, available at <https://app.box.com/s/rg3yndzqbvhv5u47tze96vij3q3jtne>.

⁹ *Id.* at p. LU-37.

¹⁰ City staff report for July 22, 2025 City Council meeting at p. 107, available at <https://citwenty-nine-palmsca.civicweb.net/document/134829/Ofland%20Resort%20Project.pdf>.

¹¹ *Id.* at p. 4.

However, this analysis is faulty. The HCA does not refer to projected general plan build-outs; it refers to residential development capacity. Any action that reduces the potential for dwelling units on a given parcel causes a net loss in residential capacity. By adopting the general plan amendment and zoning changes, the City reduced the residential capacity of the Project site by 61 units, thereby causing a net loss in residential capacity.

To meet the requirements of the HCA, the City needed to concurrently *change* the development standards, policies, and conditions applicable to other parcels within the jurisdiction to allow an additional 61 dwelling units to ensure that there was no net loss in residential capacity when it adopted the general plan amendment and zoning changes for the Project. However, the City failed to do so.

Conclusion

To ensure compliance with state law, the City must immediately adopt changes to development standards, policies, and conditions applicable to other parcels within the jurisdiction to remedy the net loss in residential capacity created by the adoption of the general plan amendment and zoning changes.

HCD has enforcement authority over the HCA, among other state housing laws. Accordingly, HCD may review local government actions to determine consistency with these laws. If HCD finds that a jurisdiction is in violation of state law, HCD may notify the California Office of the Attorney General.¹²

HCD requests a written response from the City by March 20, 2026, indicating how the City plans to implement the guidance provided in this letter. If you have any questions regarding this letter or require additional technical assistance, please contact Stephanie Reyes at stephanie.reyes@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melinda Coy', with a long horizontal stroke extending to the right.

Melinda Coy
Housing Accountability Unit Chief

¹² Gov. Code, § 65585, subs. (i) and (j).