

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

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April 12, 2022

Susanna Gutierrez, Assistant Planner
Planning and Building Department
City of Avalon
P.O. Box 707
Avalon, CA 90704

Dear Susanna Gutierrez:

RE: City of Avalon's 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Avalon's (City) housing element which was adopted February 10, 2022, and received for review on February 11, 2022. HCD incorporated revisions posted to the City's website on March 31, 2022, and received on April 7, 2022. 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 adopted housing element with revisions addresses most statutory requirements described in HCD's February 1, 2022, review; however, additional revisions are necessary to fully comply with State Housing Element Law. The revisions needed are as follows:

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)

Goals, Priorities, Metrics, and Milestones: As noted in the February 1, 2022 review, based on a complete assessment of fair housing, the element may need to add or modify programs. While the element added analysis and made some program changes such as adding concrete and specific actions, the element must also add quantifiable outcomes or metrics to programs, where appropriate. In addition, the element should include actions with specific commitment to

explicitly affirmatively furthering fair housing (AFFH) by, for example, targeting geographic areas of higher need or lower-income or housing opportunities higher opportunity areas. The element should be revised as follows:

- Metrics should be revised for the following programs: 3 (Non-transient Rental Inspection Program), 5 (First-Time Homebuyers Assistance), 6 (Housing Trust Fund), 8 (Affordable Housing Development), 9 (Inclusionary Housing Program), 17 (Reasonable Accommodation Procedures), and 23 (Fair Housing).
- The following programs should be revised to include geographic targeting and AFFH should be more explicit: 1 (Housing Rehabilitation Program), 6 (Housing Trust Fund), and 8 (Affordable Housing Development).
- Program 26 Affirmatively Furthering Fair Housing Outreach and Coordination Program should be revised to include other forms of educating the community on City's regulations on short-term rentals and how to report violations given that the element indicates some residents don't have access to a phone or computer (i.e., including information in utility bills).

The element will meet the statutory requirements of State Housing Element Law once it has been revised and re-adopted to comply with the above requirements.

As a reminder, the City's 6th cycle housing element was due October 15, 2021. As of today, the City has not completed the housing element process for the 6th cycle. The City's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the City to revise the element as described in this letter, re-adopt, and submit to HCD to regain housing element compliance. For more information on housing element adoption requirements, please visit HCD's website at: http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb375_final100413.pdf.

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 programs; 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 will meet 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:

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

HCD appreciates the hard work and dedication the City's housing element team provided throughout the housing element review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If HCD can provide assistance in implementing the housing element, please contact Dulce Ochoa, of our staff, at Dulce.Ochoa@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall". The signature is stylized and somewhat cursive, with the first name "Paul" being more prominent and the last name "McDougall" following in a similar style.

Paul McDougall
Senior Program Manager