

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

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December 21, 2023

John Guertin, City Manager
City of Del Rey Oaks
650 Canyon Del Rey Blvd
Del Rey Oaks, CA 93940

Dear John Guertin:

**RE: City of Del Rey Oaks 5th Cycle (2015-2023) Adopted Housing Element and
Housing Element Rezones**

Thank you for submitting the City of Del Rey Oaks (City) 5th cycle housing element adopted on October 18, 2023 and received for review on October 23, 2023. Additionally, HCD received correspondence and documentation regarding the completion of Program A.1 (Accommodate the City's Regional Housing Needs Allocation (RHNA)). This included Resolution No. 2023-19 adopting the 5th cycle housing element dated October 18, 2023 and Resolution No. 2023-20 and Ordinance No. 315 dated October 24, 2023. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on December 20, 2023 with yourself and the City's consultants, Denise Duffy.

Through the amendments of the City Municipal Code Chapter 17.90 and the adoption of the Affordable Housing Overlay zone (Ordinance No. 315), the City verifies actions to rezone sufficient sites to accommodate the identified capacity shortfall of 70 units for lower and moderate-income households from the 4th and 5th cycle planning period, pursuant Government Code section 65583, subdivision (c).

The adopted rezones included minimum densities of 20 units per acre, a minimum site capacity of 16 units, a minimum of 25 percent of the total units to be made affordable to lower-income households and will be implementing by-right approval processes consistent with Government Code section 65583.2, subdivisions (h) and (i). Specifically, the ordinance notes that projects on these sites will require design review permit approvals and that all procedures, approvals and decisions will be consistent with the Housing Accountability Act (HAA) pursuant to Government Code section 65589.5. Specifically, by requiring consistency with the HAA, the City is committing to ensure all standards are objective. However, please note that all approvals must be in a manner consistent with the definition of by-right pursuant to Government Code section 65583.2 (h) and (i) (e.g., no discretionary actions).

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CITY OF DEL REY OAKS
CITY CLERK

HCD is pleased to find the City has completed actions to address requirements described in HCD's June 20, 2023 review. As a result, the 5th cycle adopted element now substantially complies with State Housing element law (Gov. Code, § 65580 et seq.).

The City must monitor and report on the results of programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

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 program, 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 now meets housing element requirements for these and other funding sources.

HCD appreciates the hard work, dedication and cooperation of you and your team throughout both the Housing element update and ordinance adoption processes. HCD wishes 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 HCD can provide assistance in implementing the Housing element, please contact Clare Blackwell, of our staff, at clare.blackwell@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager