

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

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March 21, 2024

Michael Ramirez, City Manager
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

Dear Michael Ramirez:

RE: City of Carpinteria's 6th Cycle (2023-2031) Adopted Housing Element

Thank you for submitting the City of Carpinteria's (City) housing element adopted January 22, 2024 and received for review on January 23, 2024. 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 meets most of the statutory requirements of State Housing Element Law (Gov. Code, § 65580 et seq). However, the housing element cannot be found in substantial compliance until the City has completed necessary rezones to address the shortfall of sites to accommodate the Regional Housing Needs Allocation (RHNA) pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021).

Pursuant to AB 1398, a jurisdiction that failed to adopt a compliant housing element within one year from the statutory deadline cannot be found in compliance until rezones to accommodate a shortfall of sites pursuant to Government Code section 65583, subdivision (c), paragraph (1), subparagraph (A) and Government Code section 65583.2, subdivision (c) are completed. As this year has passed and Program 1 (Adequate Sites to Accommodate Regional Housing Needs) has not been completed, the housing element is out of compliance and will remain out of compliance until the rezoning have been completed. Once the City completes the rezone, a copy of the resolution or ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence identifying the updated status of the City's housing element compliance.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- Program 2 (Accessory Dwelling Units (ADU)): This program commits to, among other things, offer incentives such as fast-track processing and reduced processing fees when ADUs are voluntarily deed-restricted for low- or moderate-income persons, and monitor ADU production and affordability annually and take additional actions to improve certainty and objectivity by April of 2027.
- Program 7 (Density Bonus): This program commits to updating the City's density bonus regulations to bring them into compliance with state law by April of 2024.
- Program 8 (Facilitate Lot Consolidation or Subdivision): This program commits to, among other things, amending the City's zoning code and Local Coastal Program to implement SB 9 (2021) by December 2024, and approving five residential or mixed-use projects involving lot consolidations in the planning period through incentives that are to be established by December of 2024.
- Program 11 (Special Needs Housing): This program commits to a number of actions to address the housing needs of special needs populations in the City including, but not limited to, amending zoning regulations for emergency shelters consistent with AB 139 and AB 2399, adopting zoning regulations for low barrier navigation centers consistent with AB 101 (2019), amending zoning regulations to remove the conditional use permit (CUP) requirement for single-room occupancy units (SROs), amending zoning regulations to remove subjective reasonable accommodation findings for approval, and amending the Zoning Code as necessary to ensure that they are consistent with all applicable state law and fair housing requirements regarding residential care facilities of seven or more persons. All these actions are to be completed by April of 2024.
- Program 17 (Affirmatively Furthering Fair Housing(AFFH)): This program commits to a number of actions to combat discrimination and overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics, including but not limited to, facilitating the construction of affordable housing near transit services, supporting and maintaining affordable rental housing programs, and preserving and rehabilitating existing housing stock.

The City must monitor and report on the results of this and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585(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.

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:

<https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

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 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 meets housing element requirements for these and other funding sources.

HCD appreciates the hard work and dedication of the City's housing element team throughout the course of the housing element review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Reid Miller, of our staff, at Reid.Miller@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
Proactive Housing Accountability Chief