



**AGENDA  
ORANGE COVE CITY COUNCIL  
REGULAR MEETING  
Wednesday, October 23, 2024  
6:30 PM**

City of Orange Cove Council Chambers  
633 6<sup>th</sup> St.  
Orange Cove, CA 93646

**ZOOM Information**

<https://us06web.zoom.us/j/85260997856?pwd=vV1UzWDy0FUHVnlpK4yC7q2EQfOb5z.1>

Meeting ID: 852 6099 7856

Passcode: 346531

**1. CALL TO ORDER/WELCOME**

Roll call  
Invocation  
Flag Salute (Pledge of Allegiance)

**2. CONFIRMATION OF AGENDA**

**3. PRESENTATIONS**

- None Scheduled

**Public comments during regular business items are limited to three minutes per person and fifteen minutes total per item.**

**4. CONSENT**

*(All items listed under the consent calendar category are considered routine. The complete consent calendar will be enacted by one motion by ROLL CALL VOTE. For purposes of discussion, any council member may have an item removed from the consent calendar and made part of the regular agenda. The Council can then approve the remainder of the consent calendar).*

4.a. Minutes of the October 09, 2024, Regular Meeting of Orange Cove City Council *Cisneros*

4.b. Consideration and Necessary Action to Authorize the City Manager or authorized Designee to Execute a “Common Use Agreement” between the City of Orange Cove and the Orange Cove Irrigation District (OCID) - Governing the Roles & Responsibilities of each agency with respect to existing OCID pipeline infrastructure and proposed City Improvements to be constructed as part of the Park Boulevard Infrastructure Improvement project. The Common Use Agreement defines the roles and responsibilities of each agency with respect to repair and maintenance of an existing OCID irrigation pipeline, as well as the restoration and repair of City infrastructure damaged as a result of a maintenance repair or unforeseen break *Dominguez*

4.c. Consideration and Necessary Action of Notice of Completion and Acceptance Sheridan Park Playground Equipment Procurement & Installation and to Adopt Resolution 2024-34, accepting work and authorizing the Notice of Completion to the KYA Group for the Sheridan Park Playground Equipment Procurement & Installation project for a final contract price of \$654,205.68. Staff further recommends that the City Manager or his designee be authorized to execute and file a Notice of Completion and Acceptance of said public works and improvements described herein as required by law *Dominguez*

## 5. PUBLIC HEARING

5.a. **SUBJECT:** Adoption of Resolution No 2024-32 Adopting a Common-Sense Exemption as the Environmental Finding for the Housing Element and Approving General Plan Amendment GPA N0. 24-01 adopting the 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element as per the recommendation of the Orange Cove Planning Commission *Patlan*

**RECOMMENDATION:** Staff recommends that the Orange Cove City Council hold a public hearing on the General Plan Amendment GPA 24-01 adopting the 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element 2023-2031 and to approve Resolution No. 2024-32 Adopting a Common-Sense Exemption as the Environmental Finding for the Orange Cove Housing Element and Approving General Plan Amendment GPA N0. 24-01 Adopting the 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 as per the recommendation of the Orange Cove Planning Commission

5.b. **SUBJECT:** Adopt Resolution No. 2024-33 authorizing submittal *Dominguez* of the Community Development Block Grant Application

**RECOMMENDATION:** The City Council authorizes the submittal of one 2024 grant application to the California Department of Housing and Community Development for funding under the CDBG program, and if selected, the execution of standard agreements and required program documents. At the close of the public hearing, adopt resolution 2024-33 approving the submittal of the application

## 6. REGULAR BUSINESS

6.a. **SUBJECT:** Consideration and Necessary Action on Adoption *Crouch* of an Ordinance Amending Section 8.70.140 of the Orange Cove Municipal Code

**RECOMMENDATION:** Staff recommends that the Council approve the ordinance amending section 8.70.140 of the Orange Cove Municipal Code

## 7. STAFF COMMUNICATIONS

*Parra*

8. **Orange Cove Fire Protection District**  
**SUBJECT:** Department Report by O.C. Fire Protection District Fire Chief  
**RECOMMENDATION:** *Informational Only*

*Fire Chief*

## 9. PUBLIC COMMENTS

*Notice(s) to the Public: This is the opportunity for any member of the public to address the City Council on any item over which the Council has jurisdiction. No action or discussion will be taken on any item not on the agenda. Issues raised will be referred to the City Manager for review. Members of the public shall limit their remarks to three (3) minutes and no more than 15 minutes per topic.*

## 10. CITY MANAGER'S REPORT

## 11. CITY ATTORNEY'S REPORT

## 12. CITY COUNCIL COMMUNICATIONS

## 13. CLOSED SESSION

- None Scheduled

## 14. ADJOURNMENT

**ADA Notice:** *In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 626-4488 ext. 213. Notification 48 hours prior to the meeting will enable the city to make arrangements to ensure accessibility to this meeting.*

**Documents:** *Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the front counter at City Hall, Orange Cove, CA during normal business hours. In addition, most documents are posted on the City's website at [cityoforange Cove.com](http://cityoforange Cove.com).*

## **STATEMENT ON RULES OF DECORUM AND ENFORCEMENT**

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the City Council has the right to exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

During a meeting of the Orange Cove City Council, there is a need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Council has an opportunity to conduct business in an orderly manner. The following is provided to place everyone on notice of the rules of decorum and enforcement.

### **GENERAL RULES OF DECORUM**

While any meeting of the City Council is in session, the following rules of decorum shall be observed:

1. All remarks shall be addressed to the City Council as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the City Council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.
3. A person, other than members of the Council and the person, who has the floor, shall not be permitted to enter into the discussion unless requested by the mayor to speak.
4. Members of the City Council may not interrupt a person who has the floor and is making public comments. Members of the City Council shall wait until a person completes his or her public comments before asking questions or commenting. The mayor shall then ask Councilmembers if they have comments or questions.
5. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting.

## **ENFORCEMENT OF DECORUM RULES**

(Resolution No. 2012-16)

While the City Council is in session, all persons must preserve order and decorum. A person who addresses the city council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct which is likely to provoke others to violent or riotous behavior, which disturbs the peace of the meeting by loud and unreasonable noise, which is irrelevant or repetitive, or which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.

The mayor or other presiding officer shall request that a person who is breaching the rules of decorum cease such conduct. If after receiving such a warning, the person persists in breaching the rules of decorum, the mayor or other presiding officer may order the person to leave the City Council meeting. If such person does not leave, the mayor or presiding officer may request any law enforcement officer who is on duty at the meeting as sergeant-at-arms to remove the person from the Council Chambers. In the event there is no one from law enforcement present, the mayor or presiding officer may direct the City Manager to contact law enforcement.

In accordance with the Point of Order Rule 4.6, the majority of the Council may overrule the mayor if the majority of the Council believes the mayor or other presiding officer is not applying the rules of decorum appropriately.

4.a.



**ORANGE COVE CITY COUNCIL  
REGULAR MEETING**

Wednesday, October 09, 2024, at 6:30 PM  
City Council Chambers-  
633 6<sup>th</sup> Street, Orange Cove, CA 93646  
**MINUTES**

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**1. MEETING CALLED TO ORDER**

Mayor Guerra-Silva called the meeting to order at 6:30 PM.

**ROLL CALL**

**COUNCIL PRESENT:**

- Council Member Maria Vacio (via Zoom)
- Council Member Esperanza Rodriguez
- Council Member Josie Cervantes
- Mayor Pro Tem Gilbert Garcia
- Mayor Diana Guerra Silva

**CITY STAFF PRESENT:** City Manager Parra, Assistant City Manager/Director of Public Works Dominguez, City Attorney Crouch, Police Chief Pena, Assistant Finance Director Jimenez and City Clerk Cisneros.

**Invocation:** Mayor Pro Tem Garcia

**Flag Salute:** Council Member Rodriguez

**2. CONFIRMATION OF AGENDA**

Agenda Item 5.a. will be moved after 5.c. On agenda item 5.c., Council Member Vacio will comment. The information on agenda item 5.c. will be made by Jimenez, not Parra.

**3. PRESENTATION**

- None scheduled

**4. CONSENT CALENDAR**

**4.a.** Minutes of the September 25, 2024, Regular Meeting of Orange Cove City Council

**4.b.** Consideration and Necessary Action to Adopt Resolution No. 2024-31 to approve 2024-2029 Services Agreement with the County of Fresno for Law Enforcement

Mayor Pro Tem Garcia motioned, and Council Member Cervantes seconded to accept and approve the consent calendar. The motion was unanimously carried. A roll call vote was called.

## **5. REGULAR BUSINESS**

**5.b.** Consideration/Necessary Action on Approval of an Ordinance Amending Section 8.70.140 of the Orange Cove Municipal Code

City Attorney Crouch addressed the council regarding cannabis operations in the city. Public Comments opened to discuss agenda item 5.b. (in person & via Zoom), No members of the public spoke.

Council Member Cervantes motioned, and Council Member Rodriguez seconded to approve the ordinance amending section 8.70.140 of the Orange Cove Municipal Code The motion carried with the following vote:

AYES: 3 COUNCIL MEMBERS: Cervantes, Rodriguez, Vacio

NOES: 2 COUNCIL MEMBERS: Garcia, Guerra-Silva

ABSTAIN: 0 COUNCIL MEMBERS: None

ABSENT: 0 COUNCIL MEMBERS: None

A roll call vote was called.

**5.c.** Consideration and Necessary Action on Approval for Resolution No. 2024-30

Approving the contract between the City of Orange Cove and the Fresno-Madera Area Agency on Aging for FY 2024-2025, The amount awarded was \$24,000.

Assistant Finance Director Danny Jimenez addressed the council and the public.

Public Comments opened to discuss agenda item 5.c. (in person & via Zoom),

No members of the public spoke.

Mayor Pro Tem Garcia motioned, and Council Member Cervantes seconded to Approve Resolution No. 2024-30 Approving the contract between the City of Orange Cove and the Fresno-Madera Area Agency on Aging for FY 2024-2025, The amount awarded was \$24,000accept. The motion was unanimously carried. A roll call vote was called.

**5.a.** Consideration and Necessary Action on Adoption of Resolution 2024-28

Declaring APN 378-252-10T Surplus

Council Member Vacio commented. She will need to abstain from agenda item

5.a., as she is an employee of Target 8.

City Attorney Crouch addressed the council. The resolution is to declare a piece of property that the city owns surplus. The property is where the Target Eight Child Care Facility operates from.

Public Comments opened to discuss agenda item 5.c. (in person & via Zoom). Two members of the public spoke.



Mayor Pro Tem Garcia motioned, and Council Member Cervantes seconded to move to Adopt Resolution 2024-28 Declaring APN 378-252-10T Surplus. The motion carried with the following vote:

AYES: 4 COUNCIL MEMBERS: Cervantes, Rodriguez, Garcia, Guerra-Silva

NOES: 0 COUNCIL MEMBERS: None

ABSTAIN: 1 COUNCIL MEMBERS: Vacio

ABSENT: 0 COUNCIL MEMBERS: None

A roll call vote was called.

## **6. STAFF COMMUNICATIONS**

City Manager Parra addressed the council. There are no staff reports that will be provided today.

### **6.a. Orange Cove Fire Protection District-Information Only**

No one was present from the Orange Cove Fire Protection District.

## **7. PUBLIC COMMENTS**

Two members of the public spoke.

## **8. CITY MANAGER'S REPORT**

- Halloween Event at the park on 10/31

## **9. CITY ATTORNEY'S REPORT**

Nothing to report.

## **10. CITY COUNCIL COMMUNICATIONS**

Mayor Pro Tem Garcia:

- Thanked the staff for their hard work at Sheridan Park Playground
- National Night Out is on October 22<sup>nd</sup>

Mayor Guerra-Silva

- Thanked City Manager Parra & Staff for all their hard work at Sheridan Park Playground. She's heard lots of good feedback.
- Thanked all the High School students for attending the meeting

## **11. CLOSED SESSION**

None Scheduled

**12. ADJOURNMENT:** There being no further business, the meeting was adjourned at 6:56 PM.

Respectfully submitted,

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Cynthia Cisneros  
City Clerk

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Diana Guerra-Silva  
Mayor

4.b.

For the Meeting of October 23, 2024



# CITY OF ORANGE COVE REPORT TO CITY COUNCIL

**To:** Orange Cove City Council

**From:** Dario Dominquez, Assistant City Manager / Public Works Director

**Subject:** Authorize the City Manager or authorized Designee to Execute a “Common Use Agreement” between the City of Orange Cove and the Orange Cove Irrigation District (OCID) - Governing the Roles & Responsibilities of each agency with respect to existing OCID pipeline infrastructure and proposed City Improvements to be constructed as part of the Park Boulevard Infrastructure Improvement project.

**Attachment(s):** Agreement for Common Use / Park Boulevard & Anchor Avenue Area

**RECOMMENDATION:**

Authorize the City Manager or authorized Designee to Execute a “Common Use Agreement” between the City of Orange Cove and the Orange Cove Irrigation District (OCID). The Common Use Agreement defines the roles and responsibilities of each agency with respect to repair and maintenance of an existing OCID irrigation pipeline, as well as the restoration and repair of City infrastructure damaged as a result of a maintenance repair or unforeseen break.

The agreement is required in order to secure OCID approval to construct the Park Boulevard Infrastructure Improvement project funded by the Economic Development Administration (EDA), and it is the opinion of Staff, the agreement is fair and equitable to both parties.

The agreement has been reviewed and approved by the City’s legal counsel, and has been approved by the OCID Governing Board. The general area of application is the NW corner of Anchor and Sumner Avenue as defined in Exhibits A and B of the Common Use Agreement attachment.

**BACKGROUND:**

On or about March 15, 2022 the City secured a grant from the U.S. Department of Commerce – Economic Development Administration (EDA) in the amount \$1,942,800 for the construction of the Park Boulevard Infrastructure project. The project will significantly improve water, sewer, and storm drainage infrastructure west of the intersection of Park Boulevard and Anchor Avenue. In addition, the project calls for the widening of Sumner Avenue to the west and Anchor Avenue to the north, relative to the intersection of Park Boulevard and Anchor Avenue.

The widening will utilize the full City half street Right-of-Way (measured from centerline) to allow for the construction of additional travel lanes, medians, curbing and gutters. As a result of the widening, the pre-existing OCID pipeline running along the west side of Anchor and north side of Sumner, that was previously in the City’s un-improved Right-of-Way, will now be overlapped by the improvements and will lie under sidewalk and / or paving. OCID has easement rights to operate in the City’s right-of-way.

The EDA grant did not allow for the relocation of the OCID pipeline, and a cost benefit analysis did not warrant a relocation at the sole expense of the City. An engineering analysis was conducted and it was determined the OCID pipeline was capable of withstanding the new traffic and surface loading associated with the improvements.

After discussions with OCID, they were supportive of the plan to leave the pipeline in place; however, they did not want to be held liable or responsible for the repair of City installed improvements, covering their pipeline in the event of a leak or line break. OCID would repair any and all leaks / breaks, etc. – in a timely manner; however, the repair of paving and / or concrete flat work would be born by the City. OCID does not have the expertise, resources, or budget to deal with paving and concrete repairs.

The City anticipates a break / significant leak of the subject OCID pipeline, requiring a repair to be a rare occurrence, occurring at the same frequency as the City's municipal water distribution pipeline main system.

The attached Common Use Agreement provides the detailed framework of the roles and responsibilities of both agencies as it applies to the repair and maintenance of the OCID irrigation pipeline in the City right-of-way where covered by surface improvements. Agreements of this nature are common for many Municipalities and Irrigation Districts where growth has encroached on agricultural lands.

**FISCAL IMPACT:**

No direct fiscal impact. At the conclusion of construction and acceptance by the Park Boulevard Infrastructure Improvement project, the City will take on repair and restoration responsibilities of surface infrastructure in the event of a leak or break in the OCID pipeline for the area of application identified in the Common Use agreement.

**ENVIRONMENTAL REVIEW:**

All Environmental Reviews have been completed for the project as part of the EDA Environmental Narrative requirements and review process for the overall Park Boulevard Infrastructure Improvement project (Federal Award ID# 07-01-07532).

**CONFLICTS OF INTEREST:**

None

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Reviewed: Assistant City Manager: Dario Dominguez      Finance: \_\_\_\_\_      City Attorney: \_\_\_\_\_

Approved: Assistant City Manager: Dario Dominguez

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<b>TYPE OF ITEM:</b>	<b>COUNCIL ACTION:</b>	<b>APPROVED</b>	<b>DENIED</b>	<b>NO ACTION</b>
<input checked="" type="checkbox"/> Consent			<input type="checkbox"/> Public Hearing	
<input type="checkbox"/> Info Item			<input type="checkbox"/> Matter Initiated by a Council Member	
<input type="checkbox"/> Action Item			<input type="checkbox"/> Other	
<input type="checkbox"/> Department Report			<input type="checkbox"/> Continued to: _____	
<input type="checkbox"/> Redevelopment Agency				

**AGREEMENT FOR COMMON USE  
PARK BOULEVARD & ANCHOR AVENUE AREA**

\*\*\*\*\*

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between the ORANGE COVE IRRIGATION DISTRICT (“**DISTRICT**”) and the CITY OF ORANGE COVE (“**CITY**”) with reference to the following. DISTRICT and CITY are hereinafter collectively referred to as the “**Parties**” and singularly as a “**Party**.”

RECITALS:

A. DISTRICT is the owner of a pre-existing underground irrigation pipeline (“**Pipeline**”) located within the Park Boulevard right-of-way, between Monson Avenue and Anchor Avenue, and within the Anchor Avenue right-of-way, between Park Boulevard and East Railroad Avenue, in the City of Orange Cove, California. The Pipeline is located within areas subject to DISTRICT’s easement rights.

B. CITY holds rights-of-way rights with respect to the Park Boulevard and Anchor Avenue rights-of-way, and CITY intends to utilize its rights for the purpose of constructing, maintaining, repairing, and improving street paving, sidewalks, curb, gutters, and underground water, sanitary sewer, and storm drain lines, and associated public improvements (collectively “**Improvements**”). The areas subject to CITY’s rights-of-way rights are more particularly described in the attached Exhibit “A,” which is incorporated herein by reference.

C. CITY’s rights-of-way rights overlap DISTRICT’s easement rights for the Pipeline, which overlapping portion is more specifically described as that area shown on the diagram attached hereto as Exhibit “B,” which is incorporated herein by reference, such overlapping area being hereby designated as the “**Area of Common Use.**” For purposes of this Agreement, the Area of Common Use is limited to only that area subject to DISTRICT’s easement rights.

D. DISTRICT and CITY wish to establish certain conditions under which the Area of Common Use shall be used by the Parties.

AGREEMENT:

NOW, THEREFORE, it is agreed as follows:

I

DISTRICT hereby consents to the use by CITY of the Area of Common Use for purposes of constructing, maintaining, repairing, improving, and operating the Improvements. CITY’s use of the Area of Common Use shall be subject to DISTRICT’s right to use the Area of Common Use in accordance with DISTRICT’s existing easement rights and the terms and conditions herein contained. CITY acknowledges that, by DISTRICT’s consent to CITY’s use of the Area of Common Use, DISTRICT is making no representation or warranty regarding the existence or non-existence of any third parties claiming a right, title, or interest in the Area of Common Use. CITY

I

may exercise its right-of-way rights outside of the Area of Common Use, including, without limitation, any areas that are not subject to DISTRICT's easement rights, in any manner that CITY deems appropriate as long as CITY does not unduly interfere with DISTRICT's easement rights.

## II

CITY shall, at its own cost and with DISTRICT's prior approval, locate, construct, maintain, repair, improve, and operate the Improvements in the Area of Common Use in such a manner and of such material as may be required so that it will not, at any time, be a source of danger to or interference with the Pipeline. CITY is specifically required to coordinate the construction of the Improvements so that it does not interfere with DISTRICT's water delivery and maintenance schedules of DISTRICT's facilities existing in accordance with its easement rights.

The right of the DISTRICT to approve such construction details is solely for the benefit of the DISTRICT and is not intended to assign to DISTRICT any responsibility for the safe and proper construction of the Improvements, such responsibility and liability being entirely borne by CITY. Approval by the DISTRICT of construction details shall not result in an assumption of liability for the Improvements.

## III

All of the Improvements constructed or installed pursuant to this Agreement shall be the property of CITY, and all appurtenances and facilities installed or existing in the Area of Common Use which are related to DISTRICT's facilities shall be the property of DISTRICT. Except as herein otherwise provided, neither DISTRICT nor CITY shall have any right, title, or control over the other's property other than it already has under applicable law.

## IV

Except as expressly set forth herein, this Agreement shall not in any way alter, modify, or terminate DISTRICT's existing easement rights. Both DISTRICT and CITY shall use the Area of Common Use in such a manner as not to unreasonably interfere with the rights of one another, and nothing herein shall be construed as a release or waiver of any claim for compensation or damages which DISTRICT or CITY may now have, or may hereafter acquire, resulting from the construction or alteration of existing facilities or the construction or alteration of additional facilities by either DISTRICT or CITY which causes damage to or unreasonable interference with the use of the Area of Common Use by the other Party.

## V

CITY shall be responsible to pay, and shall reimburse DISTRICT upon demand, for any reasonable cost incurred by DISTRICT for work performed by DISTRICT that is caused by or required by CITY's construction, maintenance, repair, improvement, or operation of the Improvements, whether such work was completed at CITY's expense or as reasonably determined to be necessary by DISTRICT.

DISTRICT may, if necessary, undertake all reasonable actions to repair the Pipeline, and CITY acknowledges that such work may result in damage to the Improvements. In such case, DISTRICT will not be responsible for repairing or restoring the Improvements; however, such relief from liability will apply only if the required repairs to the Pipeline result in unavoidable damage to the Improvements and DISTRICT coordinates with CITY prior to undertaking any work so damage to the Improvements may be minimized. DISTRICT will, however, be responsible for repairing any damage to the Improvements that it causes while engaging in non-repair work, including, without limitation, alteration, or improvement of the Pipeline.

Except as described herein, DISTRICT and CITY shall be responsible for the operation, maintenance, repair, alteration, improvement, and relocation of their respective facilities within the Area of Common Use.

Nothing in this Agreement shall relieve the Parties from any responsibility for damage to the other's property located outside of the Area of Common Use.

## VI

To the fullest extent permitted by law, CITY agrees to be solely responsible for any and all injuries, damages, and claims to persons or property arising out of its use of the Area of Common Use, except for any such claims arising out of the willful misconduct or negligence of DISTRICT or its directors, officers, employees, or authorized volunteers. CITY agrees to defend, hold harmless, and indemnify DISTRICT, its directors, officers, employees, or authorized volunteers against any and all such injuries, damages, and claims.

To the fullest extent permitted by law, DISTRICT agrees to be solely responsible for any and all injuries, damages, and claims to persons or property arising out of its use of the Area of Common Use, except for any such claims arising out of the willful misconduct or negligence of CITY or its council members, officers, employees, or authorized volunteers. DISTRICT agrees to defend, hold harmless, and indemnify CITY, its council members, officers, employees, or authorized volunteers against any and all such injuries, damages, and claims.

## VII

Except in the event of an emergency or as necessary to maintain the flow of water in Pipeline, each Party shall give at least ten (10) business days' written notice before performing or permitting any work affecting the other's facilities in the Area of Common Use and shall furnish the other Party with plans and specifications describing the work to be done beforehand. The reviewing Party shall have the right to specify reasonable conditions on, or changes in, the proposed work and schedule when necessary to prevent damage to its facilities or interference with its operations in the Area of Common Use.

Each Party agrees to repair any damage to the other Party's facilities caused by work permitted, directed, or performed by it within the Area of Common Use, except when the

Improvements are unavoidably damaged by DISTRICT to repair the Pipeline, in which case DISTRICT shall have no obligation to restore the affected Improvements.

In the event of an emergency, no notice shall be required and either Party may proceed to do what is reasonably necessary to prevent serious loss or damage and to protect public health and safety. An emergency shall be deemed to exist if immediate action is reasonably required to prevent serious loss or damage to life or property or to protect public health and safety.

Neither Party shall permit installation of facilities by others in the Area of Common Use without the written consent of the other Party.

#### VIII

This Agreement shall apply to and bind successors and assigns of the respective Parties hereto.

#### IX

Violation of any term of this Agreement shall be cause of termination of the Agreement, and in such an event, the Parties shall have all remedies available at law or equity to enforce their respective rights to the unimpeded use of the Area of Common Use. No termination of this Agreement shall release either Party from liability hereunder, whether of indemnity or otherwise.

#### X

If an action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs, and necessary disbursements in addition to any other reasonable relief to which he may be entitled. With respect to any suit, action or proceeding arising out of or related to this Agreement, or the documentation related hereto, the parties hereby submit to the jurisdiction and venue of the Superior Court for the County of Fresno, State of California for any proceeding arising hereunder.

#### XI

This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the matters set forth herein and contains all of the covenants and agreements between the parties regarding said matters. Each Party acknowledges that no representations, inducements, promises or agreements, orally or in writing, have been made by any party or anyone acting on behalf of any party which are not embodied in this Agreement and no other agreement, statement or promise shall be valid or binding.

#### XII

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force and effect without being impaired or invalidated in any way.

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XIII

No change, amendment or modification of this Agreement shall be valid unless the same be in writing and signed by the parties hereto.

XIV

Except as otherwise expressly provided herein, any notice, consent, authorization or other communication to be given hereunder shall be in writing and shall be deemed duly given and received when delivered personally, one (1) business day after being deposited for next-day delivery with a nationally recognized overnight delivery service, or three (3) business days after being mailed by certified mail, with return receipt requested, properly addressed to the party to receive such notice at the last address furnished for such purpose by the party to whom notice is directed and addressed as follows:

City of Orange Cove  
Attn: City Manager  
633 Sixth St.  
Orange Cove, CA 93646

Orange Cove Irrigation District  
Attn: Engineer Manager  
1130 Park Blvd.  
Orange Cove, CA 93646

XV

Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

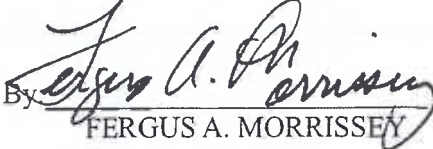
“CITY”

City of Orange Cove

By: \_\_\_\_\_  
DANIEL T. PARRA  
City Manager

“DISTRICT”

Orange Cove Irrigation District

By:   
FERGUS A. MORRISSEY  
Engineer Manager



# EXHIBIT A

## AREA OF COMMON USE

That portion of the Northeast quarter of Section 14, Township 15 South, Range 24 East, Mount Diablo Base and Meridian, in the City of Orange Cove, County of Fresno, State of California, described as follows:

BEGINNING at the East quarter corner of said Section 14, being the intersection of the centerlines of East Sumner Avenue and South Anchor Avenue; thence

- 1) North 88° 55' 54" West, along the South line of said Northeast quarter, a distance of 1293.14 feet to the southerly prolongation of the West line of Lot 15 as shown on Map of Orange Cove Tract No. 1 recorded in Book 9 of Records of Survey, Page 33, Fresno County Records; thence
- 2) North 00° 58' 18" East, along said prolongation, a distance of 50.00 feet; thence
- 3) South 88° 55' 54" East, along a line that is parallel with and 50.00 feet north of said South line, a distance of 1238.14 feet; thence
- 4) North 46° 01' 08" East, a distance of 18.37 feet; thence
- 5) North 00° 58' 14" East, along a line that is parallel with and 42.00 feet west of the East line of said Northeast quarter, a distance of 258.00 feet to a point on a line that is parallel with and 321.00 feet north of said South line; thence
- 6) South 88° 55' 54" East, along said parallel line, a distance of 12.00 feet to a point on a line that is parallel with and 30.00 feet west of said East line; thence
- 7) North 00° 58' 14" East, along said parallel line, a distance of 1210.50 feet; thence
- 8) South 89° 01' 46" East, a distance of 30.00 feet to the East line of said Northeast quarter; thence
- 9) South 00° 58' 14" West, along said East line, a distance of 1531.56 feet to the POINT OF BEGINNING.

Contains an area of: 2.58 Acres, more or less.



N 1/4 COR. SEC. 14 15/24 M.D.B.M.

NW COR. SEC. 13 15/24 M.D.B.M.

EAST ADAMS AVENUE

SOUTH MONSON AVENUE

WEST RAILROAD AVENUE

Line Table		
Line #	Length	Direction
L1	18.37	N46° 01' 08"E
L2	258.00	N00° 58' 14"E
L3	12.00	S88° 55' 54"E
L4	30.00	S89° 01' 46"E
L5	50.00	N00° 58' 18"E

APN 375-040-020

DOC. 2024-0063474 F.C.R.

APN 375-040-039



APN 375-040-026

APN 375-040-035

AUTOZONE  
APN 375-040-029

DOLLAR GENERAL  
APN 375-040-031

BURGER KING  
APN 375-040-037



SCALE 1" = 250'



N0°58'14"E 1210.50'

S0°58'14"W 1531.56'

SOUTH ANCHOR AVENUE

PARK BOULEVARD

CENTER 1/4 COR. SEC. 14 15/24 M.D.B.M.

EAST 1/4 COR. SEC. 14 15/24 M.D.B.M.

S88°55'54"E 1238.14'

N88°55'54"W 1293.14'

EAST SUMNER AVENUE

42' POINT OF BEGINNING

**LEGEND**

- CENTERLINE OF ROAD
- EXISTING PROPERTY LINES
- AREA OF COMMON USE BETWEEN ORANGE COVE IRRIGATION DISTRICT AND THE CITY OF ORANGE COVE

**EXHIBIT "B"**



EXHIBIT B

DESCRIPTION:  
PORTION OF THE NE 1/4 OF  
SECTION 14, T15S, R24E

PROJECT NAME:  
OCID / OC  
AREA OF COMMON USE

09/04/2024 | 23-232.011

SHEET  
1 OF 1

PROJECT: 23-232.011 (OCID) AND OC COMMON USE CALSHEWY CORP. (2ND) AND (3RD) TRACES AM



## CITY OF ORANGE COVE REPORT TO CITY COUNCIL

**To:** Orange Cove City Council  
**From:** Dario Dominquez, Assistant City Manager / Public Works Director  
**Subject:** Notice of Completion / Acceptance – Sheridan Park Playground Equipment Procurement & Installation  
**Attachments:** Resolution 2024-34

### RECOMMENDATION:

Adopt **Resolution 2024-34**, accepting work and authorizing the Notice of Completion to the KYA Group for the Sheridan Park Playground Equipment Procurement & Installation project for a final contract price of \$654,205.68. Staff further recommends that the City Manager or his designee be authorized to execute and file a Notice of Completion and Acceptance of said public works and improvements described herein as required by law.

### BACKGROUND:

On July 20 of 2022, the City secured a grant from the Clean California Local Grant Program, administered through the State Department of Transportation (Caltrans) in the amount of \$2,525,000.00 for the Renovation of Sheridan Park and Orange Cove Welcome Signs.

On June 5 of 2024, a public bid opening was held and two (2) bid proposals were received. The project was awarded to the KYA Group on June 12 of 2024 for the base bid amount of \$639,055.68. The Council award authorization (Resolution 2024-13) included a \$32,000 contingency to address unforeseen conditions for a total authorization of \$671,055.68.

During the course of construction, the contractor was issued three (3) change orders for a total amount of \$15,150.00. The change orders were issued so that the new playground structure could be made ADA accessible to the public in advance of the completion of the overall Sheridan Park Renovation project. The final price totaled **\$654,205.68** (Base Contract + CO#'s 1, 2 & 3).

The final project inspection was conducted on September 23 of 2024. All punch list items were completed to the satisfaction of the City Public Works Director and the project Playground Equipment was opened to the public on September 26 of 2024. A conditional project acceptance was issued to the KYA Group on the September 26<sup>th</sup> to facilitate the opening of the playground structure, pending formal Council approval of the Notice of Completion and Acceptance.

The one (1) year project warranty began on the September 26 of 2024, and will end on September 26 of 2024 based on the conditional approval issue date. Project construction was completed within the October 13 of 2024 time of completion date specified. The grant funding available to complete the remaining Sheridan Park Revitalization & Orange Cove Welcome Sign project, less the Playground Equipment component is, \$1,870,794.32.

Staff recommends the project be closed out, issue a Notice of Completion, and release project retention as prescribed in the contract documents.

**FISCAL IMPACT:**

The project award is 100% funded through the Clean California Local Grant Program. The City will be responsible for routine, non-warranty related, maintenance and up-keep of the equipment through its General Fund.

**ENVIRONMENTAL REVIEW:**

All Environmental Reviews have been completed for the project and a Notice of Categorical Exception (Receipt No. E202410000053) filed with Fresno County and the California Department of Fish and Wildlife in accordance with the California Environmental Quality Act (CEQA).

**CONFLICTS OF INTEREST:**

None

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APPROVE: Dario Dominguez                      Finance: \_\_\_\_\_                      City Attorney: \_\_\_\_\_

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<b>TYPE OF ITEM:</b>	<b>COUNCIL ACTION:</b>	<b>APPROVED</b>	<b>DENIED</b>	<b>NO ACTION</b>
<input checked="" type="checkbox"/> Consent			<input type="checkbox"/> Public Hearing	
<input type="checkbox"/> Info Item			<input type="checkbox"/> Matter Initiated by a Council Member	
<input type="checkbox"/> Action Item			<input type="checkbox"/> Other	
<input type="checkbox"/> Department Report			<input type="checkbox"/> Continued to: _____	
<input type="checkbox"/> Redevelopment Agency				

**RESOLUTION NO. 2024-34**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
ACCEPTING THE COMPLETION OF THE SHERIDAN PARK PLAYGROUND  
EQUIPMENT PROCUREMENT & INSTALLATION PROJECT**

**WHEREAS**, the Sheridan Park Playground Equipment Procurement & Installation project was awarded by the City Council on June 12, 2024 (Resolution 2024-13); and

**WHEREAS**, the project work for Sheridan Park Playground Equipment Procurement & Installation project has been completed and accepted by the City Council with Resolution 2024-34 on October 23, 2024; and

**WHEREAS**, all project work within the public right-of-way and confines of the project boundary as identified in the contract documents have been completed by the Contractor (KYA Group) in accordance with the approved plans and specifications; and

**WHEREAS**, all such construction has been approved by the City Engineer and Director of Public Works; and

**WHEREAS**, Performance and Labor and Materials bond securities were furnished to the City in accordance with the terms of the standard City of Orange Cove Public Works Agreement for the project.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Orange Cove that the public improvements constructed for the Sheridan Park Playground Equipment Procurement & Installation project are approved and accepted, and authorization is given to the City Manager or his designee to release project bond securities, payment retentions, and file Notice of Completion and Acceptance for said improvements in accordance with the conditions and rules of Government Code 66499.7.

**PASSED, APPROVED AND ADOPTED** this 23<sup>rd</sup> day of October 2024, at a regular meeting of the Orange Cove City Council by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**APPROVED:**

\_\_\_\_\_  
Diana Guerra Silva, Mayor

**ATTEST:**

\_\_\_\_\_  
Cynthia Cisneros, City Clerk



# CITY OF ORANGE COVE

## REPORT TO THE ORANGE COVE CITY COUNCIL

**To:** Orange Cove City Council

**From:** Shun Patlan, Director of Planning and Building

**Subject:** Adoption of Resolution No.2024-32 adopting a Common Sense Exemption as the Environmental Finding for the Housing Element and Approving General Plan Amendment GPA No. 24-01 adopting the 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element as per the recommendation of the Orange Cove Planning Commission.

Attachments: Multi-Jurisdictional City of Orange Cove Draft Housing Element

### RECOMMENDATION:

- 1) Staff recommends that the Orange Cove City Council hold a public hearing on the General Plan Amendment GPA 24-01 adopting the 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element 2023-2031
- 2) Staff recommends that the Orange Cove City Council approve Resolution No. 2024-32 adopting a common Sense Exemption as the Environmental Finding for the Orange Cove Housing Element and Approving General Plan Amendment GPA 24-01 adopting the 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element as per the recommendation of the Orange Cove Planning Commission

### BACKGROUND:

The State of California requires each city (and county) to adopt a Housing Element every eight years as regulated by Government Code Section 65580. The Housing Element is a mandatory chapter of the City's General Plan. Dur to the increasing complexity of the Housing element. Most cities in Fresno County (except Clovis) banded together to prepare a single Multi-jurisdictional Housing Element.

The Housing Element assesses the housing needs of the community and sets forth a suite of goals and actions Orange Cove will take to address those housing needs. The City is assigned a certain number of dwellings that it should facilitate during the 8-year

time frame of the Element. The City of Orange Cove was assigned a total of 469 total housing units.

As such, one of the primary goals of the current Housing Element is to identify space or capacity for the goal of 469 units and to develop and implement goals that will facilitate the development of those units during the eight-year 6th Cycle period. Fortunately, Orange Cove, according to its vacant sites inventory, provides a surplus of land that can accommodate an additional 237 units, 102 for lower-income units, above and beyond its RHNA number of 469.

### Housing Element Organization and Summary

The Housing Element is organized into 7 different sections, as summarized below:

- Summary of Needs and Conditions

A significant part of the Housing Element is an analysis of existing and past conditions related to housing in the City. The purpose of analyzing housing needs is to identify trends to inform the goals and policies included in the Housing Element. Topics that are analyzed to determine housing needs included the following:

- Population, Employment, and Household Characteristics
- Overpayment and Overcrowding
- Housing Stock Characteristics
- Extremely Low-Income Housing Needs
- Special Housing needs such as farmworkers, large or female headed households, people with disabilities, and seniors

The analysis of housing needs found that the population in Orange Cove grew approximately 1% between 2000 and 2022, which is slightly above the Fresno countywide growth rate of 2.0%. From 2010 to 2020 Orange Cove had a household growth rate of 3%. Other key findings in the summary of needs section include:

- The median age for Orange Cove residents is 25.8 years old.
- The median household income for Orange Cove is \$25,587. This compares to a Countywide median income of \$57,209.
- The vacancy rate in Orange Cove is 2.0% regardless of tenure (tenure means units that are owner-occupied and renter-occupied).

- Approximately 53.9% of households overpay for housing, (spend more than 30% of their income on housing).
- There are approximately 32.1% of households classified as large households, or those with five or more members per household.

- Action Plan:

The Housing Element contains several goals, objectives and action programs designed to achieve and implement the overall goals of the Element. City is required to identify specific programs in the Housing Element to allow for

The Action Plan also identifies a timeframe for implementation, the specific organization or department responsible for carrying out the action, and specific and measurable outcomes.

There are a total of 32 programs included in the City's Action Plan for the Housing Element, spanning the following categories:

- Regional Collaboration
- Adequate Sites
- Affordable Housing Development and Preservation
- Removal of Governmental Constraints
- Housing Quality
- Housing Assistance

- Sites Inventory:

One of the key requirements of the Housing Element is to identify land available for the development of new housing (for all income groups). This can include vacant sites and sites with the potential for redevelopment. This also includes an analysis of the relationship between zoning and public facilities and services (water and sewer service) for these sites.

Based on the sites inventory, the residential sites identified can accommodate an estimated 545 housing units, which includes 241 lower-income units, 73 moderate-income units, and 232 above-moderate-income units.

There are five affordability categories identified by HCD to determine income limits for housing program eligibility. These categories are based on Area Median Income (AMI). According to the Department of Housing and Urban Development (HUD), the AMI for a four-person household in Fresno County was \$72,900 in 2022.

The income categories are generally as follows:



- Acutely Low Income: 0-15% of AMI
- Extremely Low Income: 15-30% AMI
- Very Low Income: 30-50% of AMI
- Lower Income: 50-80% of AMI; also used to categorized households earning 0-80% of AMI (combining income categories into one category)
- Moderate income: 80-120% of AMI
- Above Moderate Income: 121%+ of AMI

The Site Inventory includes sites suitable for all income categories in Orange Cove.

- Local Assessment of Fair Housing:

A major new requirement for Housing Elements is an analysis and planning for Affirmatively Furthering Fair Housing (AFFH). AFFH is defined as "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics."

Through community outreach, research and analysis, and study sessions to gain local knowledge, the Housing Element has identified four fair housing issues in Orange Cove:

- High rate of overpayment and overcrowding, and high risk of displacement (loss of housing)
- Flood risk for some households
- Limited access to services and resources
- Displacement risk for persons with disabilities

The Housing Element further identifies contributing factors for each of these housing issues and defines the meaningful actions to overcome and address these issues. These actions have been incorporated into the Housing Element Action Plan.

- Constraints:

The constraints section of the Housing Element identifies potential and actual governmental restraints as they pertain to housing development in the City. Governmental constraints can include land use controls such as development standards contained in the Zoning Ordinance, land use policies that do not comply with fair housing laws, and lengthy, expensive, and daunting permitting and processing procedures.

The constraints section also identifies non-governmental constraints to evaluate how these might inhibit housing development in the city. Non-governmental constraints include factors outside of the local government's control and primarily market-driven, such as land costs, construction costs, and the availability of financing.

Ultimately, the City of Orange Cove provides for a variety of housing types; however, the Zoning Ordinance should be amended to address compliance with State law, development standards, and barriers for special needs housing. Several programs have been incorporated into the Housing Element Action Plan to address these constraints.

- **Review of Past Accomplishments:**

The Housing Element includes an evaluation of programs included in the previous cycle. This evaluation discusses the implementation status of each program and provides recommendations regarding whether to continue or extend each program. Some of the programs from the last cycle were determined to still be effective in meeting housing goals and community needs; thus, they were carried over to the 6th Cycle Program.

### Public Outreach and Engagement

As part of the Housing Element, it is required that the city make a "diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the program shall describe this effort." This means that routine public notices are not enough, and that each city should take active steps toward involving and soliciting public input. In an effort to meet State requirements and outreach to the community, the following community outreach efforts were completed:

- **Regional Project Website:** A website for the multi-jurisdictional housing element was set up for the duration of this effort and was regularly updated to include updates on community events as well as drafts of the Housing Element.
- **Stakeholder Consultations and Focus Groups:** Stakeholder consultations and focus groups were coordinated throughout the summer and fall of 2022. Organizations that participated include:
  - Building Industry Association (BIA) of Fresno/Madera Counties
  - Fair Housing of Central California
  - Fresno Madera Continuum of Care
  - Central Valley Urban Institute

- Resources for Independence Central Valley
  - Fresno Housing Authority
- Study Sessions with Planning Commission and City Council: A study session with both the Planning Commission and City Council was held in September 2022 to introduce the 2023-2031 Housing Element and review new State laws. This study session was also open to the public.
- Community Workshops: A community workshop was held in August 2022 to introduce the community to the process of developing a housing element. Information regarding current housing conditions in Orange Cove and Fresno County was provided, and the community was invited to participate in a discussion about local housing needs.

### Environmental

The Housing Element is exempt from review for environmental impacts as a “common sense” exemption under the California Environmental Quality Act, because the Element involves policies, programs, and actions that would not have the potential to cause a significant physical effect on the environment.

### Planning Commission Action

On September 5, 2024, the Orange Cove Planning Commission held a public hearing and unanimously approved a resolution recommending the City Council adopt the Housing Element and the environmental finding.

### Next Steps:

Following adoption of the Housing Element, 2023-2031, by the Planning Commission their recommendation will be forwarded to the Orange Cove City Council. Once the City Council approves the Housing Element it will be submitted to HCD to commence the 60-day certification review period. It is possible that HCD will require changes to the Element; in that case those amendments will return to the City Council for adoption.

**ENVIRONMENTAL REVIEW:**

Pursuant to the California Environmental Quality Act (CEQA), a Notice of Exemption was prepared in accordance with Section 15061(B)(3) under the Common Sense Exemption because the adoption of the 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element update does not have the potential to cause a significant effect on the environment.

**CONFLICTS OF INTEREST:**

None

**FISCAL IMPACT:**

There are no financial impacts associated with the acceptance of the subject easement dedication.

---

Shun Patlan  
Director of Planning and Building

REVIEW: City Manager: \_\_\_\_\_ Finance: \_\_\_\_\_ City Attorney: \_\_\_\_\_

<b>TYPE OF ITEM:</b>	<b>COUNCIL ACTION:</b>	<b>APPROVED</b>	<b>DENIED</b>	<b>NO ACTION</b>
<input type="checkbox"/> Consent			<input checked="" type="checkbox"/> Public Hearing	
<input type="checkbox"/> Info Item			<input type="checkbox"/> Matter Initiated by a Council Member	
<input checked="" type="checkbox"/> Action Item		<input type="checkbox"/> Other		
<input type="checkbox"/> Department Report			<input type="checkbox"/> Continued to: _____	
<input type="checkbox"/> Redevelopment Agency				

## RESOLUTION 2024-32

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE ADOPTING A COMMON SENSE EXEMPTION TO CEQA, AND APPROVING GENERAL PLAN AMENDMENT (GPA 24 -01), ADOPTING THE 2023-2031 MULTI- JURISDICTIONAL HOUSING ELEMENT AND THE 2023-2031 ORANGE COVE HOUSING ELEMENT AS PER THE RECOMMENDATION OF THE ORANGE COVE PLANNING COMMISSION

**WHEREAS**, California Government Code Article 10.6 (Sections 65580-65590) requires that all California localities adopt Housing Elements as part of their General Plans, consisting of standards and plans for the improvement of housing, for the provision of adequate sites for housing, and for regional housing needs; and

**WHEREAS**, the draft 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element update has been prepared in accordance with the requirements of State law; and

**WHEREAS**, the draft 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element update is required to be adopted by City Council and certified by the California Department of Housing and Community Development (HCD) for substantial compliance with Housing Element Law and the Planning Commission is required to make a recommendation to City Council prior to its adoption; and

**WHEREAS**, on October 23, 2024 the Orange Cove City Council held a duly noticed public hearing to consider the environmental finding of a Common Sense Exemption to CEQA and the draft 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element update and unanimously recommended the City Council adopt the environmental finding and 6<sup>th</sup> Cycle Housing Element update; and

**WHEREAS**, the draft 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element update was released for the required 30-day public review on September 22, 2023 and was noticed to residents through the same methods as the Planning Commission and City Council hearings; and

**WHEREAS**, in December 2023 and in April 2024 HCD provided a comment letter to the City pursuant to Government Code Section 65585(b) reporting the results of its review of the draft Housing Element update for compliance with the State Housing Element Law; and

**WHEREAS**, the City of Orange Cove revised the draft 6<sup>th</sup> Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element update in an effort to address HCD's comments and resubmitted for a second time to HCD on April 1, 2024.

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), a Notice of Exemption was prepared in accordance with Section 15061(B)(3) under the "Common Sense"

exemption because the adoption of the 6th Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element update does not have the potential to cause a significant effect on the environment; and

**WHEREAS**, a duly noticed public hearing was held by the City Council for the review of the draft 6th Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element update on June 1, 2024 for the purposes of adoption and authorizing submittal of the draft Housing Element update to HCD for a 60-day Certification Review; and

**NOW, THEREFORE BE IT RESOLVED NOW**, that the City Council does hereby uphold the Planning Commission's recommendation and adopts a "Common Sense" Exemption to CEQA, and approves General Plan Amendment GPA 24-01 adopting the 2023-2031 Multi-Jurisdictional Housing Element and the 2023-2031 Orange Cove General Plan Housing Element.

The foregoing resolution was adopted upon a motion of Council member \_\_\_\_\_, second by Council member \_\_\_\_\_, at a regular meeting of the Orange Cove City Council on the 23rd of October, 2024 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

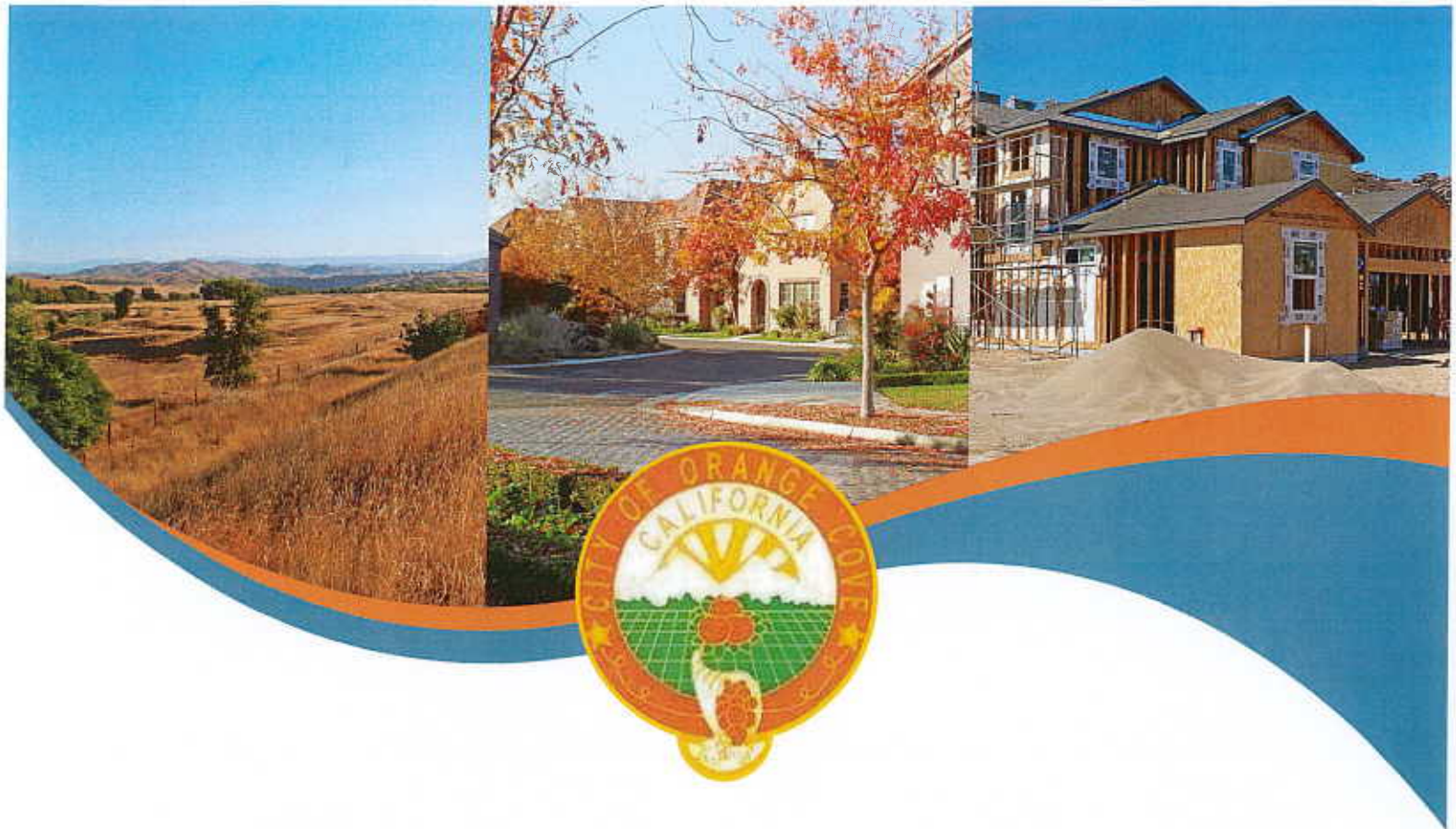
Diana Guerra Silva  
Mayor

Exhibit 1

Fresno County Multi-Jurisdictional 2023-2031 6<sup>th</sup> Cycle Housing Element  
City of Orange Cove 2023-2031 6<sup>th</sup> Cycle Housing Element

Draft Revision

(to be attached)



## APPENDIX 1J: CITY OF ORANGE COVE

# Fresno Multi-Jurisdictional 2023-2031 Housing Element

*July 2024*



### *A Regional Plan for Addressing Housing Needs*

Fresno County • Coalinga • Firebaugh • Fowler • Fresno City • Huron • Kerman  
Kingsburg • Mendota • Orange Cove • Parlier • Reedley • San Joaquin • Sanger • Selma





# APPENDIX 1J: CITY OF ORANGE COVE

## Fresno Multi-Jurisdictional 2023-2031 Housing Element

*July 2024*



## APPENDIX 1J: CITY OF ORANGE COVE

### Table of Contents

<b>Section 1J-0: Summary of Needs and Conditions</b> .....	<b>1J-0-1</b>
Housing Needs Assessment .....	1J-0-1
Housing Constraints .....	1J-0-4
Housing Resources .....	1J-0-5
<b>Section 1J-1: Action Plan</b> .....	<b>1J-1-1</b>
Regional Collaboration .....	1J-1-1
Adequate Sites .....	1J-1-3
Affordable Housing Development and Preservation .....	1J-1-5
Removal of Governmental Constraints .....	1J-1-11
Housing Assistance .....	1J-1-16
Quantified Objectives .....	1J-1-21
<b>Section 1J-2: Sites Inventory</b> .....	<b>1J-2-1</b>
Regional Housing Needs Allocation .....	1J-2-1
Planned and Approved Projects .....	1J-2-2
Affordability Analysis of Market-Rate Homes .....	1J-2-4
Vacant Sites Inventory .....	1J-2-5
Methodology .....	1J-2-5
RHNA Summary .....	1J-2-20
<b>Section 1J-3: Local Assessment of Fair Housing</b> .....	<b>1J-3-1</b>
Introduction .....	1J-3-1
Outreach .....	1J-3-1
Assessment of Fair Housing Issues .....	1J-3-3
Sites Analysis .....	1J-3-58
Contributing Factors .....	1J-3-61
<b>Section 1J-4: Constraints</b> .....	<b>1J-4-1</b>
Land Use Controls .....	1J-4-1
Residential Development Standards .....	1J-4-4
Density Bonus .....	1J-4-8
Zoning for a Variety of Housing Types .....	1J-4-9
On- Off-Site Improvements .....	1J-4-16
Fees and Exactions .....	1J-4-16
Processing and Permit Procedures .....	1J-4-19
Building Codes and Enforcement .....	1J-4-24
Constraints on Housing for Persons with Disabilities .....	1J-4-24
At-Risk Analysis .....	1J-4-26
<b>Section 1J-5: Review of Past Accomplishments</b> .....	<b>1J-5-1</b>
Progress Toward Meeting the RHNA .....	1J-5-1

APPENDIX 1J: TABLE OF CONTENTS

**Section 1J-6: Public Outreach and Engagement**..... **1J-6-1**  
Joint Planning Commission/City Council Study Session..... 1J-6-1  
Community Event..... 1J-6-2  
Local Stakeholder Consultations ..... 1J-6-2  
Public Comments ..... 1J-6-7  
Noticing of Study Sessions and Community Workshops ..... 1J-6-7  
Noticing of the Draft Housing Element..... 1J-6-7

**FIGURES**

Figure 1J-2.1: Orange Cove Sites Inventory ..... 1J-2-17  
Figure 1J-2.2: Sites Inventory and FEMA 100-Year Flood Zones..... 1J-2-18  
Figure 1J-2.3: Sites Inventory and Active Williamson Act Contracts..... 1J-2-19

Figure 1J-3.1: Orange Cove Census Tracts ..... 1J-3-5  
Figure 1J-3.2: Orange Cove Block Groups..... 1J-3-6  
Figure 1J-3.3: Total Non-White Population, Orange Cove, 2018..... 1J-3-9  
Figure 1J-3.4: Median Household Income by Race, Orange Cove, 2020 ..... 1J-3-11  
Figure 1J-3.5: Median Household Income by Block Group, Orange Cove, 2019 ..... 1J-3-12  
Figure 1J-3.6: Poverty Rates by Census Tract, Orange Cove, 2019 ..... 1J-3-13  
Figure 1J-3.7: Children in Female-Headed Households, Orange Cove, 2019 ..... 1J-3-16  
Figure 1J-3.8: Percentage of the Population with a Disability in Orange Cove ..... 1J-3-18  
Figure 1J-3.9: R/ECAPs, Orange Cove..... 1J-3-21  
Figure 1J-3.10: TCAC Opportunity Areas – Composite Score, Local, 2022..... 1J-3-23  
Figure 1J-3.11: TCAC Educational Opportunity Scores..... 1J-3-25  
Figure 1J-3.12: Job Proximity Index, Orange Cove, 2022 ..... 1J-3-27  
Figure 1J-3.13: CalEnviroScreen 4.0 Results, 2022..... 1J-3-29  
Figure 1J-3.14: Housing Tenure by Race, Orange Cove, 2022 ..... 1J-3-33  
Figure 1J-3.15: Vacant Housing Units by Type, Orange Cove, 2020..... 1J-3-34  
Figure 1J-3.16: Housing Choice Vouchers and Subsidized Housing, Orange Cove,  
2022..... 1J-3-35  
Figure 1J-3.17: Overcrowded Households, Orange Cove, 2021 ..... 1J-3-38  
Figure 6J-3.18: Overpayment and Median Rent, Orange Cove, 1980-2020 ..... 1J-3-41  
Figure 1J-3.19: Overpayment Among Renter Households, Orange Cove, 2014 and  
2019..... 1J-3-42  
Figure 1J-3.20: Overpayment among Homeowners, Orange Cove, 2014 and 2019..... 1J-3-43  
Figure 1J-3.21: Elevated Displacement Risk..... 1J-3-50  
Figure 1J-3.22: Vulnerable Communities Designation..... 1J-3-51

**TABLES**

Table 1J-1.1: Quantified Objective Summary .....1J-1-21

Table 1J-2.1: Regional Housing Needs Allocation (June 30, 2023, to December 31, 2031) .....1J-2-2

Table 1J-2.2: Pipeline Projects, City of Orange Cove, 2023 .....1J-2-3

Table 1J-2.3: Recent Home Sales, Orange Cove, 2022-2023 .....1J-2-4

Table 1J-2.4: Fresno County Ability to Pay, Low to Moderate Income (2022) .....1J-2-4

Table 1J-2.5: Recent Affordable Housing Project Densities .....1J-2-7

Table 1J-2.6: Vacant Sites Inventory .....1J-2-13

Table 1J-2.7: RHNA Summary .....1J-2-20

Table 1J-3.1: Population by Race and Hispanic Origin, Orange Cove, 2000-2020 .....1J-3-8

Table 1J-3.2: Orange Cove Poverty Rates, 2010-2020 .....1J-3-10

Table 1J-3.3: Households by Familial Status, 2020 .....1J-3-15

Table 1J-3.4: Travel Time to Work, Orange Cove, Fresno County, 2020 .....1J-3-26

Table 1J-3.5: Fresno County Jurisdictions AllTransit Performance Scores .....1J-3-31

Table 1J-3.6: Housing Stock Profile, Orange Cove, 2020 .....1J-3-32

Table 1J-3.7: Housing Cost Burden by Income and Tenure, Orange Cove, 2015-2019 .....1J-3-40

Table 1J-3.8: Inventory of Publicly Assisted Housing Developments in Orange Cove .....1J-3-53

Table 1J-3.9: Distribution of Housing Capacity and Fair Housing Indicators .....1J-3-60

Table 1J-3.10: Factors Contributing to Fair Housing Issues .....1J-3-61

Table 1J-4.1: General Plan Land Use Designations Permitting Residential Use .....1

Table 1J-4.2: Residential Use Types Allowed by Zoning District .....3

Table 1J-4.3: Residential Development Standards .....5

Table 1J-4.4: Analysis of Multifamily Zone Requirements for Prototype Site Development .....6

Table 1J-4.5: Residential Parking Requirements .....7

Table 1J-4.6: Emergency Shelter Site Capacity in the R-3 Zone .....11

Table 1J-4.7: Schedule of Fees for Residential Development .....17

Table 1J-4.9: Development Impact Fees for Residential Projects .....18

Table 1J-4.9: Typical Processing Procedures by Project Type .....20

Table 1J-4.10: Assisted Housing Developments, Orange Cove .....26

Table 1J-5.1: Units Built during RHNA Projection Period, Orange Cove, 2015-2023 .....1J-5-1

Table 1J-5.2: Evaluation of Orange Cove 2015-2021 Housing Element Implementation Measures .....1J-5-3

**APPENDIX 1J: TABLE OF CONTENTS**

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## SECTION 1J-0: SUMMARY OF NEEDS AND CONDITIONS

### Housing Needs Assessment

As part of the Housing Element, the City prepared a detailed Needs Assessment (Section 2) analyzing Orange Cove's demographics.

### *Key Findings*

The Needs Assessment identified a number of trends that informed the goals and policies of the updated Housing Element, including:

- The city's average annual population growth was 1.0 percent between 2000 and 2022, lower than the countywide average growth rate of 2.0 percent. However average annual growth in the number of households in the city was 3.0 percent between 2010 and 2020, which was significantly higher than the countywide average of 0.7 percent.
- Approximately one-third of Orange Cove residents (37.4 percent) were school-aged students (ages 5 to 17 years), and the median age of city residents is 25.8 years.
- The majority of Orange Cove residents, 94.9 percent, identified as Hispanic or Latino of any race.
- The average number of persons per household in the city was higher than the countywide average (3.8 in Orange Cove compared to 3.1 countywide).
- The median household income in Orange Cove in 2020 was \$25,587, the lowest in the county. The countywide median income in the same year was \$57,109.
- Orange Cove had an over-representation of very-low-income families compared to other jurisdictions in the county, with 28.4 percent of families having incomes in this category.
- Approximately 42.6 percent of employed residents of the city worked in agriculture, forestry, fishing and hunting, or mining in 2020, and 10.9 percent of city residents were unemployed in 2022.
- More than half of households (61.6 percent) in the city were renters as of 2020.
- Orange Cove had the lowest vacancy rate in the county in 2022 at 2.0 percent across all housing units, regardless of tenure. This was a significant decrease from its 2010 vacancy rate of 7.3 percent.
- Just over half of housing units in the city (50.3 percent) were built more than 30 years ago, and 25.3 percent were built more than 50 years ago. Countywide, rates of housing stock in similar age brackets were 64.5 and 32.9 percent, respectively.
- More than half of households in the city overpaid for housing in 2018, with 53.9 percent of all households overpaying for housing compared to 37.8 percent across the county. However, the number of lower-income households overpaying for housing was lower in the city (65.7 percent compared to 70.6 percent countywide).
- The city had a higher rate of household overcrowding than the county as a whole among both renters and homeowners.

## SECTION 1J-0: SUMMARY OF NEEDS AND CONDITIONS

- Orange Cove had a higher rate of large households, those with five or more members, than the county as a whole (32.1 percent of households in the city compared to 18.1 percent countywide).
- Between 2021 and 2022, the average sale price of a home in the city increased by 153.8 percent compared to an increase of 15.4 percent in the county as a whole during the same period. However, the total number of sales in the city is limited.
- In 2020, the percentage of the City's population that was aged 65 or older was lower than in the county as a whole (7.8 percent of the city compared to 12.0 percent of the county). Just over half (51.0 percent) of the city's senior households were homeowner households.
- More than half of female-headed households in the city (62.4 percent) were living under the poverty level. Additionally, the percentage of Orange Cove households with single female heads of household was higher than the countywide rate (17.1 percent in Orange Cove compared to 7.3 percent in the county), which made it the city with the highest rate of this household type in the county.
- Orange Cove had a fourth lowest rate of residents with disabilities compared to the county as a whole (7.9 percent compared to 12.9 percent across the county). Ambulatory difficulties were the most commonly reported disability.
- Estimates from the 2022 Point-in-Time (PIT) count suggest that 4 persons in Orange Cove may have been experiencing homelessness.
- Of the 58,762 year-round and seasonal farmworkers across the county in 2017, 37,819 (64.3 percent) worked 150 days or more each year, and 35.7 percent worked less than 150 days per year. An estimated 42.6 percent of Orange Cove's employed population worked in agriculture, higher than the countywide rate (8.8 percent).
- Extremely low-income residents (those earning 30 percent or less of median income) made up 26.3 percent of the total households in Orange Cove. Of those, 86.5 percent were renter households, and 13.5 percent were owner-occupied households.

### ***Summary of Findings***

The population in Orange Cove is predominately made up of Hispanic residents (94.9 percent) with a high presence of younger, college-age population (11.5 percent). Typically, younger residents need multifamily options, homes with three- or more bedroom units, and ownership opportunities. However, lower-income households are barely within reach of an affordable option. Lower-income households typically require assistance through City, County, State, or federal homebuyers' programs to purchase a home. For example, a down-payment assistance loan program can help a household that can afford monthly mortgage payments and other housing-related costs but due to their limited income, has difficulty saving enough money for a down payment. In response to this need, the City has included **Program 19** to increase housing mobility for lower-income households by connecting 20 prospective homebuyers with the County's Homebuyer Assistance Program.

Orange Cove represents a concentrated area of poverty in Fresno County, with the lowest median household income (\$25,587) among jurisdictions countywide. The city also has one of the highest rates of extremely low-income households among Fresno County jurisdictions. Extremely low-income households represented 26.3 percent of households in Orange Cove in 2018, compared to 13.3 percent countywide. These households were predominantly renter households (86.5 percent). The city's extremely low-income households overpay for housing at higher rates than low-income households (89.4 percent compared to 65.7 percent). In total, 53.9 percent of all households in Orange Cove overpay for housing, indicating a need for a larger supply of deeply affordable housing. In response to these needs, the City has included **Program 5** to incentivize and support construction of affordable units, **Program 8** to incentivize and encourage construction of units specifically targeting extremely low-income households, **Program 9** to preserve existing affordable units, and **Program 20** to increase the availability of information and access to Section 8 rental assistance and units. Additional resources to fund affordable housing activities are described in the Regional Multijurisdictional Housing Element in Section 4, Opportunities for Residential Development, in the "Financial and Administrative Resources" subsection.

It is estimated that approximately four residents in Orange Cove were unsheltered in 2022. Several services are available regionally to support homeless residents, including those provided by Catholic Social Services, Emergency Housing Center (Plaza Terrace), Evangel Home, Inc., United Way, Fresno Rescue Mission, and Marjaree Mason Center. A comprehensive list and description of resources is included in the Regional Multijurisdictional Housing Element in Section 2, Regional Housing Needs Assessment, in the "Homelessness" subsection. The City has included **Program 2** to cooperate with neighboring cities, the County, and other agencies in the development of programs aimed at providing homeless shelters and related services.

Many residents of Orange Cove are farmworkers. The Census Bureau estimates that 42.6 percent of employed residents work in agriculture, although it is likely the true number is higher given the limitations of Census data collection methods for counting this population (see "Farmworkers" in Section 1J-3, "Assessment of Fair Housing" for additional discussion). Farmworkers struggle to secure stable housing due to a number of compounding factors including: low wages and unstable employment, as well as linguistic isolation and a lack of sufficient documentation need to qualify for housing. To address the unique housing needs of farmworkers, the City has included **Program 6** to support funding for farmworker housing through technical support and incentives to housing developers, including the Fresno Housing Authority and Self-Help Enterprises, in the application of funds for farmworker housing, for California Department of Housing and Community Development (HCD) and USDA Rural Development loans, and **Program 7** to require developers to give qualified farmworker households a preference for 15 percent of the new units. Additional resources to assist farmworkers are listed in the Regional Multijurisdictional Housing Element in Table 2-45, Resources for Farmworkers.



## SECTION 1J-0: SUMMARY OF NEEDS AND CONDITIONS

Special housing needs in Orange Cove have increased over the last decade, with growing concentrations of seniors and people living with disabilities, as well as an increasing share of female-headed and large households. To address the needs of these groups in Orange Cove, the City has included **Program 3**: Provision of Adequate Sites, **Program 5**: Affordable Housing Incentives, **Program 6**: Support Funding for Farmworker Housing, and **Program 8**: Extremely Low-Income Households to facilitate construction of affordable multifamily units during the planning period and remove any potential constraints for the construction of affordable units.

The unit composition of Orange Cove’s housing stock has remained relatively consistent since 2010, with the predominant housing type being single-family detached units comprising 65.7 percent of the housing stock in 2010 and 67.2 percent in 2022. Multifamily units represent 32.8 percent of the housing stock, compared to 25.4 percent countywide. As stated previously, owner-occupied households account for 56.5 percent of households in Orange Cove and renter-occupied households account for 43.5 percent. As discussed in the Fair Housing section (Section 1J-3), it is estimated that there are no owner-occupied or renter-occupied units in Orange Cove that lack a complete kitchen or plumbing. To prevent possible substandard units, the City has included **Program 16**: Fresno County Rehabilitation Program to connect at least 10 households with rehabilitation resources. Additional resources to assist with home rehabilitation are listed in the Regional Multijurisdictional Housing Element in Section 4, Opportunities for Residential Development, in the “Financial and Administrative Resources” subsection.

### Housing Constraints

While the City has made extensive efforts to encourage development of affordable and market-rate housing, governmental and nongovernmental constraints can make housing development more difficult. Governmental constraints are typically rules that apply to all development and are intended to meet other community interests. Below is a summary of key findings from the constraints section (1J-4):

- The City will encourage and facilitate the development of Accessory Dwelling Units (ADUs).
- The City’s Zoning Code provides for a range of housing options. The Housing Element includes an action to amend the Zoning Code to update provisions related to the following: multi-family residential development standards, ADUs, emergency shelters, low-barrier navigation centers, group homes, single-room occupancy units, and transitional and supportive housing (**Program 12**).
- The City will monitor future updates to State density bonus law to ensure implementation remains consistent with State law.
- Fees charged by the City as part of the development process, along with fees charged by regional agencies, are not considered a constraint to development.
- Current standards for on-site and off-site improvements are not considered to be a barrier to housing production.
- The City will develop objective design and development standards to provide clear and objective criteria for the review of residential projects (**Program 14**).

- The City will establish formal procedures for permit processing consistent with the requirements of SB 330 and will establish an application process related to SB 35 (**Program 13**).
- The City has a formal process to grant reasonable accommodation requests consistent with State law.
- The City will amend its Zoning Ordinance to update the definition of “family” (**Program 12**).
- Nongovernmental constraints include financial challenges such as water access, the desire to preserve land for agricultural use, availability of financing, and the high cost of land in the City and across the region. A number of the goals and policies in the Housing Element are aimed at eliminating or lessening constraints to development of housing.

## Housing Resources

A major component of the Housing Element is an analysis of sites that are available for the development of housing to meet the City’s Regional Housing Needs Allocation (RHNA). Below is a summary of key findings from the sites inventory section (1J-2), including information on housing resources:

- The Housing Element identifies sites in Orange Cove where zoning is in place to allow for housing development, including higher-density housing (20+ units per acre) that is suitable for affordable housing development.
- The City has identified sufficient housing sites to meet its lower, moderate- and above-moderate housing allocation.
- The City partners with Fresno County to provide several programs designed to help residents find affordable housing. These programs include the Fresno County Housing Assistance Rehabilitation Program (HARP), the Fresno County Rental Rehabilitation Program (RRP), and the Fresno County Homebuyer Assistance Program (HAP) (**Programs 16, 17, and 19**).
- The City will encourage the development of ADUs by educating the public about this housing type, providing informational materials on them to all discretionary land use applicants, and developing a set of pre-approved plans (**Program 10**).

**SECTION 1J-0: SUMMARY OF NEEDS AND CONDITIONS**

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## SECTION 1J-1: ACTION PLAN

### Regional Collaboration

#### *Program 1: Regional Collaboration on Housing Opportunities*

The Multi-Jurisdictional Housing Element provides an opportunity for countywide housing issues and needs to be more effectively addressed at the regional level rather than just at the local level, and the 15 participating jurisdictions are committed to continuing the regional collaboration in the implementation of the Housing Element. By working together, the jurisdictions can share best practices, explore opportunities for further collaboration, and make the best use of limited resources. The following efforts will be made to further regional collaboration:

- The City will continue to participate in the countywide Housing Element Technical Committee to collaborate on housing program implementation and regional issues, including disadvantaged communities, infrastructure challenges, farmworker housing, homelessness, and fair housing.
- The countywide Housing Element Technical Committee will meet at least biannually to evaluate successes in implementation of programs and to identify gaps and additional needs.
- The County of Fresno Public Works and Planning Department, with assistance from the Fresno Council of Governments (FCOG), will take the lead in coordinating biannual committee meetings.
- The Housing Element Technical Committee will meet annually with the California Department of Housing and Community Development (HCD) to discuss funding opportunities and challenges in implementation of programs and seek technical assistance from HCD and other State agencies in the implementation of housing programs and the pursuit of grant funding.
- The Housing Element Technical Committee will advocate on behalf of the Fresno region for more grant funding for affordable housing and infrastructure improvements.
- The City will continue to seek partnerships with other jurisdictions in the region and other agencies (such as the Housing Authority), housing developers, community stakeholders, and agricultural employers/employees to explore viable options for increasing the availability of farmworker housing in suitable locations in the region.
- The City will develop a directory of services and resources for lower-income households available in the region, and review and update it annually. The directory will be available on City/County websites and at City/County offices.

**SECTION 1J-1: ACTION PLAN**

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Continue to meet with the Housing Element Technical Committee twice per year; meet with HCD annually. Develop a directory of services and resources by December 2025, update annually as needed.
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 2.1, Policy 4.2, Policy 4.6, Policy 5.2,

***Program 2: Homeless/Unhoused Needs***

The City will cooperate with neighboring cities, the County, and other agencies in completing the Point-in-Time count every other year and the development of programs aimed at providing homeless shelters and related services. As a part of this coordination, the City will:

- Reach out to local colleges and universities and local and regional homeless service providers, either individually or as part of the Housing Element Technical Committee, by July 2024 to identify partnership opportunities to conduct Point-in-Time counts.
- Meet with interested partners at least 6 months prior to each January Point-in-Time count to identify strategies to recruit volunteers and conduct a local count.
- Monitor the demographic composition of the unhoused population to identify needs for targeted resources and determine what efforts to take, such as providing education on financial assistance and programs available.
- Support local homeless service providers, agencies, and other community organizations to pursue funding from available sources for homeless services.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Reach out to potential partner organizations by July 2024 and hold strategy meetings 6 months prior to scheduled Point-in-Time counts,
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 2.1, Policy 4.6
<b>Quantified Objective:</b>	Conduct a biannual Point-in-Time count and assist with program development and funding identification that will assist at least five homeless persons.

## Adequate Sites

### *Program 3: Provision of Adequate Sites*

The City of Orange Cove will provide for a variety of housing types and ensure that adequate sites are available to meet its Regional Housing Needs Allocation (RHNA) of 469 units. As part of this Housing Element update, the City has developed a parcel-specific inventory of sites suitable for future residential development. The suitability of these sites has been determined based on the development standards in place and their ability to facilitate the development of housing to meet the needs of the City’s current and future residents, pursuant to State laws. Based on this analysis, the City’s vacant sites inventory identifies sufficient sites for an overall surplus of 237 units (51 percent of total RHNA), including a 102 percent surplus of lower-income housing capacity.

In order to facilitate housing development of the sites inventory, the City will:

- Facilitate the rezone, associated environmental review, and entitlement of properties sold pursuant to Surplus Land Act (identified as Sites P-1 and P-2 on **Figure 1J-2.1**) by November 2024. Assist the developers of Sites P-1 and P-2 in obtaining grant funding for affordable housing units by the end of 2025, with the goal of issuing permits by 2027. If development on Sites P-1 and P-2 does not progress by 2029, remove sites from the 6<sup>th</sup> Cycle Housing Element inventory and, if remaining sites are not adequate to meet the RHNA, identify and make available additional sites by mid-2029. If sites are rezoned to address a lower-income shortfall, ensure that zoning complies with by-right requirements for developments with 20 percent of units affordable to lower-income households and other requirements of Government Code Section 65583.2.
- Maintain and annually update the inventory of residential land resources.
- Monitor the availability of sites appropriate for lower- and moderate-income housing in keeping with state “no net loss” provisions (Government Code Section 65863), if development projects are approved at densities lower than anticipated in the sites inventory, and, if necessary, rezone sufficient sites to accommodate the RHNA within 180 days, ensuring that there is sufficient higher-density residential land available in areas throughout the city to deconcentrate poverty.
- Monitor and report residential development through the HCD annual report process.
- Actively participate in the development of the next RHNA Plan to ensure that the allocations are reflective of the regional and local land use goals and policies.

**SECTION 1J-1: ACTION PLAN**

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Annually monitor as projects are processed. Work with applicants to rezone, conduct associated environmental review, and entitle Sites P-1 and P-2 by November 2024. Assist developers of Sites P-1 and P-2 in obtaining grant funding for affordable housing units by the end of 2025, with the goal of issuing permits by 2027. If projects have not progressed by the end of 2027, identify additional incentives or alternative actions to facilitate development on Sites P-1 and P-2. If development on Sites P-1 and P-2 does not progress by 2029, remove sites from the 6th Cycle Housing Element inventory and, if remaining sites are not adequate to meet the RHNA, identify and make available additional sites by mid-2029.
<b>Implementation Responsibility:</b>	Planning Department
<b>Quantified Objective</b>	Maintain adequate sites with capacity for at least 115 lower-, 86 moderate-, and 268 above moderate-income units during the planning period.
<b>Relevant Policies:</b>	Policy 1.1, Policy 1.2, Policy 1.3, Policy1.4, Policy 1.5, Policy 1.6, Policy 1.7, Policy 1.8, Policy 1.9

***Program 4: Water and Wastewater Service***

The development viability of the vacant sites in the inventory is directly linked to the availability and capacity of public facilities and services. The City continues to work to address water supply issues and infrastructure capacity limitations. Additionally, California Government Code Section 65589.7 requires water and sewer providers to establish specific procedures and grant priority water and sewer service to developments with units affordable to lower-income households. The City of Orange Cove provides water and sewer services in the City and shall:

- Annually monitor water capacity and quality and make improvements, as appropriate and feasible, to better serve existing development and strive to accommodate the RHNA.
- Establish a secondary water source by September 2024 to meet the infrastructure needs of the Howard annexation area. Re-submit annexation application to LAFCO for reconsideration by December 2024. Continue to coordinate with developers as well as state and regional entities to facilitate development of the site and secure adequate infrastructure to support development.
- Annually review funding opportunities for infrastructure improvements and apply for funding at least every other year. Coordinate with state and regional entities to continue to provide adequate service. Establish procedures by the end of 2024 for granting priority water and sewer service to developments with lower-income units in compliance with California Government Code Section 65589.7.

<b>Financing:</b>	General Fund, Community Development Block Grant (CDBG)
<b>Time Frame:</b>	Annually monitor water capacity and quality and make improvements, as appropriate and feasible. Establish a procedure for prioritization by July 2025. Complete construction of new municipal well by September 2024 to meet the infrastructure needs of the Howard annexation area. Re-submit annexation application to LAFCO for reconsideration by December 2024.
<b>Implementation Responsibility:</b>	Planning Department and Public Works Department
<b>Relevant Policies:</b>	Policy 1.7

## Affordable Housing Development and Preservation

### *Program 5: Affordable Housing Incentives*

The City continues to have needs for affordable housing for lower-income households, especially for seniors, persons with disabilities (including persons with developmental disabilities), farmworkers, female-headed and single-parent households, persons experiencing homelessness, and extremely low-income households. The City will continue to work with the Fresno Housing Authority and other affordable housing developers to expand affordable housing opportunities throughout the city by doing the following:

- Continue to seek partnerships and meet at least every other year with other agencies (such as the Housing Authority), housing developers, community stakeholders, and employers to discuss and pursue viable opportunities for providing affordable housing, with an emphasis on housing opportunities for very low- and extremely low-income households, as well as special-needs populations, such as seniors, persons with disabilities (including developmental disabilities), farmworkers, female-headed and single-parent households, persons experiencing homelessness, and extremely low-income households. Meet more frequently if development rates increase. The City will identify development opportunities for affordable housing on an annual basis and provide this information to city partners.
- Work with public or private sponsors to identify candidate sites for new construction of housing for special needs and take all actions necessary to expedite processing of such projects.
- Facilitate the approval process for land divisions, lot line adjustments, lot consolidations or master plans resulting in parcel sizes that enable affordable housing development as described in **Program 3**.
- Monitor HCD’s website annually for Notices of Funding Ability (NOFA) and, where appropriate, prepare or support applications for funding for affordable housing for lower-income households (including extremely low-income households), such as seniors, disabled (including persons with developmental disabilities), the homeless, and those at risk of homelessness.
- Continue to streamline the environmental review process for housing developments to the extent possible, using available State categorical exemptions and federal categorical exclusions, when applicable.



**SECTION 1J-1: ACTION PLAN**

- Pursue partnerships with the Central Valley Regional Center to identify funding opportunities and promote housing for persons with disabilities.
- Amend Municipal Code to adopt implementing provisions of State Density Bonus Law to clarify procedure and timelines for density bonus applications. Continue to monitor for any legislative changes to the State density bonus and provide streamlined processing to facilitate affordable housing development. The City will promote this program by publicizing the incentives on the City website in both English and Spanish and by conducting pre-application consultation with developers regarding available incentives.
- Continue to provide priority processing to projects that include units affordable to lower-income and special needs households.
- Continue to facilitate infill development by encouraging developers to utilize the City’s PUD overlay district to allow the creation of smaller lot sizes and more flexible application of development standards.

<b>Financing:</b>	HOME Investment Partnerships Program (HOME), CDBG, Low-Income Housing Tax Credit (LIHTC), Multifamily Housing Revenue Bond, and other funding sources, as available.
<b>Time Frame:</b>	Ongoing, as projects are processed by the City. Annually apply for funding and engage with Central Valley Regional Center at least every two years. Meet with other agencies (such as the Housing Authority), housing developers, community stakeholders, and employers at least every two years to discuss and pursue viable opportunities for providing affordable housing. Identify affordable housing development opportunities on an annual basis. Update density bonus ordinance by 2025.
<b>Implementation Responsibility:</b>	Planning Department
<b>Quantified Objective:</b>	Expand the City’s affordable housing inventory by 115 units over the next eight years, 33 extremely low-income, 33 very low-income, and 49 low-income units, at least 10 of which include accessibility modifications to facilitate housing mobility for lower-income households and special-needs groups.
<b>Relevant Policies:</b>	Policy 1.2, Policy 2.1, Policy 2.2, Policy 2.3, Policy 2.4, Policy 2.5, Policy 2.7, Policy 4.3, Policy 4.4, Policy 5.2

**Program 6: Support Funding for Farmworker Housing**

According to the United States Department of Agriculture (USDA), the farming industry is the foundation of the County’s economy base, with about 37,819 workers employed in farm labor throughout the county as of 2017. This indicates a significant need to provide housing for farmworkers and their families, particularly during peak harvest seasons.

The City will provide technical support and offer incentives to housing developers, such as the Fresno Housing Authority and Self-Help Enterprises, in the application of funds for farmworker housing, including HCD (e.g., the Joe Serna grant program) and USDA Rural Development loans and grants, other programs administered by California’s Office of Migrant Service (OMS), and other funding sources that may become available. The City will also continue to offer incentives such as density bonuses and streamlined processing to facilitate development of farmworker housing. The City will identify development opportunities throughout the city for farmworker housing at least twice during the planning period.

The City will annually monitor the status of farmworker housing as part of the annual report to HCD on Housing Element progress and evaluate if City efforts are effective in facilitating the provision of farmworker housing. If appropriate, the City will make necessary changes to enhance opportunities and incentives for farmworker housing development.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Meet with farmworker housing developers and advocates on a biannual basis to discuss their needs and offer assistance in the form of letters of recommendation for grant applications, assistance with site identification and grant opportunities, and discuss incentives for constructing farmworker housing. Monitor status of farmworker housing and evaluate effectiveness of efforts annually as part of the annual report process. Identify farmworker housing development opportunities throughout the city at least twice in the planning period.
<b>Implementation Responsibility:</b>	Planning Department
<b>Quantified Objective:</b>	15 lower-income units set aside for farmworkers and their families to reduce displacement risk for this population.
<b>Relevant Policies:</b>	Policy 1.2, Policy 2.1, Policy 2.2, Policy 2.4, Policy 2.5, Policy 4.2, Policy 4.3

## SECTION 1J-1: ACTION PLAN

### ***Program 7: Farmworker Preference in New Affordable Housing***

For new affordable housing projects developed with City assistance, incentives, and/or subject to City requirements, the City will require that the developer give qualified farmworker households a preference for 15 percent of the new units. Should demand from farmworker households be insufficient to fill the set-aside units, then the units will be made available to other qualified households. The City will annually reach out to affordable housing developers to gather interest and input on how to best implement this program and will provide information on available funding.

<b>Financing:</b>	General Fund, CDBG, HOME, USDA Rural Development
<b>Time Frame:</b>	Ongoing, as projects are processed through the Planning Department; annually reach out to developers and determine next steps within six months.
<b>Implementation Responsibility:</b>	Planning Department
<b>Quantified Objective:</b>	15 lower-income units set aside for farmworkers or other qualified households to reduce displacement risk throughout the city.
<b>Relevant Policies:</b>	Policy 1.2, Policy 2.1, Policy 4.2, Policy 4.3

### ***Program 8: Extremely Low-Income Households***

Assembly Bill (AB) 2634 requires the quantification and analysis of existing and projected housing needs of extremely low-income households. Provide financial support annually, as available, to organizations that provide counseling, information, education, support, housing services/referrals, and/or legal advice to extremely low-income households, to mitigate risk of displacement and support housing stability for extremely low-income households, persons with disabilities, farmworkers, and persons experiencing homelessness. The City shall:

- Expand regulatory incentives for the development of units affordable to extremely low-income households and housing for special-needs groups, including persons with disabilities (including developmental disabilities), and individuals and families in need of emergency/transitional housing.
- Encourage the provision of affordable housing for young adults, particularly former foster youth and young mothers, through planning consultations, streamlined permit processing, and funding assistance.
- Encourage the development of single room occupancy (SRO) facilities, transitional and supportive housing, and other special housing arrangements, including completing Zoning Code amendments to establish provisions for SROs and remove barriers to production of special needs housing (**Program 12**) and committing City funds to help affordable housing developers provide SRO facilities consistent with the SRO Ordinance.
- Continue to target marketing and distribution of available financial resources to developments that include units affordable to extremely low-income households.
- Continue to process density bonuses for affordable housing projects that include units affordable to extremely low-income households.

<b>Financing:</b>	General Fund, CDBG, HOME
<b>Time Frame:</b>	Ongoing; as projects are processed by the Planning Division. By December 2024, conduct outreach to organizations that support extremely low-income residents to understand funding needs, and review and prioritize local funding at least twice in the planning period, and support expediting applications on an ongoing basis.
<b>Implementation Responsibility:</b>	Planning Department
<b>Quantified Objective:</b>	115 lower-income units, including 33 units for extremely low-income households to prevent displacement and provide housing mobility opportunities.
<b>Relevant Policies:</b>	Policy 1.2, Policy 2.1, Policy 4.2, Policy 4.6

***Program 9: Preservation of Existing Affordable Housing Units***

Preserving the existing affordable housing stock is a cost-effective approach to providing affordable housing in Orange Cove. The City must guard against the loss of housing units available to lower-income households. As of June 2023, there are no affordable units that are considered at risk of conversion to market rate in the next 10 years. For complexes at risk of converting to market rate, the City shall:

- Contact property owners of units at risk of converting to market-rate housing within one year of affordability expiration to discuss the City’s desire to preserve complexes as affordable housing.
- Coordinate with owners of expiring subsidies to ensure the required notices to tenants are sent out at 3 years, 12 months, and 6 months.
- Reach out to agencies interested in purchasing and/or managing at-risk units.
- Work with tenants to provide education regarding tenant rights and conversion procedures pursuant to California law.

<b>Financing:</b>	General Fund, LIHTC, Multifamily Housing Revenue Bond, and other funding sources as available.
<b>Time Frame:</b>	Annually monitor units at risk of converting; coordinate noticing as required per California law.
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 3.6

**SECTION 1J-1: ACTION PLAN**

**Program 10: Encourage and Facilitate Accessory Dwelling Units**

An accessory dwelling unit (ADU), sometimes called a “granny flat,” is an additional self-contained living unit either attached to or detached from the primary residential unit on a single lot. It has cooking, eating, sleeping, and full sanitation facilities. ADUs can be an important source of affordable housing given that they typically are smaller and have no associated land costs. The City will encourage the construction of ADUs, through the following actions, which are aimed at providing an increased supply of affordable units throughout the city, thereby increasing access to resources and facilitating housing mobility opportunities for lower-income households:

- Complete Zoning Code amendment to update ADU ordinance to clarify number of ADUs permitted on single-family and multi-family lots (**Program 12**)
- Continue to implement the public education program advertising the opportunity for ADUs by updating informational handouts and brochures about ADUs that are available on the City’s website and at the public counter annually, or as needed to reflect changes in State law.
- Provide informational materials on ADU opportunities to all discretionary land use applicants.
- At least annually, publish informational materials pertaining to ADUs through a combination of media, including the City’s social media accounts and direct mailing.
- Offer pre-approved ADU plans, such as those made available through the Countywide Regional Early Action Planning (REAP) program.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Update ADU materials annually, or as needed to reflect changes in State law, and identify incentives for construction, and offer pre-approved ADU plans by December 2024.
<b>Implementation Responsibility:</b>	Planning Department
<b>Quantified Objective:</b>	5 ADUs for lower-income households, 5 for moderate-income households, and 5 for above moderate-income households to improve housing mobility opportunities and reduce displacement risk throughout the city.
<b>Relevant Policies:</b>	Policy 1.2, Policy 2.1, Policy 2.6

**Program 11: Replacement Units**

To reduce displacement risk and in accordance with California Government Code Section 65583.2(g), the City will require replacement housing units subject to the requirements of California Government Code Section 65915(c)(3) on sites identified in the sites inventory when any new development (residential, mixed-use, or nonresidential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years.

This requirement applies to:

- Non-vacant sites; and,
- Vacant sites with previous residential uses that have been vacated or demolished.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Ongoing, the replacement requirement will be implemented immediately and applied as applications on identified sites are received and processed.
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 3.3, Policy 3.6

**Removal of Governmental Constraints**

**Program 12: Zoning Code Amendments**

The City will review and amend the Municipal Code to identify and remove constraints on housing development and special needs housing, including the following:

- **Development Standards:** Amend the General Plan and Zoning Code to establish minimum densities in zoning districts that allow residential development and restrict single-family homes in high-density residential zones, such as the R-3 zone. Remove 100-unit cap on multi-family housing projects. Remove story limitations on multi-family development in the R-2-A and R-3-A zones. Reduce minimum parking required for multi-family housing and revise standards for special needs housing types to match requirements for single-family or multi-family housing in the same zone.
- **Accessory Dwelling Units:** Amend the Zoning Code to be consistent with the latest State legislation related to ADUs, ensuring that up to three ADUs may be permitted on a single-family lot (i.e., attached ADU, detached ADU, and JADU) and clarifying the number of ADUs permitted on multi-family lots, in accordance with California Government Code Section 65852.2.

**SECTION 1J-1: ACTION PLAN**

- **Farmworker/Employee Housing:** Amend the Zoning Code to allow farmworker housing up to 12 units or 36 beds as a permitted agricultural use in zones allowing agriculture and explicitly allow employee housing for 6 or fewer persons akin to a single-family residence. Amend the Zoning Code to adopt a streamlined and ministerial permit process for eligible housing developments in compliance with California Health and Safety Code Section 17021.8.
- **Emergency Shelters:** Adopt the updated State definition of emergency shelters and allow emergency shelters in the R-3 zoning district by right (i.e., without discretionary approval) consistent with Government Code Section 65583. Develop managerial standards for emergency shelters and allow sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone, in compliance with Government Code Section 65583(a)(4)(A)(ii).
- **Low-Barrier Navigation Centers:** Permit low-barrier navigation centers, defined as low-barrier, temporary service-enriched shelters to help homeless individuals and families to quickly obtain permanent housing by-right in zones where mixed uses are allowed or in nonresidential zones that permit multifamily housing (Government Code Section 65662; AB 101).
- **Group Homes:** Allow group homes/residential care facilities for six or fewer persons, in accordance with Health and Safety Code Section 1568.0831, and allow group homes/residential care facilities, regardless of size, in all zones that permit residential uses of the same type, in accordance with the State’s definition of family. Amend parking requirements to match those of single-family and multi-family housing.
- **Definition of Family:** Adopt a broadened definition of “family” that provides zoning code occupancy standards specific to unrelated adults and complies with fair housing law.
- **Building Code:** Adopt the latest version of the California Building Code.
- **Single-Room Occupancy Units:** Define single-room occupancy units in compliance with Government Code Section 65583(c)(1), identify at least one zone where they will be permitted, and establish development standards specific to SRO housing to encourage the use.
- **Transitional and Supportive Housing:** Permit transitional housing and supportive housing as residential uses only subject to those restrictions that apply to other residential dwellings of the same type in the same zone (Government Code Section 65583(a)(5)). Clarify that eligible supportive housing projects are permitted by-right consistent with State law (Government Code Section 65691).
- **Approval Criteria for Site Plan Review and Use Permits:** Adopt objective approval criteria for housing development projects subject to a site plan review or conditional use permit process.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Complete Zoning Ordinance amendments and Building Code adoption by December 2024. Annually review the effectiveness and appropriateness of the

	Zoning Ordinance and process any necessary amendments to remove or mitigate potential constraints to the development of housing.
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 1.1, Policy 1.2, Policy 2.7

**Program 13: Preliminary Applications**

The City will develop a preliminary application form and procedure or will adopt the Preliminary Application Form developed by HCD, pursuant to SB 330. The City will also establish a written policy and/or procedure, and other guidance as appropriate, to specify the SB 35 streamlining approval process and standards for eligible projects under Government Code Section 65913.4. The applications will be available on the City’s website for developers interested in pursuing the streamlined process or vesting rights.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Develop or adopt HCD’s SB 330 preliminary application form by December 2024. Develop a SB 35 streamlined approval process by June 2025 and implement as applications are received.
<b>Implementation Responsibility:</b>	Planning Department
<b>Quantified Objective:</b>	Facilitate construction of 10 very low-income units and 10 low-income units to increase housing mobility opportunities.
<b>Relevant Policies:</b>	Policy 1.4, Policy 2.3, Policy 2.4

**Program 14: Objective Design and Development Standards**

The City will develop objective design guidelines and standards to provide clear and objective standards related to single-family, multifamily, and mixed-use residential developments. Multi-family development will continue to be required to provide 25 percent of ground-floor units designed to meet accessibility standards.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Adopt objective design standards by December 2025 and implement thereafter.
<b>Implementation Responsibility:</b>	Planning Department
<b>Quantified Objective:</b>	25 units over the planning period.
<b>Relevant Policies:</b>	Policy 1.8, Policy 2.7



**SECTION 1J-1: ACTION PLAN**

***Program 15: Transparency for Residential Development Regulations and Costs***

In accordance with California Government Code Section 65940.1, the City will comply with requirements to provide transparency for residential development regulations and costs by making sure information is available on the City’s website. This includes posting the City’s current schedule of fees and exactions, and continuing to provide the zoning and subdivision ordinances online.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Post City’s current fee schedule online by end of 2024. Update zoning ordinance online as changes are made.
<b>Implementation Responsibility:</b>	Planning Department
<b>Relevant Policies:</b>	Policy 4.1

***Housing Quality***

***Program 16: Fresno County Housing Assistance Rehabilitation Program (HARP)***

This program provides loans to qualifying homeowners, including owners of mobile or manufactured homes, in the unincorporated county and participating cities for the improvement of their homes. The City of Orange Cove is a participating jurisdiction. Eligible improvements include energy-efficiency upgrades and installations, health and safety and hazard corrections, and accessibility modifications to reduce displacement risk and facilitate place-based revitalization throughout the city. Loan terms under this program vary according to household income and the improvements and repairs that are needed. The City will:

- Promote available housing rehabilitation resources in both English and Spanish on the City’s website and at public counters.
- Conduct targeted outreach in both English and Spanish to inform property owners of rehabilitation assistance in neighborhoods with older housing units throughout the city.
- Refer interested households to County program.

<b>Financing:</b>	CDBG and HOME funds
<b>Time Frame:</b>	Update materials every other year, or as new information is provided by the County, and send out targeted promotion annually.
<b>Implementation Responsibility:</b>	Fresno County Public Works and Planning Department, Community Development Division, and City of Orange Cove

<b>Quantified Objective:</b>	Connect at least 10 lower-income households throughout the city with rehabilitation resources during the planning period. The City will evaluate its outreach efforts yearly and adjust as deemed necessary by City staff.
<b>Relevant Policies:</b>	Policy 3.2, Policy 4.1

**Program 17: Fresno County Rental Rehabilitation Program (RRP)**

This program provides no-interest loans to qualifying property owners in the unincorporated county and participating cities for making improvements to their rental properties to reduce displacement risk for renters. The City of Orange Cove is a participating city in the Rental Rehabilitation Program (RRP) and provides information to property owners. Eligible improvements include repairing code deficiencies, completing deferred maintenance, lead-based paint and asbestos abatement, heating, ventilation, and air conditioning (HVAC) repairs, energy-efficiency upgrades, accessibility modifications, and kitchen and bathroom upgrades. The City will:

- Promote available housing rehabilitation resources in both English and Spanish on the City’s website and at public counters.
- Conduct outreach in both English and Spanish to inform property owners of available rehabilitation assistance.
- Refer interested property owners to County program.
- Target promotion in areas of concentrated renter households or older housing stock to assist in reducing displacement risk for residents by improving living conditions and enabling them to stay in their home and community.

<b>Financing:</b>	HOME funds
<b>Time Frame:</b>	Update materials every other year, or as new information is provided by the County, and send out targeted promotions annually.
<b>Implementation Responsibility:</b>	Fresno County Public Works and Planning Department, Community Development Division, and City of Orange Cove
<b>Quantified Objective:</b>	Connect at least 10 property owners with rehabilitation resources during the planning period. Facilitate rehabilitation of five rental units. The City will evaluate its outreach efforts yearly and adjust as deemed necessary by City staff.
<b>Relevant Policies:</b>	Policy 3.2, Policy 4.1

## Housing Assistance

### ***Program 18: Code Enforcement***

The City will continue to use code enforcement and substandard abatement processes to bring substandard housing units and residential properties throughout the city into compliance with City codes by identifying dilapidated units and facilitating demolition and replacement. Code Enforcement staff will also refer income-eligible households to County housing rehabilitation programs for assistance in making the code corrections. Targeted efforts to improve housing conditions throughout the city will facilitate place-based revitalization and assist in reducing displacement risk for residents by improving living conditions and enabling them to remain in their home and community.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Make informational materials on rehabilitation assistance programs available by January 2024, to be provided on an ongoing basis when violations are confirmed, conduct code enforcement as complaints are received.
<b>Implementation Responsibility:</b>	Building Department
<b>Quantified Objective:</b>	Reduce displacement risk and encourage place-based revitalization by facilitating rehabilitation of 10 units throughout the city by providing informational materials to owners in violation of City codes on available assistance programs and annually promote available assistance programs in areas of concentrated lower-income households.
<b>Relevant Policies:</b>	Policy 3.1, Policy 3.3

### ***Program 19: Fresno County Homebuyer Assistance Program***

City of Orange Cove participates in the County’s Homebuyer Assistance Program (HAP), which is administered through the Fresno County Housing Authority. To reduce displacement risk of homeowners being priced out of the community and to facilitate housing mobility opportunities, this program assists lower-income families with purchasing their first home by providing a zero-interest, deferred payment loan that does not exceed 20 percent of the purchase price of the single-family residence (plus loan closing costs). Households earning up to 80 percent of the area median income (AMI) in unincorporated Fresno County and participating cities are eligible for this program. The City shall:

- Promote available homebuyer resources on the City’s website and at public counters.
- Refer interested households to the County program with the goal of assisting four households throughout the city.

- Promote the availability of this program, particularly in areas with concentrations of renters, particularly lower-income renters, by providing multilingual informational materials at public buildings and community locations and will post the program on the City’s website.

Orange Cove residents also have access to a number of homebuyer assistance programs offered by the California Housing Finance Agency (CalHFA), through the Fresno County Public Works and Planning Department, Community Development Division.

- Mortgage Credit Certificate (MCC): The MCC Tax Credit is a federal credit that can reduce potential federal income tax liability, creating additional net spendable income that borrowers may use toward their monthly mortgage payment. This MCC Tax Credit program may enable first-time homebuyers to convert a portion of their annual mortgage interest into a direct dollar-for-dollar tax credit on their U.S. individual income tax returns.
- CalPLUS Conventional Program: This is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalPLUS Conventional is fixed throughout the 30-year term. The CalPLUS Conventional is combined with a CalHFA Zero Interest Program (ZIP), which is a deferred-payment junior loan of three percent of the first mortgage loan amount, for down payment assistance.
- CalHFA Conventional Program: This is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalHFA Conventional is fixed throughout the 30-year term.

The City will promote all available homebuyer resources on the City’s website and at public counters and will annually review funding resources available at the state and federal levels and pursue as appropriate to provide homebuyer assistance.

<b>Financing:</b>	General Fund, HOME funds
<b>Time Frame:</b>	Ensure informational materials on all homebuyer resources are on the City’s website and available at public counters by June 2024. Update materials annually, or as new information is provided by the County, and send out targeted promotion at least every other year.
<b>Implementation Responsibility:</b>	Fresno County Public Works and Planning Department, Community Development Division, Planning Department, and City of Orange Cove
<b>Quantified Objective:</b>	Connect 20 prospective homebuyers with the County program to facilitate housing mobility opportunities throughout the city.
<b>Relevant Policies:</b>	Policy 2.1, Policy, 2.4, Policy 2.5, Policy 2.8

**SECTION 1J-1: ACTION PLAN**

***Program 20: Housing Choice Vouchers***

The Housing Choice Voucher (HCV) Program extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. The program offers a voucher that pays the difference between the current fair market rent (FMR) as established by the United States Department of Housing and Urban Development (HUD) and what a tenant can afford to pay (i.e., 30 percent of household income). The Fresno Housing Authority administers the HCV program in Fresno County. The City shall:

- Provide a link to the Fresno Housing Authority’s HCV program webpage on the City’s website by February 2024. Meet with the Fresno Housing Authority by June 2024 to discuss the process of developing printed informational materials, with the goal of making materials available at public counters by June 2025.
- Work with the Housing Authority to disseminate information to landlords and property owners on incentives for participating in the HCV program throughout the city to promote housing opportunities for all residents.
- Continue to refer interested households to the Fresno Housing Authority and encourage landlords to register their properties with the Housing Authority for accepting HCVs.
- Continue to work with local contractors to rehabilitate existing single-family homes that can be made available for HCV usage.

<b>Financing:</b>	HUD Section 8
<b>Time Frame:</b>	Provide information on the City’s website by February 2024. Meet with the Housing Authority by June 2024 and develop informational materials by June 2025. Target outreach to property owners and landlords at least annually.
<b>Implementation Responsibility:</b>	Fresno Housing Authority
<b>Quantified Objective:</b>	Preserve City’s existing usage rate of 65 HCVs, expand usage for a total of 100 lower-income units using HCV.
<b>Relevant Policies:</b>	Policy 2.2

***Program 21: Housing Discrimination Monitoring and Referral***

The Fresno Housing Authority publicizes all information related to housing opportunities, programs fair-housing information and assistance in English, Spanish, Hmong, French, German, Chinese, Arabic, Dutch, Italian, Korean, Portuguese, and Russian. However, while all public notices and information on the Housing Authority website are translated to all of the previously mentioned languages, general circulation of information and secondary links, such as applications, are available only in English. The City will coordinate with the Housing Authority, Fresno Council of Governments (FCOG), and other Fresno County jurisdictions to develop Spanish-language printed materials to improve accessibility to fair housing resources for residents. If additional languages become more prevalent in the county, materials will be translated into those languages as needed.

The City shall:

- Establish a procedure to refer residents with fair housing questions or issues to the Fair Housing Council of Central Valley (FHC-CC), California Rural Legal Aid (CLRA), and other fair housing organizations.
- Provide fair housing information on the City’s website and in printed materials available in public buildings in both English and Spanish. Coordinate with local community-based organizations to review outreach strategy and identify opportunities to improve distribution to Orange Cove residents throughout the city.
- Coordinate with local fair housing service providers to conduct biannual trainings for landlords and tenants on fair housing laws, rights, and responsibilities and ongoing access to legal counseling.

<b>Financing:</b>	General Fund, grant funding
<b>Time Frame:</b>	As part of the Countywide Housing Element Technical Committee ( <b>Program 1</b> ), meet annually with FC-CC to discuss fair housing issues and opportunities for education. Assist the Housing Authority to translate fair housing materials and resources into Spanish by December 2024. Make fair housing information available on the City’s website and in public buildings by June 2025. Coordinate with community-based organizations to improve outreach at least annually. Coordinate with fair housing providers to conduct biannual trainings for landlords and property owners.
<b>Implementation Responsibility:</b>	Planning Department, Fresno Housing Authority
<b>Quantified Objective:</b>	Reduce displacement risk for 20 individuals or families resulting from language barriers and 10 from discrimination by landlords or property owners. The City will evaluate its outreach efforts yearly and adjust as deemed necessary by City staff.
<b>Relevant Policies:</b>	Policy 5.1

**Program 22: Improve Access to Resources**

The City shall take the following actions to improve access to resources and opportunities citywide:

- Work with Fresno County Rural Transit Agency (FCRTA) and other jurisdictions in the county to develop a fact sheet, or similar informational materials, of FCTA programs to be posted on the City’s website, social media, and in public buildings by January 2026, and advertised annually in the City’s newsletter to help connect seniors and other residents to services in the city and throughout the county.

**SECTION 1J-1: ACTION PLAN**

- Annually review opportunities to pursue state and federal grant funding for public infrastructure improvements throughout the City and in areas of highest need at least twice in the planning period, potentially including but not limited to broadband internet access, complete street improvements, enhanced streetscapes, sidewalks, lighting, safe routes to schools, park improvements, community facilities, community amenities, and improved water supply and quality.
- Prioritize projects that facilitate place-based revitalization through the City’s Capital Improvement Plan, such as projects that improve public infrastructure in deteriorating or underserved areas throughout the city.
- Ensure program availability and funding announcements are made available in Spanish and translation is available at public meetings by end of December 2025.
- Facilitate place-based revitalization and promote healthy environments for new housing by evaluating transitional buffers between residential and agricultural uses and highways and working with developers as projects are proposed to mitigate impacts associated with emissions from agricultural industries and traffic and facilitate access to healthy outdoor spaces on an ongoing basis. Coordinate with local air district and regional entities to identify funding opportunities for community programs to improve indoor air quality, home energy efficiency, or other environmental health initiatives throughout the city.
- Meet with school district representatives by June 2025 to analyze whether housing security poses a barrier. Work with the school district to assist in securing grant funding for teacher recruitment and retention bonuses, classroom materials, and other incentives for teachers to facilitate positive learning environments citywide.

<b>Financing:</b>	General Fund
<b>Time Frame:</b>	Apply for grant funding opportunities for programs to support public infrastructure, community revitalization, and environmental health initiatives throughout the city at least every other year starting in 2025. Refer to each bulleted action for other specific timeframes.
<b>Implementation Responsibility:</b>	Planning Department
<b>Quantified Objective:</b>	Improve access to resources and reduce displacement risk resulting from a variety of factors for at least 30 residents. Conduct at least four public improvements during the planning period.
<b>Relevant Policies:</b>	Policy 3.1, Policy 3.5, Policy 5.1, Policy 5.2

## Quantified Objectives

Quantified objectives estimate the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the planning period based on optimal implementation of each program. The quantified objectives do not set a ceiling on development; rather, they set a target goal for the jurisdiction to achieve based on needs, resources, and constraints. Each quantified objective is detailed by income level, as shown in **Table 1J-1.1**.

**Table 1J-1.1: Quantified Objective Summary**

Program Types	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
RHNA	33	33	49	86	268	469
<b>New Construction</b>						
Program 5: Affordable Housing Incentives	33	33	49			115
Program 6: Support Funding for Farmworker Housing	5	5	5			15
Program 7: Farmworker Preference in New Affordable Housing	15					15
Program 8: Extremely Low-Income Households	33	33	49			115
Program 9: Encourage and Facilitate Accessory Dwelling Units :			5	5	5	15
Program 13: Preliminary Applications (SB 330) and Streamlined Approval (SB 35)		10	10			20
Program 14: Objective Design and Development Standards	5	5	10	5		25
<b>Rehabilitation</b>						
Program 16: Fresno County Housing Assistance Rehabilitation Program (HARP)	3	4	3			10
Program 17: Fresno County Rental Rehabilitation Program (RRP)			5			5
<b>Conservation/Preservation</b>						
Program 18: Code Enforcement		5	5			10
Program 20: Housing Choice Vouchers	30	20	15			65
Program 21: Housing Discrimination Monitoring and Referral	10	10	10			30

<sup>1</sup> In some cases, quantified objectives overlap and therefore identify multiple strategies to achieve the RHNA.

<sup>2</sup> Moderate- and above moderate-income unit capacity is anticipated to be met by market development trends.

Source: City of Orange Cove, 2023



**SECTION 1J-1: ACTION PLAN**

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## SECTION 1J-2: SITES INVENTORY

California law (Government Code Section 65583 (a)(3)) requires that the Housing Element contain an inventory of land suitable for residential development, including vacant sites that can be developed within the planning period and nonvacant (i.e., underutilized) sites that have potential for redevelopment. State law also requires an analysis of the relationship of zoning and public facilities and services to these sites.

### Regional Housing Needs Allocation

The Regional Housing Needs Allocation (RHNA) is the State of California-required process that seeks to ensure cities and counties are planning for enough housing to accommodate all economic segments of the community. The process is split into the following three steps.

1. **Regional Determination:** The California Department of Housing and Community Development (HCD) provides each region with a Regional Determination of housing need, which includes a total number of units split into four income categories. The City of Orange Cove is in the region covered by the Fresno Council of Governments (FCOG). HCD gave FCOG a Regional Determination of 58,298 units for the 6th cycle RHNA (2023-2031). This is the total number of units that the cities and counties in the FCOG region must collectively plan to accommodate.
2. **RHNA Methodology:** Councils of Governments (COG), including FCOG, are responsible for developing a RHNA methodology for allocating the Regional Determination to each city and county. This methodology must further specify State objectives, including, but not limited to, promoting infill, equity, and environmental protection; ensuring jobs-housing balance; and affirmatively furthering fair housing.
3. **Housing Element Updates:** Each city and county must then adopt a housing element that demonstrates how the jurisdiction can accommodate its assigned RHNA through its zoning. HCD reviews each jurisdiction's housing element for compliance with State law.

The City of Orange Cove's share of the regional housing need was determined by a methodology prepared by FCOG as part of the Regional Housing Needs Plan, adopted in November 2022. In accordance with FCOG's Regional Housing Needs Plan, the City must plan to accommodate a total of 469 housing units between June 30, 2023, and December 31, 2031. **Table 1J-2.1** shows the City's RHNA by income category. Of the total 469 units, the City must plan to accommodate 66 units for very low-income households, 49 for low-income households, 86 for moderate-income households, and 268 for above moderate-income households.

**Table 1J-2.1: Regional Housing Needs Allocation (June 30, 2023, to December 31, 2031)**

	<b>Very Low Income (&lt;50% of AMI)</b>	<b>Low Income (50% to 80% of AMI)</b>	<b>Moderate-Income (80% to 120% of AMI)</b>	<b>Above Moderate-Income (&gt;120% of AMI)</b>	<b>Total</b>
Number of Units	66 <sup>1</sup>	49	86	268	469

AMI = Area Median Income

<sup>1</sup> Extremely low-income allocation is equal to 50 percent of very-low-income allocation (33 units).

Source: FCOG Sixth Cycle RHNA Final Methodology, November 2022

State law also requires the City to identify the projected need for extremely low-income housing. The City assumes that 50 percent of the very low-income housing need is equal to the extremely low-income housing need. As such, there is a projected need for 33 extremely low-income housing units.

## Planned and Approved Projects

The City has two planned residential projects that are expected to be approved and built during the RHNA projection period (June 20, 2023 – December 31, 2031). Both projects are located on sites sold by the City pursuant to the Surplus Land Act and will include lower-income affordable units. **Table 1J 2.2** provides a description of these approved projects in the pipeline and **Figure 1J-2.1** (*Sites Inventory Map*) shows the locations of these projects within the City. The City of Orange Cove’s pipeline projects are expected to provide an additional 210 units in total, including 121 lower-income units and 89 moderate-income units. The Housing Element includes **Program 3** to facilitate the development of these projects, including rezoning the sites from M-1 to R-3 zoning.

### City Surplus Site 1

City Surplus Site 1 is located at the northeast corner of Center Street and South Avenue (P-1 on **Figure 1J-2.1**) and is approximately 6.5 acres across two vacant parcels that are currently zoned R-3. The City of Orange Cove and Universal Properties completed the purchase and sale agreement on June 7, 2023, and included recordation of a covenant requiring 15 percent affordable housing for future development of the property. Orange Cove City Council has approved all necessary entitlements to develop the site with affordable housing. City staff is working closely with the property owner and developer group to develop site plans, construction documents, and secure grant funding for development of the site with affordable housing (see **Program 3**). There are no known barriers to development of this site during the planning period. Universal Properties intends to develop the 6.5-acre site as multi-family housing at a project density of 25 dwelling units per acre. However, for the purpose of this analysis, this site is assumed to have capacity of 105 housing units, based on an assumed realistic density of 16.2 dwelling units per acre in the R-3 zone (described in more detail in the “Methodology” section). Of those, a minimum of 16 units, or 15 percent of units, must be deed-restricted affordable units.

### City Surplus Site 2

City Surplus Site 2 is adjacent to City Surplus Site 1 (described above) and is located approximately 500 feet north of the Center Street and South Street intersection (Site P-2 on **Figure 1J-2.1**). The site is 6.5 acres and is zoned R-3. The City of Orange Cove, Blossom Heights, LLC, and Universal Properties completed the purchase and sale agreement on December 14, 2022, including recordation of a covenant requiring 15 percent affordable housing for future development of the property. Orange Cove City Council has approved all necessary entitlements to develop the site with affordable housing. City staff is working closely with the property owner and developer group to develop site plans and construction documents and secure grant funding for development of the site with affordable housing (**see Program 3**). There are no known barriers to development of this site during the planning period. The prospective developer, Blossom Heights, LLC, intends to develop the site with a 100 percent affordable housing project at a project density of 25 dwelling units per acre. However, for purposes of this analysis, realistic density assumptions for R-3 are conservatively applied, similarly to City Surplus Site 1. This site therefore has capacity for approximately 105 lower-income units.

**Table 1J-2.2: Pipeline Projects, City of Orange Cove, 2023**

Site ID	Project	Zoning	Type of Units	Status	Total Units	Total Units By Income					Description
						ELI	VLI	LI	MI	AMI	
P-1	City Surplus Site 1	R-3	Multi-family housing with 15 percent units deed-restricted affordable	Purchase and sale agreement completed on June 7, 2023.	105	-	-	16	89	-	Surplus land sale with 15 percent affordability covenant recorded as part of sale agreement. Developer intends to develop the site as multi-family housing with 15 percent units affordable to lower-income households at a density of 25 du/acre.
P-2	City Surplus Site 2	R-3	Multi-family housing; 100 percent affordable to lower-income households	Purchase and sale agreement completed on December 14, 2022.	105	-	-	105	-	-	Surplus land sale with 15 percent affordability covenant recorded as part of sale agreement. Developer intends to develop the site as multi-family housing with 100 percent units affordable to lower-income households at a density between 20-25 du/acre.
<b>Total All Income Levels</b>					<b>210</b>			<b>121</b>	<b>89</b>	<b>0</b>	

ELI = Extremely Low-income, VLI = Very Low-income, LI = Low-income, AMI = Above Moderate-income

Source: City of Orange Cove, 2023

SECTION 1J-2: SITES INVENTORY

### Affordability Analysis of Market-Rate Homes

Based on a review of home sales prices for recently built homes in Orange Cove, it was determined that new market-rate single family homes are generally affordable to moderate income and some low-income households. **Table 1J-2.3** below presents sales prices for single-family homes sold in Orange Cove in the last year (April 2022 to present). The selling price for a newly built three-bedroom home ranged between \$250,000 and \$299,000. As shown in **Table 1J-2.4**, this is within reach for many households earning less than 100 percent Area Median Income (AMI), including three-person low-income households earning 80 percent AMI with three or more people.

**Table 1J-2.3: Recent Home Sales, Orange Cove, 2022-2023**

Address	Number of Bedrooms	Sales Price	Date of Sale
1447 Kime Court	3	\$250,000	3/15/2022
1512 Casuga Court	3	\$280,000	3/8/2023
905 Rodriguez Street	3	\$255,000	3/3/2023
1540 Casuga Court	4	\$299,000	1/13/2023
1501 Serna Court	3	\$310,000	11/08/2022

Source: Zillow.com, 2022

**Table 1J-2.4: Fresno County Ability to Pay, Low to Moderate Income (2022)**

Low-Income Households at 80% of 2022 AMI						
Number of Persons	1	2	3	4	5	6
Income Level	\$43,650	\$49,850	\$56,100	\$62,300	\$67,300	\$72,300
Max. Purchase Price <sup>1</sup>	\$213,979	\$232,153	\$261,260	\$290,134	\$313,419	\$336,704
Median-Income Households at 100% of 2022 AMI						
Number of Persons	1	2	3	4	5	6
Income Level	\$56,200	\$64,250	\$72,250	\$80,300	\$86,700	\$93,150
Max. Purchase Price <sup>1</sup>	\$275,501	\$299,215	\$336,471	\$373,960	\$403,765	\$433,803
Moderate-Income Households at 110% of 2022 AMI						
Number of Persons	1	2	3	4	5	6
Income Level	\$67,450	\$77,100	\$86,700	\$96,350	\$104,050	\$117,750
Max. Purchase Price <sup>1</sup>	\$330,650	\$377,956	\$425,016	\$472,322	\$510,068	\$577,228

AMI = Area Median Income

Source: Chapter 2, "Housing Needs Assessment", Table 2-24

## Vacant Sites Inventory

The residential land inventory is required “to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction’s share of the regional housing need for all income levels” (Government Code Section 65583.2(a)). The phrase “land suitable for residential development” in Government Code Section 65583(a) (3) includes all of the following:

- Vacant sites zoned for residential uses;
- Vacant sites zoned for nonresidential use that allow residential development; and
- Underutilized sites that have zoning that allows residential development and are capable of being developed at a higher density.

The vacant sites inventory identifies sites with general plan land use designations and zoning for future housing development (see **Table 1J-2.5** and **Figure 1J-2.1**) and evaluates the adequacy of these sites in fulfilling the City’s RHNA.

## Methodology

The following is a description of the methodology used to estimate housing unit capacity on vacant sites, and detailed descriptions of the status of recent and pending annexation areas.

## *Income Assumptions*

Density can be a critical factor in the development of affordable lower-income housing. Higher density development can lower per-unit land cost and facilitate construction in an economy of scale. The following describes the assumptions used to determine the inventoried income categories and the realistic buildout capacity for each vacant site.

## *Lower-Income Sites*

Sites at least 0.5 acres in size that allow at least 20 units per acre were inventoried as feasible for lower-income (low- and very low-income) residential development. This includes sites zoned High Density Residential (R-3). The R-3 zone allows residential development at a maximum density of 29 dwelling units per acre.

## SECTION 1J-2: SITES INVENTORY

### ***Moderate-Income Sites***

The sites inventory relies on a combination of sites zoned R-2, R-2-A or Mixed-Use (M-U) to meet the moderate-income RHNA. The R-2 and R-2-A zones allow residential development at a maximum density of 14.5 dwelling units per acre. The M-U district allows multi-family residential uses when located above ground floor commercial and establishes a maximum density of 21.8 dwelling units per acre. As noted in Section 1J-4, the City is currently in the process of updating their Zoning Code, where they plan on phasing out R-2-A and M-U zoning. R-2-A zoning will be replaced with R-2 and M-U zoning will be replaced with C-3 zoning, which will similarly allow mixed use. This change is not expected to restrict the housing capacity of inventoried sites beyond what is considered in this analysis. Development assumptions for the M-U and R-2-A inventory are discussed in greater detail below.

The remaining moderate-income RHNA is accommodated on smaller R-3 sites that are less than a half-acre in size and are presumed to be too small for lower-income housing development. They are instead assumed to be suitable for moderate-income housing development.

### ***Above Moderate-Income Sites***

Sites within zones that allow only single-family homes at lower densities were inventoried as above moderate-income sites. This includes sites with R-1-6 and R-1-12 zoning. However, it should be noted that most new single-family homes in Orange Cove are affordable to moderate- and some low-income households as demonstrated in the “Affordability Analysis for Market-Rate Homes” section above.

### ***Realistic Density and Build Out Capacity***

The inventory applies a realistic build out density based on the development standards, market trends, and recent development to calculate capacity. Capacity on sites within the lower density zoning districts (i.e., R-1-12, R-1-6, and R-2) is calculated using 80 percent of the maximum allowable density. For larger lots with approved tentative subdivision maps, it is assumed that one single-family home would be built per lot. As discussed in the Constraints analysis, Orange Cove currently does not establish minimum densities for residential zoning districts but has generally not received requests to develop similar sites below identified densities. In the absence of minimum density standards, the Housing Element employs conservative assumptions of realistic density based on the built densities of recent developments.

**Table 1J-2.5** shows the buildout density of Orange Cove’s most recently constructed affordable housing development. As shown in the table, Amaya Village Apartments was constructed in the R-3 zoning district at 55.9 percent of the maximum permitted density. The complex includes 80 deed-restricted affordable units and 1 manager unit. Based on the density of this project, the inventory uses a realistic density assumption of 16.2 dwelling units per acre in the R-3 zone.

**Table 1J-2.5: Recent Affordable Housing Project Densities**

Project Name/Location	Zoning District	Max. Allowed Density	Site Size (Acres)	Number of Units	Built Density (du/acre)	Percent of Max. Allowed Density
Amaya Village Apartments	R-3	29	5.0	81	16.2	55.9%

Source: City of San Joaquin, Fresno Housing Authority, 2022

**Assumptions for Mixed-Use Sites**

As described above, vacant sites with mixed-use zoning (M-U) are assumed to have capacity for housing development affordable to moderate income households. The M-U zone allows multi-family residential development when located above ground floor commercial uses and establishes a maximum density of 21.8 dwelling units per acre. Due to the ground-floor commercial requirement, residential capacity on these sites is calculated assuming 50 percent of the maximum allowable density, or 10.9 dwelling units per acre. Upon completion of the Zoning Code update noted above, the City anticipates there will be no change in the development capacity of inventoried M-U sites as multi-family housing in the C-3 zone will continue to be permitted as part of mixed-use developments.

Although the land use permissions of the M-U zone allow for the possibility of developing a site with only non-residential uses, the City expects the likelihood of this occurring to be minimal. Given the overall slow pace of private investment throughout the city and a corresponding lack of developer interest in new commercial projects, there is no demonstrated trend of development on M-U sites. In fact, the only recent example of development in the M-U zone is a standalone residential project. In February 2023, building permits were issued to construct a new single-family residence on a 0.17-acre site on 9<sup>th</sup> Avenue. The property owner also intends to build a second unit upon completion of the first unit, yielding a final project density of approximately 11.7 dwelling units per acre. The City anticipates that the assumed realistic capacity of 10.9 dwelling units per acre (or 50 percent maximum allowable density) is a conservative assumption for inventoried M-U sites.

**Assumptions for R-2/R-2-A Sites**

Vacant sites with R-2 or R-2-A zoning are also assumed to have capacity for moderate-income housing. Although the R-2-A zone allows the same maximum density as the R-2 zone (14.5 dwelling units per acre), the R-2-A restricts multi-family buildings to one story. Residential capacity on R-2-A sites is calculated assuming 50 percent of the maximum allowable density, or 7.3 dwelling units per acre. Capacity on R-2 sites is calculated assuming 80 percent of maximum allowable density, or 11.6 dwelling units per acre. Upon completion of the Zoning Code amendment replacing R-2-A with R-2 zoning noted above, the City anticipates that inventoried R-2-A sites will provide greater housing capacity than considered in this analysis within the planning period.



## SECTION 1J-2: SITES INVENTORY

### **Site Size**

Per state law, sites smaller than half an acre or larger than 10 acres are not considered adequate to accommodate the lower-income housing need unless it can be demonstrated that sites of equivalent size were successfully developed during the prior planning period or other evidence is provided that the site can be developed as lower-income housing. The vacant sites inventory does not identify any sites larger than 10 acres for lower-income housing.

### **Small Sites**

The vacant sites inventory does not identify any sites smaller than half an acre for lower-income housing. However, there are several small infill sites with residential zoning that will be suitable for moderate- and above moderate-income housing development if consolidated with adjacent parcels. Sites Identified in Previous Housing Elements

Per statute (Government Code Section 65583.2(c)), a non-vacant site identified in one previous planning period or a vacant site that has been included in two or more previous consecutive planning periods cannot be used to accommodate the lower-income RHNA unless the site is subject to a policy in the housing element allowing residential development by right for housing developments in which at least 20 percent of the units are affordable to lower-income households. There are no sites in the lower-income sites inventory that meet these criteria. Therefore, the by-right requirement does not apply to any sites in the lower-income sites inventory.

### **Future Opportunity Areas**

#### **Howard Annexation**

The City has identified the Howard Annexation area as a future opportunity site (Sites F-1 and F-2 in **Figure 1J-2.1**). The project is located on a 39.74-acre site at the northwest corner of Jacobs and Adams Avenue. The east and south sides of the property are adjacent to single-family homes within City limits. On October 28, 2020, the City Council approved the request to initiate the annexation as well as proposed division and pre-zoning of the project site to 5.14 acres of high-density residential (R-3) land and 34.60 acres of medium-density residential (R-1-6) land split into 164 single-family residential lots. Inclusion of the R-3 site fulfills the remaining portion of the City's commitment to rezone 10 acres of land for high-density residential uses.

In 2021, the City's application for the Howard annexation was denied by LAFCO due to water supply and quality constraints. To address this issue, the City is leveraging approximately \$7.9 million in grant funds received from the State Department of Water Resources Small Community Drought Relief Project to construct a new municipal groundwater well that will serve as a secondary water source for the City and allow for continued growth. The funding agreement was executed on March 13, 2022. City engineers are currently (2024) in the process of completing design drawings and specifications for a new test well, and plan to release the project for bid in February 2024 and award the contract by mid-March of the same year. Depending on the water quality results from the test well and required level of water treatment, the City targets completion of a permanent well in the summer of 2024. Upon completion, the City will re-submit the annexation application to LAFCO for reconsideration by the end of the year. The Housing Element includes **Program 4** to commit to completing necessary infrastructure improvements and other necessary actions to make the Howard annexation available for housing within the planning period. If and when LAFCO approves the annexation, the Howard Annexation area could be added to the Housing Element sites inventory to provide additional capacity beyond that currently (2023) counted in the inventory.

### **Kings Canyon Unified School District Site**

The City has also identified a large R-3-zoned site owned by Kings Canyon Unified School District (KCUSD) as a possible future opportunity site (Site F-3 in Figure 1J-2.1). The site is approximately 15.54 acres and is located within city limits east of South Monson Avenue and north of East South Avenue. KCUSD has preliminary plans to construct a new elementary school with a capacity for 600 students that will accommodate anticipated growth in Orange Cove. However, according to the California Department of Toxic Substances Control's (DTSC) EnviroStor database, the site requires remediation of soil contaminants from prior agricultural uses in order to develop. KCUSD has taken initial steps to remediate the site, but school district officials confirmed that as of January 2024, plans to clean up the soil and develop the site are on hold indefinitely. Development of the site is a long-term effort and likely 10 years out, pending approval of the District's expansion plan. In the event that KCUSD abandons plans to develop an elementary school, the site could potentially be added to the Housing Element inventory in future years. The site would still require some level of remediation prior to developing it for housing.

### **Infrastructure Availability**

The City of Orange Cove provides sewer service within city limits. The City recently completed improvements to the collection system and wastewater treatment plant to expand capacity. The system has a capacity of 3.0 million gallons per day (mgd) for average daily flow and a peak flow of 6.0 mgd. The City estimates that the wastewater treatment plant is currently treating 0.8 mgd, less than 30 percent of maximum capacity. The water plant was originally rated at 3.0 mgd production per day, but capacity is dropping due to wear and tear on the plants. Two plants are used, Plant A, which was built in 1969 and uses conventional filtration, and Plant B, which is meeting its expected capacity. However, there is still sufficient remaining treatment capacity in the system to accommodate the City's RHNA and provide service to new growth areas.

## SECTION 1J-2: SITES INVENTORY

The City receives a majority of its water from the Central Valley Project through the Friant-Kern Canal. The present allotment is 456 million gallons per year. The remainder of the city's domestic water is provided by ground water wells. The City is permitted to use three wells on an active status and four additional wells for stand-by. The three active wells have a capacity of 270 gallons per minute, or 142 million gallons per year. The wells produce water that exceeds the State standard for nitrate levels. To mitigate this condition, well water is pumped to the City's water treatment plant and blended with the surface water from the canal and then transmitted to the city's distribution system.

The City contracts with the Bureau of Reclamation, which provides class 1 water, and the Lower Tule Irrigation District, which provides class 2 water, for the city's water supply. Friant water authority is the delivery system for the Bureau of Reclamation. The Bureau of Reclamation contract includes 1,400-acre feet, which is guaranteed based on a percentage and on drought conditions. The Lower Tule Irrigation District contract of 1,000-acre feet is not guaranteed and serves as backup water for the City. The total contracted annual allotments equal approximately 782,000,000 gallons. The City's surface water treatment plant (SWTP) provides water to residences within the City. The plant has the capacity to treat up to 3,000,000 gallons per day with a 2,000,000-gallon storage tank. By assuming 50 percent rate of capacity, the SWTP is capable of producing approximately 547,500,000 gallons of treated water annually. From July 1, 2019, to June 30, 2020, Orange Cove residents, industrial and commercial businesses consumed approximately 312,652,000 gallons of treated water. Assuming stable existing demand and the City's estimated water demand, the system will have sufficient capacity to accommodate the RHNA.

### ***Environmental Constraints***

All parcels that met the criteria above were reviewed by City staff to confirm any environmental constraints and other possible constraints to development feasibility. There are no known constraints due to irregular shape, size, or access limitations. Below is a description of potential environmental constraints and hazards pertinent to the city of Orange Cove and how they relate to the sites in the inventory.

## Flooding

The Federal Emergency Management Agency (FEMA) develops flood maps that identify areas with the highest risk of flooding. **Figure 1J-2.2** shows the locations of the existing FEMA 100-year flood zones in the City of Orange Cove with the Housing Element sites. While the majority of the sites in the inventory are not within a 100-year flood zone, 27 sites are at least partially located within this zone. Siting a development in a 100-year flood zone is not an impediment to construction because a minimal amount of fill can be added to the site to mitigate the potential flood risk. Construction can occur as long as the completed floor level is one foot above flood elevation. These sites must also comply with the City's Flood Hazard Area Ordinance, which protects against risk to new and existing development by requiring any building proposed within a special flood hazard area to obtain a building permit and provide information specifically related to flood risk. The permit is reviewed by the city administrator, who has been designated as the Flood Plain Administrator, to ensure that the project will be reasonably safe from flooding and will not adversely increase flood risk elsewhere. Therefore, the presence of a 100-year flood zone will not preclude development on any of the sites in the inventory or expose future residents to potential harm.

## Other Constraints and Hazards

Williamson Act contracts, which allow local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use, is another potential constraint to residential development. As shown in **Figure 1J-2.3**, much of the land surrounding the city is under active Williamson Act contracts, particularly along the north, west, and south borders. There is no land within Orange Cove city limits that is currently under Williamson Act contract. Further, no sites identified in the Sites Inventory are under active Williamson Act contract.

Site contamination poses another potential constraint to residential development in Orange Cove, especially as development occurs along the City's edges on sites that have historically been occupied by intensive agricultural operations. All sites included in the vacant sites inventory were reviewed against the DTSC EnviroStor database for potential contamination. There are no known contamination issues on any sites included in the inventory.

SECTION 1J-2: SITES INVENTORY

Table 1J-2.6: Vacant Sites Inventory

Site ID	APN	Size (acres)	Land Use Designation	Zoning	Existing Use	Max. Density (per acre)	Assumed Density (per acre)	Estimated Units by Income Level			Total Units	Infrastructure Available
								LI	MI	AMI		
1	37504026	8.99	Medium Density Residential	R-1-6	Vacant	7.2	5.76			32	32	Yes
2	37504026	5.72	High Density Residential	R-3	Vacant	29	16.2	93			93	Yes
3	37802150	1.95	Medium Density Residential	R-1-6	Vacant	7.2	5.76			11	11	Yes
4	37802155	3.05	Medium Density Residential	R-1-6	Vacant	7.2	5.76			18	18	Yes
5	37802128	9.21	Medium Density Residential	R-1-6	Vacant	7.2	5.76			53	53	Yes
6	37802141	1.68	Medium Density Residential	R-1-6	Vacant	7.2	5.76			10	10	Yes
7	37802140	7.53	Medium Density Residential	R-1-6	Vacant	7.2	5.76			43	43	Yes
8	37802139	1.12	High Density Residential	R-3	Vacant	29	16.2	18	0	0	18	Yes
9	37802142	12.74	Medium Density Residential	R-1-6	Vacant	7.2	5.76			73	73	Yes
10	37818113	0.34	Medium Density Residential	R-2A	Vacant	14.5	7.25		2		2	Yes
11	37816130, 37816129	0.08	Medium Density Residential	R-2A	Vacant	14.5	7.25		1		1	Yes
12	37803041T	3.42	Medium Density Residential	R-1-6	Vacant	7.2	5.76			20	20	Yes
13	37805135	0.14	High Density Residential	R-3	Vacant	29	16.2		2		2	Yes
14	37805131	0.25	High Density Residential	R-3	Vacant	29	16.2		4		4	Yes
15	37809103	0.55	Medium Density Residential	R-2A	Vacant	14.5	7.25		4		4	Yes

APPENDIX 1J: CITY OF ORANGE COVE

Site ID	APN	Size (acres)	Land Use Designation	Zoning	Existing Use	Max. Density (per acre)	Assumed Density (per acre)	Estimated Units by Income Level			Total Units	Infrastructure Available
								LI	MI	AMI		
16	37809106	0.18	Medium Density Residential	R-2A	Vacant	14.5	7.25		1		1	Yes
17	37809132	0.17	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
18	37809131	0.17	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
19	37812106	0.19	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
20	37812207	0.26	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
21	37816203	0.36	Medium Density Residential	R-1-6	Vacant	7.2	5.76		2		2	Yes
22	37817210	0.17	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
23	37813110	0.26	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
24	37810118	0.15	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
25	37806102	0.19	High Density Residential	R-3	Vacant	29	16.2	3			3	Yes
26	37806209, 37806208	0.35	High Density Residential	R-3	Vacant	29	16.2	6			6	Yes
27	37820078	0.20	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
28	37820077	0.17	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
29	37820024	0.35	Medium Density Residential	R-1-6	Vacant	7.2	5.76		2		2	Yes
30	37820026, 37820027	0.65	Medium Density Residential	R-1-6	Vacant	7.2	5.76		3		3	Yes
31	37820028	1.71	Medium Density Residential	R-1-6	Vacant	7.2	5.76		10		10	Yes
32	37820009	0.77	Medium Density Residential	R-1-6	Vacant	7.2	5.76		4		4	Yes

SECTION 1J-2: SITES INVENTORY

Site ID	APN	Size (acres)	Land Use Designation	Zoning	Existing Use	Max. Density (per acre)	Assumed Density (per acre)	Estimated Units by Income Level			Total Units	Infrastructure Available
								LI	MI	AMI		
33	37820010	0.35	Medium Density Residential	R-1-6	Vacant	7.2	5.76			2	2	Yes
34	37820011	0.44	Medium Density Residential	R-1-6	Vacant	7.2	5.76			3	3	Yes
35	37815027	0.17	Medium Density Residential	R-2	Vacant	14.5	11.6	2		2	2	Yes
36	37808318	0.16	High Density Residential	R-2	Vacant	14.5	11.6	2		2	2	Yes
37	37811206	0.21	High Density Residential	R-3	Vacant	29	16.2	3		3	3	Yes
38	37811208	0.61	High Density Residential	R-3	Vacant	29	16.2	10		10	10	Yes
39	37807013	0.17	High Density Residential	R-3	Vacant	29	16.2	3		3	3	Yes
40	37808113, 37808114, 37808112	0.45	High Density Residential	R-3	Vacant	29	16.2	7		7	7	Yes
41	37518312	0.18	Mixed Use	M-U	Vacant	21.78	10.89	2		2	2	Yes
42	37518301	0.17	Mixed Use	M-U	Vacant	21.78	10.89	2		2	2	Yes
43	37518325	0.16	Mixed Use	M-U	Vacant	21.78	10.89	2		2	2	Yes
44	37518202	0.33	Mixed Use	M-U	Paved surface parking lot	21.78	10.89	4		4	4	Yes
45	37515212	0.34	Medium Density Residential	R-1-6	Vacant	7.2	5.76			2	2	Yes
46	37515216, 37515217	0.08	Medium Density Residential	R-1-6	Vacant	7.2	5.76			1	0	Yes
47	37513108	0.26	Medium Density Residential	R-1-6	Vacant	7.2	5.76			1	1	Yes
48	37510204	0.17	Medium Density Residential	R-1-6	Vacant	7.2	5.76			1	1	Yes

APPENDIX 1J: CITY OF ORANGE COVE

Site ID	APN	Size (acres)	Land Use Designation	Zoning	Existing Use	Max. Density (per acre)	Assumed Density (per acre)	Estimated Units by Income Level			Total Units	Infrastructure Available
								LI	MI	AMI		
49	37514203	0.30	Medium Density Residential	R-1-6	Vacant	7.2	5.76		2		2	Yes
50	37512321	0.17	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
51	37512228	0.17	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
52	37503014T	0.48	Medium Density Residential	R-1-6	Vacant	7.2	5.76		3		3	Yes
53	37507101	0.42	Medium Density Residential	R-1-6	Vacant	7.2	5.76		2		2	Yes
54	37523419	1.59	Medium Density Residential	R-1-6	Vacant	7.2	5.76		9		9	Yes
55	37508215	0.20	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
56	37508217	0.22	Medium Density Residential	R-1-6	Vacant	7.2	5.76		1		1	Yes
57	37505021	1.38	Low Density Residential	R-1-12	Vacant	3.6	2.88		4		4	Yes
<b>Vacant Sites Total</b>								<b>111</b>	<b>63</b>	<b>322</b>	<b>496</b>	

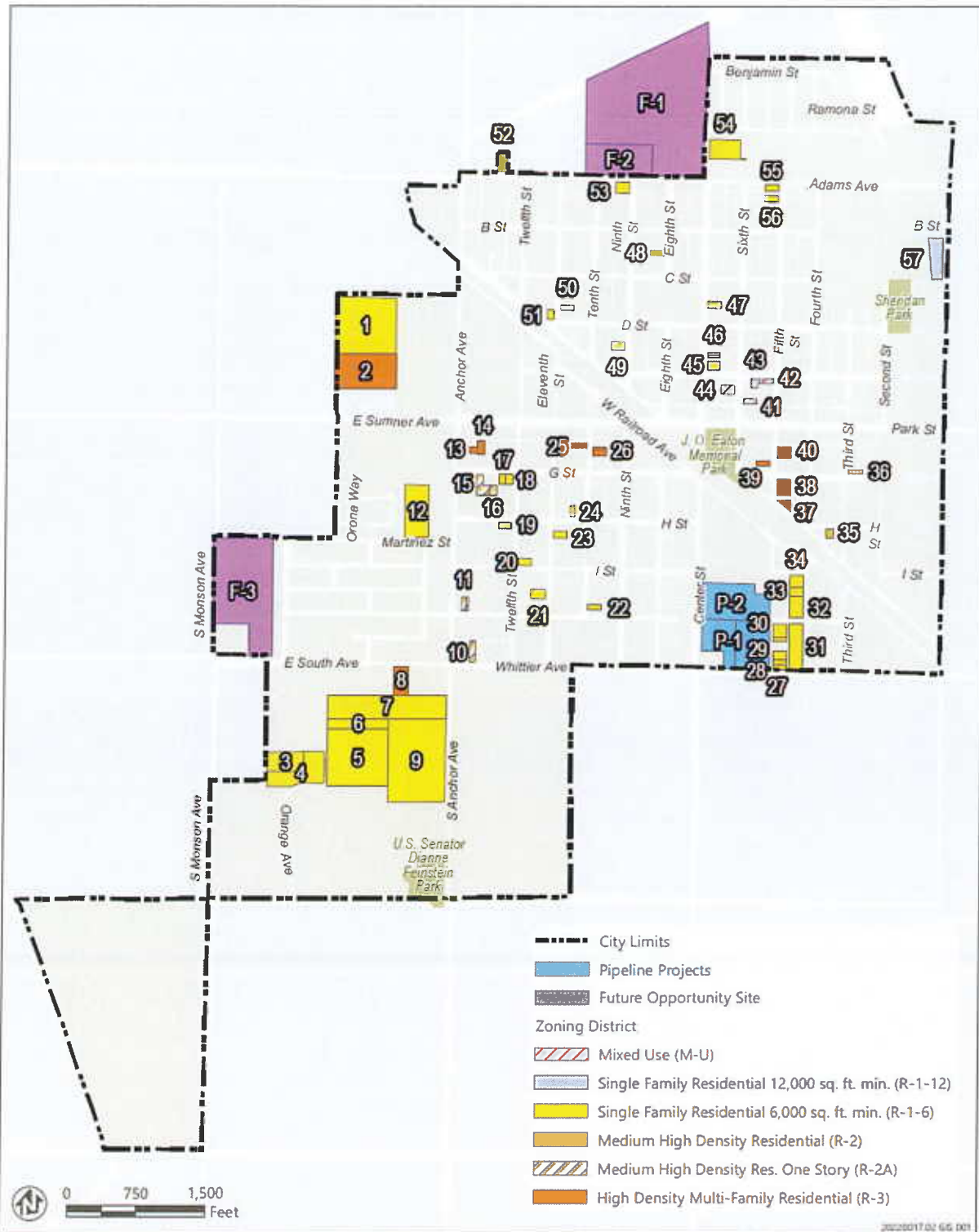
LI = Lower-income, MI = Moderate-income, AMI = Above Moderate-income

Source: City of Orange Cove and Ascent, February 2024



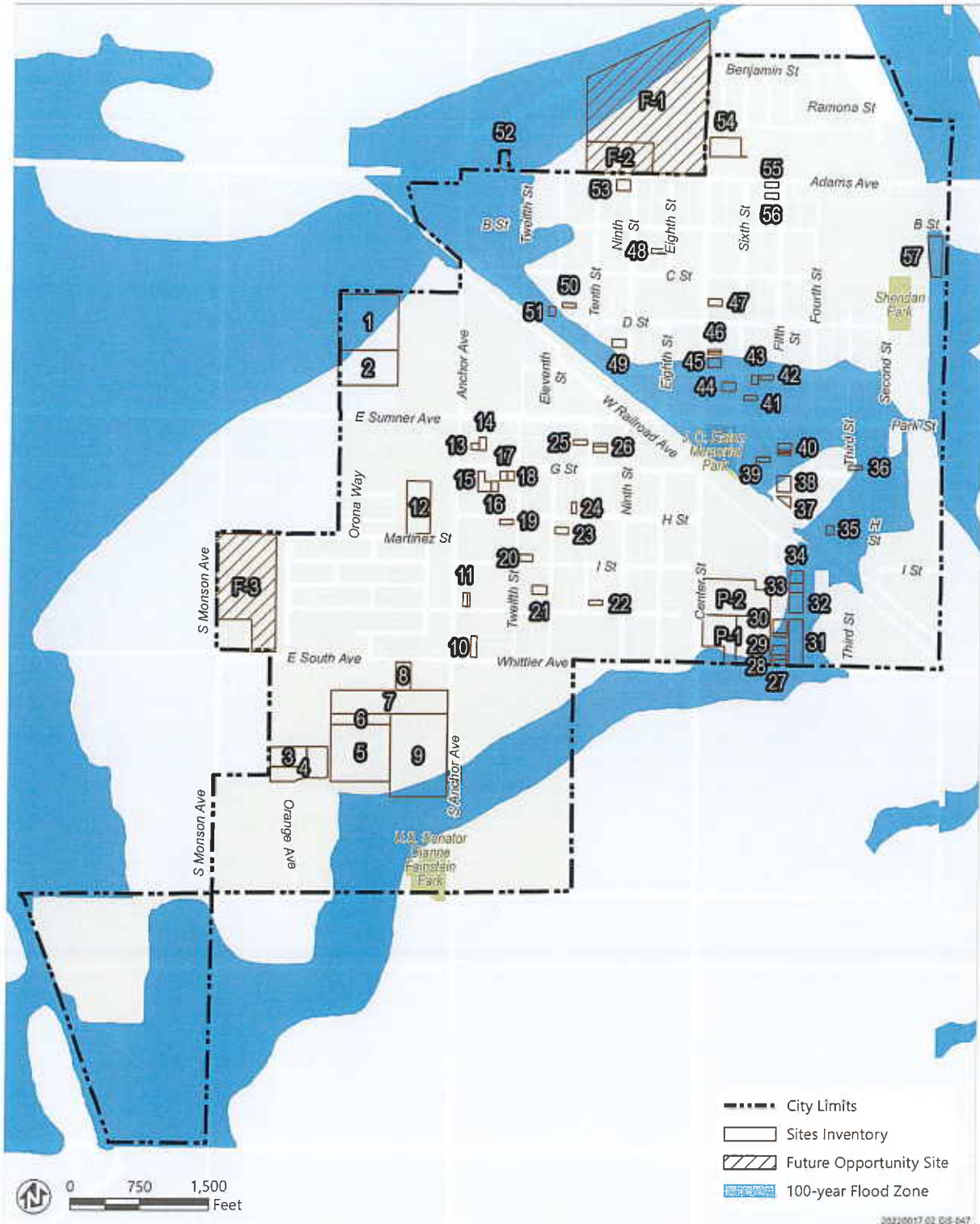
SECTION 1J-2: SITES INVENTORY

Figure 1J-2.1: Orange Cove Sites Inventory



Source: City of Orange Cove and Ascent, August 2023

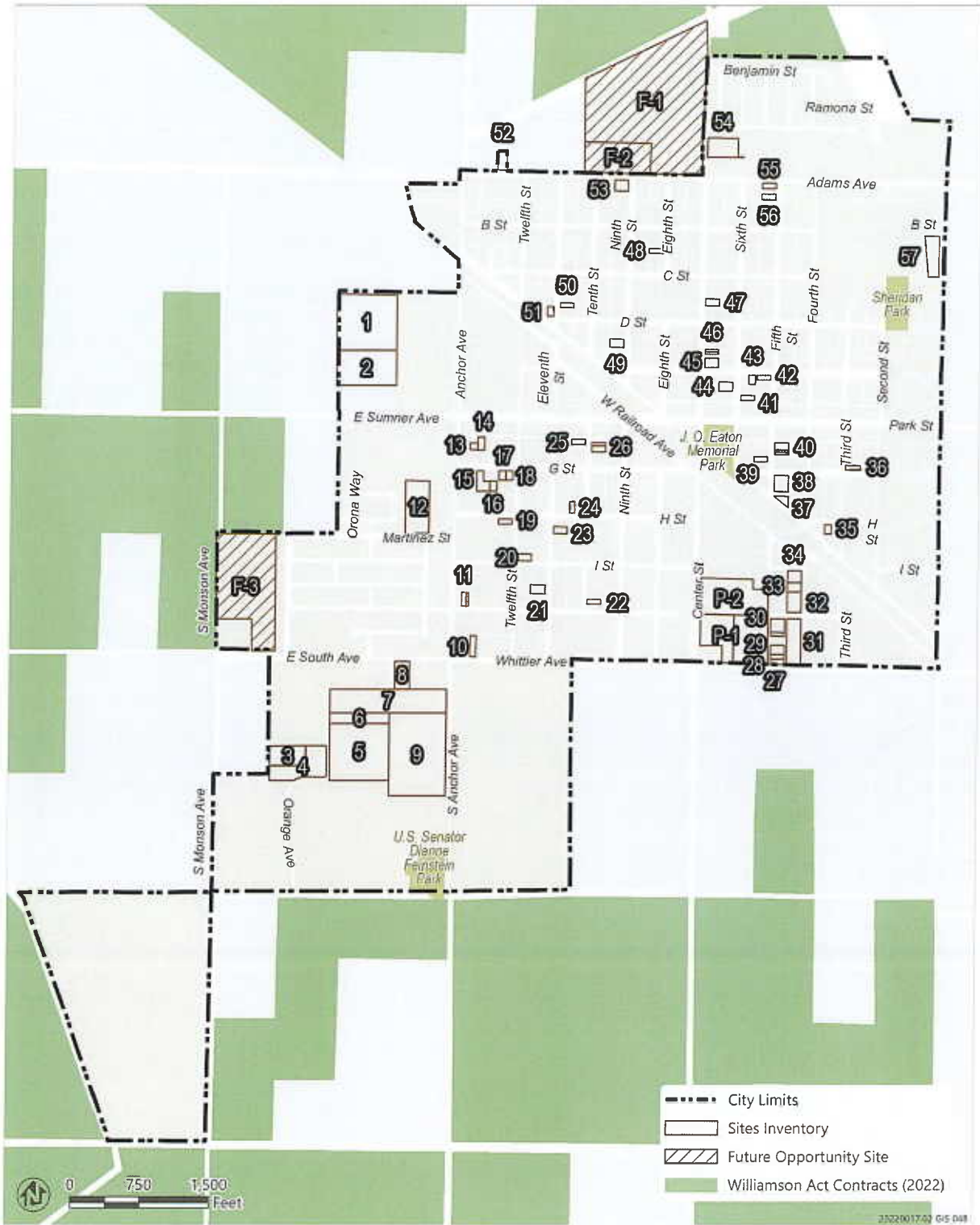
Figure 1J-2.2: Sites Inventory and FEMA 100-Year Flood Zones



Source: Data downloaded from FEMA in 2023; adapted by Ascent in 2023.

SECTION 1J-2: SITES INVENTORY

Figure 1J-2.3: Sites Inventory and Active Williamson Act Contracts



Source: Data downloaded from California Department of Conservation in 2023; adapted by Ascent in 2023.

## RHNA Summary

**Table 1J-2.7** provides a summary of Orange Cove’s ability to meet the 2023-2031 RHNA. The total RHNA for the 2023-2031 RHNA is 469 units, including 115 lower-income units (very low- and low-), 86 moderate-income units, and 268 above moderate-income units. Based on the housing units planned in pending projects and capacity on vacant sites, the City has a surplus of 117 lower-income units, 66 moderate-income units, and 54 above moderate-income units.

**Table 1J-2.7: RHNA Summary**

Project	Units by Income Level			Total Units
	LI	MI	AMI	
<b>2023-2031 RHNA (Table 1J-2.1)</b>	<b>115</b>	<b>86</b>	<b>268</b>	<b>469</b>
Planned and Approved Projects (Table 1J-2.2)	121	89	0	210
Capacity on Vacant Sites (Table 1J-2.6)	111	63	322	496
<b>Total Capacity</b>	<b>232</b>	<b>152</b>	<b>322</b>	<b>706</b>
<i>Surplus</i>	<i>117</i>	<i>66</i>	<i>54</i>	<i>237</i>

*RHNA = Regional Housing Needs Assessment, LI = Lower-income, MI= Moderate-income, AMI = Above Moderate-Income*

*Source: City of Orange Cove, February 2024*

## SECTION 1J-4: CONSTRAINTS

### Land Use Controls

#### General Plan

##### Analysis

The Land Use Element of the Orange Cove General Plan sets forth the City’s policies for guiding local development. The General Plan contains residential land use designations allowing housing development with densities ranging from less than 5 dwelling units per acre up to 29 dwelling units per acre. Residential development is also permitted within the Mixed-Use designation in conjunction with a ground-floor commercial use. **Table 1J-4.1** below presents the General Plan land use designations permitting residential uses, and correlates these with the associated implementing zoning districts.

**Table 1J-4.1: General Plan Land Use Designations Permitting Residential Use**

General Plan Designation	Residential Use Types	Permitted Maximum Density (dwelling units/gross acre)	Corresponding Zone District
Low Density Residential	Single family homes	5 du/acre	R-1-12
Medium Density Residential	Single family homes, duplex, tri-plex, four-plex, mobile home parks	15 du/acre	R-1-6, R-2
High Density Residential	Apartment complexes, condominiums	29 du/acre	R-1-5, R-2, R-3, R-3-A, MHP
Mixed-Use	Residential above ground-floor commercial uses	Not specified <sup>1</sup>	C-2, C-3, M-U

<sup>1</sup> The Land Use Element does not specify a minimum or maximum permitted density within the Mixed-Use designation.

Source: City of Orange Cove General Plan, Land Use Element, 2022

##### Conclusion

The City offers a range of housing densities in the community. The densities are sufficiently high to allow the development of affordable housing for all income levels. However, the City does not establish minimum residential densities for residential land use designations. Minimum residential density requirements are an important tool to guide housing development, particularly as a mechanism to encourage higher density housing projects in strategic areas.

##### Recommended Action

The Housing Element includes **Program 12** to amend the General Plan and Zoning Code to adopt minimum residential densities for land use designations that allow residential development.

## SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

### Introduction

Government Code Chapter 15 Section 8899.50, signed into law in 2018 under Assembly Bill (AB) 686, requires all public agencies in California to “administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing, and take no action that is materially inconsistent with its obligation to affirmatively further fair housing.”

This means cities and counties are required to take deliberate actions to address disparities in housing needs, access to opportunity, and settlement patterns for protected populations. Consistent with Government Code Section 65583, housing elements are required to address the following components:

- **Inclusive and Equitable Outreach:** Local jurisdictions must make a diligent effort to equitably include all community stakeholders in the housing element participation process.
- **Assessment of Fair Housing:** All housing elements must include an assessment of integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs, including displacement risk.
- **Analysis of Sites Inventory:** Local jurisdictions must evaluate and address how particular sites available for housing development will meet the needs of households at all income levels. The housing element must analyze and conclude whether the identified sites improve or exacerbate conditions for fair housing.
- **Identification of Contributing Factors:** Based on findings from the previous steps, housing elements must identify, evaluate, and prioritize the contributing factors related to fair housing issues.
- **Policies and Actions to Affirmatively Further Fair Housing:** Local jurisdictions must adopt fair housing goals and actions that are significant, meaningful, and sufficient to overcome identified patterns of segregation and affirmatively further fair housing (AFFH). The housing element should include metrics and milestones for evaluating progress and fair housing results.

### Outreach

As part of the Multi-Jurisdictional Housing Element update process, the City hosted and participated in a variety of outreach efforts locally and throughout the county. The purpose of outreach was to solicit feedback from local stakeholders and members of the community to inform the assessment of housing needs and program development. This Assessment of Fair Housing includes a summary of local outreach activities. Feedback received from the community was used to inform the Housing Element policies and programs, as well as to provide additional local context and knowledge. A full summary of outreach efforts can be found in Section 1J-6, Public Outreach and Engagement.

### ***Community Workshop***

On September 22, 2022, the City of Orange Cove held an in-person Community Workshop to provide information on the Housing Element and solicit input from the community. The City notified the community of this meeting through flyers distributed in English and Spanish through the FCOG listserv of regional stakeholders and community-based organizations (CBOs) and through the Fresno Housing Authority. City staff also distributed English and Spanish flyers at the Fresno Economic Opportunities Commission Food Distribution event. Information about the workshop was also posted on the City's Facebook page with a link to the Eventbrite registration page, which included information about Spanish language interpretation, refreshments, and activities for children that would be available at the workshop.

Eight community members attended the community workshop held at the Orange Cove Senior Citizen Center. The main theme of the discussion was the need for more deeply affordable housing to match household incomes in Orange Cove. Participants shared that many residents struggle to qualify for affordable or market-rate housing, due to low credit scores or lack of sufficient documentation. Participants were especially concerned about the rising cost of living and heightened displacement risk among the City's residents, many of whom are farmworkers. Residents are worried about market conditions and unforeseen emergencies that could impact their incomes such that they lose their homes. These fears were exacerbated by the economic impacts of the Covid-19 pandemic; many residents have fallen into debt due to lay-offs or lost hours due to illness.

Participants highlighted the need for additional community amenities, such as improved city services, parks/open spaces, and grocery stores. City staff shared concerns about providing financial incentives to housing developers (i.e., fee waivers) when the City's impact fees are relatively low; revenue from development fees is crucial to financing community development projects and maintaining existing levels of service.

Participants also expressed concerns about the safety and quality of the City's water supply. The City recently built a new well to augment the citywide supply; however, residents are concerned that water from the new well is not safe as drinking water.

### ***Study Session***

A joint study session was held with the Planning Commission and City Council at a special meeting on September 28, 2022, to discuss the Housing Element Update process. The study session was open to the public and held in person, with a livestream option to reach members of the public who could not attend in person. Commentary was limited and no public comment related to fair housing was received at the meeting; instead, commissioners and council members expressed concern regarding the need for more affordable housing since the majority of residents are farm workers and cannot afford housing at fair market rates. Commissioners and council members also asked for more information on government subsidy programs that can help buyers with down payment assistance.

## Assessment of Fair Housing Issues

This section serves as an assessment of fair housing practices in the City and has been prepared pursuant to Government Code Section 65583 (c)(10). It examines existing conditions and demographic patterns including settlement patterns of protected populations, areas of high and low opportunities, and disproportionate housing needs in Orange Cove. The analysis is primarily based on data from the U.S. Census American Community Survey (ACS), the HCD AFFH tool, and data reported in Chapters 2 and 4 of the Multi-Jurisdictional Housing Element.

This section is organized by fair housing topics. Strategies to address the identified issues are included throughout the section. This section also includes an analysis of the Housing Element's sites inventory as compared with fair housing factors. Through discussions with housing service providers, fair housing advocates, and this assessment of fair housing issues, the City of Orange Cove identified factors that contribute to fair housing issues. These contributing factors are included in **Table 1J-3.10** with associated actions to meaningfully affirmatively further fair housing related to these factors. Programs to affirmatively further fair housing are included in Section 1J-1, Action Plan.

### ***Note on Geospatial Analysis and Data Limitations***

This fair housing assessment, and the Housing Element generally, relies heavily on data from the U.S. Census American Community Survey. Census data is compiled primarily by census tract or by block group. However, the City's small population and geographic area limit the reliability and usefulness of demographic data from the U.S. Census data for analyzing local fair housing trends and dynamics. With a population of less than 8,000 residents, the sample size in Orange Cove is small enough to increase the overall level of sampling error reported when estimates are made using the data. **Figure 1J-3.1** and **Figure 1J-3.2** display Orange Cove city boundaries compared to census tract and block group boundaries defined by the U.S. Census Bureau. The City's boundaries lie completely within two census tracts, both of which extend far beyond city limits to include a significant amount of unincorporated area. Therefore, demographic data at the census tract level may be skewed by the demographic conditions in the unincorporated areas surrounding the City in addition to elevated sampling error.

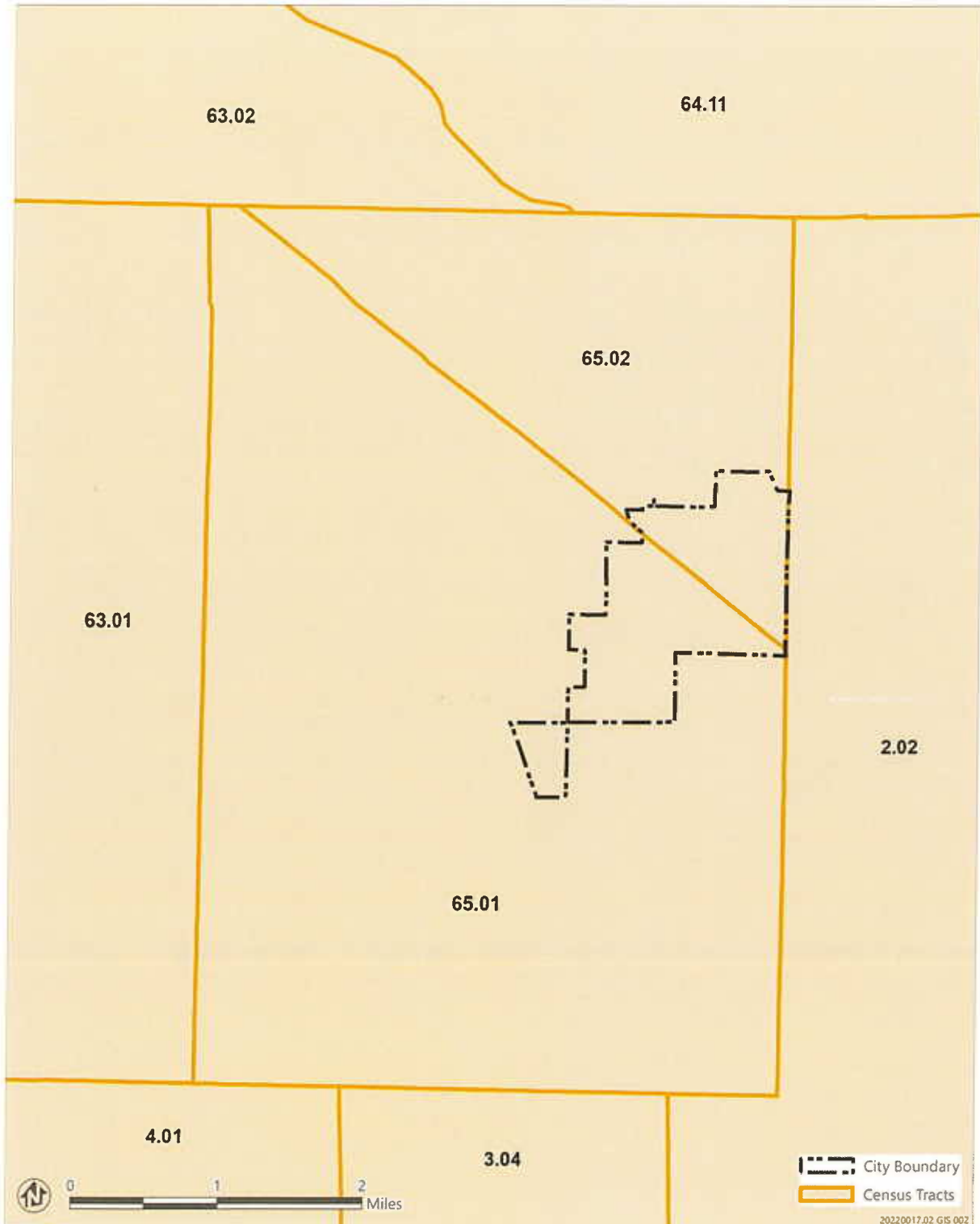
For these reasons, this fair housing assessment primarily uses Census data to place fair housing issues in Orange Cove into a regional context by drawing comparisons to other jurisdictions in Fresno County. Fresno County is used as the primary point of comparison for regional trends. References to the "Central Valley" refer to the San Joaquin basin within Fresno County.



### SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

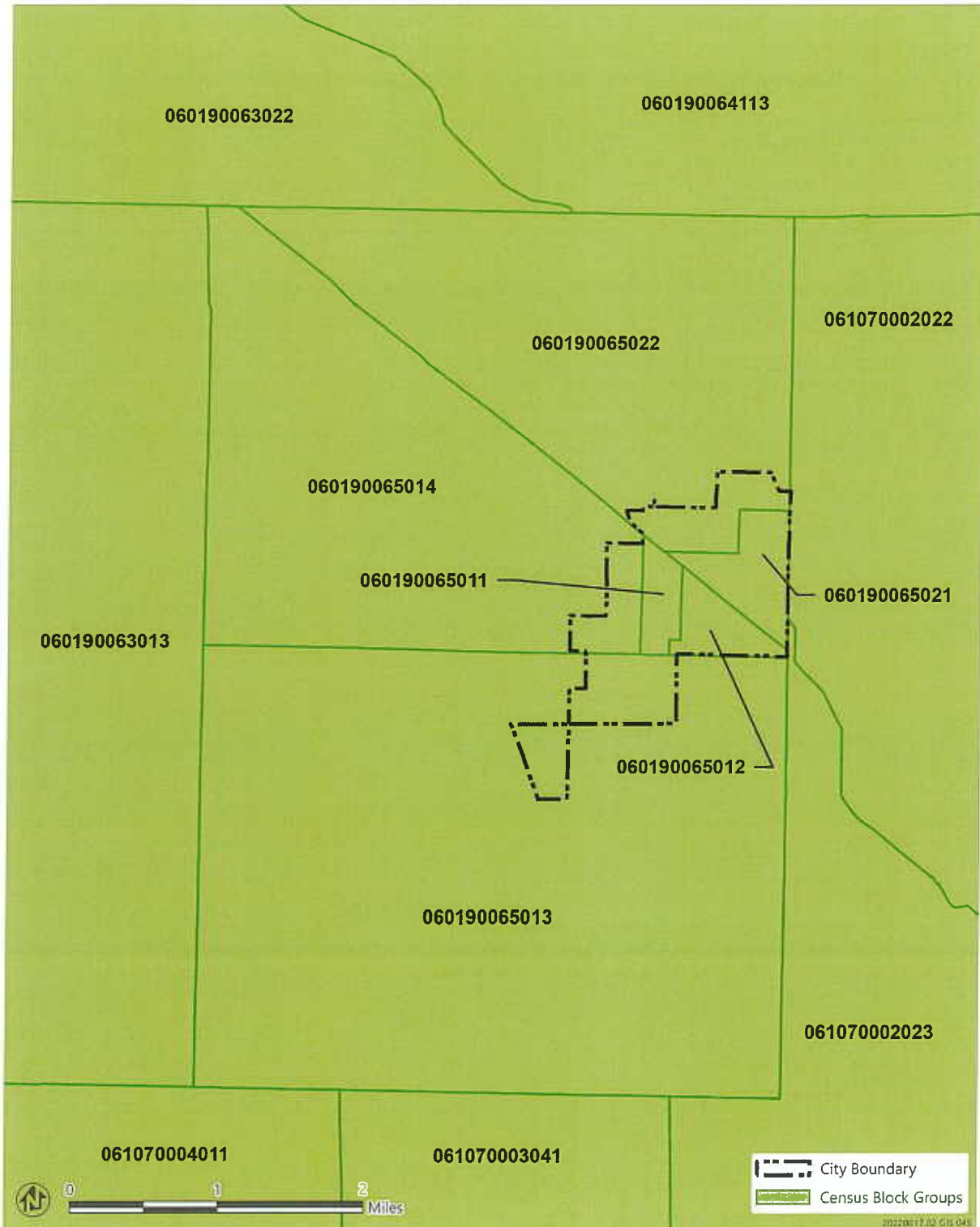
When available, local knowledge and data is incorporated to augment the analysis and provide insight into local trends and dynamics within the city. There are no defined neighborhoods within Orange Cove, and generally, the socioeconomic and demographic trends based on available data sources are internally uniform throughout the city. However, where needed, this analysis considers quadrants as an appropriate sub-unit of the city to help describe local trends. The quadrants are defined based on the intersection of Park Avenue (north/south) and Center Street (west/east). It is important to note that there is very little, if any data, available at this scale and therefore, quadrants are primarily used to describe spatial patterns or in conjunction with anecdotal information.

Figure 1J-3.1: Orange Cove Census Tracts



Source: Adapted by Ascent in 2022

Figure 1J-3.2: Orange Cove Block Groups



Source: Adapted by Ascent in 2023

## ***Patterns of Integration and Segregation***

Segregation is the separation of different demographic groups into different geographic locations or communities, meaning that groups are unevenly distributed across geographic space. The data presented in this section describing segregation in Orange Cove is primarily U.S. Census data which is used to augment the data and analysis reported for Fresno County in the Regional Fair Housing Assessment (Chapter 3). Often an assessment of segregation in a community relies on two lenses: neighborhood-level segregation within a local jurisdiction and city or county level segregation between jurisdictions within the region:

- Neighborhood level segregation (within a jurisdiction): Segregation of race and income groups can occur from neighborhood to neighborhood within a city. For example, if a local jurisdiction has a population that is 20 percent Latinx, but some neighborhoods are 80 percent Latinx while others have nearly no Latinx residents, that jurisdiction would have segregated neighborhoods.
- City level segregation (between jurisdictions in a region): Race and income divides also occur between jurisdictions in a region. A region could be very diverse with equal numbers of White, Asian, Black, and Latinx residents, but the region could also be highly segregated with each city comprised solely of one racial group.

As discussed above, there are significant limitations to using demographic data to extrapolate local patterns for rural jurisdictions like Orange Cove where there is both a very small population (less than 10,000) and geographic area. As such, this report focuses primarily on city-level segregation and draws comparisons between residents of Orange Cove, other Fresno County jurisdictions, and the County as a whole.

### ***Racial and Ethnic Characteristics***

As described in Chapter 2, Hispanic/Latino residents make up a majority of residents in most jurisdictions (of any race) in Fresno County. Similarly, the City of Orange Cove's largest demographic group is Hispanic/Latino, comprising 94.9 percent of the City's population. This is among the largest proportions of Hispanic/Latino residents among Fresno County jurisdictions, and significantly higher than the County baseline (Hispanic/Latino residents comprise 54 percent of the countywide population). The City's Hispanic/Latino population has grown approximately 37.9 percent since the 2000 census, from 6,996 residents in 2000 to 9,646 residents in 2020 (see **Table 1J-3.1**). Conversely, the population of white non-Hispanic residents has declined roughly 42.2 percent over the past 20 years, with the 2020 Census estimating 304 white residents in Orange Cove.

Black or African American residents (non-Hispanic) are the third largest racial group in Orange Cove, comprising 1.2 percent of the population. Over time, this population has increased from 15 residents in 2000 to 117 in 2020, representing a 680 percent increase.

Overall, the City's racial/ethnic distribution is more consistent with other small rural jurisdictions such as Huron, Mendota, and Parlier than larger, urbanized jurisdictions which tend to reflect the Countywide distribution more closely.

SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

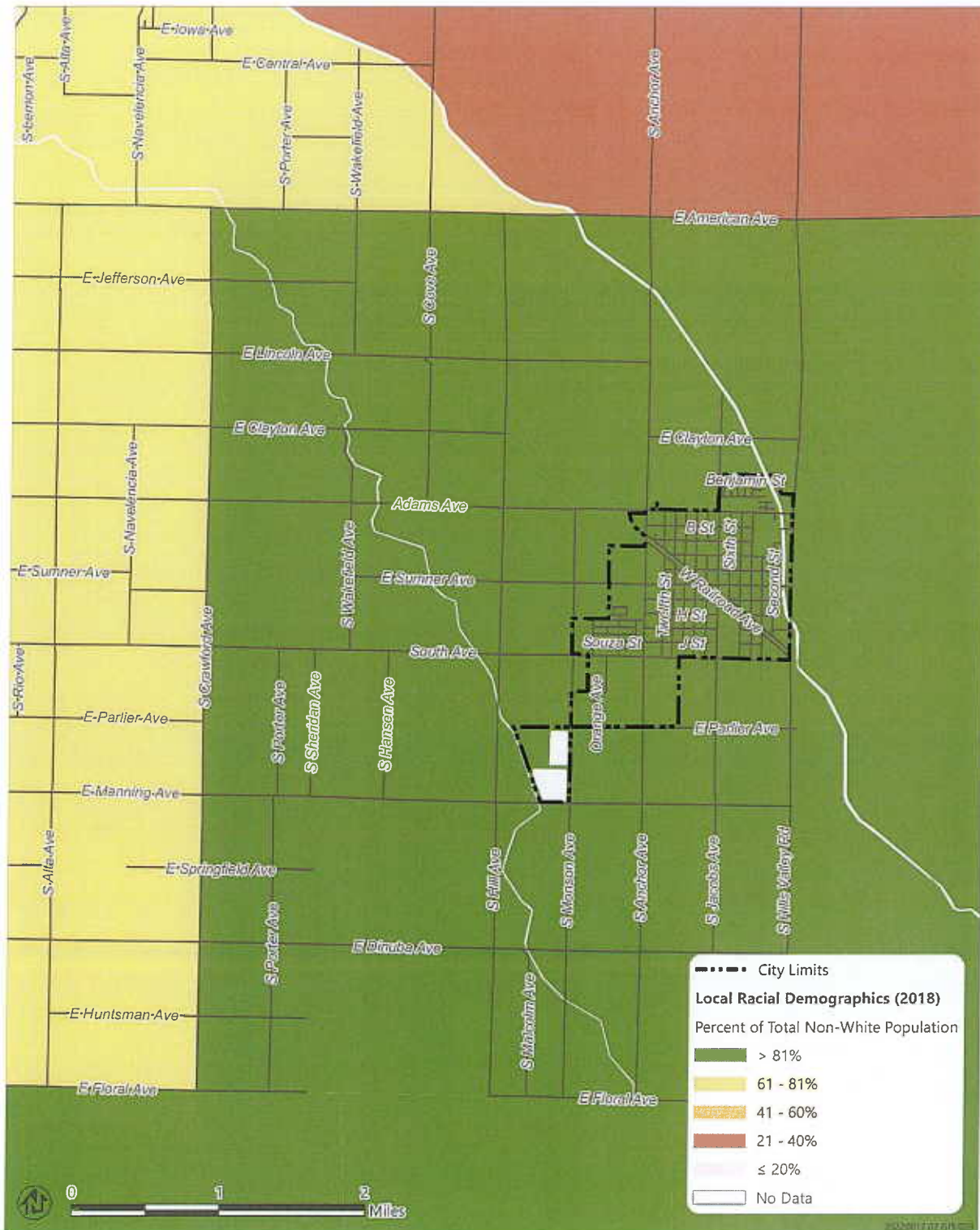
**Table 1J-3.1: Population by Race and Hispanic Origin, Orange Cove, 2000-2020**

	2000		2010		2020	
	Number of People	Percent	Number of People	Percent	Number of People	Percent
White	526	6.81%	457	5.03%	304	3.00%
Black or African American	15	0.19%	21	0.23%	117	1.16%
American Indian and Alaska Native Alone	46	0.60%	28	0.31%	0	0.00%
Asian	103	1.33%	28	0.31%	0	0.00%
Native Hawaiian and Other Pacific Islander	0	0.00%	86	0.95%	26	0.26%
Some Other Race	10	0.13%	2	0.02%	21	0.21%
Two or More Races	26	0.34%	18	0.20%	6	0.06%
Hispanic or Latino	6,996	90.60%	8,413	92.67%	9,646	95.32%

Source: U.S. Census Bureau, ACS16-20 and ACS05-10 (5-year Estimates), Table B03002. U.S. Census Bureau, 2000 Decennial Census Table H007

**Figure 1J-3.3** displays the distribution of non-White (including non-White Hispanic/Latino) residents in Orange Cove by block group. Consistent with citywide data, the entire City and much of the surrounding area is predominantly non-White (greater than 81 percent). The concentration of non-White residents declines west of South Crawford Avenue (between 61 and 81 percent non-White) and north of East American Avenue (between 21 and 40 percent).

Figure 1J-3.3: Total Non-White Population, Orange Cove, 2018



Source: Data downloaded from HCD AFFH Data and Mapping Tool in 2021, based on 2015-2019 American Community Survey data

**SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING**

***Income Distribution***

According to 2016-2020 ACS data presented in Figure 2-2 (Local Median Income), Orange Cove has the lowest citywide median household income in Fresno County with a median household income of \$25,587, well below the Fresno County and statewide median household incomes (\$57,109 and \$78,672, respectively). The regional analysis identifies Orange Cove as having the highest percentage of lower-income households within Fresno County, constituting 80.8 percent of the total households. The City also has the highest rates of representation of very low-income households in Fresno County, with 28.1 percent of Orange Cove households in the very low-income bracket compared to a countywide average of 12.8 percent (see **Table 2-9**). Further, as described in Chapter 2, more than half of all households qualify as either extremely low- or very low-income households. Household incomes in Orange Cove are generally comparable to other small rural jurisdictions in Fresno County in areas where the employment base is dominated by agricultural and trade/manufacturing industries. Economic opportunity in Orange Cove is discussed in more detail in “Access to Opportunity.”

The City’s low median household income and overrepresentation of very low-income households correspond with high rates of poverty. As shown below in **Table 1J-3.2**, citywide poverty rates have generally increased over time, rising from 39.0 percent in 2010 to 44.9 percent in 2020. Although the data indicates that poverty rates have somewhat rebounded from a sharp spike in 2015 (48.5 percent), this upward trend may have been destabilized by economic impacts of the Covid-19 pandemic.

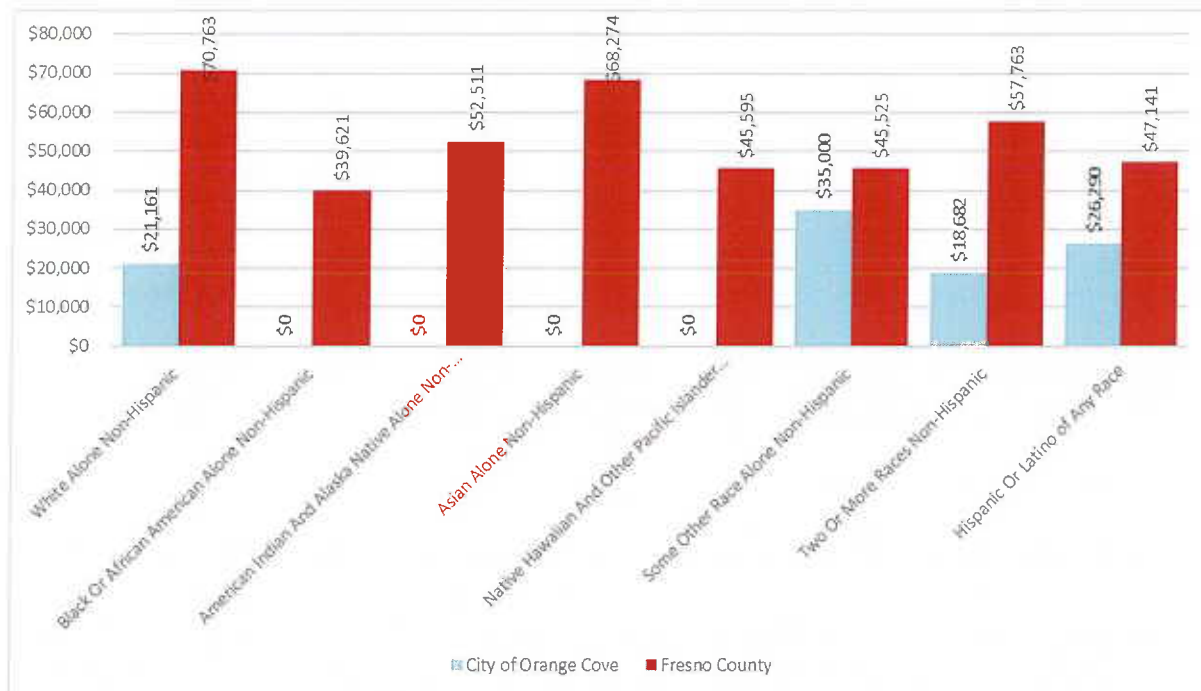
**Table 1J-3.2: Orange Cove Poverty Rates, 2010-2020**

	<b>2010</b>	<b>2015</b>	<b>2020</b>
Households below Poverty Level	689	951	1,004
Percent of All Households in Poverty	39.0%	48.5%	44.9%
Total Households	1,767	1,960	2,235

*Source: U.S. Census Bureau, ACS16-20 (5-year Estimates), Table B17019*

Median household incomes for racial/ethnic groups in Orange Cove, shown in **Figure 1J-3.4**, deviate from countywide trends. As described above in “Patterns of Race and Ethnicity,” Orange Cove is predominantly Hispanic/Latino with non-Hispanic whites and other non-Hispanic racial groups individually comprising 3 percent of the population or less. With such small sample sizes in the city, data is not available for the racial groups making up less than 1 percent of the population. In contrast to countywide trends, Hispanic/Latino households have higher median household incomes than non-Hispanic White residents by approximately \$5,129.

Figure 1J-3.4: Median Household Income by Race, Orange Cove, 2020



Source: U.S. Census Bureau, ACS16-20 (5-year Estimates), Table B19013

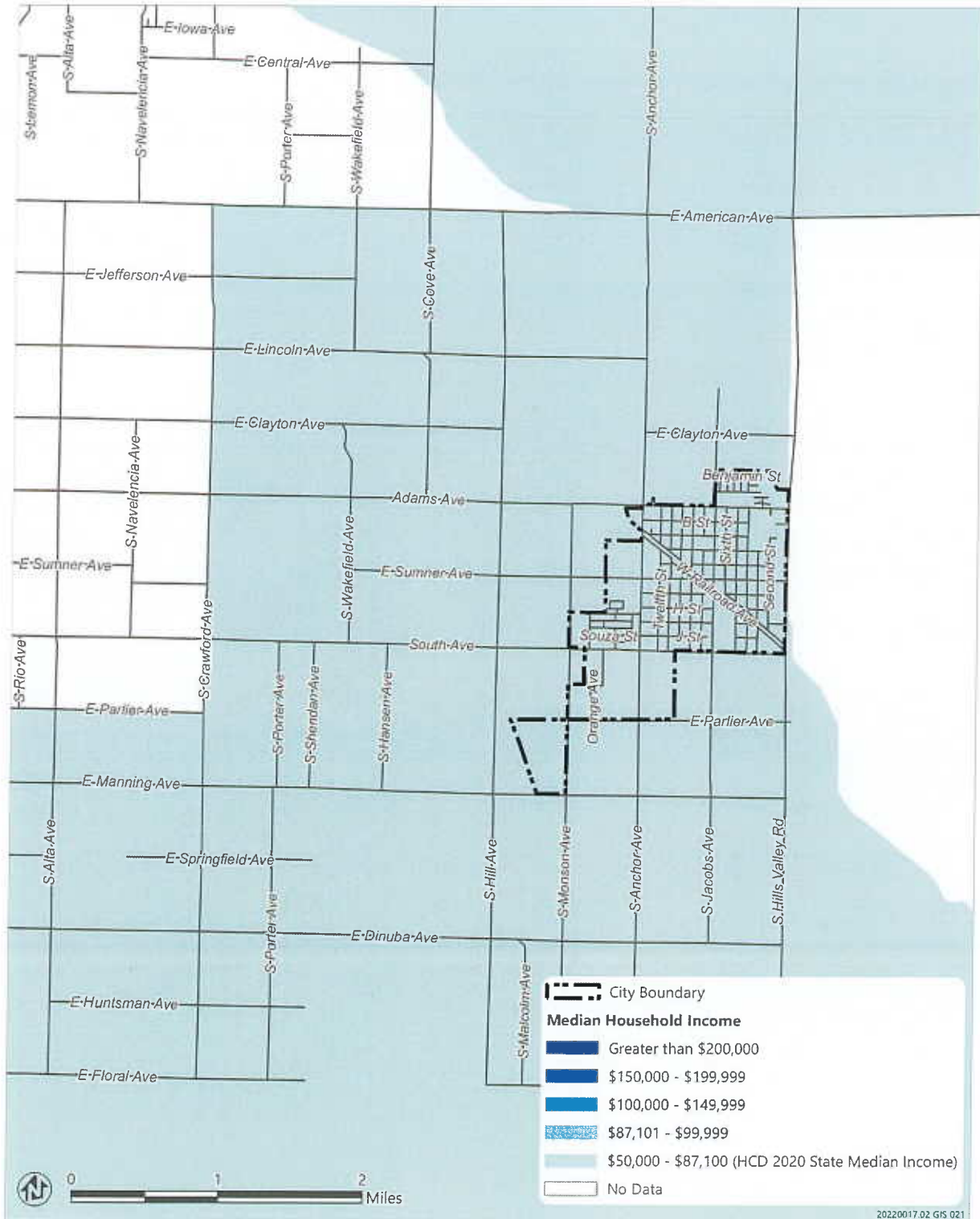
Figure 1J-3.5 displays household incomes by block group in Orange Cove. Within city limits, households in block groups south of the railroad tend to report slightly higher household incomes than those located north of the railroad. The highest median household incomes (\$33,922) are found in the block group south of the railroad, bounded by Anchor Avenue and 10<sup>th</sup> Street and extending to South Avenue. In block groups north of the railroad, median household incomes do not exceed \$30,000 a year. As shown in Figure 1J-3.6 residents living north of the railroad also experience slightly higher rates of poverty (greater than 40 percent) relative to residents on the south side (between 30 and 40 percent).

Given the extremely low median household income in Orange Cove compared to other jurisdictions in the region and state, households likely have continued to face challenges in finding housing affordable within their incomes and completing necessary repairs to their homes.



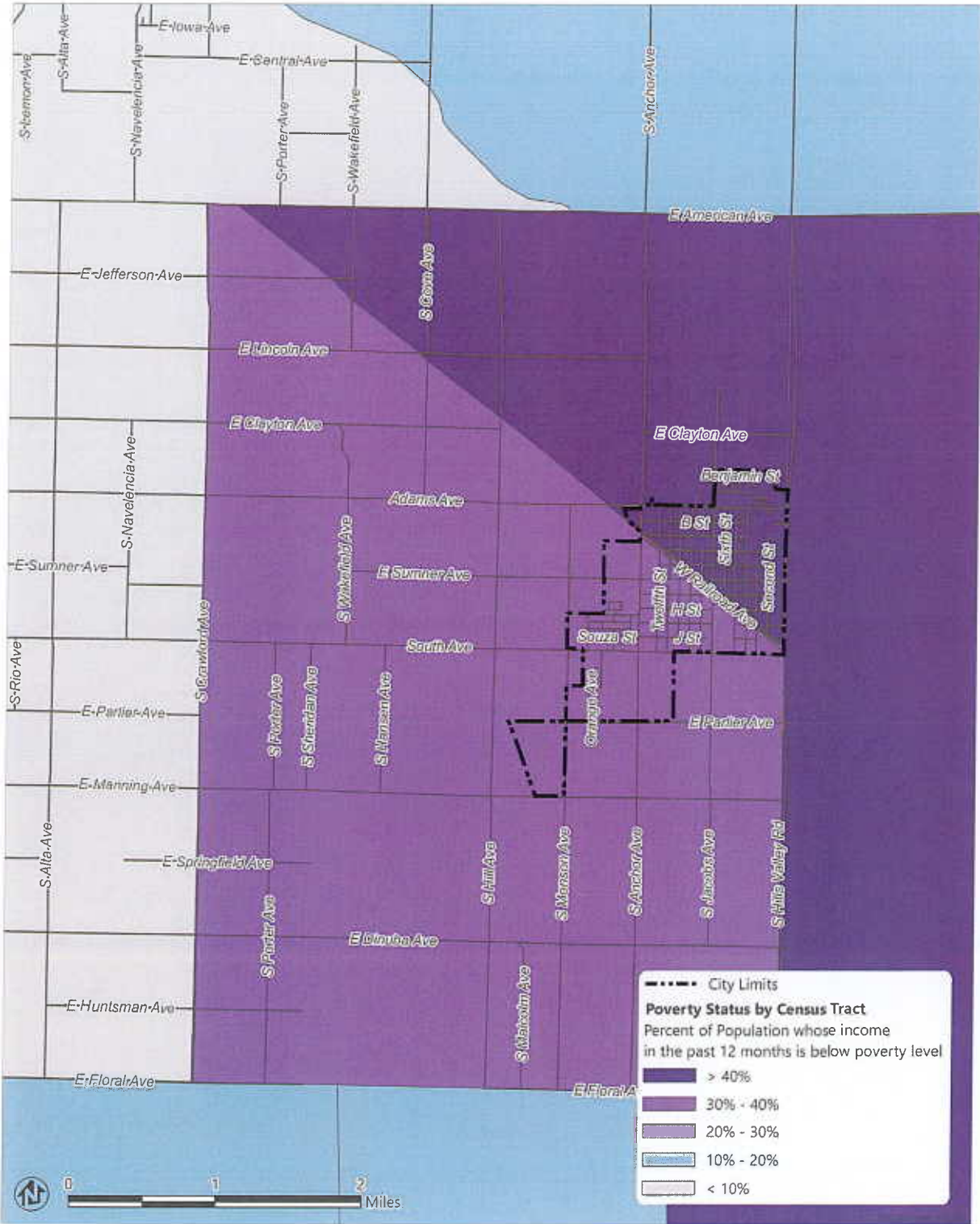
SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

Figure 1J-3.5: Median Household Income by Block Group, Orange Cove, 2019



Source: Data downloaded from HCD AFFH Data and Mapping Tool in 2022, based on 2015-2019 American Community Survey data.

Figure 1J-3.6: Poverty Rates by Census Tract, Orange Cove, 2019



Source: Data downloaded from HCD AFFH Data and Mapping Tool in 2022, based on 2015-2019 American Community Survey data.

### ***Familial Status***

The Fair Housing Act (FHA) bans discrimination based on certain protected classes, including "familial status," which refers to the presence of at least one child under 18 years old. Under the FHA, familial status discrimination occurs when a landlord, property manager, real estate agent, or property owner treats someone differently because they have a family with one or more individuals who are under 18 years of age. A "family" also includes people who are pregnant and people who are in the process of securing legal custody of a person under 18 years of age, including a family that is in the process of adopting a child, or foster parents. All families with children are protected by the FHA against familial status discrimination, including single-parent households and same-sex couples with children.

Rules that unreasonably restrict children or limit the ability of children to use their housing or the common facilities at the property may violate the FHA. Moreover, enforcing certain rules only against families with children may also violate the FHA. The following are examples of the types of conduct that may violate the FHA:

- Refusing to rent, sell, or negotiate with a family because the family has one or more children under 18 years of age.
- Advertising a preference for households without children or otherwise discouraging such families.
- Telling an individual with children no unit is available even though a unit is in fact available.
- Forcing families into housing units that are larger than necessary.
- Designating certain floors or buildings for families with children or encouraging families with children to reside in particular areas.
- Charging additional rent, security deposit, or fees because a household has children under 18 years of age.

This assessment examines the spatial distribution of households by familial status to determine the potential of familial status discrimination in the city. Family households are defined by California law as a household of two or more persons, regardless of relationship status. Most Orange Cove households are family households (approximately 86 percent include more than one person in the households). Households with children account for 53 percent of all households in Orange Cove.

**Table 1J-3.3: Households by Familial Status, 2020**

Household Type	Orange Cove		Fresno County	
	Count	Percentage	Count	Percentage
Female-Headed Households with Children	458	17.1%	22,501	7.3%
Male-Headed Households with Children	95	3.5%	5,073	1.6%
Married-Couple or Cohabiting Couple Households with Children	873	32.6%	82,185	26.5%
Single-Person Households	372	13.9%	68,771	22.2%
Other Households without Children	884	32.9%	131,567	42.4%
<b>Total Households with Children</b>	<b>1,426</b>	<b>53.2%</b>	<b>107,759</b>	<b>35.4%</b>
<b>Total Households</b>	<b>2,682</b>		<b>310,097</b>	

Source: U.S. Census Bureau, ACS16-20 (5-year Estimates), Table B11012

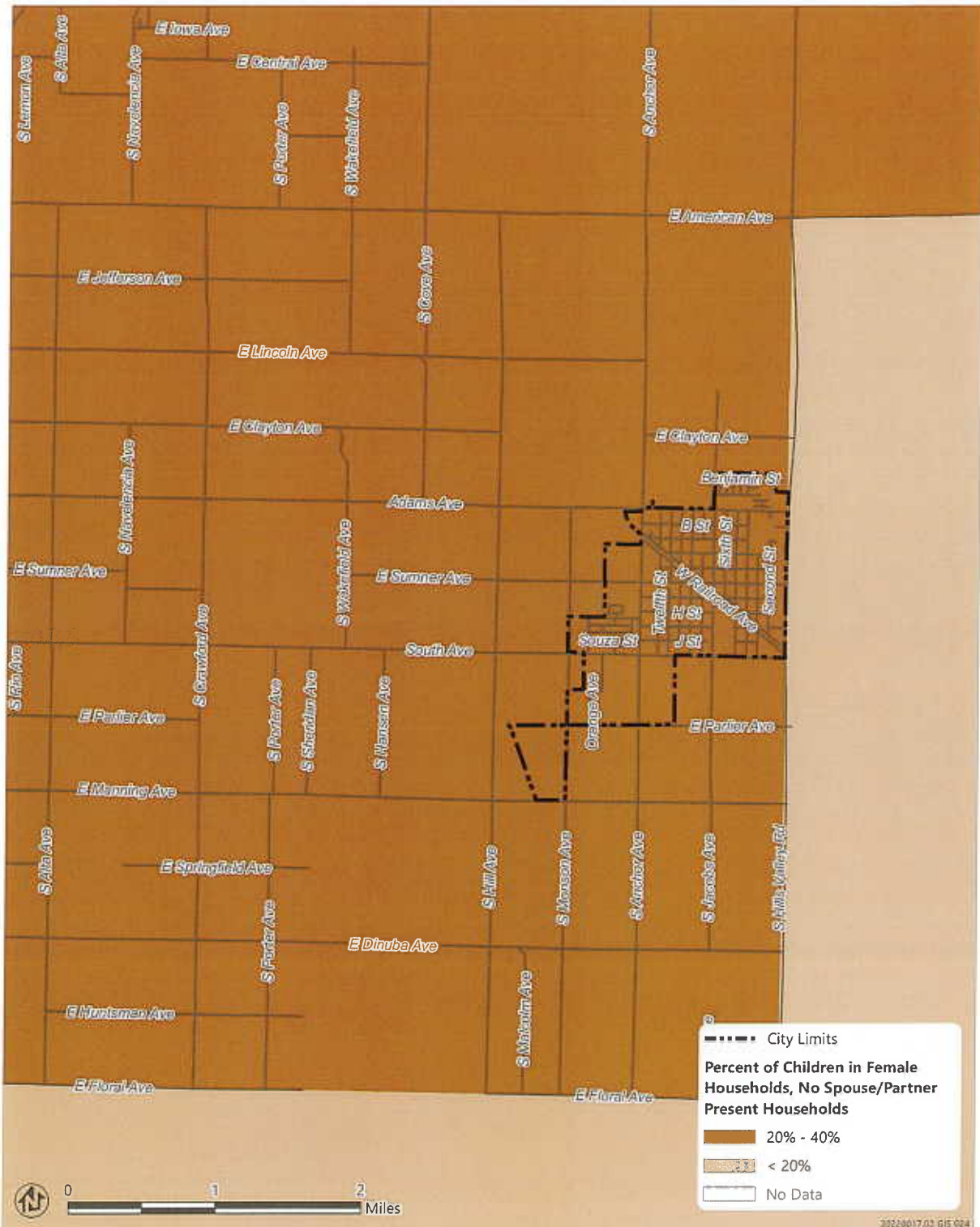
As shown in **Table 1J-3.3**, approximately 20.6 percent of Orange Cove households are single-parent households, primarily female-headed (17.1 percent of all households). In fact, the City has the highest incidence of single female-headed households with children among Fresno County jurisdictions (see **Table 2-30**), significantly higher than the countywide rate of 7.3 percent.

Female-headed, single-parent households experience poverty at disproportionately higher rates than two-parent households across Fresno County, as described in the Housing Needs Assessment. Orange Cove reflects this trend, more than half (62.4 percent) of female-headed households with children have household incomes below the poverty line, compared to 44.9 percent of all households in the City.

**Figure 1J-3.7** depicts rates of children in female-headed, single-parent households by census tract in Orange Cove. Similar to other indicators of integration and segregation within the City, the spatial distribution of familial status data by census tract does not reveal significant geographic patterns within City limits.

SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

Figure 1J-3.7: Children in Female-Headed Households, Orange Cove, 2019



Source: Data downloaded from HCD AFFH Data and Mapping Tool in 2022, based on 2015-2019 American Community Survey data

### ***Disability Rates and Services***

Persons with disabilities typically have special housing needs due to physical and/or developmental capabilities, fixed or limited incomes, and higher health costs associated with their disabilities. Seniors typically experience disabilities at higher rates. Approximately 7.5 percent of Orange Cove population lives with one or more types of disabilities, well below both the Fresno County average of 12.9 percent and state average of 10.7 percent. This may be due, in part, to the City's low median age (25.8 years) relative to other cities in Fresno County; 40.7 percent of seniors in Orange Cove live with at least one disability.

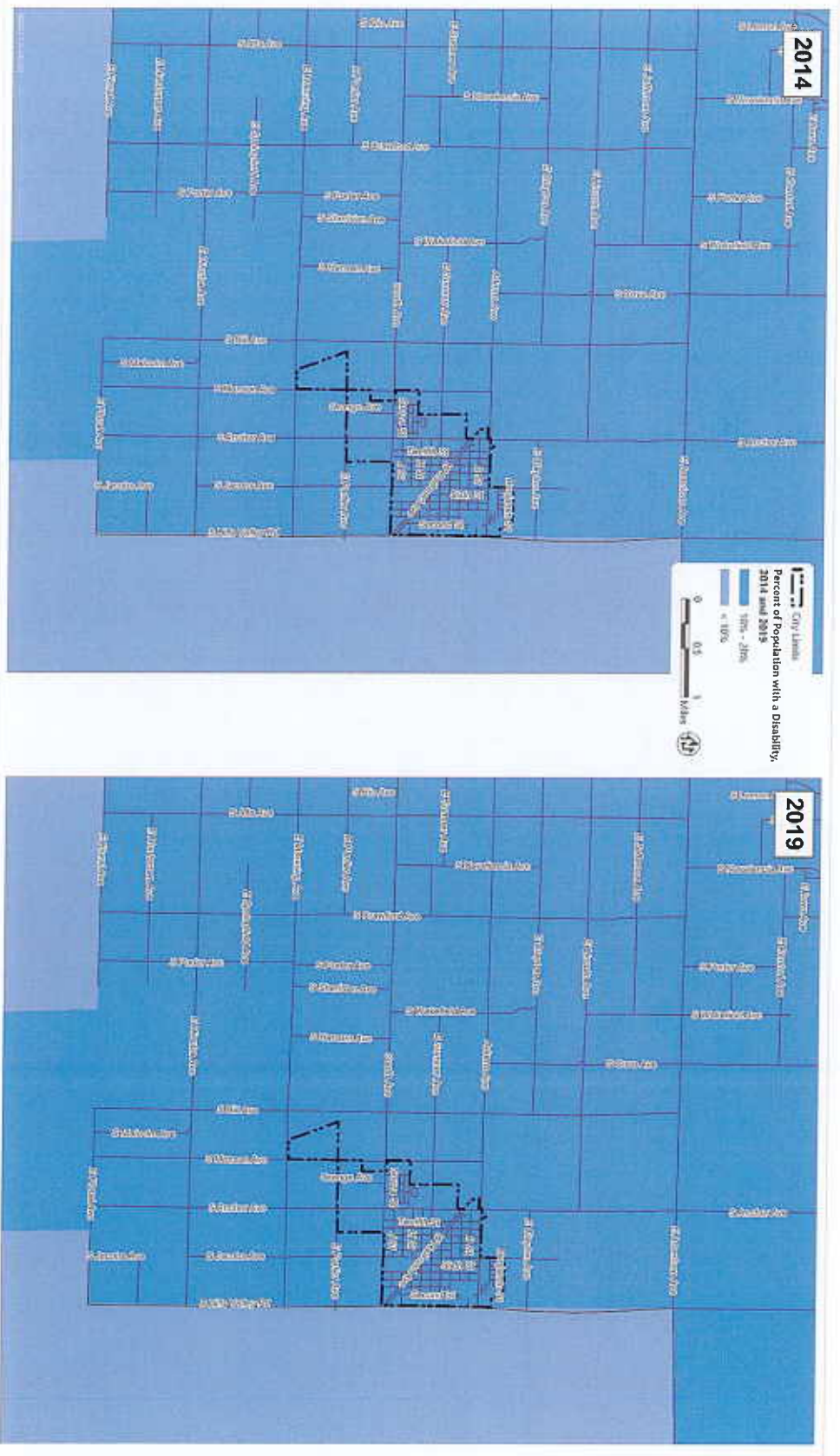
Over time, the proportion of Orange Cove residents living with disabilities has slightly declined. In 2014, the disability rate was 8.9 percent compared to 7.5 percent in 2020, with seniors comprising a larger proportion of the population with disabilities in 2020 (40 percent compared to 27.9 percent in 2014).

The spatial distribution of residents living with disabilities within two census tracts is difficult to specify given the availability of data. **Figure 1J-3.8** compares disability rates in 2014 and 2019 for census tracts in Orange Cove. As shown, there are no significant spatial trends at a local level.

As shown on **Table 2-32**, Disability by Type (2020), ambulatory disabilities were the most prevalent disability type in the City, with 51 percent of the population with a disability reporting this challenge. The next most common disability types were cognitive difficulties at 35 percent, independent living difficulties at 27.5 percent, and vision difficulties at 27 percent. Orange Cove also has a small population of residents with developmental disabilities (less than one percent of total population), of which approximately 84 individuals are under 18 years of age; 97.5 percent of all residents with developmental disabilities (approximately 119 individuals) live at the home of a parent, family, or guardian, reflecting a general shortage of care facilities in the City.

SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

Figure 1J-3.8: Percentage of the Population with a Disability in Orange Cove



Source: Data downloaded from HCD AFFH Data and Mapping Tool in 2021, based on U.S. Census Bureau data

## ***Concentrated Areas of Race and Income***

Many of the racial and spatial divisions in Orange Cove, described in the assessment above, originated from the early settlement and development patterns of the San Joaquin Valley. In the early 1930s, “Dust Bowl refugees” fleeing severe drought and dust storms in the American Midwest migrated west to California in search of work. Approximately 28 percent of migrants arriving in the state during this time settled in the San Joaquin Valley, and primarily resided in shanty camps, trailers, or farm labor camps operated by the Farm Security Administration.<sup>1</sup> Traditionally, White immigrants were employed in packing facilities or fruit picking while more physically demanding stoop labor was only deemed appropriate for non-White workers. Non-White workers were also excluded from farm labor camps and either settled in ethnic quarters of nearby cities or established separate rural settlements outside of city limits.

However, by 1950, many White Dust Bowl migrants had left the San Joaquin Valley and Orange Cove to join the military during World War II or found work in the manufacturing sector. As a result, farms began to employ Mexican and Central American immigrants in greater numbers, and many of these laborers settled in the settlement areas left behind by Dust Bowl migrants. Many of these Dust Bowl era “legacy communities” were developed without sufficient infrastructure and service planning and continue to face significant challenges meeting the basic infrastructure needs of their populations. Residents of these communities are also disproportionately burdened with environmental pollution due to the proximity of agricultural and industrial uses, highways, and contaminated groundwater systems. Many Dust Bowl era legacy communities are considered racially or ethnically concentrated areas of poverty today.

Racially or Ethnically Concentrated Areas of Poverty (R/ECAP) are neighborhoods in which there are both racial concentrations and high poverty rates. HUD designates census tracts as R/ECAPs using the following criteria:

- A census tract that has a non-white population of 50 percent or more (majority-minority) or, for non-urban areas, 20 percent, AND a poverty rate of 40 percent or more; OR
- A census tract that has a non-white population of 50 percent or more (majority-minority) AND the poverty rate is three times the average tract poverty rate for the county, whichever is lower.

Households within R/ECAP tracts frequently represent the most disadvantaged households within a community and often face a multitude of housing challenges. R/ECAPs are meant to identify where residents may have historically faced discrimination and continue to be challenged by limited economic opportunity. Based on 2013-2017 data from HUD, approximately 6 percent of all census tracts in the San Joaquin Valley qualify as R/ECAPs. The vast majority of these R/ECAP tracts are located in urban areas, however, eight R/ECAPs are located in rural small towns and unincorporated areas such as Mendota, Huron, Mojave, McFarland, City of San Joaquin, and Orange Cove.

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<sup>1</sup> San Joaquin Valley Fair Housing and Equity Assessment, 2014. Available via: [https://academics.fresnostate.edu/oced/documents/SJV\\_Fair-Housing-and-Equity-Assessment\\_April-2014.pdf](https://academics.fresnostate.edu/oced/documents/SJV_Fair-Housing-and-Equity-Assessment_April-2014.pdf)



### SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

As shown in **Figure 1J-3.9**, Orange Cove is located within two census tracts designated as R/ECAPs according to HUD's data from 2013-2017. More recent data from the 2023 TCAC/HCD Opportunity Maps, also classifies Orange Cove as an area of high segregation and poverty. This is likely a result of the City's high rate of poverty (44.9 percent) and predominantly non-White population (94.9 percent of residents are Hispanic/Latino). Because of its small size, Orange Cove has similar characteristics throughout the city. It does not have defined neighborhoods or areas with higher rates of concentrated poverty than others. Limited investment, unstable economic conditions, and the slow pace of development has prevented socioeconomic factors from improving throughout the City.

Conversely, affluence is most generally defined as an abundance of wealth or money. A spatial analysis of affluence by race or ethnicity can be used to determine a Racially or Ethnically Concentrated Area of Affluence (RCAA). Using HCD's methodology for identifying RCAAs in California, RCAAs in Fresno County are census tracts with:

- an average total White population that is 1.25 times higher than the average total White population in the Fresno County region; and
- a median household income of \$141,996 or higher (1.5 times higher than the Fresno County AMI in 2019).

As discussed in more detail in Chapter 3, there are several areas in Fresno County that qualify as RCAAs (see Figure 3-11). However, there are no RCAAs in Orange Cove or the surrounding area due to both a small population of White residents and low median household income relative to Fresno County.

Figure 1J-3.9: R/ECAPs, Orange Cove



Source: Data downloaded from HCD AFFH Data and Mapping Tool in 2022, based on 2015-2019 American Community Survey data.

### ***Access to Opportunity***

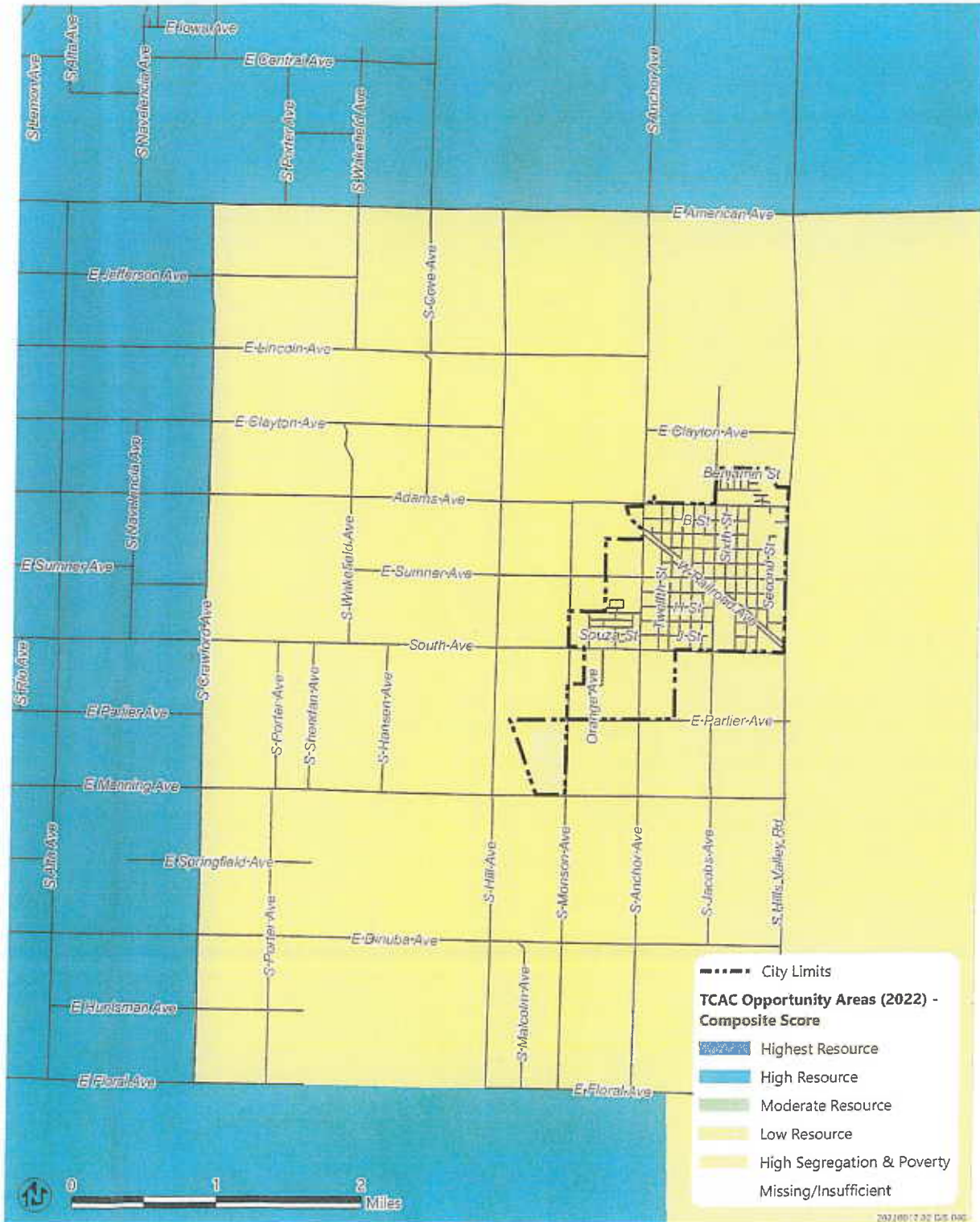
This fair housing assessment utilizes 2022 Council of Governments (COG) Geography TCAC/HCD Opportunity Maps to analyze access to opportunity within the City of Orange Cove. The regional fair housing assessment (Chapter 3) is based on 2021 HCD/TCAC opportunity index scores that were available on the HCD AFFH Data Viewer at the time of writing (Summer 2022). The 2022 COG Geography TCAC/HCD Opportunity Map is based on a similar formula to the 2021 map but compares each tract to those within the COG region rather than regions defined by TCAC. In the case of Fresno County, the comparison region changed from the Central Valley Region to the boundaries of Fresno COG, resulting in internal comparison of Fresno County cities and communities. The City's resource designation (low resource) and individual domain index scores remained stable between 2021 and 2022 maps. This assessment's analysis of segregation and integration patterns and fair housing conditions relies heavily on interjurisdictional comparisons due to the City's small size, and the 2022 COG Geography TCAC/HCD Opportunity Map methodology is more consistent with this analytical approach. Chapter 3 provides an in-depth summary of HCD/TCAC's opportunity area methodology and the various indicators considered in each domain's index scores.

### ***TCAC/HCD Opportunity Areas***

**Figure 3-1** shows the composite score of the 2022 TCAC Opportunity Areas in the Fresno County region. As described in Chapter 3, most of Fresno County, particularly in the incorporated cities, is primarily a mix of low-resource or moderate-resource areas and areas of high segregation and poverty. Pockets of high resource designations are located in areas north and east of the City of Fresno, and within the City of Clovis. In the unincorporated county, high and highest resource areas are generally in the northeast and eastern portions of the county, including the unincorporated community of Squaw Valley, although most of the land is included within the Sequoia and Kings Canyon National Parks and is predominantly rural and sparsely inhabited.

**Figure 1J-3.10** shows a closer look at Orange Cove and its surroundings. The City is located within two census tracts designated as areas of high segregation and poverty, consistent with adjacent census tracts to the south and east within Tulare County. Adjacent census tracts to the north and west with Fresno County are designated as areas of high resource, consistent with greater levels of affluence in the Sierra Nevada foothills areas.

Figure 1J-3.10: TCAC Opportunity Areas – Composite Score, Local, 2022



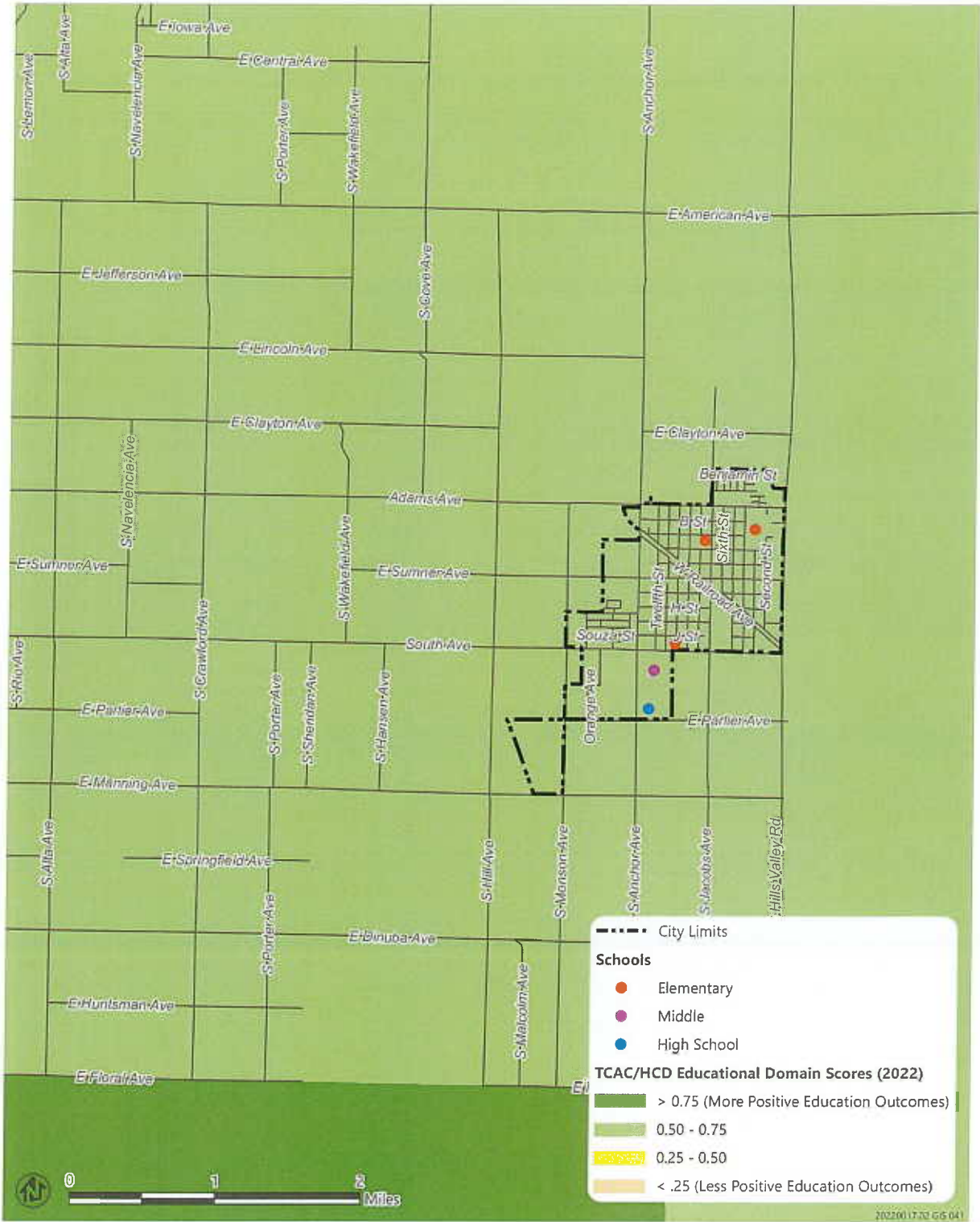
Source: Data downloaded from the California State Treasurer TCAC/HCD Opportunity Area Maps in 2022.

***Educational Opportunities***

As shown in **Figure 3-23**, TCAC/HCD report the strongest projected educational outcomes in Fresno County for students in the Cities of Clovis and Fresno. Positive educational outcomes were also reported in the eastern unincorporated areas surrounding and extending east of the cities of Sanger, Reedley, and Orange Cove.

The City of Orange Cove is served by Kings Canyon Unified School District (KCUSD). There are three elementary schools, one middle school, and one high school in the City (see **Figure 1J-3.11**). Generally, Orange Cove provides relatively positive educational outcomes according to the TCAC Educational Opportunity Index with both census tracts receiving higher index scores (between 0.5 and 0.75) than nearby jurisdictions outside of KCUSD service area such as Parlier, Fowler, and Selma. However, the City offers less positive educational outcomes than more urbanized, affluent areas towards the north in the Cities of Fresno and Clovis.

Figure 1J-3.11: TCAC Educational Opportunity Scores



Source: Data downloaded from the HCD AFFH Data Tool in 2022 based on 2022 TCAC Opportunity Areas

**SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING**

***Economic Opportunities***

As discussed in Chapter 2, employment in Orange Cove is dominated by the “agriculture, forestry, fishing and hunting, and mining” industry category, with 42.6 percent of the labor force employed in this industry (see Table 2-10, Employment by Industry). The Census does not provide disaggregated data within this category, but given that Orange Cove is located in a predominantly agricultural area, it is presumed that most of these jobs are in agriculture. Another 10.5 percent of the City’s workforce is employed in “education, health care and social assistance,” followed by 10.3 percent in wholesale trade jobs. An estimated 8.5 percent of Orange Cove’s labor force was unemployed as of June 2022 (see Figure 2-4, Unemployment Rate), exceeding the countywide unemployment rate of 5.8 percent.

Economic opportunities are depicted by two indices developed by HUD: (1) the jobs proximity index and (2) the labor market engagement index. The job proximity index identifies census tracts based on their proximity to employment opportunities. However, this metric does not consider other factors that may influence access to employment aside from physical commuting distance, such as poor alignment between skill level of nearby jobs and educational attainment or job experience of the local workforce. The labor market engagement index identifies census tracts by the level of intensity of labor force participation and the economic value of workers’ experience and skills in the local labor market. Together, the jobs proximity index and labor market engagement index are used to approximate access to economic opportunity for Orange Cove residents.

As discussed in Chapter 2, most jobs in Fresno County are located in the city of Fresno (71.2 percent). Commute time data shown in **Table 1J-3.4** below indicates that most workers that live in Orange Cove commute more than 15 minutes to work (81.9 percent). Orange Cove residents are more likely to have a commute longer than a half-hour than Fresno County residents (50.5 percent compared to 27.0 percent).

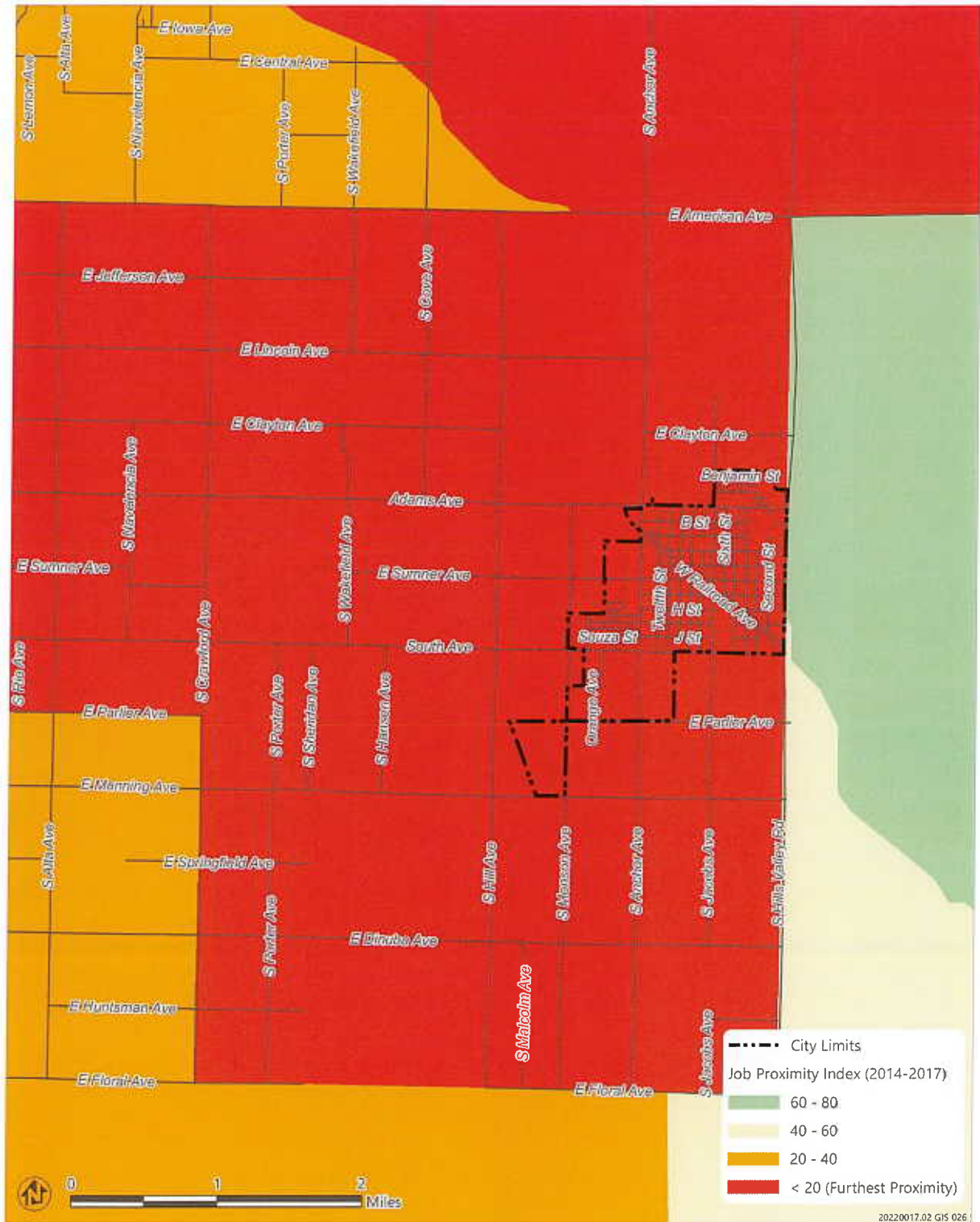
**Table 1J-3.4: Travel Time to Work, Orange Cove, Fresno County, 2020**

<b>Travel Time to Work</b>	<b>Orange Cove</b>	<b>Fresno County</b>
Less than 15 Minutes	18.0%	26.7%
15 to 29 minutes	31.4%	46.3%
30 to 59 minutes	44.0%	21.7%
60 or more minutes	6.5%	5.3%

Source: U.S. Census Bureau, ACS 2016-2020 5-Year Estimates

**Figure 1J-3.12** presents the job proximity index in Orange Cove. According to this metric, Orange Cove residents live in furthest proximity to employment centers with both census tracts receiving index scores less than 20. This is consistent with countywide job proximity trends indicating that job proximity declines moving east from SR 99 (see Figure 3-25 Regional Job Proximity Index).

Figure 1J-3.12: Job Proximity Index, Orange Cove, 2022



Source: Data downloaded from the HCD AFFH Data Tool in 2021. Based on 2014-2017 HUD Jobs Proximity Index



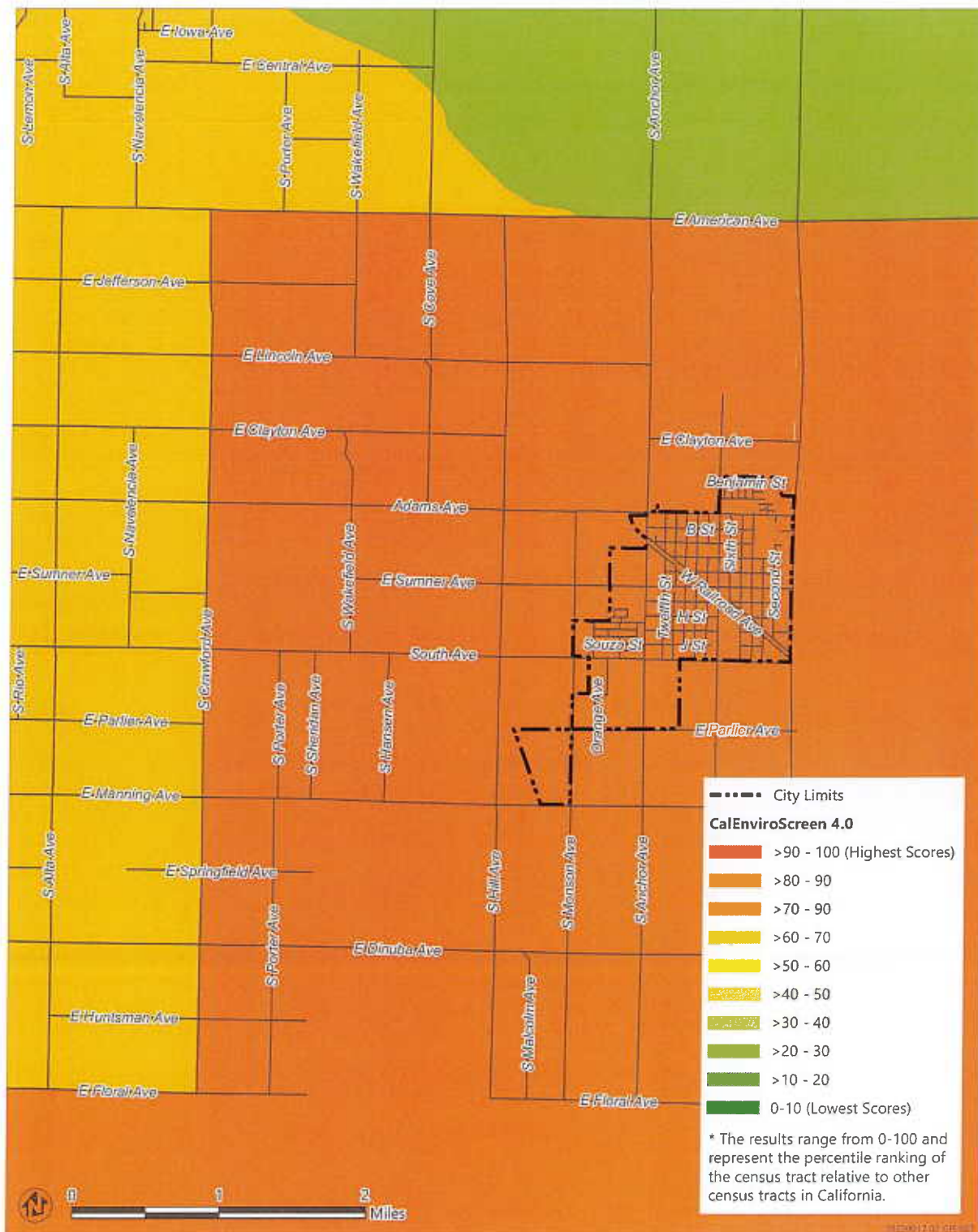
### ***Environmental Health***

As discussed in Chapter 3, jurisdictions in the San Joaquin Valley region have a challenging environmental context as a major agricultural producer and part of the San Joaquin Valley air basin, raising serious air and water quality concerns. Agricultural production can harm water quality by discharging fertilizer contaminants into the groundwater via runoff. Over time, the region's water supply has contended with a wide range of contaminants, including nitrates, arsenic, and pesticides. Due to geographic, topographic, meteorologic, and environmental conditions, the region's air basin has particular challenges for air quality.

Much of Fresno County, particularly the area surrounding the SR 5 and 99 corridors, received higher rankings across indicators of pollution burden in the CalEnviroScreen index (see Figure 3-25, Regional CalEnviroScreen), primarily related to pesticide exposure, drinking water contaminants, particulate matter, and ozone. Outside of urbanized areas, many of the census tracts with higher rankings of pollution burden are in or near intensely agricultural areas.

**Figure 1J-3.13** presents local CalEnviroScreen index scores. Both census tracts in Orange Cove received index scores between 80 and 90, reflecting that residents experience greater cumulative environmental impacts relative to at least 80 percent of census tracts. Orange Cove residents experience similar pollution burdens to other agricultural communities in Fresno County with the City's highest rankings of pollution burden related to ozone, particulate matter, pesticide exposure, and drinking water contaminants respectively. Although both census tracts are mostly ranked similarly across most indicators, the northern census tract is ranked much higher for pollution exposure from lead in housing than the southern census tract (82<sup>nd</sup> percentile compared to 61<sup>st</sup> percentile). Both census tracts ranked in at least the 90<sup>th</sup> percentile across population characteristics such as poverty, linguistic isolation, and educational attainment, suggesting that these socioeconomic factors increase the vulnerability of residents to cumulative impacts of pollution exposure.

Figure 1J-3.13: CalEnviroScreen 4.0 Results, 2022



Source: Data downloaded from the Office of Environmental Health and Hazard Assessment in 2022

### ***Transit Mobility***

Transit mobility refers to an individual’s ability to navigate the city and region on a daily basis to access services, employment, schools, and other resources. Indicators of transit mobility include the extent of transit routes, proximity of transit stops to affordable housing, and frequency of transit.

Orange Cove residents are primarily served by the Fresno County Rural Transit Agency (FCRTA) providing fixed-route service between Orange Cove, Reedley, Parlier, Sanger, and Fresno on the Orange Cove Intercity Transit Line (see Figure 3-19, Fresno County Rural Transit Agency Intercounty Routes). Buses depart from Los Amigos Market on weekdays at 7:00am and 12:45pm, stopping in Reedley, Parlier, and Sanger before arriving in Fresno after approximately 90 minutes. Return service departs from Fresno at 10:00am and 3:45pm. Service is provided on 30-passenger, ADA wheelchair accessible buses. FCRTA also offers a daily express line on weekdays that departs from Orange Cove at 6:35am and provides return service from Fresno Courthouse Park at 5:15pm. The express line follows the same fixed route with reduced stops in Reedley, Parlier, and Sanger and provides a direct transfer point to the Fresno Area Express, which in turn provide connections within the metropolitan Fresno area and between Stockton, Bakersfield, and other regional hubs.

Monthly passes for general service between Orange Cove and Fresno are priced at \$120.00, with discounted fares available for seniors, children, and disabled residents at \$100.00 monthly. There are two FCRTA Orange Cove Intercity Transit Line service stops within Orange Cove located at Los Amigos Market and a bus shelter on Park Blvd. Stops in Reedley, Sanger, and Parlier provide access to community centers and medical services. With daily access to the City of Fresno, FCRTA also provides access to employment opportunities and connections to regional transit services including Amtrak, Greyhound, and FAX. Orange Cove residents also have access to the Dial-A-Ride program, operated by the local FCRTA subsystem, which offers transportation services to the elderly (65+), disabled, low income, and general public. Dial-A-Ride services are wheelchair equipped and operate Monday through Friday between 7 am and 5:30 pm, with fares priced \$1.00 one-way or \$2.00 round trip.

AllTransit is a transit and connectivity analytic tool developed by the Center for Neighborhood Technology for the advancement of equitable communities and urban sustainability. The tool analyzes the transit frequency, routes, and access to determine an overall transit score at the city, county, and regional levels. AllTransit scores geographic regions (e.g., cities, counties, Metropolitan Statistical Areas (MSAs)) on a scale of 0 to 10, with 10 being complete transit connectivity. **Table 1J-3.5**, transit accessibility in Orange Cove relative to other Fresno County jurisdictions. Orange Cove’s score is 1.0, demonstrating “very low” connectivity. Orange Cove’s score is comparable to most Fresno County jurisdictions, which are typified by smaller rural and semi-rural communities. However, as described in Chapter 3, the AllTransit methodology may not fully reflect the transit opportunities available through private service providers. Among Fresno County jurisdictions, the City of Fresno represents an outlier both in terms of population size, degree of urbanization, and transit accessibility.

**Table 1J-3.5: Fresno County Jurisdictions AllTransit Performance Scores**

Jurisdiction	Score
City of Fresno	5.0
Fresno County	3.2
Reedley	2.2
Fowler	1.5
Huron	1.2
Clovis	1.1
Coalinga	1.1
Parlier	1.0
Firebaugh	1.0
<b>Orange Cove</b>	<b>1.0</b>
Mendota	0.9
Sanger	0.9
Selma	0.7
Kingsburg	0.7
Kerman	0.1
San Joaquin	0.0

Source: AllTransit.cnt.org, 2022

### ***Housing Mobility and Disproportionate Housing Need***

Housing mobility refers to an individual's or household's ability to secure affordable housing in areas of high opportunity, move between neighborhoods, and purchase a home if they so choose. Indicators of housing mobility include distribution of Housing Choice Vouchers (HCVs), availability of rental and ownership opportunities throughout the jurisdiction, and vacancy rates.

### ***Housing Supply***

According to 2016-2020 ACS estimates, there are approximately 2,823 housing units in Orange Cove, representing a 26.5 percent increase from 2010 and 59.8 percent increase from 2000. In most Fresno County jurisdictions, single-family units are the predominant housing type in Orange Cove, comprising approximately 50.8 percent of the City's housing stock (see **Table 1J-3.6** below). Nearly 40 percent of Orange Cove's housing units are multi-family units, representing a relatively large share of the City's housing stock compared to other jurisdictions in Fresno County.

Table 1J-3.6: Housing Stock Profile, Orange Cove, 2020

Housing Unit Type	Number of Units	Percent of Housing Units
Single Family	1435	50.8%
Duplex	258	9.1%
Multifamily	1117	39.6%
Mobile Home	13	0.5%
<b>Total</b>	<b>2823</b>	

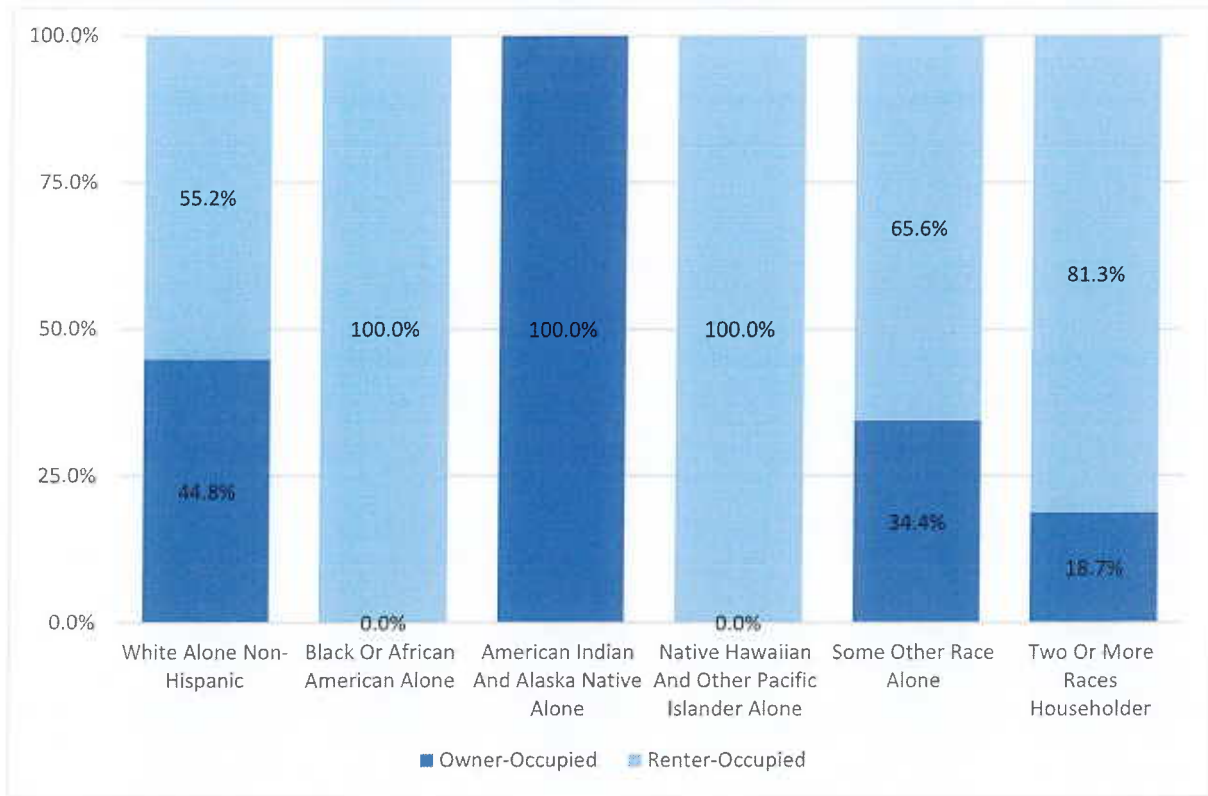
Source: U.S. Census Bureau, ACS 5-Year Estimates (2016-2022), Table B25024

### **Housing Tenure**

Homeownership is the largest asset of most households in the U.S. and, for many low-income households, provides an opportunity for future generations to attain homeownership by increasing the family's wealth. One of the most prevalent consequences of residential segregation is the intergenerational inaccessibility of homeownership. Orange Cove has low rates of homeownership relative to Fresno County and the State, with 38.4 percent of housing units occupied by homeowners compared to 53.7 percent in Fresno County and 55.3 percent statewide.

Disparities in homeownership rates by race/ethnicity reflect historical federal, state, and local policies that limited access to homeownership for communities of color and the resulting generational wealth gap. Native American and non-Hispanic White residents experience the highest rates of homeownership in Orange Cove (see **Figure 1J-3.14**). As noted below, homeownership data for Hispanic/Latino residents was not available disaggregated from race. According to ACS estimates, approximately 60.7 percent of Hispanic/Latino residents of any race are renters, while 39.3 percent are homeowners. Community workshop participants noted that many Orange Cove residents struggle to qualify for housing opportunities because they lack sufficient documentation or qualifying monthly incomes (see "Outreach.")

Figure 1J-3.14: Housing Tenure by Race, Orange Cove, 2022



Note: Homeownership data by race was not disaggregated for Hispanic/Latino ethnicity, except for non-Hispanic White. Census estimated there are no Asian residents in Orange Cove.

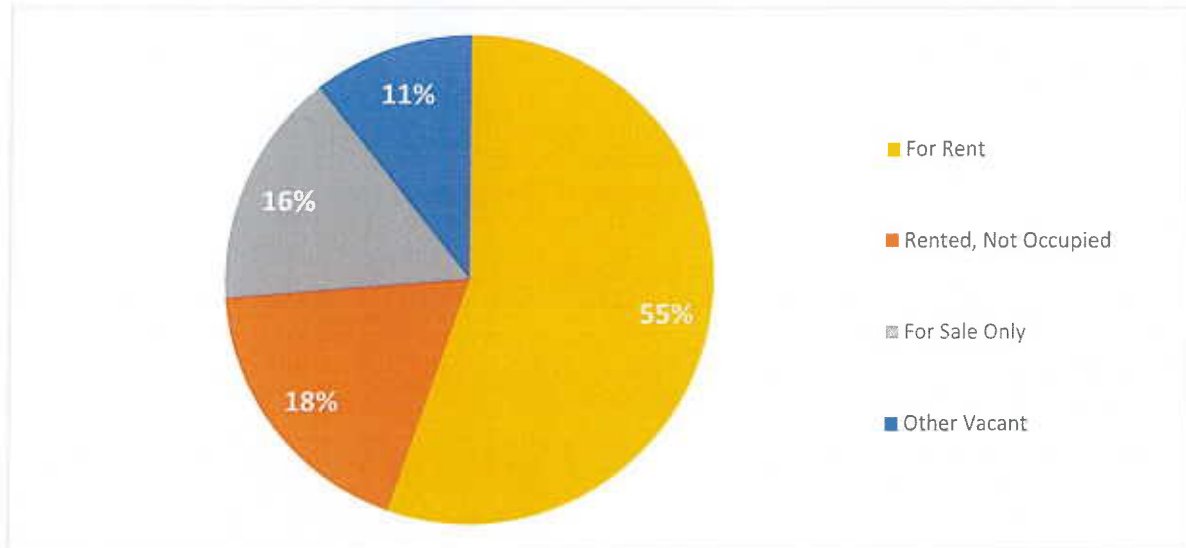
Source: U.S. Census Bureau, ACS 5-Year Estimates (2016-2022), Table B25003

## SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

### Vacancy Rates

Approximately 5.3 percent of all housing units in Orange Cove are vacant, which is lower than the Fresno County vacancy rate of 7.0 percent. The vacancy rate, calculated from ACS data, includes housing that is available for sale or rent, housing that has been rented or sold but not yet occupied, seasonal housing, and other vacant units. **Figure 1J-3.15** presents the total number of vacant units in Orange Cove by unit type.

**Figure 1J-3.15: Vacant Housing Units by Type, Orange Cove, 2020**



Source: U.S. Census Bureau, ACS 16-20 (5-year Estimates), Table B25004

### Housing Choice Voucher Usage

Housing Choice Vouchers (HCVs), or Section 8 vouchers, can show patterns of concentration and integration to help inform needed actions. In Fresno County, vouchers are allocated by the Fresno Housing Authority to residents throughout the county. Participants can use their voucher to find the housing unit of their choice that meets health and safety standards established by the local housing authority. In Fresno County, HCV use is most concentrated within the City of Fresno with nearly 52 percent of households in tracts along SR 41 (1,800 HCVs in four tracts) and a concentration of areas with rates between 15 and 30 percent of households in the central portion of the city and along the SR 99 corridor. Generally, the higher rates of HCV use also tend to correspond to, or are adjacent to, census tracts where public housing or subsidized housing is located.

By comparison, Orange Cove has more modest rates of HCV usage as shown in **Figure 1J-3.16**. Locally, the southern census tract reports slightly higher rates of HCV usage among renter-occupied housing units than the northern census tract (5.3 percent compared to 3.1 percent). This also corresponds to the subsidizing housing locations, most of which are located in the southern census tract within Orange Cove city limits. According to data from the Fresno Housing Authority, there are 65 HCVs in use within the City as of August 2023. The Housing Element includes **Program 20** to seek grant funding to expand outreach and education on HCV usage in the City.





### ***Disproportionate Housing Needs***

Disproportionate housing needs generally refer to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing needs in the applicable geographic area. The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census for HUD provides detailed information on housing needs by income level for different types of households in Fresno County. Housing problems considered by CHAS include:

- Housing cost burden, including utilities, exceeding 30 percent of gross income;
- Severe housing cost burden, including utilities, exceeding 50 percent of gross income;
- Overcrowded conditions (housing units with more than one person per room); and
- Units with physical defects (lacking complete kitchen or bathroom).

Severe housing problems are defined as households with at least one of four housing problems: overcrowding, high housing costs, lack of kitchen facilities, or lack of plumbing facilities.

### ***Overcrowding***

Overcrowding of residential units, in which there is more than one person per room, can be a potential indicator that households are experiencing economic hardship and are struggling to afford housing. However, it can also reflect cultural differences, as some cultures are more likely to live in larger, multigenerational households.

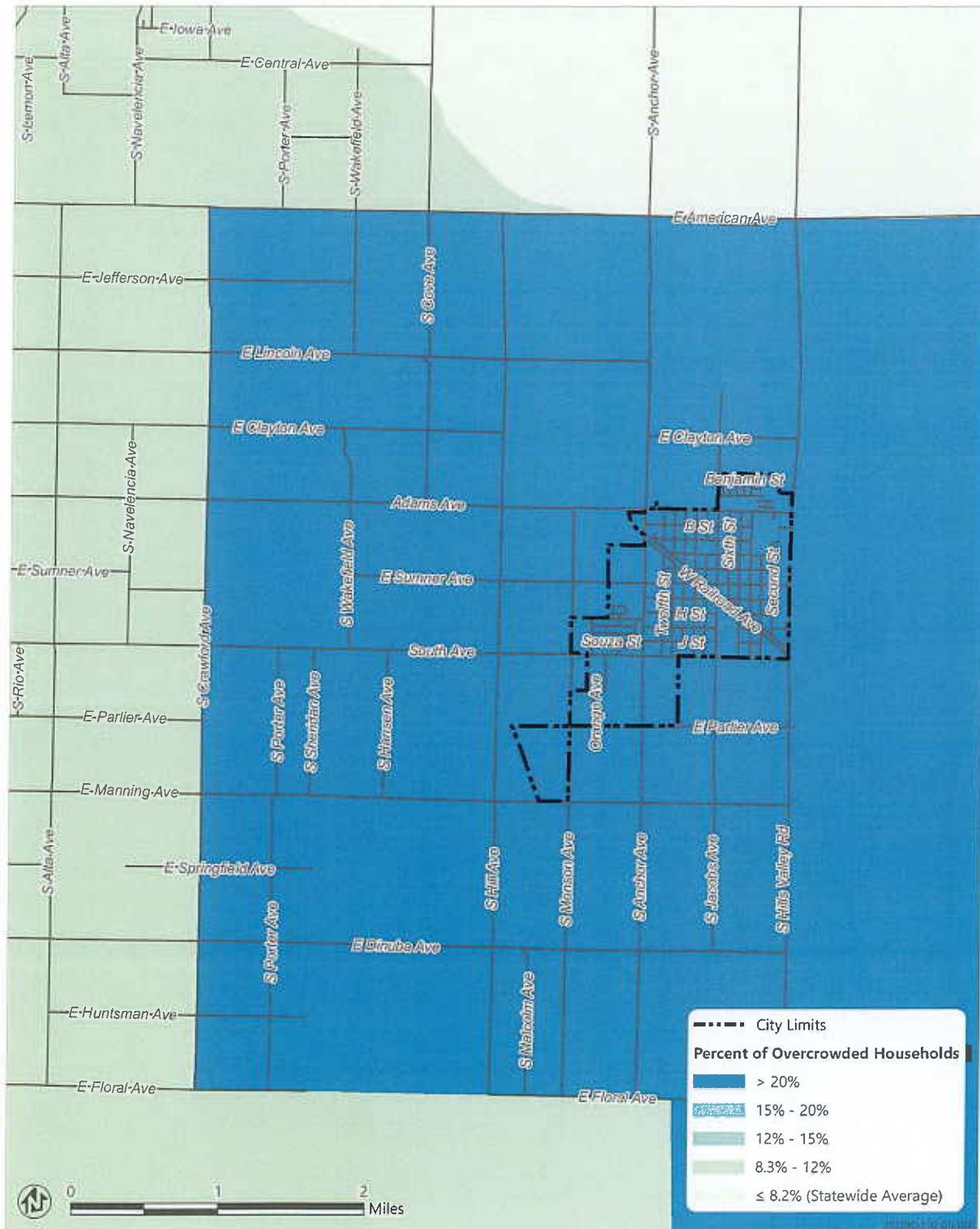
Overall, overcrowding occurs in Orange Cove at roughly two and a half times the rate of overcrowding in Fresno County, with 15.2 percent of households overcrowded, compared to Fresno County as a whole, where 6.2 percent of households are overcrowded. This is one of the highest rates of overcrowding in Fresno County, exceeded only by the cities of Mendota, San Joaquin, and Huron. Orange Cove households also experience severe overcrowding (4 percent of households) at a slightly higher rate than Fresno County as a whole (3.6 percent).

Consistent with county trends described in Chapter 2, renter households in Orange Cove are much more likely to experience overcrowded conditions than homeowner households; 13.4 percent of renter households live in overcrowded conditions compared to 7.6 percent of owner households. Severe overcrowding is also much more common in renter households than owner households, with 5.6 percent of renter households experiencing severe overcrowding compared to 1.5 percent of owner households (see **Table 2-21**).

As Orange Cove occupies only portions of two census tracts, it is not possible to identify geographic patterns of overcrowding (see **Figure 1J-3.17**). Given the high rates of overcrowding, it is likely that residents experiencing overcrowding are located throughout the city. As discussed in Chapter 3, farmworkers are especially likely to live in overcrowded housing situations, as they often need to pool the incomes of multiple workers to afford market-rate rents when there is a lack of available, affordable housing. As the agriculture industry is the predominant employment sector in Orange Cove, this may be a significant driver of the City's high rates of overcrowding relative to Fresno County.

SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

Figure 1J-3.17: Overcrowded Households, Orange Cove, 2021



Source: Data downloaded from HCD AFFH Data and Mapping Tool in 2022

## Overpayment

As described in Chapter 2, housing overpayment or cost burden is defined as households paying more than 30 percent of their gross income on housing related expenses, including rent or mortgage payments and utilities. In Fresno County, a four-person household earning \$62,300 is considered a low-income household. A household at this income level can afford to pay about \$1,558 in monthly housing costs.

Generally, housing costs in Orange Cove are lower than Fresno County or the state as a whole. According to 2015-2020 ACS estimates, the median monthly housing cost for homeowners in Orange Cove was \$952 per month, compared to \$1,318 per month in Fresno County and \$1,851 statewide. The median gross rent in Orange Cove of \$753 per month was also well below rents countywide (\$1,029) or statewide (\$1,586) in 2020. As such, housing costs in the City remain within reach for many low-income households. However, a large proportion of households in Orange Cove are very low- and extremely low-income, resulting in higher rates of cost burden despite relatively lower rents.

Among Fresno County jurisdictions, Orange Cove has the highest rate of housing cost burden, with 53.9 percent of all households overpaying for households (see Table 2-20, Overpayment by Tenure). By comparison, 37.8 percent of households countywide overpay for housing. In Fresno County, housing cost burden is most common among lower-income households with 70.6 percent of lower-income households overpaying for housing. Lower-income households overpay for housing in Orange Cove at slightly lower rates than lower-income households countywide (65.7 percent compared to 70.6 percent); however, there is a concentration of assisted housing units in Orange Cove suggesting that there may be a proportionally larger supply of housing units affordable to lower-incomes.

Consistent with countywide trends, Orange Cove renters overpay for housing at higher rates than homeowners and are more likely to experience severe overpayment, where more than 50 percent of gross income is spent on housing costs. As shown in **Table 1J-3.7**, approximately 35 percent of renter households overpay for housing compared to 27 percent of owner-occupied households. Among lower-income households, housing cost burden is roughly equivalent between renters and homeowners in cases where cost burden is greater than 30 percent. However, lower-income renters are significantly more likely to severely overpay for housing with 37 percent of lower-income renters experiencing severe cost burden (greater than 50 percent) compared to only 9.4 percent of lower-income homeowners. There are no moderate income or above moderate income renter households estimated to be overpaying for housing, suggesting that rent prices in Orange Cove remain affordable to these income brackets. There are approximately 20 above-moderate income households estimated to be paying more than 30 percent of their household income on housing; however, none are estimated to be severely cost-burdened.

**Table 1J-3.7: Housing Cost Burden by Income and Tenure, Orange Cove, 2015-2019**

	Tenure	Percent of Households Overpaying	Percent of Households Severely Overpaying
Lower-Income (>80% HAMFI)	Renter	36.7%	37.0%
	Owner	35.9%	9.4%
Moderate Income (80-100% HAMFI)	Renter	0%	0%
	Owner	0%	0%
Above Moderate Income (>100% HAMFI)	Renter	0%	0%
	Owner	8%	0%
All Households	Renter	35.0%	35.3%
	Owner	27.3%	6.6%

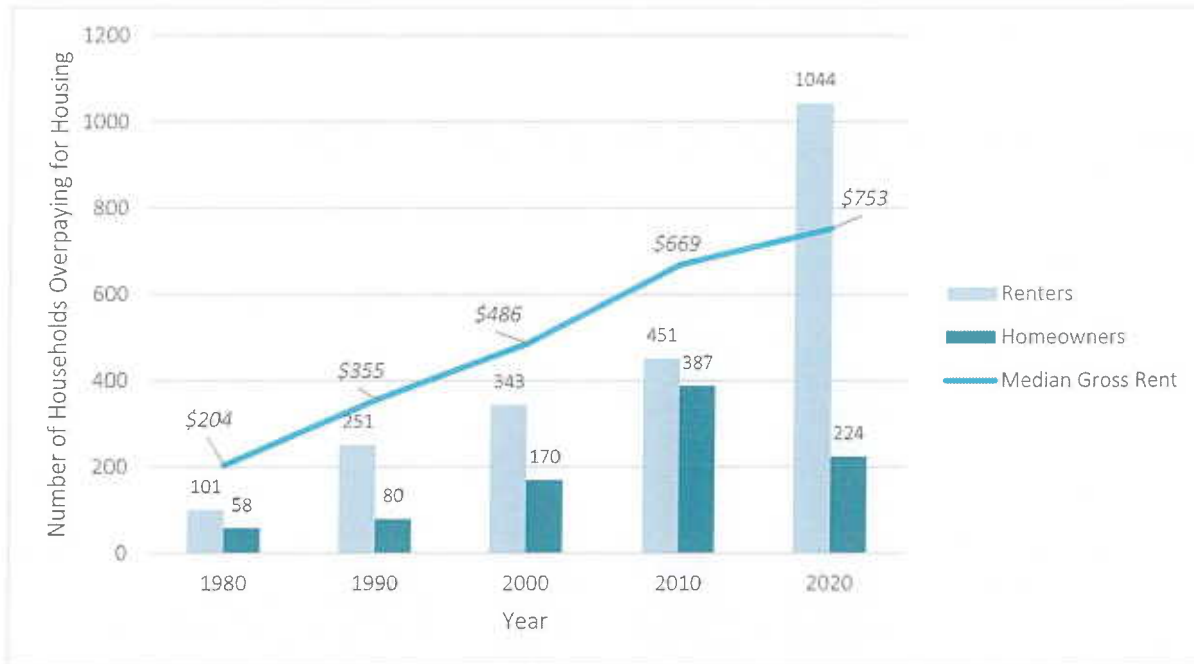
Source: HUD CHAS 2015-2019

**Figure 1J-3.18** shows overpayment and median rent among Orange Cove households over time. Between 1980 and 2010, housing cost burden increased steadily for both renters and homeowners, although renters consistently experienced higher rates of overpayment than homeowners over time. By 2020, overpayment among renters spiked by approximately 131 percent while the rate of homeowner overpayment declined by 42 percent. Although median gross rent did increase substantially over the entire time period, the rate of increase between 2010 and 2020 was modest (12.56 percent) relative to years prior to 2010.

This is substantiated by **Figure 1J-3.19**, which compares overpayment among renters by census tract in Orange Cove in 2014 and 2019. **Figure 1J-3.20** presents overpayment rates for homeowners over the same period. In 2014, renters in households north of the railroad experienced higher rates of overpayment (between 60 percent and 80 percent) than renters south of the railroad (between 40 and 60 percent). In 2019, overpayment rates among renters increased throughout the city. As described above, homeowners experienced lower rates of overpayment over time (see **Figure 1J-3.20**). Over time, homeowners north of the railroad have experienced increased rates of overpayment, while overpayment declined south of the railroad. As discussed previously, it is important to note that the data may be skewed by households captured within the boundaries of the census tracts that are located within the unincorporated area outside the City.

In order to reduce existing displacement risk, the City has identified **Program 20** to work with the Housing Authority to expand outreach and education on the Housing Choice Voucher program and **Program 19** to seek funding to support a first-time homebuyer program.

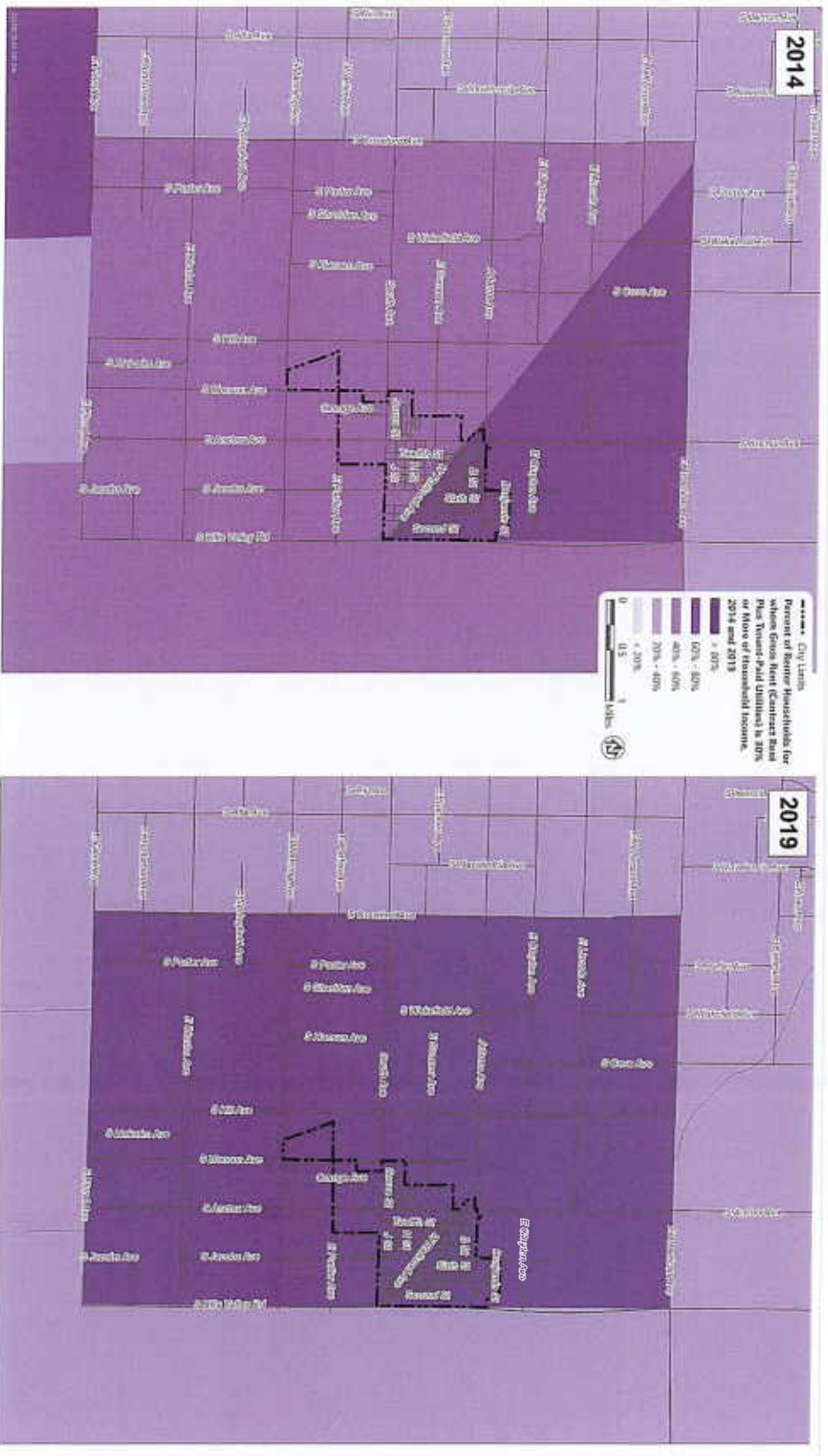
Figure 1J-3.18: Overpayment and Median Rent, Orange Cove, 1980-2020



Source: U.S. Census STF3 1980, 1990, 2000; ACS 06-10, 16-20 (5-Year Estimates)

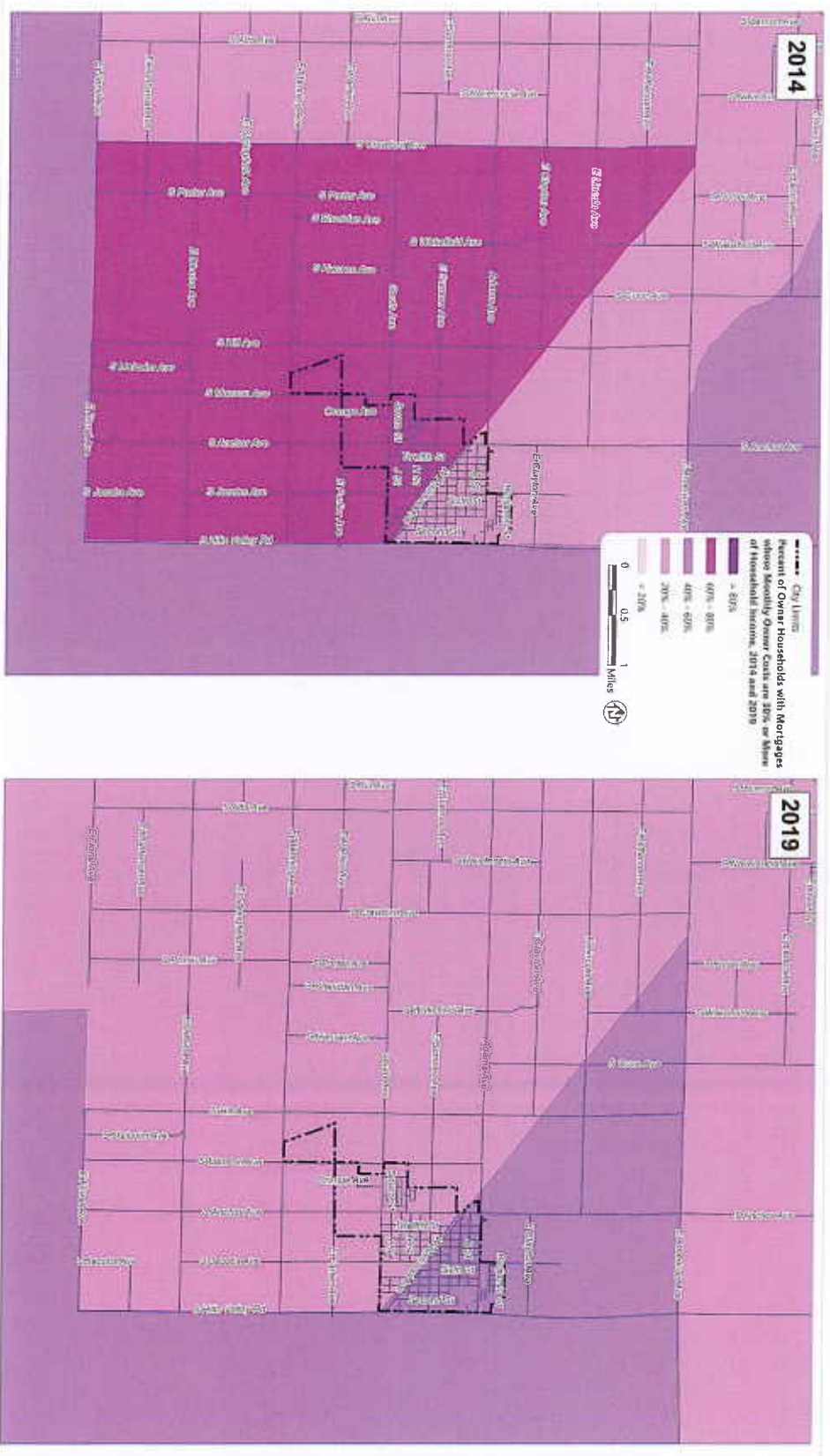
SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

Figure 1J-3.19: Overpayment Among Renter Households, Orange Cove, 2014 and 2019



Source: Data download from the HCD AFFH Data Tool in 2022

Figure 1J-3-20: Overpayment among Homeowners, Orange Cove, 2014 and 2019



Source: Data download from the HCD AFFH Data Tool in 2022



### ***Substandard Housing Conditions***

As discussed in Chapter 3, aging housing stock combined with housing cost burden can create a fair housing issue where residents who cannot afford to keep up with repairs or maintenance are forced to live in substandard housing conditions. Approximately 50 percent of Orange Cove's housing units are over 30 years old, and 25.3 percent are older than 50 years old (see **Table 2-19**). Although the City's housing stock skews newer than Fresno County as a whole, significantly higher rates of poverty in Orange Cove suggest that many residents are likely to struggle with the financial burden of more frequent maintenance and repair needs associated with aging housing units.

The prevalence of incomplete plumbing or kitchen facilities can also be used to measure substandard housing conditions. However, the 2016-2020 ACS estimated that there are no units, either renter or owner-occupied, that lack complete plumbing or kitchen facilities.

The City has conducted three Housing Condition Surveys, with the most recent survey completed in 2015. Surveys included visual assessments of the exterior conditions of housing units throughout Orange Cove. Parcels were assigned a rating of 1 to 4, with 3 indicating a deteriorated unit in need of rehabilitation and 4 indicating a dilapidated unit in need of demolition. The surveys identified a total of 168 deteriorated homes with rehabilitation needs and 18 dilapidated dwellings that should be demolished. Generally, rehabilitation and demolition needs are evenly distributed throughout the City. However, a small concentration of deteriorated or dilapidated units were identified south of Park Avenue at the time of the survey. A review of more recent aerial imagery (2024) shows that a number of these buildings identified as deteriorated or dilapidated have since been demolished and the vacant sites are now listed in the City's sites inventory.

For the buildings still in need of rehabilitation or demolition/replacement, property owners and residents will likely require financial assistance to bring the buildings in compliance with safe building and habitation standards. To help address these housing maintenance and repair needs, the City participates in the Fresno County Housing Assistance Rehabilitation Program (HARP) which provides loans to qualifying homeowners for home improvements (**Program 16**) and the Fresno County Rental Rehabilitation Program (RRP) which provides no-interest loans to qualifying property owners to make improvements to their rental properties (**Program 17**).

### ***Homelessness***

In January 2022, the Fresno-Madera Continuum of Care (FMCoC) published its Homeless Census and Survey Report (Point-in-Time [PIT]) count, which estimated 3,938 persons experiencing homelessness in Fresno County. Of that number, 1,728 persons were sheltered homeless and 2,210 were unsheltered homeless (**Table 2-35**, Total Unsheltered and Sheltered Homeless Count: Fresno County (2022) in the Housing Needs Assessment). Of this population, 3,397 individuals were counted in the City of Fresno and the remaining 541 in the remainder of the county. As shown in **Table 2-36**, FMCoC estimates that there are approximately four individuals experiencing homelessness in Orange Cove.

The 2022 PIT findings also show that approximately 80 percent of people experiencing homelessness in the Fresno and Madera region were single adults, 6 percent were parents, and 11 percent were their children. The remaining 4 percent lived in families that included two or more adults but no children. Approximately 60 percent of people experiencing homelessness were male; nearly half of the region's unhoused identified as Hispanic/Latino; 19 percent identified as having a serious mental illness; 15 percent identified as survivors of domestic violence; and 5 percent were identified as veterans. About 25 percent of people experiencing homelessness were "chronically homeless" or have experienced homelessness for at least 12 out of the last 36 months.

**Program 2** has been included to support regional efforts to identify needs and target resources to people experiencing homelessness.

### ***Farmworkers***

As discussed in the Regional Assessment of Fair Housing, farmworkers are considered a special needs group because they traditionally earn low wages and often migrate between farms, resulting in many farmworkers living in overcrowded and substandard housing conditions. Although Fresno County's overall economy has historically been and continues to be largely based on agriculture, the number of farmworkers living in each of the jurisdictions in the county in more recent years varies depending on location, size, and diversification of their individual economic base. Further, prior to the COVID-19 pandemic, the industry started shifting toward recruiting and employing H-2A visa workers, many of whom are from Mexico and Central America. Farmworkers are essential to Fresno County's and Orange Cove's economies as well as to local and national food supplies, and their needs for safe and affordable housing resources must be addressed.

The 2017 Census of Agriculture identifies 89 farm operations within the 93646 zip code, which includes Orange Cove and unincorporated land, extending to the east into Tulare County. There are also 306 farm operations west of Orange Cove in the adjacent 93654 zip code, which includes the city of Reedley. While most of the farm operations in these zip codes are outside Orange Cove city limits, it is likely that many of these farms, particularly those close to Orange Cove, employ farmworkers that reside or use resources in the city.

As discussed in "Access to Opportunity," the Census estimates that 42.6 percent of the labor force in Orange Cove is employed in agriculture, forestry, fishing and hunting, and mining, representing one of the highest proportions among jurisdictions in Fresno County (see Table 2-39). The data allows comparisons between jurisdictions and within Orange Cove to gauge segments of the population at risk of overpayment, overcrowding, substandard housing conditions, or displacement.

### SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

Between September 2021 and January 2022, Fresno County conducted a Farmworker Survey and a Farmworker Employer Survey. A second round of each survey was conducted between February 2022 and July 2022. In total, the County surveyed 240 farmworkers and 170 farm employers throughout the county. There was only 1 respondent to the Survey who lived in Orange Cove and reported being a U.S. citizen. Countywide, 37 percent of respondents reported being citizens, 38.2 percent reported being permanent residents, 16 percent identified their status as undocumented workers, 6.3 percent did not respond, and 1.3 percent had H-2A visa status.

Based on the most recent (2022) farmworker employment figures collected by the California Employment Development Department (EDD), there are 96,300 farmworkers employed throughout the county, yet housing facilities for only 2,540 occupants were contracted by H2-A employers and farm operators, according to the HCD Employee Housing Facilities Permit Services database. Although this is equivalent to only about 2.6 percent of farmworker employment countywide, it is important because H2-A workers must be provided with housing accommodations. The seasonal and often migrant nature of farm labor, and accounting for undocumented workers, suggest that this data likely underrepresents the actual farmworker population, because undocumented residents do not often participate in traditional data collection.

The Phase 1 COVID Farmworker Survey Report by the California Institute for Rural Studies, published in February 2021, estimates that undocumented workers comprise approximately 50 percent of workers statewide. They are predominantly Mexican, and the majority are Mixteco and Trique indigenous non-Spanish-speaking people. According to “In the Valley of Fear,” published in December 2018 on [workingimmigrants.com](http://workingimmigrants.com), most of the farmworkers in the San Joaquin Valley have been working the fields for at least a decade and have established families in the vicinity of their workplace.

The Fresno County Farmworker survey found that 99.6 percent of farmworkers surveyed countywide are Hispanic/Latino and 81.7 percent of respondents reported an income below \$2,500 per month. This corresponds to an extremely low-income household of four. As described previously, the median household income in Orange Cove is \$25,587, 44.9 percent of residents live below the poverty threshold, and 94.9 percent of residents are Hispanic/Latino. Although only one survey respondent reported living in Orange Cove, many of the City’s lower-income residents are employed in the farming sector as farmworkers, packhouse workers, truck drivers, and other jobs supporting regional agriculture.

The HCD Employee Housing Facilities Permit Services database reports that there are no dedicated employee housing units in the city. The nearest H-2A visa housing facility is located in the City of Reedley and houses seven residents. With the high proportion of persons engaged in agriculture in Orange Cove, the lack of employee/farmworker housing facilities suggests that the farmworkers residing in the city may have difficulty finding affordable, appropriately sized housing.

Due to the shortage of farmworker housing units in Orange Cove, many farmworkers likely pay market rate for their housing or find other options, such as sleeping in vehicles or garages. Farmworkers that are citizens and permanent residents may have access to the federally or locally assisted affordable multifamily housing opportunities in Orange Cove, although they must compete with other lower-income households for the limited number of units. There are 828 affordable HUD, USDA, state, or locally assisted affordable housing units in the city, and 70 HCVs were being used for rental units.<sup>2</sup> For undocumented workers, options are more limited, and a large portion of farmworkers, even permanent residents, may live in spaces not intended for human habitation, such as shacks, outbuildings and sheds, or converted garages, potentially in severely overcrowded conditions. Participants in the community workshop expressed that farmworkers living in market-rate housing are especially vulnerable to displacement due to rising housing costs and unstable employment, which have both been exacerbated by economic and health impacts of Covid-19 pandemic.

Citizens, noncitizens with permanent status, and H-2A visa workers are eligible for public housing, HCVs, USDA rural rental assistance, and Section 8 project-based rental assistance. Section 214 of the Housing and Community Development Act of 1980, as amended, makes certain categories of noncitizens eligible for assistance, including most categories of immigrants, but excludes unauthorized immigrants (e.g., undocumented) and those in temporary status (e.g., tourists and students). Section 214 applies to specific programs, primarily federal rental assistance programs administered by HUD and the USDA, including Public Housing, Housing Choice Voucher, Section 8 project-based rental assistance programs, and rural rental assistance.

Undocumented residents are subject to eligibility requirements based on whether Section 214-covered programs are administered by HUD or USDA, which implement different regulatory treatment for mixed-status households depending on householder status. For HUD Section 214 projects, an ineligible noncitizen may reside with family members who are eligible to qualify for affordable housing (such as an undocumented single parent with U.S. citizen children or an undocumented worker married to an eligible householder), although Section 8 benefits are prorated depending on the number of undocumented household members. For USDA Section 214 projects, an undocumented householder would not be eligible to participate in the Housing Choice Voucher program, and therefore would not qualify to live in any of the USDA-assisted affordable multifamily housing complexes. However, a family with an eligible householder that includes undocumented household members (such as a U.S. citizen householder married to an undocumented worker) would qualify to reside in these properties and receive full HCV benefits. This population of assistance-ineligible households is considered underserved and at higher risk of overpayment, overcrowding, and displacement compounded by the legal complexities of eligibility and language barriers.

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<sup>2</sup> HCV usage is based on data for census tracts 64.01 and 65.01 including Orange Cove and unincorporated area (See Figure 1J-3.1)

### SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

The Farmworker Survey found that most respondents indicated a preference for single-family units and aspire to homeownership. Very few respondents (0.02 percent) indicated that they would prefer to live in farmworker housing. The average household size among surveyed farmworkers was 3.9 persons, comparable to the average household size in Orange Cove of 3.8 persons. Approximately 58.4 percent of survey respondents reported living in overcrowded conditions.

A majority of the City's households are renter-occupied (61 percent). Roughly a quarter of the City's housing supply (25.7 percent) is deed restricted or subsidized as affordable units. Although home sale prices in Orange Cove are low enough to be within reach for many low- and moderate-income households (see Section 1J-2, "Affordability Analysis of Market-Rate Homes), homeownership is still out of reach for the City's very low- and extremely low-income households.

Single-family units are the predominant housing type in Orange Cove (50.8 percent of all housing units); closely followed by multi-family units (48.7 percent). Mobile homes comprise only 0.5 percent of the housing stock. ACS 2016-2020 estimates indicate that 61.7 percent of the City's housing stock provide 3 or more bedrooms. As described in "Disproportionate Housing Needs," 62 percent of Orange Cove households experience at least one housing problem (i.e., overpayment, overcrowding, and substandard housing). The City has the highest rate of overpayment among Fresno County jurisdictions and residents live in overcrowded households at two and a half times the countywide rate. CHAS data from 2018 estimates that 94.7 percent of the City's extremely low-income households overpay for housing. Although there is no data available on housing problems among farmworker households specifically, permanent farmworker households are included in CHAS/ACS estimates. Given the large percentage of the local labor force employed in agriculture, farmworkers likely comprise a large portion of extremely low- and very low-income households experiencing one or more of these housing problems.

In response to the observed need for continued support and housing resources for local farmworkers, the City has included **Programs 6 and 7** offer technical support in applications for funding construction of farmworker housing and include a preference for farmworker households in 15 percent of new units.

#### ***Displacement Risk***

Displacement occurs when housing costs or neighboring conditions force current residents out and rents become so high that lower-income people are excluded from moving in. Renter occupancy and high rent burdens are the most common reasons for displacement to occur since renters may not be able to afford to stay in their homes as rents increase. Both home values and rents have increased steadily in the Fresno region since 2010, with sharp accelerations in both starting in 2020 as a result of the economic impacts of the coronavirus pandemic. Following regional trends, the median home sales price in Orange Cove was \$304,500 in May 2022, an increase of approximately 153 percent from the 2021 median sales price of \$120,000 (see **Table 2-22**).

As discussed in the analyses of Patterns of Integration and Segregation, Overcrowding, and Overpayment, Orange Cove residents experience disproportionate patterns of concentrated poverty associated with increased displacement risk. According to the Urban Displacement Project (see **Figure 1J-3.21**), residents in both census tracts within Orange Cove are at risk of displacement. Further, the City is located within an area of Fresno County identified as “vulnerable” to displacement (see **Figure 1J-3.22**). A census tract is identified as “vulnerable” if the proportion of very low-income residents was above 20 percent in 2017 and the census tracts meet two of the following criteria:

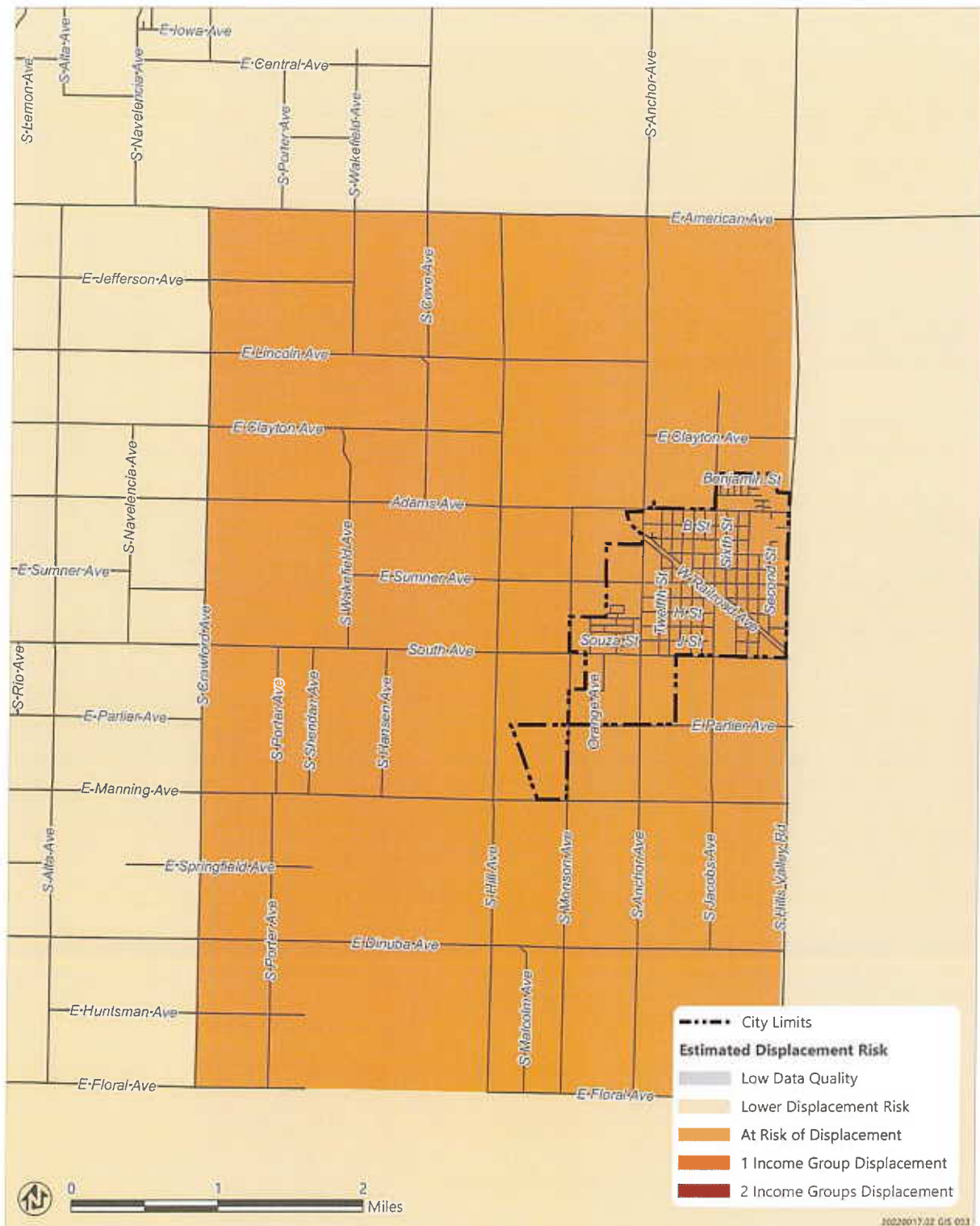
- Share of renters greater than 40 percent in 2017;
- Share of Non-White population greater than 50 percent in 2017;
- Share of very low-income households (50 percent AMI or below) that are also severely rent burdened households is greater than county median in 2017; or
- Nearby areas have been experiencing displacement pressures.

Displacement pressure is defined as:

- A percent change in rent above the county median for rent increases between 2012 and 2017; or,
- A difference between census tract median rent and median rent for surrounding tracts above median for all tracts in the county (rent gap) in 2017.

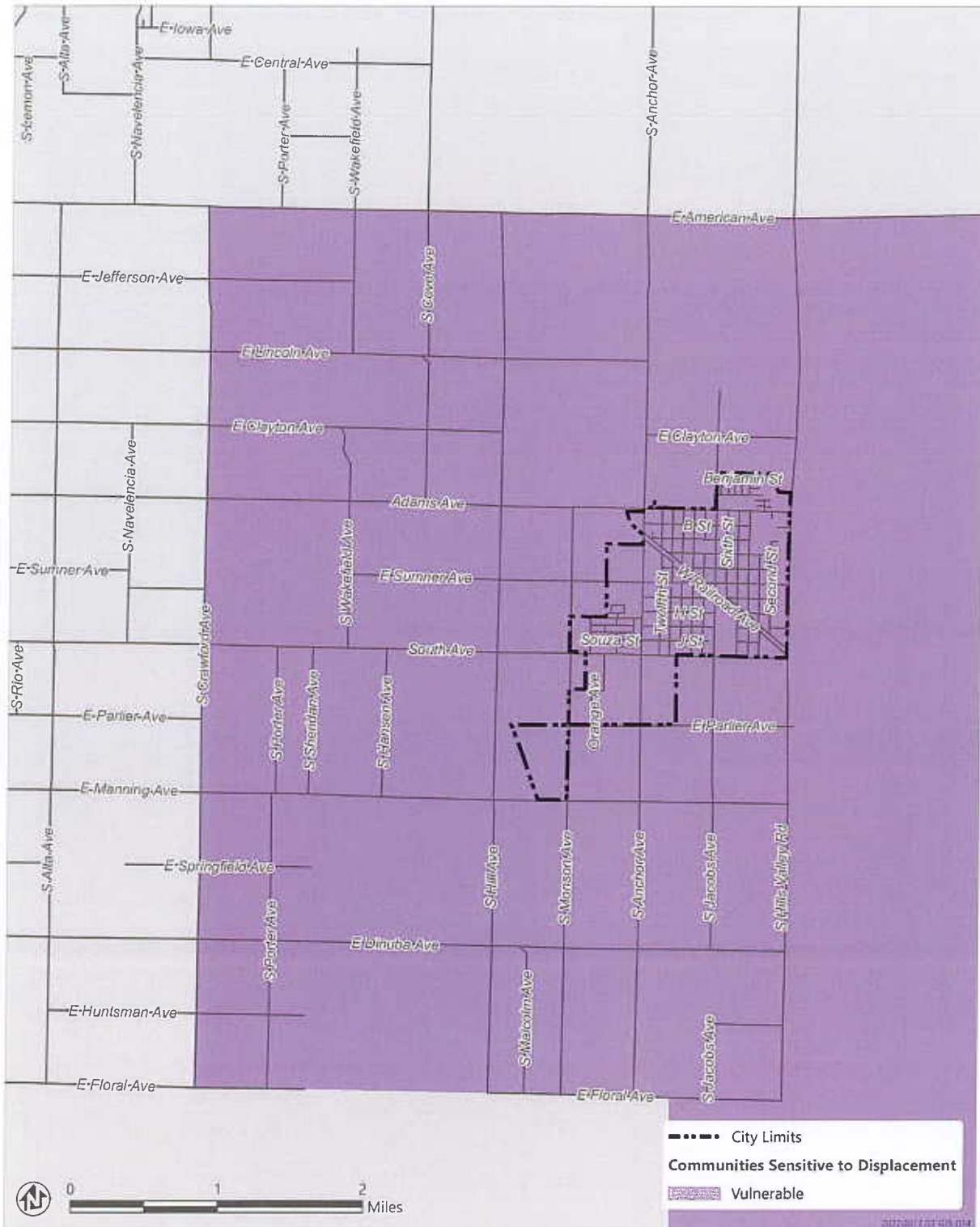
SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

Figure 1J-3.21: Elevated Displacement Risk



Source: Data downloaded from the AFFH Data Viewer in 2022. Based on data from the Urban Displacement Project

Figure 1J-3.22: Vulnerable Communities Designation



Source: Data downloaded from the AFFH Data Viewer in 2022. Based on data from the Urban Displacement Project



### ***Other Relevant Factors***

In addition to the indicators analyzed above, there are several other factors that can influence housing mobility and access to opportunity in a jurisdiction. For example, historic development patterns may have resulted in neighborhoods that are largely or exclusively made up of single-family homes, or historic discrimination may have influenced a city's racial and ethnic composition. Further, given current market trends, newer market rate neighborhoods may not be financially accessible to lower-income households without overpayment or overcrowding. Other factors may include public and private investment, local regulatory or economic development plans, and historic policies. Those factors that are considered relevant vary between jurisdictions and are described at the local level below.

### ***Historic Development Patterns***

As described in "Concentrated Areas of Race and Income," socioeconomic and development conditions in the City of the Orange Cove are rooted in the settlement patterns and economic development of the San Joaquin Valley region. The extension of the railroad system throughout the Valley provided the essential infrastructure to link the Valley's booming agricultural production to regional and national markets. As such, train station and depots played important roles in the founding and growth of many cities and town throughout the San Joaquin Valley, including the City of Orange Cove.

In 1913, a train station, known as the "depot", was built by the Atchison, Topeka, and Santa Fe Railway company on what is now Railroad Avenue. Construction of the depot spurred growth in the surrounding area and in 1914, Elmer Sheridan founded the City of Orange Cove (naming it prior to the existence of orange groves in the area). Today, the former train station serves as Orange Cove City Hall and Council Chambers. The original railroad line, which is now known as Railroad Avenue, bisects Orange Cove diagonally. Many core community uses such as the Orange Cove Senior Center, Branch Library, as well as the City's central bike trail are sited along this original railway path.

There is little recorded history on the development of the City after its founding. A review of historic aerial imagery indicates that by 1956, the City's core character was fairly established with mostly single-family residential development surrounded by agricultural land along the City's periphery. New private investment slowed in the post World War 2 era, as the fundamental economy of the City remained rooted in supporting agriculture in the area. Through the late 1980s, development within the City continued to be mostly lower-density residential on infill sites within the core area established in the 1950s (bounded to the north and South by Adams Avenue and South Avenue, and to the east and west by the Friant-Kern Canal and Anchor Avenue).

Over the last three decades, new development in Orange Cove has mostly occurred at the City's edges. Most new residential development has occurred in the southwestern quadrant, in tandem with public investments that have become community anchors such as Orange Cove High School, the Victor Lopez Community Center, the Julie Lopez Child Development Center, and a small neighborhood commercial node along Anchor Avenue.

Although a lack of private investment continues to drive the slow pace of the City’s growth, the City has been successful in attracting public investment in the form of subsidized affordable housing projects over the years (see **Table 1J-3.8** below) to help provide housing options to the City’s low-income households. In fact, most new residential development in the last five years has been in the form of subsidized multi-family housing. There has been very little new single-family development, aside from the Martinez Estates project, which includes 87 new single-family homes. Many of these newer projects include community amenities to support lower-income households such as play equipment, gathering spaces for parties and educational/training opportunities, and solar panels that allow for reduced household utility bills.

**Table 1J-3.8: Inventory of Publicly Assisted Housing Developments in Orange Cove**

Project Name	Year Built	Number of Units	Program
Kuffel Terrace	1952	20	Housing Authority
Kuffel Terrace Annexation	1964	40	Housing Authority
Mt. View Apartments	1983	30	Housing Authority
Citrus Gardens	1981	30	Housing Authority
Orangewood Plaza	1984	40	LIHTC
South Cove Apartments	1995	54	LIHTC
Orchard Village	1995	188	LIHTC
Pablo Rodriguez Plaza	2000	81	LIHTC
Zaninovich Village	2004	81	LIHTC
Los Arboles Apts	2005	81	LIHTC
Villa Escondido	2006	81	LIHTC
Amaya Village	2014	81	LIHTC
Martinez Estates	In Progress	87	USDA, HCD Joe Serna Jr. Farmworker Housing grants

Source: City of Orange Cove, 2024.

### SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

Affordable housing and infrastructure improvements will continue to be a top investment priority for Orange Cove. Given that there is a limited supply of available residentially-zoned land, the City is actively facilitating rezone efforts to make formerly industrial sites within city limits and agricultural sites in new growth areas available for housing (see the Section 1J-2, Sites Inventory section for details on the status of these efforts). The City is also working on significant improvements to Orange Cove's water supply and quality infrastructure to support future residential development in the Howard annexation area and to improve citywide drinking water quality. The City has leveraged \$7.9 million in grant funding from the State Department of Water Resources Small Community Drought Relief program to construct a new municipal groundwater well that will serve as a secondary water source. The well is expected to come online during 2024 depending on quality test and treatment needs. Feedback received as part of Housing Element outreach indicates that deeply affordable housing and continued investment in public amenities and infrastructure are a long-term community priority. The Housing Element includes **Program 5** to identify future opportunities for affordable housing and **Program 22** to complete at least four public improvements throughout the City and in areas of highest need at least twice in the planning period. These public improvements include but are not limited to, improving broadband internet access; completing street improvements; enhancing streetscapes, sidewalks, and lighting; providing safe routes to schools; completing park improvements; adding community facilities and amenities; and continuing to improve water supply and quality.

#### ***Land Use and Zoning Patterns***

Decisions regarding land use and zoning have a direct and profound impact on affordable housing and fair housing choice, shaping a community or region's potential diversity, growth, and access to opportunity. Zoning determines where housing can be built, the type of housing that is allowed, and the amount and density of housing that can be provided. Zoning also can directly or indirectly affect the cost of developing housing, making it harder or easier to accommodate affordable housing.

In Orange Cove, the Municipal Code divides the City into nine zoning districts, including four single-family residential districts, four multi-family residential districts, and one mixed-use district. Over time, the City has shifted from a preference for stand-alone residential development to allowing for higher density developments in the M-U districts (allows up to 30 units per acre) Duplexes, triplexes, and fourplexes are permitted in the R-2, R-2-A, R-3, and R-3-A, but the R-1 district continues to only permit single-family residential development. Multi-family zoning districts are scattered throughout the City, with most larger sites zoned R-3.

As described previously in "Housing Mobility and Disproportionate Housing Needs," the City's housing stock profile is primarily single-family homes (50.8 percent) with approximately 48.7 percent of units in multi-family housing with two or more units. Despite rising rents and home sale prices, market-rate single-family homes in Orange Cove remain generally affordable to moderate-income and some low-income households, based on an analysis of recent home sales in 2022 (see Table 1J-2.2). However, it is important to note that despite the relative affordability of home sales prices, many households are very-low income and would not be able to afford to purchase a home in Orange Cove.

## ***Enforcement and Outreach Capacity***

### ***Compliance with Fair Housing Laws***

In addition to assessing demographic characteristics as indicators of fair housing, jurisdictions must identify how they currently comply with fair housing laws or identify programs to become in compliance. The City of Orange Cove enforces fair housing and complies with fair housing laws and regulations through a twofold process: review of local policies and codes for compliance with state law, and referral of fair housing complaints to appropriate agencies. The following identify how the City complies with the following fair housing laws:

- **Density Bonus Law (Government Code Section 65915).** The City has adopted current state density bonus law requirements by reference, and is in compliance with state density bonus law.
- **No-Net-Loss (Government Code Section 65863).** The City has identified a surplus of sites available to meet the Regional Housing Needs Assessment allocation. In total, the City's surplus unit capacity is 537 units, composed of 163 lower-income units, 151 moderate-income units, and 223 above moderate-income units.
- **Housing Accountability Act (HAA) (Government Code Section 65589.5).** The City does not condition the approval of housing development projects for very low-, low-, or moderate-income households or emergency shelters unless specified written findings are made. The City currently allows emergency shelters by-right, without limitations, in the M-1 zoning district. The City has included **Program 12** to amend the emergency shelter ordinance to allow emergency shelters by-right in a residential zone and establish objective development standards, in compliance with state law.
- **Senate Bill 35 (Government Code Section 65913.4).** The City will comply with SB 35 (Government Code Section 65913.4) by establishing a written policy or procedure, as well as other guidance as appropriate, to streamline the approval process and standards for eligible projects by September 2023 (**Program 13**).
- **Senate Bill 330 (Government Code Section 65589.5).** The City has not developed a preliminary application review process consistent with SB330. The City has included **Program 13** to develop and formalize this process for eligible housing projects by establishing a written procedure to be made available on the City's website and at public counters.
- **California Fair Employment and Housing Act (FEHA) and Federal Fair Housing Act.** The City complies by contracting with FHANC to provide legal assistance to residents, counseling for landlords and tenants, regular audits and investigations of discrimination, and other services to enforce fair housing in the city and implementing the Neighborhood Law Program to eliminate blight and nuisance conditions throughout the city.
- **Review Processes (Government Code Section 65008).** The City reviews affordable development projects in the same manner as market-rate developments, except in cases where affordable housing projects are eligible for preferential treatment including, but not limited to, on residential sites subject to Assembly Bill (AB) 1397.

### SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

- **Assembly Bill 686 (Government Code Section 8899.50).** The City has completed this Assessment of Fair Housing and identified programs to address identified fair housing issues in **Table 1J-3.10, Factors Contributing to Fair Housing Issues.**
- **Equal Access (Government Code Section 11135 et seq.).** The City provides translation services for all public meetings and materials and offers accessibility accommodations to ensure equal access to all programs and activities operated, administered, or funded with financial assistance from the state, regardless of membership or perceived membership in a protected class.

### ***Fair Housing Outreach***

Regional outreach efforts for the Multi-Jurisdictional Housing Element included interviewing Fair Housing of Central California (FHCC) for feedback on housing need, fair housing concerns, and opportunities to affirmatively further fair housing throughout the county. FHCC is a non-profit, civil rights organization dedicated to the elimination of discrimination in housing and the expansion of housing opportunities for all persons. They accomplish this through advocacy, assistance for victims of discrimination, and enforcement of fair housing laws.

In response to the request for input, FHCC noted that the most common fair housing issues reported throughout Fresno County are discrimination on the bases of disability and race. Further, they expressed concern about the aging multifamily housing stock becoming uninhabitable due to physical conditions. However, given the shortage of affordable housing in the region, FHCC noted that many units that have already physically deteriorated are still occupied, posing a risk to occupants. Discrimination by landlords or agents as well as deliberate segregation has resulted in fair housing concerns, particularly for protected and special needs populations, such as persons with disabilities and lower-income households. FHCC emphasized a need for more government involvement in enforcement of fair housing laws. Currently, affordable housing options are often concentrated in specific neighborhoods. When developers are encouraged to continue to build affordable units in these areas as a result of zoning or other government regulations, this results in either intentional or unintentional segregation based on income. When asked about opportunities for local governments to actively improve outreach regarding fair housing and to combat existing issues, FHCC identified several opportunities including local rent controls to manage affordability and reduce displacement risk, code enforcement to ensure a safe and habitable housing stock, funding fair housing groups such as FHCC to enforce fair housing laws, and adjusting regulations or encouraging development of a variety of unit types and sizes throughout the jurisdiction to promote mobility and integration.

In response to the feedback received, the City has included **Program 21** to improve fair housing outreach capacity and multilingual accessibility to all public resources, information, and meetings, including fair housing resources. This program also includes steps to establish a procedure to connect residents with fair housing organizations, make information readily available and accessible on the City's website and in public buildings, and conduct biannual trainings for landlords on fair housing laws, rights, and responsibilities.

### ***Discrimination Cases***

In their 2020 Annual Report, the California Civil Rights Department (previously Department of Fair Employment and Housing) reported that they received nine housing complaints from residents of Fresno County, approximately 1.0 percent of the total number of housing cases in the state that year (880). As part of the Fair Housing Assistance Program (FHAP), the Civil Rights Department also dual-files fair housing cases with HUD's Region IX FHEO, which are reported by the origin of the issue.

## SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING

HUD FHEO reported that there was one case filed by a resident of the City of Orange Cove between January 2013 and November 2022. The case did not identify a specific allegation of discrimination against a certain class. There were no other inquiries made within the time period. While there were very few formal cases in Orange Cove, this does not necessarily mean that there is no discrimination. In some cases, residents may be hesitant to report discrimination, such as in the case of undocumented residents that fear retaliation, or may not be aware of fair housing legal assistance available to them. The City has identified **Program 21** to ensure residents and housing providers are aware of fair housing laws, rights, and requirements as well as resources available to residents should they experience discrimination. Further, the City will work with local and regional fair housing providers to facilitate training for housing providers to prevent discriminatory actions and behaviors.

### Sites Analysis

State housing element law, Government Code Section 65583(c)(10), requires that the sites inventory (see Chapter 5) be analyzed with respect to AFFH. A primary goal of the assessment is to ensure available sites for lower-income housing are located equitably with fair access to opportunities and resources. By comparing units inventoried in approved projects and on vacant and underutilized sites to the fair housing indicators in this assessment, this section analyzes whether the sites included in the Housing Element sites inventory improve or exacerbate fair housing conditions, patterns of segregation, and access to opportunity throughout the City.

The City has a total Regional Housing Needs Allocation (RHNA) of 469 units, which includes 115 lower-, 86 moderate-, 268 above moderate-income housing units. Based on the assumptions and methodology applied in the sites inventory analysis (see Section 1J-2), the City has identified capacity for 706 units within the planning period with sufficient capacity to meet the City's RHNA at all income levels. As shown in **Figure 1J-2.1** (Sites Inventory), sites and projects that will count toward the 6<sup>th</sup> Cycle RHNA are relatively well-distributed across the city, with proximate access to downtown amenities.

Although all of the sites with identified capacity for lower-income housing are located in one of the City's two census tracts (65.01), this is primarily driven by a lack of suitable vacant land in the northeast quadrant of the city (coinciding with the boundaries of census tract with 65.02). As described in the "Historic Development Patterns" subsection above, most of the City's growth in recent decades has occurred in the southwest quadrant of the city, including the construction of Orange Cove High School, community centers, and an emerging neighborhood commercial node along Anchor Avenue. The City expects residential demand to continue to be focused here in the near-term based on these development trends and community investments. However, the City has identified future opportunities to balance residential growth in the northern census tract and is actively working with LAFCO to complete the Howard annexation, which includes 5 acres of the land zoned for high-density residential development.

As shown throughout this Assessment of Fair Housing section, the socioeconomic conditions throughout the city are fairly uniform. Orange Cove is predominantly non-White with a significantly lower median household income than the Fresno County average. Although market-rate housing in Orange Cove is within reach of some low-income households, stagnant growth over the last decade coupled with statewide trends of rising costs of living have severely limited housing mobility in the city. Building affordable housing anywhere in the city will help alleviate fair housing conditions by expanding opportunity and the ability to secure affordable housing within city limits, reducing the overall risk of displacement. Furthermore, given the city's small size and lack of distinct neighborhoods, the specific location of sites for housing will not have a meaningful impact on patterns of segregation; patterns will likely remain consistent (see **Table 1J-3.9**).



**SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING**

**Table 1J-3.9: Distribution of Housing Capacity and Fair Housing Indicators**

<b>Census Tract</b>		<b>65.01</b>	<b>65.02</b>
Housing Unit Capacity (Vacant and Underutilized Sites + Approved Projects)	Lower-Income Units	232	0
	Moderate-Income Units	112	40
	Above Moderate-Income Units	296	26
	Percent of Total Housing Unit Capacity	91%	9%
Integration and Segregation Indicators	Predominant Race or Ethnicity	Hispanic/Latino	Hispanic/Latino
	Median Income	\$50,000-\$87,100	\$50,000-\$87,100
	Children in Female-Headed Households	20-40%	20-40%
	Disability Rate	10-20%	10-20%
Access to Opportunity	TCAC Opportunity Designation	Low	Low
	Jobs Proximity Index	< 20	< 20
	CalEnviroScreen Score	>80-90	>80-90
Disproportionate Housing Needs/Displacement Risk	Overcrowded Households	>20%	>20%
	Renter Overpayment	60-80%	60-80%
	Homeowner Overpayment	20-40%	20-40%
	UDP Displacement Risk	Yes	Yes

Source: City of Orange Cove and Ascent, 2024. Data for fair housing indicators downloaded from HCD AFFH Data and Mapping Tool in 2021 and adapted by Ascent; based on data from ACS.

## Contributing Factors

Through discussions with stakeholders, fair housing advocates, and this assessment of fair housing issues, the City identified factors that contribute to fair housing issues, as shown in **Table 1J-3.10**, Factors Contributing to Fair Housing Issues.

**Table 1J-3.10: Factors Contributing to Fair Housing Issues**

Identified Fair Housing Issue	Contributing Factor	Priority	Meaningful Action
Exposure to adverse environmental conditions	Proximity to commercial agricultural operations Regional air quality conditions Groundwater contaminants	Low	Evaluate transitional buffers between residential and agricultural uses <b>(Program 22)</b>
Low access to opportunity	Disinvestment over time High concentration of limited English speaking households Distance from major urban centers and limited public transit options	High	Work with FCRTA to disseminate information and advertise available transit programs and services <b>(Program 22)</b>  Pursue grant funding to complete at least 4 public infrastructure improvements and economic development projects <b>(Program 22)</b>  Identify barriers to school performance and assist in providing incentives for teacher retention <b>(Program 22)</b>
Poor housing mobility	Low housing vacancy rate Lack of private investment/stagnant housing supply growth Large concentration of lower-income households	High	Incentivize development of affordable housing <b>(Program 5)</b>  Encourage construction of ADUs <b>(Program 10)</b>  Promote the availability of the Homeowners Down Payment Assistance Program <b>(Program 19)</b>  Increase outreach and education on HCVs <b>(Program 20)</b>
Disproportionate housing needs citywide	High rates of poverty Aging housing stock Costs of home repairs and rehabilitation Need for deeply affordable housing product to match extremely low- and very low-income housing needs.	Medium	Incentivize development of affordable housing <b>(Program 5)</b>  Establish preference for farmworker households in

**SECTION 1J-3: LOCAL ASSESSMENT OF FAIR HOUSING**

Identified Fair Housing Issue	Contributing Factor	Priority	Meaningful Action
	Concentration of farmworkers/agricultural employees		new affordable housing ( <b>Program 7</b> )  Promote the availability of rehabilitation assistance programs ( <b>Programs 16 and 17</b> )  Remove regulatory constraints to development of special needs housing ( <b>Program 12</b> )
Limited local fair housing outreach and enforcement	Limited local capacity for outreach and enforcement High concentration of limited English speaking households Lack of education for landlords/tenants on fair housing law	Medium	Provide fair housing materials in English and Spanish on the City's website ( <b>Program 21</b> )  Educate landlords and tenants on fair housing laws and how to navigate assistance programs ( <b>Program 20</b> )

Source: City of Orange Cove and Ascent, 2024

## ***Zoning/Development Code***

The City is currently in the process of completing a comprehensive Zoning Code update that will include substantial changes to residential zoning districts and development standards. It is anticipated that this update will be completed early within the planning period. As such, this analysis reviews standards included in the draft Zoning Code in cases where it proposes new or modified standards from the Ordinance currently in effect as of February 2024.

### ***Analysis***

The City's Zoning Code (adopted as Title 17 of the City of Orange Cove Municipal Code) regulates land use and outlines standards for residential development. The Zoning Code is publicly available on the City's website. **Table 1J-4.2** below presents residential use types from the current Zoning Code as allowed by zoning district. A discussion of zoning for a variety of housing types (e.g., emergency shelters, supportive housing, group homes) is included later in this chapter.

Single-family housing is a permitted use in all residential zoning districts. Multi-family housing, including duplex and triplex development, is permitted in the R-2, R-2-A, R-3, and R-3-A districts. Multi-family housing projects are limited to a maximum of 100 units. This requirement poses a constraint to achieving maximum allowable densities on larger sites. For example, multi-family residential development on a site larger than 3 acres could not achieve a project density of 30 dwelling units per acre. As part of the pending Zoning Code update, the City plans to remove this restriction (**Program 12**).

The Mixed-Use (M-U) zoning district allows residential mixed-use development by-right, and conditionally permits standalone residential uses. However as part of the Zoning Code update, the City plans to replace the M-U zoning district with the C-3 zoning district, absorbing the M-U land use permissions.

**Table 1J-4.2: Residential Use Types Allowed by Zoning District**

Use	R-A	R-1-12	R-1-6	R-1-3	R-2	R-2-A <sup>1</sup>	R-3	R-3-A <sup>1</sup>	M-U <sup>1</sup>	MHP
Single-family	P	P	P	P	P	P	P	P	C	NP
Duplexes	C	C	C	C	P	P	P	P	C	NP
Multi-family <sup>2</sup>	NP	NP	NP	NP	P	P	P	P	P <sup>3</sup>	P
Mobile home/trailer park	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
ADUs	P	P	P	P	P	P	P	P	P	P
Transitional and supportive housing	P	P	P	P	P	P	P	P	P/C <sup>4</sup>	NP
Developmentally disabled housing, eight or fewer persons	P	P	P	P	P	P	P/C	P	P	NP
Boarding and rooming house	NP	NP	NP	NP	NP	NP	P	P	NP	NP

ADU = accessory dwelling unit, P= Permitted Use, NP = Not permitted, C = Conditionally permitted.

<sup>1</sup> The Draft Zoning Ordinance proposes removing R-2-A, R-3-A, and M-U zones. R-2-A and R-3-A will be replaced by R-2 and R-3, respectively. M-U will be replaced with C-3 zoning, where mixed-use residential development will be a permitted use. Uses for R-2-A, R-3-A, and M-U are included for reference and are based on the Zoning Ordinance currently in effect as of August 2023.

<sup>2</sup> Multi-family development must not exceed 100 units per project.

<sup>3</sup> Multi-family development permitted when associated with other permitted commercial uses as part of a mixed-use development. Standalone residential development is required to obtain a use permit in the M-U zone.

<sup>4</sup> Transitional and supportive housing is either permitted as part of a mixed-use project or conditionally permitted as a standalone residential use.

Source: City of Orange Cove Zoning Code, 2024.

**Conclusion**

The City’s Zoning Code provides for a range of housing options that can be developed by-right in certain zoning districts. However, the Zoning Code currently permits single-family homes in all residential zoning districts, including those that permit higher density multi-family housing. In addition, the Zoning Code limits multi-family housing projects to a maximum of 100 units. This requirement constrains the ability of developers to achieve maximum allowable densities, particularly on larger sites. The Housing Element includes **Program 12** to restrict single-family homes in the R-3 zoning district in order to preserve land zoned for higher density residential development and remove the requirement limiting multi-family housing to a maximum of 100 units. Requirements for supportive/transitional housing and other group housing types are discussed in more detail below in “Zoning for a Variety of Housing Types.”

## SECTION 1J-4: CONSTRAINTS4

### ***Recommended Action***

The Housing Element includes **Program 12** to amend the Zoning Code to:

- Restrict single-family residential uses in the R-3 zoning district in order to preserve land zoned for higher density residential development;
- Remove requirement limiting multi-family housing to a maximum of 100 units;
- Revise standards for special needs housing types to match requirements for single-family or multi-family housing in the same zone (see discussion in “Zoning for a Variety of Housing Types” section).

### **Residential Development Standards**

#### ***Analysis***

**Table 1J-4.3** summarizes development standards for residential development proposed as part of the draft Zoning Ordinance that will be adopted within the planning period. Lot coverage maximums range from 30 to 65 percent, with higher density residential zones allowing greater lot coverage. Building heights up to 35 feet will be permitted in all residential zoning districts, while commercial zoning (M-U/C-3) will continue to allow building heights up to 40 feet (or 3 stories). Minimum setbacks also vary by zoning district, with higher density residential zones generally allowing reduced front yard setbacks compared to lower-density zones.

Table 1J-4.3: Residential Development Standards

Characteristics of Lot, Location, and Height	R-A	R-1-12	R-1-6	R-1-5	R-2	R-2-A <sup>1</sup>	R-3	R-3-A <sup>1</sup>	M-U <sup>1</sup>
Minimum Lot Area (SF)	24,000	12,000	6,000	5,000	6,000	6,000	6,000	6,000	N/A
Minimum Lot Frontage (Interior/Corner)	120	75/80	60/65	50/55	50/50	60/65	50/50	60/65	N/A
Minimum Lot Depth (Interior/Corner)	120	100 <sup>2</sup>	100 <sup>2</sup>	100	100/100	100/120	80/100	100/120	N/A
Maximum Density (du/acre)	2.2	4.4	7.3	8.7	14.52	14.52	29	29	N/A
Maximum Lot Coverage	30%	40%	40%	40%	50%	50%	65%	60%	N/A
<b>Minimum Setbacks (ft)</b>									
Front	30	25	20	15	20	20	15	15	0
Rear	20	25	10	10	10 <sup>3</sup>	20	10 <sup>3</sup>	15	0
Side Yard	10	10	5	5	5 <sup>3</sup>	5 <sup>3</sup>	5 <sup>3</sup>	5	5% lot depth
Maximum Height (ft)	35	35	35	35	35	1 story/ 20 feet <sup>4</sup>	35	1 story/ 20 feet <sup>4</sup>	3 stories/ 40 feet
Minimum Building Separation <sup>5</sup> (ft)	10	10	10	10	10	10	10	10	N/A

<sup>1</sup> The Draft Zoning Ordinance proposes removing R-2-A, R-3-A, and M-U zones. R-2-A and R-3-A will be replaced by R-2 and R-3, respectively. M-U will be replaced with C-3 zoning, where mixed-use residential development will be a permitted use. Development standards for R-2-A, R-3-A, and M-U are included for reference and are based on the Zoning Ordinance currently in effect as of August 2023.

<sup>2</sup> Minimum lot depth for lots on arterial or collector streets is 120 feet.

<sup>3</sup> Minimum setbacks for two- and three- story structures are 10 feet in the interior side yard and 20 feet in the rear yard. In cases where an interior lot is less than 50 feet in width, minimum side yard setback is 10 percent of lot width, or 3 feet, whichever is greater.

<sup>4</sup> Maximum height for single family residences is 2 stories or 30 feet.

<sup>5</sup> Minimum building separation varies with orientation of buildings, but in no case can buildings be closer than 10 feet.

Source: City of Orange Cove Zoning Code, Zoning Code Update Draft, 2023.

**SECTION 1J-4: CONSTRAINTS4**

**Table 1J-4.4** analyzes the cumulative impact of development standards on the ability to achieve the maximum densities in the City’s multifamily zones. Each of the examples assumes a rectangular one-acre lot and applies the City’s setback, lot coverage, parking, and open space standards to determine if projects complying with City standards can achieve maximum densities. The analysis shows that development standards in the R-2 and R-3 zones do not limit the ability to achieve maximum densities. There is sufficient excess site area remaining after application of the City’s development standards to allow the incorporation of additional project amenities that are not required, such as additional parking and open space features.

**Table 1J-4.4: Analysis of Multifamily Zone Requirements for Prototype Site Development**

<b>Development Standards</b>	<b>R-2 Zone Standards</b>	<b>R-3 Zone Standards</b>
Prototype Project Site Size	43,560	43,560
Net site size w/ required setbacks	35,512	36,505
Maximum site volume at story limit	71,023 (3 stories)	73,010 (3 stories)
Maximum lot coverage	21,780 (50%)	28,314 (65%)
Maximum permitted density (units)	14.5	29
1 bedroom (900 sf)	10	19
2 bedroom (1,100 sf)	5	10
Unit square footage total	14,500	28,100
Unit square footage per story	7,250	14,050
Parking requirement		
1-bedroom units @ 1.5 sp/unit	15	29
2-bedroom units @ 1.5 sp/unit	8	15
Total parking required	22.5	43.5
Square footage for surface parking @ 350 sq. ft/space <sup>1</sup>	7,875	15,225
Total sq. ft to accommodate project <sup>2</sup>	15,125	29,275
Total excess sq. ft. available <sup>3</sup>	20,387	7,230

<sup>1</sup> 200 sf/space + 150 sp. Ft. of drive aisle per space

<sup>2</sup> Calculated as the net building sq. ft. of the first story + parking sq. ft. + open space sq. ft.

<sup>3</sup> Calculated as the net site size – total sq. ft. to accommodate the project

Source: Ascent, 2024.



**Overlay Districts**

**Planned Development Overlay**

The Zoning Code also identifies a Planned Development (PD) Overlay district that can be applied in combination with the base single-family or multi-family zoning districts as well as the Neighborhood Commercial district. The PD district is intended to be used as an optional tool to facilitate innovative design strategies in larger scale residential development in the City that result in “smart growth.” Single family subdivisions within the PD overlay are subject to smaller lot size minimums and more flexible setback requirements, allowing additional flexibility for infill development to accommodate greater residential densities than would be achievable under strict application of single-family residential development standards. PD Overlay requests are processed as a Site Plan Review. This process is discussed in more detail below in “Processing and Permit Procedures.”

**Parking**

Table 1J-4.5 shows the residential parking requirements set forth in Section 17.60.100 of the Orange Cove Municipal Code. Single family dwellings and accessory dwelling units (ADUs) are required to provide one covered spaces per unit. Multi-family projects are required to provide 1.5 spaces per unit, and half of the total required parking must be covered. Group homes are required to provide one parking space for every 1.5 beds.

**Table 1J-4.5: Residential Parking Requirements**

Type of Residential Development	Parking Requirement
Single-Family Dwellings/Duplexes	1 covered space per unit
ADU	1 covered space per unit
Multi-family	1.5 covered spaces per unit, half of total requirement must be covered
Emergency shelters	Subject to parking requirement for multifamily (1.5 covered spaces per unit)
Group care homes (convalescent homes, homes for the aged, nursing homes, and children’s homes)	1 parking space per 1.5 beds
Housing for the elderly (Senior housing)	1 space for every 3 units

ADU = accessory dwelling unit

Source: City of Orange Cove Zoning Code.

**Open Space and Park Requirements**

The City’s Zoning Code does not identify open space or park requirements for general residential development. However, development within the PD overlay, which is an optional overlay zone, is required to provide one lot as a neighborhood pocket park for every 30 lots within a subdivision. This requirement can be waived if the Planning Commission finds that the pocket park is not necessary based on the close proximity of an existing community park.

## SECTION 1J-4: CONSTRAINTS4

The City’s Subdivision Ordinance (Title 16 of the Municipal Code) requires land dedication or in-lieu fees for the purpose of maintaining public parks at a ratio of four acres per 1,000 persons. The City’s current development impact fee schedule requires payment of a Parks and Recreation Impact fee of \$1,714 per single family unit and \$1,285 per multi-family unit.

### ***Conclusion***

While most of the City’s residential development standards do not act as a constraint to development of new housing, height limitations for multi-family housing in the R-2-A and R-3-A zoning districts could pose a barrier to construction of multi-family units. Limiting multi-family housing to one-story buildings significantly constrains a project’s achievable density, especially on R-3-A-zoned properties where the maximum density is 29 units per acre. When applied in combination with all residential development standards (e.g., setbacks, lot coverage maximums), it is unlikely that maximum permitted density could be achieved on either R-2-A or R-3-A sites. As noted above, the City plans to phase out R-2-A and R-3-A zoning and replace it with R-2 and R-3 zoning as part of a forthcoming Zoning Code update within the planning period.

In addition, the minimum parking requirements for multi-family, emergency shelters, and group homes are excessive and pose a constraint to the development of multi-family and special needs housing. Required parking for these uses all exceed the minimum parking required for single-family homes. Requirements for special needs housing types are analyzed in more detail in “Zoning for a Variety of Housing Types” and “Constraints on Housing for Persons with Disabilities” below.

### ***Recommended Action***

The Housing Element includes **Program 12** to amend the Zoning Code to address story limitations on multi-family development in the R-2-A and R-3-A zones and minimum parking requirements for multi-family and special needs housing.

## **Density Bonus**

### ***Analysis***

The City’s density bonus ordinance is outlined in Chapter 17 of the Orange Cove Municipal Code (Zoning Code Section 17.58). Projects that either provide 5 percent of units affordable to very-low-income households or 10 percent of units affordable to low-income households or special needs populations outlined in Government Code 65915 are eligible for a density bonus of 20 percent. The amount of density bonus increases on a sliding scale relative to additional increases of affordable units, consistent with state density bonus law. The draft ordinance establishes a procedure and timelines for processing density bonus applications. Eligibility and decision-making criteria is based on the requirements of Government Code Sections 65915 through 65918 by reference.

### ***Conclusion***

The City’s proposed density bonus provisions are consistent with State law requirements and establish a clear process for density bonus applications.

### ***Recommended Action***

The Housing Element includes **Program 5** to amend the Municipal Code to adopt the draft ordinance as described above and continue to monitor updates to State density bonus law to ensure implementation remains compliant with State law requirements.

## **Zoning for a Variety of Housing Types**

### ***Analysis***

Housing element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of various types of housing for all economic segments of the population. This includes multi-family housing, manufactured housing, farmworker housing, single-room occupancy housing, emergency shelters, ADUs, low barrier navigation centers, and supportive and transitional housing. The following is a description of the City's requirements for various housing types.

### **Multifamily**

Multi-family dwellings are permitted by right in the R-2 and R-3 zones.

### **Manufactured Housing**

The City of Orange Cove permits manufactured housing and mobile homes in the same fashion as other types of residential housing, regardless of zoning district. Currently, manufactured homes, which include mobile homes subject to the National Manufactured Housing Construction and Safety Act of 1974, are allowed in zoning districts that allow residential uses (R-A, R-1, R-2, and R-3 zones) and are required to conform to foundational regulations as per Government Code 2.3-2, Sect. 65852.3.

### **Emergency Shelters**

Pursuant to State housing law (California Government Code Sections 65582, 65583, and 65589.5), jurisdictions must identify at least one zone where emergency shelters are allowed as a permitted use without a conditional use permit or other discretionary permit. This zone must also allow other residential uses by right. The identified zone must have sufficient capacity to accommodate the shelter need, and at a minimum provide capacity for at least one year-round shelter. Permit processing, development standards, and management standards for emergency shelters must be objective and facilitate the development of, or conversion to, emergency shelters.

As discussed in Chapter 2, "Housing Needs Assessment", the 2022 Fresno-Madera Point in Time Count identified 541 individuals experiencing homelessness in Fresno County, outside of the City of Fresno. As described in Chapter 2, the Fresno Madera Continuum of Care estimates that there are 4 people experiencing homelessness in Orange Cove based on the City's population. There are no existing emergency shelters in Orange Cove.

#### SECTION 1J-4: CONSTRAINTS<sup>4</sup>

Currently, the Orange Cove Municipal Code permits emergency shelters by right in the industrial (M-1 and M-2) zoning districts. The City does not limit the number of beds or capacity per emergency shelter and does not require any minimum distance separation from other group housing facilities. The Municipal Code includes provisions that apply multi-family residential parking standards to emergency shelters.

There is a 1.2-acre vacant parcel within the M-1 zoning district on West Railroad Avenue that could be considered available for emergency shelter development. This site is located within walking distance of commercial and recreational uses and medical services. Assuming this site can accommodate a shelter with capacity of 50 individuals, this parcel provides more than enough capacity to house Orange Cove's estimated unsheltered homeless population of 4 individuals.

Prior to the passage of AB 2339 in 2022, the City's methodology of allowing emergency shelters by right in the M zone, where no other residential uses are permitted, was consistent with state law. However, AB 2339 revised Government Code Section 65583 to require that the zone where emergency shelters are permitted by right also allows other residential uses so the City's by-right allowance of emergency shelter facilities in the M-1 zone is no longer sufficient to comply with state law. AB2339 also expanded the definition of emergency shelters to include other interim interventions, including navigation centers, bridge housing, and respite or recuperative care. Furthermore, Assembly Bill (AB) 139, passed in 2019, revised state housing element law by requiring that emergency shelters only be required to provide sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone. The Housing Element includes **Program 12** to amend the Zoning Code to address the requirements of AB 2339 by adopting the definition of emergency shelters, allowing emergency shelters by-right in the R-3 zone and to adopt objective standards for emergency shelter development, including employee parking, consistent with state law (AB 139).

There are several vacant R-3 zoned sites in Orange Cove with capacity for a future emergency shelter as shown on **Table 1J-4.6**. All sites are included in the Housing Element Sites Inventory as sites with lower- or moderate-income housing capacity. As shown on Figure 1J-2.1 (Sites Inventory Map), all sites are centrally located with proximity to parks and commercial services. Per state law requirements, the site capacity for emergency shelters on these sites can be calculated by dividing the square footage of the site by a minimum of 200 square feet per person. Based on this methodology, the smallest available R-3 site (Site 14) could theoretically accommodate 30 people, which is more than sufficient to accommodate the City's total unmet need of one unsheltered person experiencing homelessness in 2022.

**Table 1J-4.6: Emergency Shelter Site Capacity in the R-3 Zone**

Site ID	APN	Acreage
2	37504026	5.72
8	37802139	1.12
14	37805135	0.14
15	37805131	0.25
26	37806102	0.19
27, 28	37806209, 3780208	0.35
40, 41	37811206, 37811208	0.82
42	37807013	0.17
43, 44, 45	37808113, 37808114, 37808112	0.45
<b>Total (Area)</b>		<b>523.04</b>

Source: Ascent, 2024

Outside of these areas, there is also potential for emergency shelters in other R-3 zoned areas of the city where there is existing residential development. It is possible that this existing housing – which includes townhomes, duplexes, and single-family homes – could be purchased and used to provide emergency shelter by right. Based on this evaluation, there are many R-3 zoned sites that could be used to accommodate the need for emergency shelter beds in the city.

**Low Barrier Navigation Centers**

Government Code Section 65662 requires that low-barrier navigation centers be developed as a use by right in zones where mixed-uses are allowed or in nonresidential zones that permit multifamily housing. For a navigation center to be considered “low barrier,” its operation should incorporate best practices to reduce barriers to entry, which may include, but are not limited to:

- Permitting the presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
- Permitting pets
- Ability to store possessions.
- Providing privacy, such as private rooms or partitions around beds in a dormitory setting or in larger rooms with multiple beds, Program 15 has been included to comply with State law.

The Zoning Code does not currently contain provisions for low barrier navigation centers. **Program 12** has been included to comply with State law.

## Farmworker/Employee Housing

Under California Health and Safety Code 17021.5 (Employee Housing Act), farmworker housing up to 12 units or 36 beds must be considered an agricultural use and permitted in any zone that permits agricultural uses. In Orange Cove, temporary farmworker labor camps are permitted in the R-A zone, which is the only zoning district that permits agricultural uses within City limits. In addition, farmworker housing is permitted as an accessory use on farms or ranches larger than 10 acres. The City places no explicit restrictions on the maximum number of beds or units for temporary farmworker labor camps or farmworker housing. While the City's zoning allows farmworker housing in zones allowing agriculture, the provisions for farmworker housing are not fully in compliance with State law. For example, the requirement that sites be larger than 10 acres goes beyond what is allowed under State law.

The California Health and Safety Code Section 17021.5(b) requires that employee housing providing accommodations for six or fewer are treated the same as any other single family home. The Orange Cove Municipal Code does not include standards that distinguish between employee housing for six or fewer residents and single-family residences. **Program 12** has been included to amend the Municipal Code to specify that employee housing for 6 or less workers is permitted akin to a single family residence anywhere single family is permitted, farmworker housing up to 12 units or 36 beds is explicitly permitted as an agricultural use in zones allowing agriculture, and adopt a streamlined ministerial approval process for eligible housing developments in compliance with California Health and Safety Code Section 17021.8.

## Transitional and Supportive Housing

Government Code Section 65583(c)(3) requires transitional housing and supportive housing to be treated the same as any other residential use of the same type within the same zone. In Orange Cove, transitional and supportive housing is permitted in all residential zones (see **Table 1J-4.2**).

Government Code Sections 65650 et seq. states that supportive housing with no more than 50 units and meeting certain standards is a use by right in zones where multi-family housing is permitted. This means that such supportive housing is exempt from CEQA and may only be subject to design review. A qualifying project must be restricted to lower income households and at least 25 percent of the units, or 12 units, whichever is greater, must be restricted to formerly homeless persons or those at risk of homelessness. As discussed above, supportive housing is permitted by right in all zones where multi-family housing is permitted (R-2 and R-3 zones). The City does not outline requirements unique to supportive housing projects that would not also apply to multi-family housing projects. As such, a qualifying project would be required to obtain a Site Plan Review with approval by the City Manager. Although this is an administrative approval process, this does not meet the state law requirement that qualifying projects be permitted by-right. **Program 12** is included to clarify the City's regulations for eligible supportive housing projects and ensure that amendments made as part of the Zoning Code Update are consistent with the requirements of State law.

## Single Room Occupancy (SRO) Units

Single room occupancy units (SROs) are small, one-room units occupied by a single individual, and may either have shared or private kitchen and bathroom facilities. The Zoning Code does not currently contain provisions for SRO housing. Program **12** has been included to amend the Zoning Code to adopt provisions for SRO units permitting them in at least one zoning district with appropriate development standards to facilitate the development of SRO housing.

## Group Homes

As described in Chapter 5, Section 1566.3 of the California Health and Safety Code requires licensed residential facilities serving six or fewer persons to be considered a residential use of property for purposes of local zoning ordinances. No local agency can impose stricter zoning or building and safety standards on these residential facilities than is required of a family dwelling of the same type in the same zone.

In December 2022, HCD produced a Group Home Technical Advisory that provides guidance about how local governments may regulate group homes in compliance with housing law and their affirmative obligation under state law to further fair housing. Group homes of all sizes must be treated the same as any other residential use to ensure persons with disabilities have equal opportunity to live in a community. Requiring a use permit for group homes of more than six persons has been identified by HCD as a fair housing issue.

The City currently has some provisions for group housing types including housing for developmentally disabled persons (capacity of up to 8 persons permitted in all residential zones). However, the Zoning Code does not include clear standards applying to this use. Application of this use type as a mechanism to establish provisions for group housing does not clearly encompass all group housing types that should be provided for as required by State law. Further, the Zoning Code does not currently contain specific provisions for group housing with 7 or more persons (unrelated to boarding houses). The Housing Element includes **Program 12** to allow group housing in all zones that allow residential uses in the same manner, in compliance with the State's definition of family.

## Accessory Dwelling Units (ADUs)

Section 17.64.11 of the Orange Cove Municipal Code outlines requirements for ADUs and JADUs. ADUs are permitted on all residentially-zoned lots and any lot developed or proposed to be developed with residential uses. JADUs are only permitted when associated within a single-family home. The City updated its ADU ordinance in 2023 and permits up to three dwelling units on a single-family lot – the primary single-family residence and either an attached or detached ADU and a JADU.

## SECTION 1J-4: CONSTRAINTS<sup>4</sup>

Consistent with State law, the City provides a streamlined ministerial approval process for ADUs if the following criteria are met:

- Total floor area of detached ADUs may be 1,200 square feet or less; one-bedroom detached ADUs are limited to 850 square feet of living area. Total floor area of attached ADUs may be 50 percent or less of the area of the existing primary dwelling or 800 square feet, whichever is greater. Total floor devoted to living space is limited to 1,000 square feet for attached and detached ADUs with more than one bedroom. JADUs may not be more than 500 square feet.
- A four-foot setback must be provided from the side and rear lot lines, unless the ADU is constructed within an existing primary dwelling or permitted accessory structure. Otherwise, ADUs are subject to the same standards as the primary dwelling.
- The ADU can be attached to the primary single-family residence or may be detached from the single-family residence so long as appropriate building separation standards are met.
- ADUs and JADUs are limited to 16 feet in height, unless constructed above an attached or detached garage, in which case the ADU/JADU shall not exceed the height limit of the applicable zoning district.
- There shall be at least one parking space per ADU/JADU.
- Fire sprinklers are required for ADUs/JADUs if fire sprinklers are required for the primary residence.
- The subject lot shall have a sidewalk that connects the public right-of-way with the front door of the ADU/JADU. The address and mailbox for the ADU shall be located near the public right-of-way.
- Attached and detached ADUs must be architecturally compatible with the primary single-family residence, including having similar materials, style of construction and consistency with the adjoining residential neighborhood. ADU/JADU must have a roof pitch and roof overhang equal to the roof pitch and overhang of the primary residence.

Consistent with state law, no impact fees are required of ADUs less than 750 square feet in size. Owner-occupancy is not required for ADUs. Owner-occupancy is required for a single-family residence with a JADU. The owner may reside in either the single-family residence or the newly created JADU. A certificate of occupancy must be issued for the primary dwelling before a certificate of occupancy can be issued for the ADU/JADU.

Recent updates to the HCD ADU Handbook clarifies State law requirements related to the number of ADUs jurisdictions must permit ministerially on single-family and multi-family sites. Jurisdictions must allow up to three ADU/JADUs on a single-family property when applied in the following combination: one attached ADU within the existing space of a single-family home or accessory structure, one detached ADU, and one JADU. As part of a multi-family development, jurisdictions must allow at least two detached ADUs and up to 25 percent of the existing multi-family structure if converted to livable space. Program **10** has been included to amend the Zoning Code to revise the City's requirements to revise the maximum number of ADUs permitted per property consistent with State law.



### **Conclusion**

In summary, amendments to the City's Zoning Code are required to address the provision of a variety of housing types:

- **Farmworker/Employee Housing:** Allow farmworker housing up to 12 units or 36 beds as a permitted agricultural use in zones allowing agricultural uses and clarify that employee housing for 6 or fewer employees is permitted as a single-family residence.
- **Emergency Shelters:** Allow emergency shelters by right in the R-3 zoning district to address needed emergency shelter capacity.
- **Low Barrier Navigation Centers:** Update ordinance to identify provisions for establishing low barrier navigation centers consistent with state law requirements.
- **Transitional/Supportive Housing:** Update ordinance to clarify eligible permanent supportive housing projects are permitted by right in the R-3 and M-U/C-3 zoning district consistent with Government Code Section 65651.
- **SRO Housing:** Update ordinance to identify provisions for SRO housing units, including appropriate development standards.
- **Group Housing:** Update ordinance to allow group homes in all zones that allow single- or multi-family housing in the same manner, including licensed and unlicensed group homes
- **ADUs:** Update ordinance to revise the maximum number of ADUs/JADUs permitted on single-family and multi-family properties consistent with State law.

### **Recommended Action**

The Housing Element includes **Program 12** to amend the Zoning Code to address requirements for emergency shelters, low barrier navigation centers, transitional/supportive housing, group homes, , SRO housing, and ADUs.

### **On- Off-Site Improvements**

#### **Analysis**

For residential projects, the City requires both on- and off-site improvements. Site improvements are regulated by the Subdivision Ordinance (Orange Cove Municipal Code Title 16) and through conditions and standards imposed through the entitlement or ministerial review process. Off-site improvements required for all projects include: curb/gutter and drainage facilities, sidewalks, paved streets, landscaping and utility easements, water and sewer service, and park dedications. Such improvements are required as a condition of the subdivision map, or as part of the building permit if a subdivision map is not required. These on- and off-site improvements are applied only as necessary to promote the health, safety, and general welfare of the public. The costs of improvements are the responsibility of the developer and are, in turn passed on to the homebuyer. Costs of infrastructure improvements necessary to facilitate development (development standards) are applied uniformly on all projects.

**SECTION 1J-4: CONSTRAINTS4**

Chapter 16.36 of the Municipal Code specifies standards and requirements for typical residential subdivision. All lots are required to be graded so that each building pad is 12 inches above curb elevation. Streets generally have a 60-foot right-of-way and a curb width of 40 feet. All lots shall be fitted with curb and gutter and a 4-foot sidewalk. All lots require a paved driveway leading from the street to the garage. Each lot is connected to the city’s sewer system with a 6-inch sewer lateral and to the city’s water system by a 3/4-inch water line. However, subdivision development under the PUD overlay can propose street widths as narrow as 56 feet and a paved width of 36 feet.

**Conclusion**

Required off-street improvements are typical of the requirements of California jurisdictions. Required improvements are all necessary to maintain public health, safety, and welfare within the community.

**Recommended Action**

None required.

**Fees and Exactions**

**Analysis**

The City collects various fees from developments to cover the cost of processing permits. Some of these typical City permitting fees are summarized in **Table 1J-4.7**. The City’s planning fee schedule is available for public reference online. Building permit fees are determined by building code requirements and vary with the job valuation.

**Table 1J-4.7: Schedule of Fees for Residential Development**

Permit Processing Fees	Base and Deposit
<b>Planning Applications</b>	
Site Plan Review	\$1,236
Conditional Use Permit	\$1,676
Temporary Conditional Use Permit	\$160
Variance	\$1,156
Home Occupation Permit	\$160
Time Extension	\$508
Zoning Code Amendment – Map	\$1,991
Zoning Code Amendment – Text	\$1,991
Planned Unit Development	\$1,571
General Plan Amendment	\$2,286

Permit Processing Fees	Base and Deposit
<b>Division of Land and Related Actions</b>	
Tentative Tract Map	\$2,451 + \$15 Per Lot
Final Tract Map	\$1,811 + \$25 Per Lot
Tentative Parcel Map	\$1,526
Final Parcel Map	\$1,246
Lot Line Adjustment	\$560
Lot Merger	\$560
Certificate of Compliance	\$520
Annexation	\$3,431
Development Agreement	\$1000 Deposit + Time & Materials/Actual Cost
Appeal	\$438
<b>Environmental Review</b>	
Initial Study/Negative Declaration	\$1,000 Deposit + Time & Materials/Actual Cost
Environmental Impact Report	\$1,000 Deposit + Time & Materials/Actual Cost
<b>Grading Plan Check &amp; Permit Fees</b>	
Grading Plan Check	\$390 + \$30 Per Thousand Cubic Yards over 1,000 Cubic Yards
Grading Permit Fee	\$50 per Thousand Cubic Yards over 1,000 Cubic Yards

Source: City of Orange Cove, 2021

The financing of public facilities and services for new development is funded in part by exactions and fees levied against development projects in proportion to the anticipated fiscal impacts on the jurisdiction. Development impact fees cover improvements such as water, sewer, storm drainage, schools, traffic, and community facilities. Development impact fees and building/engineering permit fees are generally a larger percentage of the cost of building a housing unit than planning fees listed above. City’s development impact fees are listed in **Table 1J-4.8** below and are not currently available on the City’s website.

In addition to City fees, regional fees are charged on residential development projects. The Regional Transportation Mitigation and San Joaquin Valley Air Pollution Control District fees are discussed in more detail in Chapter 5. Kings Canyon Unified School District (KCUSD) assesses impact fees on residential building permits in Orange Cove based on the proposed building area (\$4.08 per square foot as of 2021).

**Table 1J-4.8** shows permit fees for single family and multifamily prototype developments. The single-family prototype is based on a single family detached residential dwelling unit with 1,200 square feet of living area on a 7,000 square foot lot. The multi-family prototype is based on an 81-unit multi-family housing project, assuming an average of 800 square feet per unit costing approximately \$80.00 per square foot. Fees for the sample single-family home total \$14,686 and fees for the affordable multi-family project total \$15,890 per unit. Parks, wastewater treatment, and school district fees are among the most significant impact fees assessed for both prototypes.

**Table 1J-4.8: Development Impact Fees for Residential Projects**

Fee Description	Amount	
	Single Family Unit	81-unit Multi-family Project
Streets	\$1,079.00	\$65,610.00
General Government	\$883.00	\$53,622.00
Building Permit and Plan Check	\$56.00	\$3,159.00
Water Treatment	\$2,134.00	\$129,681.00
Water Distribution	\$2,414.00	\$146,691.00
Sewer Treatment	\$1,567.00	\$95,175.00
Sewer Collection	\$3,460.00	\$210,195.00
Storm Drainage	\$662.00	\$37,746.00
Parks	\$1714.00	\$104,085.00
Law Enforcement	\$243.00	\$14,742.00
Fire	\$474.00	\$28,998.00
Fresno County Regional Transportation Mitigation Fee	\$2,118.00	\$133,002.00
Kings Canyon Unified School District Fee	\$4,896.00	\$264,384.00
<b>Total</b>	<b>\$14,686.00</b>	<b>\$1,287,090</b>
<b>Total Per Unit</b>	<b>\$14,686.00</b>	<b>\$15,890.00</b>

Source: City of Orange Cove, 2021

**Conclusion**

Development fees in Orange Cove are low compared to most other jurisdictions around the state and consistent with impact fees assessed by other rural jurisdictions in Fresno County and the surrounding region.

**Recommended Action**

None required.

**Processing and Permit Procedures**

**Analysis**

The City permits most types of residential development by right in residential zoning districts. For projects that require a public hearing, the City encourages concurrent processing of applications and considers all entitlement applications, including the environmental document, at a single public hearing before the City Council following a recommendation from the Planning Commission. **Table 1J-4.9** identifies typical processing procedures and timelines for various types of residential projects.

After the City approves a project, such as at a Planning Commission or City Council hearing, it becomes the applicant's responsibility to initiate the steps to secure building permits and construct the project. These steps include obtaining state or regional permits and paying fees as outlined in a project's conditions of approval. Other necessary actions include:

- Completing construction drawings
- Recording subdivision (final) maps (applies to ownership projects)
- Retaining contractors
- Obtaining utility approvals, required easements, and rights of entry.

As shown in **Table 1J-4.9**, single-family subdivisions take approximately 7-8 months from submitting a complete entitlement application to recordation of the final map. Multi-family projects that do not require a public hearing typically take an estimated 3 months to process, while projects that require an entitlement may take approximately 6 months to process.

Due to the slow pace of investment and development in Orange Cove, there is not enough data to estimate an average time between planning approval and building permit submittal. Anecdotally, City staff indicates that it generally takes 3 to 4 months after planning approval for developers to submit for building permits, depending on how quickly the developer can satisfy any infrastructure requirements and complete construction drawings. From that point, building permit review generally takes 2 to 3 weeks. Factors that can potentially cause a delay in submitting for building permit include fluctuating market conditions that may make securing financing a challenge as well as the need for significant infrastructure improvements in order to develop the site (more commonly an issue in new growth areas).

**Table 1J-4.9: Typical Processing Procedures by Project Type**

	Processing Time	
	Single-Family Subdivision	Multi-family Project
Application completeness determination	1-2 weeks	3 weeks
Administrative processing	1-2 months	1-2 months
Planning Commission	1 month	Not required <sup>1</sup>
City Council	1 month	Not required <sup>1</sup>
Final Map	4 months	Not required
Building permit review	Variable, depending on complexity of project and applicant timing	Variable, depending on complexity of project and applicant timing
<b>Total Processing Time</b>	<b>7-8 months</b>	<b>3-6 months</b>

<sup>1</sup> Public hearings are only required for multi-family projects when the project requires a rezone, conditional use permit, or variance. Typically, it takes one month for each public hearing.

Source: City of Orange Cove, 2023

**Site Plan Review**

Site Plan Review (SPR) is required for any non-exempt development in the R-2 and R-3 zoning districts, including permitted or conditionally permitted uses. Single family dwellings, ADUs, transitional and supportive housing, mobile homes, and licensed group care homes with 6 or fewer residents are specifically exempt from the SPR requirement.

The SPR process is intended to enable the Planning Commission to make a finding that the proposed development is in conformance with applicable zoning regulations and development standards. Within 15 business days of site plan submission, the Site Plan Review Committee must review the site plan submittal and provide a recommendation of approval or denial to the Planning Commission. The Site Plan Review Committee may recommend approval of the SPR request if the following findings can be made:

- The location of the proposed use is in accordance with the purpose and objectives of the Zoning Code and the purposes of the district in which the subject site is located;
- The location of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public interest, health, safety, convenience or welfare, or be materially injurious to properties or improvements in the vicinity;
- The proposed use will comply with applicable provisions contained in the Zoning Code;
- The proposed use is consistent with the Orange Cove General Plan; and
- The site for the proposed use is adequate in size, shape, and location to accommodate the use for which it is proposed.

Following a recommendation of approval from the Site Plan Review Committee, the Planning Commission may approve, approve with conditions, or deny the SPR application based on the ability to make the findings listed above. The Planning Commission may add the following conditions of approval regarding street dedication and improvements based on anticipated drainage or vehicular traffic impacts resulting from the proposed development:

- The applicant shall dedicate necessary right-of-way along the subject property adequate to facilitate the installation of roadway improvements consistent with Orange Cove’s Circulation Element and Improvements Manual;
- The applicant shall install roadway improvements, including curbs, gutters, sidewalks, and street pave outs, along the subject property that are consistent with Orange Cove’s Circulation Element and Improvements Manual. These improvements may extend off site for purposes of ensuring safe traffic circulation, effective storm drainage, or pedestrian safety; and
- The applicant shall install non-roadway improvements within the roadway right-of-way, including street signs, street lights, street trees, and bus stops.

### **Use Permit**

Projects requesting a Conditional Use Permit are required to go to the Planning Commission for approval. At a public hearing, the Planning Commission may approve, approve with conditions, or deny the proposal based on the following findings:

- The location of the proposed use is in accordance with the purpose and objectives of the Zoning Code and the purpose of district in which the subject site is located;
- The location of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public interest, health, safety, convenience or welfare, or materially injurious to properties or improvements in the vicinity;
- The proposed use will not have a significant impact on the environment;
- The proposed use will comply with applicable provisions contained in the Zoning Code;
- The proposed use is consistent with the Orange Cove General Plan; and
- The site for the proposed use is adequate in size, shape, and location to accommodate the use in the district for which it is proposed.

### **Variances and Minor Deviations**

Variances provide for deviations from the Zoning Code to address practical difficulties, unnecessary hardships, or results inconsistent with the general purposes of the zoning district. The Planning Director may administratively approve minor deviations for up to 10 percent of district regulations and up to 20 percent for setback distances. A variance may be approved by the Planning Commission at a public hearing. The Director or Planning Commission may approve a minor deviation or variance only if the following findings can be made:

#### SECTION 1J-4: CONSTRAINTS4

- There are exceptional or special circumstances applicable to the property involved, including the size, shape, topography, location, or surroundings, whereby strict application of the Zoning Code deprives such property of privileges enjoyed to other property in the vicinity having the identical zoning district classifications;
- Granting a variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties within the same vicinity and district and denied to the property for which the variance is sought;
- Granting the variance will not materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and district in which the project is located;
- Granting the variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which such property is located;
- Granting the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel; and
- Granting the variance will not be inconsistent with the General Plan.

Similar findings are required by state law to grant a variance.

#### **Subdivisions**

The City requires submission and approval of a tentative and final map for any development project requiring the creation of new parcels, consistent with the Subdivision Map Act. In order to expedite review timelines, the City encourages applicants to submit preliminary plans for a pre-application meeting to receive initial feedback from the Planning Department, Public Works, City Engineer, and Fire Department.

The City Council is the review authority for tentative and final subdivision maps, following a recommendation of approval from the Planning Commission. Tentative parcel maps may be approved at a public hearing of the Planning Commission. After conditional approval of the tentative map, a final map with improvement drawings must be filed with the City Engineer within the applicable time limits of the tentative map. In addition to meeting the specifications for final map submittal outlined in Title 16 of the Municipal Code, the applicant must formally dedicate land required for public use or utilities and agree to complete required off-street improvements prior to City approval of the final map. After determining that the parcel map is technically correct and all conditions of approval are sufficiently met, the City Engineer certifies the final map and distributes it to the City Council for approval at the next scheduled meeting of the City Council. Final maps may only be denied if the final map fails to meet requirements or conditions that were applicable to the subdivision at the time of approval of the tentative map.



### **Senate Bill 35**

Senate Bill (SB) 35 requires jurisdictions where fewer building permits have been issued than needed to meet their RHNA to provide a streamlined, ministerial entitlement process for housing developments that incorporate affordable housing. As of 2023, the City has not adopted a ministerial approval process for affordable housing projects consistent with the requirements of SB 35. The Housing Element includes **Program 13** to establish a written policy/procedure to specify the SB 35 streamlining approval process and standards for eligible projects under Government Code Section 65913.4.

### **Senate Bill 330**

SB 330, the Housing Crisis Act of 2019, established specific requirements and limitations on development application procedures. In addition, SB 8, passed in 2021, extended the sunset date of the Housing Crisis Act provisions through January 1, 2030. The bill allows a housing developer to submit a “preliminary application” to a city for a housing development project. Submittal of a preliminary application allows a developer to provide a specific subset of information on the proposed housing development before providing the full amount of information required by the city for a housing development application. Submittal of the preliminary application secures the applicable development standards and fees adopted at that time, subject to certain exceptions. If the applicant fails to timely submit a regular application within 180 days or does not complete the application within 90 days after being told the application is incomplete, the preliminary application will expire.

As of March 2023, the City had not developed a preliminary application review process consistent with SB 330. The Housing Element includes **Program 13** to develop a preliminary review process for eligible housing projects consistent with the requirements of SB 330.

### ***Conclusion***

The City does not have a lengthy project review process. However, the required finding for site plan review and use permits related to public “convenience” is subjective and the City cannot deny an application for a housing development project, or reduce the project’s density, unless the project fails to conform with objective standards or the City can make the “specific health and safety” finding required by the Housing Accountability Act. In addition, the City has not yet developed formal approval procedures to implement recent housing streamlining legislation (i.e., SB 35 and SB 330).

### ***Recommended Action***

The Housing Element includes **Program 12** to establish a ministerial approval process for multi-family housing projects that include affordable units consistent with SB 35, establish procedures for processing housing projects consistent with the requirements of SB 35 and SB 330, and adopt objective approval criteria for housing development projects subject to site plan review or a use permit process.

## Building Codes and Enforcement

### *Analysis*

The City of Orange Cove has adopted the 2016 edition of the California Building Standards Code. The City is subject to building energy efficiency standards defined under Title 24, Part 6 of the California Code of Regulations. In addition, the City adopted the 2016 editions of the California Energy Code, Plumbing Code, Mechanical Code, and Fire Code.

The City administers a code enforcement program that aims to preserve and maintain the livability and quality of neighborhoods. Code enforcement staff are informed of violations on a complaint basis and investigate violations of property maintenance standards as defined in the Municipal Code as well as other complaints. When violations are identified or cited, staff encourage property owners to seek assistance through the rehabilitation assistance programs offered by the City.

### *Conclusion*

No major local amendments to the building codes have been made that would significantly increase the cost of housing. The City is required to adopt California's Building Standards Codes and Title 24, which is necessary for public safety and has not been shown to act as a constraint on housing development.

### *Recommended Action*

The Housing Element includes **Program 12** to amend the Municipal Code to adopt the current editions of California building codes.

## Constraints on Housing for Persons with Disabilities

### *Analysis*

#### *California Codes and Regulations*

The City has adopted Title 24 of the California Code of Regulations, and the 2016 California Building Code.

#### *Definition of Family*

The definition of "family" in Orange Cove's Zoning Code is as follows: An individual or two or more persons related by blood, marriage or adoption or a group of not more than five persons, not including servants, who need not be related by blood, marriage or adoption, living as a single housekeeping unit.

#### *Zoning and Land Use Policies*

#### **Group Homes**

The City currently has provisions for some types of group housing, including housing for people with developmental disabilities. This type of housing with 8 or fewer residents is permitted in all zones where residential uses are permitted. However, this use type is overly restrictive and strict application of this use

category excludes other types of disabilities protected under state law. As described in **Table 1J-4.4 (Parking)**, group homes are required to provide one parking spaces for every one and a half beds in the home. This is more restrictive than the requirement for single-family homes, which requires two spaces per dwelling regardless of the number of occupants. The City's existing regulations related to group housing do not comply with the requirements of State law. Current standards are more restrictive than those that apply to similar residential uses and serve as a potential constraint to housing for people with disabilities. The Housing Element includes **Program 12** to allow group homes in all residential zones, amend the parking requirements for group homes to match requirements for other types of residential uses, and establish provisions for group homes with more than six residents.

### **Reasonable Accommodation Procedure**

The federal Fair Housing Act of 1988 and the California Fair Employment and Housing Act impose an affirmative duty on local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning and other land use regulations when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling. For example, it may be a reasonable accommodation to allow covered ramps in the setbacks of properties that have already been developed to accommodate residents with mobility impairments.

The City's reasonable accommodation procedures are outlined in Chapter 62 of the Zoning Code. Requests for reasonable accommodation are reviewed administratively by the Planning Director within 30 days of application. The decision to grant a reasonable accommodation request is based on certain findings consistent with the federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act, including the following:

- Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;
- Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair share housing laws;
- Whether the requested accommodation would impose an undue financial or administrative burden on the City of Orange Cove; and
- Whether the requested accommodation would require a fundamental alteration in the nature of the jurisdiction's land use and zoning or building codes.

### **Conclusion**

Amendments to the City's Zoning Code are required to remove constraints to housing for people with disabilities by addressing regulations for group homes and updating the City's definition of family to be consistent with State law. The City has not adopted the current edition of the California Building Code (2022).

**SECTION 1J-4: CONSTRAINTS4**

**Recommended Action**

The Housing Element includes **Program 12** to amend the Zoning Code to address regulations for group homes community care facilities, update the City’s definition of family, and adopt the current edition of the California Building Code.

**At-Risk Analysis**

**Table 1J-4.10** presents assisted housing units in Orange Cove. As of 2023, there are 828 assisted affordable units in Orange Cove in 10 housing developments. None are at-risk of expiration and conversion to market rate by 2034.

**Table 1J-4.10: Assisted Housing Developments, Orange Cove**

Name	Address	Target Population	Funding Source	Total Number of Units	Number of Affordable Units	Affordable Units Expiration	Risk Level
Orange Cove Rental Assistance Demonstration (RAD) (Site A)	791 I St.		LIHTC, HUD	90	87	2068	Low
Citrus Gardens	201 Citrus Dr.		LIHTC	30	29	2076	Low
South Cove Apartments (1995)	1355 South Ave.		LIHTC; HCD	54	54	2049	Low
Orchard Village (1995)	1555 South Ave.		LIHTC; HCD	188	186	2068	Low
Pablo Rodriguez Plaza (2000)	1550 South Ave.		LIHTC	81	80	2052	Low
Zaninovich Village (2004)	560 Adams Ave.	Senior	LIHTC	81	80	2061	Low
Los Arboles Apartments (2005)	1535 Park Ave.	Family	LIHTC	81	80	2061	Low
Villa Escondido (2006)	1555 Tangerine Dr.		LIHTC	81	80	2061	Low
Amaya Village (2020)	1525 Park Blvd		HCD	81	80	2074	Low
Valle Verde Apartments	750 Second St.		LIHTC	73	72	2058	Low
<b>Total</b>				<b>840</b>	<b>828</b>		
<b>Total At Risk</b>				<b>0</b>	<b>0</b>		

HCD = Department of Housing and Community Development, HUD = U.S. Department of Housing and Urban Development, LIHTC = Low-Income Housing Tax Credit

Source: California Housing Partnership, 2022

## SECTION 1J-5: REVIEW OF PAST ACCOMPLISHMENTS

State housing element law (Government Code Section 65588) requires cities and counties to assess the achievements under their adopted housing programs to inform the development of new programs. State law also requires that local governments review the effectiveness of the housing element goals, policies, and related actions to meet the community's special housing needs. Accomplishments under the 2015-2023 Housing Element are evaluated in this chapter in order to determine the effectiveness of the previous housing element, the City's progress in implementing the 2015-2023 Housing Element, and the appropriateness of the housing goals, objectives, and policies. This evaluation is conducted pursuant to Government Code Section 65588.

### Progress Toward Meeting the RHNA

**Table 1J-5.1** shows the City's progress toward meeting the 2015-2023 Fifth Cycle Regional Housing Needs Allocation (RHNA), as of December 31, 2022. The City has issued 114 building permits for housing units since the start of the Fifth RHNA Cycle in 2015. Of the permits issued, 30 were for above moderate-income housing, 1 was for moderate-income housing, and 83 were for lower-income housing. Because of the City's insufficient progress toward meeting its RHNA, Orange Cove is subject to a streamlined ministerial approval process for housing projects as indicated in the California Department of Housing and Community Development (HCD)'s Streamlined Ministerial Approval Process (Senate Bill [SB] 35) Statewide Determination Summary, updated June 30, 2022 (see Section 1J-4 for a discussion of the City's compliance with the requirements of SB 35).

**Table 1J-5.1: Units Built during RHNA Projection Period, Orange Cove, 2015-2023**

Income Level	RHNA	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total	Unmet RHNA
Very Low	111	-	-	-	-	-	10	-	-	TBD	10	101
Low	86	-	-	2	1	-	70	-	-	TBD	73	13
Moderate	105	-	-	-	1	-	-	-	-	TBD	1	104
Above Moderate	367	-	-	-	-	-	-	8	22	TBD	30	337
<b>Total</b>	<b>669</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>80</b>	<b>8</b>	<b>-</b>	<b>TBD</b>	<b>114</b>	<b>555</b>

*Note: Units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.*

*Source: City of Orange Cove, Annual Housing Element Progress Report, 2022.*

### Efforts to Address Special Housing Needs

The following section reviews and evaluates the City's progress in implementing programs from the previous planning period. As part of analyzing prior programs, the City must assess the effectiveness of programs for special needs populations. **Table 1J-5.2** summarizes progress on the implementation programs from the previous Housing Element, including programs addressing special needs populations summarized below.

## SECTION 1J-5: REVIEW OF PAST ACCOMPLISHMENTS

- During the Housing Element period, the City initiated a comprehensive Zoning Ordinance update which includes updates to transitional and supportive housing, and established reasonable accommodation procedures.
- The City referred households to Fresno County rehabilitation programs to improve housing conditions for lower-income residents.
- The City sold two properties pursuant to the Surplus Land Act that will be developed with multi-family housing including at least 15 percent of units affordable to lower-income households.
- Similar to other special needs groups, farm workers can benefit from many of the available affordable housing and assistance programs in Fresno County. The City continues to encourage and support the development of affordable housing to extremely low-, very low-, and low-income households. During the Housing Element period, the City completed a Zoning Ordinance update which included updates to allow farmworker housing in all zones agricultural uses are allowed, as well as in the residential zoning districts.

While there are no homeless or transitional shelters located in Orange Cove, there are several organizations in and around the County of Fresno that provide services to persons experiencing homelessness and food insecurity, including unhoused and special needs groups. As described in Section 1J-4, the City has enough available land to provide sufficient emergency shelter capacity for the estimated homeless population (people, according to estimates based on the 2022 Point in Time count).

- The City referred residents annually to the Fresno Housing Authority to access their range of programs.

### ***Progress Towards Meeting Housing Element Programs***

**Table 1J-5.2** summarizes the programs from the 2015-2023 Housing Element. To the degree that such programs are recommended to be continued in the current Housing Element, these programs are reorganized and presented in Section 1J-1, Action Plan.

**Table 1J-5.2: Evaluation of Orange Cove 2015-2021 Housing Element Implementation Measures**

Program	Status	Evaluation	Recommendation
<b>Program 1: Provide Adequate Sites to Accommodate RHNA</b>			
<p>1</p> <p>In order to address the RHNA shortfall, complete annexations of Macias and Howard sites, which will add 10 acres of high-density zoning and 5.53 acres of single-family residential zoning to the City’s land supply.</p>	Ongoing	<p>The Macias Annexation has been recently approved by LAFCO, and the Howard Annexation will be approved once the City has met its obligations to the State Water Board regarding water demand. The City has applied for assistance through the Water Board’s DFA, and has identified a well site and storage capacity improvements to meet its water obligations.</p>	<p>Delete program. The City no longer has a RHNA shortfall during the Sixt Cycle.</p>
<p>2</p> <p>In 2020, the City will amend its Zoning Ordinance to adopt two new zoning districts:</p> <ul style="list-style-type: none"> <li>• Mixed Use Zone: Allow residential uses above ground-floor commercial development.</li> <li>• Smart Growth Zone: Allow additional flexibility in development standards (e.g., street widths, reduced setbacks, and zero lot lines).</li> </ul>	Ongoing	<p>Comprehensive review of the zoning ordinance has begun for the update, and the City is planning to adopt a comprehensive zoning ordinance update in 2023.</p>	<p>Continue program to the extent that additional zoning amendments are needed for compliance with State law.</p>
<p>3</p> <p>Enough land for 125 percent of the land required for residential development by the General Plan Update will be included within city limits.</p>	Ongoing	<p>The city will continue to monitor and assess the land required for residential development to ensure 125 percent of land required by the General Plan update is included within city limits. Recently approved Macias and pending Howard annexations will assist the City in program success.</p>	<p>Delete program. The Housing Element demonstrates adequate capacity to meet the RHNA.</p>
<p>4</p> <p>The City will allow residential infill development by allowing lot sizes less than 6,000 square feet when using Orange Cove’s existing Planned Unit Development overlay.</p>	Ongoing	<p>There are a number of vacant lots within Orange Cove’s urban core that could be more effectively developed if they were allowed to divide into lots smaller than 6,000 square feet. A property owner’s use of the PUD would facilitate the creation of smaller single-family residential lots.</p>	<p>Delete. Program completed.</p>

**SECTION 1J-5: REVIEW OF PAST ACCOMPLISHMENTS**

	<b>Program</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
5	Provide fiscal incentives to parties promoting residential infill development for lower- and moderate-income households.	Ongoing	Valle Del Rey Estates, which has in the past proposed 168 moderately priced homes and 392 apartments, has not been annexed and developed because of a lack of sewer and water infrastructure. The developer and/or the City of Orange Cove would need to complete a financing strategy (Mello-Roos) that would extend this infrastructure to the subject property. Other infrastructure grants from the State could become available such as the State's Revolving Low-Interest Loan fund.	Modified, new Program 5.
6	Rezone land within the city limits of Orange Cove to the R-3 district, which permits by right a density of more than 20 units per acre.	Ongoing	Within Orange Cove's city limits, a reasonable amount of land is available for residential development - 137 acres of vacant land that supports 542 vacant lots and 5.53 acres of high-density zoning that will accommodate 106 apartment units. This acreage will accommodate approximately 648 units. The City's approved and pending annexations added 60 acres of land to the city limits. This acreage, contained in the Macias and Howard annexations, is proposed to accommodate 192 single-family dwellings and 200 apartments. With these pending annexations, Orange Cove can easily accommodate the city's residential needs through the year 2023. Further, Amaya Village has been completed and in 2021 three developments are currently undergoing processing. The City has coordinated with HCD to ensure that the zoning ordinance update planned will require 20-unit minimum density and create a procedure to process multifamily developments by right if a minimum of 20% of units are affordable to lower income households.	Delete. Program completed.



APPENDIX 1J: CITY OF ORANGE COVE

	<b>Program</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
7	<p>The City will actively monitor all annexations that will be processed during the planning period, including non-residential developments.</p>	Ongoing	<p>The City's pending annexations added 60 acres of land to the city limits. This acreage, contained in the Macias and Howard annexations, is proposed to accommodate 192 single-family dwellings and 100 apartments. With these pending annexations, Orange Cove can easily accommodate the city's residential needs through the year 2023. Further, Amaya Village has been completed and in 2021 three developments are currently undergoing processing. The Macias Annexation has been recently approved by LAFCO, and the Howard will be approved once the City has met its obligations to the State Water Board regarding water demand. The City has applied for assistance through the Water Board's DFA, and has identified a well site and storage capacity improvements to meet its water obligations.</p>	Delete program
8	<p>The City of Orange Cove will initiate both annexation and rezoning of at least 10 acres of land currently inside the city limits for the purpose of reclassification to the R-3 district, which permits by right a density of more than 20 units per acre. As a part of the annexation and reclassification, the city will also seek tax credit housing developers to participate in the reclassification or annexation process. Tax credit projects are very successful in meeting extremely low and very low housing unit demands.</p>		<p>The annexation of the Howard and Macias properties will implement this object. Each annexation contains five acres of high-density residential zoning each with the acreage to support 100 apartment units.</p>	Delete. Program completed.

**SECTION 1J-5: REVIEW OF PAST ACCOMPLISHMENTS**

Program	Status	Evaluation	Recommendation
<b>Program 2: Assist in the Development of Housing</b>			
<p>1 The City of Orange Cove will encourage private developers who are proposing residential development to seek a PUD (planned unit development) overlay zone district. This district allows for greater flexibility in residential design and better utilization of land. These opportunities allow the developer to potentially provide a more affordable housing product. The city will encourage the use of these zone districts by providing information that shows that they will increase the density of a residential development while at the same time reducing improvement costs and impact fees per residential unit.</p>		<p>The proposed 80-acre neighborhood, Valle Del Rey, was processed under Orange Cove's PUD overlay district. This new neighborhood would have provided affordable rental units for lower-income households as well as homes affordable to moderate-income households. The Valle Del Rey project was not developed or annexed due to a lack of infrastructure available to the subject area. Should funding become available, this 80-acre planned unit development could be annexed into the City and eventually developed.</p>	<p>Continue to encourage use of PUD.</p>
<p>2 The City of Orange Cove will assist the Fresno County Housing Authority's implementation of the conventional Public Housing Rental Program and the Section 8 Existing Program, which provides rent subsidies directly to participating landlords, and will support that Agency's attempts to secure additional funding for expanded programs. Currently, the Housing Authority manages 40 Section 8 housing units in Orange Cove. The Orange Cove Building Department will identify for the Housing Authority additional rental housing stock that can be used for the Section 8 Program.</p>		<p>From time to time, as the Building Department inspects single-family dwellings or apartments that have been rehabilitated, the inspector will share with the property owner about the opportunity to enter the Housing Authority's Section 8 Program. Given that Fresno County's waiting list for potential renters is 22,000 for the entire county, the potential to rent a dwelling unit to a Section 8 family is great.</p>	<p>Continue program</p>
<p>3 The City of Orange Cove will seek a second Joe Semra grant to provide owner-occupied housing for agricultural workers. The City will also continue to work with tax credit developers to identify properties that can support this type of housing and whose for-rent units provide affordable housing for families working in the agricultural sector.</p>		<p>Orange Cove has been very successful in providing housing for agricultural workers. Its Martinez Estates, financed by a Joe Semra grant, and its numerous multi-family tax credit projects, have provided a range of affordable housing opportunities for persons working in the agricultural sector.</p>	<p>Continue program to support farmworker housing</p>

APPENDIX 1J: CITY OF ORANGE COVE

Program	Status	Evaluation	Recommendation
<p>4 The City of Orange Cove will ensure that proposed housing, which will accommodate persons with developmental disabilities, will be actively facilitated.</p>		<p>Orange Cove has been very successful in providing housing for lower-income households. The tax credit apartment projects that have been constructed in Orange Cove have provided numerous ground floor units that are handicapped accessible; however, these units have not necessarily catered to persons that are developmentally disabled. When a developer proposes a housing project that will cater to the developmentally disabled Orange Cove will waive all processing fees and will process the project in a timely manner. To assist these types of projects the City has begun considering amendments to the development standards in certain residential districts to increase accessibility of housing to persons with developmental disabilities.</p>	<p>Modified, new Program 8.</p>
<p>5 The City of Orange Cove will ensure that proposed infill housing projects comply with the State's SB 35 and its accompanying housing bills.</p>		<p>The City complies with SB 35 but has not received any SB 35 applications.</p>	<p>Delete program. No additional action is required.</p>
<p>6 The City of Orange Cove will amend its zoning ordinance to permit by right Low Barrier Navigation Centers in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets specified requirements. These types of housing projects would be exempt under CEQA.</p>		<p>This program has not yet been implemented.</p>	<p>Continue program.</p>
<p><b>3: Conserve and Improve the Existing Housing Stock</b></p>			
<p>1 Amend sections of the Orange Cove Zoning Ordinance to promote energy conservation. Specifically, amending sections of the ordinance that refer to solar orientation, planting of street trees, width of streets, and minimizing the use of cul-de-sac streets.</p>		<p>These zoning amendments will add the design standards to Orange Cove's residential districts that emphasize orientation of units to reduce energy associated with heating and cooling, use of street trees to reduce urban heat island effect, encourage transportation modes other than single-occupancy vehicles, and minimizing use of cul-de-sac streets.</p>	<p>Delete program.</p>
<p>2 Establish and promote a weatherization program for senior and low-income households. The City will establish and widely distribute information brochures by 2020 in a variety of community locations, including the senior citizen center and the library.</p>		<p>The Housing Authority has already weatherized most of the units they own in the city.</p>	<p>Delete program.</p>

**SECTION 1J-5: REVIEW OF PAST ACCOMPLISHMENTS**

<b>Program</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<p>3 Establish incentives such as fee deferrals and priority processing to implement green building standards for new single-family homes and future tax credit projects. These features will include but should not be limited to solar panels, Energy Star appliances, and passive solar orientations.</p>		<p>Staff will work with tax-credit developers to ensure that green building standards are integrated into each apartment design.</p>	<p>Delete program. Many of these are now requirements under the California Building Code.</p>
<p>4 The City of Orange Cove will continue to implement its code enforcement program, which identifies dwelling units that should be demolished under the Dangerous Building Code, and which dwelling should be rehabilitated because they fall into the substandard dwelling category based on the city's housing condition survey.</p>		<p>The 2015 housing condition survey identified 168 deteriorated dwellings that should be rehabilitated and 18 dilapidated dwellings that should be demolished. The city has applied for grants to assist in the rehabilitation of these units and should be able to implement these funds if awarded in 2022.</p>	<p>Continue program</p>
<p>5 The City will continue to identify dilapidated housing units in Orange Cove that require demolition. The City will notify the property owner of this requirement. Once the lot is vacant, the City will work with the property owner to facilitate the construction of a new residential unit on the lot.</p>		<p>Often property owners who own dilapidated residential units are reluctant to demolish the units because of cost. If the City can devise a financial incentive to promote demolition and reconstruction, the elimination of dilapidated units in Orange Cove will be accelerated.</p>	<p>Combine with code enforcement program.</p>
<p>6 Orange Cove could annually apply for CDBG funds for rehabilitation of housing in Orange Cove. The City could establish an in-house program, or contract with Self-Help Enterprises to provide this service.</p>		<p>The Fresno County Housing Authority rehabilitated all of its units that existed in Orange Cove thereby making these units more desirable for families looking for attractive rental properties. The City in 2020 received a grant from the State Water Resources Board to replace certain plumbing units in homes. Further, the City also received funds to rehab housing units using private contractors.</p>	<p>Modified, new Programs 15 and 16.</p>
<p>7 Orange Cove will continue to ensure that the long-term affordability of its six tax credit apartment projects (containing 439 housing units) remain in place for the contracted time period, which ranges from 30 to 55 years.</p>		<p>Orange Cove has been very successful in attracting tax credit developers to the community. Since 2001, six tax credit projects have been successfully constructed, adding 439 apartments to the city. Amaya Village broke ground in 2020. It provides 81 apartments to lower-income households.</p>	<p>Continue to monitor subsidized housing</p>

APPENDIX 1J: CITY OF ORANGE COVE

Program	Status	Evaluation	Recommendation
<p>8 Orange Cove will add a part-time code enforcement officer to its building department. This position will insure that neighborhoods are free of blight, including abandoned cars, weed infested lots, and dwellings that accumulate junk and debris. The Officer will inspect 10 sites per week.</p>		<p>The City used a portion of its CDBG funds to fund a part-time code enforcement officer.</p>	<p>Delete. Program completed.</p>
<p>9 Orange Cove will work with the Fresno County Housing Authority to identify apartment complexes that could be purchased and renovated. These units could be rented to lower-income households.</p>		<p>To date the Housing Authority has not identified any apartment complexes they would purchase.</p>	<p>Delete program</p>
<p><b>4: Preserve Units At-Risk of Conversion to Market-Rate Uses</b></p>			
<p>1 Work with local contractors to construct or rehabilitate single-family homes that can be made available for Section 8 households. Orange Cove will work to increase the number of Section 8 units in Orange Cove by two units per year over the planning period. In 2015, there were 40 Section 8 residential units in the community.</p>		<p>The City received grant money to rehabilitate homes using private contractors.</p>	<p>Combine with other related programs.</p>
<p>2 Orange Cove will monitor owners of at-risk projects on an ongoing basis, at least every six months, in coordination with other public and private entities to determine their interest in selling, prepaying, terminating or continuing participation in a subsidy program. The Fresno County Housing Authority has rehabilitated all the Authority-owned units in Orange Cove. Should tax credit units become at-risk, the City will contact the Fresno County Housing Authority to determine their interest in purchasing these affordable rental-housing units.</p>		<p>To date, the Agency has not identified any at-risk projects in Orange Cove.</p>	<p>Continue to monitor subsidized housing</p>
<p>3 Orange Cove will work in concert with the Fresno County Housing Authority to purchase deteriorated apartment complexes and rehabilitate them so that they can pass health and safety codes. These units, when upgraded, would be rented to lower-income households.</p>		<p>The Housing Authority can apply for funds to purchase apartments that require rehabilitation. Orange Cove could financially assist the Authority in the purchase or rehabilitation of these apartment complexes using CDBG funds.</p>	<p>Delete program</p>
<p><b>5: Address and Remove or Mitigate Constraints</b></p>			
<p>1 The Orange Cove Planning Department shall require through site plan or conditional use permit conditions that twenty-five percent of all ground floor units in new multi-family projects be handicapped-accessible.</p>		<p>Amaya Village, currently under construction, will provide 81 apartments for lower-income households. A number of ground floor units are designed to be handicapped accessible.</p>	<p>Continue program/policy</p>

**SECTION 1J-5: REVIEW OF PAST ACCOMPLISHMENTS**

<b>Program</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<p>2 The City of Orange Cove will consider foregoing development impact fees, excluding school impact fees, if the project is a single-family residential infill project, or a downtown mixed-use project that includes an affordable residential component.</p>		<p>To date neither a mixed-use or residential infill project has been proposed in Orange Cove.</p>	<p>Reconsider fee program to have the greatest impact.</p>
<p>3 The City of Orange Cove will continue to process State licensed group homes administratively. To date, the processing of this type of home can be completed in about two weeks.</p>		<p>Periodically the city will process this type of housing operation.</p>	<p>Delete program. This should be addressed as a zoning code standard.</p>
<p>4 The City now understands that a density bonus is not a discretionary action. This will be rectified in the City's updated zoning ordinance, which will remove this application from the conditional use permit list. The City will revise its density bonus ordinance consistent with Government Code Section 65915 and remove the application of the conditional use permit.</p>		<p>The City will amend a number of sections in its Zoning Ordinance to make it easier to process housing projects including projects wishing to apply for a density bonus.</p>	<p>Continue to monitor changes to State Density Bonus law and maintain ordinance in compliance.</p>
<p>5 The City of Orange Cove will prepare a Reasonable Accommodation Ordinance to comply with the housing element requirements that address land use and zoning barriers to the development and siting of housing for individuals with disabilities. Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.</p>		<p>The City will amend a number of sections in its Zoning Ordinance to make it easier to process housing projects including projects seeking to eliminate certain barriers for disabled persons. This Ordinance is included in the Draft Comprehensive Zoning Ordinance update that is underway. It will ensure that persons with disabilities will be able to modify their homes to make them more accessible in a short period of time at minimal processing cost.</p>	<p>Delete. Program completed.</p>
<p>6 The City of Orange Cove has prepared a number of amendments to its Zoning Ordinance that recognize certain types of residential land uses, including group shelter, emergency shelters, farm labor camps, homeless shelters and second residential units.</p>		<p>These ordinance amendments were prepared and approved in 2016. Emergency shelters were added (2016) to the permitted use list of Orange Cove's M-1 and M-2 districts. There are 7 parcels zoned to the M-1 district, all located along West or East Railroad Avenues. Three of the parcels are owned by the City of Orange Cove (12 acres). All of the parcels are within walking distance of shopping, recreational and medical services.</p>	<p>Review compliance with State law in the Constraints chapter and include a program to the extent that additional zoning amendments are needed.</p>

APPENDIX 1J: CITY OF ORANGE COVE

Program	Status	Evaluation	Recommendation
<p>7 The Orange Cove Zoning Ordinance will be amended to make farm worker housing a permitted use in its agricultural and urban reserve zone districts and permitted in residential districts in accordance with Health and Safety Code Section 17021.5 and 17021.6. This residential use would be required to secure site plan approval and a building permit, both of which are non-discretionary actions.</p>		<p>The Zoning Ordinance was amended to add farmworker housing as a permitted use.</p>	<p>Delete program.</p>
<p>8 The Orange Cove Zoning Ordinance will be amended to make second units a ministerial permit. The language in the Ordinance has been written to be consistent with State second-unit law. The revision to Orange Cove's zoning ordinance ensures that there are no occupancy limits for immediate family members that will occupy the primary or secondary unit.</p>		<p>Orange Cove's zoning ordinance is outdated and needs to be revised. The City is in the process of preparing a comprehensive zoning ordinance update to make the document consistent with State law and recent legislation that pertains to housing issues. The City has contracted this work and contractors have identified key areas of the ordinance that need to be addressed including density of R-3 district, by right housing for affordable units, ADU and JADU requirements, SB 9 requirements, among others.</p>	<p>Continue to monitor changes in ADU legislation and maintain ordinance in compliance.</p>
<p>9 Orange Cove will continue to market the community for multi-family tax credit projects and target financial resources to developments affordable to extremely low income households. To make the project even more affordable for extremely low-income households, the City should process a density bonus on each tax credit project in order to increase density, promote affordability and provide units with three or more bedrooms for large family households.</p>		<p>Of the last five tax credit projects processed in Orange Cove, about 10 percent of the units were affordable to extremely low-income households. This type of housing product is the most effective means of providing affordable housing for this income group. About 20 percent of these units contained three or more bedrooms. This feature provided housing for large family households.</p>	<p>Continue program</p>
<p>10 Orange Cove's enforcement on the Uniform Building Code does not cause any constraints on housing supply or affordability. The City of Orange Cove also provides code enforcement. Typical enforcement involves inspecting substandard residential dwellings to ensure that the health and safety of the residents is not being jeopardized.</p>		<p>The City Building Department enforces the UBC and can typically conduct the plan check and on-site inspection within two weeks of a builder's request.</p>	<p>Delete program.</p>
<p>11 Orange Cove will process lower-income residential projects in a manner that accelerates the processing of these types of affordable housing. Further, the City shall adopt certain strategies that insure the affordability of these types of residential projects.</p>		<p>All development impact fees associated with affordable housing projects shall be paid at time of occupancy. To assist in ensuring that these types of projects remain affordable, Orange Cove will seek EDA grants to install infrastructure thereby reducing the cost to developers of affordable housing projects.</p>	<p>Continue to provide incentives for affordable housing.</p>

**SECTION 1J-5: REVIEW OF PAST ACCOMPLISHMENTS**

<b>Program</b>	<b>Status</b>	<b>Evaluation</b>	<b>Recommendation</b>
<p>12 The City will continue its efforts to provide affordable housing under the Joe Serna Program for farm workers as well as working with the Fresno County Housing Authority to apply for a HUD Mainstream Initiative Act grant to provide housing to mentally or physically disabled persons.</p>		<p>Orange Cove has provided farm worker housing opportunities over the last decade through the Joe Serna Programs. The City will continue its efforts to provide affordable housing under the Joe Serna Program for farm workers as well as working with the Fresno County Housing Authority to apply for a HUD Mainstream Initiative Act grant to provide housing to mentally or physically disabled persons. (2021 APR)</p>	<p>Continue program.</p>
<p>13 The City will amend its Zoning Ordinance to expand the permitted capacity of homes for developmentally disabled residents to 8.</p>		<p>The City has amended its Zoning Ordinance to provide for special housing types in its residential districts including homes for developmentally disabled. (2021 APR)</p>	<p>Delete. Program completed.</p>
<p>14 The City will permit supportive housing by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development meets specified criteria. The City will also require that a developer of supportive housing to provide a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project and describing those services, as provided.</p>		<p>The City has amended its Zoning Ordinance to add transitional and supportive housing to the permitted use list of its residential districts. (2021 APR)</p>	<p>Delete. Program completed.</p>
<p>15 Orange Cove shall seek an alternative source of domestic water to offset potential reduced deliveries from the Friant-Kern Canal.</p>		<p>The City has been working with the Department of Water Resources (DWR) to fund a proposed well site to act as an alternative source of domestic water to offset potential reduced deliveries from the Friant-Kern Canal.</p>	<p>Delete program.</p>
<p><b>6: Equal Housing Opportunities</b></p>			
<p>1 Orange Cove will work with Fresno County Housing Authority to provide a local Fair Housing Information Program. This Program will distribute educational materials to property owners, apartment managers, and tenants, and it will respond to complaints of discrimination (i.e., in-taking, investigation of complaints, and resolution) by referring the affected party to the appropriate agencies.</p>		<p>This program is ongoing.</p>	<p>Continue program</p>



APPENDIX 1J: CITY OF ORANGE COVE

Program	Status	Evaluation	Recommendation
<p>2 Orange Cove will work with Fresno County Housing Authority to advertise at the library, community center, city hall and the senior center, services that are available to residents pertaining to ensuring housing discrimination does not take place in Orange Cove and outlines the process by which residents can get relief from such discrimination.</p>			<p>Continue and combine with other related programs.</p>
<p>3 Orange Cove will develop a plan to Affirmatively Further Fair Housing. The AFFH Plan shall take actions to address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law.</p>		<p>AFFH will be addressed as part of the 6<sup>th</sup> Cycle Housing Element</p>	<p>Incorporate specific AFFH strategies into the Sixth Cycle Housing Element.</p>

Source: City of Orange Cove, 2023

**SECTION 1J-5: REVIEW OF PAST ACCOMPLISHMENTS**

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## SECTION 1J-6: PUBLIC OUTREACH AND ENGAGEMENT

State law requires cities and counties to make a diligent effort to achieve participation from all segments of the community in preparing a Housing Element. Section 65583[c][6] of the California Government Code specifically requires that “[t]he local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the program shall describe this effort.”

This means that local jurisdictions must do more than issue the customary public notices and conduct standard public hearings prior to adopting a Housing Element. State law requires cities and counties to take active steps to inform, involve, and solicit input from the public, particularly low-income and racial and ethnic households that might otherwise not participate in the process. Spanish-language materials were available, and Spanish translation was made available by request.

To meet the requirements of State law, the City of Orange Cove completed public outreach at both the local level and as part of the regional Fresno County Multi-Jurisdictional Housing Element effort to encourage community involvement. These efforts included:

- A Regional Project Website
- Stakeholder Consultations and Focus Groups
- A Study Session with the City Council
- Community Workshops
- Community Survey

Feedback received from the community as well as regional and local stakeholders was used to inform the Housing Element policies and programs, as well as to provide additional local context and knowledge. Regional efforts are discussed in more detail in Appendix 1: Regional Housing Element Public Outreach. This section describes the outreach done at the local level.

### Joint Planning Commission/City Council Study Session

A joint study session was held with the Planning Commission and City Council at a special meeting on September 28, 2022, to discuss the Housing Element Update process. The study session was open to the public and held in person, with a livestream option to reach members of the public who could not attend in person. Commentary was limited and no public comment related to fair housing was received at the meeting; instead, commissioners and council members expressed concern regarding the need for more affordable housing since the majority of residents are farm workers and cannot afford housing at fair market rates. Commissioners and council members also asked for more information on government subsidy programs that can help buyers with down payment assistance.

## Community Event

On September 22, 2022, the City of Orange Cove held an in-person Community Workshop to provide information on the Housing Element and solicit input from the community. The City notified the community of this meeting through flyers distributed in English and Spanish through the FCOG listserv of regional stakeholders and community-based organizations (CBOs) and through the Fresno Housing Authority. City staff also distributed English and Spanish flyers at the Fresno Economic Opportunities Commission Food Distribution event. Information about the workshop was also posted on the City's Facebook page with a link to the Eventbrite registration page, which included information about Spanish language interpretation, refreshments, and activities for children that would be available at the workshop.

Eight community members attended the community workshop held at the Orange Cove Senior Citizen Center. The main theme of the discussion was the need for more deeply affordable housing to match household incomes in Orange Cove. Participants shared that many residents struggle to qualify for affordable or market-rate housing, due to low credit scores or lack of sufficient documentation. Participants were especially concerned about the rising cost of living and heightened displacement risk among the City's residents, many of whom are farmworkers. Residents are worried about market conditions and unforeseen emergencies that could impact their incomes such that they lose their homes. These fears were exacerbated by the economic impacts of the Covid-19 pandemic; many residents have fallen into debt due to lay-offs or lost hours due to illness.

Participants highlighted the need for additional community amenities, such as improved city services, parks/open spaces, and grocery stores. City staff shared concerns about providing financial incentives to housing developers (i.e., fee waivers) when the City's impact fees are relatively low; revenue from development fees is crucial to financing community development projects and maintaining existing levels of service.

Participants also expressed concerns about the safety and quality of the City's water supply. The City recently built a new well to augment the citywide supply; however, residents are concerned that water from the new well is not safe as drinking water.

## Local Stakeholder Consultations

To ensure that the City solicits feedback from all segments of the community, consultations were conducted with service providers and other stakeholders who represent different socioeconomic groups. Throughout the summer and fall of 2022, several interviews were conducted with stakeholders who work in areas such as housing, homelessness, and other social services in Orange Cove and throughout the Fresno County area. Summaries of interviews from stakeholders working in Orange Cove or the County as a whole are included below.

## *BIA of Fresno/Madera Counties*

The President of the Building Industry Association of Fresno/Madera Counties (BIA), Mike Prandini, was interviewed in November 2022. The BIA is an industry organization that represents builders, developers, subcontractors, and affiliated businesses in the residential, commercial, and industrial building industry throughout the region.

The current shortage of housing has created demand, which can be a positive for BIA's members. Most jurisdictions have sufficient available land to build new housing. The statewide move to require all-electric utilities rather than gas is a concern. For market-rate housing, the State's vehicle miles traveled (VMT) regulations are a large barrier, as transit isn't reliable, and a car is necessary to get around. Builders have to pay a fee to get around the cost of mitigating car miles unless city councils can make a finding of an unavoidable impact. For affordable housing, the prevailing wage requirements are a barrier to development due to the increased cost. Infrastructure costs also affect both types of projects. Streamlining tools help control costs, but not enough. A lack of local water access is also a barrier to development. Mr. Prandini expressed concern that the State assigned the RHNA without this in mind. There may not be enough water access to support the housing development that the State is looking to see.

In his experience, single-family homes are in greatest demand. There is a lot of demand for low-income housing projects, but these aren't financially viable for developers without government subsidy. However, including government subsidy in projects increases the overall cost to build, as it triggers prevailing-wage requirements. A recent affordable development in the City of Fresno cost around \$400,000 per unit to build. Condo-style projects are also a possibility, but in Mr. Prandini's experience, they don't tend to be successful in this region. To keep prices within reach of local residents, recent projects have needed to be built at higher densities. A typical project is between 8 and 15 units per acre on small lots, with single-family homes built as two-story structures in order to reach 1,200 or 1,300 square feet. Developers need to build higher-density projects to spread out the cost of infrastructure among a larger number of units. Demand isn't as high in smaller communities as it is in the cities of Fresno and Clovis that have better access to jobs, education, and medical centers. VMT mitigation costs increase in communities that are far from these economic centers, so it's less of an issue in closer communities. Many residents of Mendota and San Joaquin have incomes that are too low to afford development at its current costs. Mr. Prandini indicated that more downpayment assistance and maintenance programs are needed throughout the region. Fresno Housing Authority has some, but they're limited.

### ***Fair Housing of Central California***

A representative from Fair Housing of Central California (FHCCC) was interviewed on September 27, 2022. The organization works to eliminate housing discrimination and expand housing opportunities to all persons. The FHCCC receives fair housing complaints and tracks these complaints by location, zip code, gender, race or ethnicity, and type of complaint. The most common fair housing issue that clients report is discrimination related to disability or race. She expressed concern that fair housing practices are not really embraced by local government, and that cities should avoid promoting the development of new housing in neighborhoods where segregation is deliberately continued by landlords and real estate agents. Her clients prefer decent, affordable, and accessible housing, but as the cost of purchasing a home increase, opportunities decline.

### ***Fresno Madera Continuum of Care***

As a representative for the Fresno Madera Continuum of Care (CoC), Laura Moreno was interviewed in October 2022. Ms. Moreno is a program manager for Fresno County’s Department of Social Services (DSS). The CoC does not provide direct services, but instead is a collaborative of agencies that work together to provide homeless services. At present, there is insufficient low-income housing for those who are homeless. Many people in the region are on a fixed income, including disability or social security, and cannot afford housing.

### ***Law Office of Patience Milrod***

Fresno-area civil rights attorney Patience Milrod was interviewed on October 31, 2022. While Ms. Milrod supports the continued attention to inclusionary housing, she has concerns about the passive language of “facilitate” and “encourage” that have been common in past Housing Elements. She identified code enforcement as a strategy for improving housing quality that could be strengthened. At present, rents are increasing while the quality of housing is decreasing, and there isn’t a lot of energy locally to correct that imbalance. This particularly hurts lower-income households. With more aggressive code enforcement in place, she suggested that some landlords may decide that the cost of maintaining their property isn’t worthwhile and may choose to sell to a community land trust or Habitat for Humanity rather than entering receivership. Ms. Milrod would like to see that as a specific goal. The biggest barrier to finding affordable, decent housing in the region that she identified was that lower-cost housing tends to also be low quality or ill maintained. However, she cautioned that the supply problem won’t be solved with suburban or exurban single-family dwelling units. There’s also local disinclination to build lower-income housing in areas of opportunity. She suggested that cities should ask for affordability covenants in perpetuity and highlighted the land trust model as a way to enable that.

### ***Central Valley Urban Institute***

On September 7, 2022, Eric Payne, executive director of the Central Valley Urban Institute (CVUI), was interviewed. The CVUI is an advocacy organization working throughout the Fresno area. Mr. Payne indicated that there may be opportunities to increase affordable housing stock production, particularly within infill areas and brownfields, as well as to increase homeownership through programs like the downpayment assistance program. However, he expressed concerns about high building costs, lack of financing, and poor leadership in the area. Community members would like to see intergenerational housing, middle-income housing, and “missing-middle” sized housing as well as housing to end homelessness, particularly among college-aged youth. At present, he does not believe that there are adequate opportunities for homeownership or adequate rental housing. The largest barriers are access to credit, lack of financial education, and existing housing cost burden. There is a lack of investment in programs that serve low to moderate-income communities.

## ***Resources for Independence Central Valley***

On November 1, 2022, a representative from the organization Resources for Independence Central Valley was interviewed. The representative expressed concern about laws in the City of Fresno that prevent homeless community members from camping or living in their cars. Homelessness is increasing, but the City is investing resources in enforcing these laws rather than providing assistance. There is funding to move homeless people around, but not to improve anyone's living situation. Access to Section 8 can be a challenge, as the waiting list can be four or five years long. Additionally, rental housing can require incomes of two to three times the rent, which can be a barrier to some who need to access rental housing. For those who may be able to access housing, some landlords levy additional fees during the application process that can present a prohibitive cost. Credit checks are becoming a barrier for residents to get into housing. Community members with disabilities can experience additional challenges trying to find homes that have necessary accessibility features. Homeowners with disabilities end up needing to make expensive home improvements in order to make their homes accessible for themselves. For renters, these improvements may be more challenging to implement, and those who use service or support animals may experience discrimination against pets. There isn't enough higher-density housing, housing near transit or major transportation corridors, or housing in good repair.

## ***Llaves de tu Casa Iniciativa***

As a follow-up to the regionwide stakeholder focus groups held in October and November 2022, a collection of members from the Llaves de tu Casa Iniciativa (LDTIC) met on December 13, 2022, to respond to several stakeholder interview questions. LDTIC is a financial education program open to all County of Fresno residents but with a focus on increasing Latino homeownership rates. Eight initiative members represented organizations and companies, including Envision Fresno (Mirna Garcia), Self Help Enterprises (Rick Gonzales, Alicia Bohigian), CORE Home Loans (Pablo Estrada), Union Bank (Reyes Ruiz), the California Association of Realtors (Sabrina Brown), and the National Association of Hispanic Realtors (Aldiva Rubalcava, Lucy Sandoval). The group collectively serves Fresno County, and members also serve other counties in the Central Valley.

The opportunities for future housing in the region that the initiative members identified included LDTIC's ability to provide homeownership education virtually and in partnership with other local organizations. There has been a lack of financial literacy in the community along with challenges in using technology and language barriers.

The initiative members expressed concerns about affordability, including the location of affordable housing in undesirable areas. Upzoning single-family zoning would create more opportunities for the development of multifamily housing in more desirable locations. Some funding is only available in certain areas, which can exacerbate existing patterns of segregation and close proximity to industrial uses. They also expressed concern about investors displacing community members in order to establish short-term rentals while community members live in hotels. The State's mandate to install solar panels on new homes was also cited as an additional cost that will drive up the buyers' or renters' cost.

## SECTION 1J-6: PUBLIC OUTREACH AND ENGAGEMENT

The gap between ownership housing affordability and program income limits was identified as a barrier to accessing housing. Moderate-income households earn too much to qualify for housing assistance, but those who qualify aren't able to afford the housing available. In addition to a lack of multifamily rental housing, there aren't many condo buildings in the region, which could present another affordable homeownership strategy. The establishment of land trusts was also identified as a potential strategy for increasing affordability, as well as donations of land from municipalities.

Self Help Enterprises has partnered with the City of Clovis on their recent accessory dwelling unit program and has partnered with Salt + Light to develop tiny homes for transitional housing.

### ***Fresno Housing Authority***

Two representatives from the Fresno Housing Authority, Doreen Eley and Michael Duarte, were interviewed on January 11, 2023. The Fresno Housing Authority currently has housing projects in every jurisdiction participating in the Multi-Jurisdictional Housing Element except for Coalinga. The City of Fresno has a separate Housing Authority.

The representatives noted that there is tremendous demand for housing in all communities in Fresno County. The last time the Section 8 waiting list opened they received more than 50,000 applications. Recently, when a 60-unit development in Clovis opened, they received more than 10,000 applications. When a project in downtown Fresno opened, they received 4,000 applications within a two-week period. Rents are high, which is challenging for residents but good for developers. The region needs more housing opportunities for people experiencing homelessness.

In rural and unincorporated communities, lack of water and sewer capacity are major concerns. The Housing Authority can't build housing in areas with no services.

For local developers, state funding and streamlining programs trigger skilled, trained, and prevailing wage requirements, which can be a barrier. Entitlement processing timelines are a barrier to development for the Housing Authority. The representatives gave the example of a recent project in San Joaquin where streamlined initiatives were used, but the project still took a year to finish the project review process. Many communities don't have much staff capacity and have part-time consultants to complete the work.

There is also a lack of capacity among agencies that provide services in rural and unincorporated areas. This is especially challenging for special needs populations that need mental health services. There is a countywide Department of Behavioral Health, but no offices within smaller cities. The representatives gave the example of a Homekey project in Huron that the Housing Authority wanted to assist with, but there were no service providers available to serve the project.

While there is a lot of interest within the community for homeownership opportunities, more funding is available for multifamily rental projects. The Housing Authority is more focused on rental projects and arriving at deeper affordability levels.



The Housing Authority is following the State's lead in providing housing in high opportunity areas. There are lots of incentives to do this to compete for tax credits and other state funding programs. The representatives mentioned that they are trying to balance this need by also working to improve the lower-resource areas where folks are already living along with disadvantaged communities like Del Ray and Lenar.

The COVID-19 pandemic brought challenges for many residents of Housing Authority projects. There were increases in domestic violence, and it was challenging for property managers to enforce rules.

## **Public Comments**

The City considered and incorporated public comments during the drafting of the Housing Element. All comments received, including feedback received from outreach efforts described above, were considered and used to inform the sites analysis and assessment of fair housing issues, and the goals, policies, and actions were included and/or revised to incorporate the feedback received.

No additional public comments were received during the 30-day public review period; however, the City will continue to seek public input throughout the process.

## **Noticing of Study Sessions and Community Workshops**

Notice of the Study Session was made available as part of the City's standard meeting notice process for City Council meetings.

The community event was advertised to members of the public through multiple information channels. Flyers in English and Spanish were distributed at local events in the community as well as through GPUSD. Residents in Fresno Housing Authority units received information about the workshops by email. The availability of Spanish translation was noted in outreach materials.

## **Noticing of the Draft Housing Element**

Per California Government Code Section 65585, the draft Housing Element was made available for public comment for 30 days. The draft was made available on the regional project website and was noticed to residents through the same methods as the City Council meeting. Additional direct noticing was sent to local housing advocate groups.

**SECTION 1J-6: PUBLIC OUTREACH AND ENGAGEMENT**

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### ***A Regional Plan for Addressing Housing Needs***

*Fresno County • Coalinga • Firebaugh • Fowler • Fresno City • Huron • Kerman  
Kingsburg • Mendota • Orange Cove • Parlier • Reedley • San Joaquin • Sanger • Selma*



# CITY OF ORANGE COVE

## REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council

**From:** Dario Dominguez, Assistant City Manager / Public Works Director

**Subject:** Adopt Resolution No. 2024-33 authorizing submittal of the Community Development Block Grant Application.

**Attachments:**

1. Resolution No. 2024-33
2. Public Hearing Notice
3. Affidavit of Posting Notice

### RECOMMENDED ACTION

The City Council authorizes the submittal of one 2024 grant application to the California Department of Housing and Community Development for funding under the CDBG program, and if selected, the execution of standard agreements and required program documents. At the close of the public hearing, adopt resolution 2024-33 approving the submittal of the application.

### BACKGROUND

CDBG Program regulations require that the City conduct a public hearing on all CDBG-related matters to provide for and encourage citizen participation, particularly by low- and moderate-income persons who reside in areas in which CDBG funds are used. Therefore, when the public hearing is opened, the public will be invited to comment on the City’s proposed resubmittal of a 2024 CDBG Grant application, CDBG Program Income, and to make their comments known on the proposed activities.

A public notice was published in four public places in English and Spanish October 11, 2024, notifying the public of this public hearing.

HCD released a NOFA announcing the availability of CDBG Program funds in August 30, 2024. The City is preparing to apply and submit an application for the Subsistence payment program.

Eligible activities available in the 2024 NOFA must benefit low- and moderate-income Californians and include: Housing Assistance Programs (Single-Family Homeownership Assistance, and Single-Family Housing Rehabilitation). The city may apply for a maximum of \$300,000.

The resolution authorizes the City Manager or designee(s), to sign the applications, the Standard Agreements, and any subsequent amendments or modifications thereto, as well as any other documents required by HCD for participation in the CDBG Program.

The application will be written by Self-Help Enterprises and administered by the City, if funded.

The City proposes to apply for CDBG funds for the Single-Family Housing Subsistence payment program. Single-Family Housing Subsistence funds will be utilized to assist residents with their rent, and/or utilities bills.

Single-Family Housing Subsistence – \$ 300,000

When the Public Hearing is opened, citizens are encouraged to ask questions and/or comment on the proposed activities/application or on any aspect of the CDBG Program. Citizens are also invited to submit written comments to the City or to review information on the City's CDBG Program at Orange Cove City Council Chambers, 633 Sixth Street, Orange Cove, CA 93646. Write or contact Dario Dominguez, Assistant City Manager, at the same address.

**CONFLICT OF INTEREST**

None

**FINANCIAL IMPACT**

The cost for preparation of the CDBG application by Self-Help Enterprises is \$4,000. The application fee will be paid out of the general fund.

Prepared by: Assistant City Manager

Approved by: Dario Domnguez

REVIEW: City Manager: \_\_\_\_\_

Finance: \_\_\_\_\_

City Attorney: \_\_\_\_\_

<b>TYPE OF ITEM:</b>	<b>COUNCIL ACTION:</b>	<b>APPROVED</b>	<b>DENIED</b>	<b>NO ACTION</b>
<input type="checkbox"/> Consent				<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Info Item				<input type="checkbox"/> Matter Initiated by a Council Member
<input type="checkbox"/> Action Item				<input type="checkbox"/> Other
<input type="checkbox"/> Department Report				<input type="checkbox"/> Continued to: _____
<input type="checkbox"/> Redevelopment Agency				

# Resolution of the Governing Body

## RESOLUTION NO. 2024-33

### A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2024 FUNDING YEAR OF THE STATE CDBG PROGRAM

BE IT RESOLVED by the City Council of the **City** of Orange Cove as follows:

#### **SECTION 1:**

The City Council has reviewed and hereby approves the submission to the State of California of one or more application(s) in the aggregate amount, not to exceed, of \$300,000 for the following CDBG activities, pursuant to the and 2024 CDBG NOFA:

#### **List activities and amounts**

<b>Activity (e.g. Public Services, Infrastructure, etc.)</b>	<b>Dollar Amount Being Requested for the Activity</b>
Subsistence Program	\$ 300,000
	\$
	\$
	\$
	\$

#### **SECTION 2:**

The **City Council** hereby approves the use of Program Income in an amount not to exceed \$300,000 for the CDBG activities described in Section 1.

#### **SECTION 3:**

The **City Council** acknowledges compliance with all state and federal public participation requirements in the development of its application(s).

#### **SECTION 4:**

The **City Council** hereby authorizes and directs the City Manager or designee\*, to execute and deliver all applications and act on the **City's** behalf in all matters pertaining to all such applications.

**SECTION 5:**

If an application is approved, the City Manager or designee\*, is authorized to enter into, execute and deliver the grant agreement (*i.e.*, Standard Agreement), any recordable or nonrecordable contract documents, and any and all subsequent amendments thereto with the State of California for the purposes of the grant.

**SECTION 6:**

If an application is approved, the Mayor or designee\*, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the grant.

PASSED AND ADOPTED at a regular meeting of the City Council of the **City** of Orange Cove held on 10/23/2024 by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Diana Guerra Silva, Mayor  
City Council

**STATE OF CALIFORNIA**  
**City** of Fresno

I, Cynthia Cisneros, **City** Clerk of the **City** of Orange Cove, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said City Council on this 23 day of October, 2024 and that said resolution has not been amended, modified, repealed, or rescinded since its date of adoption and is in full force and effect as of the date hereof.

Cynthia Cisneros, **City** Clerk of the **City** of Orange Cove,  
State of California

\_\_\_\_\_  
By: Cynthia Cisneros, City Clerk



## City of Orange Cove

### Notice of Public Meeting for Discussion of Possible State CDBG -Application

NOTICE IS HEREBY GIVEN that the City of Orange Cove will conduct a public meeting on October 23, 2024 at 6:30pm, at City Chambers to discuss possible applications for funding under the State Community Development Block Grant (CDBG) Program and to gather residents' ideas for possible activities to be included in the application.

The City anticipates submitting an application during the next CDBG program year. The City has or anticipates receiving approximately \$300,000 in CDBG Program Income.

The purpose of this hearing is to review CDBG eligible activities and collect residents' views on housing and community development needs (which includes services, facilities, and/or infrastructure that will improve livability within the community).

The following information related to the project is available at 633 6<sup>th</sup> Street, Orange Cove California between the hours of 8am-5pm on Monday –Friday) or by emailing the contact listed below:

- A. Amount of funds available and range of activities that may be undertaken.
- B. Information on proposed project(s).
- C. Estimated amounts of funds proposed to be used for activities benefiting persons of low- and moderate-income.
- D. Plans for minimizing displacement of persons as a result of activities associated with CDBG funds and plans for providing assistance to persons displaced as a result of CDBG-funded activities.
- E. Records regarding the past use of CDBG funds.

If you are unable to attend the public hearing, you may direct written comments to the City, at the address above, or you may contact Dario Dominguez by telephone or email at 559-626-4488 or [ddominguez@cityoforange Cove.com](mailto:ddominguez@cityoforange Cove.com), no later than 5pm on 10-17-24 to ensure placement in the official record of the hearing.

The City does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identify, age, religion or disability. If you require specific accommodations to participate in the public hearing, please contact Dario Dominguez at least 2 days prior to the scheduled hearing.

## Ciudad de Orange Cove

### Aviso de reunión pública para debatir la posible solicitud estatal del programa CDBG

SE NOTIFICA POR LA PRESENTE que la Ciudad de Orange Cove celebrará una reunión pública el 23 de Octubre a las 6:30pm, en las Camaras de la Ciudad para debatir las posibles solicitudes de financiación en el marco del Programa de la Subvención Global de Desarrollo Comunitario (CDBG) y para recoger las ideas de los residentes sobre las posibles actividades que se incluirán en la solicitud.

La Ciudad prevé presentar una solicitud durante el próximo año del programa CDBG. La Ciudad tiene o prevé recibir aproximadamente \$300,000 en ingresos del programa CDBG.

El propósito de esta reunión es revisar las actividades elegibles del programa CDBG y recoger las opiniones de los residentes sobre las necesidades de vivienda y desarrollo comunitario (que incluyen servicios, instalaciones y/o infraestructuras que mejorarán la habitabilidad de la comunidad).

La siguiente información relacionada con el proyecto está disponible en 633 6th Street, Orange Cove California entre las horas de 8am-5pm los días Lunes a Viernes o enviando un correo electrónico al contacto indicado a continuación:

- A. Cantidad de los fondos disponibles y gama de actividades que pueden emprenderse.
- B. Información sobre el/los proyecto(s) propuestos.
- C. Cantidades estimadas de los fondos que se propone utilizar para actividades que beneficien a personas de ingresos bajos y moderados.
- D. Planes para minimizar el desplazamiento de las personas como resultado de las actividades asociadas con los fondos del programa CDBG y planes para proporcionar asistencia a las personas desplazadas como resultado de las actividades financiadas por el programa CDBG.
- E. Registros relativos a la utilización en el pasado de los fondos del programa CDBG.

Si no puede asistir a la audiencia pública, puede dirigir sus comentarios por escrito a la Ciudad, a la dirección que figura arriba, o puede ponerse en contacto con Dario Dominguez por teléfono o correo electrónico a 559-626-4488 o [ddominguez@cityoforange Cove.com](mailto:ddominguez@cityoforange Cove.com) a más tardar las 5pm del 10-17-24 para garantizar que se incluyan en el acta oficial de la audiencia.

La Ciudad no discrimina por motivos de raza, color, origen nacional, sexo, orientación sexual, identidad de género, edad, religión o discapacidad. Si necesita adaptaciones específicas para participar en la audiencia pública, póngase en contacto con Dario Dominguez al menos 2 días antes de la audiencia programada.



## Affidavit of Posting Notice

I, (Name of Poster) Cynthia Cisneros, hereby certify that on the 11th day of October (month), 2024 (year), the notice of public meeting to discuss possible applications and to gather residents' ideas for possible activities for funding under the California Department of Housing and Community Development, Community Development Block Grant Program was posted at the following Four (number) locations, and was available to the public from 10-11-2024 (date) to 10-23-2024 (date).

Location 1:	City website
Location 2:	City Hall bulletin board
Location 3:	Police Department bulletin board
Location 4:	Senior Center bulletin board

\*\*If the notice was posted at additional locations, please check this box  and attach an additional page listing the additional locations.

\_\_\_\_\_  
Signature of Poster

\_\_\_\_\_  
Organization and Title of Poster

I, (name) Cynthia Cisneros, employee or officer of City of Orange Cove (city, county, or jurisdiction name), State of California, hereby certify the above and foregoing is true and correct. Dated at Orange Cove (location), California, this 11 (date) day of October (month), 2024.

Cynthia Cisneros  
\_\_\_\_\_  
Signature of Employee or Officer

City Clerk  
\_\_\_\_\_  
Title of Employee or Officer

(Poster and Employee/Officer signatories must not be the same person)

6.a.

For the Meeting of October 23, 2024



# CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council  
**From:** Megan Crouch, City Attorney  
**Subject:** Adoption of an Ordinance Amending Section 8.70.140 of the Orange Cove Municipal Code.  
**Attachments:** Ordinance No. 399

**RECOMMENDATION:**

Staff recommends that the Council approve the ordinance amending section 8.70.140 of the Orange Cove Municipal Code

**BACKGROUND:**

Council has expressed an interest in setting forth stringent guidelines that must be achieved in order for Orange Cove to allow nonmedical cannabis storefronts to operate within the City. This ordinance would amend the Municipal Code to require that four (4) affirmative votes of the Council, as well as voter approval, must occur before nonmedical cannabis can be allowed in the City.

This is the second reading of the ordinance. If the ordinance is approved, it will become effective thirty (30) days from today.

**FISCAL IMPACT:**

None.

**CONFLICT OF INTEREST:**

None.

Prepared by: City Attorney \_\_\_\_\_

Approved by: Megan Crouch \_\_\_\_\_

REVIEW: City Manager: \_\_\_\_\_

Finance: \_\_\_\_\_

City Attorney: \_\_\_\_\_

**TYPE OF ITEM:**

**COUNCIL ACTION: APPROVED DENIED NO ACTION**

- Consent
- Info Item
- Action Item
- Department Report
- Redevelopment Agency

- Public Hearing
- Matter Initiated by a Council Member
- Other
- Continued to: \_\_\_\_\_

**ORDINANCE NO. 399**

AN ORDINANCE OF THE CITY OF ORANGE COVE AMENDING SECTION 8.70.140, RELATING TO NONMEDICAL CANNABIS, OF THE CITY OF ORANGE COVE MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF ORANGE COVE DOES ORDAIN AS FOLLOWS:

**SECTION 1. Amendment of 8.70.140 – Commercial nonmedical marijuana businesses prohibited.** Section 8.70.140 of the Orange Cove Municipal Code is added to read as follows:

**8.70.140 - Commercial nonmedical marijuana businesses prohibited.**

Commercial nonmedical marijuana businesses are prohibited in the city. It shall be unlawful for any person to engage in, conduct, carry on, or to permit to be engaged in, conducted or carried on, in or upon any premises in the city, a commercial nonmedical marijuana business.

Should the City Council wish to remove the above prohibition, it will require four (4) affirmative votes of the City Council as well as approval by the registered voters of the City at a regularly scheduled election.

**SECTION 3. Severability.** If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance, as if such invalid portion thereof had been deleted.

**SECTION 4.** This ordinance shall take effect thirty (30) days after its passage.

**SECTION 5.** The City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published once in a newspaper of general circulation, published in the County of Fresno.

I, Cynthia Cisneros, City Clerk for the city of Orange Cove do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Orange Cove held on the 23rd day of October 2024, and passed and adopted at a regular meeting of the City Council held on the 23rd day of October 2024, by the following vote, to wit:

(Signatures on following page)

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

**APPROVED:**

\_\_\_\_\_  
Diana Guerra-Silva, Mayor

**ATTEST:**

\_\_\_\_\_  
Cynthia Cisneros, City Clerk