

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

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September 18, 2024

Paulina Morales, City Manager
City of West Covina
144 West Garvey Avenue South, Room 305
West Covina, CA 91790

Dear Paulina Morales:

RE: City of West Covina's 6th Cycle (2023-2031) Modifications to the Adopted Housing Element

Thank you for submitting modifications to the City of West Covina's (City) adopted housing element. Modifications were received on January 3, 2024 and August 13, 2024. All modifications were authorized by Resolution Number 2022-11 and posted and made available to the public for seven days prior to review. In addition, the California Department of Housing and Community Development (HCD) received minor edits on September 12, 2024. Pursuant to Government Code section 65585, HCD is reporting the results of its review.

The adopted housing element, with all modifications and edits, meets the statutory requirements of State Housing Element Law (Gov. Code, § 65580 et seq). The adopted element, including modification and edits, addresses the findings described in HCD's March 1, 2024 review. However, as noted in the prior review, the housing element cannot be found in substantial compliance until the City has completed necessary rezones (Program 5.1 – Ensure Adequate Sites to Accommodate the RHNA) that meet statutory requirements as described below.

Pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), a jurisdiction that did not adopt a compliant housing element within one year from the statutory deadline (October 15, 2021) cannot be found in compliance until rezones to make prior identified sites available are completed pursuant to Government Code section 65583.2, subdivision (c). As this year has passed and Program 5.1 (Ensure Adequate Sites to Accommodate the RHNA) has not been completed, the housing element will remain out of compliance until the rezoning has been completed to meet all statutory requirements.

However, HCD received draft zoning amendments that are intended to implement Program 5.1 (Ensure Adequate Sites to Accommodate the RHNA). After a preliminary review, these draft amendments comply with statutory requirements pursuant to Government Code section 65583.2, subdivision (c). Once the draft amendments have

been adopted, the City should submit the draft amendments and other pertinent approval documentation. HCD will review the documentation and issue correspondence identifying the updated status of the City's housing element compliance.

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

- Program 1.2 (Monitor and Preserve Affordable Housing)
- Program 2.1 (Acquisition and Rehabilitation)
- Program 2.2 (Support Production of Affordable Housing)
- Program 3.1 (Review and Update the Development Review Process)
- Program 3.2 (Accessory Dwelling Units)
- Program 4.2 (Housing for Persons with Special Needs)
- Program 4.3 (Homeless Assistance and Housing)
- Program 4.4 (Community and Economic Development)
- Program 5.1 (Ensure Adequate Sites to Accommodate the RHNA)
- Program 5.2 (Encourage Lot Consolidation and Infill)

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

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, Affordable Housing and Sustainable Communities programs, Permanent Local Housing Allocation, and the Prohousing Incentive Program consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the effort the City' housing element team provided throughout the housing element update and review. HCD looks forward to receiving and reviewing final documentation of the necessary zoning. If HCD can provide assistance in implementing the housing element, please contact Margaret Scarpa, of our staff, at Margaret.Scarpa@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall
Senior Program Manager