

EXHIBIT D:

Review Letters from California HCD

CPC-2022-2698-GPA, ENV-2020-6762-EIR-ADD1

For consideration by the City Planning Commission

May 19, 2022

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

2020 W. El Camino Avenue, Suite 500
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www.hcd.ca.gov



February 22, 2022

Vincent Bertoni, Director
Department of City Planning
City of Los Angeles
Los Angeles City Hall
200 North Spring Street, Suite 525
Los Angeles, CA 90012

Dear Vincent Bertoni:

RE: City of Los Angeles 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Los Angeles (City) housing element adopted on November 24, 2021 and received for review on November 24, 2021. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from Alliance for Community Transit – Los Angeles (ACT-LA) and a coalition of 24 community organizations, Tieira Ryder and Abundant Housing LA pursuant to Government Code section 65585, subdivision (c).

The adopted housing element addresses most statutory requirements described in HCD's September 3, 2021, review. For example, HCD applauds the substantial rezoning program and actions to facilitate housing choices, affordability and supply, the element now demonstrates adequate sites to accommodate the regional housing need allocation. However, an additional revision is necessary to fully comply with State Housing Element Law, as follows:

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

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

Goals, Priorities, Metrics, and Milestones: Programs and actions must include metrics and milestones to target significant and meaningful affirmatively furthering fair housing (AFFH) outcomes and evaluate the effectiveness and progress towards implementation. While the element included metrics for some programs, it did not include metrics for most programs related to AFFH. In addition, many actions do not appear to explicitly AFFH such as targeting geographic areas or neighborhoods. Without these components, whether the element is targeting meaningful outcomes is unclear, particularly related to place-based strategies to encourage community revitalization. Examples of programs that should be revised include Programs 10 (Affordable Housing Linkage Fee), 20 (New Local Revenue), 22 (Systematic Code Enforcement), 30 (New Models of Acquisition and Rehabilitation), 84 (Citywide Fair Housing Program) 88 (Eviction Defense Program) and 90 (Tenant/Community Opportunity).

In addition, while the element included some actions to replace segregated patterns, these actions, lacked specific geographic focus (communities with fair housing issues), firm commitments and significant targets for AFFH outcomes. Given the patterns and trends and other relevant factors noted in the assessment of fair housing, the element must include specific and significant actions that adequately promote community revitalization and conservation and replace segregated living patterns to foster more inclusive and equitable communities.

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

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

http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb375_final100413.pdf.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), then any rezoning to accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation and 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:

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

HCD appreciates the continued dedication and effort the City's team including Blair Smith, Matthew Glesne, Cally Hardy, Jackie Cornejo, Maya Abood, Nancy Twum-Akwaboah and Ann Sewill provided. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Sohab Mehmood, of our staff, at Sohab.Mehmood@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

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
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May 11, 2022

Vincent Bertoni, Director
Department of City Planning
City of Los Angeles
Los Angeles City Hall
200 North Spring Street, Suite 525
Los Angeles, CA 90012

Dear Vincent Bertoni:

RE: City of Los Angeles 6TH Cycle (2021-2029) Revised Draft Housing Element

Thank you for submitting the City of Los Angeles (City) revised draft housing element update received for review on April 28, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The revised draft element meets the statutory requirements described in HCD's February 22, 2022 review. The element now includes specific and significant actions, including metrics and milestones, to affirmatively further fair housing (AFFH). Among many actions, the element also now includes place-based strategies to promote community revitalization and conservation and foster more inclusive and equitable communities. As a result, the revised element will comply with State Housing Element Law (Article 10.6 of the Gov. Code) when the revisions are adopted and submitted to HCD, pursuant to Government Code section 65585. Any changes to the revised draft will be subject to additional review by HCD and may impact the finding that the revised draft meets statutory requirements. HCD encourages the City to expeditiously adopt, and submit to HCD to regain housing element compliance.

HCD applauds the City's approach to the housing element update, including the tremendous effort in planning for nearly half a million homes between now and 2029, and the bold and meaningful set of strategies put forth in pursuit of that goal. For example, the analysis to demonstrate the potential for redevelopment on nonvacant sites and aggressive rezoning to accommodate the regional housing need allocation (RHNA), including in higher opportunity areas serves as model for other California jurisdictions. HCD appreciates the City's leadership in addressing the critical housing needs of the region and state.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources. While going through the process to adopt these revisions, HCD encourages the City to continue to apply for all HCD programs. Requirements and deadlines vary by program and being in process toward adoption is not necessarily disqualifying.

HCD appreciates the hard work and dedication of Maya Abood, Matthew Glesne and the rest of the housing element update team throughout the housing element review. We are committed to assist the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Sohab Mehmood, of our staff, at Sohab.Mehmood@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager