

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

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



February 15, 2024

Rene Salas, City Manager  
City of South El Monte  
1415 Santa Anita Avenue  
South El Monte, CA 91733

Dear Rene Salas:

**RE: South El Monte's 6<sup>th</sup> Cycle (2021-2029) Adopted Housing Element**

Thank you for submitting the City of South El Monte's (City) housing element that was adopted October 12, 2021. The California Department of Housing and Community Development (HCD) received modifications on December 18, 2023. These modifications were in addition to prior modifications received June 2, 2022. All modifications were authorized by Resolution Number 21-63 and made available to the public for seven days prior to HCD review. Our review was facilitated by a telephone conversation on February 5, 2024 with Guillermo Arreola, Community Development Director and Erika Van Sickel, the City's consultant. Pursuant to Government Code section 65585, the HCD is reporting the results of its review.

The adopted housing element, including prior and current modifications, addresses most statutory requirements described in HCD's July 29, 2022 review; however, additional revisions are necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq), as follows.

1. *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... (Gov. Code, § 65583, subd. (c)(5).)*

Goals, Priorities, Metrics, and Milestones: The element was revised on page 7 to include a table with Affirmatively Furthering Fair Housing (AFFH) actions including place-based strategies, enhancing housing mobility, and encouraging new housing choices and affordability citywide and in areas of opportunity. However, the element must also include a program(s) with strategies for protecting existing residents from displacement. For example, including actions for first right of return to existing residents and policies that include moving expenses; rent stabilization programs beyond what is required by California Civil

Code 1946.2; and just cause eviction or other efforts improving tenant stability beyond what is required by California Civil Code 1946.2.

2. *When a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period. (Gov. Code, § 65583.2 (g)(2).).*

As mentioned on the previous review, the housing element relies upon nonvacant sites to accommodate more than 50 percent of the regional housing needs allocation (RHNA) for lower-income households. As a result, the City must find (as part of an adoption resolution), based on substantial evidence, existing uses are not an impediment to additional residential development in the planning period and will likely discontinue in the planning period (Gov. Code, § 65583.2, subd. (g)(2).). HCD has reviewed Resolution Number 21-63, which does not appear to meet this statutory requirement. As a result, the City should re-adopt the housing element with the appropriate findings and submit the resolution, including any pertinent documentation, to HCD.

The element will meet the statutory requirements of State Housing Element Law once it has been revised, adopted, submitted, and reviewed and approved by HCD to comply with the above requirements pursuant to Government Code section 65585.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. During the housing element revision process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory and submit an electronic version of the sites inventory. While the City has submitted an electronic version of the sites inventory, if changes occur, any future re-adopted versions of the element must also submit the electronic version of the sites inventory.

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 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.

HCD appreciates the cooperation that Guillermo Arreola, Community Development Director and the City's consultant Erika Van Sichel provided throughout the housing element review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If HCD can provide assistance in implementing the housing element, please contact Fidel Herrera, of our staff, at [fidel.herrera@hcd.ca.gov](mailto:fidel.herrera@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