

**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



April 20, 2022

Bryan Montgomery, City Manager
City of Indio
100 Civic Center Mall
Indio, CA. 92201

Dear Bryan Montgomery:

RE: City of Indio's 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Indio's housing element adopted April 6, 2022 and received for review on April 7, 2022. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the adopted housing element in full compliance with State Housing Element Law (Article 10.6 of the Gov. Code). The adopted element was found to be substantially the same as the revised element that HCD's March 21, 2022 review determined to meet statutory requirements.

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

- Program 7 (By-Right Development): The City commits to allow development by-right when 20 percent or more of the units are affordable to lower-income households on vacant and underutilized sites identified for the regional housing needs assessment (RHNA) that were previously identified in past housing elements.
- Program 11 (Development Incentives and Programs): The City commits to facilitate lot consolidation and provide specific incentives for lower-income small sites identified for the RHNA.
- Program 27 (Place-Based Strategies): The City commits to identify resources and opportunity areas for place-based strategies and ensures that 100 percent of place-based strategies target opportunities to advance fair housing by Spring 2024, to develop a methodology where opportunities can be prioritized through fair housing lens by Summer of 2025, and to increase coordination and collaboration with relevant departments, agencies and school districts.

- Program 33 (Sites Inventory Zoning Update): The City commits to update the Zoning Ordinance to accommodate the shortfall of 2,286 units for lower-income multifamily development by Mid-2022. Among other things, the program commits to zoning with densities of a minimum of 20 units per acre and permit owner-occupied and rental multifamily uses by right for developments in which 20 percent or more of the units are affordable to lower income households.
- Removal of Constraints: The City will commit to remove minimum unit sizes by Fall 2023 through Program 23; clarify the Design and Site Plan review processes through Program 25 by Fall of 2022; develop reasonable accommodation procedure through Program 28 by Winter of 2023; reduce parking requirements through Program 29 by fall of 2023; and perform a comprehensive update to the zoning code to remove constraints through Program 37 by Fall 2022

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

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the City failed to adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), Program 33 (Sites Inventory Zoning Update) must 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).

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

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the 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 meets housing element requirements for these and other funding sources.

HCD appreciates the effort and dedication the City's housing element team provided throughout the course of the housing element review. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Divya Sen, of our staff, at Divya.Sen@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Melinda Coy", with a long horizontal stroke extending to the right.

Melinda Coy
Senior Housing Accountability Manger