Rezoning Deadline Enforcement

YIMBY Law is tracking Housing Element rezoning deadlines across the state to hold local governments accountable

March 2025

Across California, local governments—cities and counties—are required by the state to plan for their fair share of housing as part of the Regional Housing Needs Allocation process. Every local government is required to update the Housing Element of their general plans to accommodate their housing needs, and if necessary, rezone land in their jurisdictions to ensure that they have the zoned capacity to meet their housing needs.

Cities and counties are now in the midst of their 6th housing element update cycle, which began in most Southern California jurisdictions in October 2021, and in the San Francisco Bay Area in January 2022. Depending on whether a local jurisdiction adopts a housing element that the state's Department of Housing and Community Development (HCD) deems as sufficiently compliant with the law, a local jurisdiction that is required to rezone land to accommodate their housing needs must do so within either one or three years of their housing element's due date.

The one-year rezoning deadlines in most jurisdictions in the state have already passed, and the first of the rezoning deadlines for Southern California jurisdictions that had three years to complete their rezonings just passed in February, 2025.

Much of the information around compliance is buried in city agendas. With no central resource to review follow through on Housing Element commitments, this information becomes diffuse and goes without review. Through our research, we are bringing clarity to these requirements, and disseminating them to interested organizations and activists.

YIMBY Law is working to hold local governments accountable to their rezoning deadlines.

Since 2021, we have been tracking hundreds of cities' and counties' compliance with housing element law across the state: when their housing elements were due and what their rezoning deadlines were or are. We've been reaching out to cities to let them know that we're paying attention, and to ask them what steps they've taken or are planning to take to complete the rezonings they must do.

We sent inquiry letters to **152** cities and counties that we or HCD identified as having rezoning requirements. As of February 13, 2025, we've heard back from **42** jurisdictions.

- **20** jurisdictions claimed to have already completed their required rezonings
- **19** jurisdictions have either completed some but not all of their rezonings, or claim to actively be planning their rezoning efforts
- The city of La Verne **passed an emergency ordinance allowing ministerial approval** of housing projects proposed on the sites identified in their housing element's site inventory promptly after receiving our letter of inquiry!
- The city of Redlands stated that it **has not met** its rezoning deadline of February 12, 2025.
- The city of Monrovia responded that they are not in agreement about what their rezoning requirements are.

We plan to continue to hold local jurisdictions accountable to their housing element obligations. We'll continue to follow up with the jurisdictions that have yet to respond to our inquiries.

We'll also encourage HCD to decertify jurisdictions' housing elements when they fail to meet their rezoning deadlines, **subjecting non-compliant cities to the Builders' Remedy**, a state law which requires non-compliant jurisdictions to approve housing project

proposals that include a specified percentage of deed-restricted below-market rate homes, pre-empting local density requirements and allowing projects that are several times denser than what would otherwise be allowed in the jurisdiction. If necessary, we may even **sue jurisdictions** for failing to comply with their rezoning requirements, compelling them to complete their required rezonings as well as subjecting them to the Builders Remedy.