

**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



October 12, 2022

Brian Saeki
City Manager
City of Whittier
13230 Penn Street
Whittier, CA 90602

Dear Brian Saeki:

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

Thank you for submitting the City of Whittier's (City) housing element adopted on October 12, 2021 and received for review on August 16, 2022, along with revisions received September 28, 2022, October 5, 2022, and October 8, 2022. The technical changes related to the August 16, 2022, September 28, 2022, October 5, 2022, and October 8, 2022, revisions to the adopted element are authorized by 2022-71.

Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by conversations with City consultant, Diana Gonzalez, MIG Project Manager. In addition, HCD considered comments from Abundant Housing LA and YIMBY LAW pursuant to Government Code section 65585, subdivision (c).

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 addresses the statutory requirements described in HCD's January 13, 2022 review.

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

- Program 1.1 (Adequate Sites)
- Program 1.3 (Land Use Policy Changes)
- Program 1.4 (Accessory Dwelling Units)
- Program 2.1 (Inclusionary Housing)
- Program 2.3 (Special Needs Housing)
- Program 3.3 (Objective Design Standards)
- Program 3.5 (Uptown Specific Plan)
- Program 3.7 (Definition of "Residential Care Facilities" and "Family")
- Program 5.1 (Affirmatively Furthering Fair Housing)

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.

In addition, the element includes Program 1.1 (Adequate Sites) identifying adequate sites to accommodate the shortfall of 1,911 units (816 very low- income, 403 low-income, 445 moderate-income, and 247 above moderate-income) by committing to rezone at least 151.8 acres. Among other things, the program commits to zoning with densities of 15.1 - 40 units per acre. Sites rezoned to accommodate the shortfall of lower-income units will have a minimum density 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. While the element gives a completion date of three years from the adoption of the element, pursuant to Government Code section 65583.4, the City of Whittier must complete rezones by three years and 120 days from the statutory deadline (February 12, 2025).

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 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 Molivann Phlong, of our staff, at Molivann.Phlong@hcd.ca.gov.

Sincerely,



Melinda Coy
Proactive Housing Accountability Chief