

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

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October 16, 2025

Elizabeth Oba, Director
Planning and Building Services
City of Bellflower
16600 Civic Center Dr
Bellflower, CA 90706

RE: City of Bellflower – Letter of Technical Assistance

Dear Elizabeth Oba:

The purpose of this letter is to provide technical assistance regarding the implementation of Program 27 (Ensure Adequate Sites to Accommodate the RHNA) to rezone adequate sites to satisfy its lower-income Regional Housing Needs Allocation (RHNA) shortfall.

On March 14, 2025, the California Department of Housing and Community Development (HCD) sent a Letter of Inquiry to the City regarding the completion of program 27. The City responded on April 28, 2025, informing HCD that Program 27 had been completed according to the timeline established in the City's housing element through Resolution No. 25-09 and Ordinance No. 1442. HCD reviewed the documentation submitted by the City, met with the City on July 23, 2025 to resolve outstanding questions, and has determined that, while the resolution and ordinance meet several requirements of state law, the City must demonstrate the rezonings meet all requirements in Government Code section 65583.2, subdivisions (h) and (i).

Specifically, while it appears that more than 50 percent of the City's identified RHNA shortfall is met on mixed-use sites, the ordinance does not state if these mixed-use sites permit 100 percent residential development and require a minimum of 50 percent of the square footage in a mixed-use development to be residential. Additionally, the ordinance does not indicate if the City permits 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. By-right means local government review must not require a conditional use permit, planned unit development permit, or other discretionary review or approval that that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.¹ Additionally, the recent California appellate decision in *Martinez v. City of Clovis* found that while overlays can be used in a rezone, when the base zone allows residential

¹ Gov. Code, § 65583.2, subd. (i)

development, both the base zone and the overlay zone must comply with the minimum density requirements of Government Code section 65583.2, subdivision (h).² While Ordinance No. 1442 provides a maximum density for each Planning Area where the Housing Opportunity Overlay Zone (HOOZ) applies to meet the City's lower-income RHNA, it does not state what the required minimum densities are for the HOOZ or the base zones over which it applies. The submitted ordinance must be revised to ensure all sites being rezoned to satisfy the City's lower-income RHNA shortfall permit a minimum of 20 dwelling units per acre by right.

HCD requests that the City revise its zoning ordinance or provide written documentation clearly demonstrating the rezones meet these statutory requirements. If needed, a copy of the revised ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence before taking any action authorized by Government Code section 65585, subdivisions (i) and (j). Such action may include issuance of written findings (Corrective Action Letter) and revoking HCD's finding that the City's housing element is in substantial compliance with Housing Element Law and/or referral to the California Office of the Attorney General.

HCD provides the City until November 14, 2025 to provide a written response to these findings. If you have questions or need additional information, please contact Stephanie Chan at Stephanie.Chan@hcd.ca.gov.

Sincerely,

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

Melinda Coy
Proactive Housing Accountability Chief

² Martinez v. City of Clovis (2023) 90 Cal.App.5th 193, 307 Cal.Rptr.3d 66