

Sixth Cycle Regional Housing Needs Assessment (RHNA) Appeal Request Form
All appeal requests and supporting documentation must be received by SCAG October 26, 2020, 5 p.m.
Appeals and supporting documentation should be submitted to housing@scag.ca.gov.
Late submissions will not be accepted.

Date:

10/26/20

Jurisdiction Subject to This Appeal Filing:

(to file another appeal, please use another form)

City of Laguna Hills

Filing Party (Jurisdiction or HCD)

City of Laguna Hills

Filing Party Contact Name

David Chantarangsu

Filing Party Email:

dchantarangsu@lagunahillsca.gov

APPEAL AUTHORIZED BY:

Name: City of Laguna Hills City Council

PLEASE SELECT BELOW:

- Mayor
- Chief Administrative Office
- City Manager
- Chair of County Board of Supervisors
- Planning Director
- Other: City Council

BASES FOR APPEAL

- Application of the adopted Final RHNA Methodology for the 6th Cycle RHNA (2021-2029)
- Local Planning Factors and/or Information Related to Affirmatively Furthering Fair Housing (See Government Code Section 65584.04 (b)(2) and (e))
 - Existing or projected jobs-housing balance
 - Sewer or water infrastructure constraints for additional development
 - Availability of land suitable for urban development or for conversion to residential use
 - Lands protected from urban development under existing federal or state programs
 - County policies to preserve prime agricultural land
 - Distribution of household growth assumed for purposes of comparable Regional Transportation Plans
 - County-city agreements to direct growth toward incorporated areas of County
 - Loss of units contained in assisted housing developments
 - High housing cost burdens
 - The rate of overcrowding
 - Housing needs of farmworkers
 - Housing needs generated by the presence of a university campus within a jurisdiction
 - Loss of units during a state of emergency
 - The region's greenhouse gas emissions targets
 - Affirmatively furthering fair housing
- Changed Circumstances (Per Government Code Section 65584.05(b), appeals based on change of circumstance can only be made by the jurisdiction or jurisdictions where the change in circumstance occurred)

FOR STAFF USE ONLY:

Date: _____

Hearing Date: _____

Planner: _____

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Brief statement on why this revision is necessary to further the intent of the objectives listed in Government Code Section 65584 (please refer to Exhibit C of the Appeals Guidelines):

Please include supporting documentation for evidence as needed, and attach additional pages if you need more room.

See City of Laguna Hills RHNA Appeal Request Form Attachment 2 for this response.

Brief Description of Appeal Request and Desired Outcome:

See City of Laguna Hills RHNA Appeal Request Form Attachment 2 for this response.

Number of units requested to be reduced or added to the jurisdiction's draft RHNA allocation (circle one):

Reduced 365 Added _____

List of Supporting Documentation, by Title and Number of Pages

(Numbers may be continued to accommodate additional supporting documentation):

1. Cover letter from the City of Laguna Hills to SCAG, dated October 26, 2020
2. Appeal Request Form Attachment 2 - Responses
- 3.

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Planner: _____



CITY OF LAGUNA HILLS

October 26, 2020

Mr. Kome Ajise, Executive Director
Southern California Association of Governments
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017

Delivered Electronically & USPS First Class Mail

Re: Sixth Cycle Regional Housing Needs Assessment (RHNA) Appeal

Mr. Ajise:

The City of Laguna Hills appreciates this opportunity, provided by the Southern California Association of Governments (SCAG), to file an appeal to modify our allocated share of the regional housing need included as part of SCAG's Regional Housing Needs Assessment (RHNA) Allocation Plan. The City has reviewed SCAG's final RHNA methodology approved on March 5, 2020 and the RHNA resultant allocations. The City of Laguna Hills has also reviewed the *6th Cycle RHNA Appeals Procedures* published by SCAG, including the bases for appeal established by SCAG. Through this review, the City has identified discrepancies demonstrating that the methodology and its applications run counter to specific objectives required by Government Code Section 65584(d), namely that the methodology and its application fail to:

- Promote and encourage infill development and efficient development patterns, and the achievement of the region's ability to achieve greenhouse gas reduction targets provided by the State Air Resources Board, as specified by objective (2).
- Promote an improved intraregional relationship between jobs and housing, as specified by objective (3).

Through our review of the final RHNA methodology and its resultant allocations, the City of Laguna Hills has identified two factors where the manner in which this methodology was applied conflicts with these two objectives. As described below, these are: (1) the inaccurate designation of a High Quality Transit Area within the jurisdictional boundaries of Laguna Hills and (2) the redistribution of residual needs from the City of Santa Ana to non-disadvantaged communities (DAC) throughout Orange County.

APPEAL POINT #1 – HIGH QUALITY TRANSIT AREA (HQTA) DESIGNATION

Objective 3 of Government Code Section 65584.04 (a) requires that the RHNA methodology promote “an improved intraregional relationship between jobs and housing.” Improving proximity to transit for a defined population can improve this critical relationship by aligning transportation with housing planning. The City of Laguna Hills has been allocated a transit accessibility factor of 176 housing units based on the designation of a High Quality Transit Area (HQTA) within its jurisdictional boundaries. The City points out that this HQTA does not exist today and may never be constructed.

The potential project that would create an HQTA is a Bus Rapid Transit Route (BRTR) proposed to run along Interstate 5 (I-5), with a contemplated stop in Laguna Hills. This BRTR is currently under study by the Orange County Transit Agency (OCTA), but the project has not been approved, has not been funded, and possibly may never be approved or constructed. Not only does the route first need to be recommended, it would require an extensive environmental review process which could find it infeasible. It would also require a lengthy public hearing process, during which the public and the ultimate decision-makers may reject it. Even if the BRTR eventually gets approved as part of a broader network, its construction is so far into the future and dependent upon yet-unidentified funding sources that including the HQTA as a factor in the RHNA process is premature.

The current OCTA study is examining five different concepts/route configurations. As indicated by the asterisk below, only two of the five concepts under study include the Laguna Hills portion of I-5. The other three BRT concepts are located further north along I-5 and/or involve State Route 55 (SR 55).

- Concept 1 – Fullerton to Irvine
- Concept 2 – Anaheim to Laguna Niguel*
- Concept 2A – Fullerton to Laguna Niguel*
- Concept 3 – Santa Ana to Newport Beach
- Concept 4 – Fullerton to Irvine

Findings and recommendation from the I-5 Bus Rapid Transit Study will not be available until Spring 2021, at the earliest. It is not reasonable to burden Laguna Hills with additional RHNA housing units based on the assumption of an HQTA which is only a planning concept.

In addition, should the I-5 route adjacent to Laguna Hills be selected for the proposed BRTR on-ramps and station, construction would likely not begin for at least another 10 years, with completion several years after that. This extends well beyond the eight-year time frame of the current 6th cycle RHNA.

For these reasons, the City of Laguna Hills appeals this portion of its allocation. The City should not receive an increased allocation based on what is today only a potential transit project on paper and one which may never occur and, if it does, will be more than a decade in the future before it is completed and operable.

Given the speculative nature of this HQTA designation, the City requests a reduction of 176 housing units.

APPEAL POINT # 2 – REDISTRIBUTION OF RESIDUAL NEEDS FROM THE CITY OF SANTA ANA

The redistribution of nearly 24,000 residual housing units from the City of Santa Ana to non-disadvantaged community (DAC) jurisdictions throughout Orange County, including Laguna Hills, conflicts with two of the five RHNA objectives specified in Government Code Section 65584.04 (a).

First, the reallocation conflicts with objective #2 of “promoting infill development...the encouragement of efficient development patterns, and the achievement of the region’s greenhouse gas reduction targets provided by the State Air Resources Board...”. To fulfill this objective, the RHNA allocation process should encourage more robust development/housing growth in major employment centers like Santa Ana, rather than spreading such growth across the entire county, which will only result in longer commutes, more traffic congestion, and more greenhouse gas (GHG) emissions.

Likewise, the reallocation of the residual housing units away from Santa Ana to other jurisdictions conflicts with objective #3, which is to promote “improved intraregional relationship between jobs and housing...”. Neglecting the opportunity presented by a large and still growing jobs center such as Santa Ana to achieve better jobs/housing balance is counterintuitive given the significant challenge faced by the region in trying to achieve these critically important transportation and environmental goals. This significant opportunity should not be neglected.

Through the RHNA process, the residual needs from the City of Santa Ana—23,167 housing units—were redistributed to non-DAC jurisdictions throughout Orange County. This redistribution was based on the determination that the initial RHNA allocation for Santa Ana exceeded projected household growth in that city between 2020 and 2045. The Laguna Hills share of that reallocation is an additional 387 housing units. As described above, however, the principle of transferring what is characterized as “excess” housing from what is acknowledged to be a job-rich and transit-rich community conflicts with two of the five RHNA objectives specified in Government Code Section 65584.04 (a). To fulfill RHNA objectives 2 and 3, the RHNA allocation process should encourage more development/housing growth in major jobs centers like Santa Ana.

The City acknowledges the goal for all cities in the county to provide their fair share to achieve RHNA goals. However, fair-share goals should not entirely override regional transportation and environmental goals. A more balanced approach would assign 50 percent of the residual amount to non-DAC cities (approximately 11,583 housing units) with the balance remaining within Santa Ana, which has the jobs base equipped to meet these objectives. For Laguna Hills, this shift would reduce our allocation from 378 housing units to 189 housing units.

Given the conflict with objectives 2 and 3, the City of Laguna Hills requests a reduction of 189 housing units

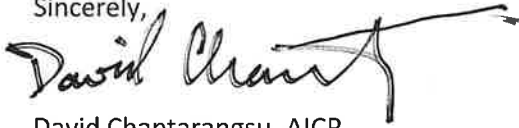
RHNA REDUCTION REQUEST

Based on the above discussion and analysis, the City of Laguna Hills argues that a reduction in its RHNA by **365 units** strengthen the attainment of objectives of: (1) promoting infill development...the encouragement of efficient development patterns, and the achievement of the region’s greenhouse gas

reduction targets provided by the State Air Resources Board..." and (2) promoting an improved intraregional relationship between jobs and housing.

The attached RHNA Appeal Form summarizes our arguments and reduction request.

Sincerely,

A handwritten signature in black ink, appearing to read "David Chantarangsu". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

David Chantarangsu, AICP
Community Development Director
City of Laguna Hills

Attachment: Sixth Cycle Regional Housing Needs Assessment (RHNA) Appeal Request Form with Responses Attachment (Attachment 2)

Brief statement on why this revision is necessary to further the intent of the objectives listed in Government Code Section 65584

The manner in which the RHNA methodology was applied and the resultant RHNA allocations to the City of Laguna Hills conflicts with two objectives of Government Code Section 65584.04. First, it conflicts with objective (2), which requires promoting infill development...the encouragement of efficient development patterns, and the achievement of the regions greenhouse gas targets. Secondly, the application also conflicts with objective (3), which requires that the RHNA methodology promote an improved intraregional relationship between jobs and housing.

The City of Laguna Hills has identified two separate factors which are in conflict with with the stated objectives of the RHNA methodolgy. First, the City of Laguna Hills has been allocated a transit accessibility factor of 176 housing units based on the designation of a High Quality Transit Area (HQTA) within its jurisdictional boundaries. In reality, this HQTA currently does not exist and may never exist. This conflicts with objective (3).

Second, the redistribution of nearly 24,000 housing units from the City of Santa Ana, a job-rich and transit-rich community, to non-disadvantaged jurisdictions throughout Orange County conflicts with both objectives (2) and (3). Spreading these "excess" housing units across the county will only result in longer commutes, more traffic congestion, and increased greenhouse gas emissions.

Brief Description of Appeal Request and Desired Outcome:

First, the potential HQTA is a Bus Rapid Transit Route proposed to run along Interstate 5, with a possible station in Laguna Hills. This BRTR is currently under study by the Orange County Transit Agency, but the project has not been approved, has not been funded, and possibly may never be approved or constructed. Given the speculative nature of this HQTA designation, the City requests a reduction of 176 units.

Second, the RHNA allocation process should encourage more robust development/housing growth in major employment centers like Santa Ana. Neglecting the opportunity presented by a large and still growing job center to achieve a better jobs/housing balance is counterintuitive. The City of Laguna Hills acknowledges the need for all cities to provide their fair share to achieve RHNA goals, but fair share goals should not entirely override regional transportation and environmental goals. A more balanced approach would assign 50 percent of the residual amount to non-DAC cities and the remaining 50 percent would stay with Santa Ana. This more balanced approach would reduce the allocation for Laguna Hills from 378 housing units to 189 units.