

**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](mailto: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 Los Alamitos

Filing Party (Jurisdiction or HCD)

Jurisdiction

Filing Party Contact Name  
Ron Noda

Filing Party Email:  
rnode@cityoflosalamitos.org

**APPEAL AUTHORIZED BY:**

Name: Chet Simmons

**PLEASE SELECT BELOW:**

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

**BASES FOR APPEAL**

- Application of the adopted Final RHNA Methodology for the 6<sup>th</sup> 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.**

The City of Los Alamitos believes it is necessary to revise the Draft RHNA Allocation to further the intent of the statutorily mandated objectives listed in Government Code Section 65584(d). In addition, this appeal is consistent with, and not to the detriment of, the development pattern in the applicable Sustainable Communities Strategy (SCAG's Connect SoCal Plan) developed pursuant to Government Code Section 65080(b)(2) as explained herein. This appeal is based on the following areas of concern which are discussed in the next section in accord with Government Code Section 65584(d):

1. Local Planning Factors
2. Water/sewage services based on decisions by provider other than the jurisdiction
3. Methodology
4. Changed circumstances

**Brief Description of Appeal Request and Desired Outcome:**

The City requests that due to the previously-mentioned conditions above and in the supporting documentation, to include the changed circumstances experienced by Los Alamitos as a result of COVID-19, that its 6th cycle RHNA allocation be adjusted to 267 housing units.

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

Reduced 500                      Added \_\_\_\_\_

**List of Supporting Documentation, by Title and Number of Pages**

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

1. RHNA Appeal Narrative
2. City Council Resolution of Intent
3. Comment letter to SCAG dated September 5, 2019

**FOR STAFF USE ONLY:**

Date \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Planner: \_\_\_\_\_



CITY OF  
**Los Alamitos**  
*California*

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Los Alamitos, CA 90720-5600  
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FAX: (562) 493-1255  
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October 26, 2020

Mr. Kome Ajise, Executive Director  
Southern California Association of Government (SCAG)  
900 Wilshire Boulevard, Suite 1700  
Los Angeles, CA 90017

**SUBJECT: CITY OF LOS ALAMITOS APPEAL OF THE SIXTH CYCLE DRAFT  
REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) ALLOCATION**

Dear Mr. Ajise:

The City of Los Alamitos ("City") hereby submits this appeal to the Southern California Association of Government (SCAG) of the Draft Regional Housing Needs Assessment (RHNA) Allocation ("Draft RHNA Allocation") received September 11, 2020, for the Sixth Housing Element Cycle (2021-2029).

A revision to the Draft RHNA Allocation is necessary to further the intent of the statutorily mandated objectives listed in Government Code Section 65584(d). In addition, this appeal is consistent with, and not to the detriment of, the development pattern in the applicable Sustainable Communities Strategy (SCAG's Connect SoCal Plan) developed pursuant to Government Code Section 65080(b)(2) as explained herein. This appeal is based on the following grounds:

1. Local Planning Factors
  - a. SCAG failed to adequately consider the information submitted by the City describing a variety of factors that influence housing production.
    - i. The City is a built-out community with minimal land available for urban development. The 6<sup>th</sup> cycle number of 767 units given to Los Alamitos is excessive.
    - ii. The City contains the Joint Forces Training Base (JFTB), which comprises approximately 2.25 square miles of the 4.25 square miles

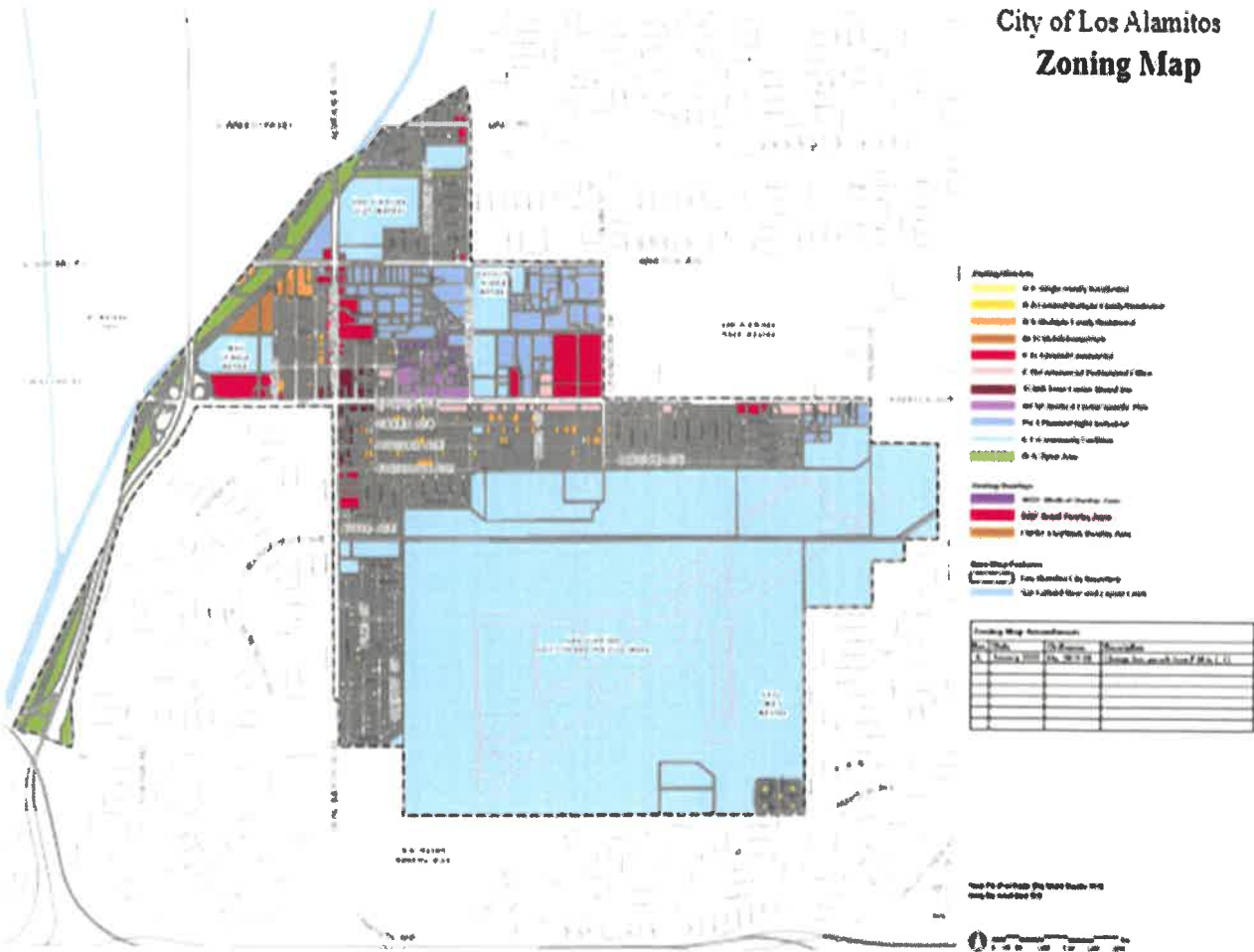
of the City. The JFTB installation includes an airport, military training grounds, and houses military equipment and vehicles.

2. Water/sewer services based on decisions by provider other than the jurisdiction
  - a. The City does not provide water and sewer services to its residents and businesses. Water is provided by Golden State Water and sewer services are provided by the Rossmoor/Los Alamitos Area Sewer District (RLAASD) in conjunction with the Orange County Sanitation District (OCSD).
3. Methodology
  - a. SCAG failed to determine the City's share of regional housing needs in accordance with the information described in the Final RHNA Methodology established and approved by SCAG, and in a manner that furthers, and does not undermine the five objectives listed in Government Code Section 65584(d).
4. Changed Circumstances
  - a. A significant and unforeseen change in circumstances has occurred that supports revisions to the information submitted pursuant to Government Code Section 65584.04(b). The COVID-19 Pandemic and its spillover effects on the local economy, including the housing market are profound. The City of Los Alamitos recommends that SCAG reevaluate the RHNA number with the new information/studies in hand.

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**Community Summary**

Los Alamitos is a community at the northern edge of Orange County, next to Los Angeles County. The City has a population of approximately 11,500 with residential, commercial, and business uses to meet local needs to live, work, and play. Los Alamitos is approximately 4.25 square miles with the Joint Forces Training Base (JFTB) encompassing approximately 2.25 square miles. Residents enjoy the small town atmosphere due to “everyone knowing everyone” and special events such as Trunk or Treat, Winter Wonderland, Spring Carnival and many more that brings the community together.



## Grounds for the City of Los Alamitos Appeal

### Local Planning Factors

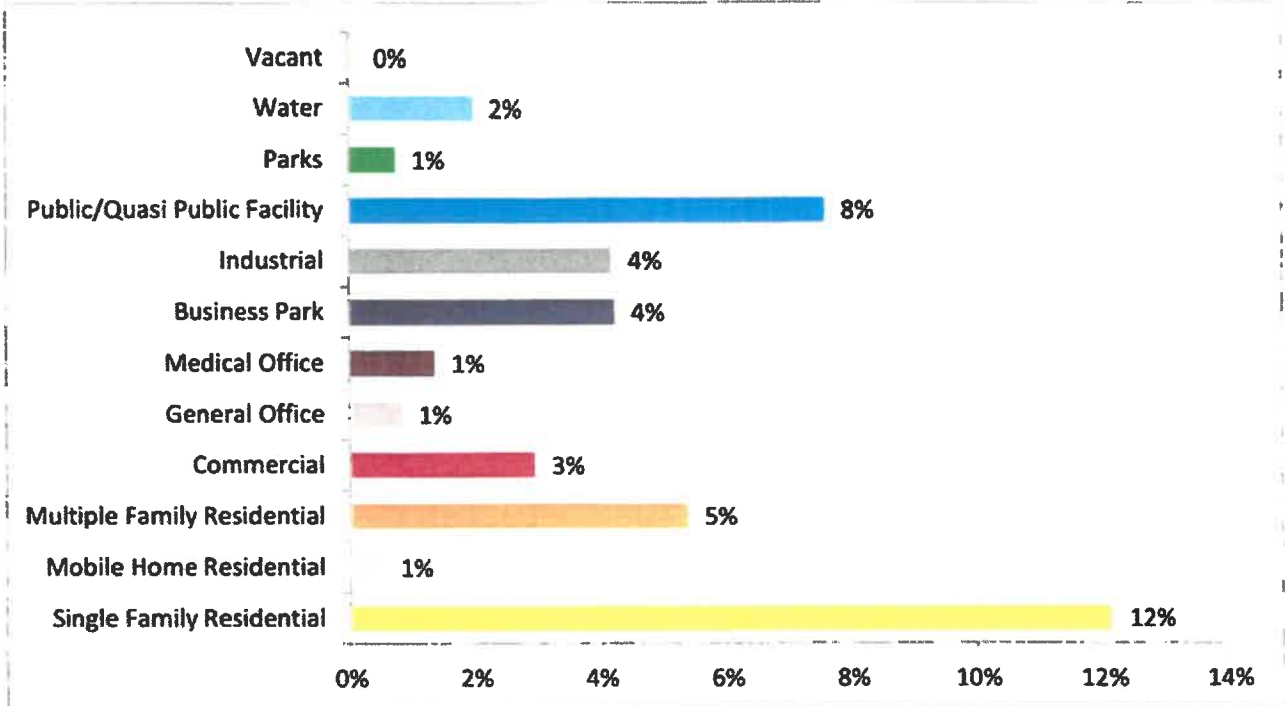
The City's 5<sup>th</sup> Cycle housing unit number was 61 and the 6<sup>th</sup> Cycle number is 767. This is an increase of approximately 1,150%.

The following sections describe the significant constraints to development of additional housing and/or conversion to residential use, which were not adequately considered by SCAG, including:

- 89% of the land within the City is not available for additional development. This includes existing and built-out multifamily residential, commercial, general office, medical office, business park, industrial, public/quasi-public facilities, parks, the Joint Forces Training Base, right of way/easement and water.
- Of the City's 2,619 acres of area, approximately 3 acres (0.01%) are available space, approximately 1,317 acres (50%) are occupied by the Joint Forces Training Base, and approximately 394 acres (15%) are dedicated right of way/easement and water and therefore not suitable for development due to these existing uses.

Existing Land Use	Acres	Units	Population	Employment
<b>Residential</b>				
Single Family	275	1,680	4,322	-
Mobile Home	12	112	288	-
Multiple Family	122	2,629	6,764	
<b>Commercial &amp; Employment</b>				
Commercial	67	-	-	2,896
General Office	19	-	-	1,788
Medical Office	31	-	-	3,065
Business Park	96	-	-	2,912
Industrial	95	3	10	2,149
<b>Public/Other</b>				
Public/Quasi Public Facility	172	-	-	680
Parks	17	-	-	-
Joint Forces Training Base	1,317	-	-	775
• Base Facility	1,063	-	-	675
• General Office	12	-	-	100
• Golf Course	220	-	-	-
• Parks	22	-	-	-
Water	45	-	-	-
Vacant	3	-	-	-
Subtotal of Parcelized Land	2,270	-	-	-
Right of Way/Easement	349	-	-	-
All Land within City Boundaries	2,619	4,424	11,384	14,265

**Chart 1. Los Alamitos, Detailed Existing Land Use Breakdown by Acreage (without JFTB)**



Note: These figures consider only parcelized land and exclude right-of-way. Source: PlaceWorks, 2013.

The City has scarce vacant land and will have tremendous difficulty in meeting the Draft RHNA that was assigned to the City without regard to whether or not there exists feasible locations for increased residential use. It is suggested that SCAG include a more comprehensive level of analysis and establish interaction with the City prior to assigning its final RHNA allotment.

The Joint Forces Training Base (JFTB) contains an operational airfield, storage, and a repair facility for military aircraft. The JFTB has two runways, a 5,900 ft. PEM nonskid surface and an 8,000 ft. concrete and asphalt runway. The airfield is one of the most active Department of Defense aviation operations in the Continental United States and is located in one of the most congested air space in the world.

Residential development outside of the airfield area is restricted due to noise impact. Additionally there are building restrictions and height limitations that restrict multi-story development of multi-family residential units.



JFTB Airfield

### Water Services

Golden State Water (GSW) Company delivers quality, reliable water to more than 1.0 million people including the City of Los Alamitos since 1929.

### Sewer Services

Sewer services are provided to the City by the Rossmoor/Los Alamitos Area Sewer District (RLAASD) in conjunction with the Orange County Sanitation District (OCSD), which are a public agency that provides wastewater collection, treatment, and disposal services for approximately 2.6 million people to include Los Alamitos.





Development of housing in the City of Los Alamitos has a number of growth constraints. One of the constraints is water and sewage infrastructure. Considerable growth population will place a strain on current infrastructure as Los Alamitos does not own and maintain the water/sewer infrastructure for the City. Sizeable housing growth needs to include the utility companies in the discussion.

## **Methodology**

The methodology of redistributing units from the residual need calculation fails to provide an equitable distribution at a regional level, undermining objectives listed in Government Code Section 65584(d). SCAG has not yet determined each jurisdiction's Regional Housing Need in a manner that furthers, and does not undermine, State Housing Goals.

SCAG failed to determine each jurisdiction's regional housing need in a manner that furthers, and does not undermine, the intent and objectives of state housing laws as required by Government Code Section 65584(d). Specifically, SCAG granted an exception to jurisdictions with more than 50% of their population located in high poverty/segregation areas, otherwise known as Disadvantage Communities (DAC), rather than proportionately distributing those residential need units based upon percentage or each jurisdiction's total population that lives in a high DAC area.

In November, 2019, the Regional Council approved a substitute motion removing the household growth factor and significantly modifying the Draft RHNA Allocation methodology to shift approximately 44,000 units of residential RHNA Allocation from five jurisdictions in Orange County that qualify for the DAC protection of the 2020-2045 household growth to non-DAC jurisdictions in Orange County. The redistribution at the County level was not vetted at the RHNA subcommittee of the Community, Economic and Human Development (CEHD) committee and was introduced merely days before the vote at the Regional Council. As a result, the vast majority of non-DAC cities (approximately 30 cities) not deemed, including Los Alamitos, were forced to accommodate the residual need. This effectively increased the City's Draft RHNA Allocation not based on local needs, but based upon the residual need left by these other jurisdictions. In a comment letter from the City to SCAG, dated September 5, 2019, the City of Los Alamitos requested the involvement of local jurisdictions since each entity has its own needs. The City also requested that SCAG to keep the City informed through the process. Those requests have not been met to a satisfactory level.

SCAG failed to consider information submitted to it as a result of the survey required by Government Code section 65584.04(b) and information that was readily available to SCAG during development of its regional housing need allocation methodology. Specifically, SCAG failed to hold DAC Jurisdictions accountable for their fair share of the housing burden by recognizing planned and approved housing projects by DAC

Jurisdictions, which in turn, caused the units that were redistributed to non-DAC cities to be double-counted.

The City requests that Los Alamitos's RHNA Allocation be reduced to 267, through utilizing the methodology employed during the 5<sup>th</sup> Cycle (January 2014 to October 2021).

*5<sup>th</sup> Cycle RHNA Allocation Methodology*

1. Existing and projected jobs and housing relationship
2. The opportunities and constraints to develop additional housing in each member jurisdiction, including all of the following:
  - a. (i) Lack of capacity for sewer or water service
  - b. (ii) The availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, and opportunities for infill development and increased residential densities
  - c. (iii) Lands preserved or protected from urban development
  - d. (iv) County policies to preserve prime agricultural land
3. The distribution of household growth assumed for purposes of a comparable period of RTP and opportunities to maximize the use of public transportation and existing transportation infrastructure
4. The market demand for housing
5. Agreements between a county and cities in the county to direct growth toward incorporated areas of the county
6. The loss of units contained in assisted housing developments
7. High housing costs burdens
8. The housing needs of farmworkers
9. The housing needs generated by the presence of a private university or a campus of the California State University or the University of California within any member jurisdiction
10. Any other factors adopted by the Council of Governments

The 5<sup>th</sup> Cycle RHNA Allocation Methodology also addressed the goals of state housing law in Government Code Section 65584 (d), including:

1. Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner
2. Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns
3. Promoting an improved intraregional relationship between jobs and housing

4. Allocating a lower proportion of housing needs to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent decennial United States census

### **Changed Circumstances**

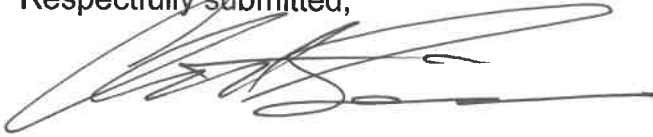
The COVID-19 Pandemic has had a considerable impact on Los Alamitos's economy as well as the state. The pandemic was unforeseen and unaddressed during the development of the regional Draft RHNA methodology for the 6<sup>th</sup> Cycle. The latest RHNA requirements will have lasting impact upon the City's economy and housing market. Additionally, population growth trends in California have recently been revised to reflect a substantially lower rate of population growth in the region.

Prior to COVID-19, the restrictions imposed, and ongoing, have significantly impacted all aspects of the City of Los Alamitos's economy. It is estimated that it will take years to return Los Alamitos to pre-COVID levels. Due to the unforeseen circumstances, the impacts to the economy, and consequently to the housing market, are profound and should be considered when evaluating realistic development potential over the eight year cycle.

### **Conclusion**

Los Alamitos is one of the smallest cities in Orange County, and prides itself on its "small town charm," even while it exists as a built out environment. Land available for residential development is scarce as vacant land accounts for 0.01%. The military air field, known as the Joint Forces Training Base with its constraints, as well as the City's reliance on outside vendors to provide water and sewage service to its constituents are significant local factors influencing residential development. Los Alamitos respectfully requests that SCAG revise the Draft RHNA allocation utilizing the 5<sup>th</sup> Cycle methodology. Doing so would further state housing objectives of Government Code section 65584(d) by "increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner," and further "promoting an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction." In summary, the City requests that due to the previously-mentioned conditions, to include the changed circumstances experienced by Los Alamitos as a result of COVID-19, that its 6<sup>th</sup> cycle RHNA allocation be adjusted to 267 housing units.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chet Simmons', written over a horizontal line.

Chet Simmons, City Manager

cc: Michael Daudt, City Attorney  
Ron Noda, Acting Deputy City Manager

*Attachment 1. Resolution 2020-33  
2. Comment letter dated September 5, 2019*

**RESOLUTION No. 2020-33**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, OPPOSING THE MODIFIED REGIONAL HOUSING NEEDS ALLOCATION METHODOLOGY AND ASSESMENT**

**WHEREAS**, California State housing law requires each city and county plan for existing and future housing needs in accordance with the outcome of the Regional Housing Needs Assessment (RHNA) process; and,

**WHEREAS**, the Southern California Association of Governments (SCAG) is responsible for developing a uniform methodology for the distribution of the RHNA allocations among member cities and counties; and,

**WHEREAS**, the SCAG process to develop the allocation methodology for the 6<sup>th</sup> cycle RHNA, covering the planning period from October 2021 through October 2029, included opportunities for stakeholder engagement throughout, including detailed discussion of three draft allocation methodology options during a series of public meetings and hearings intended to ensure robust participation by the public and affected agencies; and,

**WHEREAS**, based on input from the City of Los Alamitos and other area stakeholders, SCAG staff developed and recommended for adoption a single recommended RHNA allocation methodology that would effectively distribute the 6<sup>th</sup> cycle RHNA allocation throughout the region; and,

**WHEREAS**, during the SCAG Regional Council meeting, a substitute motion was made by the City of Riverside that modified the staff recommended methodology and shifted a significant portion of the 6<sup>th</sup> cycle RNHA allocation away from Riverside and San Bernardino Counties toward already built-out Orange County; and,

**WHEREAS**, this modified RHNA allocation methodology was approved by the SCAG Regional Council by a contested vote of 43-19 (opposed by all Orange County SCAG representatives) despite a lack of detail regarding the associated impacts of the proposed methodology changes, supporting documentation as to the merit of the proposed changes, and any opportunity for informed stakeholder input; and,

**WHEREAS**, this modified RHNA allocation methodology does not take into account the development realities of cities in Orange County and requires the addition of 1,341,827 housing units to the development plans for the region; and,

**WHEREAS**, Los Alamitos' allocation of 767 units is a significant amount of housing for a largely built-out city to absorb and will undermine the City's specific land use planning efforts, which have been aimed at responsibly managing growth, traffic, and economic concerns; and,

**WHEREAS**, recent housing shortage studies have shown significant mistakes in the California Department of Housing and Community Development's determination of the overall housing shortage calculation, resulting in a double counting of the need for units; and,

**WHEREAS**, these studies suggest that the total number of new residential units needed for all of California is only 820,000, significantly lower than the 1,3341,827 that were designated for the Southern California region alone; and,

**WHEREAS**, these mistakes significantly impact Los Alamitos' ability to effectively plan and manage growth in our jurisdiction and represent a further erosion of cities' ability to determine their own development standards and futures.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:**

SECTION 1. The City Council of the City of Los Alamitos, California, finds that the above recitals are true and correct.

SECTION 2. The City Council strongly disagrees with the determinations and mythology used by California Department of Housing and Community Development in determining the 6<sup>th</sup> cycle RHNA allocations. The modified RHNA allocation, as well as the manner in which it was approved by the SCAG Regional Council, undermine the integrity of what is mandated to be a collaborative process and present a significant challenge to local development efforts and standards.

SECTION 3. The City Council publicly states its opposition to the modified RHNA allocation methodology and request that the SCAG President's RHNA Litigation Study Team be convened to review these new studies and to pursue all available avenues to revise the 6<sup>th</sup> cycle RHNA allocations.

SECTION 5. The City Clerk shall certify as to the adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** this 19<sup>th</sup> day of October, 2020.

\_\_\_\_\_  
Richard D. Murphy, Mayor

ATTEST:

\_\_\_\_\_  
Windmera Quintanar, MMC, City Clerk

APPROVED AS TO FORM:

---

Michael S. Daudt, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF LOS ALAMITOS )

I, Windmera Quintanar, MMC, City Clerk, of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 19<sup>th</sup> day of October, 2020, by the following vote, to wit:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

---

Windmera Quintanar, MMC, City Clerk



September 5, 2019

Peggy Huang, Chair  
Regional Housing Needs Assessment Subcommittee  
Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700  
Los Angeles, California 90017

**SUBJECT: REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) METHODOLOGY**

Dear Chair Huang and Members of the RHNA Subcommittee:

Thank you for the opportunity to make comments concerning the current conversation surrounding the methodology for the next round of the Regional Housing Needs Assessment (RHNA). We appreciate the hard work of your Committee and the Staff at SCAG.

We have reviewed the three options for the methodology and has these comments:

- **Local input should be employed in the RHNA methodology.** Each jurisdiction has its own needs, and on the ground condition of its open space, and a one-size-fits-all approach would have a negative result on the character of individual cities. The last two large parcels in the City of Los Alamitos are currently under development. One of these parcels, now under construction, will have a 50-unit townhome style condominium development, and the other, soon to be started, will have a 107-unit apartment project. If the residents of our City were engaged in a conversation, they would assume that with these two projects, our City is "built out." However, the City does have scattered properties that could potentially have more units built on them as well as a handful of small empty parcels. We are doing all that we can to encourage infill housing in these areas. The City understands the need for more housing in this and other Cities in the region, but the large numbers that appear in some of the current options, such as option one and two, would require a great deal of removal of current structures in the City to make way for these large numbers. The impact of lack of individual input could be devastating to the character of neighborhoods and cities.
- **Appeals processes should be clarified.** Our City agrees with others that SCAG should consider the methodology for redistributing housing units that are successfully appealed. Will jurisdictions that successfully file an appeal to their RHNA be exempt from receiving additional housing units successfully appealed by other jurisdictions in the region?

Once again, we appreciate the effort that the RHNA subcommittee and SCAG Staff are taking to keep our City informed through this complicated process.

Sincerely,

**CITY OF LOS ALAMITOS**

Warren Kusumoto  
Mayor