

Sixth Cycle Regional Housing Needs Assessment (RHNA) Appeal Request Form
All appeal requests and supporting documentation must be received by SCAG June 15, 2020, 5 p.m.
Appeals and supporting documentation should be submitted to housing@scaq.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 West Hollywood

Filing Party (Jurisdiction or HCD)
 City of West Hollywood

Filing Party Contact Name
 Rachel Dimond

Filing Party Email:
 Rdimond@weho.org

APPEAL AUTHORIZED BY: *John Keho*

Name: John Keho, Director of Planning and Development Services

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 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.

The City of West Hollywood respectfully submits this appeal request for the Regional Housing Needs Assessment (RHNA) allocation of 3,924 units for the upcoming 6th RHNA cycle, from October 2021 through October 2029. The subject appeal is based on the city's success producing units in the current RHNA cycle in comparison to the city's current RHNA allocation, as compared to the production of units in other jurisdictions to the region and state at large. In the last RHNA cycle and by the end of 2019, the city produced 2,586 units over the RHNA allocation. This number represents more than over 10% of total housing stock in the city. Simply, in the last RHNA cycle, West Hollywood produced an additional 10% of its housing stock, which represents greater than 3400% more production than the RHNA allocation.

Housing produced during the prior cycle has redeveloped many of the available sites within the small city, and the units achieved should be recognized. Without recognition, the great amount of housing constructed in the past cycle constrains the ability to achieve the units required in the sixth cycle RHNA allocation. This restricts the City's ability to affirmatively further fair housing, which is an objective of RHNA listed in Government Code 65584. The units were constructed, but the City is not given credit for any units above the RHNA allocation. Additionally, the City should not bear the burden of the existing need for the region when the City has disproportionately contributed to affordable and market rate housing stock. The City of West Hollywood has the highest density in the region and has contributed the most affordable units on the Westside per capita and per square mile. The City has met and far surpassed its existing need as shown by the significant overproduction of units compared to the RHNA allocation and should not have to bear the burden of the regional existing needs. As required by the established appeals process, the appeal is consistent with, and not to the detriment of, the development pattern in the sustainable communities strategy, or SCAG's Connect SoCal Plan, pursuant to Government Code Section 65080(b)(2).

See attached letter for more information.

Brief Description of Appeal Request and Desired Outcome:

This appeal request of the Regional Housing Needs Assessment (RHNA) allocation of 3,924 units for the upcoming 6th RHNA cycle is based on the city's success producing units in the current RHNA cycle in comparison to the city's current RHNA allocation, as compared to the production of units in other jurisdictions to the region and state at large, which limits the City's ability to affirmatively further fair housing. The City of West Hollywood is requesting that the current RHNA allocation of 3,924 units be reduced by 2,586 units, the number of units the City has produced beyond the current RHNA cycle allocation as of the end of 2019, bringing the requested allocation to 1,338 units. This number could be reduced further with confirmation of 2020 building permits. As an alternative to the City's request for a reduction of units outlined above, the City would also like to request a reduction of 283 units to 3,641 units, which still aligns the City's high-density job center with the Connect SoCal Plan. The 283 units are units allocated to the City of West Hollywood for the net residual existing need. These units are the burden of the region being hoisted onto the City of West Hollywood, which overburdens the city's ability to affirmatively further fair housing. These units are specifically accounted for in the City's overproduction of units, yet the regional share of units is divided up among cities.

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

Reduced 2,586 units Added _____

List of Supporting Documentation, by Title and Number of Pages

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

1. see attached letter

- 2.

- 3.

FOR STAFF USE ONLY:

Date _____ Hearing Date: _____ Planner: _____



CITY OF
WEST HOLLYWOOD

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**PLANNING &
DEVELOPMENT
SERVICES
DEPARTMENT**

October 26, 2020

Southern California Association of Governments
RHNA Subcommittee
900 Wilshire Blvd
Los Angeles, CA 90017
Sent via email to: housing@scag.ca.gov

RE: RHNA Allocation Appeal

Dear Chair Huang and RHNA Subcommittee members,

The City of West Hollywood is committed to providing our fair share of regional housing, as well as providing affordable housing for our existing and future residents. West Hollywood's General Plan policies reflect this commitment: the majority of our city's land is zoned to allow multi-family residential development. West Hollywood is a national leader in affordable housing requirements and was among the first to adopt a mandatory inclusionary housing program. West Hollywood actively partners with affordable housing developers to create new affordable housing. The City advocates for the maintenance of existing affordable multifamily structures and with Los Angeles County to provide Section 8 housing and has a strong rent stabilization program that helps to mitigate rising real estate costs.

The City of West Hollywood respectfully submits this appeal request for the Regional Housing Needs Assessment (RHNA) allocation of 3,924 units for the upcoming 6th RHNA cycle, from October 2021 through October 2029. The subject appeal is based on the city's success producing units in the current RHNA cycle in comparison to the city's current RHNA allocation, as compared to the production of units in other jurisdictions to the region and state at large. In the last RHNA cycle and by the end of 2019, the city produced 2,586 units over the RHNA allocation. This number represents a 10% increase in the city's housing stock and we exceeded our RHNA allocation by 3400%.

Housing produced during the prior cycle has redeveloped many of the available sites within this small city, and those units should be recognized. Without recognition, the efforts in the past cycle that achieved the great amount of housing constructed now constrains the market's ability to achieve those very units, which are now required in the sixth cycle RHNA allocation. This restricts the City's ability to affirmatively further fair housing, which is an objective of RHNA listed in Government Code 65584. The units were constructed, but the City is not given credit for any units above the RHNA allocation. The City should not bear the burden of the existing need for the region when the City has disproportionately contributed to affordable and market rate housing stock. The City of West Hollywood has one of the highest densities in the region and has





contributed the most affordable units on the Westside per capita and per square mile. The City has met and far surpassed its existing need as shown by the significant overproduction of units compared to the RHNA allocation and should not have to bear the burden of the regional existing needs. As required by the established appeals process, the appeal is consistent with, and not to the detriment of, the development pattern in the sustainable communities strategy, or SCAG's Connect SoCal Plan, pursuant to Government Code Section 65080(b)(2).

The City of West Hollywood is requesting that the current RHNA allocation of 3,924 units be reduced by 2,586 units, the number of units the City has produced beyond the current RHNA cycle allocation as of the end of 2019, bringing the requested allocation to 1,338 units. Regardless of allocation, the City of West Hollywood will continue to be a recognized leader in the production of housing across all income levels. Cities should be encouraged to create housing beyond their target allocation. West Hollywood has taken that approach and as a consequence, and because of our limited size and land use pattern, now has fewer opportunities to meet the allocation as assigned. Further, one of the tenets the City of West Hollywood was founded on was the protection of renters and in order to meet the proposed allocation we would have to compromise this core value – which is shared by the State. A significant proportion of the City's area is made up of rent-stabilized, multi-family housing. Destruction of units and displacement of residents, either temporary or permanent, would be necessary to achieve the purposed allocation. This further compromises our commitment to affirmatively further fair housing.

As an alternative to the City's requested reduction of 2,586 units, as outlined above, the City would also like to request a secondary reduction of 283 units to 3,641 units, which still aligns the City's high-density job center with the Connect SoCal Plan. The 283 units are units allocated to the City of West Hollywood for the net residual existing need. These units are the burden of the region being hoisted onto the City of West Hollywood, which overburdens the city's ability to affirmatively further fair housing. These units are specifically accounted for in the City's overproduction of units, yet the regional share of units is divided up among cities. The City's primary request is for a reduction of 2,586 units, which we believe is a reasonable request as outlined above, however, we wanted to also provide a secondary alternative request as well, based on the rationale included in this paragraph.

Our city of 1.9 square miles was reported by SCAG in 2016 to contain a population of 36,735 people. At 19,000 residents per square mile, we have one of the highest densities in the region, and the state. Our existing population density is approximately three times that of two other similarly populated Westside cities, and near double that of Santa Monica, the largest Westside city. The City is not only committed to housing, but also serves as a High Quality Transit Area and a regional jobs center. However, the City is being evaluated in a similar manner to neighbors who do not have the same commitment to affordable housing production or jobs in a balanced manner.

The decision to file an appeal is not based on opposition to providing housing—the City's stellar record shows that West Hollywood supports housing. The decision to file an appeal is rather to ensure the program is applied in a fair and equitable manner, so that





a good actor such as the City of West Hollywood does not bear an imbalanced burden. Since the City was one of the only cities to overproduce housing in the last cycle, and since the City is small in physical size, the City should receive credit for the housing that is being required as “existing need.” This is a burden placed on the City due to the inability of other cities in the region to meet their own housing goals. The overproduction in the current cycle makes it extremely difficult to meet the future allocation because of the significant production in the prior period.

Affirmatively furthering fair housing means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. SCAG failed to consider information submitted by the local jurisdiction relating to certain local factors outlined in Govt. Code § 65584.04(e) and information submitted by the local jurisdiction relating to affirmatively furthering fair housing pursuant to Government Code § 65584.04(b)(2) and 65584(d)(5). Specifically, the City has overproduced units as follows:

RHNA and Units Issued Building Permits (2014-2019)

	<i>Very Low</i>	<i>Low</i>	<i>Moderate</i>	<i>Above Moderate</i>	<i>Total</i>
<i>RHNA (2014-2021)</i>	19	12	13	33	77
<i>Building Permits Issued 2014-2019</i>	157	103	97	2,306	2,663
<i>Overage</i>	138	91	84	2,273	2,586

In the 2013-2021 Housing Element cycle, the City of West Hollywood was assigned a RHNA of 77 housing units to be developed in a span of 8 years. The City did not elect to appeal this very low allocation. As of 2019, the City met its assigned RHNA numbers in all affordability brackets, as shown with the number of building permits issued in each category of affordability. In just 5 years, the City expanded by over 10% the total number of dwelling units. This overproduction of units should be counted toward the City’s 6th cycle allocation.

Overall, just 30 communities in the state have met their RHNA numbers in all levels of affordability in the current 5th cycle as of July 1, 2020 (based on HCD SB 35 eligibility). That means that a vast majority of the region, including adjacent City of Los Angeles, have not appropriately contributed to their existing need. The cities that have not performed should bear a bigger burden of the existing need for the RHNA allocation calculation. We urge the SCAG RHNA Subcommittee, acting as the RHNA Appeals





Board, to adjust the City of West Hollywood’s RHNA allocation by the overproduction in the prior cycle or to eliminate the 283 units that are net residual existing need. The following shows the percentage completion in each category for all Westside cities, plus Los Angeles. While these cities have technically all met their RHNA need, the difference between West Hollywood’s completion rate is astounding.

Current RHNA Cycle Completion as of July 1, 2020

(source: HCD SB 35 methodology)

City	%Very Low Income	% Low Income	% Moderate	% Above Moderate
West Hollywood	363%	1,233%	362%	4,161%
Beverly Hills	400%	600%	0%	0%
Culver City	13%	0%	0%	108%
Santa Monica	71%	81%	9%	175%
Los Angeles	15%	18%	2%	153%

While we are not questioning the methodology, when it comes down to distribution of dwelling units as part of the RHNA allocation, that City of West Hollywood is bearing a completely unfair burden as compared to neighboring cities. As shown in the chart below, RHNA allocation units per square mile range from 542 units per square mile in Beverly Hills to the City of Los Angeles at 907 units per square mile. West Hollywood is being allocated 1,981 units per square mile, over 1,236 more units than the average allocation in the Westside Cities.

RHNA Allocation Compared to Size of Westside Cities

City	Size	6 th Cycle RHNA Allocation	RHNA Allocation units/sq. mile
West Hollywood	1.98 sq. mi.	3,924 units	1,981
Beverly Hills	5.71 sq. mi	3,096 units	542
Culver City	5.14 sq. mi.	3,333 units	648
Santa Monica	16 sq. mi.	8,873 units	554
Los Angeles	502 sq. mi.	455,577 units	907

This burden, when coupled with the City’s recent explosive 10% increase in dwelling units, creates an untenable future where creating another 3,924 new units in the next cycle is unlikely. The City does not have the ability to affirmatively further fair housing under these conditions and needs a fair consideration and reprieve. The City of West Hollywood wants to achieve its RHNA allocation and was one of the first to do so in the state this cycle. Give us the opportunity to have an allocation that is fairly attributed to the City. Thank you for the opportunity to participate in this discussion. The City of West





Hollywood is respectfully submitting this appeal for the reasons presented and requests that the great number of housing units achieved during the current cycle be recognized toward meeting the City's 2021-2029 RHNA allocation.

John Keho

John Keho, AICP
Director
Planning and Development Services

