



ORANGE COUNTY  
COUNCIL OF GOVERNMENTS  
Technical Advisory Committee

**Meeting Date / Location**

**Tuesday, August 4, 2020**

**9:30 A.M. – 12:00 P.M.**

Join Zoom Meeting

<https://yorbalinga.zoom.us/j/98573530975?pwd=dktua0JHbmJhVDIqOTdsOW16ZUxvVUT09>

Meeting ID: 985 7353 0975

Passcode: OCCOGTAC

One tap mobile

+16699006833,,98573530975# US (San Jose)

+13462487799,,98573530975# US (Houston)

**Agenda Item**

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**INTRODUCTIONS**

(Chair Nate Farnsworth,  
City of Yorba Linda)

**PUBLIC COMMENTS**

(Chair Farnsworth)

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not include what action will be taken. The Technical Advisory Committee may take any action which it deems appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

At this time members of the public may address the TAC regarding any items within the subject matter jurisdiction, which are not separately listed on this agenda. Members of the public will have an opportunity to speak on agendized items at the time the item is called for discussion. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person and an overall time limit of twenty minutes for the Public Comments portion of the agenda.

Any person wishing to address the TAC on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the TAC Chair prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the TAC in writing and only pertinent points presented orally. A speaker's comments shall be limited to three minutes.

**ADMINISTRATION**

- 1. **OCCOG TAC Meeting Minutes** (Chair Farnsworth) 4
  - Draft OCCOG TAC minutes for the July 7, 2020 meeting

**Recommended Action:** Approve OCCOG TAC minutes for the July 7, 2020 meeting, as presented or amended

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**PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS**

2.	<p><b>Center of Demographic and Research Update</b></p> <ul style="list-style-type: none"> <li>• Housing Inventory System (HIS) Data Collection</li> <li>• EDD Labor Force Data by Jurisdiction</li> </ul> <p><i>Recommended Action:</i> Receive report. Discussion.</p>	(Ms. Deborah Diep, Director, Center for Demographic Research) – 15 minutes	9
3	<p><b>Legislative Update on Housing Bills Status</b></p> <p><i>Recommended Action:</i> Receive report. Discussion.</p>	(Ms. Wendy Strack) – 20 minutes	14
4.	<p><b>Connect SoCal and RHNA Update</b></p> <p><i>Recommended Action:</i> Receive report. Discussion</p>	(Chair Farnsworth) 15 minutes	28
5.	<p><b>Accessory Dwelling Units</b></p> <p><i>Recommended Action:</i> Receive report. Discussion</p>	(Chair Farnsworth) 15 Minutes	99
6.	<p><b>REAP Grants</b></p> <p><i>Recommended Action:</i> Receive report. Discussion</p>	(Ms. Primmer, Executive Director ) 15 minutes	112
7.	<p><b>HCD Housing Element Sites Inventory</b></p> <p><i>Recommended Action:</i> Receive report. Discussion</p>	(Chair Farnsworth) 15 minutes	115
8.	<p><b>SCAG Housing Element Data Support</b></p> <p><i>Recommended Action:</i> Receive report. Discussion</p>	(Ms. Diep) – 15 minutes	163

**REPORT FROM THE OCCOG EXECUTIVE DIRECTOR**

**MATTERS FROM OCCOG TAC MEMBERS**

**ANNOUNCEMENTS FROM NON-MEMBERS**

**ITEMS FOR NEXT MEETING**

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**IMPORTANT DATES OR UPCOMING EVENTS**

**Adjourn to: SEPTEMBER 1, 2020  
LOCATION: TBD**



**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**  
*Technical Advisory Committee*

**Draft Action Minutes**

Meeting of August 4, 2020

The Orange County Council of Governments Technical Advisory Committee (TAC) meeting of July 7, 2020, was called to order by Chair Nate Farnsworth, City of Yorba Linda. The meeting was held through video and telephone conferencing.

**PUBLIC COMMENT:**

There were no public comments at this time.

**ADMINISTRATION**

**1. OCCOG TAC Meeting Minutes**

The OCCOG meeting minutes of June 2, 2020 were unanimously approved by the TAC as moved by Vice Chair Equina, City of Irvine, and a second by Belinda Deines, City of Dana Point.

**PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS**

**2. Center for Demographic Research – Housing Inventory System (HIS) Data Collection and Orange County Data Acquisition Partnership**

**Housing Inventory System (HIS) Data Collection**

CDR will send requests for the January 1 – June 30, 2020 HIS data on July 1, 2020 with a **deadline to submit the data to CDR by Friday, July 24, 2020.**

HIS submission forms were updated in 2020 to include additional sample entries, clarifications in the instructions, and an updated HIS unit flow chart to better explain how to record unit activity when attached ADUs are involved. This is similar to DOF's new housing survey flow chart DOF, but is tailored to CDR's 4 ADU types. An additional optional column was added "Building Permit Date Issued" to assist in compiling HIS, DOF and HCD APR data.

Please submit data to CDR using the new 2020 HIS form located at <http://www.fullerton.edu/cdr/HISform.xls> . Revisions to prior years may use either the new or old form. Please verify that the same data reported to CDR is also provided to DOF in their annual Housing Unit Change Survey. For HIS questions, please contact Tania Torres at 657-278-3417 or [tatorres@fullerton.edu](mailto:tatorres@fullerton.edu).

**Orange County Data Acquisition Partnership (OCDAP)**

Orange County agencies are partnering with SCAG to pool resources to create purchase online and GIS-accessible aerial imagery for Orange County. This is patterned off of LA County's collaborative GIS effort known as LARIAC (Los Angeles Region Imagery Acquisition Consortium). <https://eqis3.lacounty.gov/dataportal/lariac/>

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This joint effort, called the Orange County Data Acquisition Partnership (OCDAP), will reduce the cost of purchasing aerial imagery and other GIS information that can be used by all departments within an agency without the need for GIS software by including a user-friendly, non-GIS platform; GIS users would have access to GIS data. Cycle 1 will include 3-inch pixel aerial/ortho imagery, infrared, and building footprints. The services will include in-person training, webinars, and additional support. Imagery and reference information is expected to be collected in July 2020, which would provide a critical baseline reference for the 2020 U.S. Decennial Census and the 2024 RTP/SCS. Some of the goals are to reduce or eliminate duplicate purchases across the region, reduce costs using economies of scale, allow for unlimited and cross-departmental users within an agency.

The total project cost for Cycle 1 is \$383,603. Currently, 16 agencies have verbally indicated participation and full funding has been reached to proceed with the project. On June 22, 2020, SCAG's Executive and Administration Committee approved the vendor contract with Pictometry. The OCCOG Board has authorized OCCOG take the lead in invoicing the participating agencies in Cycle 1 for the OCDAP. OCCOG will collect the funds and send to SCAG. A Participant Agreement will need to be signed by each agency participating in Cycle 1 of OCDAP; the Agreement will also be signed by OCCOG, which will be invoicing and collecting the funds, and SCAG who is handling the procurement of the vendor contract. Copies of the Participant Agreement will be prepared and distributed by SCAG for signature; this is expected to occur in late-June. Additional agencies may still participate; those interested in participation should contact Javier Aguilar, SCAG: (213) 236-1845 Cell: (213) 999-1252 [aguilar@scag.ca.gov](mailto:aguilar@scag.ca.gov).

Action: Received Report. Discussion.

### **3. Land Use Planning Program (Safety Element)**

Chair Nate Farnsworth introduced the OCCOG TAC members to Mr. Marcus Hernandez, CalFire, who gave a presentation on the CalFire Land Use Planning Program. The program was formed as a result of Senate Bill 1241, which changed Government Code Section 65302(g)(3) to include a fire hazard plan within a city or county's General Plan Safety Element. The CalFire Land Use Planning Program provides jurisdictions technical assistance in developing a fire hazard plan and aid with the submittal process to the state. Jurisdictions are required to submit their fire hazard plan to the Board of Forestry upon the next revision of their Housing Element or Safety Element.

Action: Received Report. Discussion.

### **4. Land Use and Planning Technical Software Tool**

Mr. Wallrod from OCBC gave a presentation on a Land Use and Planning tool that will assist jurisdictions in drafting their Housing Element. The software can help identify existing conditions as well as examine suitability and feasibility for various housing types to meet a jurisdiction's RHNA allocation. OCCOG is hoping to include this tool as part of their REAP grant program.

Action: Received Report. Discussion.

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**5. ADU Ad Hoc Committee**

Chair Nate Farnsworth updated the TAC members on the ADU Ad Hoc Committee. The committee learned that SCAG is making similar efforts to analyze ADU capacity and affordability throughout the region. OCCOG TAC leadership reached out to SCAG to better understand their plans. SCAG is planning to replicate an ADU analysis similar to SACOG's: [https://www.sacog.org/sites/main/files/file-attachments/adu\\_affordability\\_analysis\\_methodology\\_2020-3-31.pdf?1587493624](https://www.sacog.org/sites/main/files/file-attachments/adu_affordability_analysis_methodology_2020-3-31.pdf?1587493624).

This would be shared with HCD for comments before approving a final draft that could be used by cities. If approved, this analysis would not require SCAG jurisdictions to utilize their ADU analysis, but would provide a tool for jurisdictions who may not be able to perform their own analysis.

Action: Received Report. Discussion.

**6. Connect SoCal/RHNA**

Chair Nate Farnsworth and Ms. Deborah Diep updated the TAC members on Connect SoCal and RHNA. On June 5, 2020, the Federal Highway Administration and Federal Transit Administration approved the RTP for air quality conformance. SCAG also reconciled the entitlement data errors in the SCS. The discrepancies were primarily within Los Angeles County. The Orange County cities SCAG originally identified were cleared with no errors.

Connect SoCal will be brought to the Regional Council in September for approval. Shortly thereafter, SCAG will release the draft RHNA allocations and commence the RHNA appeals process. Given the appeals process will take approximately three months, the final RHNA allocation will be released approximately in February 2021.

Action: Received Report. Discussion.

**7. SCAG Housing Element Update Resources**

In partnership with the California Department of Housing and Community Development, SCAG will be providing a number of data and technical assistance tools to local jurisdictions. These resources will help member jurisdictions reduce costs with development 6<sup>th</sup> cycle housing element updates. The pre-certified Housing Needs Data will be available in July and SCAG's Parcel Data for Site Inventory and Analysis will be available in the Fall.

Action: Received Report. Discussion.

**8. HCD Housing Element Sites Inventory Guidebook**

On June 10, 2020, the State Housing and Community Development Department released the Housing Element Sites Inventory Guidebook. The purpose of the Guidebook is to assist jurisdictions and interested parties with the development of the site inventory analysis for the 6<sup>th</sup> Housing Element Planning Cycle and identify changes to the law.

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More information is available at [https://www.hcd.ca.gov/community-development/housing-element/docs/Sites\\_inventory\\_memo\\_final06102020.pdf](https://www.hcd.ca.gov/community-development/housing-element/docs/Sites_inventory_memo_final06102020.pdf)

Action: Received Report. Discussion.

**9. LEAP and REAP**

Chair Nate Farnsworth and Executive Director Marnie Primmer updated the TAC members about LEAP and REAP grant funds.

The Department of Housing and Community Development extended the LEAP application deadline to January 31, 2021. Potential activities eligible for REAP funding include: Housing Element software tools, public outreach meetings for ADU's, housing videos, and more.

**REPORT FROM CHAIR/VICE CHAIR**

There was no additional report from the Chair or Vice Chair.

**REPORT FROM THE EXECUTIVE DIRECTOR**

Executive Director Marnie Primmer announced that the OCCOG General Assembly is postponed to Spring 2021.

Ms. Primmer and Mr. Jaime Murillo, City of Newport Beach, also discussed AB 1063: "Providing Cities Tools to Meet Housing Goals" by Assembly Member Cottie-Petrie Norris. AB 1063 facilitates housing growth in built out cities. The bill also enables cities in meeting their state housing goals when voters must approve their housing plan and/or housing projects. Letters of support for the bill are due in July.

**MATTERS FROM OCCOG TAC MEMBERS**

There were no items to report from OCCOG TAC Members.

**ANNOUNCEMENTS FROM OCCOG TAC NON-MEMBERS**

There were no items to report from OCCOG TAC Non-Members.

**ITEMS FOR NEXT MEETING**

There were no items discussed for next meeting.

**IMPORTANT DATES OR UPCOMING EVENTS**

**ADJOURNMENT**

The meeting was adjourned by Chair Farnsworth until Tuesday, August 4, 2020 via video and teleconferencing.

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Submitted by:

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Justin Equina, City of Irvine  
OCCOG TAC Vice Chair

**ATTENDANCE:**

Nate Farnsworth, City of Yorba Linda  
Jaime Murillo, City of Newport Beach  
Joanna Chang, County of Orange  
Ruby Zaman, Center of Demographic Research  
Deborah Diep, Center of Demographic Research  
Marika Poynter, City of Irvine  
Benjamin Zdeba, City of Newport Beach  
Ashley Brodtkin, City of Orange  
Jonathan Hughes, Southern California Associated Government  
Larry Longenecker, City of Mission Viejo  
Belinda Deines, City of Dana Point  
Marnie Primmer, OCCOG  
Minoo Ashabi, City of Costa Mesa  
Justin Arios, City of Costa Mesa  
Jennifer Savage, City of San Clemente  
Warren Whiteaker, OCTA  
Virginia Gomez, TCA  
Wendy Starks, City of Rancho Santa Margarita  
Marcus Hernandez, Cal Fire Land Use Planning Program  
Scott Reekstin, City of Tustin  
David Lopez, City of La Habra  
Charles Guiam, City of Anaheim  
Joel Rojas, City of San Juan Capistrano  
Mike Killebrew, City of Dana Point  
Steve Fowler, City of Seal Beach  
Izzak Mireles, City of Stanton





**Item 2:** Center for Demographic Research (CDR) Updates  
**Recommended Action:** Receive reports.

**Reports**

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**1. Housing Inventory System (HIS) Data Collection**

January 1 – June 30, 2020 housing construction and demolition data was due on July 24, 2020.

HIS submission forms were updated in 2020 to include additional sample entries, clarifications in the instructions, and an updated HIS unit flow chart to better explain how to record unit activity when attached ADUs are involved. This is similar to DOF’s new housing survey flow chart DOF, but is tailored to CDR’s 4 ADU types. An additional optional column was added “Building Permit Date Issued” to assist in compiling HIS, DOF and HCD APR data.

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**2. EDD Labor Force Data by Jurisdiction**

In response to inquiries for city-level unemployment data, CDR has compiled monthly data by city for 2019-2020 from CA State EDD. The data is attached in PDF format.

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Contact: Ms. Deborah Diep, Director, Center for Demographic Research  
657/278-4596 [ddiep@fullerton.edu](mailto:ddiep@fullerton.edu)

Employment data: Ms. Ruby Zaman, Assistant Director, CDR  
657/278-4709 [ruzaman@fullerton.edu](mailto:ruzaman@fullerton.edu)

For GIS: Mr. Ian Boles, GIS Analyst, CDR  
657/278-4670 [iboles@fullerton.edu](mailto:iboles@fullerton.edu)

For HIS: Ms. Tania Torres, Demographic Analyst, CDR  
657/278-3417 [tatorres@fullerton.edu](mailto:tatorres@fullerton.edu)

Number of Residents in the Labor Force for Cities and Census Designated Places (CDP), Orange County, California

	2019 Jan	2019 Feb	2019 Mar	2019 Apr	2019 May	2019 Jun	2019 Jul	2019 Aug	2019 Sep	2019 Oct	2019 Nov	2019 Dec	2020 Jan	2020 Feb	2020 Mar	2020 Apr
Aliso Viejo	30,500	30,700	30,600	30,300	30,300	30,400	30,600	30,500	30,700	30,700	30,700	30,700	30,500	30,600	29,900	28,700
Anaheim	171,800	172,700	172,200	170,500	170,700	170,900	172,300	171,200	172,500	172,800	172,700	172,700	171,700	172,000	168,300	165,500
Brea	23,200	23,300	23,200	23,000	23,100	23,100	23,300	23,100	23,300	23,300	23,300	23,300	23,200	23,300	22,700	22,000
Buena Park	40,400	40,600	40,500	40,100	40,100	40,200	40,500	40,300	40,500	40,600	40,500	40,600	40,400	40,500	39,600	39,400
Costa Mesa	66,100	66,500	66,200	65,700	65,700	65,700	66,200	65,900	66,400	66,500	66,400	66,500	66,100	66,200	64,700	63,000
Coto de Caza CDP	7,700	7,700	7,700	7,600	7,600	7,600	7,700	7,700	7,700	7,700	7,700	7,700	7,700	7,700	7,500	7,200
Cypress	25,200	25,300	25,200	24,900	24,900	25,000	25,200	25,100	25,300	25,300	25,300	25,300	25,100	25,200	24,600	24,100
Dana Point	18,800	18,900	18,900	18,700	18,700	18,700	18,800	18,700	18,900	18,900	18,900	18,900	18,800	18,800	18,400	17,900
Fountain Valley	28,400	28,500	28,400	28,200	28,100	28,200	28,500	28,300	28,500	28,600	28,600	28,500	28,400	28,400	27,800	27,300
Fullerton	70,500	70,800	70,600	69,900	70,000	70,200	70,700	70,300	70,800	70,900	70,800	70,800	70,400	70,500	68,900	67,900
Garden Grove	81,800	82,200	82,000	81,200	81,300	81,400	82,100	81,600	82,100	82,300	82,200	82,200	81,800	81,900	80,300	81,400
Huntington Beach	109,200	109,600	109,300	108,400	108,400	108,500	109,400	108,800	109,600	109,900	109,700	109,800	109,100	109,200	106,800	104,100
Irvine	148,200	148,900	148,400	147,200	147,300	147,600	148,700	147,900	149,000	149,200	149,000	149,000	148,200	148,400	145,000	136,200
La Habra	31,000	31,200	31,100	30,800	30,800	30,900	31,100	30,900	31,100	31,200	31,200	31,200	31,000	31,100	30,500	29,500
La Palma	7,800	7,800	7,800	7,700	7,700	7,800	7,800	7,800	7,800	7,800	7,800	7,800	7,800	7,800	7,600	7,400
Laguna Beach	12,600	12,700	12,700	12,500	12,500	12,600	12,600	12,600	12,700	12,700	12,700	12,700	12,600	12,600	12,300	11,800
Laguna Hills	17,100	17,100	17,100	17,000	17,000	17,000	17,100	17,000	17,200	17,200	17,200	17,200	17,100	17,100	16,700	16,000
Laguna Niguel	35,700	35,900	35,800	35,500	35,500	35,500	35,800	35,600	35,900	35,900	35,900	35,900	35,700	35,700	34,900	33,500
Laguna Woods	3,200	3,200	3,200	3,100	3,100	3,100	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,100	2,900
Lake Forest	49,200	49,500	49,400	49,000	49,000	49,000	49,400	49,100	49,500	49,600	49,600	49,600	49,300	49,300	48,200	45,600
Las Flores CDP	3,100	3,100	3,100	3,100	3,100	3,100	3,100	3,100	3,100	3,100	3,100	3,100	3,100	3,100	3,000	2,700
Los Alamitos	5,900	5,900	5,900	5,800	5,800	5,800	5,900	5,800	5,900	5,900	5,900	5,900	5,900	5,900	5,700	5,600
Mission Viejo	49,900	50,100	49,900	49,500	49,500	49,600	50,000	49,700	50,100	50,200	50,000	50,100	49,800	49,900	48,700	46,900
Newport Beach	45,200	45,400	45,200	44,900	44,900	44,900	45,200	45,000	45,300	45,400	45,300	45,400	45,100	45,200	44,100	41,600
Orange	72,500	72,800	72,600	71,900	71,900	72,100	72,600	72,200	72,700	72,900	72,800	72,800	72,500	72,500	70,900	67,700
Placentia	25,900	26,100	26,000	25,700	25,700	25,800	26,000	25,900	26,000	26,100	26,000	26,000	25,900	25,900	25,300	24,400
Rancho Santa Margarita	27,800	28,000	27,900	27,600	27,600	27,700	27,900	27,700	27,900	28,000	28,000	28,000	27,800	27,900	27,200	26,000
Rossmore CDP	5,300	5,400	5,300	5,300	5,300	5,300	5,300	5,300	5,400	5,400	5,400	5,400	5,300	5,300	5,200	5,000
San Clemente	31,900	32,000	31,900	31,700	31,700	31,800	32,000	31,900	32,100	32,100	32,100	32,100	32,000	32,000	31,200	30,300
San Juan Capistrano	17,300	17,400	17,300	17,200	17,200	17,200	17,400	17,300	17,400	17,400	17,400	17,400	17,300	17,300	16,900	16,300
Santa Ana	158,300	159,100	158,600	157,200	157,200	157,400	158,800	157,800	158,900	159,200	159,000	159,100	158,200	158,400	154,800	150,700
Seal Beach	10,000	10,100	10,000	9,900	9,900	10,000	10,000	10,000	10,100	10,100	10,100	10,100	10,000	10,000	9,800	9,400
Stanton	18,500	18,600	18,600	18,400	18,400	18,400	18,600	18,500	18,600	18,600	18,600	18,600	18,600	18,600	18,200	18,100
Tustin	42,800	43,000	42,900	42,500	42,500	42,500	42,900	42,600	43,000	43,000	43,000	43,000	42,800	42,900	41,900	40,500
Villa Park	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,400	2,400
Westminster	42,000	42,100	42,000	41,600	41,600	41,700	42,000	41,800	42,100	42,200	42,100	42,200	42,000	42,000	41,200	42,100
Yorba Linda	35,000	35,200	35,100	34,800	34,800	34,900	35,100	35,000	35,200	35,300	35,200	35,300	35,100	35,100	34,300	32,400
Orange County	1,622,800	1,622,800	1,625,500	1,610,800	1,611,400	1,613,700	1,626,500	1,617,600	1,629,500	1,632,000	1,630,100	1,631,100	1,622,100	1,623,900	1,587,700	1,540,300

Source: CA State Employment Development Department, Labor Market Information Division; March 2019 Benchmark. July 2020 <http://www.labormarketinfo.edd.ca.gov>

Notes:

- 1) Data may not add due to rounding.
- 2) These data are not seasonally adjusted.
- 3) CDP is "Census Designated Place" - a recognized community that was unincorporated at the time of the 2014-2018 5-Year American Community Survey (ACS).

Methodology: Monthly city labor force data are derived by multiplying current estimates of county employment and unemployment by the relative employment and unemployment shares (ratios) of each city at the time of the 2014-2018 American Community Survey. Ratios for cities were developed from special tabulations based on ACS employment, unemployment, and population and Census population from the Bureau of Labor Statistics. For smaller cities and CDPs, ratios were calculated from published census data.

Monthly CDP's labor force data are derived by multiplying current estimates of county employment and unemployment by the relative employment and unemployment shares (ratios) of each CDP at the time of the 2014-2018 ACS survey. Ratios for CDPs' were developed from special tabulations based on ACS employment and unemployment from the Bureau of Labor Statistics.

This method assumes that the rates of change in employment and unemployment since the 2014-2018 American Community Survey are exactly the same in each city and CDP as at the county level (i.e., that the shares are still accurate). If this assumption is not true for a specific city or CDP, then the estimates for that area may not represent the current economic conditions. Since this assumption is untested, caution should be employed when using these data.

Number of Unemployed Residents for Cities and Census Designated Places (CDP), Orange County, California

	2019	2019	2019	2019	2019	2019	2019	2019	2019	2019	2019	2019	2019	2020	2020	2020	2020
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	
Aliso Viejo	900	800	900	700	600	800	800	800	700	700	700	700	800	800	1,000	3,600	
Anaheim	5,900	5,400	5,600	4,500	4,500	5,300	5,700	5,300	4,600	4,800	4,800	4,500	5,200	5,100	6,700	25,200	
Brea	700	700	700	500	500	600	700	700	600	600	600	500	700	700	800	3,000	
Buena Park	1,500	1,400	1,400	1,100	1,100	1,300	1,400	1,300	1,100	1,200	1,100	1,100	1,300	1,300	1,700	6,500	
Costa Mesa	2,000	1,800	1,800	1,500	1,500	1,700	1,800	1,800	1,500	1,600	1,500	1,500	1,700	1,700	2,200	8,700	
Coto de Caza CDP	200	200	200	200	200	200	200	200	200	200	200	200	200	200	300	1,000	
Cypress	900	800	800	600	600	700	800	800	700	700	700	600	700	700	900	3,600	
Dana Point	600	500	500	400	400	500	500	500	400	400	400	400	500	500	700	2,400	
Fountain Valley	900	800	900	700	700	800	900	900	700	800	800	700	800	800	1,100	4,100	
Fullerton	2,400	2,100	2,200	1,800	1,800	2,200	2,400	2,200	1,900	1,900	1,900	1,700	2,000	2,000	2,500	10,300	
Garden Grove	2,900	2,600	2,700	2,200	2,200	2,600	2,800	2,700	2,200	2,400	2,300	2,200	2,600	2,500	3,400	14,700	
Huntington Beach	3,600	3,200	3,200	2,700	2,600	3,100	3,400	3,200	2,800	3,000	2,800	2,700	3,100	3,000	4,000	14,800	
Irvine	4,500	4,100	4,100	3,500	3,400	4,200	4,500	4,200	3,700	3,800	3,600	3,300	4,100	3,900	5,100	14,700	
La Habra	1,000	1,000	1,000	800	800	900	1,000	900	800	800	800	800	900	900	1,200	4,100	
La Palma	300	200	200	200	200	200	200	200	200	200	200	200	200	200	300	1,000	
Laguna Beach	400	400	400	300	300	300	400	300	300	300	300	300	300	300	400	1,400	
Laguna Hills	500	400	500	400	400	400	400	400	400	400	400	400	400	400	500	1,900	
Laguna Niguel	1,100	1,000	1,100	900	800	1,000	1,100	1,000	900	900	900	800	1,000	900	1,200	4,300	
Laguna Woods	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	300	
Lake Forest	1,400	1,300	1,400	1,100	1,100	1,300	1,400	1,300	1,100	1,200	1,100	1,000	1,300	1,200	1,600	5,200	
Las Flores CDP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	100	
Los Alamitos	200	200	200	200	100	200	200	200	200	200	200	100	200	200	200	800	
Mission Viejo	1,600	1,500	1,500	1,200	1,200	1,500	1,600	1,500	1,300	1,300	1,300	1,200	1,400	1,400	1,800	6,200	
Newport Beach	1,300	1,200	1,200	1,000	1,000	1,100	1,200	1,200	1,000	1,000	1,000	900	1,200	1,100	1,500	4,500	
Orange	2,400	2,100	2,100	1,800	1,700	2,100	2,300	2,100	1,800	1,900	1,900	1,700	2,100	2,000	2,600	8,400	
Placentia	900	800	800	700	700	800	800	800	700	700	700	600	700	700	900	3,200	
Rancho Santa Margarita	800	800	800	600	600	700	800	700	600	600	700	600	800	800	900	3,200	
Rossmoor CDP	100	100	100	100	100	100	100	100	100	100	100	100	100	100	200	600	
San Clemente	1,000	900	900	700	700	900	900	900	800	800	800	800	900	900	1,100	4,200	
San Juan Capistrano	500	500	500	400	400	500	500	500	400	400	400	400	400	400	600	2,100	
Santa Ana	5,300	4,900	5,000	4,100	3,900	4,800	5,200	4,800	4,100	4,300	4,200	3,900	4,600	4,500	5,800	21,200	
Seal Beach	400	300	300	300	300	300	400	400	300	300	300	300	300	300	400	1,200	
Stanton	700	600	600	500	500	600	600	600	500	500	500	500	600	600	700	2,900	
Tustin	1,400	1,200	1,300	1,000	1,000	1,200	1,200	1,200	1,000	1,100	1,000	1,000	1,200	1,200	1,500	5,500	
Villa Park	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	400	
Westminster	1,500	1,400	1,400	1,200	1,100	1,300	1,400	1,400	1,200	1,200	1,200	1,200	1,400	1,300	1,800	7,800	
Yorba Linda	1,000	1,000	1,000	800	800	900	1,000	1,000	800	900	800	800	900	900	1,200	3,600	
Orange County	53,200	48,200	49,100	40,600	39,100	47,300	50,700	48,100	41,000	43,000	41,800	39,100	46,600	45,500	59,000	212,600	

Source: CA State Employment Development Department, Labor Market Information Division; March 2019 Benchmark. July 2020 <http://www.labormarketinfo.edd.ca.gov>

Notes:

- 1) Data may not add due to rounding.
- 2) These data are not seasonally adjusted.
- 3) CDP is "Census Designated Place" - a recognized community that was unincorporated at the time of the 2014-2018 5-Year American Community Survey (ACS).

Methodology: Monthly city labor force data are derived by multiplying current estimates of county employment and unemployment by the relative employment and unemployment shares (ratios) of each city at the time of the 2014-2018 American Community Survey. Ratios for cities were developed from special tabulations based on ACS employment, unemployment, and population and Census population from the Bureau of Labor Statistics. For smaller cities and CDPs, ratios were calculated from published census data.

Monthly CDP's labor force data are derived by multiplying current estimates of county employment and unemployment by the relative employment and unemployment shares (ratios) of each CDP at the time of the 2014-2018 ACS survey. Ratios for CDPs' were developed from special tabulations based on ACS employment and unemployment from the Bureau of Labor Statistics.

This method assumes that the rates of change in employment and unemployment since the 2014-2018 American Community Survey are exactly the same in each city and CDP as at the county level (i.e., that the shares are still accurate). If this assumption is not true for a specific city or CDP, then the estimates for that area may not represent the current economic conditions. Since this assumption is untested, caution should be employed when using these data.

Unemployment Rates for Cities and Census Designated Places (CDP), Orange County, California

	2019 Jan	2019 Feb	2019 Mar	2019 Apr	2019 May	2019 Jun	2019 Jul	2019 Aug	2019 Sep	2019 Oct	2019 Nov	2019 Dec	2020 Jan	2020 Feb	2020 Mar	2020 Apr
Aliso Viejo	3.0%	2.7%	2.8%	2.3%	2.1%	2.6%	2.8%	2.8%	2.3%	2.3%	2.3%	2.1%	2.5%	2.5%	3.4%	12.7%
Anaheim	3.4%	3.2%	3.3%	2.7%	2.6%	3.1%	3.3%	3.1%	2.7%	2.8%	2.8%	2.6%	3.0%	3.0%	4.0%	15.2%
Brea	3.2%	2.8%	2.8%	2.4%	2.3%	2.7%	2.9%	2.9%	2.4%	2.5%	2.4%	2.2%	2.8%	2.8%	3.6%	13.7%
Buena Park	3.7%	3.3%	3.4%	2.8%	2.8%	3.2%	3.5%	3.3%	2.8%	2.8%	2.8%	2.7%	3.3%	3.2%	4.3%	16.5%
Costa Mesa	3.0%	2.7%	2.8%	2.3%	2.2%	2.6%	2.8%	2.7%	2.3%	2.4%	2.3%	2.2%	2.6%	2.6%	3.4%	13.9%
Coto de Caza CDP	3.1%	2.8%	2.9%	2.4%	2.3%	2.8%	3.0%	2.8%	2.4%	2.5%	2.4%	2.3%	2.7%	2.7%	3.5%	13.2%
Cypress	3.6%	3.1%	3.0%	2.5%	2.4%	3.0%	3.3%	3.2%	2.7%	2.8%	2.7%	2.5%	2.9%	2.9%	3.7%	14.9%
Dana Point	3.1%	2.8%	2.8%	2.4%	2.2%	2.7%	2.8%	2.6%	2.2%	2.3%	2.3%	2.2%	2.8%	2.6%	3.5%	13.7%
Fountain Valley	3.2%	2.9%	3.0%	2.5%	2.4%	2.9%	3.2%	3.1%	2.6%	2.7%	2.8%	2.5%	2.9%	2.9%	3.9%	15.0%
Fullerton	3.4%	3.0%	3.1%	2.6%	2.5%	3.1%	3.3%	3.1%	2.6%	2.7%	2.6%	2.5%	2.9%	2.8%	3.7%	15.2%
Garden Grove	3.5%	3.2%	3.3%	2.7%	2.7%	3.2%	3.4%	3.3%	2.7%	2.9%	2.8%	2.6%	3.1%	3.1%	4.2%	18.0%
Huntington Beach	3.3%	2.9%	3.0%	2.5%	2.4%	2.9%	3.1%	3.0%	2.5%	2.7%	2.6%	2.4%	2.9%	2.8%	3.7%	14.2%
Irvine	3.1%	2.8%	2.8%	2.4%	2.3%	2.8%	3.1%	2.9%	2.5%	2.6%	2.4%	2.2%	2.7%	2.6%	3.5%	10.8%
La Habra	3.4%	3.1%	3.3%	2.7%	2.5%	3.0%	3.2%	3.0%	2.5%	2.6%	2.6%	2.5%	3.0%	3.0%	4.1%	14.0%
La Palma	3.2%	2.9%	3.0%	2.5%	2.4%	2.9%	3.1%	2.9%	2.5%	2.6%	2.5%	2.3%	2.8%	2.8%	3.6%	13.6%
Laguna Beach	3.2%	2.9%	3.0%	2.4%	2.2%	2.7%	2.8%	2.6%	2.2%	2.2%	2.2%	2.0%	2.4%	2.5%	3.3%	12.0%
Laguna Hills	3.1%	2.5%	2.6%	2.2%	2.1%	2.6%	2.6%	2.5%	2.2%	2.4%	2.3%	2.1%	2.6%	2.5%	3.3%	12.1%
Laguna Niguel	3.2%	2.8%	3.0%	2.5%	2.4%	2.8%	3.1%	2.9%	2.5%	2.6%	2.6%	2.3%	2.7%	2.6%	3.6%	12.8%
Laguna Woods	2.2%	2.0%	2.0%	1.7%	1.6%	1.9%	2.1%	2.0%	1.7%	1.7%	1.7%	1.6%	1.9%	1.9%	2.5%	9.5%
Lake Forest	2.8%	2.7%	2.8%	2.3%	2.2%	2.6%	2.8%	2.6%	2.2%	2.4%	2.3%	2.1%	2.5%	2.4%	3.2%	11.3%
Las Flores CDP	1.0%	0.9%	1.0%	0.8%	0.8%	1.0%	1.0%	0.9%	0.8%	0.8%	0.8%	0.8%	0.9%	0.9%	1.2%	4.8%
Los Alamitos	3.4%	3.1%	3.2%	2.6%	2.5%	3.1%	3.3%	3.1%	2.6%	2.7%	2.7%	2.5%	3.0%	2.9%	3.9%	14.4%
Mission Viejo	3.3%	2.9%	3.0%	2.5%	2.4%	3.0%	3.1%	3.0%	2.6%	2.7%	2.5%	2.4%	2.8%	2.8%	3.7%	13.1%
Newport Beach	3.0%	2.6%	2.6%	2.3%	2.2%	2.6%	2.7%	2.6%	2.2%	2.3%	2.2%	2.1%	2.6%	2.5%	3.3%	10.8%
Orange	3.3%	2.9%	2.9%	2.5%	2.3%	2.9%	3.1%	2.9%	2.5%	2.6%	2.5%	2.4%	2.9%	2.8%	3.6%	12.3%
Placentia	3.4%	3.1%	3.2%	2.6%	2.5%	3.0%	3.2%	3.2%	2.6%	2.7%	2.6%	2.5%	2.8%	2.8%	3.7%	13.2%
Rancho Santa Margarita	3.0%	2.7%	2.8%	2.3%	2.2%	2.6%	2.8%	2.6%	2.2%	2.3%	2.4%	2.3%	2.7%	2.7%	3.4%	12.3%
Rossmoor CDP	2.7%	2.5%	2.5%	2.1%	2.0%	2.4%	2.6%	2.5%	2.1%	2.2%	2.1%	2.0%	2.4%	2.3%	3.1%	11.7%
San Clemente	3.1%	2.7%	2.7%	2.3%	2.2%	2.8%	3.0%	2.9%	2.4%	2.6%	2.5%	2.4%	2.8%	2.7%	3.6%	13.8%
San Juan Capistrano	3.1%	2.9%	2.9%	2.4%	2.3%	2.8%	3.0%	2.9%	2.4%	2.4%	2.4%	2.1%	2.5%	2.5%	3.6%	13.0%
Santa Ana	3.4%	3.1%	3.1%	2.6%	2.5%	3.0%	3.3%	3.0%	2.6%	2.7%	2.6%	2.5%	2.9%	2.9%	3.8%	14.1%
Seal Beach	3.6%	3.3%	3.4%	2.7%	2.8%	3.3%	3.6%	3.5%	3.2%	3.1%	3.0%	2.7%	3.1%	2.9%	4.0%	13.1%
Stanton	3.6%	3.1%	3.3%	2.9%	2.9%	3.3%	3.5%	3.2%	2.7%	2.8%	2.9%	2.7%	3.3%	3.1%	4.1%	16.2%
Tustin	3.2%	2.9%	2.9%	2.4%	2.3%	2.8%	2.9%	2.8%	2.3%	2.5%	2.4%	2.3%	2.8%	2.7%	3.7%	13.5%
Villa Park	3.6%	3.2%	3.3%	2.8%	2.6%	3.2%	3.4%	3.2%	2.7%	2.9%	2.8%	2.6%	3.1%	3.0%	4.1%	14.9%
Westminster	3.7%	3.2%	3.4%	2.8%	2.7%	3.2%	3.4%	3.3%	2.8%	2.9%	2.9%	2.7%	3.2%	3.2%	4.3%	18.6%
Yorba Linda	2.9%	2.7%	2.8%	2.3%	2.2%	2.7%	2.9%	2.7%	2.3%	2.5%	2.3%	2.3%	2.6%	2.6%	3.4%	11.2%
Orange County	3.3%	3.0%	3.0%	2.5%	2.4%	2.9%	3.1%	3.0%	2.5%	2.6%	2.6%	2.4%	2.9%	2.8%	3.7%	13.8%

Source: CA State Employment Development Department, Labor Market Information Division; March 2019 Benchmark. July 2020 <http://www.labormarketinfo.edd.ca.gov>

Notes:

- 1) Data may not add due to rounding. All unemployment rates shown are calculated on unrounded data.
- 2) These data are not seasonally adjusted.
- 3) CDP is "Census Designated Place" - a recognized community that was unincorporated at the time of the 2014-2018 5-Year American Community Survey (ACS).

Methodology: Monthly city labor force data are derived by multiplying current estimates of county employment and unemployment by the relative employment and unemployment shares (ratios) of each city at the time of the 2014-2018 American Community Survey. Ratios for cities were developed from special tabulations based on ACS employment, unemployment, and population and Census population from the Bureau of Labor Statistics. For smaller cities and CDPs, ratios were calculated from published census data.

Monthly CDP's labor force data are derived by multiplying current estimates of county employment and unemployment by the relative employment and unemployment shares (ratios) of each CDP at the time of the 2014-2018 ACS survey. Ratios for CDPs' were developed from special tabulations based on ACS employment and unemployment from the Bureau of Labor Statistics.

This method assumes that the rates of change in employment and unemployment since the 2014-2018 American Community Survey are exactly the same in each city and CDP as at the county level (i.e., that the shares are still accurate). If this assumption is not true for a specific city or CDP, then the estimates for that area may not represent the current economic conditions. Since this assumption is untested, caution should be employed when using these data.

CDP is "Census Designated Place" - a recognized community that was unincorporated at the time of the 2014-2018 5-Year American Community Survey (ACS).

**Notes:**

- 1) Data may not add due to rounding. All unemployment rates shown are calculated on unrounded data.
- 2) These data are not seasonally adjusted.
- 3) N/A = Estimate created by Bureau of Labor Statistics

**Methodology:**

Monthly city labor force data are derived by multiplying current estimates of county employment and unemployment by the relative employment and unemployment shares (ratios) of each city at the time of the 2014-2018 American Community Survey. Ratios for cities were developed from special tabulations based on ACS employment, unemployment, and population and Census population from the Bureau of Labor Statistics. For smaller cities and CDPs, ratios were calculated from published census data.

Monthly CDP's labor force data are derived by multiplying current estimates of county employment and unemployment by the relative employment and unemployment shares (ratios) of each CDP at the time of the 2014-2018 ACS survey. Ratios for CDPs' were developed from special tabulations based on ACS employment and unemployment from the Bureau of Labor Statistics.

This method assumes that the rates of change in employment and unemployment since the 2014-2018 American Community Survey are exactly the same in each city and CDP as at the county level (i.e., that the shares are still accurate). If this assumption is not true for a specific city or CDP, then the estimates for that area may not represent the current economic conditions. Since this assumption is untested, caution should be employed when using these data.

Source: CA State Employment Development Department, Labor Market Information Division; March 2019 Benchmark. July 2020  
<http://www.labormarketinfo.edd.ca.gov>



**Item 3:** **Legislative Update**  
**Recommended Action:** Receive report.

## **Reports**

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With the State legislative session nearing its close, there are a number of pending bills that could have significant impacts on Orange County jurisdictions. OCCOG's Legislative Consultant, Wendy Strack, has put together the attached status summary of relevant bills and will be providing an update to the TAC on what can be expected over the next month.

Attachment 1 – OCCOG Legislative Report dated July 28, 2020

## Status Report Tuesday, July 28, 2020

### [AB 69](#)

**(Ting D) Land use: accessory dwelling units.**

**Current Text:** Amended: 6/20/2019 [html](#) [pdf](#)

**Last Amend:** 6/20/2019

**Status:** 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/5/2019)(May be acted upon Jan 2020)

**Is Fiscal:** Y

**Location:** 9/15/2019-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	2 year	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires the Department of Housing and Community Development to propose building standards to the California Building Standards Commission, and to adopt, amend, or repeal rules and regulations governing, among other things, apartment houses and dwellings, as specified. This bill would require the department to propose small home building standards governing accessory dwelling units smaller than 800 square feet, junior accessory dwelling units, and detached dwelling units smaller than 800 square feet, as specified, and to submit the small home building standards to the California Building Standards Commission for adoption on or before January 1, 2021.

### [AB 725](#)

**(Wicks D) General plans: housing element: moderate-income and above moderate-income housing: suburban and metropolitan jurisdictions.**

**Current Text:** Amended: 7/21/2020 [html](#) [pdf](#)

**Last Amend:** 7/21/2020

**Status:** 7/21/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

**Is Fiscal:** Y

**Location:** 6/23/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law requires that the housing element include, among other things, an inventory of land suitable for residential development, to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need determined pursuant to specified law. This bill would require that at least 25% of a metropolitan jurisdiction's share of the regional housing need for moderate-income housing be allocated to sites with zoning that allows at least 4 units of housing, but no more than 100 units per acre of housing. The bill would require that at least 25% of a metropolitan jurisdiction's share of the regional housing need for above moderate-income housing be allocated to sites with zoning that allows at least 4 units of housing. The bill would exclude unincorporated areas from this prohibition and would include related legislative findings.

### [AB 953](#)

**(Ting D) Land use: accessory dwelling units.**

**Current Text:** Amended: 1/6/2020 [html](#) [pdf](#)

**Last Amend:** 1/6/2020

**Status:** 6/23/2020-Referred to Com. on GOV. & F.

**Is Fiscal:** Y

**Location:** 6/23/2020-S. GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. This bill would deem a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit approved if the local agency has not acted upon the completed application within 60 days.

### [AB 1279](#)

**(Bloom D) Planning and zoning: housing development: high-opportunity areas.**

**Current Text:** Amended: 7/22/2020 [html](#) [pdf](#)

**Last Amend:** 7/22/2020

**Status:** 7/22/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

**Is Fiscal:** Y

**Location:** 4/24/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law allows a development proponent to submit an application for a development that is subject to a specified streamlined, ministerial approval process not subject to a conditional use permit if the development satisfies certain objective planning standards, including that the development is (1) located in a locality determined by the Department of Housing and Community Development to have not met its share of the regional housing needs for the reporting period, and (2) subject to a requirement mandating a minimum percentage of below-market rate housing, as provided. This bill would require the department to designate areas in this state as high-opportunity areas, as provided, by January 1, 2022, in accordance with specified requirements and to update those designations within 6 months of the adoption of new Opportunity Maps by the California Tax Credit Allocation Committee.

**[AB 1484](#) (Grayson D) Mitigation Fee Act: housing developments.**

**Current Text:** Amended: 9/6/2019 [html](#) [pdf](#)

**Last Amend:** 9/6/2019

**Status:** 9/9/2019-Read second time. Ordered to third reading. Re-referred to Com. on RLS. pursuant to Senate Rule 29.10(b).

**Is Fiscal:** Y

**Location:** 9/9/2019-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Mitigation Fee Act requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. This bill would prohibit a local agency from imposing a housing impact requirement adopted by the local agency on a housing development project, as defined, unless specified requirements are satisfied by the local agency, including that the housing impact requirement be roughly proportional in both nature and extent to the impact created by the housing development project.

**[AB 1845](#) (Rivas, Luz D) Homelessness: Office to End Homelessness.**

**Current Text:** Amended: 7/21/2020 [html](#) [pdf](#)

**Last Amend:** 7/21/2020

**Status:** 7/21/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HUMAN S.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. HUM. S.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would create, within the Governor's office, the Office to End Homelessness, which would be administered by the Secretary on Homelessness appointed by the Governor. The bill would require that the office serve the Governor as the lead entity for ending homelessness in California and would task the office with coordinating homeless programs, services, data, and policies between federal, state, and local agencies, among other responsibilities. The bill would require the office to exercise various powers and duties, including, among others, making recommendations to the Governor and the Legislature regarding new state policies, programs, and actions on homelessness.

**[AB 1851](#) (Wicks D) Religious institution affiliated housing development projects: parking requirements.**

**Current Text:** Amended: 5/5/2020 [html](#) [pdf](#)

**Last Amend:** 5/5/2020

**Status:** 7/1/2020-Referred to Com. on GOV. & F.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would prohibit a local agency from requiring the replacement of religious-use parking spaces that a developer of a religious institution affiliated housing development project proposes to eliminate as part of that housing development project. The bill would prohibit the number of religious-use parking spaces requested to be eliminated from exceeding 50% of the number that are available at the time the request is made. The bill would prohibit a local agency from requiring the curing of any preexisting deficit of the number of religious-use parking spaces as a condition of approval of a religious institution affiliated housing development project.

**[AB 1907](#) (Santiago D) California Environmental Quality Act: emergency shelters: supportive and affordable housing: exemption.**

**Current Text:** Introduced: 1/8/2020 [html](#) [pdf](#)



**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 1/30/2020)

**Is Fiscal:** Y

**Location:** 5/29/2020-A. DEAD

Desk	Dead	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would, until January 1, 2029, exempt from environmental review under CEQA certain activities approved by or carried out by a public agency in furtherance of providing emergency shelters, supportive housing, or affordable housing, as each is defined. The bill would require a lead agency that determines to carry out or approve an activity that is within this CEQA exemption to file a notice of exemption, as specified.

**[AB 1962](#) (Voepel R) Sales and use taxes: exemption: senior housing.**

**Current Text:** Introduced: 1/21/2020 [html](#) [pdf](#)

**Status:** 3/9/2020-In committee: Hearing for testimony only.

**Is Fiscal:** Y

**Location:** 1/30/2020-A. REV. & TAX

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state of, or on the storage, use, or other consumption in this state of, tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill, on and after January 1, 2021, and before January 1, 2026, would exempt from these taxes the gross receipts from the sale of, and the storage, use, or other consumption in this state of, building materials and supplies purchases by a qualified person for use by that qualified person in the construction of specified senior housing developments.

**[AB 2168](#) (McCarty D) Planning and zoning: electric vehicle charging stations: permit application: approval.**

**Current Text:** Amended: 5/4/2020 [html](#) [pdf](#)

**Last Amend:** 5/4/2020

**Status:** 5/5/2020-Re-referred to Com. on L. GOV.

**Is Fiscal:** N

**Location:** 3/2/2020-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require an application to install an electric vehicle charging station to be deemed complete if, 5 business days after the application was submitted, the building official of the city, county, or city and county has not deemed the application complete, as specified, and if the building official has not issued a one-written correction notice, as specified. The bill would require an application to install an electric vehicle charging station to be deemed approved if 15 business days after the application was deemed complete certain conditions are met, including that the building official of the city, county, or city and county has not approved the application, as specified, and the building official has not made findings that the proposed installation could have an adverse impact, as described above, and required the applicant to apply for a use permit.

**[AB 2265](#) (Quirk-Silva D) Mental Health Services Act: use of funds for substance use disorder treatment.**

**Current Text:** Amended: 5/20/2020 [html](#) [pdf](#)

**Last Amend:** 5/20/2020

**Status:** 6/23/2020-Referred to Com. on HEALTH.

**Is Fiscal:** Y

**Location:** 6/23/2020-S. HEALTH

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would authorize funding from the Mental Health Services Act, to be used to treat a person with cooccurring mental health and substance use disorders when the person would be eligible for treatment of the mental health disorder pursuant to the MHSA. The bill would also authorize the use of MHSA funds to assess whether a person has cooccurring mental health and substance use disorders and to treat a person who is preliminarily assessed to have cooccurring mental health and substance use disorders, even when the person is later determined not to be eligible for services provided with MHSA funds. The bill would require a person being treated for cooccurring mental health and substance use disorders who is determined to not need the mental health services that are eligible for funding pursuant to the act, to be, as quickly as possible, referred to substance use disorder treatment services.

**[AB 2275](#) (Nazarian D) State armories: homeless shelters: security.**

**Current Text:** Amended: 7/14/2020 [html](#) [pdf](#)

**Last Amend:** 7/14/2020

**Status:** 7/14/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on GOV. & F.

**Is Fiscal:** N

**Location:** 6/23/2020-S. GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law makes specified state armories located in specified counties available to those counties, or a city in one of those counties, for the purpose of providing temporary shelter for homeless persons from October 15 through April 15 each year, and authorizes any county or city not listed, subject to the approval of the Adjutant General, to use an armory within its jurisdiction, in accordance with specified requirements. Current law requires that a county or city that elects to use an armory as a temporary shelter obtain a license that meets specified requirements. This bill would instead require, prior to shelter services commencing, that the county or city notify local law enforcement officers and request that officers make periodic visits to the armory on each night of operation.

**[AB 2323](#) (Friedman D) California Environmental Quality Act: exemptions.**

**Current Text:** Amended: 7/1/2020 [html](#) [pdf](#)

**Last Amend:** 7/1/2020

**Status:** 7/1/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on EQ.

**Is Fiscal:** Y

**Location:** 6/23/2020-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** CEQA exempts from its requirements certain residential, employment center, and mixed-use development projects meeting specified criteria, including that the project is undertaken and is consistent with a specific plan for which an environmental impact report has been certified. This bill would require that the project is undertaken and is consistent with either a specific plan prepared pursuant to specific provisions of law or a community plan, as defined, in order to be exempt. Because a lead agency would be required to determine the applicability of this exemption, this bill would impose a state-mandated local program.

**[AB 2345](#) (Gonzalez D) Planning and zoning: density bonuses: annual report: affordable housing.**

**Current Text:** Amended: 7/21/2020 [html](#) [pdf](#)

**Last Amend:** 7/21/2020

**Status:** 7/21/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development that includes, among other specified information, the number of net new units of housing that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, as provided. This bill would require that the annual report include specified information regarding density bonuses granted in accordance with specified law, as described.

**[AB 2405](#) (Burke D) Right to safe, decent, and affordable housing.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Last Amend:** 7/27/2020

**Status:** 7/27/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would declare that it is the policy of the state that every individual has the right to safe, decent, and affordable housing, and would require the policy to consider homelessness prevention, emergency accommodations, and permanent housing, as specified. The bill would, among other things, require all relevant state agencies and departments, including, but not limited to, the Department of

Housing and Community Development, the State Department of Social Services, and the Office of Emergency Services, and local jurisdictions to consider that state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and criteria are pertinent to advancing the guidelines listed as core components of Housing First.

**[AB 2553](#) (Ting D) Shelter crisis declarations.**

**Current Text:** Amended: 7/14/2020 [html](#) [pdf](#)

**Last Amend:** 7/14/2020

**Status:** 7/14/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law, upon a declaration of a shelter crisis by specified local jurisdictions, specifies additional provisions applicable to a shelter crisis declared by one of those jurisdictions. Current law exempts from the California Environmental Quality Act specified actions by a state agency or a city, county, or city and county relating to land owned by a local government to be used for, or to provide financial assistance to, a homeless shelter constructed pursuant to these provisions, and provides that homeless shelters constructed or allowed pursuant to these shelter crisis declarations are not subject to specified laws, including the Special Occupancy Parks Act. Current law also defines a "homeless shelter" as a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless that is not in existence after the declared shelter crisis. Current law requires a city, county, or city and county that declares a shelter crisis pursuant to these provisions to develop a plan to address the shelter crisis on or before July 1, 2019, or July 1, 2020, as applicable, and to annually report to specified committees of the Legislature on or before January 1, 2019, or on or before January 1 of the year following the declaration of the shelter crisis, as applicable, and annually thereafter until January 1, 2023. Current law repeals these additional provisions as of January 1, 2023. This bill would instead apply those additional provisions to a shelter crisis declared by any county or city.

**[AB 2580](#) (Eggman D) Conversion of motels and hotels: streamlining.**

**Current Text:** Amended: 5/22/2020 [html](#) [pdf](#)

**Last Amend:** 5/22/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 6/2/2020)

**Is Fiscal:** Y

**Location:** 6/5/2020-A. DEAD

Desk	Policy	Dead	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would authorize a development proponent to submit an application for a development for the complete conversion, as defined, of a structure with a certificate of occupancy as a motel or hotel into multifamily housing units to be subject to a streamlined, ministerial approval process, provided that development proponent reserves at least 15% of the proposed housing units for lower income households and 5% of the proposed housing units for extremely low income households, unless a local government has affordability requirements that exceed these requirements. The bill would require the structure proposed to be converted be vacant for at least 6 months prior to the submission of the application, except as provided.

**[AB 3030](#) (Kalra D) Resource conservation: land and ocean conservation goals.**

**Current Text:** Amended: 7/21/2020 [html](#) [pdf](#)

**Last Amend:** 7/21/2020

**Status:** 7/21/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.

**Is Fiscal:** Y

**Location:** 6/23/2020-S. N.R. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would declare it to be the goals of the state by 2030 to protect at least 30% of the state's land areas and waters; to help advance the protection of 30% of the nation's oceans; and to support regional, national, and international efforts to protect at least 30% of the world's land areas and waters and 30% of the world's ocean. The bill would authorize the state to achieve these goals through specified activities.

**[AB 3040](#) (Chiu D) Local planning: regional housing need assessment.**

**Current Text:** Amended: 7/7/2020 [html](#) [pdf](#)

**Last Amend:** 7/7/2020

**Status:** 7/7/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would authorize a city or county to include in its inventory of land suitable for residential development specified sites that contain an existing single-family dwelling unit, but that the city or county has permitted, or is proposing to permit, to contain 4 dwelling units as a use by right. The bill would require these sites to be identified to satisfy either the moderate or the above-moderate income regional housing need income level. The bill would require a city or county identifying a site pursuant to these provisions to include in its housing element a description of the development standards that enable the identified sites to be redeveloped at a higher density, as specified. The bill would authorize a city or county, instead of listing sites individually in its inventory of land suitable for residential development, to include a summary of the credits received if the list of sites is included elsewhere in the housing element.

**AB 3107 (Bloom D) Planning and zoning: commercial zoning: housing development.**

**Current Text:** Amended: 7/21/2020 [html](#) [pdf](#)

**Last Amend:** 7/21/2020

**Status:** 7/21/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law authorizes the legislative body of any county or city, pursuant to specified procedures, to adopt ordinances that, among other things, regulate the use of buildings, structures, and land as between industry, business, residences, open space, and other purposes. This bill, notwithstanding any inconsistent provision of a city's or county's general plan, specific plan, zoning ordinance, or regulation, would require that a housing development be an authorized use on a site designated in any local agency's zoning code for commercial uses if certain conditions apply. Among these conditions, the bill would require that the housing development be subject to a recorded deed restriction requiring that at least 20% of the units have an affordable housing cost or affordable rent for lower income households, as those terms are defined, and located on a site that satisfies specified criteria.

**AB 3205 (Salas D) Regions Rise Grant Program.**

**Current Text:** Amended: 5/19/2020 [html](#) [pdf](#)

**Last Amend:** 5/19/2020

**Status:** 7/1/2020-Referred to Com. on B., P. & E.D.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. B., P. & E.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would establish the Regions Rise Grant Program within the Governor's Office of Business and Economic Development for the purpose of supporting inclusive, cross-jurisdictional, and innovative processes that lead to inclusive strategies to address barriers and challenges confronting communities in creating economic prosperity for all. The bill would define "region" as a geographic area comprised of one or more counties and cities that form a functional economy.

**AB 3234 (Gloria D) Subdivision Map Act.**

**Current Text:** Amended: 5/18/2020 [html](#) [pdf](#)

**Last Amend:** 5/18/2020

**Status:** 6/19/2020-Failed Deadline pursuant to Rule 61(b)(11). (Last location was A. INACTIVE FILE on 6/8/2020)

**Is Fiscal:** Y

**Location:** 6/19/2020-A. DEAD

Desk	Policy	Fiscal	Dead	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would specify that no tentative or final map shall be required for the creation of a parcel or parcels necessary for the development of a small lot subdivision for a housing development project, as defined in the Housing Accountability Act, that meets specified criteria, including that the site is an infill site, as defined, is located in an urbanized area or urban cluster, as defined, and the proposed site to

be subdivided is no larger than 5 acres, among other requirements. The bill would authorize a city, county, or city and county to provide by ordinance for the creation of a small lot subdivision if that ordinance meets the same requirements or requires smaller lots, less parking, or greater density than those requirements.

**[AB 3256](#) (Garcia, Eduardo D) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.**

**Current Text:** Amended: 6/4/2020 [html](#) [pdf](#)

**Last Amend:** 6/4/2020

**Status:** 6/8/2020-Re-referred to Com. on RLS.

**Is Fiscal:** Y

**Location:** 6/3/2020-A. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would enact the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,980,000,000 pursuant to the State General Obligation Bond Law to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.

**[AB 3269](#) (Chiu D) State and local agencies: homelessness plan.**

**Current Text:** Amended: 7/2/2020 [html](#) [pdf](#)

**Last Amend:** 7/2/2020

**Status:** 7/2/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on HOUSING.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would, upon appropriation by the Legislature or upon receiving technical assistance offered by the federal Department of Housing and Urban Development (HUD), if available, require the coordinating council to conduct, or contract with an entity to conduct, a statewide needs and gaps analysis to, among other things, identify state programs that provide housing or services to persons experiencing homelessness and create a financial model that will assess certain investment needs for the purpose of moving persons experiencing homelessness into permanent housing.

**[AB 3300](#) (Santiago D) Homelessness: California Access to Housing and Services Act.**

**Current Text:** Amended: 6/4/2020 [html](#) [pdf](#)

**Last Amend:** 6/4/2020

**Status:** 7/1/2020-Referred to Com. on HOUSING.

**Is Fiscal:** Y

**Location:** 7/1/2020-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** By executive order, the Governor required the Department of Finance to establish the California Access to Housing and Services Fund, administered by the State Department of Social Services, to provide funding for additional affordable housing units, providing rental and operating subsidies, and stabilizing board and care homes. This bill, the California Access to Housing and Services Act, would establish the California Access to Housing and Services Fund in the State Treasury and continuously appropriate moneys in the fund solely for the purpose of implementing and administering the bill's provisions.

**[ACA 10](#) (Bonta D) Personal rights: right to housing.**

**Current Text:** Amended: 5/11/2020 [html](#) [pdf](#)

**Last Amend:** 5/11/2020

**Status:** 5/12/2020-Re-referred to Com. on E. & R.

**Is Fiscal:** Y

**Location:** 6/6/2019-A. E. & R.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would declare that the fundamental human right to housing exists in this state. The measure would declare that this right is exclusively enforceable by a public right of action. The measure would specify that it is the shared obligation of state and local jurisdictions to respect, protect, and fulfill this right through progressively implemented measures, consistent with available resources, within an aggressive but reasonable time frame.



**[SB 9](#)**

**(Durazo D) Surplus residential property: sale procedures: generally and El Sereno neighborhood.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Last Amend:** 7/27/2020

**Status:** 7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on H. & C.D.

**Is Fiscal:** Y

**Location:** 7/10/2019-A. H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would remove the requirement for a private housing-related entity or housing-related public entity purchasing surplus residential property to develop the property as limited equity cooperative housing with first right of occupancy to present occupants. The bill would prohibit surplus residential property from being sold at less than the price paid by the Department of Transportation for original acquisition of the property. The bill would prohibit the adjustment of this original acquisition price for inflation. The bill would also establish new procedures for offering for sale surplus residential properties located within the El Sereno neighborhood in the City of Los Angeles after those properties are offered for sale to former owners and present occupants pursuant to existing law.

**[SB 45](#)**

**(Allen D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.**

**Current Text:** Amended: 1/23/2020 [html](#) [pdf](#)

**Last Amend:** 1/23/2020

**Status:** 1/30/2020-In Assembly. Read first time. Held at Desk.

**Is Fiscal:** Y

**Location:** 1/29/2020-A. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.

**[SB 592](#)**

**(Wiener D) Jury service.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Last Amend:** 7/27/2020

**Status:** 7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on JUD. July 30 hearing postponed by committee.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. JUD.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require the Franchise Tax Board (FTB) to annually furnish the jury commissioner of each county with a list of resident state tax filers, as defined, and include the list of resident state tax filers as a source list for the purposes of jury selection. The bill would also require the FTB to revise the state resident income tax return to include a line for taxpayers to include the address of their principal residence and their county of principal residence.

**[SB 664](#)**

**(Allen D) Electronic toll and transit fare collection systems.**

**Current Text:** Amended: 9/10/2019 [html](#) [pdf](#)

**Last Amend:** 9/10/2019

**Status:** 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was P. & C.P. on 9/10/2019)(May be acted upon Jan 2020)

**Is Fiscal:** Y

**Location:** 9/15/2019-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system, in compliance with specified objectives, including that a vehicle owner shall not be required to purchase or install more than one device to use on all toll facilities, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. Current law authorizes operators of toll facilities on

federal-aid highways engaged in an interoperability program to provide only specified information regarding a vehicle's use of the toll facility. This bill would expand the above-described objective so that a user of a toll facility shall also not be required to purchase or install more than one device to use on all toll facilities.

**SB 773 (Skinner D) Emergencies: State 911 Advisory Board.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Last Amend:** 7/27/2020

**Status:** 7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on G.O.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. G.O.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Warren-911-Emergency Assistance Act establishes the State 911 Advisory Board to advise the Office of Emergency Services on specified subjects relating to the state's 911 emergency telephone response system and to conduct specified hearings on a final plan on implementation. This bill, commencing on June 1, 2021, would revise membership on the advisory board by (1) reducing one representative appointed on the recommendation of the California Police Chiefs Association, one representative appointed on the recommendation of the California State Sheriffs' Association, and one representative appointed on the recommendation of the CalNENA Executive Board, except that any member in those categories whose term began before June 1, 2021, may serve out their term as set forth in existing law at the pleasure of the Governor, and (2) adding one representative of the California Welfare Directors Association, one county public guardian, and one county mental health professional, all 3 of whom will serve at the pleasure of the Governor, as specified.

**SB 795 (Beall D) Economic development: housing: workforce development: climate change infrastructure.**

**Current Text:** Amended: 6/18/2020 [html](#) [pdf](#)

**Last Amend:** 6/18/2020

**Status:** 6/29/2020-Referred to Com. on H. & C.D.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires that the California Workforce Development Board and each local workforce development board ensure that programs and services funded by the federal Workforce Innovation and Opportunity Act of 2014 and directed to apprenticeable occupations are conducted in coordination with apprenticeship programs approved by the Division of Apprenticeship Standards, as specified. Current law establishes the Governor's Office of Business and Economic Development, known as "GO-Biz," within the Governor's office to serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. This bill, upon appropriation by the Legislature, would make up to \$2,000,000,000 available in each fiscal year for the purpose of providing emergency economic recovery and development, climate change, and disaster response.

**SB 899 (Wiener D) Planning and zoning: housing development: higher education institutions and religious institutions.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Last Amend:** 7/27/2020

**Status:** 7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on H. & C.D.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. That law allows a development proponent to submit an application for a development that is subject to a specified streamlined, ministerial approval process not subject to a conditional use permit if the development satisfies certain objective planning standards. This bill would require that a housing development project be a use by right upon the request of an independent institution of higher education or religious institution that partners with a qualified developer on any land owned in fee simple by the applicant on or before January 1, 2020, if the development satisfies specified criteria.

**[SB 902](#)**

**(Wiener D) Planning and zoning: housing development: density.**

**Current Text:** Amended: 5/21/2020 [html](#) [pdf](#)

**Last Amend:** 5/21/2020

**Status:** 6/29/2020-Referred to Com. on L. GOV.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would authorize a local government to pass an ordinance, notwithstanding any local restrictions on adopting zoning ordinances, to zone any parcel for up to 10 units of residential density per parcel, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2022, based on specified criteria.

**[SB 995](#)**

**(Atkins D) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011: housing projects.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Last Amend:** 7/27/2020

**Status:** 7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES. July 29 hearing postponed by committee.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA authorizes the preparation of a master EIR and authorizes the use of the master EIR to limit the environmental review of subsequent projects that are described in the master EIR, as specified. This bill would require a lead agency to prepare a master EIR for a general plan, plan amendment, plan element, or specified plan for housing projects where the state has provided funding for the preparation of the master EIR.

**[SB 1049](#)**

**(Glazer D) Cities and counties: ordinances: short-term rentals.**

**Current Text:** Amended: 5/29/2020 [html](#) [pdf](#)

**Last Amend:** 5/29/2020

**Status:** 6/29/2020-Referred to Com. on L. GOV.

**Is Fiscal:** N

**Location:** 6/29/2020-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would authorize the legislative body of a city or county, for the violation of a short term rental ordinance that is an infraction, to impose a fine not exceeding \$1,500 for a first violation, \$3,000 for a 2nd violation of the same ordinance within one year, and \$5,000 for each additional violation of the same ordinance within one year of the first violation. The bill would define "short term rental" for purposes of these provisions to mean a residential property that is not a hotel or motel that is rented to a visitor for fewer than 30 consecutive days or less. The bill, with respect to cities, would also make these violations subject to the process for granting a hardship waiver.

**[SB 1065](#)**

**(Hertzberg D) CalWORKs: homeless assistance.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Last Amend:** 7/27/2020

**Status:** 7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on HUM. S.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. HUM. S.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Under current law, a family is considered homeless for the purpose of establishing eligibility for homeless assistance benefits if, among other things, the family has received a notice to pay rent or quit. Current law requires the family to demonstrate that the eviction is the result of a verified financial hardship, as specified, and not other lease or rental violations, and that the family is experiencing a financial crisis that may result in homelessness if preventive assistance is not provided. This bill would



eliminate the requirement for a family to demonstrate the reason for the eviction and the existence of the financial crisis.

**[SB 1085](#) (Skinner D) Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints.**

**Current Text:** Amended: 6/18/2020 [html](#) [pdf](#)

**Last Amend:** 6/18/2020

**Status:** 6/29/2020-Referred to Com. on H. & C.D.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires the amount of a density bonus and the number of incentives or concessions a qualifying developer receives to be pursuant to a certain formula based on the total number of units in the housing development, excluding the units added by a density bonus awarded pursuant to the Density Bonus Law or any local law granting a greater density bonus. This bill would require a unit designated to satisfy the inclusionary zoning requirements of a city or county to be included in the total number of units on which a density bonus and the number of incentives or concessions are based.

**[SB 1120](#) (Atkins D) Subdivisions: tentative maps.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Last Amend:** 7/27/2020

**Status:** 7/27/2020-From committee with author's amendments. Read second time and amended. Referred to Com. on L. GOV.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require a proposed housing development containing 2 residential units to be considered ministerially, without discretionary review or hearing, within a single-family residential zone, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

**[SB 1138](#) (Wiener D) Housing element: emergency shelters: rezoning of sites.**

**Current Text:** Amended: 7/27/2020 [html](#) [pdf](#)

**Last Amend:** 7/27/2020

**Status:** 7/27/2020-From committee with author's amendments. Read second time and amended. Referred to Com. on H. & C.D.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes a housing element. Current law requires that the housing element identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and to make adequate provision for the existing and projected needs of all economic segments of a community. This bill would revise the requirements of the housing element, as described above, in connection with identifying zones or zoning designations that allow residential use, including mixed use, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. If an emergency shelter zoning designation where residential use is a permitted use is unfeasible, the bill would permit a local government to designate zones for emergency shelters in a nonresidential zone if the local government demonstrates that the zone is connected to amenities and services, as specified, that serve homeless people.

**[SB 1291](#) (Committee on Transportation) Federal Statewide Transportation Improvement Program: submissions.**

**Current Text:** Amended: 4/3/2020 [html](#) [pdf](#)

**Last Amend:** 4/3/2020

**Status:** 6/18/2020-Referred to Com. on TRANS.

**Is Fiscal:** Y

**Location:** 6/18/2020-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires each metropolitan planning organization and transportation planning agency, not later than October 1 of each even-numbered year, to submit its Federal Transportation Improvement Program to the Department of Transportation for incorporation into the Federal Statewide Transportation Improvement Program, which current law requires the department to submit to the United States Secretary of Transportation by not later than December 1 of each even-numbered year. This bill would provide that a metropolitan planning organization or transportation planning agency is not required to submit a Federal Transportation Improvement Program to the department, and the department is not required to submit the Federal Statewide Transportation Improvement Program to the secretary, for 2020.

**SB 1299 (Portantino D) Housing development: incentives: rezoning of idle retail sites.**

**Current Text:** Amended: 6/18/2020 [html](#) [pdf](#)

**Last Amend:** 6/18/2020

**Status:** 6/29/2020-Referred to Com. on H. & C.D.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law establishes, among other housing programs, the Workforce Housing Reward Program, which requires the Department of Housing and Community Development to make local assistance grants to cities, counties, and cities and counties that provide land use approval to housing developments that are affordable to very low and low-income households. This bill, upon appropriation by the Legislature, would require the department to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of workforce housing. The bill would define various terms for these purposes. In order to be eligible for a grant, the bill would require a local government, among other things, to apply to the department for an allocation of grant funds and provide documentation that it has met specified requirements.

**SB 1385 (Caballero D) Local planning: housing: commercial zones.**

**Current Text:** Amended: 6/18/2020 [html](#) [pdf](#)

**Last Amend:** 6/18/2020

**Status:** 6/29/2020-Referred to Com. on L. GOV.

**Is Fiscal:** Y

**Location:** 6/29/2020-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a neighborhood lot that is zoned for office or retail commercial use under a local agency's zoning code or general plan. The bill would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.

**SCA 1 (Allen D) Public housing projects.**

**Current Text:** Introduced: 12/3/2018 [html](#) [pdf](#)

**Status:** 9/10/2019-Read. Adopted. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Is Fiscal:** N

**Location:** 9/10/2019-A. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.

**Total Measures: 44**  
**Total Tracking Forms: 44**



**Item 4:** **Connect SoCal and RHNA Update**  
**Recommended Action:** Receive reports.

## **Reports**

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On May 7, 2020, the SCAG Regional Council approved the RTP portion of Connect SoCal to submit for federal conformity. The SCS portion of Connect SoCal was delayed 120 days in order for SCAG to verify or correct entitlements and report back on the effects of the economic shutdown due to COVID-19.

On June 5, 2020 the Federal Highway Administration and Federal Transit Administration approved the RTP for air quality conformance.

On September 3, 2020, SCAG staff will present the SCS to the Regional Council for approval. After the adoption of Connect SoCal, each local jurisdiction will receive formal notification from SCAG on their draft RHNA allocation. The period to file appeals is expected to commence on the eighth day after the Regional Council adopts the Connect SoCal in its entirety. The appeals process will then follow the adopted RHNA Appeals Procedures with timelines updated to reflect the delay of the Connect SoCal Plan adoption.

Attachments: RHNA Appeals Procedures  
RHNA Appeals FAQ

## RHNA Appeals FAQ

### 1. Where can I find my jurisdiction's draft RHNA allocation?

The official draft RHNA allocation for each SCAG jurisdiction is scheduled to be distributed in late April/early May 2020. An estimate of a jurisdiction's draft RHNA allocation based on the adopted final RHNA methodology can be found on the RHNA webpage: [www.scag.ca.gov/rhna](http://www.scag.ca.gov/rhna).

### 2. Who can file an appeal?

Any jurisdiction in the SCAG region and the California Department of Housing and Community Development (HCD) may file an appeal on any jurisdiction's draft RHNA allocation within the SCAG region. A jurisdiction may file an appeal on its own draft RHNA allocation and one or more appeals on the draft allocations of other jurisdictions.

### 3. Can I file more than one appeal? Is there a limit to the number of appeals one jurisdiction can file? Am I able to file an appeal of one jurisdiction's allocation on the basis that it is too high and at the same time file an appeal of another jurisdiction's allocation on the basis that is too low?

Yes, every jurisdiction may file multiple appeals and there is no limit on the number of appeals filed by each jurisdiction. The filed appeals may request increases or decreases to draft RHNA allocations and do not have to be the same request.

### 4. What can I base my appeal on?

State Housing Element law allows three bases for appeals in the 6<sup>th</sup> RHNA cycle:

1. Local planning factors and information on affirmatively furthering fair housing (AFFH).  
(Please note these terms are defined in statute and the RHNA appeals form specifies what is considered to be a local planning factor for RHNA purposes.)
2. Application of final methodology
3. Change in circumstance

Statutory changes enacted since the 5<sup>th</sup> cycle appeals process prohibit the use of local ordinances, underproduction of housing based on the last RHNA cycle, and stable population growth as bases for appeals.

All appeals must include a statement arguing why the revision is necessary to further the objectives of RHNA law (see Government Code Section 65584).

### 5. Do the guidelines allow for annexations as the basis for an appeal under Changed Circumstances?

Yes, annexation would be a permissible basis for an appeal and this would likely be considered a change in circumstance, per Question 4 above.

**6. Are you able to file an appeal to have an allocation be taken away from a jurisdiction and have that specific number be allocated to another specific jurisdiction?**

No, that will not be possible. All successful appeals must be reallocated back to the region. In accordance with Government Code Section 65584.05(g), if the successful appeals amount to 7% or less of the regional housing need, or 93,928 units, those appealed units will be reallocated proportionally to all jurisdictions. For any amount above 7% region-wide, SCAG will need to develop a new methodology to distribute the units. SCAG's draft Appeals Procedures outlines this methodology which is the same as the Final RHNA Methodology in allocating existing need.

**7. When will we be notified that another jurisdiction has filed an appeal of our jurisdiction's allocation?**

SCAG staff will notify jurisdictions on a periodic basis of filed appeals during the 45-day appeals period. However, due to an anticipated high volume of appeals and that submitted appeals may be resubmitted until the deadline, we will be unable to share any filed appeals until the end of the filing period.

**8. Will there be an opportunity to challenge an appeal of my jurisdiction's allocation filed by another jurisdiction?**

A jurisdiction that is the subject of an appeal filed by another jurisdiction will have the opportunity to challenge the appeal and present their case at the appeal public hearings, which will take place in Summer 2020.

**9. Will the jurisdiction that made a successful appeal be exempt from receiving any of their appealed numbers through the redistribution process?**

The successful appellant will not be exempt from receiving any of their appealed numbers through the redistribution process.

If more than 93,928 units are successfully appealed, SCAG will apply a methodology same as the final methodology's existing need formula.

**10. What is the filing deadline for appeals? When will the RHNA Appeals Board review appeals?**

The key dates for the appeals process have not yet been finalized by the SCAG Regional Council, but SCAG anticipates that the 45-day filing period for appeals will occur between early May and mid-June 2020. The public hearings to review and determine appeals will occur most likely in August 2020. SCAG will post the finalized milestone dates on the RHNA webpage after the Appeals Procedures are adopted.

**11. How do we submit attachments and supplementary files to an appeal?**

Supplementary attachments and files can be sent to [housing@scag.ca.gov](mailto:housing@scag.ca.gov). If you plan on submitting files exceeding 10 MB, please email [housing@scag.ca.gov](mailto:housing@scag.ca.gov) to receive a weblink to upload your documents.

## 6th RHNA Cycle Appeals Procedures

Pursuant to Government Code section 65584.05, any local jurisdiction within the SCAG region may file an appeal to modify its allocated share or another jurisdiction's share of the regional housing need included as part of SCAG's Draft Regional Housing Needs Assessment (RHNA) Allocation Plan, hereinafter referred to as the "Draft RHNA Plan." The California Department of Housing and Community Development, hereinafter referred to as "HCD", may also file an appeal to one or more jurisdiction's draft RHNA allocation. No appeal shall be allowed relating to post-appeal reallocation adjustments made by SCAG, as further described in Section II, below.

### **I. APPEALS PROCESS**

#### **A. DEADLINE TO FILE**

The period to file appeals shall commence on May 15, 2020<sup>1</sup>, which shall be deemed as the date of receipt by jurisdictions and HCD of the draft RHNA Plan. In order to comply with Government Code § 65584.05(b), a jurisdiction or HCD seeking to appeal a draft allocation of the regional housing need must file an appeal by 5:00 p.m. June 29, 2020. Late appeals shall not be accepted by SCAG.

#### **B. FORM OF APPEAL**

The local jurisdiction shall state the basis and specific reasons for its appeal on the RHNA Appeal Request Form prepared by SCAG, a copy of which is attached hereto as Exhibit "A". Additional documents may be submitted by the local jurisdiction as attachments, and all such attachments should be properly labeled and numbered.

#### **C. BASES FOR APPEAL**

Local jurisdictions shall only file an appeal based upon the criteria listed below. In order to provide guidance to potential appellants, SCAG's Final RHNA Methodology for the 6<sup>th</sup> Housing Element Cycle (2021-2029) (Final RHNA Methodology) approved by SCAG's Regional Council on March 5, 2020, is attached hereto as Exhibit "B". Appeals based on "change of circumstance" can only be filed by the jurisdiction or jurisdictions where the change in circumstance occurred.

Pursuant to Government Code Section 65584.05, filed appeals must include a statement as to why the revision is necessary to further the intent of the objectives listed in Section 65584. Additionally, Government Code Section 65584.05(b) requires that all

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<sup>1</sup> The period to file appeals shall commence on the eighth day after the Regional Council adopts the Final Connect SoCal in its entirety, and all the subsequent dates in this Appeals Procedures shall be adjusted accordingly.

filed appeals must be 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).

1. Methodology – That SCAG failed to determine the jurisdiction's share of the regional housing need 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).
  
2. Local Planning Factors and Information Affirmatively Furthering Fair Housing (AFFH) – That 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) including the following:
  - a. Each jurisdiction's existing and projected jobs and housing relationship.
  - b. The opportunities and constraints to development of additional housing in each jurisdiction, including the following:
    - (1) lack of capacity for sewer or water service due to federal or state laws, regulations or regulatory actions, or supply and distribution decisions made by a sewer or water service provider other than the local jurisdiction that preclude the jurisdiction from providing necessary infrastructure for additional development during the planning period;
    - (2) 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;
    - (3) Lands preserved or protected from urban development under existing federal or state programs, or both, designed to protect open space, farmland, environmental habitats, and natural resources on a long-term basis, including land zoned or designated for agricultural protection or



preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts conversion to non-agricultural uses.

- (4) County policies to preserve prime agricultural land, as defined pursuant to Government Code § 56064, within an unincorporated area, and land within an unincorporated area zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts its conversion to non-agricultural uses.
- c. The distribution of household growth assumed for purposes of a comparable period of regional transportation plans and opportunities to maximize the use of public transportation and existing transportation infrastructure.
- d. Agreements between a county and cities in a county to direct growth toward incorporated areas of the county or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of the jurisdiction that prohibits or restricts conversion to nonagricultural uses.
- e. The loss of units contained in assisted housing developments, as defined in Government Code § 65583(a)(9), that changed to non-low-income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions.
- f. The percentage of existing households at each of the income levels listed in subdivision (e) of Section 65584 that are paying more than 30 percent and more than 50 percent of their income in rent.
- g. The rate of overcrowding.
- h. The housing needs of farmworkers.
- i. 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.
- j. The loss of units during a state of emergency that was declared by the Governor pursuant to the California

Emergency Services Act (Chapter 7(commencing with Section 8550) of Division 1 of Title 2), during the planning period immediately preceding the relevant revision pursuant to Section 65588 that have yet to be rebuilt or replaced at the time of the analysis. For purposes of these guidelines, this applies to loss of units during a state of emergency occurring since October 2013 and have not yet been rebuilt or replaced by the time of the development of the draft RHNA methodology, or November 7, 2019.

- k. The region’s greenhouse gas emissions targets provided by the State Air Resources Board pursuant to Section 65080, to be met by SCAG’s Connect SoCal Plan.
  - l. Information based upon the issues, strategies, and actions that are included, as available in an Analysis of Impediments to Fair Housing Choice or an Assessment of Fair Housing completed by any city or county or the California Department of Housing and Community Development, and in housing elements
3. Changed Circumstances – That a significant and unforeseen change in circumstance has occurred in the jurisdiction after April 30, 2019 and merits a revision of the information previously submitted by the local jurisdiction. Appeals on this basis shall only be made by the jurisdiction or jurisdictions where the change in circumstances has occurred.

**D. LIMITS ON SCOPE OF APPEAL**

Existing law explicitly limits SCAG’s scope of review of appeals. Specifically, SCAG shall not grant any appeal based upon the following:

1. Any other criteria other than the criteria in Section I.C above.
2. A local jurisdiction's existing zoning ordinance and land use restrictions, including but not limited to, the contents of the local jurisdiction's current general plan. Pursuant to Government Code Section 65584.04(e)(2)(B), SCAG may not limit its consideration of suitable housing sites or land suitable for urban development to existing zoning ordinances and land use restrictions of a locality, but shall consider the potential for increased residential development under alternative zoning ordinances and land use restrictions.
3. Any local ordinance, policy, voter-approved measure or standard limiting residential development. Pursuant to Government Code Section 65584.04(g)(1), any ordinance, policy, voter-approved measure, or standard of a city or county that directly or indirectly limits the number of residential building permits shall not be a justification for a determination or a reduction in a city's or county's share of regional housing need.
4. Prior underproduction of housing in a jurisdiction from the previous regional housing need allocation. Pursuant to Government Code Section 65584.04(g)(2), prior underproduction of housing in a jurisdiction from the previous housing need allocation, as determined by each jurisdiction's annual production report submitted to Government Code Section 65400(a)(2)(H) cannot be used as a justification for a determination or reduction in a jurisdiction's share of the regional housing need.
5. Stable population numbers in a jurisdiction. Pursuant to Government Code Section 65584.04(g)(3), stable population growth from the previous regional housing needs cycle cannot be used as a justification for a determination or reduction in a jurisdiction's share of the regional housing need.

#### **E. COMMENTS ON APPEALS**

At the close of the appeals period as set forth in I.A., SCAG shall notify all jurisdictions within the region and HCD of all appeals and shall make all materials submitted in support of each appeal available on its website after the close of the appeals filing period. Local jurisdictions and HCD may comment on one or more appeals within the 45 days following the end of the appeals filing period. All comments must be filed by 5:00 p.m. August 13, 2020. No late comments shall be accepted by SCAG.

## **F. HEARING BODY**

SCAG's Regional Council has delegated the responsibility of considering appeals regarding draft allocations to the RHNA Subcommittee, also referred to as the RHNA Appeals Board. All provisions of the RHNA Subcommittee's charter shall apply with respect to the membership and conduct of the appeal hearings. Per the RHNA Subcommittee charter, which was adopted on February 7, 2019 by the Regional Council, ex-officio members may participate as non-voting members of the RHNA Subcommittee and by extension the RHNA Appeals Board, and are not counted for purposes of a quorum. Also per the RHNA Subcommittee charter, all decisions made by the RHNA Appeals Board are considered final and will not be reviewed by the SCAG CEHD Committee or Regional Council.

## **G. APPEAL HEARING**

SCAG shall conduct one public hearing to consider all appeals filed and comments received on the appeals no later than September 12, 2020. This public hearing may be continued (over several days if necessary) until all appeals are heard. Notice shall be provided to the appealing jurisdictions, commenting jurisdictions, and HCD at least 21 days in advance of the hearing. Per Government Code Section 65584.05(i), SCAG may extend the deadline to conduct the appeals hearing by up to thirty (30) days.

The appeal hearing may take place provided that each county is represented either by a member or alternate of the RHNA Appeals Board. Alternates are permitted to participate in the appeal hearing, provided however, that each county shall only be entitled to one vote when deciding on the appeal. Ex-officio members may participate as non-voting members of the RHNA Appeals Board and are not counted for purposes of a quorum. In alignment with the adopted RHNA Subcommittee charter, in the event the hearing involves the member's or alternate's respective jurisdiction, the member or alternate may elect not to participate in the discussion and vote by the RHNA Subcommittee regarding such appeal.

Due to the public health situation that began in late Winter 2020, RHNA appeals hearings may be conducted via teleconference per State-adopted emergency amendments to the Brown Act. SCAG staff will continue to apprise the public on any updates to meeting procedures and will include all information in the public noticing of the appeal hearings.

### **Appeal Hearing Procedures**

The hearing(s) shall be conducted to provide applicants and jurisdictions that did not file appeals but are the subject of an appeal, with the opportunity to make their case regarding a change in their draft regional housing need allocation or another

jurisdiction's allocation, with the burden on the applicants to prove their case. The appeals hearings will be organized by the specific jurisdiction subject to an appeal or appeals and will adhere to the following procedures:

**1. Initial Arguments**

Applicants who have filed an appeal for a particular jurisdiction will have an opportunity to present their request and reasons to grant the appeal. In the event of multiple appeals filed for a single jurisdiction, the subject jurisdiction will present their argument first if it has filed an appeal on its own draft RHNA allocation. Applicants may present their case either on their own, or in coordination with other applicants, but each applicant shall be allotted five (5) minutes each. If the subject jurisdiction did not file an appeal on its own draft RHNA allocation, it will be given an opportunity to present after all applicants have provided initial arguments on their filed appeals. Any presentation from the jurisdiction who did not appeal but is the subject of the appeal is limited to five (5) minutes unless it is responding to more than one appeal, in which case the jurisdiction is limited to eight (8) minutes.

**2. Staff Response**

After initial arguments are presented, SCAG staff will present their recommendation to approve or deny the appeals filed for the subject jurisdiction. The staff response is limited to five (5) minutes .

**3. Rebuttal**

Applicants and the jurisdiction who did not file an appeal but is the subject of the appeal may elect to provide a rebuttal but are limited to the arguments and evidence presented in the staff response. Each applicant and the subject jurisdiction that did not file an appeal on its own draft RHNA allocation will be allotted three (3) minutes each for a rebuttal.

**4. Extension of Time Allotment**

The Chair of the Appeals Board may elect to grant additional time for any presentation, staff response, or rebuttal in the interest of due process and equity.

**5. Appeal Board Discussion and Determination**

After arguments and rebuttals are presented, the RHNA Appeals Board may ask questions of applicants, the subject jurisdiction (if present), and SCAG staff. The Chair of the Appeals Board may request that questions

from the Appeals Board be asked prior to a discussion among Appeals Board members. Any voting Board member may make a motion regarding the appeal(s) for the subject jurisdiction. The Appeals Board is encouraged to make a single determination on the subject jurisdiction after hearing all arguments and presentations on each subject jurisdiction.

The RHNA Appeals Board need not adhere to formal evidentiary rules and procedures in conducting the hearing. An appealing jurisdiction may choose to have technical staff present its case at the hearing. At a minimum, technical staff should be available at the hearing to answer any questions of the RHNA Appeals Board.

#### **H. DETERMINATION OF APPEAL**

The RHNA Appeals Board shall issue a written final determination on all filed appeals after the conclusion of the public hearing(s). The written final determination shall consider all arguments and comments presented on revising the draft RHNA allocation of the subject jurisdiction and make a determination for each subject jurisdiction. The final determinations shall be based upon the information and methodology set forth in Government Code section 65584.04 and whether the revision is necessary to further the objectives listed in Government Code section 65584(d). The final determination shall include written findings as to how the determination is consistent with Government Code section 65584.05. The decision of the RHNA Appeals Board shall be final, and local jurisdictions shall have no further right to appeal.

In accordance with existing law, the final determination on an appeal by the RHNA Subcommittee may require the adjustment of allocation of a local jurisdiction that is not the subject of an appeal. Specific adjustments to jurisdictions not the subject of an appeal as a result of an appeal will be included as part of the Appeal Board's determination. These specific adjustments may be excluded from the cumulative total adjustments required to be reallocated as described in Section II of these Appeals Guidelines if it is included as part of the appeals determination of the subject jurisdiction.

#### **I. ALTERNATIVE DATA REQUIREMENTS**

To the extent a local jurisdiction submits admissible alternative data or evidentiary documentation to SCAG in support of its appeal, such alternative data shall meet the following requirements:

1. The alternative data shall be readily available for SCAG’s review and verification. Alternative data should not be constrained for use by proprietary conditions or other conditions rendering them difficult to obtain or process.
2. The alternative data shall be accurate, current, and reasonably free from defect.
3. The alternative data shall be relevant and germane to the local jurisdiction’s basis of appeal.
4. The alternative data shall be used to support a logical analysis relating to the local jurisdiction’s request for a change to its draft regional housing need allocation.

## **II. POST-APPEAL REALLOCATION OF REGIONAL HOUSING NEED**

In accordance with existing law (*see*, Government Code Section 65584.05(g)), after the conclusion of the appeals process, SCAG shall total the successfully appealed housing need allocations, except for adjustments made to jurisdictions not the subject of an appeal as determined by the Appeals Board in Section I.H. If the adjustments total seven percent (7%) or less of the regional housing need, SCAG shall distribute the adjustments proportionally, to all local jurisdictions. For purposes of these procedures, proportional distribution shall be based on the share of regional need after the appeals are determined and prior to the required redistribution.

If the adjustments total more than seven percent (7%) of the regional housing need, existing law requires that SCAG to develop a methodology to distribute the amount greater than seven percent to local governments. In this situation, SCAG will redistribute the amount greater than the seven percent based on the “residual” existing need calculation included in the adopted final RHNA methodology. To be consistent with the “residual” existing need calculation, successfully appealed units above the seven percent threshold will be redistributed to each county based on their proportion of total successful appeals. Fifty percent (50%) of each county’s amount above the regional seven percent will be redistributed within the county based on population within a High Quality Transit Area (HQTAs) and fifty percent (50%) of the amount will be redistributed within the county based on share of regional jobs accessible. Communities designated as disadvantaged, defined in the Final RHNA Methodology as having more than fifty percent (50%) of their population in lower resource areas, will be exempt from redistribution of the amount greater than seven percent. For more information regarding the existing need distribution in the Final RHNA Methodology, please refer to Exhibit B SCAG’s adopted Final RHNA Methodology.

**III. FINAL RHNA PLAN**

After SCAG reallocates units to all local jurisdictions resulting from successful appeals, SCAG's Regional Council shall review and consider adoption of the Final RHNA Plan for SCAG's 6<sup>th</sup> cycle RHNA. This is scheduled to occur on October 1, 2020.



## List of Exhibits

Exhibit A: RHNA Appeal Request Form

Exhibit B: Final RHNA Methodology

Exhibit C:

- Government Code Section 65580
- Government Code Section 65584
- Government Code Section 65584.04
- Government Code Section 65584.05

Exhibit D: RHNA Subcommittee Charter

**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](mailto:housing@scaq.ca.gov).*  
*Late submissions will not be accepted.*

Date: \_\_\_\_\_ Jurisdiction Subject to This Appeal Filing: \_\_\_\_\_  
 (to file another appeal, please use another form)

Filing Party (Jurisdiction or HCD)  
 \_\_\_\_\_

Filing Party Contact Name \_\_\_\_\_ Filing Party Email: \_\_\_\_\_

**APPEAL AUTHORIZED BY:**

Name: \_\_\_\_\_

**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: \_\_\_\_\_

**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](mailto:housing@scaq.ca.gov).*  
*Late submissions will not be accepted.*

**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.**

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

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

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

**List of Supporting Documentation, by Title and Number of Pages**  
**(Numbers may be continued to accommodate additional supporting documentation):**

- 1.
- 2.
- 3.

**FOR STAFF USE ONLY:**

Date \_\_\_\_\_

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

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

## Final RHNA Allocation Methodology

### EXECUTIVE SUMMARY

*SCAG is required to develop a final RHNA methodology to distribute existing and projected housing need for the 6th cycle RHNA for each jurisdiction, which will cover the planning period October 2021 through October 2029. Following extensive feedback from stakeholders during the proposed methodology comment period and an extensive policy discussion, SCAG’s Regional Council voted to approve the Draft RHNA Methodology on November 7, 2019, as described below, and provide it to the State Department of Housing and Community Development (HCD) for their statutory review. On January 13, 2020, HCD completed its review of the draft methodology and found that it furthers the five statutory objectives of RHNA and on March 4, 2020, SCAG’s Regional Council voted to approve the Final RHNA Methodology. The overall framework for this methodology is included in the table below and further described in the rest of this document.*

Projected need	Existing need	Income categories
Household growth 2020-2030	Transit accessibility (HQTA population 2045)	150% social equity adjustment minimum
Future vacancy need	Job accessibility	0-30% additional adjustment for areas with lowest or highest resource concentration
Replacement need	Residual distribution within the county	

### HOUSING CRISIS

There is no question that there is an ongoing housing crisis throughout the State of California. A variety of measures indicate the extent of the crisis including overcrowding and cost-burdened households, but the underlying cause is due to insufficient housing supply despite continuing population growth over recent decades.

As part of the RHNA process SCAG must develop a final RHNA methodology, which will determine each jurisdiction’s draft RHNA allocation as a share of the regional determination of existing and projected housing need provided by the California Department of Housing and Community Development (HCD). There are several requirements outlined by Government Code Section 65584.04, which will be covered in different sections of this packet:

- Allocation methodology, per Government Code 65584.04(a)
- How the allocation methodology furthers the objectives State housing law, per GC 65584.04(f)

- How local planning factors are incorporated into the RHNA methodology, per GC 65584.04(f)
- Furthering the objectives of affirmatively furthering fair housing (AFFH), per GC 65584.04(d)
- Public engagement, per GC 65584.04(d)

Additionally, SCAG has developed a dynamic estimator tool and data appendix that contains a full set of various underlying data and assumptions to support the methodology. Due to the size of the appendix, a limited number of printed copies are available. SCAG has posted the dynamic estimator tool and full methodology appendix, on its RHNA webpage: [www.scag.ca.gov/rhna](http://www.scag.ca.gov/rhna).

Per State housing law, the RHNA methodology must distribute existing and projected housing need to all jurisdictions. The following section provides the final methodology for distributing projected and existing need to jurisdictions from the RHNA regional determination provided by the California Department of Housing and Community Development (HCD) pursuant to Government Code Section 65584.01.

#### Guiding Principles for RHNA Methodology

In addition to furthering the five objectives pursuant to Government Code 65585(d), there are several guiding principles that SCAG staff has developed to use as the basis for developing the distribution mechanism for the RHNA methodology. These principles are based on the input and guidance provided by the RHNA Subcommittee during their discussions on RHNA methodology between February 2019 and June 2019.

1. The housing crisis is a result of housing building not keeping up with growth over the last several decades. The RHNA allocation for all jurisdictions is expected to be higher than the 5<sup>th</sup> RHNA cycle.
2. Each jurisdiction must receive a fair share of their regional housing need. This includes a fair share of planning for enough housing for all income levels, and consideration of factors that indicate areas that have high and low concentration of access to opportunity.
3. It is important to emphasize the linkage to other regional planning principles to develop more efficient land use patterns, reduce greenhouse gas emissions, and improve overall quality of life.

The jurisdictional boundaries used in the recommended RHNA methodology will be based on those as of August 31, 2016. Spheres of influence in unincorporated county areas are considered within unincorporated county boundaries for purposes of RHNA.

#### Proposed RHNA Allocation Methodology

The proposed RHNA methodology, which was released for public review on August 1, contained three (3) options to distribute HCD's regional determination for existing and projected need for the

SCAG region. HCD provided SCAG a final regional determination of 1,341,827 units for the 6<sup>th</sup> cycle RHNA on October 15, 2019.<sup>1</sup>

The three options were developed based on RHNA Subcommittee feedback on various factors at their meetings between February and June 2019 and feedback from stakeholders. SCAG solicited formal public comment on the three options and any other factors, modifications, or alternative options during the public comment period, which commenced on August 1 and concluded on September 13, 2019.

Four public hearings were conducted to formally receive verbal and written comments on the proposed RHNA methodology, in addition to one public information session with a total participation of approximately 250 people. Almost 250 written comments were submitted to SCAG specifically on the proposed methodology and over 35 verbal comments were shared at four (4) public hearings held in August 2019.

#### Draft and Final RHNA Allocation Methodology

Based on comments received during the public comment period, staff recommended a combination of the three options in the proposed methodology further enhanced by factors specifically suggested by stakeholders.

On November 7, 2019, SCAG's Regional Council voted to approve the Draft RHNA Methodology. The approved draft methodology included modifications to the staff-recommended draft methodology for calculating existing housing need to more closely align the methodology with job and transit accessibility factors.

On January 13, 2020, HCD completed their statutory review and found that SCAG's Draft RHNA Methodology furthers the five statutory objectives of RHNA, which allows SCAG to finalize the RHNA methodology and issue draft RHNA allocations to each individual jurisdiction. HCD's comment letter, which can be found at [www.scag.ca.gov/rhna](http://www.scag.ca.gov/rhna), notes:

*"HCD has completed its review of the methodology and finds that the draft SCAG RHNA methodology furthers the five statutory objectives of RHNA. HCD acknowledges the complex task of developing a methodology to allocate RHNA to 197 diverse jurisdictions while furthering the five statutory objectives of RHNA. This methodology generally distributes more RHNA, particularly lower income RHNA, near jobs, transit, and resources linked to long term improvements of life outcomes. In particular, HCD applauds the use of objective factors specifically linked the statutory objectives in the existing need methodology."*

Following this finding, staff recommended the draft RHNA methodology as the final RHNA methodology. On March 5, 2020, SCAG's Regional Council approved Resolution No. 20-619-2

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<sup>1</sup> On September 5, 2019, the SCAG Regional Council voted to object to HCD the regional determination of 1,344,740, per Government Code Section 65584.01, that was provided on August 15, 2019. After review of SCAG's objection letter, HCD provided a final regional determination of 1,341,827 units on October 15, 2019.

adopting the Final RHNA Methodology for the Sixth Housing Element Cycle. Following the formal distribution of draft RHNA allocations based on the Final RHNA methodology and a separate appeals phase described in Government Code 65584.05 et seq., RHNA allocations will be finalized in approximately October 2020.

The next section describes the final RHNA methodology mechanism to distribute the 1,341,827 housing units determined by HCD to all SCAG jurisdictions.

#### Determining Existing Need and Projected Need

SCAG's final RHNA methodology starts with the total regional determination provided by HCD and separates existing need from projected need.

Projected need is considered as household growth for jurisdictions between the RHNA projection period between July 1, 2021 and October 1, 2029, in addition to a calculated future vacancy need and replacement need. For projected household growth, SCAG's Connect SoCal growth forecast for the years 2020-2030 is used as the basis for calculating projected housing unit need for the region. The anticipated growth in households over this period is multiplied by 0.825 to approximate growth during the 8.25-year RHNA projection period of July 1, 2021 to October 1, 2029.

For several jurisdictions, SCAG's growth forecast includes projected household growth on tribal land. For these jurisdictions, SCAG's estimate of household growth on tribal land from July 1, 2021 to October 1, 2029 is subtracted from the jurisdictional projected household growth (see note in the accompanying dynamic estimator tool). A vacancy adjustment of 1.5% for owner-occupied units and 5% for renter-occupied units representing healthy-market vacancy will be applied to projected household growth to determine future vacancy need. Next a replacement need is added, which is an estimate of expected replacement need over the RHNA period. **Based on these components, the regional projected need is 504,970 units.**

Existing need is considered the remainder of the regional determination after projected need is subtracted. **Based on this consideration, the regional existing need is 836,857 units.**

#### Determining a Jurisdiction's RHNA Allocation (Existing and Projected Need)

In determining the existing need and projected need for the region, the methodology applies a three-step process to determine a jurisdiction's RHNA allocation by income category:

1. Determine a jurisdiction's projected housing need
  - a. Assign household growth to jurisdictions based on SCAG's Connect SoCal Regional Transportation Plan/Sustainable Communities Strategy Growth Forecast between 2020 and 2030
  - b. Calculate a jurisdiction's future vacancy need by applying a healthy market vacancy rate separately to the jurisdiction's owner and renter households
  - c. Assign a replacement need to jurisdictions based on each jurisdiction's share of regional net replacement need based on information collected from the replacement need survey submitted by local jurisdictions

2. Determine a jurisdiction’s existing housing need
  - a. Assign 50 percent of regional existing need based on a jurisdiction’s share of region’s population within the high quality transit areas (HQTAs) based on future 2045 HQTAs
  - b. Assign 50 percent of regional existing need based on a jurisdiction’s share of the region’s jobs that can be accessed within a 30-minute driving commute
  - c. For extremely disadvantaged communities (hereafter “DACs,” see definition below), identify residual existing need, which is defined herein as total housing need in excess of household growth between 2020 and 2045<sup>2</sup>. DACs are jurisdictions with more than half of the population living in high segregation and poverty or low resource areas as defined by the California Tax Credit Allocation Committee (TCAC)/HCD Opportunity Index Scores further described in the document.
  - d. Reallocate residual existing need by county to non-DAC jurisdictions within the same county based on the formula in (a) and (b) above, i.e. 50% transit accessibility and 50% job accessibility.
  
3. Determine a jurisdiction’s total housing need
  - a. Add a jurisdiction’s projected housing need from (1) above to its existing housing need from (2) above to determine its total housing need.
  
4. Determine four RHNA income categories (very low, low, moderate, and above moderate)
  - a. Use a minimum 150% social equity adjustment
  - b. Add an additional percentage of social equity adjustment to jurisdictions that have a high concentration of very low or very high resource areas using the California Tax Credit Allocation Committee (TCAC)’s index scoring
    - i. Add a 10% social equity adjustment to areas that are designated as 70-80% very high or very low resource area
    - ii. Add a 20% social equity adjustment to areas that are designated as 81-90% very high or very low resource area
    - iii. Add a 30% social equity adjustment to areas that are designated as 91-100% very high or very low resource area

Methodology Component	Assigned units
Projected need: Household growth	466,958
Projected need: Future vacancy need	14,467
Projected need: Replacement need	23,545
Projected need subtotal	504,970

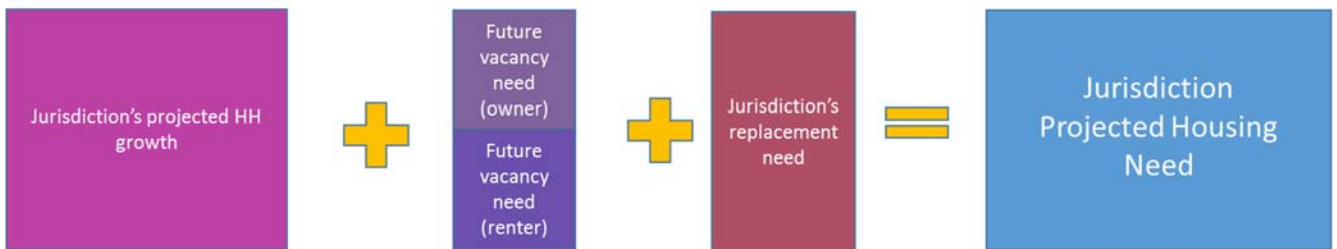
<sup>2</sup> Since HCD’s regional determination of 1,341,827 exceeds SCAG’s 2020-2045 household growth forecast of 1,297,000 by 3.46 percent, for the purposes of existing need allocation, exceeding “local input” or more accurately, Connect SoCal Growth Forecast, household growth shall mean exceeding 1.0368 times household growth.



	Percentage of Existing Need	Assigned units
Existing need: Transit accessibility	50%	418,429
Existing need: Job accessibility	50%	418,428
Existing need subtotal		836,857
<b>Total regional need</b>		<b>1,341,827</b>

**Step 1: Determine Projected Housing Need**

The first step of the RHNA methodology is to determine a jurisdiction’s projected need. From the regional determination, projected need is considered to be regional household growth, regional future vacancy need, and regional replacement need.



To determine a jurisdiction’s projected need, the methodology uses a three-step process:

- a. Determine the jurisdiction’s regional projected household growth based on local input
- b. Determine future vacancy need based on a jurisdiction’s existing composition of owner and renter households and apply a vacancy rate on projected household growth based on the following:
  - a. Apply a 1.5% vacancy need for owner households
  - b. Apply a 5.0% vacancy need for renter households
- c. Determine a jurisdiction’s net replacement need based on replacement need survey results

**Step 1a: Projected Household Growth**

SCAG’s Connect SoCal regional growth forecast reflects recent and past trends, key demographic and economic assumptions, and local, regional, state, and national policy. SCAG’s regional growth forecasting process also emphasizes the participation of local jurisdictions and other stakeholders. The growth forecast process kicked off on May 30, 2017 with a panel of experts meeting wherein fifteen academic scholars and leading practitioners in demographics and economics were invited to review key input assumptions for the growth forecast including expected job growth, labor force

participation, birth rates, immigration and household formation rates. SCAG staff then incorporated the recommendations of the panel of experts into a preliminary range of population, household, and employment growth figures for 2016, 2020, 2030, 2035, and 2045 for the region and six counties individually.

SCAG further projects jurisdiction-level and sub-jurisdiction-level employment, population, and households using several major data sources, including:

- California Department of Finance (DOF) population and household estimates;
- California Employment Development Department (EDD) jobs report by industry;
- 2015 existing land use and General Plans from local jurisdictions;
- 2010 Census and the latest ACS data (2013-2017 5-year samples);
- County assessor parcel databases;
- 2011 and 2015 Business Installment data from InfoGroup; and
- SCAG's 2016 RTP/SCS growth forecast.

On October 31, 2017, the preliminary small area (i.e. jurisdiction and sub-jurisdiction) growth forecasts were released to local jurisdictions for their comments and input. This kicked off SCAG's *Bottom-Up Local Input and Envisioning Process* which provided each local jurisdiction with their preliminary growth forecast information as well as several other data elements both produced by SCAG and other agencies which are related to the development of Connect SoCal. Data map books were generated and provided electronically and in hard copy format and included detailed parcel-level land use data, information on resource areas, farmland, transportation, geographical boundaries and the draft growth forecast. Complete information on the Data map books and the Bottom-Up Local Input and Envisioning Process can be found at <http://scagrtpsc.net/Pages/DataMapBooks.aspx>. Over the next eight months, SCAG staff conducted one-on-one meetings with all 197 local jurisdictions to explain methods and assumptions behind the jurisdiction and sub-jurisdiction growth forecast as well as to provide an opportunity to review, edit, and approve SCAG's preliminary forecast for population, employment, and households for 2016, 2020, 2030, 2035, and 2045.

Between October 2018 and February 2019, SCAG reviewed local input on the growth forecast and other data map book elements. The local input growth forecast was evaluated at the county and regional level for the base year of 2016 and the horizon year of 2045 and was found to be technically sound. Specifically, as it relates to SCAG's local input household forecast:

- The forecast generates a 2045 regional unemployment rate of 4.7 percent which is reasonable based on past trends and ensured that the forecast is balanced, i.e. there are not too many jobs for the number of anticipated workers
- The forecast generates a 2045 population-to-household ratio of 2.9 which is consistent with the preliminary forecast and reflects expert-anticipated decreases in this ratio, ensuring that there are not too many people for the anticipated number of households region-wide
- From 2020-2045, the forecast anticipates household growth of 21 percent and population growth of 15 percent, indicating an alleviation of the region's current housing shortage over this future period.

SCAG's growth forecast for the years 2020-2030 is used as the basis for calculating projected housing unit need. Because the 6th cycle RHNA projection period covers July 1, 2021 through October 15, 2029, it is necessary to adjust reported household growth between 2020 and 2030 and adjust it to an 8.25 year projection period. The anticipated growth in households over this period is multiplied by 0.825 to approximate growth during the 8.25-year RHNA projection period (July 1, 2021 to October 15, 2029).

### Step 1b: Future Vacancy Need

The purpose of a future vacancy need is to ensure that there are enough vacant units to support a healthy housing market that can genuinely accommodate projected household growth. An undersupply of vacant units can prevent new households from forming or moving into a jurisdiction. Formulaically, future vacancy need is a percentage applied to the jurisdiction's household growth by tenure type (owner and renter households). While individual jurisdictions may experience different vacancy rates at different points in time, future vacancy need is independent of existing conditions and instead is a minimum need to support household growth.

To calculate a jurisdiction's future vacancy need, its proportion of owner-occupied units and renter-occupied units are determined using American Community Survey (ACS) 2013-2017 data—the most recent available at the time of the draft methodology's development. The percentages are applied to the jurisdiction's projected household growth from the previous step, which results in the number of projected households that are predicted to be owners and those that are predicted to be renters.

Next, two different vacancy rates are applied based on the regional determination provided by HCD. The recommended methodology uses 1.5 percent for owner-occupied units and a rate of 5 percent for renter-occupied units. The difference is due to the higher rates of turnover generally reported by renter units in comparison to owner-occupied units. The vacancy rates are applied to their respective tenure category to determine how many future vacant units are needed by tenure and then added together to get the total future vacancy need.

### Step 1c: Replacement Need

Residential units are demolished for a variety of reasons including natural disasters, fire, or desire to construct entirely new residences. Each time a unit is demolished, a household is displaced and disrupts the jurisdiction's pattern of projected household growth. The household may choose to live in a vacant unit or leave the jurisdiction, of which both scenarios result in negative household growth through the loss of a vacant unit for a new household or subtracting from the jurisdictions number of households.

For these reasons, replacement need is a required component of the regional determination provided by HCD. The methodology's replacement need will be calculated using a jurisdiction's net replacement need based on data submitted for the replacement need survey, which was conducted between March and April 2019.

Each jurisdiction's data on historical demolitions between reporting years 2008 and 2018, which was collected from the California Department of Finance (DOF), was tabulated and provided to

jurisdictions in the replacement need survey. Jurisdictions were asked to provide data on units that replaced the reported demolished units. A net replacement need was determined based on this information for each jurisdiction.

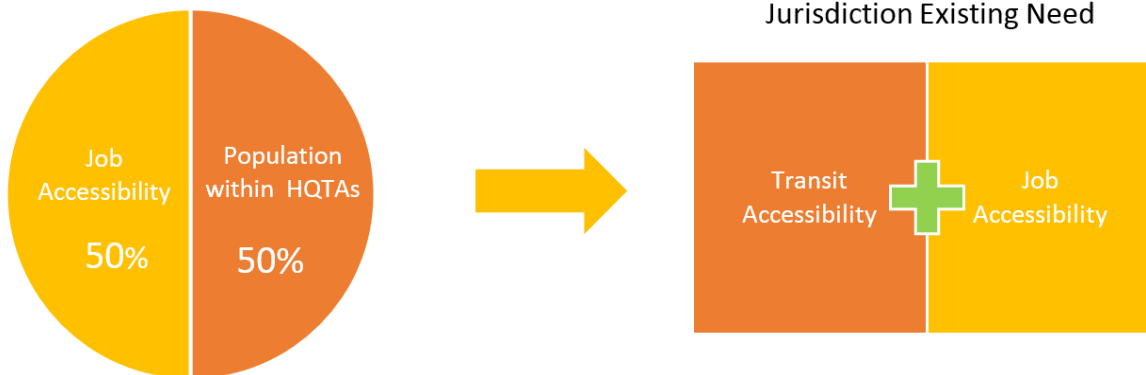
After determining each of the projected housing need components, they are combined to determine a jurisdiction’s projected housing need.

### Step 2: Determine Existing Housing Need

After determining a jurisdiction’s projected need, the next step is to determine a jurisdiction’s existing need. Following the above discussion and based on HCD’s determination of total regional housing need, existing need is defined as the total need minus the projected need—approximately 62 percent of the entire regional determination. SCAG’s Regional Council determined that the regional existing need be split into two parts:

- Fifty (50) percent on population near transit (HQTAs), or 31 percent of total need
- Fifty (50) percent on job accessibility, or 31 percent of total need

Regional Existing Need



### Step 2a: Share of Regional HQTAs Population

The next step involves the consideration of proximity to transit to distribute fifty (50) percent of the region’s existing housing need, in an effort to better align transportation and housing planning.

For several years, SCAG has developed a measure called High Quality Transit Areas (HQTAs) which are areas within a half-mile of transit stations and corridors with at least a fifteen (15) minute headway during peak hours for bus service. HQTAs are based on state statutory definitions of high-quality transit corridors (HQTCs) and major transit stops. For the development of Connect SoCal, freeway-running HQTCs have been excluded from HQTAs to better reflect the level of service they provide to nearby areas.

Planned HQTCs and major transit stops for future years are improvements that are expected to be implemented by transit agencies by the Connect SoCal horizon year of 2045. SCAG updates its inventory with the quadrennial adoption of each RTP/SCS; however, planning and environmental

impact studies may be completed by transit agencies more frequently. Therefore, HQTAs in future years reflect the best information currently available to SCAG regarding the location of future high-quality transit service accessibility. More detailed information on HQTAs-related definitions is available in the data appendix.

50 percent of the regional existing housing need will be distributed based on a jurisdiction's share of regional residential population within an HQTAs, based on the HQTAs boundaries used in the final Connect SoCal Plan anticipated to be adopted by SCAG in April 2020. Not all jurisdictions have an HQTAs within their jurisdictional boundaries and thus may not receive existing need based on this factor.

### Step 2b: Job Accessibility

The concept behind job accessibility is to further the statewide housing objective and SCAG's Connect SoCal objective of improving the relationship between jobs and housing. While none of the three options presented in the proposed RHNA methodology included a factor directly based on job accessibility, an overwhelming number of public comments expressed support for the methodology to include this specific component.

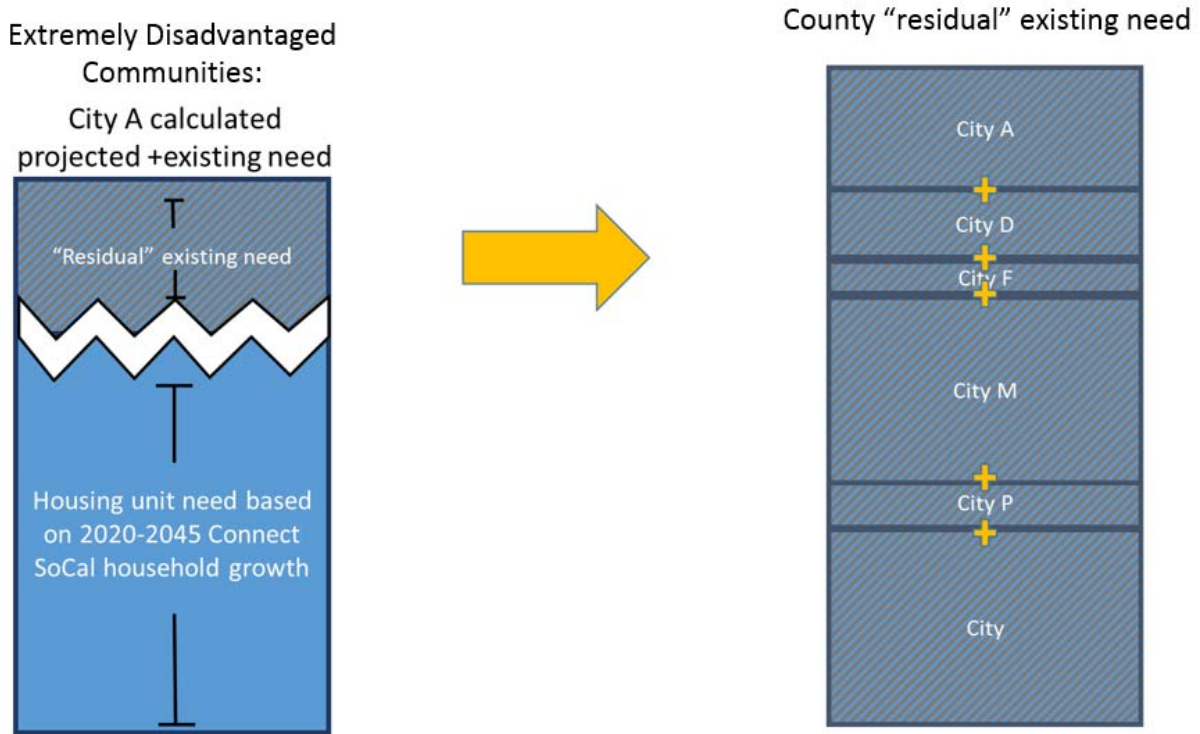
The methodology assigns fifty (50) percent of regional existing need based on job accessibility. Job accessibility is based on the share of the region's jobs accessible by a thirty (30) minute commute by car in 2045. Importantly, the RHNA methodology's job access factor is *not* based on the number of jobs within a jurisdiction from SCAG's Connect SoCal Plan or any other data source. Rather, it is a measure based on of how many jobs can be *accessed* from that jurisdiction within a 30-minute commute, which includes jobs in other jurisdictions. Since over 80 percent of SCAG region workers live and work in different jurisdictions, genuinely improving the relationship between jobs and housing necessitates an approach based on job access rather than the number of jobs in a jurisdiction.

These job accessibility data are derived at the transportation analysis zone (TAZ) level from travel demand modelling output from SCAG's final Connect SoCal Plan. SCAG realizes that in many jurisdictions, especially larger ones, job access many not be uniform in all parts of the city or county. However, since the RHNA process requires allocating housing need at the jurisdictional-level, staff reviewed several ways to measure the typical commuter's experience in each jurisdiction. Ultimately, the share of the region's jobs that could be accessed by a jurisdiction's *median TAZ* was found to be the best available measure of job accessibility for that jurisdiction. Based on this measure, in central parts of the region, residents of some jurisdictions can access as much as 23 percent of the region's jobs in a 30 minute car commute, while the average across all the region's jurisdictions was 10.5 percent.

This measure is multiplied by a jurisdiction's share of total population in order to allocate housing unit need to jurisdictions. This important step ensures that the potential beneficiaries of greater accessibility (i.e., the population in a jurisdiction with good job access) are captured in the methodology. Based on this approach, jurisdictions with limited accessibility to jobs will receive a smaller RHNA allocation based on this component.

### Step 2c: "Residual" Adjustment Factor for Existing Need

In many jurisdictions defined as “disadvantaged communities (DACs)”, the calculated projected and existing need is higher than its household growth between 2020 and 2045, as determined by the SCAG Growth Forecast used in the final Connect SoCal regional plan. Those DAC jurisdictions that have a need as determined by the RHNA methodology as higher than its 2020 to 2045 household growth<sup>3</sup> will be considered as generating “residual” existing need. Residual need will be subtracted from jurisdictional need in these cases so that the maximum a DAC jurisdiction will receive for existing need is equivalent to its 2020 to 2045 household growth. Not all DAC jurisdictions will have a residual existing need.



A county total of residual existing need will be calculated and then redistributed with the same county to non-DAC jurisdictions. The redistribution will be assigned to jurisdictions based on transit accessibility (50%) and job accessibility (50%), and will exclude DAC jurisdictions which have over 50% of their populations in very low resource areas using California Tax Credit Allocation Committee (TCAC)/HCD Opportunity Indices.

Very low resource areas are areas that have least access to opportunity as measured by indicators such as poverty levels, low wage job proximity, math and reading proficiency, and pollution levels. This mechanism will help to further AFFH objectives since residual existing RHNA need, which includes additional affordable units, will be assigned to areas that are not identified as those with the

<sup>3</sup> Since HCD’s regional determination of 1,341,827 exceeds SCAG’s 2020-2045 household growth forecast of 1,297,000 by 3.68 percent, for the purposes of existing need allocation, exceeding “local input” or “Connect SoCal” household growth shall mean exceeding 1.0368 times household growth.

lowest resources, which will increase access to opportunity. A full discussion on the TCAC opportunity indicators is provided in the following section on social equity adjustment. Data relating to the TCAC opportunity indicator categories for each jurisdiction can be found in the RHNA methodology data appendix and in the accompanying RHNA allocation estimator tool on the RHNA webpage: [www.scag.ca.gov/rhna](http://www.scag.ca.gov/rhna).

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### Step 3: Determining Total Housing Need

After determining a jurisdiction’s projected housing need from step 1 and its existing housing need from step 2, the sum of the projected and existing need becomes a jurisdiction’s total housing need.



### Step 4: Determining Four Income Categories through Social Equity Adjustment

After determining a jurisdiction’s total RHNA allocation, the next step is to assign the total into four RHNA income categories. The four RHNA income categories are:

- Very low (50 percent or less of the county median income);
- Low (50-80 percent);
- Moderate (80 to 120 percent); and
- Above moderate (120 percent and above)

The fourth RHNA objective specifically requires that the RHNA methodology allocate a lower proportion of housing need in jurisdictions that already have a disproportionately high concentration of those households in comparison to the county distribution. Additionally, the fifth objective, affirmatively furthering fair housing (AFFH), requires that the RHNA methodology further the objectives of addressing significant disparities in housing needs and access to opportunity in order to overcome patterns of segregation.

To further these two objectives, the RHNA methodology includes a minimum 150 percent social equity adjustment and an additional 10 to 30 percent added in areas with significant populations that are defined as very low or very high resource areas, referred to as an AFFH adjustment. This determines the distribution of four income categories for each jurisdiction.

#### Social equity adjustment





A social equity adjustment ensures that jurisdictions accommodate their fair share of each income category. First, the percentage of each jurisdiction’s distribution of four income categories is determined using the county median income as a benchmark. For example, in Los Angeles County, a household earning less than \$30,552 annually, or 50 percent of the county median income, would be considered a very low income household. A household in Los Angeles County earning more than \$73,218 annually, or 120 percent of the county median income, would be counted in the above moderate category. The number of households in each category is summed and then a percentage of each category is then calculated.

For reference, below is the median household income by county.

- Imperial County: \$44,779
- Los Angeles County: \$61,015
- Orange County: \$81,851
- Riverside County: \$60,807
- San Bernardino County: \$57,156
- Ventura County: \$81,972
- SCAG region: \$64,114

Source: American Community Survey (ACS) 2013-2017 5-year estimates

Once a jurisdiction’s household income distribution by category is determined, the percentage is compared to the county’s percentage of existing household income distribution. For example, if a jurisdiction has an existing distribution of 30 percent of very low income households while the county is 25 percent, the jurisdiction is considered as having an overconcentration of very low income households compared to the county. A social equity adjustment ensures that the jurisdiction will be assigned a smaller percentage of very low income households for its RHNA allocation than both what it and the county currently experience.

If the jurisdiction is assigned a social equity adjustment of 150 percent, the formula to calculate its very low income percentage is:

Household Income Level	Formula to Calculate City A Social Equity Adjustment of 150%
Very Low Income	$30\% - [(30\% - 25\%) \times 1.5] = 22.5\%$

In this example, 22.5 percent of the jurisdiction’s total RHNA allocation would be assigned to the very low income category. This adjustment is lower than both its existing household income distribution (30 percent) and the existing county distribution (25 percent).

The inverse occurs in higher income categories. Assuming 20 percent of a jurisdiction’s households are above moderate income while 25 percent of the county’s households are above moderate income, the jurisdiction will be assigned a distribution of 27.5 percent for above moderate income need.

Household Income Level	Formula to Calculate City A Social Equity Adjustment of 150%
Above moderate income	$20\% - [(20\% - 25\%) \times 1.5] = 27.5\%$

If the adjustment was 100 percent a jurisdiction’s distribution would be exactly the same as the County’s distribution. Conceptually a 150 percent adjustment means that the City meets the County distribution and goes beyond that threshold by 50 percent, resulting in a higher or lower distribution than the County depending on what existing conditions are in the City. The higher the adjustment, the more noticeable the difference between the jurisdiction’s existing household income distribution and its revised distribution.

The RHNA methodology recommends a minimum of 150 percent social equity adjustment with an additional 10, 20, or 30 percent added depending on whether the jurisdiction is considered a very low or very high resource area based on its Opportunity Index score.

In 2015 the U.S. Department of Housing and Urban Development (HUD) developed a set of “Opportunity Indices” to help states and localities identify factors that contribute to fair housing issues in their region and comply with the federal Fair Housing Act. In late 2017, a Task Force convened by HCD and the California Tax Credit Allocation Committee (TCAC) released an “Opportunity mapping” tool based on these HUD indices to identify areas in California that can “offer low-income children and adults the best chance at economic advancement, high educational attainment, and good physical and mental health.”<sup>4</sup>

The TCAC and HCD Opportunity mapping tool includes a total of eleven (11) census-tract level indices to measure exposure to opportunity in local communities. The indices are based on measures of economic, environmental, and educational opportunities within communities. Regional patterns of segregation are also identified based on this tool. Below is a summary table of the 11 indices sorted by type:

<b>Economic</b>	<b>Environment</b>	<b>Education</b>
Poverty	CalEnviroScreen 3.0 indicators	Math proficiency
Adult education		Reading proficiency
Employment		High school graduation rates
Low-wage job proximity		Student poverty rate
Median home value		<ul style="list-style-type: none"> <li>• <i>Ozone</i></li> <li>• <i>PM2.5</i></li> <li>• <i>Diesel PM</i></li> <li>• <i>Drinking water contaminates</i></li> <li>• <i>Pesticides</i></li> <li>• <i>Toxic releases from facilities</i></li> <li>• <i>Traffic density</i></li> <li>• <i>Cleanup sites</i></li> <li>• <i>Groundwater threats</i></li> <li>• <i>Hazardous waste</i></li> <li>• <i>Impaired water bodies</i></li> <li>• <i>Solid waste sites</i></li> </ul>

<sup>4</sup> California Fair Housing Taskforce Revised opportunity Mapping Technology, Updated November 27, 2018: <https://www.treasurer.ca.gov/ctcac/opportunity/final-opportunity-mapping-methodology.pdf>

Based on its respective access to opportunity, each census tract is given a score that designates it under one of the following categories:

- High segregation & poverty
- Low resource
- Moderate resource
- High resource
- Highest resource

Tract-level indices were summed to the jurisdictional-level by SCAG using area-weighted interpolation. Using 2013-2017 American Community Survey population data, SCAG determined the share of each jurisdiction’s population in each of these five categories. For example:

	Lowest Resource				Very High Resource
Opportunity Indicator Category	High segregation & poverty	Low resource	Moderate resource	High resource	Highest resource
City A Percentage of population	10%	10%	30%	30%	20%
City B Percentage of population	90%	5%	5%	0%	0%
City C Percentage of population	0%	0%	10%	15%	75%

The recommended methodology determines high resource concentration using the “very high” resource area score. The recommended methodology determines “lowest” resource areas by combining the two lowest measures. In the above table, City B would be considered to have a much higher concentration of lower resource areas than City A. City C would be considered to have a much higher concentration of highest resource areas.<sup>5</sup>

- High segregation & Poverty + Low Resource = Lowest Resource
- Highest Resource

Jurisdictions that are identified as having between 70 and 100 percent of the population within a lowest or very high resource area are assigned an additional 10 and 30 percent social equity adjustment:

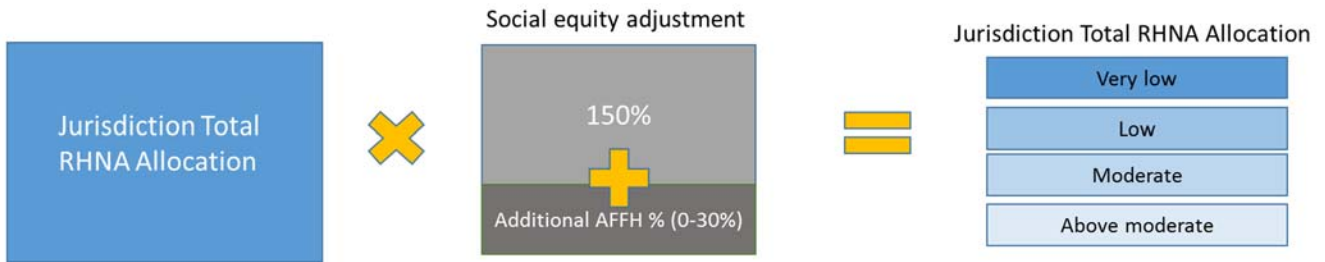
<sup>5</sup> As a cross-reference, if City B has both a high job and transit accessibility it would be exempt from the redistribution of residual existing need from the RHNA methodology’s Step 2d because more than 50 percent of its population is within a very low resource area. On the other hand City A and City C, if they have a high job and transit access, would not be exempt from receiving regional residual need because they have only 20 percent and 0 percent of their respective population within a very low resource area.

Concentration of population within very low or very high resource area	Additional social equity adjustment
70-80%	+10%
80-90%	+20%
90-100%	+30%

In the example table, City B would receive an additional social equity adjustment of 30% because 95% of its population is within a lowest resource area (sum of high segregation & poverty and low resource measures). City C would receive an additional social equity adjustment of 10% because 75% of its population is within a very high resource area. City A would not receive a further adjustment because it does not have a high enough concentration of population within either the lowest or very high resource categories.

Assigning a higher social equity adjustment based on Opportunity Indices will result in a higher percentage of affordable housing units to areas that have higher resources. Concurrently, it will assign a lower percentage of affordable housing in areas where they is already an overconcentration. Because Opportunity Indices consider factors such as access to lower wage jobs, poverty rates, and school proficiency, the social equity adjustment in the RHNA methodology will result in factors beyond simply household income distribution. This additional adjustment will help to adjust the disparity in access to fair housing across the region, furthering the AFFH objective required in State housing law.

Once the social equity adjustment is determined, it is used to assign need to the four income categories.



**Final Adjustments**

On a regional level the final RHNA allocation plan must be the same as the regional determination, by income category, provided by HCD. The final RHNA methodology will result in slight differences, among income categories, since income categories are required to use county distributions as benchmarks and the HCD determination does not include county-level benchmarks. For this reason, after the initial income categories are determined for jurisdictions, SCAG will apply a normalization adjustment to the draft fsRHNA allocation to ensure that the regional total by income category is maintained.

Additionally, in the event that a jurisdiction receives an allocation of zero (0) units under the RHNA methodology a minimum RHNA allocation of eight (8) units would be assigned. Government Code Section 65584.04(m)(2) requires that the final RHNA allocation plan ensure that each jurisdiction receive an allocation of units for low- and very low income households. Under these circumstances, SCAG will assign those jurisdictions a minimum of four (4) units in the very low income category and four (4) units in the low income category for a draft RHNA allocation of eight (8) units.

## Meeting the Objectives of RHNA

Government Code Section 65584.04(a) requires that the RHNA methodology furthers the five objectives of the Regional Housing Needs Assessment:

- (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, which shall result in each jurisdiction receiving an allocation of units for low- and very low income households.
- (2) Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.
- (3) Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.
- (4) Allocating a lower proportion of housing need 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 American Community Survey.
- (5) Affirmatively furthering fair housing.
  - (e) For purposes of this section, "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.

On January 13, 2020, HCD completed its review of SCAG's draft RHNA methodology and found that it furthers the five statutory objectives of RHNA.

## Local Planning Factors

As part of the development of the proposed RHNA methodology, SCAG must conduct a survey of planning factors that identify local conditions and explain how each of the listed factors are incorporated into the RHNA methodology. This survey, also known as the “Local Planning Factor” survey, is a specific requirement for the RHNA methodology process and is separate from the local review process of the Growth Forecast used as the basis for determining future growth in the Connect SoCal plan.

The survey was distributed to all SCAG jurisdictions in mid-March 2019 with a posted due date of May 30, 2019. One-hundred and nine (109) jurisdictions, or approximately 55%, submitted a response to the local planning factor survey. To facilitate the conversation about local planning factors, between October 2017 and October 2018 SCAG included these factors as part of the local input survey and surveyed a binary yes/no as to whether these factors impacted jurisdictions. The formal local planning factor survey was pre-populated with the pre-survey answers to help facilitate survey response. The full packet of local planning factor surveys can be downloaded at [www.scag.ca.gov/rhna](http://www.scag.ca.gov/rhna).

SCAG staff reviewed each of the submitted surveys to analyze planning factors opportunities and constraints across the region. The collected information was used to ensure that the methodology will equitably distribute housing need and that underlying challenges as a region are collectively addressed.

- (1) Each member jurisdiction’s existing and projected jobs and housing relationship. This shall include an estimate, based on readily available data, of the number of low-wage jobs within the jurisdiction and how many housing units within the jurisdiction are affordable to low-wage workers as well as an estimate, based on readily available data, of projected job growth and projected household growth by income level within each member jurisdiction during the planning period.*

The RHNA methodology directly considers job accessibility and determines a portion of housing need for each jurisdiction based on this factor. Using transportation analysis zones as a basis, the percentage of jobs accessible within a 30 minute drive for a jurisdiction’s population is determined and then weighted based on the jurisdiction’s population size to determine individual shares of regional jobs accessible. Based on a review of other potential mechanisms to factor in jobs into the RHNA methodology, SCAG staff has determined that this mechanism most closely aligns with the goals of State housing law.

A supplemental analysis of the impact of the draft RHNA methodology’s impact on jobs-housing relationships and low-wage jobs-housing relationships was provided to the Regional Council on February 5, 2020.

- (2) *The opportunities and constraints to development of additional housing in each member jurisdiction, including all of the following:*
- (A) *Lack of capacity for sewer or water service due to federal or state laws, regulations or regulatory actions, or supply and distribution decisions made by a sewer or water service provider other than the local jurisdiction that preclude the jurisdiction from providing necessary infrastructure for additional development during the planning period.*
  - (B) *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. The council of governments may not limit its consideration of suitable housing sites or land suitable for urban development to existing zoning ordinances and land use restrictions of a locality, but shall consider the potential for increased residential development under alternative zoning ordinances and land use restrictions. The determination of available land suitable for urban development may exclude lands where the Federal Emergency Management Agency (FEMA) or the Department of Water Resources has determined that the flood management infrastructure designed to protect that land is not adequate to avoid the risk of flooding.*
  - (C) *Lands preserved or protected from urban development under existing federal or state programs, or both, designed to protect open space, farmland, environmental habitats, and natural resources on a long-term basis, including land zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts conversion to non-agricultural uses.*
  - (D) *County policies to preserve prime agricultural land, as defined pursuant to Section 56064, within an unincorporated area and land within an unincorporated area zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts its conversion to non-agricultural uses.*

Consideration of the above planning factors have been incorporated into the Growth Forecast process and results by way of analysis of aerial land use data, general plan, parcel level property data, open space, agricultural land and resource areas, and forecast surveys distributed to local jurisdictions. The bottom-up Local Input and Envisioning Process, which is used as the basis for both RHNA and SCAG's Connect SoCal (Regional Transportation Plan/Sustainable Communities Strategy) started with an extensive outreach effort involving all local jurisdictions regarding their land use and development constraints. All local jurisdictions were invited to provide SCAG their respective growth perspective and input. The RHNA methodology directly incorporates local input on projected household growth, which should be a direct reflection of local planning factors such as lack of water or sewer capacity, FEMA-designated flood sites, and open space and agricultural land protection.

Prior RHNA cycles did not promote direct linkage to transit proximity and the methodology encourages more efficient land use patterns by utilizing existing as well as future planned transportation infrastructure and preserves areas designated as open space and agricultural



lands. In particular the inclusion of transit proximity places an increased emphasis on infill opportunities and areas that are more likely to support higher residential densities.

- (3) The distribution of household growth assumed for purposes of a comparable period of regional transportation plans and opportunities to maximize the use of public transportation and existing transportation infrastructure.*

As indicated above, the Growth Forecast used as the basis for the Connect SoCal Plan is also used as the basis for projected household growth in the RHNA methodology. The weighting of a jurisdiction's population share within an HQTAs directly maximizes the use of public transportation and existing transportation infrastructure.

- (4) Agreements between a county and cities in a county to direct growth toward incorporated areas of the county, and land within an unincorporated area zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of the jurisdiction that prohibits or restricts conversion to nonagricultural uses.*

This planning factor has been identified through the local input process and local planning factor survey collection as affecting growth within Ventura County. The urban growth boundary, known as Save Our Agricultural Resources (SOAR), is an agreement between the County of Ventura and its incorporated cities to direct growth toward incorporated areas, and was recently extended to 2050. Based on the input collected, SCAG staff has concluded that this factor is already reflected in the RHNA methodology since it was considered and incorporated into the local input submitted by jurisdictions.

- (5) The loss of units contained in assisted housing developments, as defined in paragraph (9) of subdivision (a) of Section 65583 that changed to non-low-income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions.*

The conversion of low income units into non-low income units is not explicitly addressed through the distribution of existing and projected housing need. Staff has provided statistics in the RHNA methodology appendix on the potential loss of units in assisted housing developments. The loss of such units affects the proportion of affordable housing needed within a community and the region as a whole.

Local planning factor survey responses indicate that the impact of this factor is not regionally uniform. Many jurisdictions that replied some units are at-risk for losing their affordability status in the near future have indicated that they are currently reviewing and developing local resources to address the potential loss. Based on this, SCAG staff has determined that at-risk units are best addressed through providing data on these units as part of the RHNA methodology and giving local jurisdictions the discretion to address this factor and adequately plan for any at-risk unit loss in preparing their housing elements.

*(6) The percentage of existing households at each of the income levels listed in subdivision (e) of Section 65584 that are paying more than 30 percent and more than 50 percent of their income in rent.*

An evaluation of survey responses reveals that cost-burdened households, or those who pay at least 30 percent of their household income on housing costs, is a prevalent problem throughout the region. The RHNA methodology also includes in its appendix data from the ACS 2013-2017 on cost-burdened statistics for households who pay more than 30 percent of their income on housing by owner and renter, and for renter households who pay 50 percent or more of their income on housing. The general trend is seen in both high and low income communities, suggesting that in most of the SCAG region high housing costs are a problem for all income levels.

Nonetheless a large number of jurisdictions indicated in the survey that overpaying for housing costs disproportionately impacts lower income households in comparison to higher income households. This issue is exacerbated in areas where there is not enough affordable housing available, particularly in higher income areas. For this reason, the RHNA methodology incorporates not only a 150 percent social equity adjustment, but also uses the TCAC Opportunity Indices to distribute the RHNA allocation into the four income categories in areas identified as being the highest resource areas of the region. The Opportunity Indices include a proximity to jobs indicator, particularly for low-wage jobs, which identifies areas with a high geographical mismatch between low wage jobs and affordable housing. Increasing affordable housing supply in these areas can help alleviate cost-burden experienced by local lower income households because more affordable options will be available.

The reason for using social equity adjustment and opportunity indices to address cost-burdened households rather than assigning total need is because it is impossible to determine through the methodology how and why the cost-burden is occurring in a particular jurisdiction. Cost-burden is a symptom of housing need and not its cause. A jurisdiction might permit a high number of units but still experiences cost-burden because other jurisdictions restrict residential permitting. Or, a jurisdiction might have a large number of owner-occupied housing units that command premium pricing, causing cost-burden for high income households and especially on lower income households due to high rents from high land costs. An analysis of existing need indicators by jurisdiction, which is part of the RHNA methodology data appendix, does not reveal a single strong trend to base a distribution methodology for cost-burden and thus the RHNA methodology distributes this existing need indicator regionally using social equity adjustment and Opportunity Indices rather than to where the indicators exist.

*(7) The rate of overcrowding.*

An evaluation of survey responses indicates that there is a variety of trends in overcrowding throughout the region. Overcrowding is defined as more than 1.01 persons per room (not bedroom) in a housing unit. Some jurisdictions have responded that overcrowding is a severe issue, particularly for lower income and/or renter households, while others have

responded that overcrowding is not an issue at all. At the regional determination level HCD applied an overcrowding component, which is a new requirement for the 6<sup>th</sup> RHNA cycle. Because

Similar to cost-burden, overcrowding is caused by an accumulated housing supply deficit and is considered an indicator of existing housing need. The reason for not assigning need directly based on this indicator is because it is impossible to determine through the methodology how and why the overcrowding is occurring in a particular jurisdiction. A jurisdiction that has an overcrowding rate higher than the regional average might be issuing more residential permits than the regional average while the surrounding jurisdictions might not have overcrowding issues but issue fewer permits than the regional average. An analysis of existing need indicators by jurisdiction, which is part of the RHNA methodology data appendix, does not reveal a single strong trend to base a distribution methodology for overcrowding and thus the methodology distributes this existing need indicator regionally rather than to where the indicators exist.

While not specifically surveyed, several jurisdictions have indicated that density has affected their jurisdictions and have requested that the methodology should consider this as a factor. While density is not directly addressed as a factor, the social equity adjustment indirectly addresses density particularly for lower income jurisdictions. In housing elements, jurisdictions most demonstrate that a site is affordable for lower income households by applying a “default density”, defined in State housing law as either 20 or 30 dwelling units per acre depending on geography and population. In other words, a site that is zoned at 30 dwelling units per acre is automatically considered as meeting the zoning need for a low income household.

However there is not a corresponding default density for above moderate income zoning. Assigning a lower percentage of lower income households than existing conditions indirectly reduces future density since the jurisdiction can zone at lower densities if it so chooses. While this result does not apply to higher income jurisdictions, directing growth toward less dense areas for the explicit purpose of reducing density is in direct contradiction to the objectives of state housing law, especially for promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development pattern.

*(8)The housing needs of farmworkers.*

The RHNA methodology appendix provides data on agricultural jobs by jurisdiction as well as workers by place of residence. The survey responses indicate that most jurisdictions do not have agricultural land or only have small agricultural operations that do not necessarily require designated farmworker housing. For the geographically concentrated areas that do have farmworker housing, responses indicate that many jurisdictions already permit or are working to allow farmworker housing by-right in the same manner as other agricultural uses are allowed. Jurisdictions that are affected by the housing needs of farmworkers can be assumed to have considered this local factor when submitting feedback on SCAG’s Growth

Forecast. A number of jurisdictions reiterated their approach in the local planning factor survey response.

Similar to at-risk units, the RHNA methodology does not include a distribution mechanism to distribute farmworker housing. However, SCAG has provided data in its RHNA methodology appendix related to this factor and encourages local jurisdictions to adequately plan for this need in their housing elements.

*(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.*

SCAG staff has prepared a map outlining the location of four-year private and public universities in the SCAG region along with enrollment numbers from the California School Campus Database (2018). Based on an evaluation of survey responses that indicated a presence of a university within their boundaries, SCAG staff concludes that most housing needs related to university enrollment are addressed and met by dormitories provided by the institution both on- and off-campus. No jurisdiction expressed concern in the surveys about student housing needs due to the presence of a university within their jurisdiction.

However, some jurisdictions have indicated outside of the survey that off-campus student housing is an important issue within their jurisdictions and are in dialogue with HCD to determine how this type of housing can be integrated into their local housing elements. Because this circumstance applies to only a handful of jurisdictions, it is recommended that housing needs generated by a public or private university be addressed in the jurisdiction's housing element if it is applicable.

*(10) The loss of units during a state of emergency that was declared by the Governor pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), during the planning period immediately preceding the relevant revision pursuant to Section 65588 that have yet to be rebuilt or replaced at the time of the analysis.*

Replacement need, defined as units that have been demolished but not yet replaced, are included as a component of projected housing need in the RHNA methodology. To determine this number, HCD reviewed historical demolition permit data between 2008 and 2017 (reporting years 2009 and 2018) as reported by the California Department of Finance (DOF), and assigned SCAG a regional replacement need of 0.5% of projected and existing need, or 34,010 units.

There have been several states of emergency declared for fires in the SCAG region that have destroyed residential units, as indicated by several jurisdictions in their local planning factor survey responses. Survey responses indicate that a total of 1,785 units have been lost regionally from fires occurring after January 1, 2018. Units lost from fires that occurred prior to January 1, 2018, have already been counted in the replacement need for the 6<sup>th</sup> RHNA cycle.

In spring 2019, SCAG conducted a replacement need survey with jurisdictions to determine units that have been replaced on the site of demolished units reported. Region wide 23,545 of the region's demolished units still needed to be replaced based on survey results. The sum of the number of units needing to be replaced based on the replacement need survey and the number of units reported as lost due to recent states of emergency, or 25,330, is lower than HCD's regional determination of replacement need of 34,010. One can reasonably conclude that units lost based on this planning factor are already included in the regional total and distributed, and thus an extra mechanism to distribute RHNA based on this factor is not necessary to meet the loss of units.

*(11)The region's greenhouse gas emissions targets provided by the State Air Resources Board pursuant to Section 65080.*

An assessment of survey responses indicate that a number of jurisdictions in the SCAG region are developing efforts for more efficient land use patterns and zoning that would result in greenhouse gas emissions. These include a mix of high-density housing types, neighborhood based mixed-use zoning, climate action plans, and other local efforts to reduce greenhouse gas emissions at the regional level.

The RHNA methodology includes a distribution of 50 percent of regional existing need based on a jurisdiction's share of regional population within an HQT. The linkage between housing planning and transportation planning will allow for a better alignment between the RHNA allocation plan and the Connect SoCal RTP/SCS. It will promote more efficient development land use patterns, encourage transit use, and importantly reduce greenhouse gas emissions. This will in turn support local efforts already underway to support the reduction of regional greenhouse gas emissions.

Moreover the RHNA methodology includes the Growth Forecast reviewed with local input as a distribution component, particularly for projected housing need. Local input is a basis for SCAG's Connect SoCal Plan, which addresses greenhouse gas emissions at the regional level since it is used to reach the State Air Resources Board regional targets. An analysis of the consistency between the RHNA and Connect SoCal Plan is included as an attachment to this document.

*(12)Any other factors adopted by the council of governments that further the objectives listed in subdivision (d) of Section 65584, provided that the council of governments specifies which of the objectives each additional factor is necessary to further. The council of governments may include additional factors unrelated to furthering the objectives listed in subdivision (d) of Section 65584 so long as the additional factors do not undermine the objectives listed in subdivision (d) of Section 65584 and are applied equally across all household income levels as described in subdivision (f) of Section 65584 and the council of governments makes a finding that the factor is necessary to address significant health and safety conditions.*

No other planning factors were adopted by SCAG to review as a specific local planning factor.

## Affirmatively Furthering Fair Housing (AFFH)

Among a number of changes due to recent RHNA legislation is the inclusion of affirmatively furthering fair housing (AFFH) as both an addition to the listed State housing objectives of Government Section 65588 and to the requirements of RHNA methodology as listed in Government Code Section 65584.04(b) and (c), which includes surveying jurisdictions on AFFH issues and strategies and developing a regional analysis of findings from the survey.

### AFFH Survey

The AFFH survey accompanied the required local planning factor survey and was sent to all SCAG jurisdictions in mid-March 2019 with a posted due date of May 30, 2019. Ninety (90) of SCAG's 197 jurisdictions completed the AFFH survey, though some jurisdictions indicated that they would not be submitting the AFFH survey due to various reasons. The full packet of surveys submitted prior to the development of the proposed methodology packet can be downloaded at [www.scag.ca.gov/rhna](http://www.scag.ca.gov/rhna).

Jurisdictions were asked various questions regarding fair housing issues, strategies and actions. These questions included:

- Describe demographic trends and patterns in your jurisdiction over the past ten years. Do any groups experience disproportionate housing needs?
- To what extent do the following factors impact your jurisdiction by contributing to segregated housing patterns or racially or ethnically-concentrated areas of poverty?
- To what extent do the following acts as determinants for fair housing and compliance issues in your jurisdiction?
- What are your public outreach strategies to reach disadvantaged communities?
- What steps has your jurisdiction undertaken to overcome historical patterns of segregation or remove barriers to equal housing opportunity?

The survey questions were based on the U.S. Department of Housing and Urban Development (HUD) Analysis of Impediments to Fair Housing Choice survey that each jurisdiction, or their designated local Housing Authority, must submit to HUD to receive Community Development Block Grant (CDBG) funds. For the AFFH survey, jurisdictions were encouraged to review their HUD-submitted surveys to obtain data and information that would be useful for submitting the AFFH survey.

Pursuant to Government Code Section 65584.04(c), the following is an analysis of the survey results.

### *Themes*

Several demographic themes emerged throughout the SCAG region based on submitted AFFH surveys. A high number of jurisdictions indicated that their senior populations are increasing and many indicated that the fixed income typically associated with senior populations might have an effect on housing affordability. Other jurisdictions have experienced an increase in minority populations, especially among Latino and Asian groups. There is also a trend of the loss of young adults (typically younger than 30) and a decrease in the number of families with children in more suburban locations due to the rise in housing costs.



### *Barriers*

There was a wide variety of barriers reported in the AFFH survey, though a number of jurisdictions indicated they did not have any reportable barriers to fair access to housing. Throughout the SCAG region, communities of all types reported that community opposition to all types of housing was an impediment to housing development. Sometimes the opposition occurred in existing low income and minority areas. Some jurisdictions indicated that high opportunity resource areas currently do not have a lot of affordable housing or Section 8 voucher units while at the same time, these areas have a fundamental misunderstanding of who affordable housing serves and what affordable housing buildings actually look like. Based on these responses, it appears that community opposition to housing, especially affordable housing and the associated stigma with affordable housing, is a prevalent barrier throughout the SCAG region.

Other barriers to access to fair housing are caused by high land and development costs since they contribute to very few affordable housing projects being proposed in higher opportunity areas. The high cost of housing also limits access to fair housing and is a significant contributing factor to disparities in access to opportunity. Increasing property values were reported across the region and some jurisdictions indicated that they are occurring in existing affordable neighborhoods and can contribute to gentrification and displacement. Additionally, during the economic downturn a large number of Black and Latino homeowners were disproportionately impacted by predatory lending practices and therefore entered foreclosure in higher numbers than other populations.

Other barriers reported in the AFFH survey include the lack of funding available to develop housing after the dissolution of redevelopment agencies in 2012. Moreover, some jurisdictions indicated that the lack of regional cooperation contributes to segregation.

### *Strategies to Overcome Barriers*

All submitted AFFH surveys indicated that their respective jurisdictions employed at least a few strategies to overcome barriers to access fair housing. These strategies ranged from local planning and zoning tools to funding assistance to innovative outreach strategies.

In regard to planning and zoning tools, a number of jurisdictions indicated they have adopted inclusionary zoning ordinances or an in-lieu fee to increase the number of affordable units within their jurisdictions. Others have adopted an accessory dwelling unit (ADU) ordinance with accommodating standards to allow for higher densities in existing single-family zone neighborhoods. A few jurisdictions indicated that they have adopted an unpermitted dwelling unit (UDU) ordinance, which legalizes unpermitted units instead of removing them provided that the units meet health and safety codes. In addition to ADU and UDU ordinances, some jurisdictions have also adopted density bonuses, which allow a project to exceed existing density standards if it meets certain affordability requirements. Some responses in the survey indicate that the establishment of some of these tools and standards have reduced community opposition to projects. In addition, some jurisdictions responded that they have reduced review times for residential permit approvals and reduced or waived fees associated with affordable housing development.

To combat gentrification and displacement, some jurisdictions have established rent-stabilization ordinances while others have established a rent registry so that the jurisdiction can monitor rents

and landlord practices. Some jurisdictions have adopted relocation plans and others are actively seeking to extend affordability covenants for those that are expiring.

In regard to funding, SCAG jurisdictions provide a wide variety of support to increase the supply of affordable housing and increase access to fair housing. A number of jurisdictions provide citywide rental assistance programs for low income households and some indicated that their programs include favorable home purchasing options. Some of these programs also encourage developers to utilize the local first-time homebuyer assistance program to specifically qualify lower income applicants.

Other jurisdictions indicate that they manage housing improvement programs to ensure that their existing affordable housing stock is well maintained. Some AFFH surveys describe local multiple rental assistance programs, including Section 8 Housing Choice vouchers and financial support of tenant/landlord arbitration or mediation services.

Some jurisdictions indicated that they have focused on mobile homes as a way to increase access to fair housing. There are programs described that assist households that live in dilapidated and unsafe mobile homes in unpermitted mobile home parks by allowing the household to trade in their mobile home in exchange for a new one in a permitted mobile park. Other programs include rental assistance specifically for households who live in mobile homes.

In regard to community outreach, a large number of jurisdictions in the SCAG region have established or are seeking to establish innovative partnerships to increase access to fair housing and reduce existing barriers. Many jurisdictions work with fair housing advocacy groups such as the Housing Rights Center, which provide community workshops, counseling, and tenant-landlord mediation services. Other jurisdictions have established landlord-tenant commissions to resolve housing disputes and provide services to individuals with limited resources. Some jurisdictions have partnered with advocacy groups, such as the League of United Latin American Citizens (LULAC), to hold community-based workshops featuring simultaneous multi-lingual translations. Other innovative partnerships created by jurisdictions include those with local schools and school districts and public health institutions to engage disadvantaged groups and provide services to areas with limited resources.

A large number of jurisdictions have also indicated that they have increased their social media presence to reach more communities. Others have also increased their multi-lingual outreach efforts to ensure that limited-English proficiency populations have the opportunity to engage in local fair housing efforts.

Based on the AFFH surveys submitted by jurisdictions, while there is a wide range of barriers to fair housing opportunities in the SCAG region there is also a wide range of strategies to help overcome these barriers at the local level.



Meeting AFFH Objectives on a Regional Basis

To work towards the objective of AFFH, several benchmarks were reviewed as potential indicators of increasing access to fair housing and removing barriers that led to historical segregation patterns.

*Opportunity Indices*

The objectives of affirmatively furthering fair housing are to not only overcome patterns of segregation, but to also increase access to opportunity for historically marginalized groups, particularly in racially and ethnically concentrated areas of poverty. In 2015 the U.S. Department of Housing and Urban Development (HUD) developed a set of indices, known as “Opportunity Indices” to help states and jurisdictions identify factors that contribute to fair housing issues in their region and comply with the federal Fair Housing Act.

In 2015 the U.S. Department of Housing and Urban Development (HUD) developed a set of indices, known as “Opportunity Indices” to help states and jurisdictions identify factors that contribute to fair housing issues in their region and comply with the federal Fair Housing Act. In late 2017, a Task Force convened by HCD and the California Tax Credit Allocation Committee (TCAC) released an “Opportunity mapping” tool based on these HUD indices to identify areas in California that can “offer low-income children and adults the best chance at economic advancement, high educational attainment, and good physical and mental health.”

The TCAC and HCD Opportunity mapping tool includes a total of eleven (11) census-tract level indices to measure exposure to opportunity in local communities. Regional patterns of segregation can be identified based on this tool. The indices are based on indicators such as poverty levels, low wage job proximity, pollution, math and reading proficiency. Below is a summary table of the 11 indices sorted by type:

<b>Economic</b>	<b>Environment</b>	<b>Education</b>
Poverty	CalEnviroScreen 3.0 indicators	Math proficiency
Adult education		Reading proficiency
Employment		High school graduation rates
Low-wage job proximity		Student poverty rate
Median home value		<ul style="list-style-type: none"> <li>• <i>Ozone</i></li> <li>• <i>PM2.5</i></li> <li>• <i>Diesel PM</i></li> <li>• <i>Drinking water contaminates</i></li> <li>• <i>Pesticides</i></li> <li>• <i>Toxic releases from facilities</i></li> <li>• <i>Traffic density</i></li> <li>• <i>Cleanup sites</i></li> <li>• <i>Groundwater threats</i></li> <li>• <i>Hazardous waste</i></li> <li>• <i>Impaired water bodies</i></li> <li>• <i>Solid waste sites</i></li> </ul>

To further the objectives of AFFH, SCAG utilizes the Opportunity indices tool at multiple points in the RHNA methodology. Jurisdictions that have the highest concentration of population in low resource areas are exempted from receiving regional residual existing need, which will result in fewer units

assigned to areas identified as having high rates of poverty and racial segregation. Additionally, jurisdictions with the highest concentration of population within highest resource areas will receive a higher social equity adjustment, which will result in more access to opportunity for lower income households.

## Public Engagement

The development of a comprehensive RHNA methodology requires comprehensive public engagement. Government Code Section 65584.04(d) requires at least one public hearing to receive oral and written comments on the proposed methodology, and also requires SCAG to distribute the proposed methodology to all jurisdictions and requesting stakeholders, along with publishing the proposed methodology on the SCAG website. The official public comment period on the proposed RHNA methodology began on August 1, 2019 after Regional Council action and concluded on September 13, 2019.

To maximize public engagement opportunities, SCAG staff hosted four public workshops to receive verbal and written comment on the proposed RHNA methodology and an additional public information session in August 2019:

- August 15, 6-8 p.m. Public Workshop, Los Angeles (View-only webcasting available)
- August 20, 1-3 p.m. Public Workshop, Los Angeles (Videoconference at SCAG regional offices and View-only webcasting available)
- August 22, 1-3 p.m., Public Workshop, Irvine
- August 27, 6-8 p.m., Public Workshop, San Bernardino (View-only webcasting available)
- August 29, 1-3pm Public Information Session, Santa Clarita

Approximately 250 people attended the workshops in-person, at videoconference locations, or via webcast. Over 35 individual verbal comments were shared over the four workshops.

To increase participation from individuals and stakeholders that are unable to participate during regular working hours, two of the public workshops were held in the evening hours. One of the workshops was held in the Inland Empire. SCAG worked with its Environmental Justice Working Group (EJWG) and local stakeholder groups to reach out to their respective contacts in order to maximize outreach to groups representing low income, minority, and other traditionally disadvantaged populations.

Almost 250 written comments were submitted by the comment deadline and included a wide range of stakeholders. Approximately 50 percent were from local jurisdictions and subregions, and the other 50 percent were submitted by advocacy organizations, industry groups, residents and resident groups, and the general public. All of the comments received, both verbal and written, were reviewed by SCAG staff, and were used as the basis for developing the RHNA methodology.

The increased involvement by the number of jurisdictions and stakeholders beyond the municipal level compared to prior RHNA cycles indicate an increased level of interest by the public in the housing crisis and its solutions, and the efforts of SCAG to meet these interests. As part of its housing

program initiatives, SCAG will continue to reach out to not only jurisdictions, but to advocacy groups and traditionally disadvantaged communities that have not historically participated in the RHNA process and regional housing planning. These efforts will be expanded beyond the RHNA program and will be encompassed into addressing the housing crisis at the regional level and ensuring that those at the local and community level can be part of solutions to the housing crisis.

### **Additional RHNA Methodology Supporting Materials**

Please note that additional supporting materials for the RHNA Methodology have been posted on SCAG’s RHNA website at [www.scag.ca.gov/rhna](http://www.scag.ca.gov/rhna) including Data Appendix, Local Planning Factor Survey Responses and Affirmatively Furthering Fair Housing Survey Responses.

**State of California**

**GOVERNMENT CODE**

**Section 65080**

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65080. (a) Each transportation planning agency designated under Section 29532 or 29532.1 shall prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, including, but not limited to, mass transportation, highway, railroad, maritime, bicycle, pedestrian, goods movement, and aviation facilities and services. The plan shall be action-oriented and pragmatic, considering both the short-term and long-term future, and shall present clear, concise policy guidance to local and state officials. The regional transportation plan shall consider factors specified in Section 134 of Title 23 of the United States Code. Each transportation planning agency shall consider and incorporate, as appropriate, the transportation plans of cities, counties, districts, private organizations, and state and federal agencies.

(b) The regional transportation plan shall be an internally consistent document and shall include all of the following:

(1) A policy element that describes the transportation issues in the region, identifies and quantifies regional needs, and describes the desired short-range and long-range transportation goals, and pragmatic objective and policy statements. The objective and policy statements shall be consistent with the funding estimates of the financial element. The policy element of transportation planning agencies with populations that exceed 200,000 persons may quantify a set of indicators including, but not limited to, all of the following:

(A) Measures of mobility and traffic congestion, including, but not limited to, daily vehicle hours of delay per capita and vehicle miles traveled per capita.

(B) Measures of road and bridge maintenance and rehabilitation needs, including, but not limited to, roadway pavement and bridge conditions.

(C) Measures of means of travel, including, but not limited to, percentage share of all trips (work and nonwork) made by all of the following:

(i) Single occupant vehicle.

(ii) Multiple occupant vehicle or carpool.

(iii) Public transit including commuter rail and intercity rail.

(iv) Walking.

(v) Bicycling.

(D) Measures of safety and security, including, but not limited to, total injuries and fatalities assigned to each of the modes set forth in subparagraph (C).

(E) Measures of equity and accessibility, including, but not limited to, percentage of the population served by frequent and reliable public transit, with a breakdown by

income bracket, and percentage of all jobs accessible by frequent and reliable public transit service, with a breakdown by income bracket.

(F) The requirements of this section may be met using existing sources of information. No additional traffic counts, household surveys, or other sources of data shall be required.

(2) A sustainable communities strategy prepared by each metropolitan planning organization as follows:

(A) No later than September 30, 2010, the State Air Resources Board shall provide each affected region with greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035, respectively.

(i) No later than January 31, 2009, the state board shall appoint a Regional Targets Advisory Committee to recommend factors to be considered and methodologies to be used for setting greenhouse gas emission reduction targets for the affected regions. The committee shall be composed of representatives of the metropolitan planning organizations, affected air districts, the League of California Cities, the California State Association of Counties, local transportation agencies, and members of the public, including homebuilders, environmental organizations, planning organizations, environmental justice organizations, affordable housing organizations, and others. The advisory committee shall transmit a report with its recommendations to the state board no later than September 30, 2009. In recommending factors to be considered and methodologies to be used, the advisory committee may consider any relevant issues, including, but not limited to, data needs, modeling techniques, growth forecasts, the impacts of regional jobs-housing balance on interregional travel and greenhouse gas emissions, economic and demographic trends, the magnitude of greenhouse gas reduction benefits from a variety of land use and transportation strategies, and appropriate methods to describe regional targets and to monitor performance in attaining those targets. The state board shall consider the report before setting the targets.

(ii) Before setting the targets for a region, the state board shall exchange technical information with the metropolitan planning organization and the affected air district. The metropolitan planning organization may recommend a target for the region. The metropolitan planning organization shall hold at least one public workshop within the region after receipt of the report from the advisory committee. The state board shall release draft targets for each region no later than June 30, 2010.

(iii) In establishing these targets, the state board shall take into account greenhouse gas emission reductions that will be achieved by improved vehicle emission standards, changes in fuel composition, and other measures it has approved that will reduce greenhouse gas emissions in the affected regions, and prospective measures the state board plans to adopt to reduce greenhouse gas emissions from other greenhouse gas emission sources as that term is defined in subdivision (i) of Section 38505 of the Health and Safety Code and consistent with the regulations promulgated pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code), including Section 38566 of the Health and Safety Code.

(iv) The state board shall update the regional greenhouse gas emission reduction targets every eight years consistent with each metropolitan planning organization's timeframe for updating its regional transportation plan under federal law until 2050. The state board may revise the targets every four years based on changes in the factors considered under clause (iii). The state board shall exchange technical information with the Department of Transportation, metropolitan planning organizations, local governments, and affected air districts and engage in a consultative process with public and private stakeholders, before updating these targets.

(v) The greenhouse gas emission reduction targets may be expressed in gross tons, tons per capita, tons per household, or in any other metric deemed appropriate by the state board.

(B) Each metropolitan planning organization shall prepare a sustainable communities strategy, subject to the requirements of Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, including the requirement to use the most recent planning assumptions considering local general plans and other factors. The sustainable communities strategy shall (i) identify the general location of uses, residential densities, and building intensities within the region, (ii) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth, (iii) identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584, (iv) identify a transportation network to service the transportation needs of the region, (v) gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section 65080.01, (vi) consider the state housing goals specified in Sections 65580 and 65581, (vii) set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission reduction targets approved by the state board, and (viii) allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).

(C) (i) Within the jurisdiction of the Metropolitan Transportation Commission, as defined by Section 66502, the Association of Bay Area Governments shall be responsible for clauses (i), (ii), (iii), (v), and (vi) of subparagraph (B); the Metropolitan Transportation Commission shall be responsible for clauses (iv) and (viii) of subparagraph (B); and the Association of Bay Area Governments and the Metropolitan Transportation Commission shall jointly be responsible for clause (vii) of subparagraph (B).

(ii) Within the jurisdiction of the Tahoe Regional Planning Agency, as defined in Sections 66800 and 66801, the Tahoe Metropolitan Planning Organization shall use the Regional Plan for the Lake Tahoe Region as the sustainable community strategy, provided that it complies with clauses (vii) and (viii) of subparagraph (B).

(D) In the region served by the Southern California Association of Governments, a subregional council of governments and the county transportation commission may work together to propose the sustainable communities strategy and an alternative planning strategy, if one is prepared pursuant to subparagraph (I), for that subregional area. The metropolitan planning organization may adopt a framework for a subregional sustainable communities strategy or a subregional alternative planning strategy to address the intraregional land use, transportation, economic, air quality, and climate policy relationships. The metropolitan planning organization shall include the subregional sustainable communities strategy for that subregion in the regional sustainable communities strategy to the extent consistent with this section and federal law and approve the subregional alternative planning strategy, if one is prepared pursuant to subparagraph (I), for that subregional area to the extent consistent with this section. The metropolitan planning organization shall develop overall guidelines, create public participation plans pursuant to subparagraph (F), ensure coordination, resolve conflicts, make sure that the overall plan complies with applicable legal requirements, and adopt the plan for the region.

(E) The metropolitan planning organization shall conduct at least two informational meetings in each county within the region for members of the board of supervisors and city councils on the sustainable communities strategy and alternative planning strategy, if any. The metropolitan planning organization may conduct only one informational meeting if it is attended by representatives of the county board of supervisors and city council members representing a majority of the cities representing a majority of the population in the incorporated areas of that county. Notice of the meeting or meetings shall be sent to the clerk of the board of supervisors and to each city clerk. The purpose of the meeting or meetings shall be to discuss the sustainable communities strategy and the alternative planning strategy, if any, including the key land use and planning assumptions to the members of the board of supervisors and the city council members in that county and to solicit and consider their input and recommendations.

(F) Each metropolitan planning organization shall adopt a public participation plan, for development of the sustainable communities strategy and an alternative planning strategy, if any, that includes all of the following:

(i) Outreach efforts to encourage the active participation of a broad range of stakeholder groups in the planning process, consistent with the agency's adopted Federal Public Participation Plan, including, but not limited to, affordable housing advocates, transportation advocates, neighborhood and community groups, environmental advocates, home builder representatives, broad-based business organizations, landowners, commercial property interests, and homeowner associations.

(ii) Consultation with congestion management agencies, transportation agencies, and transportation commissions.

(iii) Workshops throughout the region to provide the public with the information and tools necessary to provide a clear understanding of the issues and policy choices. At least one workshop shall be held in each county in the region. For counties with a population greater than 500,000, at least three workshops shall be held. Each

workshop, to the extent practicable, shall include urban simulation computer modeling to create visual representations of the sustainable communities strategy and the alternative planning strategy.

(iv) Preparation and circulation of a draft sustainable communities strategy and an alternative planning strategy, if one is prepared, not less than 55 days before adoption of a final regional transportation plan.

(v) At least three public hearings on the draft sustainable communities strategy in the regional transportation plan and alternative planning strategy, if one is prepared. If the metropolitan transportation organization consists of a single county, at least two public hearings shall be held. To the maximum extent feasible, the hearings shall be in different parts of the region to maximize the opportunity for participation by members of the public throughout the region.

(vi) A process for enabling members of the public to provide a single request to receive notices, information, and updates.

(G) In preparing a sustainable communities strategy, the metropolitan planning organization shall consider spheres of influence that have been adopted by the local agency formation commissions within its region.

(H) Before adopting a sustainable communities strategy, the metropolitan planning organization shall quantify the reduction in greenhouse gas emissions projected to be achieved by the sustainable communities strategy and set forth the difference, if any, between the amount of that reduction and the target for the region established by the state board.

(I) If the sustainable communities strategy, prepared in compliance with subparagraph (B) or (D), is unable to reduce greenhouse gas emissions to achieve the greenhouse gas emission reduction targets established by the state board, the metropolitan planning organization shall prepare an alternative planning strategy to the sustainable communities strategy showing how those greenhouse gas emission targets would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. The alternative planning strategy shall be a separate document from the regional transportation plan, but it may be adopted concurrently with the regional transportation plan. In preparing the alternative planning strategy, the metropolitan planning organization:

(i) Shall identify the principal impediments to achieving the targets within the sustainable communities strategy.

(ii) May include an alternative development pattern for the region pursuant to subparagraphs (B) to (G), inclusive.

(iii) Shall describe how the greenhouse gas emission reduction targets would be achieved by the alternative planning strategy, and why the development pattern, measures, and policies in the alternative planning strategy are the most practicable choices for achievement of the greenhouse gas emission reduction targets.

(iv) An alternative development pattern set forth in the alternative planning strategy shall comply with Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, except to the extent that compliance will prevent achievement of the greenhouse gas emission reduction targets approved by the state board.



(v) For purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), an alternative planning strategy shall not constitute a land use plan, policy, or regulation, and the inconsistency of a project with an alternative planning strategy shall not be a consideration in determining whether a project may have an environmental effect.

(J) (i) Before starting the public participation process adopted pursuant to subparagraph (F), the metropolitan planning organization shall submit a description to the state board of the technical methodology it intends to use to estimate the greenhouse gas emissions from its sustainable communities strategy and, if appropriate, its alternative planning strategy. The state board shall respond to the metropolitan planning organization in a timely manner with written comments about the technical methodology, including specifically describing any aspects of that methodology it concludes will not yield accurate estimates of greenhouse gas emissions, and suggested remedies. The metropolitan planning organization is encouraged to work with the state board until the state board concludes that the technical methodology operates accurately.

(ii) After adoption, a metropolitan planning organization shall submit a sustainable communities strategy or an alternative planning strategy, if one has been adopted, to the state board for review, including the quantification of the greenhouse gas emission reductions the strategy would achieve and a description of the technical methodology used to obtain that result. Review by the state board shall be limited to acceptance or rejection of the metropolitan planning organization's determination that the strategy submitted would, if implemented, achieve the greenhouse gas emission reduction targets established by the state board. The state board shall complete its review within 60 days.

(iii) If the state board determines that the strategy submitted would not, if implemented, achieve the greenhouse gas emission reduction targets, the metropolitan planning organization shall revise its strategy or adopt an alternative planning strategy, if not previously adopted, and submit the strategy for review pursuant to clause (ii). At a minimum, the metropolitan planning organization must obtain state board acceptance that an alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets established for that region by the state board.

(iv) On or before September 1, 2018, and every four years thereafter to align with target setting, notwithstanding Section 10231.5, the state board shall prepare a report that assesses progress made by each metropolitan planning organization in meeting the regional greenhouse gas emission reduction targets set by the state board. The report shall include changes to greenhouse gas emissions in each region and data-supported metrics for the strategies used to meet the targets. The report shall also include a discussion of best practices and the challenges faced by the metropolitan planning organizations in meeting the targets, including the effect of state policies and funding. The report shall be developed in consultation with the metropolitan planning organizations and affected stakeholders. The report shall be submitted to the Assembly Committee on Transportation and the Assembly Committee on Natural

Resources, and to the Senate Committee on Transportation, the Senate Committee on Housing, and the Senate Committee on Environmental Quality.

(K) Neither a sustainable communities strategy nor an alternative planning strategy regulates the use of land, nor, except as provided by subparagraph (J), shall either one be subject to any state approval. Nothing in a sustainable communities strategy shall be interpreted as superseding the exercise of the land use authority of cities and counties within the region. Nothing in this section shall be interpreted to limit the state board's authority under any other law. Nothing in this section shall be interpreted to authorize the abrogation of any vested right whether created by statute or by common law. Nothing in this section shall require a city's or county's land use policies and regulations, including its general plan, to be consistent with the regional transportation plan or an alternative planning strategy. Nothing in this section requires a metropolitan planning organization to approve a sustainable communities strategy that would be inconsistent with Part 450 of Title 23 of, or Part 93 of Title 40 of, the Code of Federal Regulations and any administrative guidance under those regulations. Nothing in this section relieves a public or private entity or any person from compliance with any other local, state, or federal law.

(L) Nothing in this section requires projects programmed for funding on or before December 31, 2011, to be subject to the provisions of this paragraph if they (i) are contained in the 2007 or 2009 Federal Statewide Transportation Improvement Program, (ii) are funded pursuant to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2), or (iii) were specifically listed in a ballot measure before December 31, 2008, approving a sales tax increase for transportation projects. Nothing in this section shall require a transportation sales tax authority to change the funding allocations approved by the voters for categories of transportation projects in a sales tax measure adopted before December 31, 2010. For purposes of this subparagraph, a transportation sales tax authority is a district, as defined in Section 7252 of the Revenue and Taxation Code, that is authorized to impose a sales tax for transportation purposes.

(M) A metropolitan planning organization, or a regional transportation planning agency not within a metropolitan planning organization, that is required to adopt a regional transportation plan not less than every five years, may elect to adopt the plan not less than every four years. This election shall be made by the board of directors of the metropolitan planning organization or regional transportation planning agency no later than June 1, 2009, or thereafter 54 months before the statutory deadline for the adoption of housing elements for the local jurisdictions within the region, after a public hearing at which comments are accepted from members of the public and representatives of cities and counties within the region covered by the metropolitan planning organization or regional transportation planning agency. Notice of the public hearing shall be given to the general public and by mail to cities and counties within the region no later than 30 days before the date of the public hearing. Notice of election shall be promptly given to the Department of Housing and Community Development. The metropolitan planning organization or the regional transportation planning agency

shall complete its next regional transportation plan within three years of the notice of election.

(N) Two or more of the metropolitan planning organizations for Fresno County, Kern County, Kings County, Madera County, Merced County, San Joaquin County, Stanislaus County, and Tulare County may work together to develop and adopt multiregional goals and policies that may address interregional land use, transportation, economic, air quality, and climate relationships. The participating metropolitan planning organizations may also develop a multiregional sustainable communities strategy, to the extent consistent with federal law, or an alternative planning strategy for adoption by the metropolitan planning organizations. Each participating metropolitan planning organization shall consider any adopted multiregional goals and policies in the development of a sustainable communities strategy and, if applicable, an alternative planning strategy for its region.

(3) An action element that describes the programs and actions necessary to implement the plan and assigns implementation responsibilities. The action element may describe all transportation projects proposed for development during the 20-year or greater life of the plan. The action element shall consider congestion management programming activities carried out within the region.

(4) (A) A financial element that summarizes the cost of plan implementation constrained by a realistic projection of available revenues. The financial element shall also contain recommendations for allocation of funds. A county transportation commission created pursuant to the County Transportation Commissions Act (Division 12 (commencing with Section 130000) of the Public Utilities Code) shall be responsible for recommending projects to be funded with regional improvement funds, if the project is consistent with the regional transportation plan. The first five years of the financial element shall be based on the five-year estimate of funds developed pursuant to Section 14524. The financial element may recommend the development of specified new sources of revenue, consistent with the policy element and action element.

(B) The financial element of transportation planning agencies with populations that exceed 200,000 persons may include a project cost breakdown for all projects proposed for development during the 20-year life of the plan that includes total expenditures and related percentages of total expenditures for all of the following:

- (i) State highway expansion.
- (ii) State highway rehabilitation, maintenance, and operations.
- (iii) Local road and street expansion.
- (iv) Local road and street rehabilitation, maintenance, and operation.
- (v) Mass transit, commuter rail, and intercity rail expansion.
- (vi) Mass transit, commuter rail, and intercity rail rehabilitation, maintenance, and operations.
- (vii) Pedestrian and bicycle facilities.
- (viii) Environmental enhancements and mitigation.
- (ix) Research and planning.
- (x) Other categories.

(C) The metropolitan planning organization or county transportation agency, whichever entity is appropriate, shall consider financial incentives for cities and counties that have resource areas or farmland, as defined in Section 65080.01, for the purposes of, for example, transportation investments for the preservation and safety of the city street or county road system and farm-to-market and interconnectivity transportation needs. The metropolitan planning organization or county transportation agency, whichever entity is appropriate, shall also consider financial assistance for counties to address countywide service responsibilities in counties that contribute toward the greenhouse gas emission reduction targets by implementing policies for growth to occur within their cities.

(c) Each transportation planning agency may also include other factors of local significance as an element of the regional transportation plan, including, but not limited to, issues of mobility for specific sectors of the community, including, but not limited to, senior citizens.

(d) (1) Except as otherwise provided in this subdivision, each transportation planning agency shall adopt and submit, every four years, an updated regional transportation plan to the California Transportation Commission and the Department of Transportation. A transportation planning agency located in a federally designated air quality attainment area or that does not contain an urbanized area may at its option adopt and submit a regional transportation plan every five years. When applicable, the plan shall be consistent with federal planning and programming requirements and shall conform to the regional transportation plan guidelines adopted by the California Transportation Commission. Before adoption of the regional transportation plan, a public hearing shall be held after the giving of notice of the hearing by publication in the affected county or counties pursuant to Section 6061.

(2) (A) Notwithstanding subdivisions (b) and (c), and paragraph (1), inclusive, the regional transportation plan, sustainable communities strategy, and environmental impact report adopted by the San Diego Association of Governments on October 9, 2015, shall remain in effect for all purposes, including for purposes of consistency determinations and funding eligibility for the San Diego Association of Governments and all other agencies relying on those documents, until the San Diego Association of Governments adopts its next update to its regional transportation plan.

(B) The San Diego Association of Governments shall adopt and submit its update to the 2015 regional transportation plan on or before December 31, 2021.

(C) After the update described in subparagraph (B), the time period for San Diego Association of Governments' updates to its regional transportation plan shall be reset and shall be adopted and submitted every four years.

(D) Notwithstanding clause (iv) of subparagraph (A) of paragraph (2) of subdivision (b), the State Air Resources Board shall not update the greenhouse gas emission reduction targets for the region within the jurisdiction of the San Diego Association of Governments before the adoption of the update to the regional transportation plan pursuant to subparagraph (B).

(E) The update to the regional transportation plan adopted by the San Diego Association of Governments on October 9, 2015, which will be prepared and submitted

to federal agencies for purposes of compliance with federal laws applicable to regional transportation plans and air quality conformity and which is due in October 2019, shall not be considered a regional transportation plan pursuant to this section and shall not constitute a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(F) In addition to meeting the other requirements to nominate a project for funding through the Solutions for Congested Corridors Program (Chapter 8.5 (commencing with Section 2390) of Division 3 of the Streets and Highways Code), the San Diego Association of Governments, until December 31, 2021, shall only nominate projects for funding through the Solutions for Congested Corridors Program that are consistent with the eligibility requirements for projects under any of the following programs:

(i) The Transit and Intercity Rail Capital Program (Part 2 (commencing with Section 75220) of Division 44 of the Public Resources Code).

(ii) The Low Carbon Transit Operations Program (Part 3 (commencing with Section 75230) of Division 44 of the Public Resources Code).

(iii) The Active Transportation Program (Chapter 8 (commencing with Section 2380) of Division 3 of the Streets and Highways Code).

(G) Commencing January 1, 2020, and every two years thereafter, the San Diego Association of Governments shall begin developing an implementation report that tracks the implementation of its most recently adopted sustainable communities strategy. The report shall discuss the status of the implementation of the strategy at the regional and local level, and any successes and barriers that have occurred since the last report. The San Diego Association of Governments shall submit the implementation report to the state board by including it in its sustainable communities strategy implementation review pursuant to clause (ii) of subparagraph (J) of paragraph (2) of subdivision (b).

(Amended by Stats. 2019, Ch. 634, Sec. 2. (AB 1730) Effective January 1, 2020.)

**State of California**

**GOVERNMENT CODE**

**Section 65584**

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65584. (a) (1) For the fourth and subsequent revisions of the housing element pursuant to Section 65588, the department shall determine the existing and projected need for housing for each region pursuant to this article. For purposes of subdivision (a) of Section 65583, the share of a city or county of the regional housing need shall include that share of the housing need of persons at all income levels within the area significantly affected by the general plan of the city or county.

(2) It is the intent of the Legislature that cities, counties, and cities and counties should undertake all necessary actions to encourage, promote, and facilitate the development of housing to accommodate the entire regional housing need, and reasonable actions should be taken by local and regional governments to ensure that future housing production meets, at a minimum, the regional housing need established for planning purposes. These actions shall include applicable reforms and incentives in Section 65582.1.

(3) The Legislature finds and declares that insufficient housing in job centers hinders the state's environmental quality and runs counter to the state's environmental goals. In particular, when Californians seeking affordable housing are forced to drive longer distances to work, an increased amount of greenhouse gases and other pollutants is released and puts in jeopardy the achievement of the state's climate goals, as established pursuant to Section 38566 of the Health and Safety Code, and clean air goals.

(b) The department, in consultation with each council of governments, shall determine each region's existing and projected housing need pursuant to Section 65584.01 at least two years prior to the scheduled revision required pursuant to Section 65588. The appropriate council of governments, or for cities and counties without a council of governments, the department, shall adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county at least one year prior to the scheduled revision for the region required by Section 65588. The allocation plan prepared by a council of governments shall be prepared pursuant to Sections 65584.04 and 65584.05.

(c) Notwithstanding any other provision of law, the due dates for the determinations of the department or for the council of governments, respectively, regarding the regional housing need may be extended by the department by not more than 60 days if the extension will enable access to more recent critical population or housing data from a pending or recent release of the United States Census Bureau or the Department of Finance. If the due date for the determination of the department or the council of governments is extended for this reason, the department shall extend the corresponding

**Attachment: Exhibit C - GOV\_65584. (6th Cycle RHNA Appeals Procedures)**

housing element revision deadline pursuant to Section 65588 by not more than 60 days.

(d) The regional housing needs allocation plan shall further all of the following objectives:

(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, which shall result in each jurisdiction receiving an allocation of units for low- and very low income households.

(2) Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.

(3) Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.

(4) Allocating a lower proportion of housing need 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 American Community Survey.

(5) Affirmatively furthering fair housing.

(e) For purposes of this section, "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.

(f) For purposes of this section, "household income levels" are as determined by the department as of the most recent American Community Survey pursuant to the following code sections:

(1) Very low incomes as defined by Section 50105 of the Health and Safety Code.

(2) Lower incomes, as defined by Section 50079.5 of the Health and Safety Code.

(3) Moderate incomes, as defined by Section 50093 of the Health and Safety Code.

(4) Above moderate incomes are those exceeding the moderate-income level of Section 50093 of the Health and Safety Code.

(g) Notwithstanding any other provision of law, determinations made by the department, a council of governments, or a city or county pursuant to this section or Section 65584.01, 65584.02, 65584.03, 65584.04, 65584.05, 65584.06, 65584.07, or

65584.08 are exempt from the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(Amended by Stats. 2018, Ch. 989, Sec. 1.5. (AB 1771) Effective January 1, 2019.)

**Attachment: Exhibit C - GOV\_65584. (6th Cycle RHNA Appeals Procedures)**



**State of California**

**GOVERNMENT CODE**

**Section 65584.04**

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65584.04. (a) At least two years before a scheduled revision required by Section 65588, each council of governments, or delegate subregion as applicable, shall develop, in consultation with the department, a proposed methodology for distributing the existing and projected regional housing need to cities, counties, and cities and counties within the region or within the subregion, where applicable pursuant to this section. The methodology shall further the objectives listed in subdivision (d) of Section 65584.

(b) (1) No more than six months before the development of a proposed methodology for distributing the existing and projected housing need, each council of governments shall survey each of its member jurisdictions to request, at a minimum, information regarding the factors listed in subdivision (e) that will allow the development of a methodology based upon the factors established in subdivision (e).

(2) With respect to the objective in paragraph (5) of subdivision (d) of Section 65584, the survey shall review and compile information that will allow the development of a methodology based upon the issues, strategies, and actions that are included, as available, in an Analysis of Impediments to Fair Housing Choice or an Assessment of Fair Housing completed by any city or county or the department that covers communities within the area served by the council of governments, and in housing elements adopted pursuant to this article by cities and counties within the area served by the council of governments.

(3) The council of governments shall seek to obtain the information in a manner and format that is comparable throughout the region and utilize readily available data to the extent possible.

(4) The information provided by a local government pursuant to this section shall be used, to the extent possible, by the council of governments, or delegate subregion as applicable, as source information for the methodology developed pursuant to this section. The survey shall state that none of the information received may be used as a basis for reducing the total housing need established for the region pursuant to Section 65584.01.

(5) If the council of governments fails to conduct a survey pursuant to this subdivision, a city, county, or city and county may submit information related to the items listed in subdivision (e) before the public comment period provided for in subdivision (d).

(c) The council of governments shall electronically report the results of the survey of fair housing issues, strategies, and actions compiled pursuant to paragraph (2) of subdivision (b). The report shall describe common themes and effective strategies

employed by cities and counties within the area served by the council of governments, including common themes and effective strategies around avoiding the displacement of lower income households. The council of governments shall also identify significant barriers to affirmatively furthering fair housing at the regional level and may recommend strategies or actions to overcome those barriers. A council of governments or metropolitan planning organization, as appropriate, may use this information for any other purpose, including publication within a regional transportation plan adopted pursuant to Section 65080 or to inform the land use assumptions that are applied in the development of a regional transportation plan.

(d) Public participation and access shall be required in the development of the methodology and in the process of drafting and adoption of the allocation of the regional housing needs. Participation by organizations other than local jurisdictions and councils of governments shall be solicited in a diligent effort to achieve public participation of all economic segments of the community as well as members of protected classes under Section 12955. The proposed methodology, along with any relevant underlying data and assumptions, an explanation of how information about local government conditions gathered pursuant to subdivision (b) has been used to develop the proposed methodology, how each of the factors listed in subdivision (e) is incorporated into the methodology, and how the proposed methodology furthers the objectives listed in subdivision (e) of Section 65584, shall be distributed to all cities, counties, any subregions, and members of the public who have made a written or electronic request for the proposed methodology and published on the council of governments', or delegate subregion's, internet website. The council of governments, or delegate subregion, as applicable, shall conduct at least one public hearing to receive oral and written comments on the proposed methodology.

(e) To the extent that sufficient data is available from local governments pursuant to subdivision (b) or other sources, each council of governments, or delegate subregion as applicable, shall include the following factors to develop the methodology that allocates regional housing needs:

(1) Each member jurisdiction's existing and projected jobs and housing relationship. This shall include an estimate based on readily available data on the number of low-wage jobs within the jurisdiction and how many housing units within the jurisdiction are affordable to low-wage workers as well as an estimate based on readily available data, of projected job growth and projected household growth by income level within each member jurisdiction during the planning period.

(2) The opportunities and constraints to development of additional housing in each member jurisdiction, including all of the following:

(A) Lack of capacity for sewer or water service due to federal or state laws, regulations or regulatory actions, or supply and distribution decisions made by a sewer or water service provider other than the local jurisdiction that preclude the jurisdiction from providing necessary infrastructure for additional development during the planning period.

(B) 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. The council of governments may not limit its consideration of suitable housing sites or land suitable for urban development to existing zoning ordinances and land use restrictions of a locality, but shall consider the potential for increased residential development under alternative zoning ordinances and land use restrictions. The determination of available land suitable for urban development may exclude lands where the Federal Emergency Management Agency (FEMA) or the Department of Water Resources has determined that the flood management infrastructure designed to protect that land is not adequate to avoid the risk of flooding.

(C) Lands preserved or protected from urban development under existing federal or state programs, or both, designed to protect open space, farmland, environmental habitats, and natural resources on a long-term basis, including land zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts conversion to nonagricultural uses.

(D) County policies to preserve prime agricultural land, as defined pursuant to Section 56064, within an unincorporated area and land within an unincorporated area zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts its conversion to nonagricultural uses.

(3) The distribution of household growth assumed for purposes of a comparable period of regional transportation plans and opportunities to maximize the use of public transportation and existing transportation infrastructure.

(4) Agreements between a county and cities in a county to direct growth toward incorporated areas of the county and land within an unincorporated area zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of the jurisdiction that prohibits or restricts conversion to nonagricultural uses.

(5) The loss of units contained in assisted housing developments, as defined in paragraph (9) of subdivision (a) of Section 65583, that changed to non-low-income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions.

(6) The percentage of existing households at each of the income levels listed in subdivision (e) of Section 65584 that are paying more than 30 percent and more than 50 percent of their income in rent.

(7) The rate of overcrowding.

(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) The housing needs of individuals and families experiencing homelessness. If a council of governments has surveyed each of its member jurisdictions pursuant to subdivision (b) on or before January 1, 2020, this paragraph shall apply only to the

development of methodologies for the seventh and subsequent revisions of the housing element.

(11) The loss of units during a state of emergency that was declared by the Governor pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), during the planning period immediately preceding the relevant revision pursuant to Section 65588 that have yet to be rebuilt or replaced at the time of the analysis.

(12) The region's greenhouse gas emissions targets provided by the State Air Resources Board pursuant to Section 65080.

(13) Any other factors adopted by the council of governments, that further the objectives listed in subdivision (d) of Section 65584, provided that the council of governments specifies which of the objectives each additional factor is necessary to further. The council of governments may include additional factors unrelated to furthering the objectives listed in subdivision (d) of Section 65584 so long as the additional factors do not undermine the objectives listed in subdivision (d) of Section 65584 and are applied equally across all household income levels as described in subdivision (f) of Section 65584 and the council of governments makes a finding that the factor is necessary to address significant health and safety conditions.

(f) The council of governments, or delegate subregion, as applicable, shall explain in writing how each of the factors described in subdivision (e) was incorporated into the methodology and how the methodology furthers the objectives listed in subdivision (d) of Section 65584. The methodology may include numerical weighting. This information, and any other supporting materials used in determining the methodology, shall be posted on the council of governments', or delegate subregion's, internet website.

(g) The following criteria shall not be a justification for a determination or a reduction in a jurisdiction's share of the regional housing need:

(1) Any ordinance, policy, voter-approved measure, or standard of a city or county that directly or indirectly limits the number of residential building permits issued by a city or county.

(2) Prior underproduction of housing in a city or county from the previous regional housing need allocation, as determined by each jurisdiction's annual production report submitted pursuant to subparagraph (H) of paragraph (2) of subdivision (a) of Section 65400.

(3) Stable population numbers in a city or county from the previous regional housing needs cycle.

(h) Following the conclusion of the public comment period described in subdivision (d) on the proposed allocation methodology, and after making any revisions deemed appropriate by the council of governments, or delegate subregion, as applicable, as a result of comments received during the public comment period, and as a result of consultation with the department, each council of governments, or delegate subregion, as applicable, shall publish a draft allocation methodology on its internet website and submit the draft allocation methodology, along with the information required pursuant to subdivision (e), to the department.

(i) Within 60 days, the department shall review the draft allocation methodology and report its written findings to the council of governments, or delegate subregion, as applicable. In its written findings the department shall determine whether the methodology furthers the objectives listed in subdivision (d) of Section 65584. If the department determines that the methodology is not consistent with subdivision (d) of Section 65584, the council of governments, or delegate subregion, as applicable, shall take one of the following actions:

(1) Revise the methodology to further the objectives listed in subdivision (d) of Section 65584 and adopt a final regional, or subregional, housing need allocation methodology.

(2) Adopt the regional, or subregional, housing need allocation methodology without revisions and include within its resolution of adoption findings, supported by substantial evidence, as to why the council of governments, or delegate subregion, believes that the methodology furthers the objectives listed in subdivision (d) of Section 65584 despite the findings of the department.

(j) If the department's findings are not available within the time limits set by subdivision (i), the council of governments, or delegate subregion, may act without them.

(k) Upon either action pursuant to subdivision (i), the council of governments, or delegate subregion, shall provide notice of the adoption of the methodology to the jurisdictions within the region, or delegate subregion, as applicable, and to the department, and shall publish the adopted allocation methodology, along with its resolution and any adopted written findings, on its internet website.

(l) The department may, within 90 days, review the adopted methodology and report its findings to the council of governments, or delegate subregion.

(m) (1) It is the intent of the Legislature that housing planning be coordinated and integrated with the regional transportation plan. To achieve this goal, the allocation plan shall allocate housing units within the region consistent with the development pattern included in the sustainable communities strategy.

(2) The final allocation plan shall ensure that the total regional housing need, by income category, as determined under Section 65584, is maintained, and that each jurisdiction in the region receive an allocation of units for low- and very low income households.

(3) The resolution approving the final housing need allocation plan shall demonstrate that the plan is consistent with the sustainable communities strategy in the regional transportation plan and furthers the objectives listed in subdivision (d) of Section 65584.

(Amended (as amended by Stats. 2018, Ch. 990, Sec. 3.7) by Stats. 2019, Ch. 335, Sec. 4. (AB 139) Effective January 1, 2020.)

**State of California**

**GOVERNMENT CODE**

**Section 65584.05**

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65584.05. (a) At least one and one-half years before the scheduled revision required by Section 65588, each council of governments and delegate subregion, as applicable, shall distribute a draft allocation of regional housing needs to each local government in the region or subregion, where applicable, and the department, based on the methodology adopted pursuant to Section 65584.04 and shall publish the draft allocation on its internet website. The draft allocation shall include the underlying data and methodology on which the allocation is based, and a statement as to how it furthers the objectives listed in subdivision (d) of Section 65584. It is the intent of the Legislature that the draft allocation should be distributed before the completion of the update of the applicable regional transportation plan. The draft allocation shall distribute to localities and subregions, if any, within the region the entire regional housing need determined pursuant to Section 65584.01 or within subregions, as applicable, the subregion's entire share of the regional housing need determined pursuant to Section 65584.03.

(b) Within 45 days following receipt of the draft allocation, a local government within the region or the delegate subregion, as applicable, or the department may appeal to the council of governments or the delegate subregion for a revision of the share of the regional housing need proposed to be allocated to one or more local governments. Appeals shall be based upon comparable data available for all affected jurisdictions and accepted planning methodology, and supported by adequate documentation, and shall include a statement as to why the revision is necessary to further the intent of the objectives listed in subdivision (d) of Section 65584. An appeal pursuant to this subdivision shall be consistent with, and not to the detriment of, the development pattern in an applicable sustainable communities strategy developed pursuant to paragraph (2) of subdivision (b) of Section 65080. Appeals shall be limited to any of the following circumstances:

(1) The council of governments or delegate subregion, as applicable, failed to adequately consider the information submitted pursuant to subdivision (b) of Section 65584.04.

(2) The council of governments or delegate subregion, as applicable, failed to determine the share of the regional housing need in accordance with the information described in, and the methodology established pursuant to, Section 65584.04, and in a manner that furthers, and does not undermine, the intent of the objectives listed in subdivision (d) of Section 65584.

(3) A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted pursuant

to subdivision (b) of Section 65584.04. Appeals on this basis shall only be made by the jurisdiction or jurisdictions where the change in circumstances has occurred.

(c) At the close of the period for filing appeals pursuant to subdivision (b), the council of governments or delegate subregion, as applicable, shall notify all other local governments within the region or delegate subregion and the department of all appeals and shall make all materials submitted in support of each appeal available on a publicly available internet website. Local governments and the department may, within 45 days, comment on one or more appeals. If no appeals are filed, the draft allocation shall be issued as the proposed final allocation plan pursuant to paragraph (2) of subdivision (e).

(d) No later than 30 days after the close of the comment period, and after providing all local governments within the region or delegate subregion, as applicable, at least 21 days prior notice, the council of governments or delegate subregion shall conduct one public hearing to consider all appeals filed pursuant to subdivision (b) and all comments received pursuant to subdivision (c).

(e) No later than 45 days after the public hearing pursuant to subdivision (d), the council of governments or delegate subregion, as applicable, shall do both of the following:

(1) Make a final determination that either accepts, rejects, or modifies each appeal for a revised share filed pursuant to subdivision (b). Final determinations shall be based upon the information and methodology described in Section 65584.04 and whether the revision is necessary to further the objectives listed in subdivision (d) of Section 65584. The final determination shall be in writing and shall include written findings as to how the determination is consistent with this article. The final determination on an appeal may require the council of governments or delegate subregion, as applicable, to adjust the share of the regional housing need allocated to one or more local governments that are not the subject of an appeal.

(2) Issue a proposed final allocation plan.

(f) In the proposed final allocation plan, the council of governments or delegate subregion, as applicable, shall adjust allocations to local governments based upon the results of the appeals process. If the adjustments total 7 percent or less of the regional housing need determined pursuant to Section 65584.01, or, as applicable, total 7 percent or less of the subregion's share of the regional housing need as determined pursuant to Section 65584.03, then the council of governments or delegate subregion, as applicable, shall distribute the adjustments proportionally to all local governments. If the adjustments total more than 7 percent of the regional housing need, then the council of governments or delegate subregion, as applicable, shall develop a methodology to distribute the amount greater than the 7 percent to local governments. The total distribution of housing need shall not equal less than the regional housing need, as determined pursuant to Section 65584.01, nor shall the subregional distribution of housing need equal less than its share of the regional housing need as determined pursuant to Section 65584.03.

(g) Within 45 days after the issuance of the proposed final allocation plan by the council of governments and each delegate subregion, as applicable, the council of

governments shall hold a public hearing to adopt a final allocation plan. To the extent that the final allocation plan fully allocates the regional share of statewide housing need, as determined pursuant to Section 65584.01 and has taken into account all appeals, the council of governments shall have final authority to determine the distribution of the region's existing and projected housing need as determined pursuant to Section 65584.01. The council of governments shall submit its final allocation plan to the department within three days of adoption. Within 30 days after the department's receipt of the final allocation plan adopted by the council of governments, the department shall determine if the final allocation plan is consistent with the existing and projected housing need for the region, as determined pursuant to Section 65584.01. The department may revise the determination of the council of governments if necessary to obtain this consistency.

(h) Any authority of the council of governments to review and revise the share of a city or county of the regional housing need under this section shall not constitute authority to revise, approve, or disapprove the manner in which the share of the city or county of the regional housing need is implemented through its housing program.

(i) Any time period in subdivision (d) or (e) may be extended by a council of governments or delegate subregion, as applicable, for up to 30 days.

(j) The San Diego Association of Governments may follow the process in this section for the draft and final allocation plan for the sixth revision of the housing element notwithstanding such actions being carried out before the adoption of an updated regional transportation plan and sustainable communities strategy.

(Amended by Stats. 2019, Ch. 634, Sec. 4. (AB 1730) Effective January 1, 2020.)



## RHNA SUBCOMMITTEE CHARTER – 6<sup>th</sup> Cycle

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### **Purpose of the Subcommittee**

The purpose of the RHNA Subcommittee is to review in-depth the various policy considerations necessary to the development of SCAG’s Regional Housing Needs Assessment (RHNA), and to make critical decisions throughout the RHNA process, including but not limited to the following: the RHNA methodology, the draft and final RHNA allocations, and appeals related to draft RHNA allocations. The decisions of the RHNA Subcommittee will serve as recommendations to SCAG’s Community, Economic and Human Development (CEHD) Committee and the Regional Council, except that the RHNA Subcommittee will make the final decisions regarding all appeals of draft RHNA allocations.

### **Authority**

Authorized by the Regional Council, the RHNA Subcommittee serves as a subcommittee of the CEHD Committee, and will be reporting to the CEHD Committee. All actions by the RHNA Subcommittee, except for actions pertaining to appeals of draft RHNA allocations, are subject to the review and approval of the CEHD Committee and the Regional Council. Recognizing the significant amount of work undertaken by the RHNA Subcommittee, the CEHD Committee and the Regional Council will rely on the policy judgments of the RHNA Subcommittee. The RHNA Subcommittee shall be dissolved as of the date in which the final RHNA allocation is adopted by the Regional Council.

### **Composition**

The RHNA Subcommittee will consist of twelve (12) members of the Regional Council or the CEHD Committee to represent the six (6) counties of the SCAG region. Each county shall have a primary member and an alternate member to serve on the RHNA Subcommittee. The SCAG President will appoint the members of the RHNA Subcommittee and will select one of the members to serve as the Chair of the RHNA Subcommittee. Membership of the RHNA Subcommittee may also include as non-voting members serving as stakeholder representatives appointed by the SCAG President.

### **Meetings and Voting**

The meetings of the RHNA Subcommittee will occur during the applicable period when SCAG is developing the RHNA. The RHNA Subcommittee shall have the authority to convene meetings as circumstances require. A meeting quorum shall be established when there is attendance by at least one representative (either a primary member or an alternate member) from each of the six (6) counties. Stakeholder representatives serving as non-voting members of the RHNA Subcommittee are not counted for purposes of establishing a meeting quorum.

All RHNA Subcommittee members are expected to attend each meeting, to the extent feasible. RHNA Subcommittee members may attend meetings by teleconference or video-conference. All meetings of the RHNA Subcommittee are subject to the Brown Act. The Chair of the RHNA Subcommittee shall preside over all meetings and the Subcommittee may select another

## RHNA SUBCOMMITTEE CHARTER – 6<sup>th</sup> Cycle

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Subcommittee member to serve as the Vice-Chair in the Chair’s absence. The RHNA Subcommittee will invite SCAG staff or others to attend meetings and provide pertinent information, as necessary. Meeting agendas will be prepared and provided in advance to RHNA Subcommittee members, along with appropriate briefing materials and reports, in accordance with the Brown Act. Minutes of each meeting will be prepared.

For purposes of voting, each county shall be entitled to one (1) vote to be cast by either the primary member or alternate member representing the respective county. In the event of a tie vote, the Chair of the Subcommittee may vote to break the tie except if the Chair of the Subcommittee has casted a vote as a Subcommittee member. In that exception, the Vice Chair of the Subcommittee may break the tie vote. In the case of an appeal submitted on behalf of a Subcommittee member’s individual local jurisdiction, the Subcommittee member may elect not to participate in the discussion and vote by the RHNA Subcommittee regarding such appeal.

### Responsibilities

The RHNA Subcommittee will carry out the following responsibilities:

- Review information useful to the development of the RHNA Plan;
- Review and make policy decisions related to the RHNA process including policies for the RHNA methodology, the RHNA methodology, and the draft and final RHNA allocations, and forward such decisions to the CEHD Committee for review and approval. In making its policy decisions, the RHNA Subcommittee should consider the integration of the RHNA with the Regional Transportation Plan/Sustainable Communities Strategy;
- Review and make decisions regarding guidelines for the RHNA process including guidelines related to subregional delegation, and forward such decisions to the CEHD Committee for review and approval; and
- Review and make the final decisions regarding appeals related to the jurisdiction’s draft RHNA allocation. In this capacity, the RHNA Subcommittee shall be known as the “RHNA Appeals Board.” These final decisions by the RHNA Appeals Board shall not be reviewable by the CEHD Committee or by the Regional Council.



**Item 5:** **Accessory Dwelling Units (ADU) Updates**  
**Recommended Action:** Receive reports.

## **Reports**

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### **1. ADU Survey**

Many Orange County jurisdictions are still working on updating a local ADU ordinance to comply with state law. OCCOG and ACC-OC are working collaboratively to obtain information that may help jurisdictions in this effort. Survey results will be provided to the TAC distribution list once the survey results have been compiled.

### **2. ADU Ad-Hoc Committee**

The ADU Ad-Hoc Committee did not meet in July; however, there have been numerous conversations with SCAG on their efforts to present an ADU package to HCD that would allow for affordability assumptions to be pre-approved for the SCAG region. SCAG staff will be presenting on their ADU findings at the meeting.

Attachment 1 – Working Draft of SCAG’s ADU Affordability Analysis



# ADU Affordability Analysis and Technical Assistance Tools

Meg Healy and Kevin Kane

Compliance and Performance Monitoring

August 4, 2020

[www.scag.ca.gov](http://www.scag.ca.gov)



# SCAG ADU Affordability Analysis

- In order to use potential ADU development to be used toward RHNA allocations, local governments must provide an analysis of anticipated affordability levels
- SCAG conducted a regional analysis of current market rents that can be used to assign ADUs to income categories in Sixth Cycle Housing Elements





- There are myriad ways to conduct an affordability analysis of anticipated ADU rents
- SCAG’s survey relies on market rents of 150 existing ADUs in the region
- Used key words such as “ADU,” “in-law,” “granny,” and “detached guest studio” to identify units
- Local governments are encouraged to supplement this survey with their own data



# Orange County Final Affordability Assumptions

- Orange County sample size: 37 units
- Range: \$850 (Anaheim) - \$2,250 (Garden Grove)
- Highest rate of rents in Low-Income categories in the region

	LA County I	LA County II	Ventura County	Orange County	San Bernardino/Riverside Counties
<b>Extremely Low</b>	15%	15%	15%	15%	15%
<b>Very Low</b>	1%	4%	2%	9%	3%
<b>Low</b>	27%	34%	32%	49%	36%
<b>Moderate</b>	12%	9%	42.5%	22%	28%
<b>Above Moderate</b>	45%	38%	8.5%	5%	18%

# ADU Affordability Analysis Process

1. Calculate maximum rent limits for RHNA income categories for both one-person and two-person households by county
2. Survey of ADU rents (37 in Orange County)
3. Determine proportion of ADUs within each income category for both one-person and two-person households
4. Make assumptions for what percentage of ADUs are rented for free based on existing literature and allocate those towards ELI
5. Combine rented and non-rented ADUs into single affordability breakdown by county



# Step 1: Calculate maximum rent limits for RHNA income categories



- HCD and HUD develop income thresholds based on county and household size
- ADUs are generally suitable for 1 or 2 person households
- Orange County median household incomes lead the region, resulting in higher rent limits

Median Household Incomes	
Los Angeles County	\$68,093
Ventura County	\$84,556
Orange County	\$89,759
Imperial County	\$48,984
Riverside County	\$66,964
San Bernardino County	\$63,857

*Source: 2018 ACS 1-year estimates*

Orange County Maximum Rent by RHNA Income Category					
Category	Income Range	One Person Household		Two Person Household	
		Income <sup>1</sup>	Max Rent <sup>2</sup>	Income <sup>1</sup>	Max Rent <sup>2</sup>
<b>Extremely Low</b>	Below 30% of area median income	\$24,950	\$624	\$28,500	\$713
<b>Very Low</b>	30%-50% of area median income	\$41,550	\$1,039	\$47,500	\$1,188
<b>Low</b>	50%-80% of area median income	\$66,500	\$1,663	\$76,000	\$1,900
<b>Moderate</b>	80%-120% of area median income	\$82,250	\$2,056	\$94,000	\$2,350
<b>Above Moderate</b>	Over 120% of area median income	No max	No max	No max	No max

1) Maximum of income range multiplied by household median income average based on 2019 State income limits (<https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/Income-Limits-2019.pdf>)

2) Income maximum multiplied by 30% divided by 12 to yield monthly maximum affordable rent

## Step 2: Survey of Rents

- Orange County sample size: 37 units covering 19 jurisdictions (i.e. what we were able to find)
- Range: \$850 (Anaheim) - \$2,250 (Garden Grove)

List of jurisdictions and number of ADU listings found in each:			
Anaheim (3)	Costa Mesa (2)	Santa Ana (3)	Westminster (1)
Yorba Linda (2)	Irvine (1)	Buena Park (2)	
Newport Beach (1)	Huntington Beach (3)	San Clemente (3)	
Laguna Beach (3)	San Juan Capistrano (1)	Lake Forest (1)	
Fullerton (3)	Tustin (1)	Garden Grove (3)	
Orange (2)	Laguna Hills (1)	Seal Beach (1)	

# Steps 3-5: Additional Assumptions

- How many people will occupy ADUs?
  - Data from Gebhardt, Gilden, and Kidron 2014
  - Suggests 51% are one-person, 49% are 2+ person
  - Assume 50/50
- How many ADUs are occupied rent-free?
  - Assumptions for non-rented ADUs relies on literature from the Bay Area and Portland, which conservatively estimate 15% of units are rented to family for free
  - Assume these are available to extremely low-income households
- Combine to develop affordability assumption

Number of Adults	Number of Households	Percent of Total
1	72	51%
2	61	43%
More than 2	8	6%
<b>Total</b>	<b>141</b>	<b>100%</b>

Orange County Affordability Assumption for All ADUs			
Category	Affordability Assumption for Rented ADUs <sup>1</sup> 85% of Total	Affordability Assumption for Non-Rented ADUs <sup>2</sup> 15% of Total	Affordability Assumption for all ADUs <sup>3</sup> 100% of Total
<b>Extremely Low</b>	0%	100%	15%
<b>Very Low</b>	11%	0%	9%
<b>Low</b>	58%	0%	49%
<b>Moderate</b>	25.5%	0%	22%
<b>Above Moderate</b> <small>116</small>	5.5%	0%	5%

# ADU Affordability Assumptions

- SCAG’s analysis underscores the need for more comprehensive survey data and studies centered in Southern California
- Pending HCD review/approval, study will provide:
  - A “safe harbor” assumption for ADU affordability which can be used by local jurisdictions
  - A widely-understood methodology for calculating ADU affordability in a jurisdiction or subregion if additional rental data or information on other assumptions is available
  - A jurisdiction or subregion may develop alternative methodologies
- SCAG is exploring additional resources and studies that would further remove barriers for ADU production

# Update on Additional Technical Assistance from SCAG



## TECHNICAL ASSISTANCE FOR HOUSING ELEMENT UPDATES

In partnership with the California Department of Housing & Community Development (HCD), SCAG will be providing a number of data and technical assistance tools to local jurisdictions. These resources will help member jurisdictions reduce costs associated with developing 6th cycle housing element updates as well as streamline the review process.

### AVAILABLE JULY 2020

#### Pre-Certified Housing Needs Data

- Data sets will be pre-certified by HCD for use in housing elements. Use of these datasets will help to streamline housing element development and review.
- Data sets for each jurisdiction include: Large families, seniors, housing stock characteristics, overcrowding, and more! [Click here for a full list of required data.](#)
- Available as a spreadsheet and completed report.
- NEW! Analysis of regional ADU rents to assist in matching anticipated ADUs to RHNA income categories

### AVAILABLE FALL 2020

#### SCAG Parcel Data for Site Inventory & Analysis<sup>1</sup>

SCAG's parcel-level land use data (available online) will be updated and augmented to help provide a first pass for a local jurisdiction's site inventory. In addition, SCAG is in the process of developing two new approaches to help identify and analyze sites:

##### Jurisdiction Parcel Listing

- SCAG parcel data can be used for an identification of nonresidential sites with potential for inclusion.
- Map and parcel level GIS data provided individually to jurisdictions.
- Attributes include: Vacant parcels, public-owned land, underutilized commercial and retail land and more.
- Selected Affirmatively Furthering Fair Housing (AFFH), AB 686 and SCAG Priority Growth Area data also available.

##### ADU Physical Capacity

- Gauge each jurisdiction's total physical ADU capacity based on user selection
- Generate estimates based on certain variables: Eligible parcel types, ADU sizes, configuration, land cover, slope, etc.

<sup>1</sup>Note: Does not constitute SCAG's estimate of infill potential. Inclusion of a site may require additional documentation per HCD guidelines. Additional analysis from the jurisdiction is required

- Flyer on [www.scag.ca.gov/housing](http://www.scag.ca.gov/housing)
- Sample of local housing data attached. Undergoing HCD review, will be posted thereafter for all 197 local jurisdictions, email notification will be sent to SCAG housing mailing list.
- Parcel-based tools currently under development:
  - A lightweight tool or data delivery based on parcel data update
  - “Curated” attributes – what SCAG can develop regionally which fits the bill of HCD’s site inventory guidelines at [https://www.hcd.ca.gov/community-development/housing-element/docs/Sites inventory memo final06102020.pdf](https://www.hcd.ca.gov/community-development/housing-element/docs/Sites%20inventory%20memo%20final06102020.pdf)
- Discussion: the idea of “safe harbors” – accessible ways to demonstrate feasibility/suitability/etc. using regionally available data (e.g. ADU capacity, AFFH, infill potential)

# SCAG Housing Element Workshop – 8/20 and 8/27



## Housing Element Workshop: New Laws & Tools

The Housing Element Digital Workshop is a two-part series focused on providing local governments and other stakeholders in the SCAG region with information and resources to support their 6th Cycle Housing Element Updates. The workshop will provide information on changes in housing element and related planning laws as well as available technical assistance offered by the California Department of Housing and Community Development (HCD) and SCAG.

Please note that this workshop will build on and not duplicate HCD's Housing Element Site Inventory webinar held on July 24, 2020. If you missed HCD's webinar, you can [click here](#) to review the webinar.

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### Part 1

Thursday, August 20, 2020

1:00 p.m. - 3:30 p.m.

The first workshop day in this two-part series will include sessions on Housing Element technical assistance and data elements offered by SCAG along with a deeper dive into HCD's recently released Site Inventory Guidelines.

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### Part 2

Thursday, August 27, 2020

1:00 p.m. - 3:30 p.m.

The second day will feature a discussion on determining accessory dwelling unit capacity and affordability. The agenda will also include additional housing element guidance from HCD, such as affirmatively furthering fair housing and other requirements added to state housing law since the last housing element cycle.

- Register at <https://scag.wufoo.com/forms/m1fso5f0mjhw1n/>

Thank you!

[www.scag.ca.gov](http://www.scag.ca.gov)





**AGENDA ITEM #6**

**Proposed Regional Early Action Planning  
Grant Program (REAP) Project List**

**SUMMARY**

In anticipation of the funding OCCOG will receive from a sub-allocation of Regional Early Action Program (REAP) grant funds approved by Southern California Association of Governments (SCAG), OCCOG staff is presenting a draft list of projects for TAC review and input. The list of projects proposed takes into account input from OCCOG member jurisdictions and stakeholders, and is intended to support the preparation of housing elements, educate the public on housing policy including accessory dwelling units (ADUs), and support the development of housing for low and very low income residents, including permanent supportive housing for our most vulnerable population. The list of proposed projects is intended to provide support to all OCCOG member jurisdictions by offering a menu of options for OCCOG member jurisdictions to access services and tools depending on their unique needs. OCCOG will prepare RFP's for consultant support for the projects listed in Attachment A, with the intent to release RFP's and be prepared to start work as soon as possible upon NTP from SCAG.

**BACKGROUND**

At the February 6, 2020 Southern California Association of Governments meeting, the Regional Council approved the \$23.6M in funding from the REAP to the 14 designated SCAG sub-regions consistent with the level of allocation of new housing units from the Regional Housing Needs Assessment (RHNA). Funding from the REAP is provided by [AB 101](#), which also specifies how the funds must be used and the deadline for funds to be expended.

Based on SCAG's regional determination and the apportionment of housing units to Orange County from the RHNA methodology, SCAG staff has indicated that the OCCOG sub-region will receive approximately \$3.2M in funding via the REAP grant program sub-allocation. SCAG is working with the sub-regions, including OCCOG, to identify projects, activities, and programs that will lead to more housing production, and have value for our member jurisdictions. SCAG has indicated that funding being provided on a reimbursement basis primarily unless special arrangements are made. OCCOG will be working with SCAG on the mechanism for funding that will work best for our sub-region.

Since April 2020, OCCOG staff has worked closely with the OCCOG Technical Advisory Committee (TAC), the OCCOG ADU Working Group, OCCOG Executive Management





Committee (EMC), OCCOG ex-officio partners, the Orange County City Managers Association (OCCMA), and the County of Orange as well as SCAG staff, to develop a draft plan for using the funds provided via the SCAG RC's February action.

Additional information about the REAP can be found on the Housing and Community development (HCD) website at the following URL: <https://www.hcd.ca.gov/grants-funding/active-funding/reap.shtml> - activities

Information about the SCAG Regional Council Action is found here: <http://scag.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=2078&Inline=True>

### RECOMMENDED ACTION

Provide feedback on OCCOG's proposed list of projects to be submitted to the OCCOG Board of Directors August 27, 2020 for approval or further direction.

### ATTACHMENTS

- A. DRAFT List of proposed REAP projects for OCCOG sub-region.

### STAFF CONTACT

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OCCOG Executive Director  
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**ATTACHMENT A**

**Proposed List of REAP Grant Program Projects for OCCOG Sub-region**

<b>Project</b>	<b>Description</b>	<b>Cost Range</b>
ADU Support	“ADU How-To” Printed Materials, Public Workshops, and pre-approved ADU plans	\$500,000-\$1,000,000
Support for OC Housing Trusts	Administration and operational support for Orange County’s two housing trusts.	\$250,000-\$500,000
Housing Site Planning Visualization Tool	Technology-driven tool for visualizing opportunities for site development and enhancing public communication	\$500,000-\$1,000,000
*Countywide GIS-based Site Selection Support	Online tool for jurisdictions to identify RHNA-compliant housing sites. Includes overlays for parking availability/impacts, VMT, GHG emissions, ADUs, EJ, jobs rich and transit rich areas, etc.	\$500,000-\$1,000,000
Housing Website	Public-facing website for information about housing policy and ADUs	\$20,000-30,000
Housing Videos	Series of ten to twelve 90-second videos and edited “snackable” content on social media and OCCOG member websites as well as for use in public workshops.	\$20,000-30,000
Staff Augmentation	Access to consultant services for planning activities related to preparation of housing elements and/or expediting housing.	\$1,000,000

\*Assumes SCAG is not providing this tool region-wide.



**Item 7:** **Housing Site Inventory**  
**Recommended Action:** Receive report.

## **Reports**

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On July 24, 2020, the State Department of Housing and Community Development (HCD) provided a webinar related to Housing Element site's inventory in the 6<sup>th</sup> cycle. The purpose of the webinar was to introduce and explain their new guidebook and forms, walk through the sites requirements, introduce the new site inventory form, and highlight upcoming tools and technical assistance. HCD has stated that the webinar will be uploaded to their website for those that missed it. A copy of the webinar PowerPoint presentation has been included. Also attached is a one page summary of the housing sites inventory process created by OCCOG TAC Chair Farnsworth.

Attachment 1 – HCD July 24, 2020, Webinar PowerPoint Presentation

Attachment 2 – Housing Sites Inventory Process Summary

# Housing Element Site's Inventory in the 6<sup>th</sup> cycle – Guidebook and Form

**Harrison Anixter, Melinda Coy, and Sohab Mehmood**

State Department of Housing and Community Development

July 24, 2020





# Agenda

- **Purpose** for the Guidebook and Forms
- **Walk through** of Sites Requirements
- **Introduction** of Sites Inventory Form
- **Highlight** Upcoming Tools and Technical Assistance



## Purpose

- **Preparation** for the 6<sup>th</sup> cycle – most due in the next two years
- **Clarity** around new laws
- **Single reference** bringing together all past guidance with new laws
- **Guide** for first time housing element preparers
- **Better sites inventories** that comply with the statute reducing review time
- **Database** of sites available to developers and others Statewide
- **Greater transparency** on site locations
- **Help with research** on where housing is in comparison to fair housing goals, SCS assumptions, transportation



# What is a Sites Inventory?

- Identify specific sites suitable for residential development to meet the locality's Regional Housing Needs Allocation (RHNA)
- Determine if additional governmental actions are needed to provide sites to accommodate the RHNA



# Sites Inventory Guidebook Framework

<https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>

Part A: Identification of Sites



Part B: Sites to Accommodate Low and Very Low-Income RHNA



Part C: Capacity Analysis



Part D: Nonvacant Sites



Part E: Determination of Adequate Sites



# Part A: Identification of Sites





## Types of Sites

- Vacant sites zoned for residential use.
- Vacant sites zoned for nonresidential use that allow residential development.
- Residentially zoned sites that are capable of being developed at a higher density (nonvacant sites, including underutilized sites).
- Sites owned or leased by a city, county, or city and county.
- Sites zoned for nonresidential use that can be redeveloped for residential use and a program is included to rezone the site to permit residential use.



# Site Selection Considerations

- Proximity to transit.
- Access to high performing schools and jobs.
- Access to amenities, such as parks and services.
- Access to health care facilities and grocery stores.
- Locational scoring criteria for Low-income Housing Tax Credit (TCAC) Program funding.
- Proximity to available infrastructure and utilities.
- Sites that do not require environmental mitigation.
- Presence of development streamlining processes, environmental exemptions, and other development incentives.



# Site Inventory Listing Requirements

- **\*NEW\*** Must identify sites with an APN (AB 1397, 2017)
- Size of site in acres
- Realistic capacity potential
- General plan designation
- Zoning designation
- For nonvacant sites, a description of the existing use of each property
- **\*NEW\*** (The RHNA income category the parcel is expected to accommodate (AB 1397, 2017))
- **\*NEW\*** If the parcel was used in previous planning period sites inventory (AB 1397, 2017)
- Existing Use if non-vacant
- **\*NEW\*** Indicate if the site is publicly owned (AB 1483, 2019)



# Electronic Sites Inventory Form and Instructions

<https://www.hcd.ca.gov/community-development/housing-element/index.shtml>

## Electronic Sites Inventory Form and Instructions:

Government Code (GC) Section 65583(a)(3) requires local governments to prepare an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to the sites. That inventory must identify specific sites or parcels that are available for residential development. Pursuant to SB 6 (Chapter 667, Statutes of 2019), for a housing element or amendment adopted on or after January 1, 2021, the planning agency shall submit to HCD an electronic copy of inventory of these parcels using standards, forms, and definitions adopted by HCD.

The following is the draft sites inventory form and instructions for the form for public comment. Comments can be submitted to [sitesinventory@hcd.ca.gov](mailto:sitesinventory@hcd.ca.gov). **Deadline to submit your comments: July 28, 2020**

- **New!** [Draft Housing Element Sites Inventory Form \(XLS\)](#)
- **New!** [Draft Housing Element Sites inventory Form Instructions \(PDF\)](#)



## Exempt entity controlled sites (state excess sites, military, university, and tribal land)

- Agreement with the entity controlling the land that grants the jurisdiction authority regarding approving, permitting, certifying occupancy, and/or reporting new units to the California Department of Finance.
- Units will meet the Census definition of a unit.
- Documentation from the entity controlling the land that demonstrates planned housing has been approved to be built within the current RHNA cycle.
- Data pertaining to project construction and unit affordability by household income category



## Suitability For Development - General Requirements

- General description of any environmental constraints to housing
- **\*NEW\*** Determination if parcels included in the inventory have sufficient water, sewer, and dry utilities supply available and accessible to support housing development. Can be included in an existing general plan program or other mandatory program or plan to secure sufficient water, sewer, and dry utilities supply to support housing development on the site (AB 1397, 2017)
- **\*New\*** Are sites identified throughout the community in a manner that affirmatively furthers fair housing? (AB 686, 2018)
- Map of sites (for reference purposes only)

# Part B: Sites to Accommodate Low- and Very Low-Income RHNA







## Sites Listed in Past Housing Elements

- Non-vacant sites identified in a **previous** housing element; or
- Vacant sites identified in **two** previous planning periods; or

Sites identified in previous elements **CAN** be used to accommodate lower-income RHNA in the 6th cycle if element includes a program to allow sites by-right with 20% affordable to lower-income households.



# Zoning Appropriate to Accommodate Housing for Lower-Income Households

## Analysis

- Market demand
- Financial feasibility
- Trends within zones

## Default Densities

- A city within a nonmetropolitan county = **15 units** per acre.
- An unincorporated area in a nonmetropolitan county = **10 units** per acre.
- A suburban jurisdiction: = **20 units** per acre.
- A jurisdiction in a metropolitan county = **30 units** per acre.



## Small and Large Sites to Accommodate Lower-income RHNA (AB 1397, 2017)

Sites Less than 0.5 Acres or greater than 10 Acres are not suitable for accommodate lower-income RHNA unless the element includes:

- An analysis demonstrating that sites of equivalent size were successfully developed during the prior planning period for lower income housing
- Evidence that the site is adequate to accommodate lower income housing.

### **Factors to Consider for Analysis:**

- Typical projects assisted by State and Federal financing are 50 - 150 units
- Feasibility of development
- Potential for consolidation or subdivision
- Development trends
- Programs to encourage development, consolidation, or facilitate lot-splits

# Part C: Capacity Analysis





# Realistic Capacity

Capacity for each listed property by:

- Established minimum density or
- Based on analysis

Analysis must adjust for:

- land use controls and sites improvements
- \*NEW\* the realistic development capacity for the site (AB 1397)
  - i.e. for commercial or mixed-use sites capacity the extent non-residential uses are allowed, environmental constraints limiting usage, ect
- \*NEW\* typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction,
- \*NEW\* and on the current or planned availability and accessibility of water, sewer, and dry utilities.



## Options for determining capacity to account for nonresidential, nonvacant, or overlay

- Performance standards mandating a specified portion of residential development in mixed use or nonresidential zones (e.g., residential allowed only above first floor commercial).
- The incentives for promoting residential use such as efforts to attract and assist developers, or allowance of 100 percent residential development.
- Local or regional residential development trends in the same nonresidential zoning districts.
- Local or regional track records, past production trends, or net unit increases/yields for redeveloping sites or site intensification.

# Part D: Nonvacant Sites Analysis





## What is a vacant site?

- No improvement on the site (other than being a finished lot)
- No existing uses, including parking lots
  
- Vacant sites are not underutilized
- Vacant sites do not have blighted improvements
- Vacant sites do not have abandoned or unoccupied uses





# This is Vacant



(Picture of a field with no structures or improvements on it.)



## This is Nonvacant (1 of 3)



(Picture of an overgrown lot with a dilapidated building )



## This is Nonvacant (2 of 3)



(Picture of a parking lot)





## This is Nonvacant (3 of 3)



(Picture of a an abandoned stripmal)



# Suitability For Development Non-Vacant Sites

**Parcel Listing:** Description of Existing uses

**Evaluation:** Analyze the extent existing uses impede additional development

- Development trends,
- Market conditions, and
- Regulatory framework (Section 65583.2(g))



# Suitability for Development Non-Vacant Sites - Factors

## Factors to consider:

- Age and condition
- Marginal versus operational uses
- Degree of underutilization
- Improvement/Value ratios
- Property owner and/or developer interest
- \*NEW\* Existing Leases (AB 1397,2017)
- General development trend/track record analysis by planning area
- Market Conditions leading to potential interest in redevelopment
- Regulatory or other incentives to encourage additional residential



## Substantial Evidence

When non-vacant sites accommodate 50% or more of the **lower-income** RHNA

- Must provide findings based on “substantial evidence” existing use is **likely** to discontinue during the planning period
- Absent “substantial evidence” the existing use is presumed to be an impediment to development



## How to Calculate the 50% Test

Step 1: Calculate the sum of lower income RHNA capacity on vacant and other alternatives not related to capacity on non-vacant sites.

Step 2: Determine if this number is greater than 50% of RHNA.

Step 3: If number is less than 50%, then you will need to do the analysis.





## Example

<b>Total Lower Income RHNA</b>	<b>500</b>
Proposed lower income project	50
Accessory Dwelling Unit Capacity	20
Capacity on Vacant sites	200
Total Capacity	270
Percentage RHNA	$270/500 = 54.0\%$

Conclusion: No substantial evidence analysis needed



# Displacement Program Requirements

Non-vacant sites; or

Vacant sites with demolished residential uses

- Occupied by lower-income households within the last 5 years or
- Subject to affordability agreements for lower-income households within the last 5 years
- Are subject to replacement housing consistent with GC 65915(c)(3) – Density Bonus law

# Part E: Determination of Adequate Sites





## Other Approaches to Identifying Sites

- Accessory Dwelling Units (ADU)
- Hotel/Motel Conversion (beyond AB 83)
- New Mobilehome Park Hook-ups
- Manufactured Homes in rural areas
- Alternative Adequate sites

Other Strategies: give us a call, and we can help brainstorm solutions



# ADUs – Can I use ADUs?

**YES!!!!!!!!!!!!!!**

Capacity estimate based on:

- Past Development Trends
- Demand
- Resources or Incentives
- Affordability
- Availability for rent (rather than pool-house or office)



(Image of an accessory dwelling unit)



## ADUs and the 6th Cycle – Leveraging the new laws

- Use the trends in ADU construction **since** January 2018 to estimate new production.
- Where no other data is available, assume an average increase of **five times** the previous planning period construction trends prior to 2018.
- Use trends from **regional production** of ADUs.
- Include programs that **aggressively promote** and incentivize ADU and JADU construction.
- Other analysis (reviewed on a case-by-case basis).



## Alternative Adequate Sites

May count up to 25 percent of housing need for the following:

- Substantial rehabilitation
- Preservation of Multifamily Housing
- Acquired Multifamily housing
- **New!** Preservation of Mobilehome Parks (AB 83)
- **New!** Hotel, Motel, or Hostel rooms converted to residential for persons experiencing homelessness as part of the COVID-19 recovery response (AB 83)



## Adequate Site Alternative – UPDATE

- Committed Assistance must be provided within **three** years (formally two)
- Committed Assistance can now include **in-kind** services
- Affordability Covenants for qualifying units must now be for **55 years**.
- APR's: Now can count projects that meet the requirements **throughout** the planning period (up to 25% of RHNA by income category)





# Units Entitled, Permitted, or Constructed

Units entitled, permitted, or constructed since the start of the projection period to be credited towards their RHNA.

Element Must Include:

- A description of the methodology for assigning those housing units based on actual or projected sales price, rent levels, or other mechanisms establishing affordability.
- If not constructed, a project schedule showing anticipated completion within the planning period.



# Determination

Adjustment Factor	Very Low	Low	Moderate	Above Moderate
<b>RHNA</b>	<b>300</b>	<b>200</b>	<b>165</b>	<b>465</b>
Entitled, Permitted, or Constructed Project Projects	50	50	0	200
Accessory Dwelling Unit Potential	10	15	15	10
Adequate Sites Alternative Preservation	20	16		
Multifamily Residential R-3 (Vacant)	75	50		
Mixed Use MU (Nonvacant)	75	50	50	
Multifamily Residential (Vacant) R-2			75	
Single-Family (Vacant) R-1				200
Spring Valley Specific Plan			150	250
<b>Total</b>	<b>230</b>	<b>181</b>	<b>290</b>	<b>660</b>
<b>Shortfall/Surplus</b>	<b>-70</b> <small>163</small>	<b>-19</b>	<b>+125</b>	<b>+195</b>



## Adequate Sites Program (GC 65583(c)(1) and 65583.2(h)(i))

1. 100% of remaining need for lower-income households.
2. Provide processing by-right:
  - **NEW!** Project must contain at least 20% of units affordable to lower-income
  - No CUP, PUD or other discretionary review triggering “project” under CEQA.
  - Design review allowed as long as “project” not triggered.
3. Permit at least 16 units per site.
4. Have a minimum density of 16 or 20 units per acre.
5. Accommodate at least 50% of the remaining need on residential-only sites unless mixed use allows 100% residential and requires residential in mixed-use projects.



# Rezoning Timeframes

Must complete all rezoning requirements within 3 years after

1. The housing element adoption;
2. 90 days after receipt of comments from HCD; or
3. If failed to adopt within 120 days of housing element due date, 3 years and 120 days of the housing element due date.

Failure to rezone consequences include:

- By-right approval of a housing project on the rezone site if the project has 49% of its units affordable to moderate, low-, or very low- income households.
- Potential AB 72 Enforcement
- Triggers certain Housing Accountability Act provisions



# Upcoming Tools and Technical Assistance

- **Building Blocks** Update
- Housing Element **Webinars and Workshops**
  - For example: Southern California Association of Governments (SCAG)
  - Trainings
  - SANDAG- HCD Office Hours and Presentations
- Suite of **Sample Analysis** and **Tools** that accompany the Guidebook
- **COG coordination** and **pre-approved analysis** and **data packages**
- **Toolkits** on a variety of housing policy areas such as suite of model ordinances, objective design and development standards how-to-guide, ADUs web-based zoning clearance, CEQA, and other topics!



## Questions?

Please email [sitesinventory@hcd.ca.gov](mailto:sitesinventory@hcd.ca.gov)

- Questions specific to the housing element sites inventory requirements
- Questions or comments on the Site Inventory Form
- Public comments on the Form are due **July 28, 2020**





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HCD values diversity at all levels of the department and is committed to fostering an environment in which employees from a variety of backgrounds, cultures, and personal experiences are welcomed and can thrive. We believe the diversity of our employees and their unique ideas inspire innovative solutions to complex housing challenges.

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- Search for California Department of Housing and Community Development

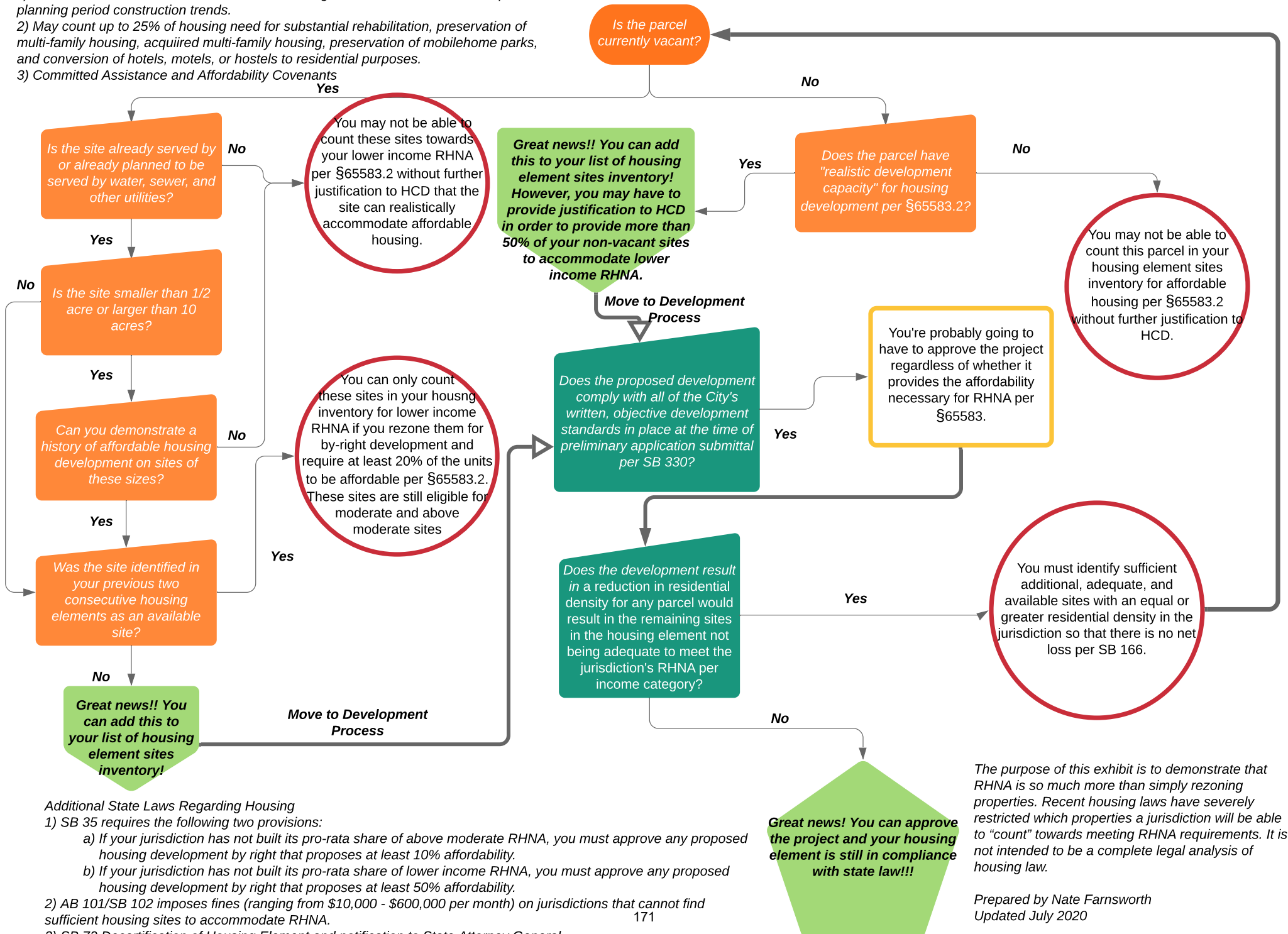
## **New to state service? Don't worry.**

You can view the step-by-step process on [jobs.ca.gov](https://jobs.ca.gov).

# Housing Element Sites Inventory Process

## Other Approaches to Identifying Sites:

- 1) ADU construction trends since 2018 or an average increase of **five times** the previous planning period construction trends.
- 2) May count up to 25% of housing need for substantial rehabilitation, preservation of multi-family housing, acquired multi-family housing, preservation of mobilehome parks, and conversion of hotels, motels, or hostels to residential purposes.
- 3) Committed Assistance and Affordability Covenants



## Additional State Laws Regarding Housing

- 1) SB 35 requires the following two provisions:
  - a) If your jurisdiction has not built its pro-rata share of above moderate RHNA, you must approve any proposed housing development by right that proposes at least 10% affordability.
  - b) If your jurisdiction has not built its pro-rata share of lower income RHNA, you must approve any proposed housing development by right that proposes at least 50% affordability.
- 2) AB 101/SB 102 imposes fines (ranging from \$10,000 - \$600,000 per month) on jurisdictions that cannot find sufficient housing sites to accommodate RHNA.
- 3) SB 72 Decertification of Housing Element and notification to State Attorney General

The purpose of this exhibit is to demonstrate that RHNA is so much more than simply rezoning properties. Recent housing laws have severely restricted which properties a jurisdiction will be able to "count" towards meeting RHNA requirements. It is not intended to be a complete legal analysis of housing law.

Prepared by Nate Farnsworth  
Updated July 2020

# DRAFT Pre-Certified Local Housing Data for Yorba Linda

Developed by SCAG and pre-certified for 6th cycle housing element use by HCD.

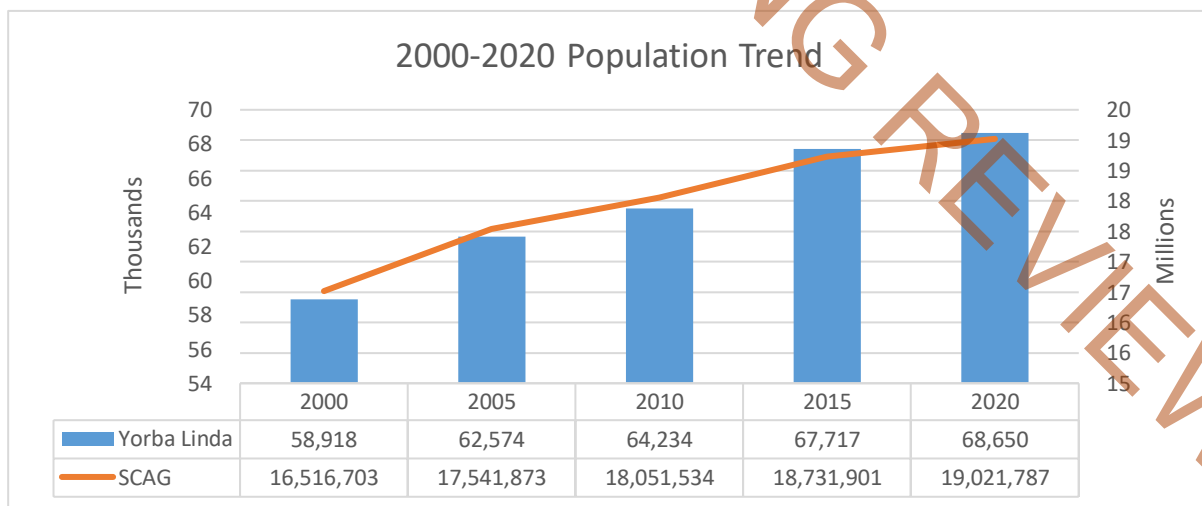
This report contains a wide range of jurisdiction-level data elements intended to provide an understanding of the type of housing need experienced in Yorba Linda as a part of its 6th cycle housing element update. Data sources are noted below each table or figure.

## Table of Contents

- I. POPULATION, EMPLOYMENT, AND HOUSEHOLDS**
- II. SPECIALIZED HOUSEHOLD NEEDS: LARGE FAMILIES, SENIORS, AND FEMALE-HEADED HOUSEHOLDS**
- III. PEOPLE EXPERIENCING HOMELESSNESS**
- IV. PEOPLE WITH DISABILITIES, INCLUDING DEVELOPMENTAL DISABILITIES**
- V. HOUSING STOCK CHARACTERISTICS**
- VI. OVERPAYMENT AND OVERCROWDING**
- VII. ASSISTED UNITS AT RISK OF CONVERSION**
- VIII. REGIONAL HOUSING NEEDS ALLOCATION**

## I. POPULATION, EMPLOYMENT, AND HOUSEHOLDS

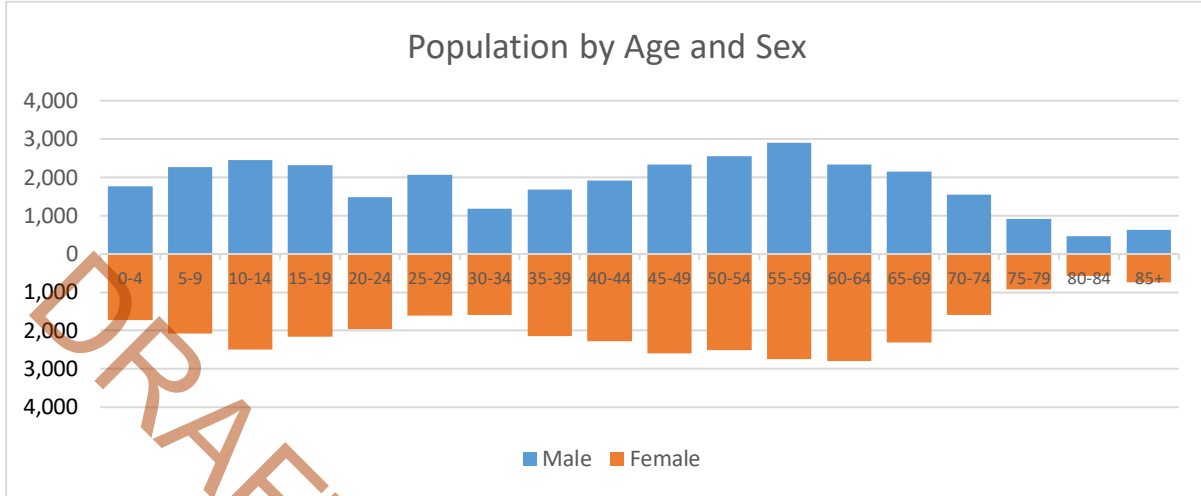
### Population Trend



CA DOF E-5 Population and Housing Unit Estimates

Yorba Linda has a 2020 total population of 68650 including 190 living in group quarters according to the California Department of Finance. The chart above describes the population trend in Yorba Linda from 2000 to 2020. Over this period Yorba Linda had an annual growth rate of 0.8% compared to 0.7% for the region.

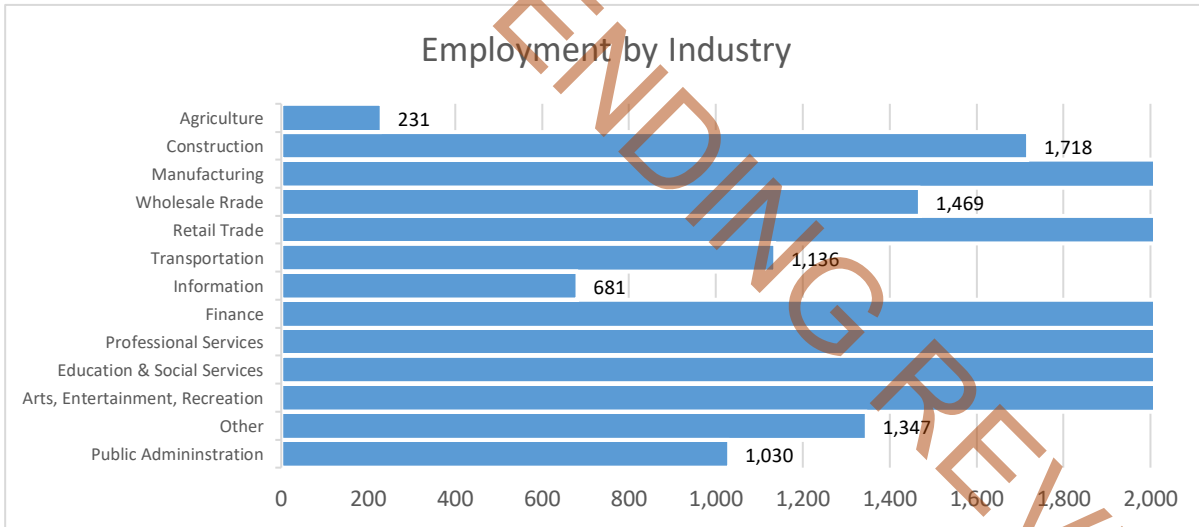
**Current Population by Age and Sex**



American Community Survey 2014-2018 5-year estimates

The population of Yorba Linda is 48.6% male and 51.4% female. The share of the population of Yorba Linda which is under 18 years of age is 23.4%, which is higher than the regional share of 23.4%. Yorba Linda's seniors (65 and above) make up 17.4% of the population, which is higher than the regional share of 13%.

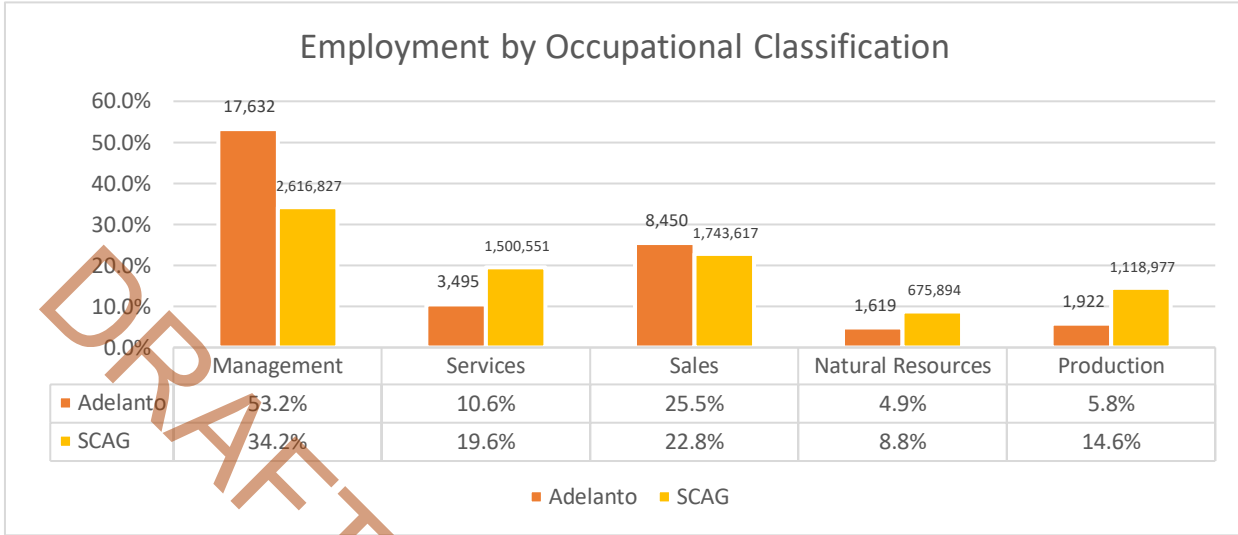
**Employment by Industry**



American Community Survey 2014-2018 5-year estimates using groupings of 2-digit NAICS codes.

Yorba Linda has 33118 workers living within its borders who work across 13 major industrial sectors. The chart above provides detailed employment information. The most prevalent industry is Education & Social Services with 7527 employees (22.7% of total) and the second most prevalent industry is Manufacturing with 4416 employees (13.3% of total).

**Employment by Occupation**



American Community Survey 2014-2018 5-year estimates using groupings of SOC codes.

In addition to understanding the industries in which the residents of Yorba Linda work, it is also possible to analyze the types of jobs they hold. The most prevalent occupational category in Yorba Linda is Management, in which 17632 (53.2% of total) employees work. The second-most prevalent type of work is in Sales, which employs 8450 (25.5% of total) in Yorba Linda.

**Farmworkers**

**Farmworkers by occupation:**

	Percent of Yorba Linda total:	SCAG Total	
81	0.24%	57,741	Total jobs: Farming, fishing, and forestry occupations
74	0.33%	31,521	Full-time, year-round jobs: Farming, fishing, and forestry occupations

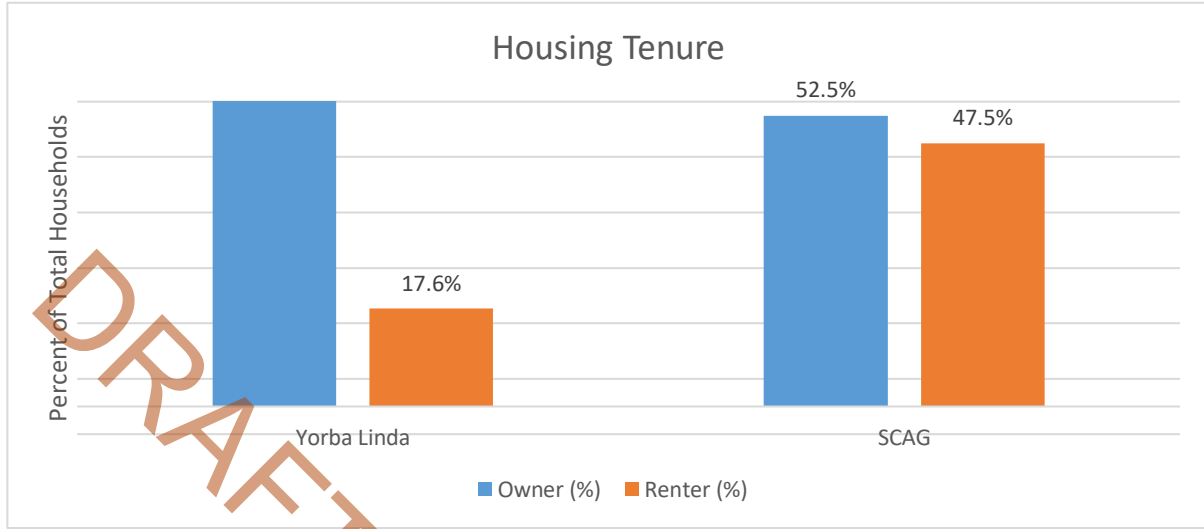
**Employment in the Agricultural Industry:**

	Percent of Yorba Linda total:	SCAG Total	
174	0.53%	73,778	Total in agriculture, forestry, fishing, and hunting
205	0.91%	44,979	Full-time, year-round in agriculture, forestry, fishing, and hunting

American Community Survey 2014-2018 5-year estimates using groupings of NAICS and SOC codes.

Statewide, farmworker housing of unique concern and of unique importance. While only a small share of SCAG region jurisdictions have farmworkers living in them, they are essential to the region's economy and food supply.

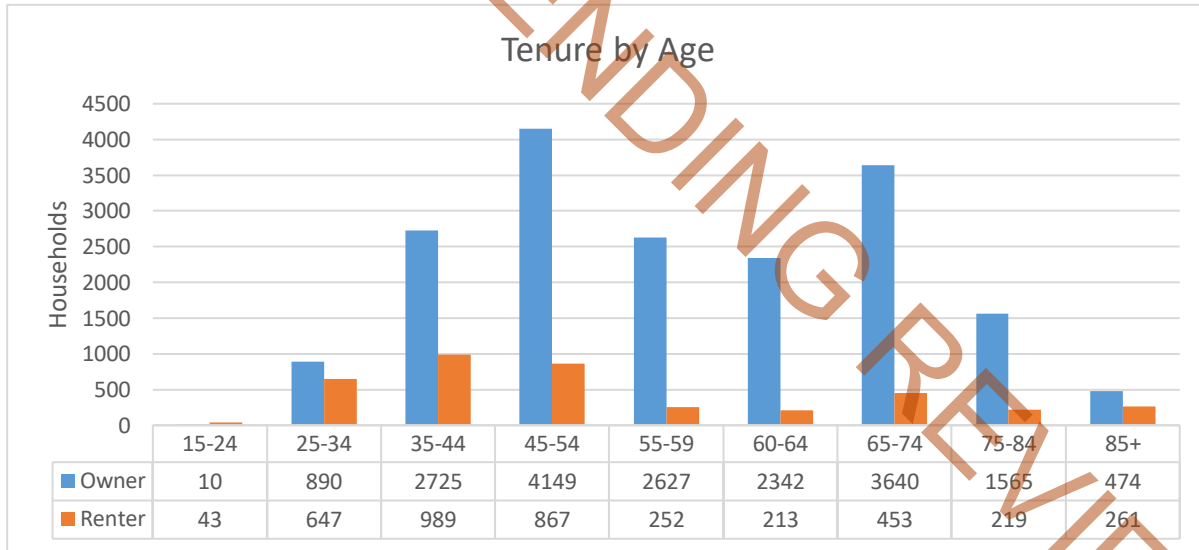
**Housing Tenure**



American Community Survey 2014-2018 5-year estimates.

Housing security can depend heavily on housing tenure, i.e. whether homes are owned or rented. Yorba Linda's housing stock consists of 22366 total units, 18422 of which are owner-occupied and 3944 of which are renter-occupied. The share of renters in Yorba Linda is lower than in the SCAG region overall.

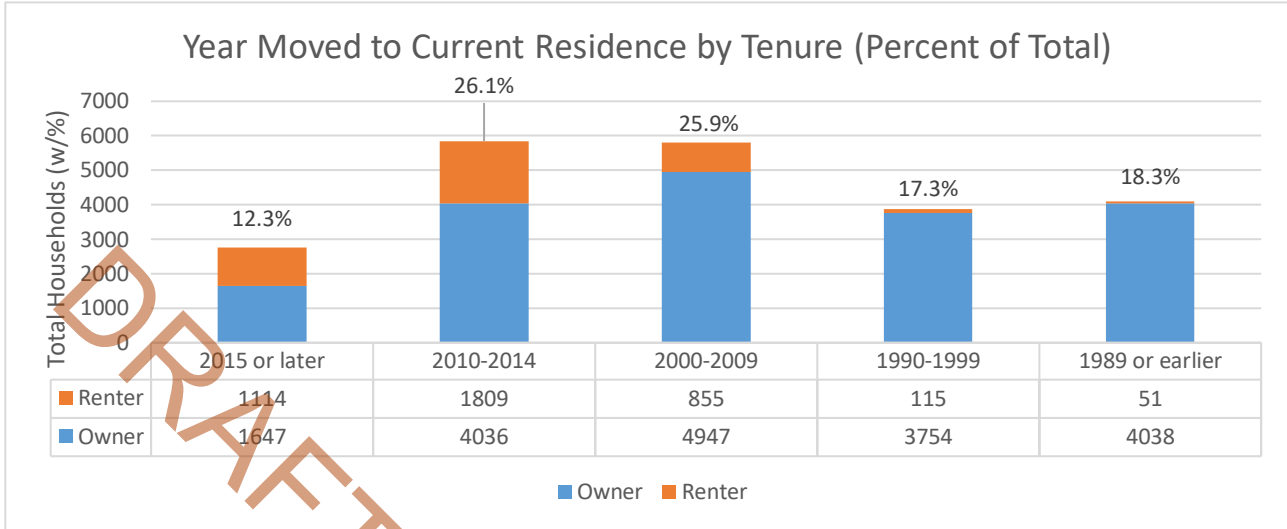
**Tenure By Age**



American Community Survey 2014-2018 5-year estimates.

In many places, housing tenure varies substantially based on the age of the householder. In Yorba Linda, the age group where renters outnumber owners the most is 15-24 (by 62.3%). The age group where owners outnumber renters the most is 60-64 (by 83.3%).

**Housing Tenure by Duration**

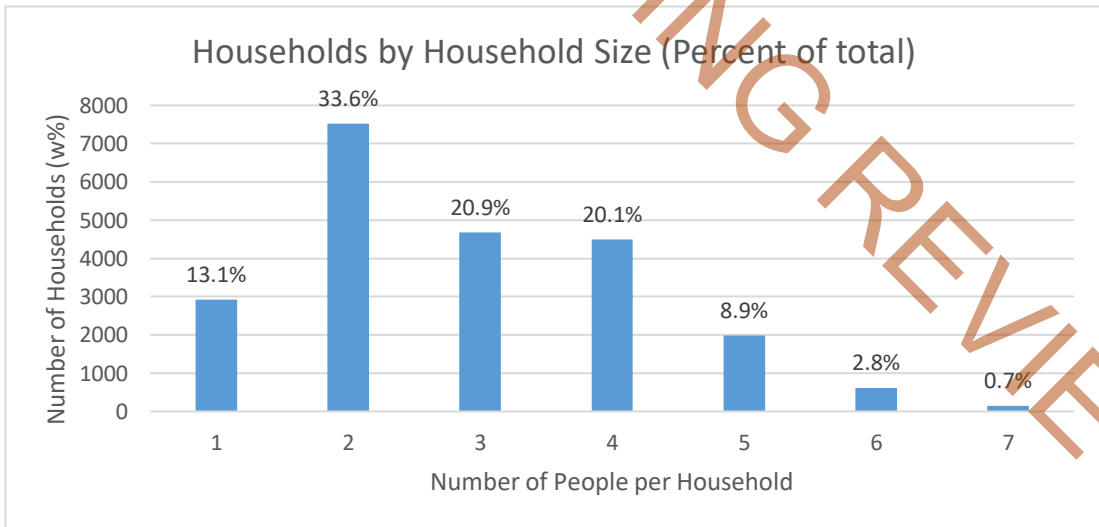


American Community Survey 2014-2018 5-year estimates.

Observing when current residents of a place moved to their current location is one way to understand the historical development trajectory of the housing stock. Across the SCAG region, the most common move-in period was 2010-2014 (31.9%) followed by 2000-2009 (26.1%). In Yorba Linda, the period during which most people started living in their current residence was 2010-2014 (26%) followed by 2000-2009 (25.9%).

**II. SPECIALIZED HOUSEHOLD NEEDS: LARGE FAMILIES, SENIORS, AND FEMALE-HEADED HOUSEHOLDS**

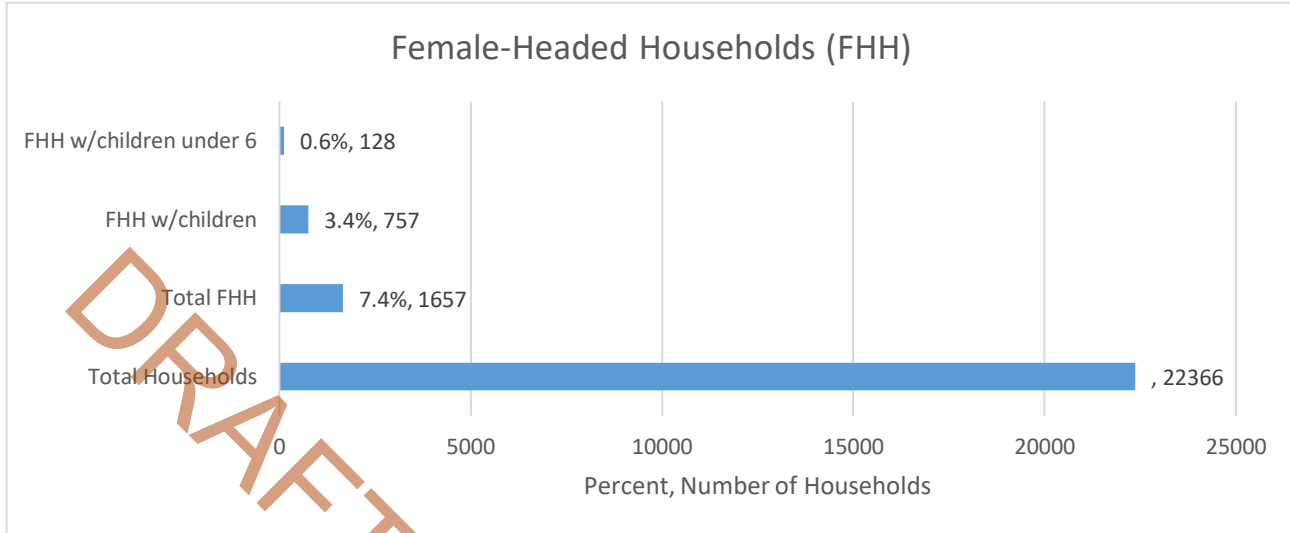
**Households by Household Size**



American Community Survey 2014-2018 5-year estimates.

This chart illustrates the range of household sizes in Yorba Linda, where the most commonly occurring household size is of two people (33.6%) and the second-most commonly occurring household is of three people (20.9%). Yorba Linda has a lower share of single-person households than the SCAG region overall (13.1% vs. 23.4%) and a lower share of 7+ person households than the SCAG region overall (0.7% vs. 3.1%).

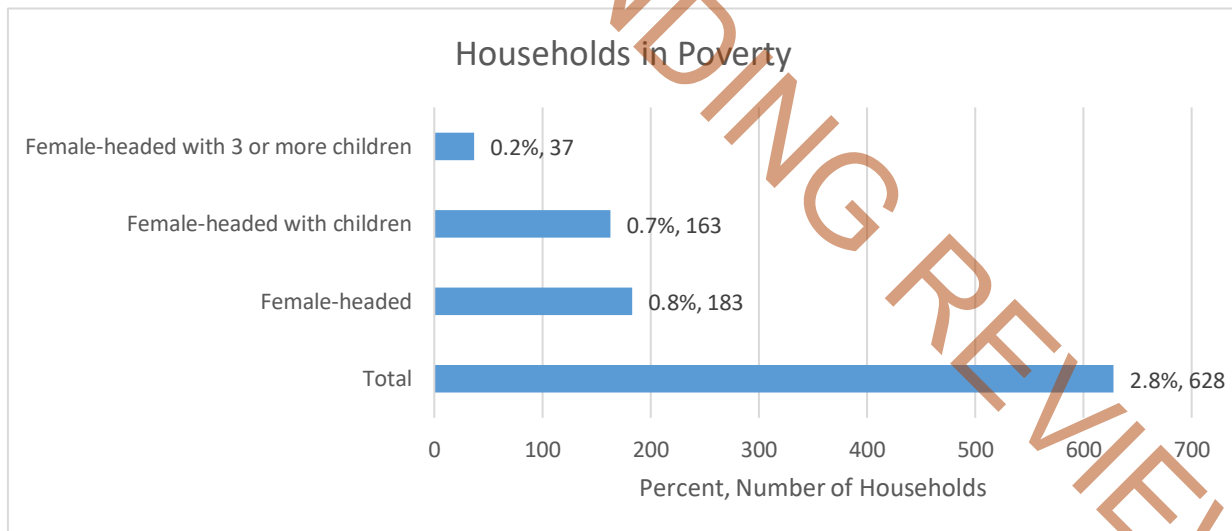
**Female Headed Households**



*American Community Survey 2014-2018 5-year estimates.*

Statute requires analysis of specialized housing needs, including female-headed households in an effort to ensure adequate childcare or job training services. Of Yorba Linda's 22366 total households, 7.4% are female-headed (compared to 14.3% in the SCAG region), 3.4% are female-headed and with children (compared to 6.6% in the SCAG region), and 0.6% are female-headed and with children under 6 (compared to 1.0% in the SCAG region).

**Households by Poverty Status**



*American Community Survey 2014-2018 5-year estimates.*

2.8 percent of Yorba Linda's households are experiencing poverty, compared to 7.9 percent of households in the SCAG region. Poverty thresholds, as defined by the ACS, vary by household type. More information can be found at <https://www.census.gov/topics/income-poverty/poverty/guidance/poverty-measures.html>. In 2018, a single individual under 65 was considered in poverty with a money income below \$13,064/year while the threshold for a family consisting of 2 adults and 2 children was \$25,465/yr.



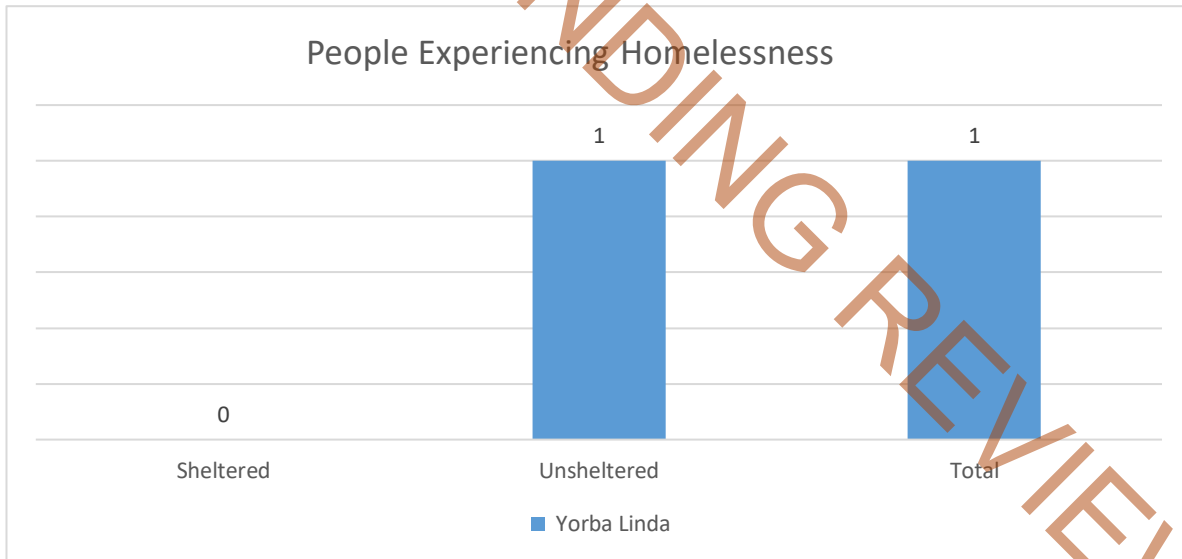
**Elderly Households by Inome and Tenure**

Income category, relative to surrounding area:					Percent of Total
		Owner	Renter	Total	Elderly Households:
< 30% HAMFI		495	380	875	13.3%
30-50% HAMFI		690	275	965	14.7%
50-80% HAMFI		760	225	985	15.0%
80-100% HAMFI		420	80	500	7.6%
> 100% HAMFI		3115	120	3235	49.3%
<b>Total</b>		<b>5480</b>	<b>1080</b>	<b>6560</b>	

HUD CHAS, 2012-2016. HAMFI refers to Housing Urban Development Area Median Family Income.

Statute requires analysis of specialized housing needs, including housing needs for seniors. Federal housing data define a household type as 'elderly family' if it consists of two persons with either or both age 62 or over. Of Yorba Linda's 6560 such households, 13.3% earn less than 30% of the surrounding area income, (comared to 24.2% in the SCAG region), 28% earn less than 50% of the surrounding area income (compared to 30.9% in the SCAG region).

**III. PEOPLE EXPERIENCING HOMELESSNESS**

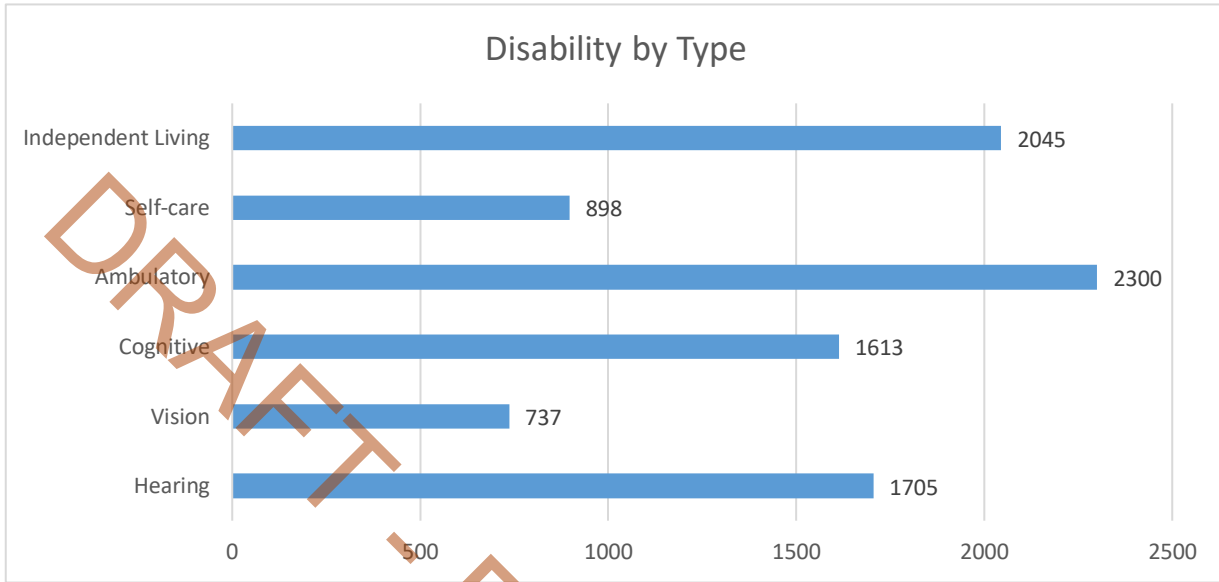


2019 city and county homelessness point-in-time counts processed by SCAG. Jurisdiction-level counts are not avialable in Imperial County and sheltered population counts unavailable in Riverside County. As a result, SCAG region totals from this compilation of data sources likely undercount true totals.

One of the biggest challenges facing the SCAG region is homelessness. SCAG evaluated data from various city and county departments responsible for conducting 2019 homeless population point in time counts. Yorba Linda's total population experincing homelessness represents approximately 0.001% of its total population, which is less than the approximate 0.351% share in the SCAG region.

**IV. PEOPLE WITH DISABILITIES, INCLUDING DEVELOPMENTAL DISABILITIES**

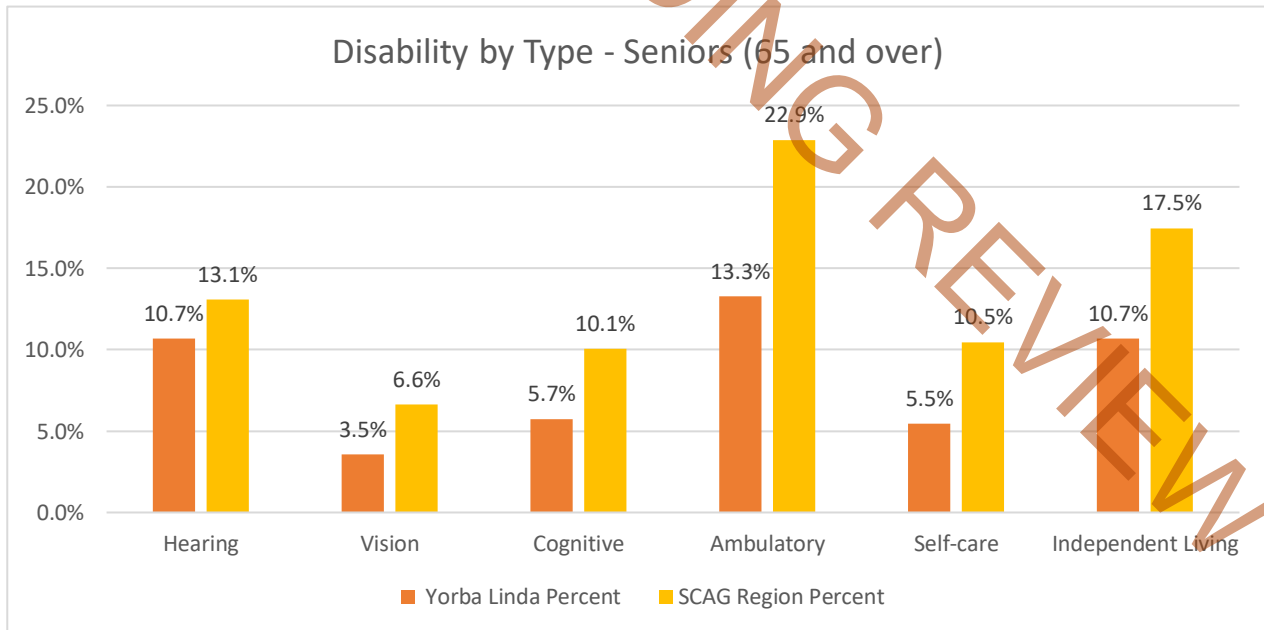
Disability by Type



American Community Survey 2014-2018 5-year estimates.

Disability data also provides valuable context for assessing current and future need for accessible housing units. Note that since since disability types are only recorded for populations above a certain age, calculating percentage shares may be unreliable.

Disability by Type - Seniors (65 and over)



American Community Survey 2014-2018 5-year estimates.

In Yorba Linda, the most commonly occurring disability amongst seniors 65 and older was an ambulatory disability, experienced by 13.3% of Yorba Linda's seniors (and 22.9% of seniors in the SCAG region).

**Disability by Employment Status**

	<b>With a disability</b>	<b>Percent of total</b>	<b>No disability</b>	<b>Percent of total</b>
<b>Employed</b>	889	46%	29171	76%
<b>Unemployed</b>	97	5%	1301	3%
<b>Not in Labor Force</b>	960	49%	7681	20%
<b>Total</b>	<b>1946</b>		<b>38153</b>	

American Community Survey 2014-2018 5-year estimates.

Understanding the employment status of people with disabilities may also be an important component in evaluating specialized housing needs. In Yorba Linda, 45.7% of the population with a disability is employed, compared to 76.5% of the non-disabled population.

**Developmental Disabilities**

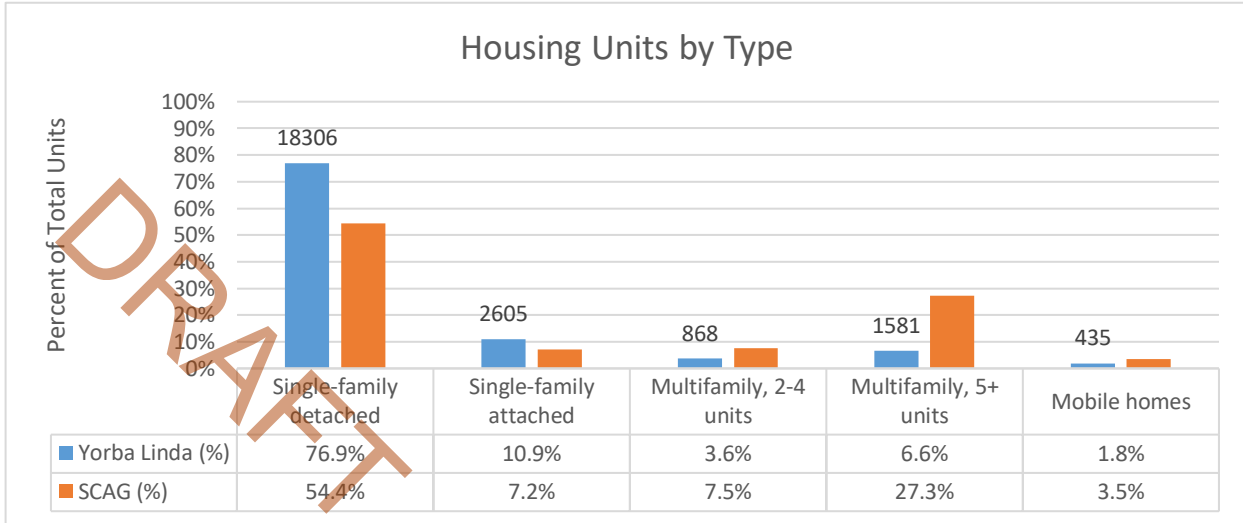
		<b>Yorba Linda</b>
<b>By residen</b>	<b>Home of Parent /Family /Guardian</b>	338
	<b>Independent /Supported Living</b>	10
	<b>Community Care Facility</b>	5
	<b>Intermediate Care Facility</b>	17
	<b>Foster /Family Home</b>	10
	<b>Other</b>	0
<b>By age:</b>	<b>0 - 17 years</b>	380
	<b>18+ years</b>	180
<b>TOTAL</b>		<b>940</b>

CA DDS consumer count by CA ZIP, age group and residence type for the end of June 2019. Data available in 161/197 SCAG jurisdiction

The state Department of Developmental Services also provides data on developmental disabilities by age and type of residence. These data are collected at the ZIP-code level and were joined to the jurisdiction-level by SCAG. Totals may not match as counts below 11 individuals are unavailable and some entries were not matched to a ZIP code necessitating approximation.

**V. HOUSING STOCK CHARACTERISTICS**

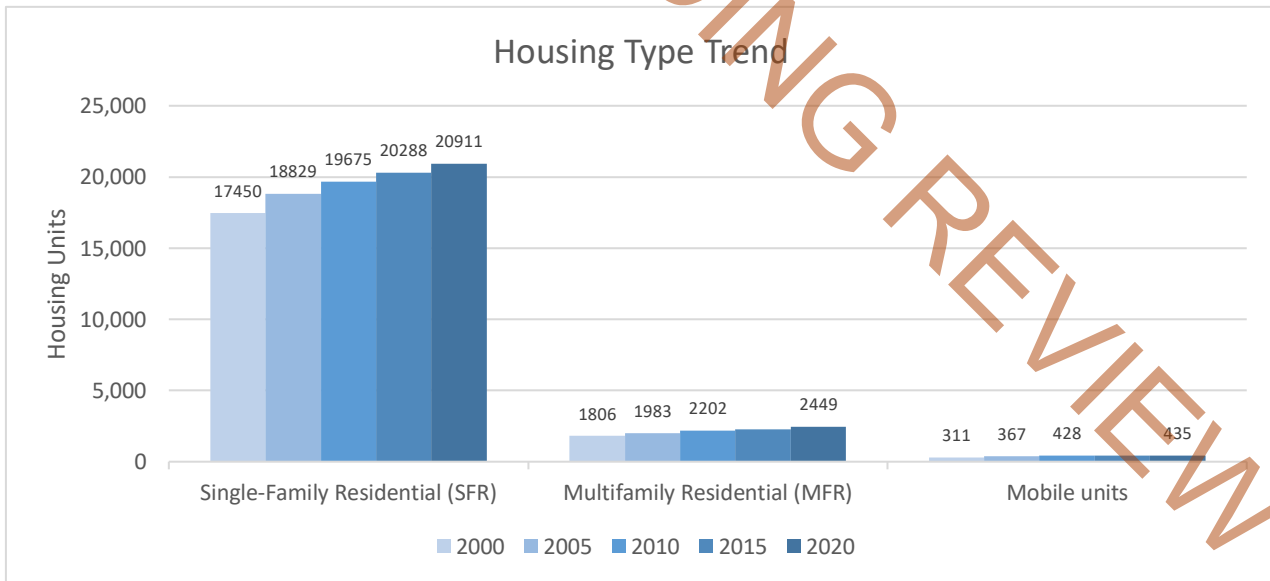
**Housing Type**



*CA DOF E-5 Population and Housing Unit Estimates*

The chart above provides detailed information on the housing stock in Yorba Linda, which has a total of 23795 housing units. With 18306 units, the most prevalent housing type in Yorba Linda is single-family detached. The share of all single-family units in Yorba Linda is 76.9%, which is higher than the 54.4% share in the SCAG region. Out of the total housing units in Yorba Linda, there are 23094 occupied-units, which equates to a 2.9% total vacancy rate. The average household size (as expressed by the population to housing unit ratio) is 2.964.

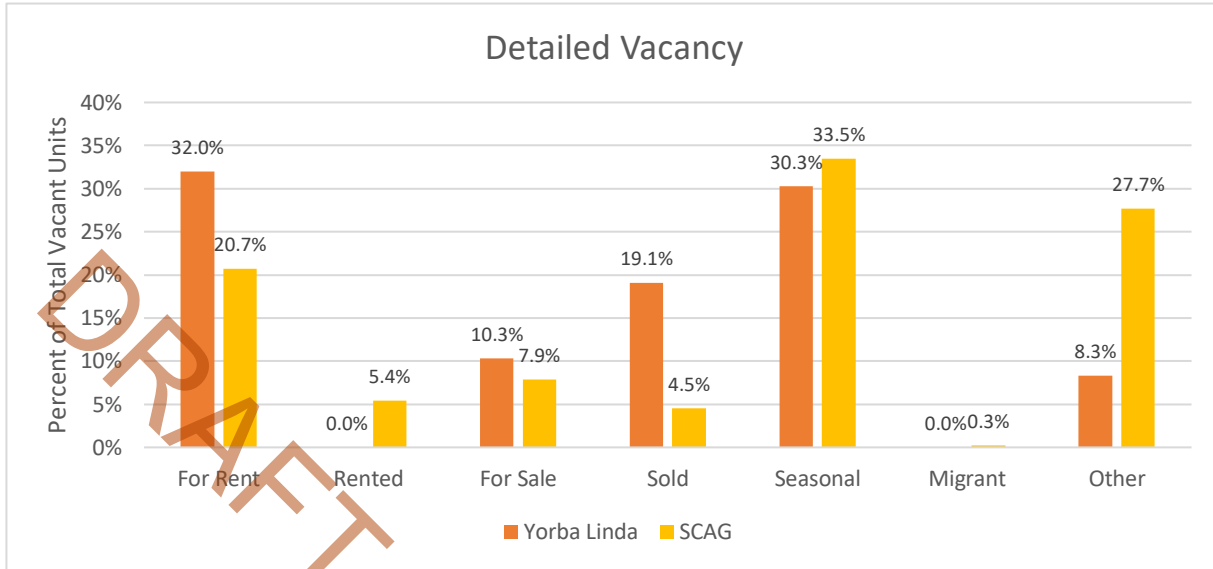
**Housing Type Trend**



*CA DOF E-5 Population and Housing Unit Estimates*

Over the past two decades (2000-2020), there has been more development in single-family residential units than multi-family residential units in Yorba Linda. When comparing between 2000 and 2020, SFR units increased by 3461, MFR units increased by 643, and mobile units increased by 124.

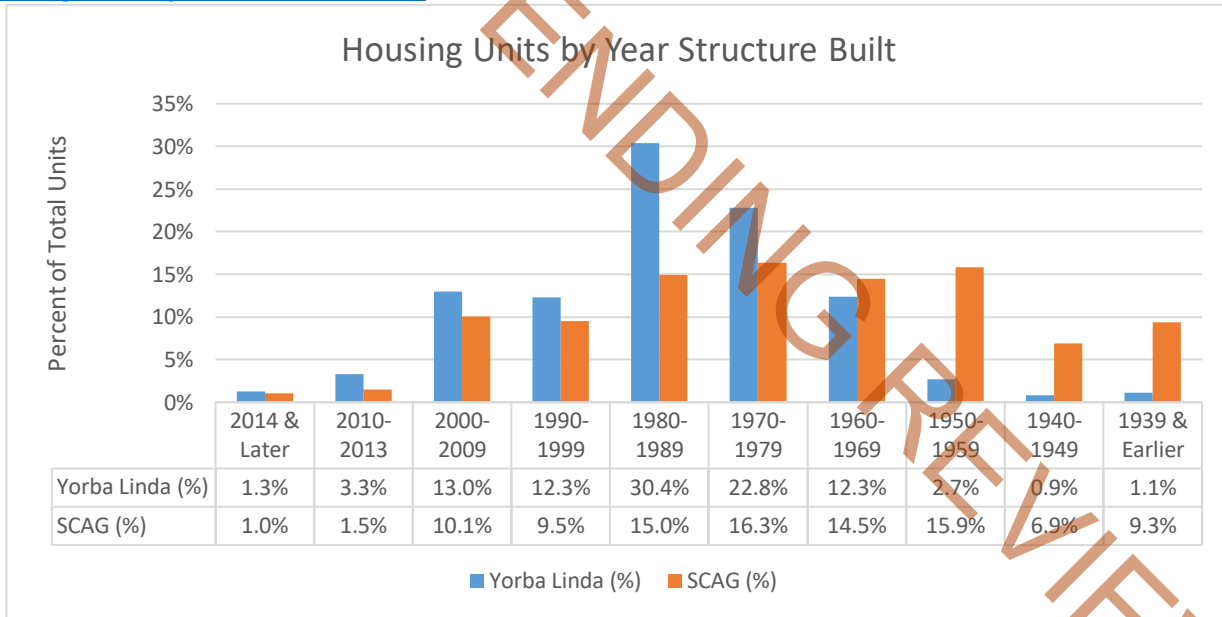
**Detailed Vacancy**



American Community Survey 2014-2018 5-year estimates.

The ACS provides additional detail on vacant housing units by category.

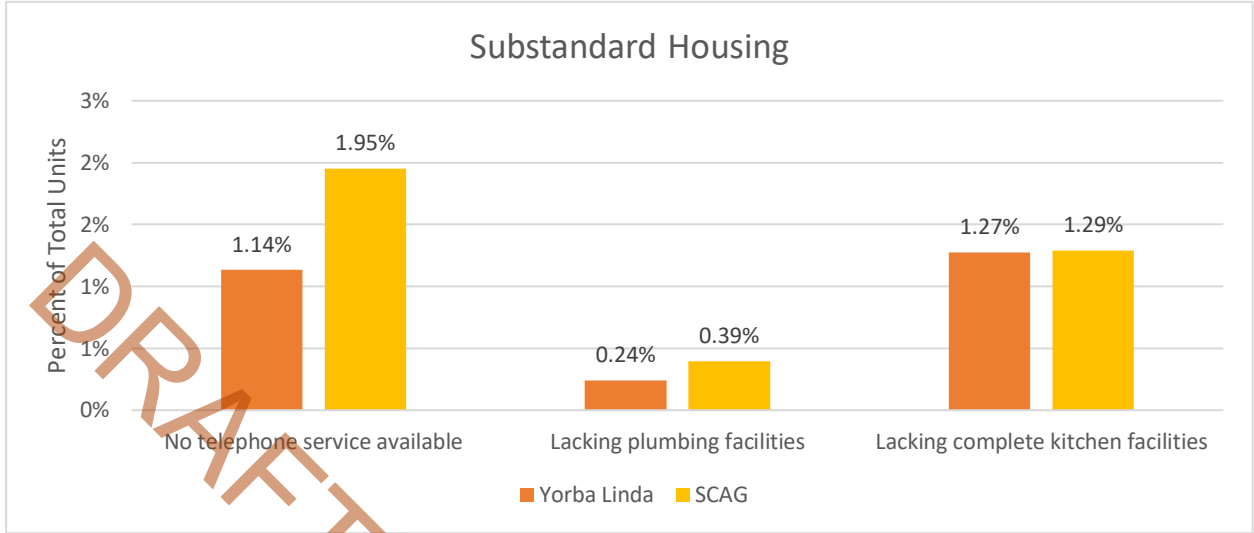
**Housing Units by Year Structure Built**



American Community Survey 2014-2018 5-year estimates.

Examining the age of the current housing stock is one way to understand how historical development patterns have contributed to a city's form. The time period where the highest share of Yorba Linda's housing units were built is 1980-1989, while in the SCAG region more units were built during 1970-1979 than any other period.

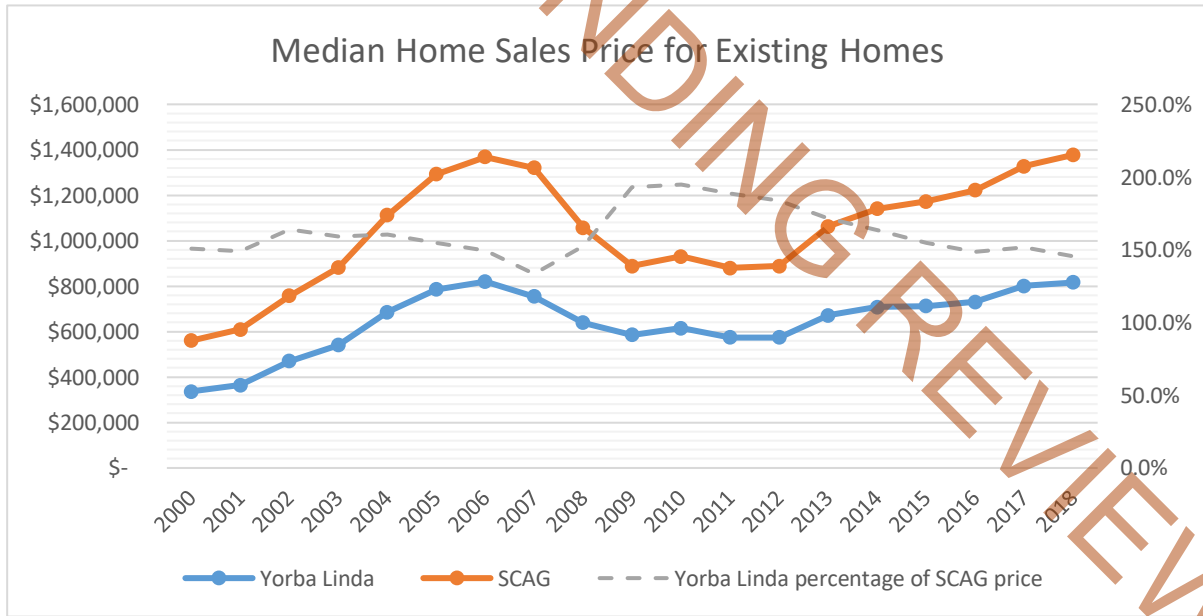
**Substandard Housing**



American Community Survey 2014-2018 5-year estimates.

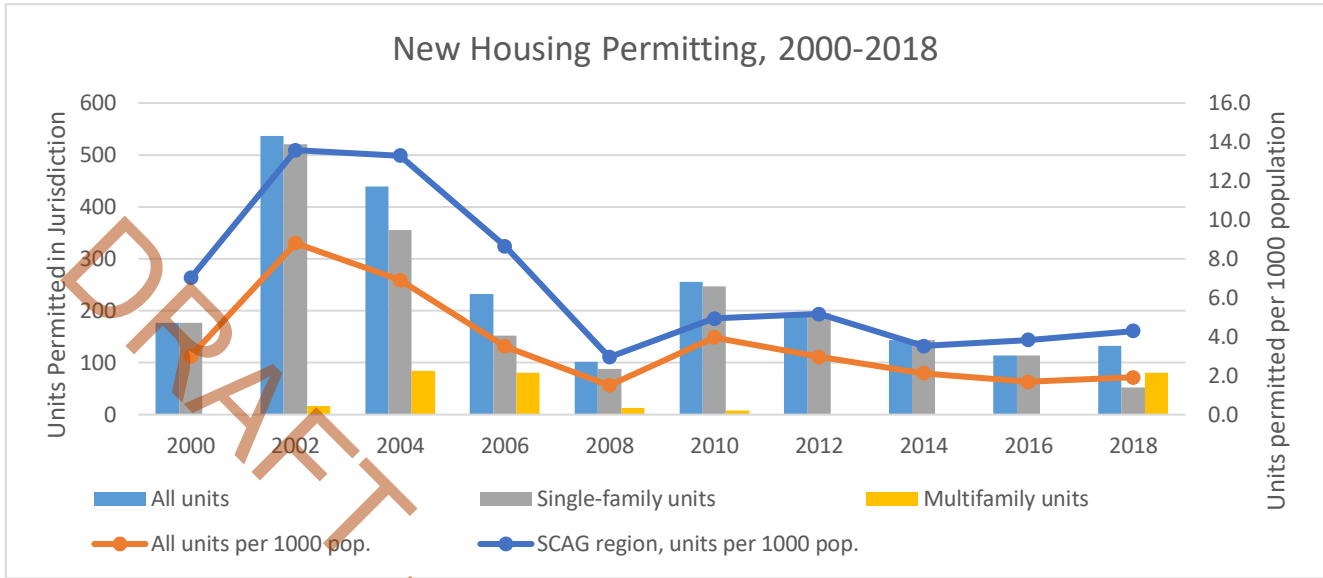
The ACS includes surveys about three factors of what may be considered substandard housing. In Yorba Linda, 254 units lack telephone service, 54 units lack plumbing facilities, and 285 units lack complete kitchen facilities.

**Median Home Sales Price for Existing Homes**



SCAG Local Profiles, Core Logic/Data Quick. SCAG median home sales price calculated as household-weighted average of county medi. Between 2000 and 2018, median home sales prices in Yorba Linda increased 142% while prices in the SCAG region increased 151%. 2018 median home sales prices in Yorba Linda were 816500 and the highest experienced since 2000 was 820000 in 2006. Prices in Yorba Linda have ranged from a low of 133.4% of the SCAG region median in 2007 and a high of 194.8% in 2010.

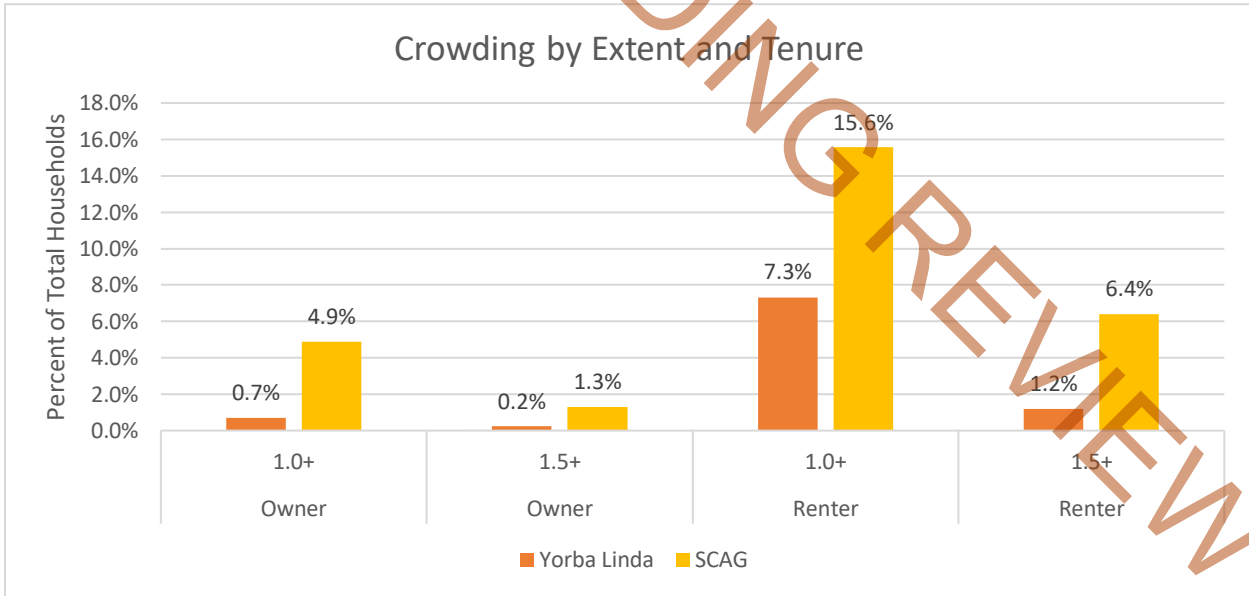
**Housing Permitting**



SCAG Local Profiles, Core Logic/Data Quick. SCAG median home sales price calculated as household-weighted average of county medi

**VI. OVERPAYMENT AND OVERCROWDING**

**Crowding by Extent and Tenure**



American Community Survey 2014-2018 5-year estimates.

In Yorba Linda, 131 owner-occupied and 289 renter-occupied households had more than 1.0 occupants per room, which meets the ACS definition for overcrowding. owner-occupied households and 47 renter-occupied households had more than 1.5 occupants per room, which meets the ACS definition for severe overcrowding.

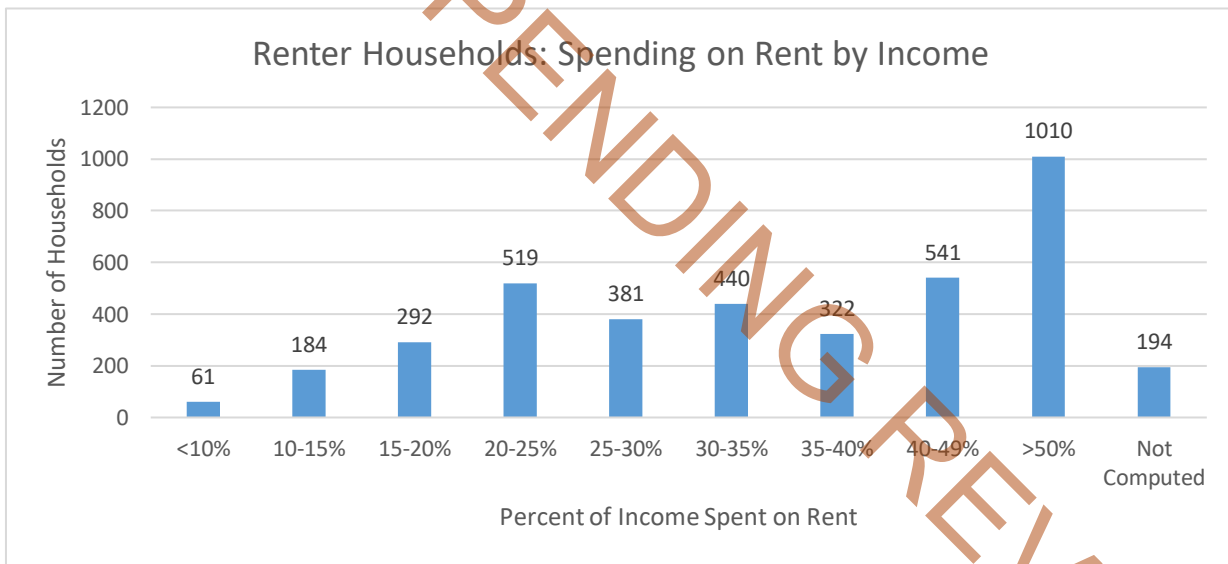
**Cost Burden by Income**

Income	Share of income spend on housing cost:		
	< 30%	30-50%	> 50%
< 30% HAMFI	164	215	1035
30-50% HAMFI	495	550	985
50-80% HAMFI	1024	890	825
80-100% HAMFI	920	780	225
> 100% HAMFI	11310	2025	320

HUD CHAS, 2012-2016. HAMFI refers to Housing Urban Development Area Median Family Income.

Housing cost burden is most commonly measured as the percentage of gross income spent on housing, with 30% a usual threshold for 'cost burden' and 50% the threshold for 'severe cost burden.' However, a lower-income household spending the same percent of income on housing as a higher-income household will likely experience more true 'cost burden.' These data indicate the number of households in Yorba Linda by their income - relative to the surrounding area - and their share of income spent on housing.

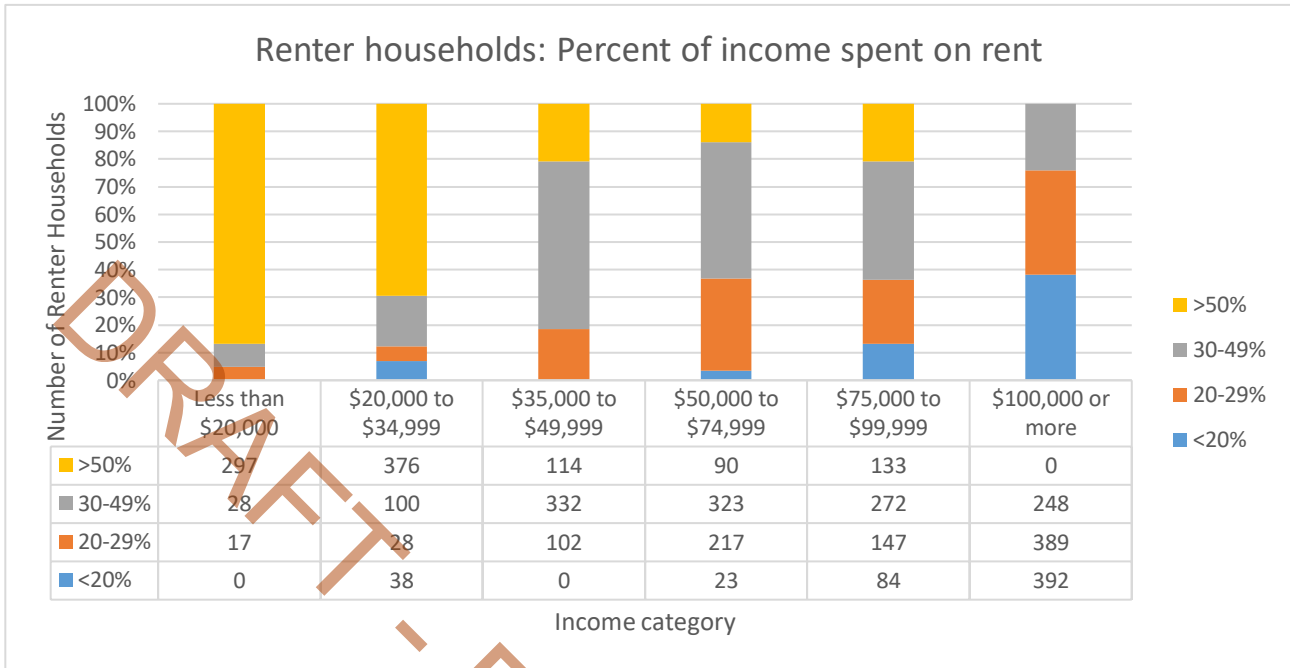
**Spending on Rent**



Across Yorba Linda's 3944 renter households, 2313 (58.6%) spend thirty percent or more of gross income on housing cost, compared to 55.3% in the SCAG region. Additionally, 1010 renter households in Yorba Linda (25.6%) spend fifty percent or more of gross income on housing cost, compared to 28.9% in the SCAG region.



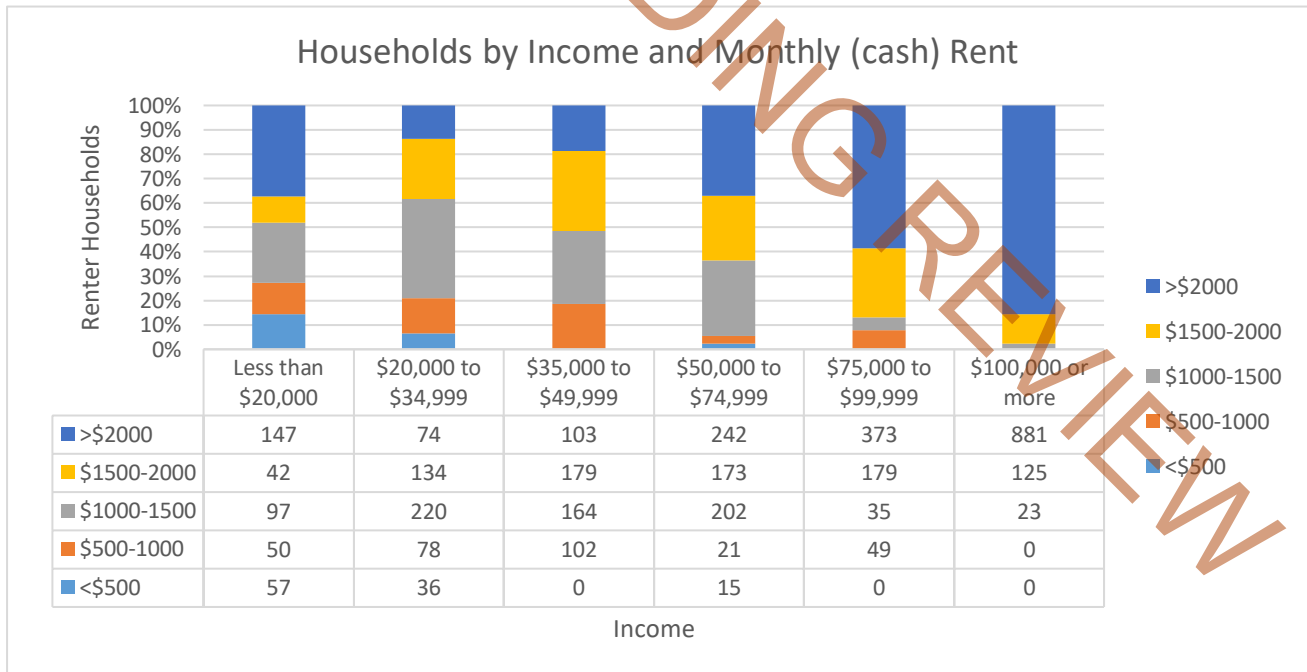
**Spending on Rent by Income**



American Community Survey 2014-2018 5-year estimates.

While the previous table breaks down cost burden by area-relative income, the ACS also allows for the analysis of Yorba Linda's 3750 renter households (for which income data are available) by spending on rent by income bracket (dollar amounts). As one might expect, the general trend is that low-income households spend a higher share of income on housing (e.g. over 50%) while high-income households are more likely to spend under 20% of income on housing.

**Household Income by (cash) Rent**



American Community Survey 2014-2018 5-year estimates.

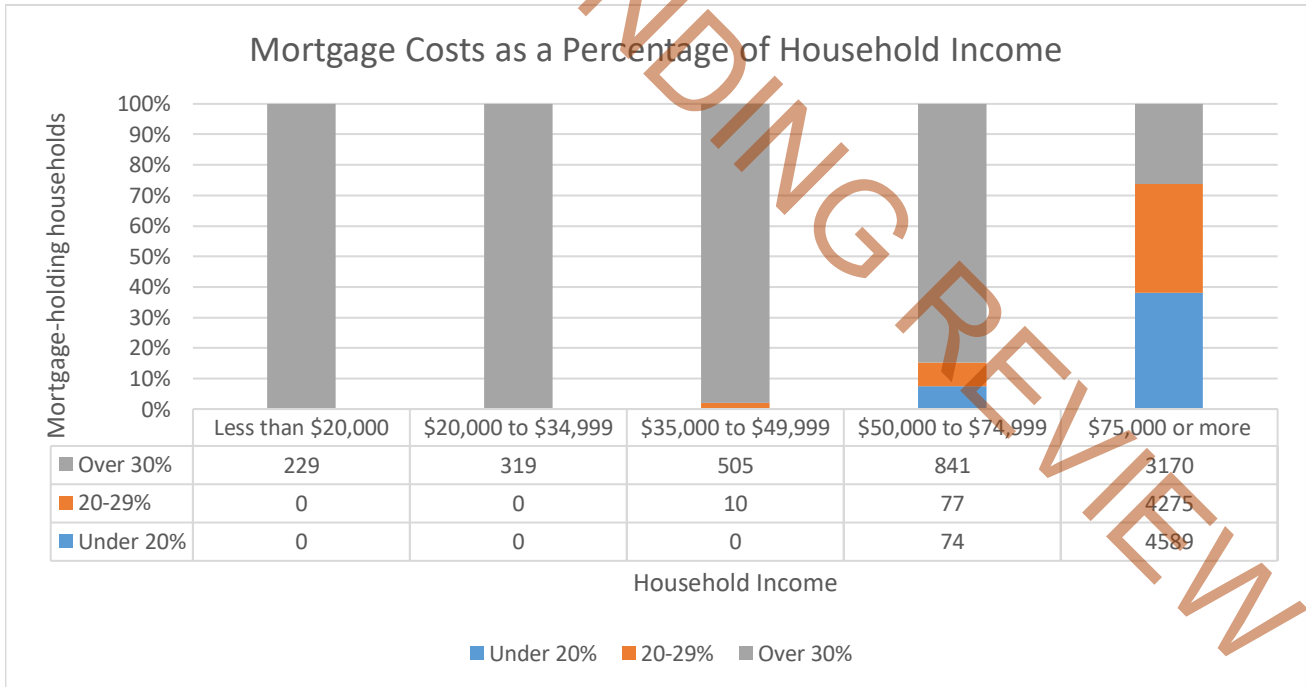
Yorba Linda renter households' cash rent paid can be broken down by household incomes. As one might expect, the general trend is that lower-income households spend less on rent while higher-income households spend more on rent, though this may not be universally true. Rent categories range from <\$500/month (2.8% of Yorba Linda renters) to >\$2000/month (47.9% of Yorba Linda renters). The most common rent category in Yorba Linda is >\$2000/month with 47.9% of renters.

**Monthly Owner Costs for Mortgage Holders**



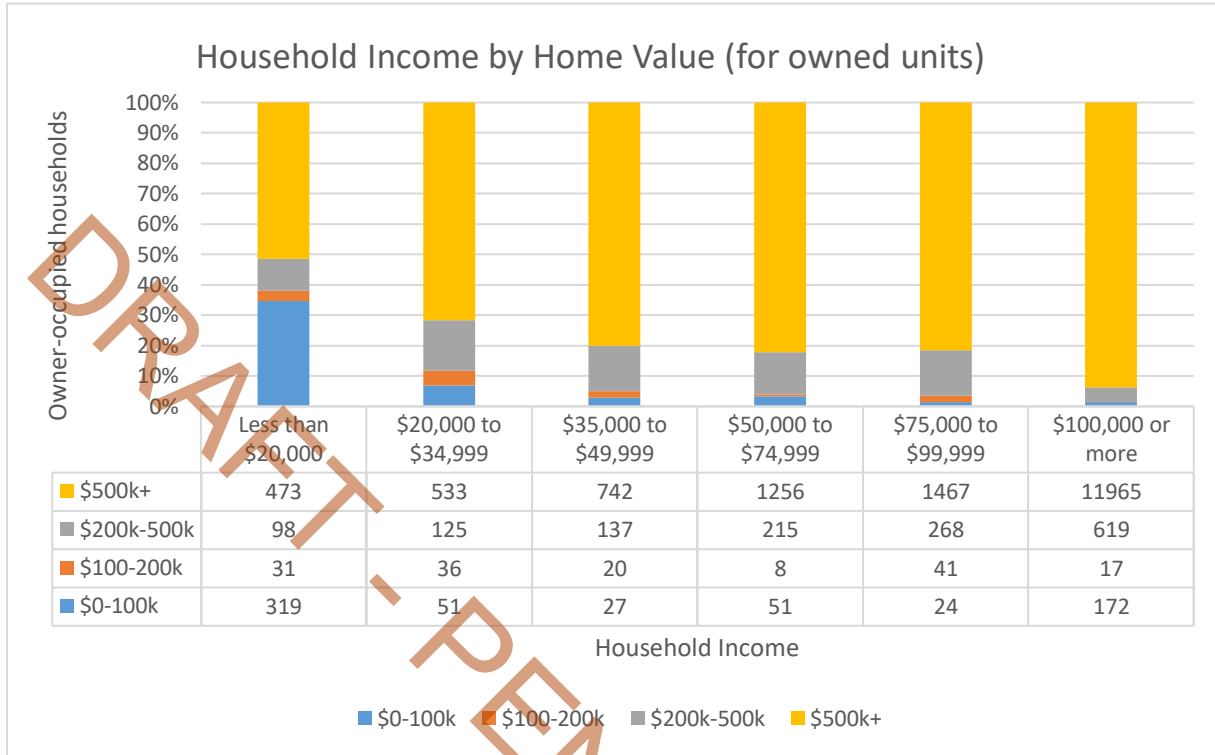
American Community Survey 2014-2018 5-year estimates.

While renter households receive much of the focus when it comes to housing cost analysis, owner households make up 82.4% of Yorba Linda and 52.5% of the SCAG region. The most commonly occurring mortgage payment in Yorba Linda is >\$4000/month and the most commonly occurring mortgage payment in the SCAG region is \$2000-\$3000/mo.



Mortgage-holding households in Yorba Linda can be broken down by income and the percentage of income spent on mortgage costs. As one might expect, the general trend is that lower-income households spend a higher share of income on housing costs, while high-income households may spend a lower share of income on housing. The income category most prevalent amongst Yorba Linda mortgage-holding households is \$75,000 or more (12034 households) and the most prevalent share of income spent on mortgage costs is Over 30% (5064 households).

**Household Income by Home Value (for owned units)**



Another approach to evaluating the relationship between housing and income is to compare incomes and home values in Yorba Linda. The most commonly-occurring income category amongst owner households in Yorba Linda is \$100,000 or more (12773 households) and the most commonly-occurring home value category is Above \$500,000 (16436 households).

**Extremely Low Income Housing Needs**

	Population	Share below 30% HAMFI	Population Share below 30% HAMFI
White, non-Hispanic	14940	960	6.4%
Black, non-Hispanic	204	80	39.2%
Asian and other, non-Hispanic	4195	315	7.5%
Hispanic	2495	170	6.8%
<b>Total</b>	<b>21834</b>	<b>1525</b>	<b>7.0%</b>

HUD CHAS, 2012-2016. HAMFI refers to Housing Urban Development Area Median Family Income.

Housing the extremely-low income population (below 30% of area median income) can be especially challenging. HUD's CHAS dataset provides a wealth of information on this population in Yorba Linda. The above table provides a breakdown by race and ethnicity. The race/ethnicity with the highest share of extremely-low income population in Yorba Linda is Black, non-Hispanic (39.2% compared to 7% of the total population). In the SCAG region, the highest share of extremely-low income population is Black, non-Hispanic (27.1% compared to 17.7% of the total population).

**VII. ASSISTED UNITS AT RISK OF CONVERSION**

Assisted Units at Risk of Conversion

Risk Level	Definition
Very High	Affordability expires in less than a year
High	Affordability expires between one and five years
Moderate	Affordability expires between five and ten years
Low	Affordability expires in ten or more years
Total	

Low-income	Percent of county's low
463	100%
0	0%
0	0%
0	0%
463	100%

California Housing Partnership, June 2019

The California Housing Partnership provides data on assisted housing units at risk of conversion. Detailed data can be found in SCAG's RHNA data appendix at <http://scag.ca.gov/programs/Documents/RHNA/SCAG-Final-RHNA-Data-Appendix-030520.pdf> beginning on page 62.

**VIII. REGIONAL HOUSING NEEDS ALLOCATION**

6th cycle Regional Housing Needs allocation for Yorba Linda:

	Units
Very-low income (<50% of AMI)	762
Low income (50-80% of AMI)	449
Moderate income (80-120% of AMI)	456
Above moderate income (>120% of AMI)	742
<b>TOTAL:</b>	<b>2409</b>

SCAG, 2020. Estimate based on final adopted RHNA methodology (3/5/20). Final RHNA allocation will be issued following the conclusion of the RHNA appeals process in early 2021.

**Major Data Sources Used**

	Description	For more information, please see:
ACS	American Community Survey 2014-2018 5-year estimates	<a href="http://www.data.census.gov">www.data.census.gov</a>
DOF	CA DOF E-5 Population and Housing Unit Estimates	<a href="http://www.dof.ca.gov/forecasting/demographics/">http://www.dof.ca.gov/forecasting/demographics/</a>
CHAS	HUD CHAS, 2012-2016	<a href="https://www.huduser.gov/portal/datasets/cp.html">https://www.huduser.gov/portal/datasets/cp.html</a>
CA DDS	California Department of Developmental Services	<a href="https://www.dds.ca.gov/transparency/">https://www.dds.ca.gov/transparency/</a>
SCAG Local Prc	Including Construction Industry Research Board (CIRB) and Core	<a href="https://www.scag.ca.gov/DataAndTools/Pages/LocalProfiles.aspx">https://www.scag.ca.gov/DataAndTools/Pages/LocalProfiles.aspx</a>