



SOUTHERN CALIFORNIA  
ASSOCIATION OF GOVERNMENTS  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017  
T: (213) 236-1800  
www.scag.ca.gov

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## REGULAR MEETING

# COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT COMMITTEE

**PLEASE NOTE MEETING ROOM LOCATION\***

***Thursday, March 5, 2020  
10:00 a.m. – 12:00 p.m.***

**SCAG MAIN OFFICE  
900 Wilshire Blvd., Ste. 1700  
**RC Board Room\***  
Los Angeles, CA 90017**

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Tess Rey-Chaput at (213) 236-1908 or via email at REY@scag.ca.gov. Agendas & Minutes are also available at: [www.scag.ca.gov/committees](http://www.scag.ca.gov/committees)

SCAG, in accordance with the Americans with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. SCAG is also committed to helping people with limited proficiency in the English language access the agency's essential public information and services. You can request such assistance by calling (213) 236-1908. We request at least 72 hours (three days) notice to provide reasonable accommodations and will make every effort to arrange for assistance as soon as possible.

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## COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT COMMITTEE AGENDA

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### CEHD - Community, Economic and Human Development Committee *Members – March 2020*

- 1. Hon. Peggy Huang**  
CEHD Chair, TCA Representative
- 2. Hon. Stacy Berry**  
CEHD Vice Chair Cypress, RC District 18
- 3. Hon. Al Austin**  
Long Beach, GCCOG
- 4. Hon. David Avila**  
Yucaipa, SBCTA
- 5. Hon. Megan Beaman-Jacinto**  
Coachella, RC District 66
- 6. Hon. MariaBelen Bernal**  
South Gate, GCCOG
- 7. Hon. Russell Betts**  
Desert Hot Springs, Pres. Appt. (Member at Large)
- 8. Hon. Wendy Bucknum**  
Mission Viejo, RC District 13
- 9. Hon. Juan Carrillo**  
Palmdale, North LA County
- 10. Hon. Michael Carroll**  
Irvine, RC District 14
- 11. Hon. Steve DeRuse**  
La Mirada, RC District 31
- 12. Hon. Rose Espinoza**  
La Habra, OCCOG
- 13. Hon. Margaret Finlay**  
Duarte, RC District 35
- 14. Hon. Vartan Gharpetian**  
Glendale, Pres. Appt. (Member at Large)
- 15. Hon. Micheal Goodland**  
Jurupa Valley, WRCOG

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## COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT COMMITTEE AGENDA

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- 16. Hon. Bill Hodge**  
Calexico, ICTC
- 17. Hon. Tim Holmgren**  
Fillmore, RC District 47
- 18. Hon. Cecilia Hupp**  
Brea, OCCOG
- 19. Hon. Bill Jahn**  
Big Bear Lake, RC District 11
- 20. Hon. Bob Joe**  
So.Pasadena, AVCJPA
- 21. Hon. Kathleen Kelly**  
Palm Desert, RC District 2
- 22. Hon. Jed Leano**  
Claremont, SGVCOG
- 23. Hon. Marisela Magana**  
Perris, RC District 69
- 24. Hon. Jorge Marquez**  
Covina, RC District 33
- 25. Hon. Anni Marshall**  
Avalon, GCCOG
- 26. Hon. Andrew Masiel**  
Tribal Govt Regl Planning Board Representative
- 27. Hon. Lauren Meister**  
West Hollywood, WSCCOG
- 28. Hon. Bill Miranda**  
Santa Clarita, SFVCOG
- 29. Hon. John Mirisch**  
Beverly Hills, Pres. Appt. (Member at Large)
- 30. Hon. James Mulvihill**  
San Bernardino, Pres. Appt. (Member at Large)
- 31. Hon. Steve Nagel**  
Fountain Valley, RC District 15

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## COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT COMMITTEE AGENDA

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- 32. Hon. Trevor O'Neil**  
Anaheim, RC District 19
- 33. Hon. Ed Paget**  
Needles, SBCTA
- 34. Hon. Michael Posey**  
Huntington Beach, OCCOG
- 35. Hon. Jim Predmore**  
ICTC
- 36. Hon. Jan Pye**  
Desert Hot Springs, CVAG
- 37. Hon. Rita Ramirez**  
Victorville, RC District 65
- 38. Hon. Rex Richardson**  
Long Beach, RC District 29
- 39. Hon. Paul Rodriguez**  
Chino, Pres. Appt. (Member at Large)
- 40. Hon. Sonny Santalnes**  
Bellflower, RC District 24
- 41. Hon. Lyn Semeta**  
Huntington Beach, RC District 64
- 42. Hon. David Shapiro**  
Calabasas, RC District 44
- 43. Hon. Becky Shevlin**  
Monrovia, SGVCOG
- 44. Hon. Tri Ta**  
Westminster, RC District 20
- 45. Hon. Joseph Tessari**  
Eastvale, WRCOG
- 46. Hon. Mark Waronek**  
Lomita, SBCCOG
- 47. Hon. Acquanetta Warren**  
Fontana, SBCTA

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## COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT COMMITTEE AGENDA

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- 48. Hon. Tony Wu**  
West Covina, SGVCOG
  
- 49. Hon. Frank Yokoyama**  
Cerritos, RC District 23
  
- 50. Hon. Frank Zerunyan**  
Rolling Hills Estates, SBCCOG

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# COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT COMMITTEE AGENDA

Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700 – RC Board Room  
Los Angeles, California 90017  
**Thursday, March 5, 2020**  
**10:00 AM**

The Community, Economic and Human Development Committee may consider and act upon any of the items on the agenda regardless of whether they are listed as Information or Action items.

## **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** *(The Honorable Peggy Huang, Chair)*

### **PUBLIC COMMENT PERIOD**

Members of the public desiring to speak on items on the agenda, or items not on the agenda, but within the purview of the Committee, must fill out and present a Public Comment Card to the Assistant prior to speaking. Comments will be limited to three (3) minutes per speaker. The Chair has the discretion to reduce the time limit based upon the number of speakers and may limit the total time for all public comments to twenty (20) minutes.

### **REVIEW AND PRIORITIZE AGENDA ITEMS**

#### **ACTION/DISCUSSION ITEM**

- 1. Recommended Final RHNA Methodology 45 mins. Page 8  
*(Kome Ajise, Executive Director, SCAG)*

#### **RECOMMENDED ACTION FOR CEHD:**

Approve a recommendation that Regional Council (RC) approve Resolution No. 20-619-2 Adopting the Final Regional Housing Needs Assessment (RHNA) Methodology for the Sixth Housing Element Cycle (2021- 2029).

#### **RECOMMENDED ACTION FOR RC:**

Approve Resolution No. 20-619-2 Adopting the Final Regional Housing Needs Assessment (RHNA) Methodology for the Sixth Housing Element Cycle (2021- 2029).

- 2. 6th Cycle RHNA Appeals Procedures 15 mins. Page 65  
*(Kome Ajise, Executive Director, SCAG)*

#### **RECOMMENDED ACTION FOR CEHD:**

Recommend that the Regional Council approve the 6<sup>th</sup> RHNA Cycle Appeals Procedures.

#### **RECOMMENDED ACTION FOR REGIONAL COUNCIL:**

Approve the 6<sup>th</sup> RHNA Cycle Appeals Procedures.

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## CONSENT CALENDAR

### Approval Item

3. Minutes of the February 6, 2020 Meeting Page 115

### Receive and File

4. 31st Annual Demographic Workshop - Save the Date Page 122
5. Regional Early Action Planning (REAP) Grant Subregional Partnership Program & Funding Allocation Page 124
6. Building Sector Decarbonization Page 129
7. Permitting Electric Vehicle Supply Equipment Page 131
8. Status Update on Final Federal Safer, Affordable, Fuel-Efficient Vehicles Rule Page 149
9. Status Update on the Connect SoCal Final PEIR Page 153
10. Resolution No. 20-619-1 : Preserving Naturally Occurring Affordable Housing Project Regulatory Agreement Page 162

## INFORMATION ITEM

11. Overview of Draft Connect SoCal Comments and Revision Approach 30 mins. Page 180  
*(Sarah Jepson, Director of Planning, SCAG)*

## CHAIR'S REPORT

*(The Honorable Peggy Huang, Chair)*

## STAFF REPORT

*(Ma'Ayn Johnson, SCAG Staff)*

## FUTURE AGENDA ITEMS

## ANNOUNCEMENTS

## ADJOURNMENT

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**AGENDA ITEM 1**  
**REPORT**

Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

**To:** Community  
Economic & Human Development Committee (CEHD)  
Regional Council (RC)  
**From:** Kome Ajise, Executive Director, Executive Management, 213-  
236-1835, Ajise@scag.ca.gov  
**Subject:** Recommended Final RHNA Methodology

**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION FOR CEHD:**

Approve a recommendation that Regional Council (RC) approve Resolution No. 20-619-2 Adopting the Final Regional Housing Needs Assessment (RHNA) Methodology for the Sixth Housing Element Cycle (2021- 2029).

**RECOMMENDED ACTION FOR RC:**

Approve Resolution No. 20-619-2 Adopting the Final Regional Housing Needs Assessment (RHNA) Methodology for the Sixth Housing Element Cycle (2021- 2029).

**STRATEGIC PLAN:**

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

**EXECUTIVE SUMMARY:**

*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 1,341,827 housing units need as determined by the California Department of Housing and Community Development (HCD). At the RHNA Subcommittee meeting on February 24, 2020, the subcommittee voted to approve the staff recommendation, with direction to staff to analyze a proposal submitted by the City of Cerritos for consideration by CEHD. Staff has provided such requested analysis as part of a presentation attached to this report. Considering the approval of a draft RHNA methodology by the Regional Council on November 7, 2019, and a review finding by HCD that the draft methodology furthers the statutory objectives of RHNA, staff requests that CEHD recommend Regional Council approval of Resolution No. 20-619-2, which reflects adoption of the draft RHNA methodology as the final RHNA methodology.*

**BACKGROUND:**

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 1,341,827

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housing unit need as determined by HCD.

Between August 1 and September 13, 2019, SCAG solicited public comments on three options for allocating the regional determination to the region's 197 local jurisdictions. Based on feedback received, and after careful consideration of the statutory objectives of RHNA which guide the methodology process, the Regional Council voted on November 7, 2019 to approve a draft RHNA methodology. A detailed timeline of meetings, submissions, staff reports, and correspondence is attached (RHNA Timeline of Key Activities and Milestones).

Per Government Code 65584.04 et seq., HCD has 60 days to review the draft methodology and determine whether it furthers the statutory objectives of RHNA. If HCD finds that the draft methodology is not consistent with the five statutory objectives of RHNA, SCAG may make revisions to further the statutory objectives per HCD review comments. 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 (attached) 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."*

HCD's analysis individually reviews the five statutory objectives of RHNA. Particular emphases are placed on data-based indicators of the extent to which SCAG's draft RHNA methodology (1) assigns more lower-income units to high-income/high-resourced jurisdictions, and (2) assigns lower-income units to jurisdictions with more low-wage jobs. HCD concludes its letter with an indication that "any changes made in response to appeals should be in the interest of seeking ways to more deeply further the objectives without compromising other objectives." HCD's findings confirm and complement SCAG's assessment of the methodology and illustrate how the distribution of units across the region advances statutory objectives (see attached PowerPoint).

Following HCD's findings of compliance, staff recommends that the Regional Council adopt the draft RHNA methodology as the final RHNA methodology by resolution. A detailed description of the methodology is attached. Thereafter, individual jurisdictions' draft RHNA allocation numbers will be issued in the Draft RHNA Allocation Plan, an appeals process will be conducted, and final RHNA allocations are scheduled to be issued by October 2020.

The staff-recommended final RHNA methodology will utilize final Connect SoCal data for the purpose of calculating each jurisdiction's allocation. These data have recently become available following the January 24, 2020 close of the Connect SoCal public comment period and reflect the data and model updates made since the draft Plan release on November 7, 2019. While the draft methodology and staff-recommended final methodology are identical, jurisdictions may see slight changes in their estimated RHNA allocation totals owing to changes in the data, which are used in the measurement of transit access and job access in the RHNA methodology. Region-wide, these data changes are equivalent to no more than 1.69% of the regional total. No further changes to these data are anticipated. The final Connect SoCal plan will be considered by the Regional Council on April 2, 2020 in advance of the release of the Draft RHNA Allocation Plan in order to ensure that SCAG is fully compliant with statutory requirements.

### **RHNA Subcommittee Action**

At the RHNA Subcommittee meeting on February 24, 2020, several public comments spurred discussion of an alternative methodology proposed by the City of Cerritos. In advancing staff's recommended final methodology, the RHNA Subcommittee also directed staff to analyze and report to CEHD on Cerritos' proposal. Analysis is provided in the attached presentation.

### **Justifications for Adopting RC-Approved Draft Methodology without Change as the Final Methodology**

Staff's assessment is that the alternative methodology proposed by the City of Cerritos would perform more poorly against statutory objectives than the RC and HCD-approved methodology (i.e., "backslide") and thus would likely jeopardize HCD's compliance findings described above. Additionally, state law does not provide for a second review by HCD of draft RHNA methodology. If a second methodology is submitted by SCAG to HCD, it would likely trigger the 60-day period for HCD's review of draft RHNA methodology under state law. Such a delay would jeopardize SCAG's ability to adopt a Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) by the scheduled April 2, 2020 date, since SCAG is required to distribute a draft RHNA allocation (based on the adopted Final Methodology) to each city and county in the region prior to adoption of the Connect SoCal Plan, under Government Code 65584.05(a). A delay associated with any further review could also jeopardize the ability of SCAG to finalize 6<sup>th</sup> cycle RHNA allocations in October 2020 and consequently, the ability of local jurisdictions to complete timely housing element updates by October 2021.

Finally, several comments received prior to and during the February 24, 2020 RHNA Subcommittee meeting concerned the Draft RHNA Methodology review and approval process. In response, the following section provides further information about this process.

## Draft RHNA Methodology Approval Process

From about February 2019 until October 2019, SCAG held eighteen (18) public meetings, four public hearings and an information session where staff presented three proposed RHNA methodology options, and received over 250 written comments. Written comments received on the RHNA Methodology have been logged as “Written Comments Received on the 6th Cycle RHNA” (included in RHNA Subcommittee Meeting Agendas) and posted on SCAG’s RHNA webpage at <http://www.scag.ca.gov/programs/Pages/RHNA-comments.aspx>.

Activities leading to the Regional Council action on November 7, 2019 as reflected in the public meeting records, are highlighted as follows:

### October 7, 2019 RHNA Subcommittee meeting

As part of the October 7<sup>th</sup> RHNA Subcommittee meeting agenda Item No. 5, staff presented a recommended draft RHNA methodology. During the meeting, Hon. Wendy Bucknum (Orange County) made a motion to move forward the staff recommended Draft RHNA Methodology to the CEHD Committee. Hon. Rusty Bailey (Riverside County) proposed a substitute motion for a draft RHNA methodology that would incorporate comments made by RHNA Subcommittee ex-officio member Paavo Monkkonen. The substitute motion proposed to eliminate the “Household Growth 2030-2045” factor from allocating the existing need so that the existing need allocation methodology would only include ‘Population within HQTAs’ and ‘Job Accessibility’ as factors at a 50-50 ratio. The substitute motion was not approved by a 4:3 vote. The original motion to move forward with the staff recommended draft RHNA methodology to the CEHD Committee, was approved by a 5:1 vote.

### October 21, 2019 CEHD meeting

The CEHD voted unanimously to recommend that the Regional Council submit the staff recommended draft RHNA methodology to HCD for their 60-day review.

### November 7, 2019 Regional Council Meeting

SCAG posted on its website the November 7, 2019 Regional Council meeting agenda packet, over 72-hours in advance of the regular meeting, in accordance with the Brown Act, Government Code Section 54950 et seq. The November 7<sup>th</sup> Regional Council meeting agenda Item No. 4 regarding the Recommended Draft RHNA Methodology included a staff report that provided information on both the staff recommended RHNA methodology, which was unanimously recommended for Regional Council approval by CEHD, in addition to information about the alternative RHNA methodology previously considered by the RHNA Subcommittee as part of the substitute motion made by Mayor Rusty Bailey (Riverside County). See Item No. 4, November 7, 2019 Regional Council Meeting Agenda at: [http://www.scag.ca.gov/committees/CommitteeDocLibrary/RC\\_fullagn\\_110719.pdf](http://www.scag.ca.gov/committees/CommitteeDocLibrary/RC_fullagn_110719.pdf).



At the November 7th Regional Council meeting, SCAG staff provided power point presentations as part of agenda Item No. 4, on both the staff-recommended and alternative RHNA methodologies. Fourteen (14) letters related to Item No. 4 were acknowledged in the record as transmitted to the Regional Council, posted on SCAG's website and paper copies were made available in the back of the meeting room for review by the Regional Council and public. Additionally, oral comments were received at the meeting as part of the public comment period.

After a robust discussion by Regional Council members regarding both methodologies presented by staff, the Regional Council approved (43:19) as a substitute motion made by Mayor Rusty Bailey (Riverside), the "Bailey Proposal" as the Draft RHNA Methodology to be submitted by SCAG to HCD with direction that staff also review Items 2, 3 and 4 of the City of Los Angeles' position packet and report back as to what these items may mean to the Draft RHNA Methodology. The Bailey Proposal eliminates the use of household growth between 2030 and 2045 to allocate existing need, assigns 50% of the existing need based on transit accessibility and the remaining 50% based on job accessibility, removes the cap on RHNA allocations based on a jurisdiction's 2045 Household Growth except for those in extremely Disadvantaged Communities (DACs), and re-distributes 'residual' units to non-DAC jurisdictions within the county in which they were generated, instead of a region-wide distribution.

More information on the process summarized above including links to associated correspondence can be found in the *Supplemental Analysis of Adopted Draft RHNA Methodology*, which was provided as a Receive and File report to the Executive/Administrative Committee (EAC) and Regional Council (RC) on February 6, 2020 (See Item No. 16 at: [http://www.scag.ca.gov/committees/CommitteeDocLibrary/RC\\_fullagn020620.pdf](http://www.scag.ca.gov/committees/CommitteeDocLibrary/RC_fullagn020620.pdf)). This analysis constitutes the report requested in the substitute motion and also addresses process questions raised by the Technical Working Group and other stakeholders.

**FISCAL IMPACT:**

Current work on the Regional Housing Needs Assessment is included in the current FY 19-20 General Fund Budget (800.0160.03: RHNA). There is no immediate fiscal impact for the tasks proposed under these funds.

**ATTACHMENT(S):**

1. Staff Recommended Final RHNA Methodology Presentation
2. HCD Review of Draft RHNA Methodology
3. Resolution to adopt Final RHNA Methodology and Attachment A
4. Estimated RHNA Allocations
5. RHNA Timeline of Key Activities and Milestones

# Staff-Recommended Final RHNA Methodology

Kevin Kane, PhD  
SCAG Staff  
February 24, 2020

[www.scag.ca.gov](http://www.scag.ca.gov)



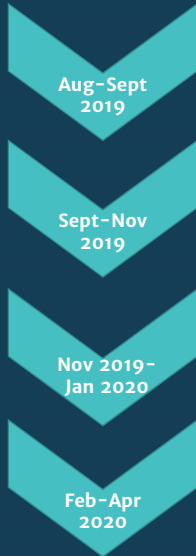
## Outline of Presentation



- RHNA timeline
- HCD and RC-approved draft RHNA methodology and data inputs
- Methodology performance vs. statutory objectives

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## The RHNA Methodology Process



- Proposed RHNA Methodology**
  - Released for public comment August 1
  - Four public hearings and one public information session
  - Multiple options and components for review and comment
- Draft RHNA Methodology**
  - One methodology based on state housing law and regional goals while considering public comments
  - October 7: RHNA Subcommittee
  - October 21: CEHD Committee
  - November 7: Regional Council approval
- HCD Comment Period**
  - 60 day review of draft RHNA methodology
  - January 13: HCD concluded that SCAG draft methodology furthers RHNA objectives—statute does not provide for further changes to methodology
- Final RHNA Methodology**
  - Following HCD finding, staff recommends RC-approved Draft Methodology as Final Methodology
  - February 24: RHNA Subcommittee
  - March 5: CEHD Committee
  - March 5: Regional Council adopts final methodology by resolution
  - April 2: Regional Council releases draft RHNA allocations to each jurisdiction

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## RHNA Timeline Continued



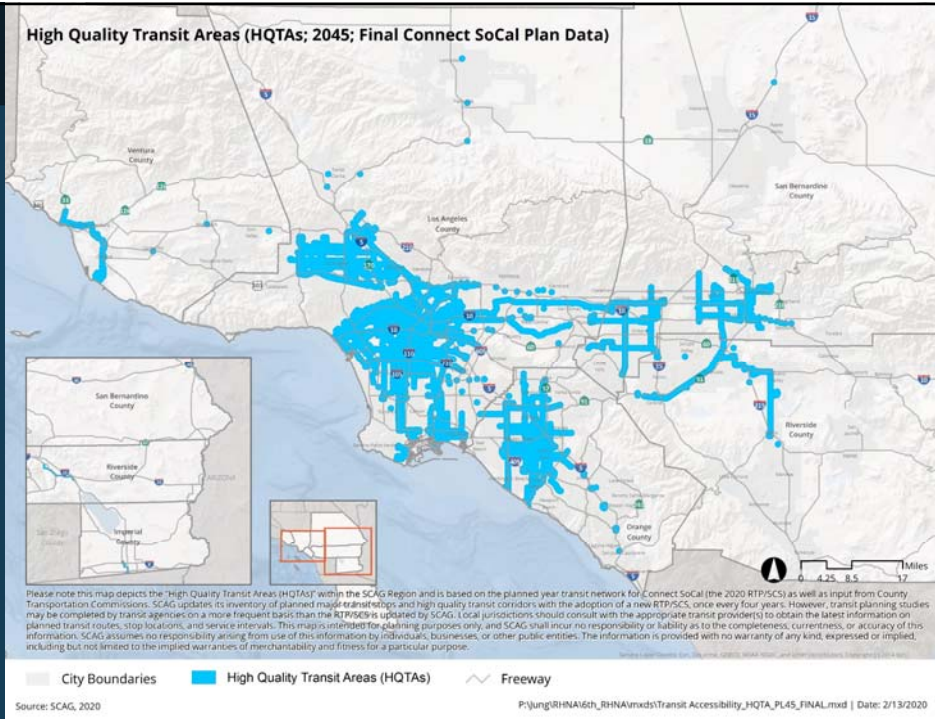
- Draft RHNA Allocations issued**
  - See detailed appeal timeline.
- Final RHNA Allocation**
- Local Housing Element Updates Due**

### ALSO NOTE:

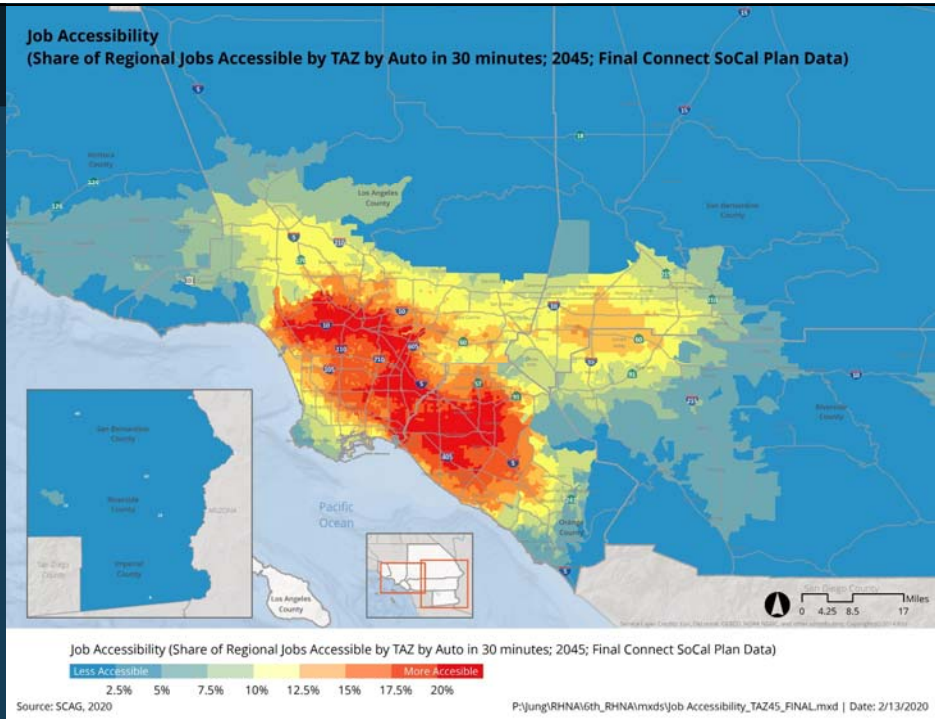
- Statute does not provide for another review by HCD
- Even if possible, the need for another 60 days of HCD review could delay RTP/SCS adoption and/or local housing element updates
- Based on HCD letter, changes which “backslide” on RHNA objectives not likely to be accepted by HCD

4

# HQTA Boundaries using Final Connect SoCal Data



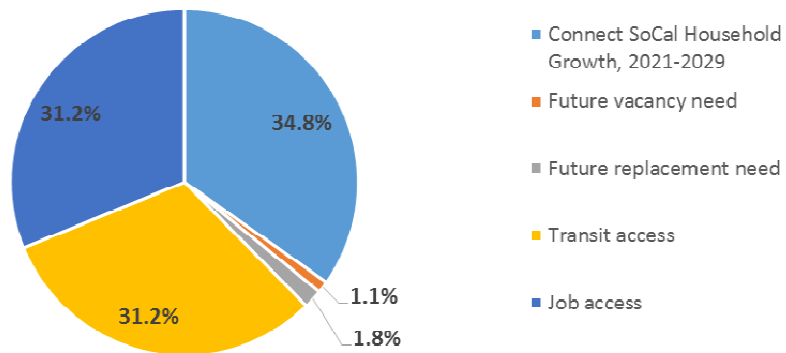
# Job Accessibility using Final Connect SoCal Data



# The RHNA Methodology: A plan to allocate 1,341,827 units to 197 jurisdictions



Staff Recommended Final RHNA Methodology - Regional Breakdown

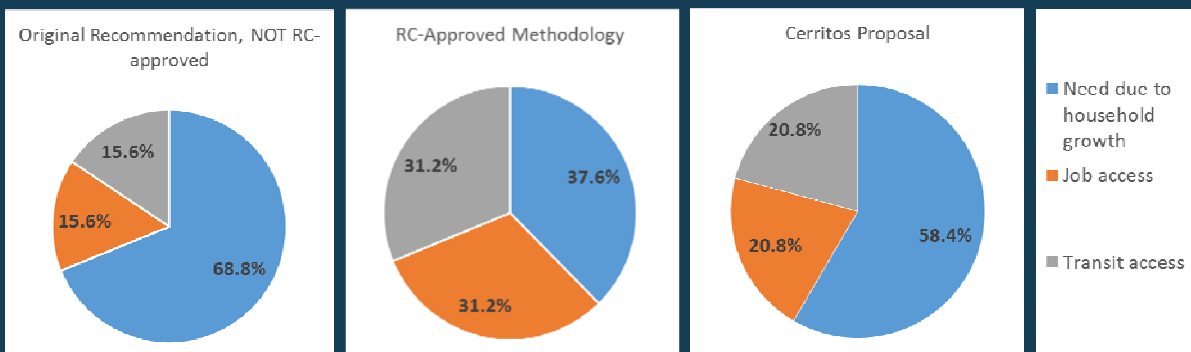


Note: The draft RHNA methodology uses jurisdiction-level Connect SoCal 2020-2030 household growth multiplied by 8.25 to match the duration of the RHNA planning period. At the jurisdictional level, Connect SoCal household growth is identical to local input, and over this time period is perfectly equivalent to the regional RHNA share depicted above.

## How much "local input" gets used?



- Every data element is based on input from local jurisdictions – including job and transit access
- Question at hand: how much local input household growth is used in the total methodology?





## Review of methodology performance versus statutory objectives



- Comparisons previously presented by SCAG staff
- Comparisons relied upon by HCD in their review

*“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.”*

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## Review: Statutory Objectives of RHNA

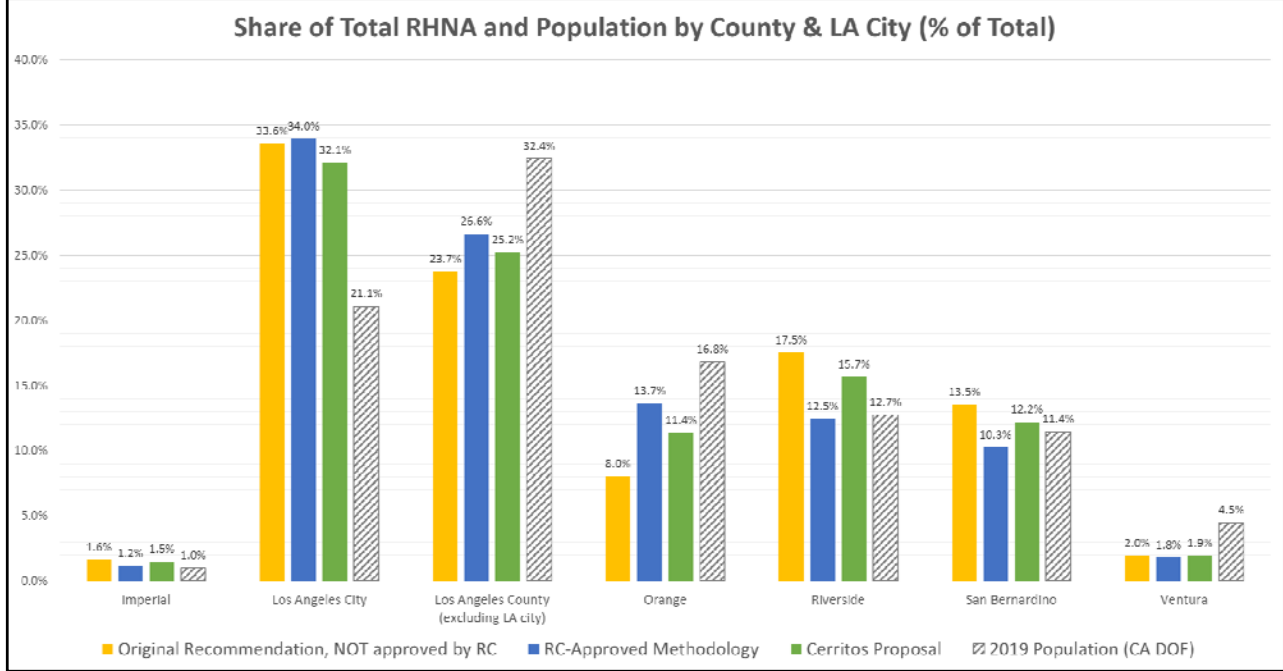


- 1) To increase the housing supply and mix of housing types, tenure and affordability within each region in an equitable manner
- 2) Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns
- 3) Promoting an improved intraregional relationship between jobs and housing
- 4) Allocating a lower proportion of housing need in income categories in jurisdictions that have a disproportionately high share in comparison to the county distribution
- 5) Affirmatively furthering fair housing (AFFH)

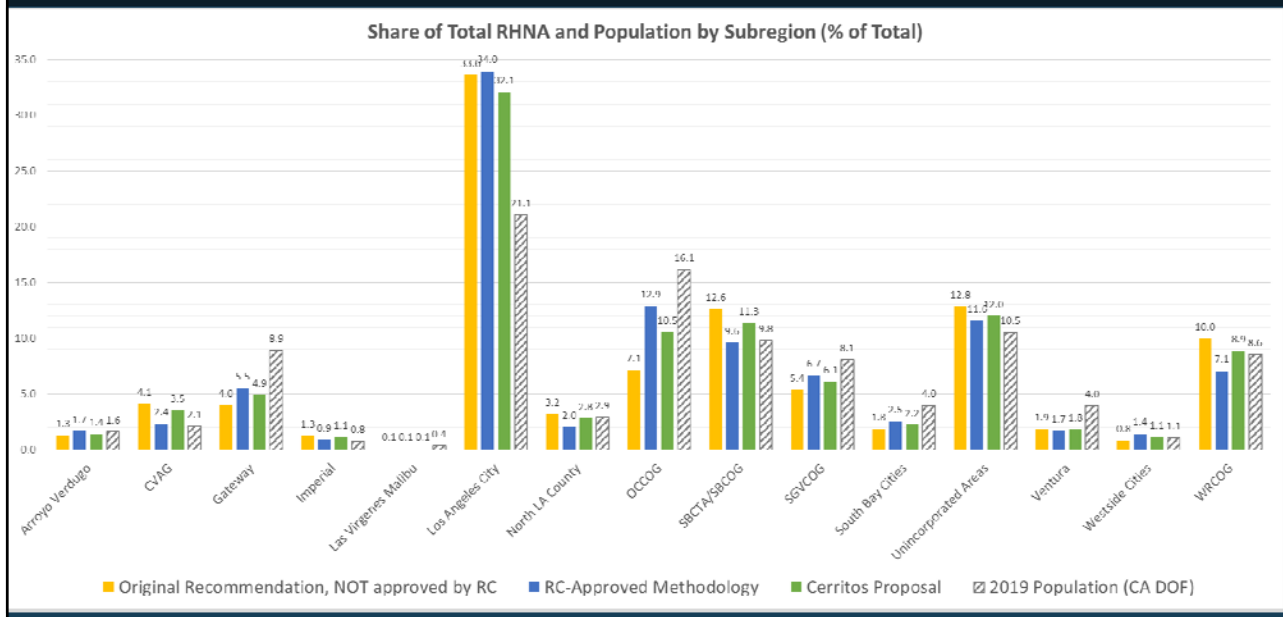


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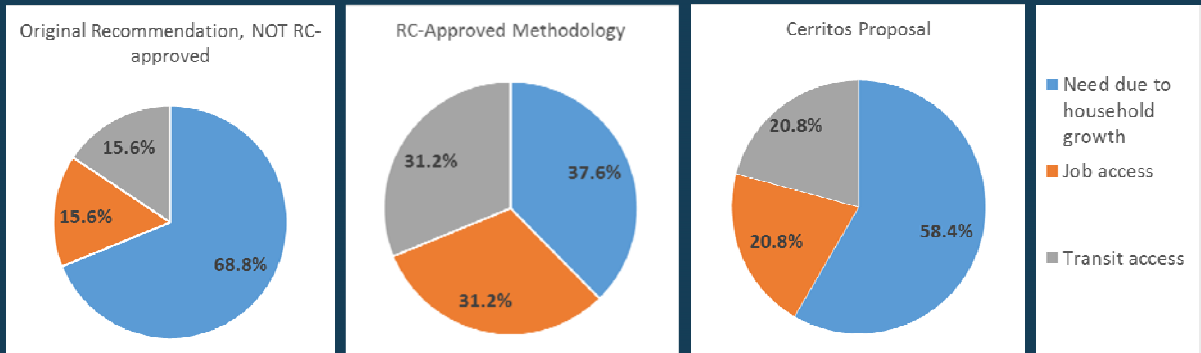
## Re: RHNA objective 1, Equitable Geographic Distribution



## Re: RHNA objective 1, Equitable Geographic Distribution

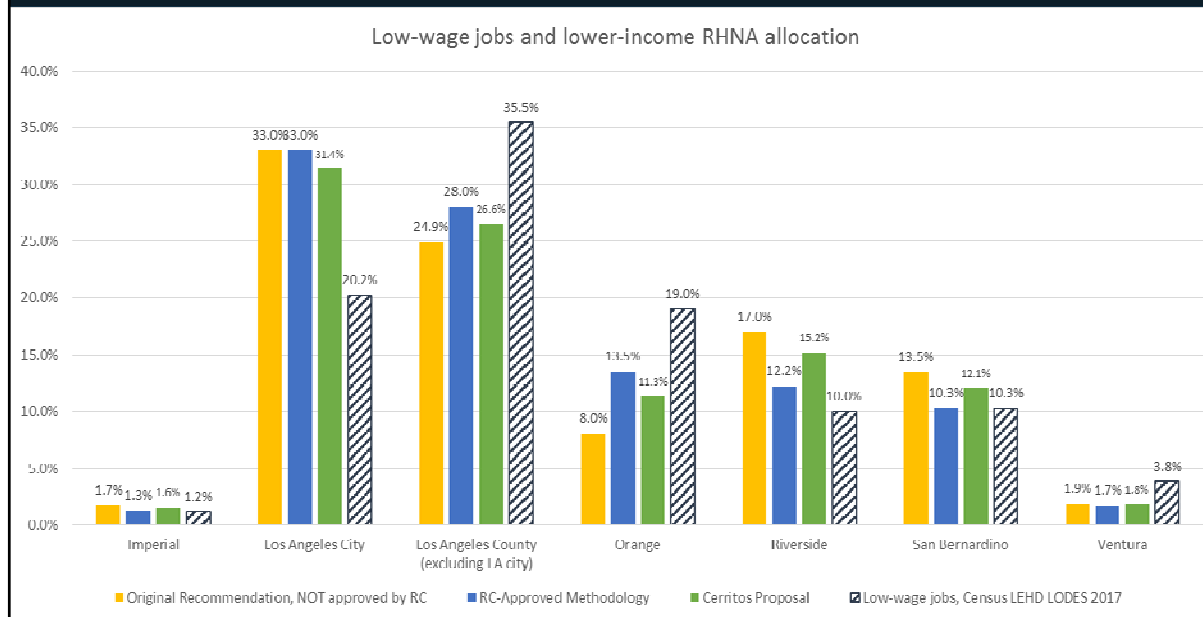


## Re: RHNA Objective 2 – Infill and efficient development and RHNA Objective 3 – Improved intraregional jobs-housing relationships



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## Re: RHNA Objective 3 – Improved intraregional relationships between low-wage jobs and affordable housing





## Conclusions / Next Steps



- Performance indicators show the RC/HCD-approved, staff-recommended methodology *improves* performance on statutory objectives
- Staff-recommended final methodology found to further statutory objectives by HCD:

*“HCD has completed its review of the methodology and finds that the draft SCAG RHNA methodology furthers the five statutory objectives of RHNA. ... In particular, HCD applauds the use of objective factors specifically linked the statutory objectives in the existing need methodology.”*

- Cerritos proposal represents “backslide” on all indicators
- Therefore, staff recommends adoption of the draft RHNA methodology as the Final RHNA Methodology by resolution

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Thank you.

Kevin Kane, PhD  
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[www.scag.ca.gov](http://www.scag.ca.gov)



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

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Sacramento, CA 95833-1829  
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January 13, 2020

Kome Ajise  
Executive Director  
Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700  
Los Angeles, CA 90017

Dear Executive Director Ajise:

**RE: Review of Draft Regional Housing Need Allocation (RHNA) Methodology**

Thank you for submitting the draft Southern California Association of Governments (SCAG) Sixth Cycle Regional Housing Need Allocation (RHNA) Methodology. Pursuant to Government Code Section 65584.04(i), the California Department of Housing and Community Development (HCD) is required to review draft RHNA methodology to determine whether the methodology furthers the statutory objectives described in Government Code Section 65584(d).

In brief, the draft SCAG RHNA methodology begins with the total regional determination provided by the California Department of Housing and Community Development (HCD) and separates it into two methodologies to allocate the full determination: projected need (504,970) and existing need (836,857).

For projected need, the household growth projected in SCAG's Connect SoCal growth forecast for the years 2020-2030 is used as the basis for calculating projected housing need for the region. A future vacancy and replacement need are also calculated and added to the projected need.

The existing need is calculated by assigning 50 percent of regional existing need based on a jurisdiction's share of the region's population within the high-quality transit areas (HQTAs) based on future 2045 HQTAs. The other 50 percent of the regional existing need is based on a jurisdiction's share of the region's estimated jobs in 2045 that can be accessed within a 30-minute driving commute. For high segregation and poverty areas as defined by [HCD/TCAC Opportunity Maps](#),<sup>1</sup> referred to by SCAG as extremely disadvantaged communities (DACs), existing need in excess of the 2020-2045 household growth forecast is reallocated to non-DAC jurisdictions within the same county.

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<sup>1</sup> Created by the California Fair Housing Task Force and commissioned by HCD and the California Tax Credit Allocation Committee (TCAC) to assist public entities in affirmatively furthering fair housing. The version used in this analysis is the 2019 HCD/TCAC Opportunity Maps available at [treasurer.ca.gov/ctcac/opportunity.asp](http://treasurer.ca.gov/ctcac/opportunity.asp).

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Within both the projected and existing need methodologies the four RHNA income categories (very low, low, moderate, and above moderate) are assigned to each jurisdiction by the use of a 150 percent social equity adjustment, which inversely adjusts based on the current incomes within the jurisdiction. An additional percentage of social equity adjustment is made for jurisdictions that have a high concentration of DACs or Highest Resource areas as defined by the HCD/TCAC Opportunity maps. Overall, the social equity adjustments result in greater shares of lower income RHNA to higher income and higher-resource areas.

**HCD has completed its review of the methodology and finds that the draft SCAG RHNA Methodology furthers the five statutory objectives of RHNA.<sup>2</sup>**

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.

Below is a brief summary of findings related to each statutory objective described within Government Code Section 65584(d):

*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.*

The methodology generally allocates increased shares of lower income RHNA to jurisdictions that have higher housing costs. In support of a mix of affordability, the highest housing cost cities generally receive higher shares of lower income RHNA. Under this methodology the 15 cities with the highest median housing costs all receive greater than 50 percent of the RHNA as lower income RHNA. Beverly Hills with the 18<sup>th</sup> highest median housing costs receives the 25<sup>th</sup> highest share of lower income RHNA; Westlake Village with the 14<sup>th</sup> highest median housing costs receives the 12<sup>th</sup> highest share of lower income RHNA; Aliso Viejo with the 23<sup>rd</sup> highest median housing costs receives the 38<sup>th</sup> highest share of lower income RHNA; and Villa Park with the 10<sup>th</sup> highest median housing costs receives the 31<sup>st</sup> highest share of lower income RHNA.

*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.*

The draft SCAG RHNA methodology furthers the environmental principles of this objective as demonstrated by the transportation and job alignment with the RHNA allocations.

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<sup>2</sup> While HCD finds that this particular methodology furthers the objectives of RHNA, HCD's determination is subject to change depending on the region or cycle, as housing conditions in those circumstances may differ.

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*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.*

Half of the existing need portion of the draft SCAG RHNA methodology is set based on the jurisdiction's share of the region's estimated jobs in 2045. While future looking job projections are important for housing planning, and housing built in the next decade will likely exist for 50-100 years or more, it is also critical to plan for the needs that exist today. This objective specifically considers the balance of low-wage jobs to housing available to low-wage workers. As part of HCD's analysis as to whether this jobs-housing fit objective was furthered by SCAG's draft methodology, HCD analyzed how the percentage share of the region's lower income RHNA compared to the percentage share of low-wage jobs.

For example, under the draft SCAG RHNA methodology Irvine would receive 1.84 percent of the region's lower income RHNA, and currently has 2.07 percent of the region's low-wage jobs, .23 percent less lower income RHNA than low-wage jobs for the region. Pomona would receive .71 percent of the region's lower income RHNA, and currently has .57 percent of the region's low-wage jobs, .13 percent more lower income RHNA than low-wage jobs for the region. Across all jurisdictions there is generally good alignment between low-wage jobs and lower income RHNA, with all but 15 jurisdictions within a half percent plus or minus difference between their share of lower income RHNA for the region and their percentage low-wage jobs for the region.

HCD is aware there has been some opposition to this current methodology from jurisdictions that received lower allocations under prior iterations; however it is worth noting that even if it is by a small amount, many of the jurisdictions that received increases are still receiving lower shares of the region's lower income RHNA compared to their share of the region's low-wage jobs. HCD recommends any changes made in response to appeals should be in the interest of seeking ways to more deeply further objectives without compromising other objectives.

*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.*

This objective is furthered directly by the social equity adjustment factor included in the draft SCAG RHNA methodology. Jurisdictions in the SCAG region range from as little as 10.9 percent lower income households to 82.7 percent lower income households. The 20 jurisdictions with the greatest share of lower income households, 67.2-82.7 percent lower income households, would receive an average of 31.6 percent lower income share of their RHNA; compared to the 20 jurisdictions with the lowest share of lower income households, 10.9-25.1 percent lower income households, would receive an average of 59.1 percent lower income share of their RHNA. While the social equity adjustment explicitly responds to objective four, it also assists in the methodology furthering each of the other objectives.

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*5. Affirmatively furthering fair housing, which 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.*

HCD applauds the inclusion of the affirmatively furthering fair housing adjustment factor in the methodology. This factor directs more lower income RHNA to higher opportunity areas and reduces allocations in segregated concentrated areas of poverty, as defined in the [HCD/TCAC Opportunity Maps](#), which evaluate access to opportunity, racial segregation, and concentrated poverty on 11 dimensions, which are all evidence-based indicators related to long term life outcomes. 14 of the top 15 highest shares of lower income RHNA are in regions over 99.95 percent High and Highest Resource areas. These include: Imperial, La Habra Heights, Rolling Hills Estates, Hermosa Beach, La Cañada Flintridge, Palos Verdes Estates, Manhattan Beach, Rolling Hills, Agoura Hills, Rancho Palos Verdes, Westlake Village, San Marino, Eastvale, and Hidden Hills. With the exceptions of the cities of Vernon and Industry, the 31 jurisdictions with the highest share of lower income RHNA are all over 95 percent High and Highest Resource areas.

HCD appreciates the active role of SCAG staff in providing data and input throughout the draft SCAG RHNA methodology development and review period. HCD especially thanks Ping Chang, Kevin Kane, Sarah Jepson, and Ma'Ayn Johnson for their significant efforts and assistance.

HCD looks forward to continuing our partnership with SCAG to assist its member jurisdictions to meet and exceed the planning and production of the region's housing need.

Support opportunities available for the SCAG region this cycle include, but are not limited to:

- SB 2 Planning Technical Assistance (Technical assistance available now through June 2021)
- Regional and Local Early Action Planning grants (25 percent of Regional funds available now, all other funds available early 2020)
- SB 2 Permanent Local Housing Allocation (Available April – July 2020)

If HCD can provide any additional assistance, or if you, or your staff, have any questions, please contact Megan Kirkeby, Assistant Deputy Director for Fair Housing, [megan.kirkeby@hcd.ca.gov](mailto:megan.kirkeby@hcd.ca.gov).



Megan Kirkeby  
Assistant Deputy Director for Fair Housing



RESOLUTION NO. 20-619-2

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) ADOPTING THE FINAL REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) METHODOLOGY FOR THE SIXTH HOUSING ELEMENT CYCLE (2021 – 2029)

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS 900 Wilshire Blvd., Ste. 1700 Los Angeles, CA 90017 T: (213) 236-1800 www.scag.ca.gov

WHEREAS, the Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization, for the six county region consisting of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial Counties;

REGIONAL COUNCIL OFFICERS

- President Bill Jahn, Big Bear Lake
First Vice President Rex Richardson, Long Beach
Second Vice President Clint Lorimore, Eastvale
Immediate Past President Alan D. Wapner, San Bernardino County Transportation Authority

WHEREAS, California state housing element law requires that the Southern California Association of Governments (SCAG) adopt a methodology for distributing the existing and projected regional housing need to each of the local jurisdictions within the SCAG region;

WHEREAS, the California Department of Housing and Community Development (HCD) is required to consult with SCAG in determining the existing and projected housing need for the region prior to each housing element cycle;

COMMITTEE CHAIRS

- Executive/Administration Bill Jahn, Big Bear Lake
Community, Economic & Human Development Peggy Huang, Transportation Corridor Agencies
Energy & Environment Linda Parks, Ventura County
Transportation Cheryl Viegas-Walker, El Centro

WHEREAS, on October 15, 2019, HCD provided SCAG with a regional housing need number of 1,341,827 units distributed among four income categories, very-low (26.2%), low (15.4%), moderate (16.7%), and above-moderate (41.7%) for the 6th Housing Element Cycle (2021-2029);

WHEREAS, SCAG conducted four public hearings in August 2019 to formally receive verbal and written comments on the proposed Regional Housing Needs Assessment (RHNA) methodology options, in addition to one public information session with a total of approximately 250 participants. Almost 250 written comments were submitted to SCAG specifically on the proposed methodology and over 35 verbal comments were shared at the four public hearings;

WHEREAS, after considering the public comments received, at its November 7, 2019 meeting, the SCAG Regional Council approved and submitted to HCD the Draft RHNA Methodology for the 6th Housing Element Cycle, for a 60-day review;

WHEREAS, on January 13, 2020, HCD determined that the Draft RHNA methodology furthers the objectives set forth in state law, California Government Code Section 65584(d);

Attachment: Resolution to adopt Final RHNA Methodology and Attachment A (Recommended Final RHNA Methodology)



**NOW, THEREFORE, BE IT RESOLVED,** that the SCAG Regional Council adopts the Final RHNA Methodology for the Sixth Housing Element Cycle (2021 – 2029) attached hereto as “Attachment A” and incorporated herein by this reference.

**PASSED, APPROVED AND ADOPTED** by the Regional Council of the Southern California Association of Governments at its regular meeting this 5th day of March, 2020.

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William “Bill” Jahn  
President, SCAG

Attested by:

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Kome Ajise  
Executive Director

Approved as to Form:

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Justine Block  
Acting Chief Counsel

## Staff-Recommended FINAL RHNA Allocation Methodology

### Attachment A

#### 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.*

*As the draft methodology has been approved by the Regional Council and found to be consistent with state housing law by HCD, no changes are required and staff recommends the draft methodology as the final 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 (HQT 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 recommended final 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 staff-recommended 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 includes 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."*

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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.

Following this finding, staff recommends the draft RHNA methodology as the final RHNA methodology. Since some of the data inputs to the draft RHNA methodology utilized draft Connect SoCal data, the staff-recommended final RHNA methodology will utilize final Connect SoCal data.

The finding of compliance from HCD allows SCAG’s Regional Council to adopt the final RHNA methodology and send a draft RHNA allocation to each local jurisdiction. Following 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 staff-recommended 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

The staff-recommended 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

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<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.

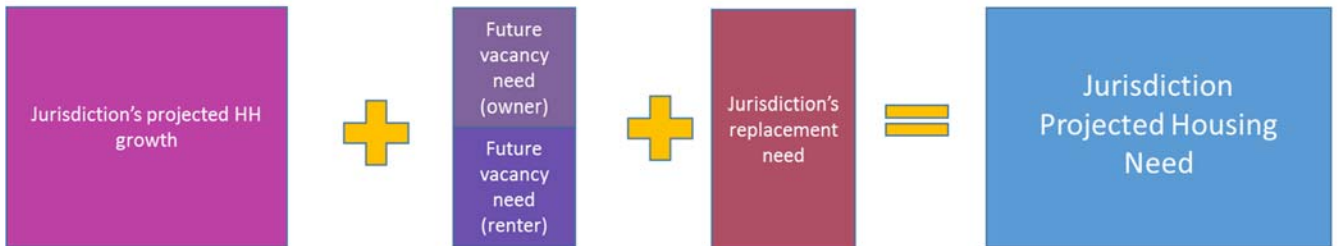
Methodology Component	Assigned units
Projected need: Household growth	466,958
Projected need: Future vacancy need	14,467
Projected need: Replacement need	23,545
Projected need subtotal	504,970

	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

Total regional need	1,341,827
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**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, SCAG staff recommends 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://scagrtpscs.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.

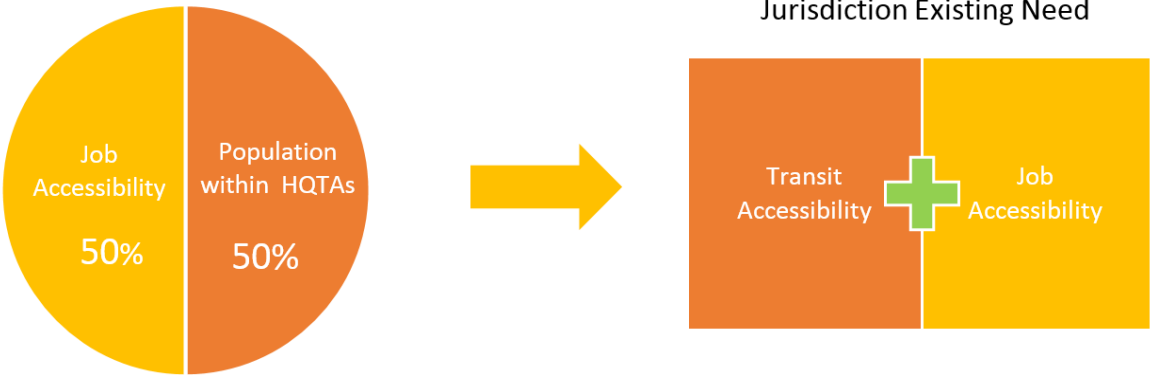
After determining each of the projected housing need components, they are combined to determine a jurisdiction’s projected housing need.

**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 HQTA-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 HQTA, based on the HQTA boundaries used in the final Connect SoCal Plan anticipated to be adopted by SCAG in April 2020. Not all jurisdictions have an HQTA 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.

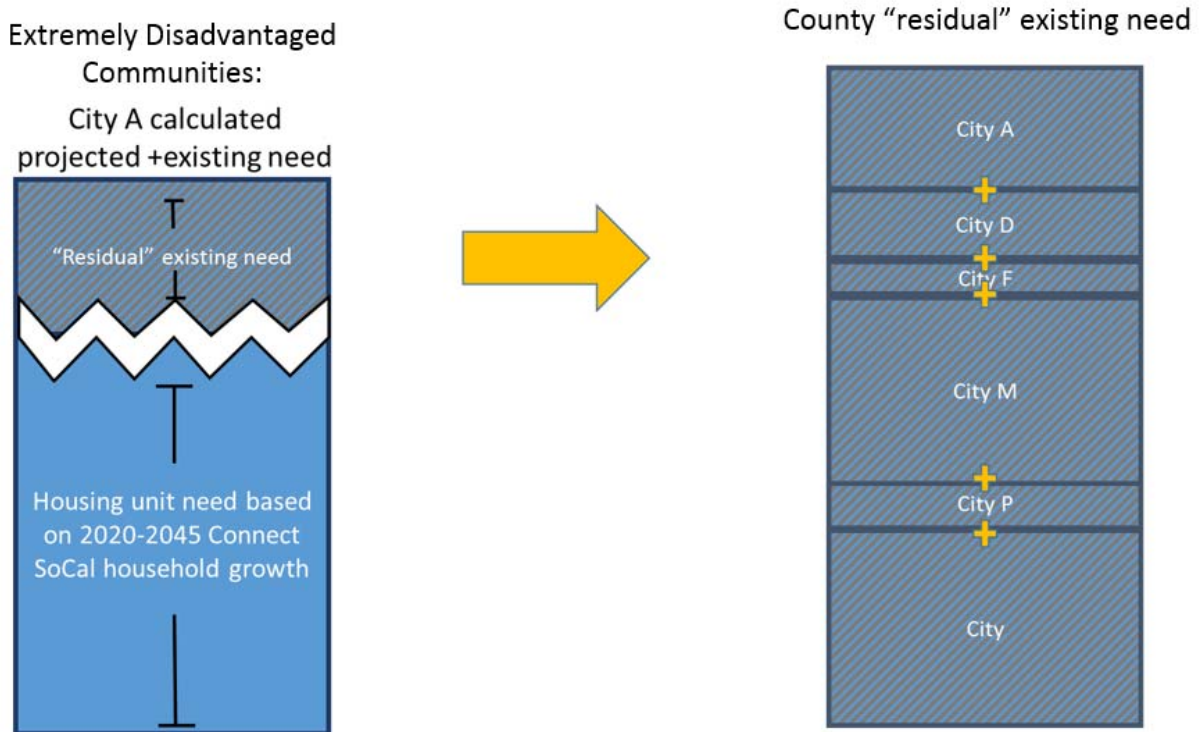
These job accessibility data are derived at the transportation analysis zone (TAZ) level from travel demand modelling output from SCAG's final Connect SoCal Plan. SCAG realizes that in many jurisdictions, especially larger ones, job access many not be uniform in all parts of the city or county. However, 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.



<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.

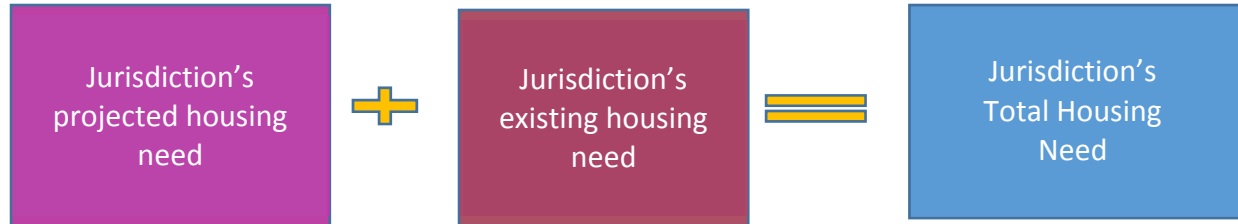
A county total of residual existing need will be calculated and then redistributed with the same county to non-DAC jurisdictions. The redistribution will be assigned to jurisdictions based on transit accessibility (50%) and job accessibility (50%), and will exclude DAC jurisdictions which have over 50% 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 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.

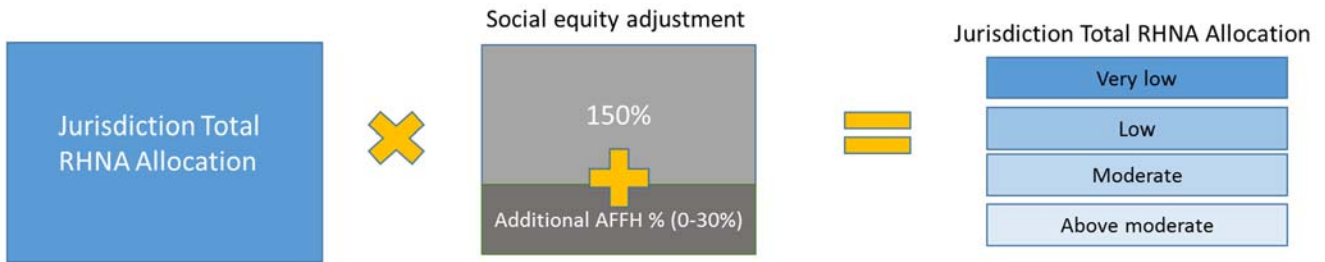


Concentration of population within very low or very high resource area	Additional social equity adjustment
70-80%	+10%
80-90%	+20%
90-100%	+30%

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 RHNA 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 <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>	Math proficiency
Adult education		Reading proficiency
Employment		High school graduation rates
Low-wage job proximity		Student poverty rate
Median home value		

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.

**ESTIMATE OF SCAG RHNA ALLOCATION BASED ON STAFF-RECOMMENDED FINAL RHNA METHODOLOGY**  
13-Feb-20

**ALLOCATION BY COUNTY**

	Total	Very-low income	Low income	Moderate income	Above moderate income
Imperial	15,953	4,652	2,349	2,192	6,760
Los Angeles	813,071	217,492	123,141	131,523	340,916
Orange	183,425	46,264	29,166	32,476	75,519
Riverside	167,191	41,922	26,443	29,146	69,681
San Bernardino	137,796	35,556	21,849	24,089	56,302
Ventura	24,398	5,751	3,799	4,516	10,332
<b>TOTAL</b>	<b>1,341,834</b>	<b>351,637</b>	<b>206,747</b>	<b>223,941</b>	<b>559,509</b>

**ALLOCATION BY SUBREGION**

	Total	Very-low income	Low income	Moderate income	Above moderate income
Arroyo Verdugo	22,143	5,974	3,572	3,650	8,947
CVAG	31,557	6,183	4,652	5,551	15,171
Gateway	74,423	20,805	10,776	11,221	31,621
Imperial	11,661	3,452	1,754	1,613	4,841
Las Virgenes Malibu	932	357	198	182	196
Los Angeles City	455,565	115,676	68,591	74,934	196,364
North LA County	27,428	7,837	4,127	4,278	11,185
OCCOG	173,050	43,136	27,305	30,442	72,167
SBCTA/SBCOG	128,972	33,381	20,491	22,566	52,534
SGVCOG	89,407	25,119	13,360	14,042	36,886
South Bay Cities	34,099	10,183	5,220	5,525	13,170
Unincorporated	155,364	42,801	24,347	25,907	62,309
Ventura	23,139	5,434	3,574	4,267	9,864
Westside Cities	19,225	5,957	3,635	3,538	6,095
WRCOG	94,869	25,342	15,144	16,224	38,159

**ALLOCATION BY LOCAL JURISDICTION**

County	Subregion	Total	Very-low income	Low income	Moderate income	Above moderate income
Adelanto city	San Bernardino SBCTA/SBCOG	3755	393	565	650	2148
Agoura Hills city	Los Angeles Las Virgenes Malibu	318	126	72	55	65
Alhambra city	Los Angeles SGVCOG	6810	1769	1033	1077	2931
Aliso Viejo city	Orange OCCOG	1193	388	213	205	386
Anaheim city	Orange OCCOG	17412	3757	2391	2939	8325
Apple Valley town	San Bernardino SBCTA/SBCOG	4281	1082	599	745	1855
Arcadia city	Los Angeles SGVCOG	3205	1098	568	604	935
Artesia city	Los Angeles Gateway	1067	310	168	128	462
Avalon city	Los Angeles Gateway	27	7	5	3	12
Azusa city	Los Angeles SGVCOG	2644	757	366	381	1139
Baldwin Park city	Los Angeles SGVCOG	1996	574	274	262	886
Banning city	Riverside WRCOG	1669	315	192	279	882
Barstow city	San Bernardino SBCTA/SBCOG	1516	171	227	299	819
Beaumont city	Riverside WRCOG	4201	1225	719	722	1535
Bell city	Los Angeles Gateway	228	42	23	29	134
Bell Gardens city	Los Angeles Gateway	502	99	29	72	303
Bellflower city	Los Angeles Gateway	3725	1011	486	552	1676
Beverly Hills city	Los Angeles Westside Cities	3096	1005	678	600	813
Big Bear Lake city	San Bernardino SBCTA/SBCOG	212	49	33	37	93
Blythe city	Riverside CVAG	493	81	70	96	245
Bradbury city	Los Angeles SGVCOG	40	15	8	9	8
Brawley city	Imperial Imperial	1423	397	209	202	615
Brea city	Orange OCCOG	2360	666	392	402	899
Buena Park city	Orange OCCOG	8900	2113	1340	1570	3876
Burbank city	Los Angeles Arroyo Verdugo	8752	2546	1415	1406	3386
Calabasas city	Los Angeles Las Virgenes Malibu	353	131	70	70	82
Calexico city	Imperial Imperial	4854	1274	653	612	2315
Calimesa city	Riverside WRCOG	2012	493	274	378	867
Calipatria city	Imperial Imperial	151	35	21	16	79
Camarillo city	Ventura Ventura	1372	351	243	270	508
Canyon Lake city	Riverside WRCOG	129	43	23	24	39
Carson city	Los Angeles South Bay Cities	5606	1765	911	873	2057

Attachment: Estimated RHNA Allocations (Recommended Final RHNA Methodology)

ESTIMATE OF SCAG RHNA ALLOCATION BASED ON STAFF-RECOMMENDED FINAL RHNA METHODOLOGY

	County	Subregion	Total	Very-low income	Low income	Moderate income	Above moderate income
Cathedral City city	Riverside	CVAG	2543	537	352	456	1197
Cerritos city	Los Angeles	Gateway	1902	676	344	331	551
Chino city	San Bernardino	SBCTA/SBCOG	6959	2106	1281	1200	2373
Chino Hills city	San Bernardino	SBCTA/SBCOG	3720	1384	819	787	731
Claremont city	Los Angeles	SGVCOG	1705	553	308	296	548
Coachella city	Riverside	CVAG	7875	1030	998	1366	4482
Colton city	San Bernardino	SBCTA/SBCOG	5418	1313	666	904	2536
Commerce city	Los Angeles	Gateway	246	54	22	38	132
Compton city	Los Angeles	Gateway	1001	234	120	130	517
Corona city	Riverside	WRCOG	6078	1748	1038	1094	2198
Costa Mesa city	Orange	OCCOG	11727	2910	1789	2083	4946
Covina city	Los Angeles	SGVCOG	1908	612	267	281	747
Cudahy city	Los Angeles	Gateway	393	79	36	53	224
Culver City city	Los Angeles	Westside Cities	3332	1104	602	558	1067
Cypress city	Orange	OCCOG	3924	1145	655	622	1502
Dana Point city	Orange	OCCOG	529	146	84	101	199
Desert Hot Springs city	Riverside	CVAG	3864	567	534	686	2077
Diamond Bar city	Los Angeles	SGVCOG	2514	841	432	435	805
Downey city	Los Angeles	Gateway	6504	2072	943	912	2578
Duarte city	Los Angeles	SGVCOG	873	263	142	135	333
Eastvale City	Riverside	WRCOG	3021	1141	671	634	576
El Centro city	Imperial	Imperial	3431	997	488	460	1485
El Monte city	Los Angeles	SGVCOG	8482	1791	851	1230	4610
El Segundo city	Los Angeles	South Bay Cities	491	188	88	83	132
Fillmore city	Ventura	Ventura	413	72	60	72	209
Fontana city	San Bernardino	SBCTA/SBCOG	17476	5095	2943	3029	6410
Fountain Valley city	Orange	OCCOG	4832	1304	785	833	1911
Fullerton city	Orange	OCCOG	13180	3189	1985	2267	5739
Garden Grove city	Orange	OCCOG	19124	4154	2795	3204	8970
Gardena city	Los Angeles	South Bay Cities	5719	1479	758	892	2589
Glendale city	Los Angeles	Arroyo Verdugo	13391	3429	2158	2244	5561
Glendora city	Los Angeles	SGVCOG	2271	732	385	387	766
Grand Terrace city	San Bernardino	SBCTA/SBCOG	628	187	91	106	243
Hawaiian Gardens city	Los Angeles	Gateway	330	60	43	46	181
Hawthorne city	Los Angeles	South Bay Cities	1731	443	204	249	835
Hemet city	Riverside	WRCOG	6451	809	730	1171	3741
Hermosa Beach city	Los Angeles	South Bay Cities	556	231	126	105	94
Hesperia city	San Bernardino	SBCTA/SBCOG	8135	1915	1228	1406	3587
Hidden Hills city	Los Angeles	Las Virgenes Malibu	41	16	8	9	7
Highland city	San Bernardino	SBCTA/SBCOG	2508	617	408	470	1013
Holtville city	Imperial	Imperial	171	40	33	26	73
Huntington Beach city	Orange	OCCOG	13337	3651	2179	2303	5204
Huntington Park city	Los Angeles	Gateway	1601	263	195	242	901
Imperial city	Imperial	Imperial	1598	702	345	294	258
Indian Wells city	Riverside	CVAG	381	116	80	91	94
Indio city	Riverside	CVAG	7793	1787	1167	1312	3527
Industry city	Los Angeles	SGVCOG	17	5	4	2	6
Inglewood city	Los Angeles	South Bay Cities	7422	1808	952	1110	3552
Irvine city	Orange	OCCOG	23555	6379	4225	4299	8652
Irwindale city	Los Angeles	SGVCOG	119	35	11	16	56
Jurupa Valley City	Riverside	WRCOG	4484	1203	747	729	1806
La Cañada Flintridge city	Los Angeles	SGVCOG	611	251	135	139	87
La Habra city	Orange	OCCOG	803	191	116	130	367
La Habra Heights city	Los Angeles	Gateway	171	77	34	31	29
La Mirada city	Los Angeles	Gateway	1958	632	341	319	665
La Palma city	Orange	OCCOG	800	222	140	137	301
La Puente city	Los Angeles	SGVCOG	1928	543	275	275	836
La Quinta city	Riverside	CVAG	1526	419	268	296	544
La Verne city	Los Angeles	SGVCOG	1343	412	238	223	470
Laguna Beach city	Orange	OCCOG	393	117	80	79	118
Laguna Hills city	Orange	OCCOG	1979	565	352	353	709
Laguna Niguel city	Orange	OCCOG	1205	347	201	223	435
Laguna Woods city	Orange	OCCOG	992	125	135	191	541
Lake Elsinore city	Riverside	WRCOG	6666	1873	1097	1131	2566
Lake Forest city	Orange	OCCOG	3229	953	541	558	1177
Lakewood city	Los Angeles	Gateway	3915	1293	636	652	1335
Lancaster city	Los Angeles	North LA County	9004	2218	1192	1326	4269
Lawndale city	Los Angeles	South Bay Cities	2491	729	310	370	1082

Attachment: Estimated RHNA Allocations (Recommended Final RHNA Methodology)

ESTIMATE OF SCAG RHNA ALLOCATION BASED ON STAFF-RECOMMENDED FINAL RHNA METHODOLOGY

	County	Subregion	Total	Very-low income	Low income	Moderate income	Above moderate income
Loma Linda city	San Bernardino	SBCTA/SBCOG	2052	522	311	353	866
Lomita city	Los Angeles	South Bay Cities	828	238	123	127	339
Long Beach city	Los Angeles	Gateway	26440	7122	4038	4149	11131
Los Alamitos city	Orange	OCCOG	767	192	118	145	312
Los Angeles city	Los Angeles	Los Angeles City	455565	115676	68591	74934	196364
Lynwood city	Los Angeles	Gateway	1555	375	138	235	807
Malibu city	Los Angeles	Las Virgenes Malibu	78	27	18	17	17
Manhattan Beach city	Los Angeles	South Bay Cities	773	321	164	155	133
Maywood city	Los Angeles	Gateway	364	54	47	55	209
Menifee city	Riverside	WRCOG	6593	1755	1049	1103	2686
Mission Viejo city	Orange	OCCOG	2211	671	400	396	744
Monrovia city	Los Angeles	SGVCOG	1670	518	262	254	636
Montclair city	San Bernardino	SBCTA/SBCOG	2589	696	382	399	1112
Montebello city	Los Angeles	SGVCOG	5171	1309	705	774	2383
Monterey Park city	Los Angeles	SGVCOG	5246	1320	820	846	2260
Moorpark city	Ventura	Ventura	1287	376	233	245	434
Moreno Valley city	Riverside	WRCOG	13595	3768	2046	2161	5620
Murrieta city	Riverside	WRCOG	3035	1005	581	543	905
Needles city	San Bernardino	SBCTA/SBCOG	86	9	10	16	51
Newport Beach city	Orange	OCCOG	4832	1451	927	1048	1406
Norco city	Riverside	WRCOG	453	144	84	81	143
Norwalk city	Los Angeles	Gateway	5024	1542	757	657	2068
Ojai city	Ventura	Ventura	52	12	8	10	22
Ontario city	San Bernardino	SBCTA/SBCOG	20803	5624	3279	3322	8579
Orange city	Orange	OCCOG	3927	1064	603	676	1585
Oxnard city	Ventura	Ventura	8529	1834	1068	1535	4092
Palm Desert city	Riverside	CVAG	2785	673	459	460	1193
Palm Springs city	Riverside	CVAG	2554	543	407	461	1142
Palmdale city	Los Angeles	North LA County	6625	1772	933	1001	2919
Palos Verdes Estates city	Los Angeles	South Bay Cities	198	81	44	47	26
Paramount city	Los Angeles	Gateway	363	90	43	48	182
Pasadena city	Los Angeles	SGVCOG	9409	2739	1659	1562	3449
Perris city	Riverside	WRCOG	7786	2024	1124	1271	3367
Pico Rivera city	Los Angeles	Gateway	3939	1148	562	572	1657
Placentia city	Orange	OCCOG	4363	1226	678	768	1690
Pomona city	Los Angeles	SGVCOG	10532	2791	1336	1506	4899
Port Hueneme city	Ventura	Ventura	125	25	15	18	66
Rancho Cucamonga city	San Bernardino	SBCTA/SBCOG	10500	3236	1916	2033	3315
Rancho Mirage city	Riverside	CVAG	1743	429	317	328	670
Rancho Palos Verdes city	Los Angeles	South Bay Cities	637	251	138	125	122
Rancho Santa Margarita city	Orange	OCCOG	679	208	120	125	227
Redlands city	San Bernardino	SBCTA/SBCOG	3507	963	614	650	1280
Redondo Beach city	Los Angeles	South Bay Cities	2483	932	507	489	555
Rialto city	San Bernardino	SBCTA/SBCOG	8252	2211	1203	1368	3470
Riverside city	Riverside	WRCOG	18419	4849	3057	3133	7379
Rolling Hills city	Los Angeles	South Bay Cities	44	19	9	11	6
Rolling Hills Estates city	Los Angeles	South Bay Cities	191	81	42	38	30
Rosemead city	Los Angeles	SGVCOG	4604	1151	636	685	2131
San Bernardino city	San Bernardino	SBCTA/SBCOG	8104	1411	1094	1445	4154
San Buenaventura (Ventura) city	Ventura	Ventura	5302	1184	863	948	2307
San Clemente city	Orange	OCCOG	975	279	162	186	347
San Dimas city	Los Angeles	SGVCOG	1245	382	219	206	438
San Fernando city	Los Angeles	North LA County	1790	459	272	283	776
San Gabriel city	Los Angeles	SGVCOG	3017	843	414	465	1295
San Jacinto city	Riverside	WRCOG	3385	797	464	559	1565
San Juan Capistrano city	Orange	OCCOG	1052	268	172	183	428
San Marino city	Los Angeles	SGVCOG	398	149	91	91	68
Santa Ana city	Orange	OCCOG	3087	583	360	522	1621
Santa Clarita city	Los Angeles	North LA County	10009	3388	1730	1668	3222
Santa Fe Springs city	Los Angeles	Gateway	950	252	158	152	388
Santa Monica city	Los Angeles	Westside Cities	8874	2786	1668	1698	2721
Santa Paula city	Ventura	Ventura	655	101	98	121	335
Seal Beach city	Orange	OCCOG	1240	256	200	238	545
Sierra Madre city	Los Angeles	SGVCOG	204	78	38	34	53
Signal Hill city	Los Angeles	Gateway	516	159	78	90	189
Simi Valley city	Ventura	Ventura	2788	746	492	517	1032
South El Monte city	Los Angeles	SGVCOG	576	130	63	70	313
South Gate city	Los Angeles	Gateway	8263	2130	991	1171	3971

Attachment: Estimated RHNA Allocations (Recommended Final RHNA Methodology)

ESTIMATE OF SCAG RHNA ALLOCATION BASED ON STAFF-RECOMMENDED FINAL RHNA METHODOLOGY

	County	Subregion	Total	Very-low income	Low income	Moderate income	Above moderate income
South Pasadena city	Los Angeles	SGVCOG	2061	754	397	333	578
Stanton city	Orange	OCCOG	1228	164	144	231	690
Temecula city	Riverside	WRCOG	4183	1355	799	777	1253
Temple City city	Los Angeles	SGVCOG	2183	628	349	369	837
Thousand Oaks city	Ventura	Ventura	2616	733	493	531	860
Torrance city	Los Angeles	South Bay Cities	4929	1617	844	851	1617
Tustin city	Orange	OCCOG	6777	1722	1045	1131	2879
Twentynine Palms city	San Bernardino	SBCTA/SBCOG	1044	229	126	184	504
Unincorporated Imperial Co.	Imperial	Unincorporated	4292	1200	595	579	1919
Unincorporated Los Angeles Co.	Los Angeles	Unincorporated	89849	25583	13662	14152	36452
Unincorporated Orange Co.	Orange	Unincorporated	10375	3128	1861	2034	3352
Unincorporated Riverside Co.	Riverside	Unincorporated	40765	10398	6647	7370	16350
Unincorporated San Bernardino Co.	San Bernardino	Unincorporated	8824	2176	1358	1522	3768
Unincorporated Ventura Co.	Ventura	Unincorporated	1259	317	225	249	468
Upland city	San Bernardino	SBCTA/SBCOG	5673	1579	956	1011	2127
Vernon city	Los Angeles	Gateway	8	4	4	0	0
Victorville city	San Bernardino	SBCTA/SBCOG	8146	1730	1133	1500	3782
Villa Park city	Orange	OCCOG	295	92	59	61	83
Walnut city	Los Angeles	SGVCOG	1292	426	224	231	411
West Covina city	Los Angeles	SGVCOG	5333	1648	847	863	1974
West Hollywood city	Los Angeles	Westside Cities	3923	1062	687	681	1493
Westlake Village city	Los Angeles	Las Virgenes Malibu	142	57	29	32	24
Westminster city	Orange	OCCOG	9733	1874	1469	1780	4610
Westmorland city	Imperial	Imperial	33	7	5	4	17
Whittier city	Los Angeles	Gateway	3431	1022	535	555	1319
Wildomar city	Riverside	WRCOG	2709	795	449	433	1032
Yorba Linda city	Orange	OCCOG	2410	762	449	456	742
Yucaipa city	San Bernardino	SBCTA/SBCOG	2859	705	492	509	1153
Yucca Valley town	San Bernardino	SBCTA/SBCOG	749	154	116	145	334

Attachment: Estimated RHNA Allocations (Recommended Final RHNA Methodology)

## RHNA Timeline of Key Activities and Milestones

October 2018 - January 2020

Date	Type	Milestone
10/29/18	Meeting	RHNA Subcommittee Meeting #1: <i>Kickoff</i>
12/3/18	Meeting	RHNA Subcommittee Meeting #2: <i>Action- Subcommittee charter</i>
2/4/19	Meeting	RHNA Subcommittee Meeting #3: <i>Action-subregional delegation guidelines</i>
2/7/19	Meeting	Regional Council and CEHD Meeting: <i>Action-RHNA Subcommittee charter</i>
3/4/19	Meeting	RHNA Subcommittee Meeting #4: <i>Action-release of methodology surveys, discussion on RHNA methodology</i>
3/7/19	Meeting	CEHD Meeting: <i>Action-Subregional delegation guidelines</i>
3/27/19	Panel	Convened Panel of Experts on technical issues related to regional determination
4/1/19	Meeting	RHNA Subcommittee Meeting #5: <i>Discussion on RHNA methodology</i>
4/4/19	Meeting	Regional Council Meeting: <i>Action-Subregional delegation guidelines</i>
5/6/19	Meeting	RHNA Subcommittee Meeting #6: <i>Action- regional determination package, discussion on RHNA methodology</i>
6/3/19	Meeting	RHNA Subcommittee Meeting #7: <i>Action- amended regional determination package, discussion on RHNA methodology</i>
6/6/19	Meeting	CEHD and Regional Council Meeting: <i>Action – submission of regional consultation package to HCD</i>
6/20/19	Submission	Submission of regional consultation package to HCD
7/22/19	Meeting	RHNA Subcommittee Meeting #8: <i>Action-release of proposed methodology options for public review</i>
7/29/19	Webinar	RHNA 101 Webinar
8/1/19	Meeting	Release of Proposed Methodology for Public Comment ( <i>CEHD and Regional Council Action</i> )
8/1/19- 9/1/319	Public comment period	Public comment period on proposed RHNA methodology
8/15/19	Hearing	Proposed Methodology Public Hearing #1, SCAG Los Angeles Office
8/20/19	Hearing	Proposed Methodology Public Hearing #2, SCAG Los Angeles Office
8/22/19	Correspondence	Receipt of regional determination from HCD
8/22/19	Hearing	Proposed Methodology Public Hearing #3, Irvine City Hall
8/22/19	Hearing	Proposed Methodology Public Hearing #4, SBCTA Board Room
8/29/19	Workshop	Proposed Methodology Public Information Session, Santa Clarita
9/5/19	Meeting	CEHD and Regional Council Meeting: <i>Action-Objection to regional determination from HCD</i>
9/13/19	Due date	Comment deadline for proposed methodology
9/18/19	Submission	Submission of objection letter of regional determination to HCD
9/25/19	Workshop	Preview workshop of staff recommended draft RHNA methodology

10/7/19	Meeting	RHNA Subcommittee Meeting #9: <i>Action-recommendation of draft RHNA methodology Mayor Bailey's Substitute Motion failed in a 4-3 votes</i>
10/15/19	Correspondence	Receipt of final regional determination from HCD
10/17/19	Meeting	Briefing on technical issues related to staff recommended draft RHNA methodology as part of the Technical Working Group meeting
10/21/19	Meeting	CEHD Special Meeting: <i>Action- recommendation of draft RHNA methodology (unanimous)</i>
10/21/19	Correspondence	Commenter letter from SBCTA objecting to staff-recommended draft RHNA methodology due to inequitable regional distribution
10/22/19	Correspondence	Received e-mail from Mayor Sahli-Wells requesting staff presentation of Mayor Bailey's Alternative RHNA Methodology for the November 7, 2019 Regional Council meeting
11/1/19	Correspondence	Received letter jointly signed by Mayor Bailey, Supervisor Spiegel, Mayor Navarro & EEC Member Toni Momberger recommending an Alternative RHNA Methodology for the November 7, 2019 Regional Council meeting
11/2/19	Staff Report	Staff Report posted including analysis of Alternative Methodology
11/5/19	Correspondence	Commenter letter from Mayor of Los Angeles objecting to staff-recommended draft RHNA methodology including recommendations with some overlap with Bailey's Alternative Methodology
11/5/19	Correspondence	E-mail from Kome to RC members including the letter from Mayor Bailey & the Estimator (calculator) for Alternative Methodology, enabling side-by-side comparison of jurisdictions' estimated RHNA allocations under either scenario.
11/6/19	Staff Memo	SCAG staff's initial response provided to City of Los Angeles on its Recommended Changes to RHNA methodology
11/7/19	Meeting	Regional Council Meeting: <i>Action-Approval of Bailey's Alternative Methodology by a 43-19 votes; approved methodology submittal to HCD for review</i>
11/14/19	Submission	Submission of draft RHNA methodology to HCD as approved by Regional Council
1/13/20	Correspondence	Receipt of HCD's review of SCAG's draft RHNA methodology, which is found to further the five statutory objectives of RHNA



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**AGENDA ITEM 2**  
**REPORT**

Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

**To:** Community  
Economic & Human Development Committee (CEHD)  
Regional Council (RC)  
**From:** Kome Ajise, Executive Director, Executive Management, 213-  
236-1835, Ajise@scag.ca.gov  
**Subject:** 6th Cycle RHNA Appeals Procedures

**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION FOR CEHD:**

Recommend that the Regional Council approve the 6<sup>th</sup> RHNA Cycle Appeals Procedures.

**RECOMMENDED ACTION FOR REGIONAL COUNCIL:**

Approve the 6<sup>th</sup> RHNA Cycle Appeals Procedures.

**STRATEGIC PLAN:**

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

**EXECUTIVE SUMMARY:**

*Per Government Code Section 65584.05(b) within forty-five (45) days of receipt of the draft RHNA allocation, local jurisdictions and the California Department of Housing and Community Development (HCD) may appeal any jurisdiction’s draft RHNA allocation. SCAG staff has developed 6<sup>th</sup> Cycle RHNA Appeals Procedures that outline the appeals process, and includes information on bases for appeals, the public hearings to hear appeals, and the reallocation of successful appeals.*

**BACKGROUND:**

Subsequent to the adoption of the final RHNA methodology, SCAG will release a draft RHNA allocation plan. Per Government Code Section 65584.05(b), within 45 days of receipt of the draft RHNA allocation, local jurisdictions and the California Department of Housing and Community Development (HCD) may appeal any jurisdiction’s draft RHNA allocation. The distribution of a draft RHNA allocation is dependent on the adoption of a final RHNA methodology. Assuming that the final RHNA methodology is adopted on March 5, 2020 by the Regional Council and a draft RHNA allocation receipt date of Friday, April 10, 2020, the 45-day filing period will end on Monday, May 25, 2020.

**OUR MISSION**

*To foster innovative regional solutions that improve the lives of Southern Californians through inclusive collaboration, visionary planning, regional advocacy, information sharing, and promoting best practices.*

**OUR VISION**

*Southern California’s Catalyst for a Brighter Future*

**OUR CORE VALUES**

*Be Open | Lead by Example | Make an Impact | Be Courageous*

Appeals may be filed on any draft RHNA allocation within the SCAG region by any SCAG jurisdiction and HCD. Per Government Code Section 65584.05(b), an appeal may only be filed on at least one of the following basis:

- Local planning factors and information relating to affirmatively furthering fair housing;
- Application of adopted final methodology
- Significant and Unforeseen change in circumstances

Regarding a “significant and unforeseen change in circumstances,” Government Code Section 65584.05(b)(3) requires it is based on a local planning factor as described in Government Code Section 65584.04(b) and by extension, subsection (e). This would require that any qualifying change in circumstances would need to have occurred after SCAG’s methodology survey packet was distributed in Spring 2019. Additionally, an appeal based on a change in circumstances may only be filed by a jurisdiction appealing its own draft RHNA allocation.

Additionally, in accordance with State housing law, an appeal cannot be granted based on the following factors:

- A local jurisdiction’s existing zoning ordinance and land use restrictions
- Any local ordinance, policy, voter-approved measure or standard limiting residential development.
- Prior underproduction of housing in a jurisdiction from the previous regional housing need allocation.
- Stable population numbers in a jurisdiction.

More detailed descriptions of these exclusions for appeals is included in Section I.D of the attached 6th Cycle RHNA Appeals Procedures, which is attached to this report.

Applicants of an appeal must complete an appeals form (Exhibit A) that will be available on the SCAG RHNA webpage ([www.scag.ca.gov/rhna](http://www.scag.ca.gov/rhna)) after the appeals procedures are adopted by the Regional Council. Directions on how to electronically submit the form and supporting documentation will be provided on the final form and on the RHNA webpage.

Following the conclusion of the filing period, all jurisdictions will be notified by SCAG of all appeals filed and related attachments will be posted on SCAG’s website. Per Government Code Section 65584.05(c) Jurisdictions and HCD will have 45 days, or until June 9, 2020 (assuming that the draft RHNA allocation will be available in early April), to comment on filed appeals.

Within 30 days of the end of the appeal comment period, SCAG must conduct public hearings to hear all filed appeals. The hearing body will be the RHNA Subcommittee, also known at this point as

the RHNA Appeals Board. The RHNA Appeals Board will be subject to the RHNA Subcommittee Charter, which was adopted by the SCAG Regional Council at their February 7, 2019 meeting. All decisions made by the Appeals Board will be considered final and not reviewed by the CEHD Committee or Regional Council.

Public notice of hearings will be posted within 21 days of the scheduled public hearings. Because it is unknown at this time how many appeals will be filed, SCAG staff is currently unable to set the date of the hearings. However, the public hearings will most likely take place during the latter half of July 2020 assuming that the draft RHNA allocation will be available in early April.

The appeals hearings will be organized by each jurisdiction subject to an appeal. Appeal applicants that have filed an appeal will be allotted time during the public hearing to present their argument for an adjustment to the jurisdiction's draft RHNA allocation. Jurisdictions that are the subject of an appeal but did not file an appeal on their own draft RHNA allocation will also be allotted time to present. SCAG staff will provide a recommendation and staff report for each subject jurisdiction, after which applicants and the subject jurisdiction which did not file an appeal but is the subject of an appeal (if applicable) may present a brief rebuttal. The RHNA Appeals Board is encouraged to make one finding on the subject jurisdiction after hearing all arguments and presentations on each subject jurisdiction. A full description of the public hearing procedures, including time allotments, are including in the 6<sup>th</sup> Cycle RHNA Appeals Procedures, which is an attachment to this report.

All successful appeals, except in determined cases as outlined in the Appeals Procedures Section H, will be reallocated back to all jurisdictions in the SCAG region, including those who had successful appeals. A full description of the methodology for successful appeal redistribution is described in the 6<sup>th</sup> Cycle RHNA Appeals Procedures.

The results of the appeals process and its subsequent reallocation will be included in the proposed final RHNA Allocation Plan, which will be reviewed by the RHNA Subcommittee, CEHD Committee, and Regional Council between August and September 2020. The final RHNA Allocation Plan is scheduled for adoption on October 1, 2020 by the Regional Council.

#### Differences between the 5<sup>th</sup> and 6<sup>th</sup> Cycles Appeals Procedures

There are several noticeable differences between the 5<sup>th</sup> and proposed 6<sup>th</sup> Cycle RHNA Appeals Procedures. First, for the 6<sup>th</sup> Cycle any jurisdiction and HCD may file an appeal on any jurisdiction whereas in the 5<sup>th</sup> cycle only a jurisdiction could file an appeal on its own draft RHNA allocation. Additionally, there were two separate processes in which a jurisdiction could request a reduction to its draft RHNA allocation – a revision request and an appeal. However, due to recent legislation the process has been streamlined into one appeals process.

Moreover in prior RHNA cycles, an appeal could not be based on local ordinances or voter-approved measures that limited the number of residential permits issued. For the 6<sup>th</sup> cycle, in addition to these types of local ordinances, also excluded from appeals are underproduction of housing units since the last RHNA cycle and stable population growth.

#### Next Steps

A draft of the proposed 6<sup>th</sup> Cycle RHNA Appeals Procedures was presented at a public workshop on February 3, 2020. The purpose of the workshop was to provide the public a preview of SCAG staff proposals on the procedures and solicit comments until February 10, 2020. A number of jurisdictions provided written comments on the procedures, several of which have been directly incorporated into the procedures and attachments. Written comments received on the draft 6<sup>th</sup> Cycle RHNA Appeals Procedures can found posted on the RHNA webpage.

SCAG staff presented the updated RHNA Appeals Procedures at the February 24, 2020 RHNA Subcommittee meeting, where the Subcommittee recommended review and approval by the CEHD Committee and Regional Council at their respective March 5, 2020 meetings. Following Regional Council adoption, SCAG will post the procedures along with a final appeal application form and directions for filing an appeal on the SCAG RHNA webpage. Key dates of the appeals process will be finalized after the adoption of the final RHNA methodology.

#### **FISCAL IMPACT:**

Work associated with this item is included in the current FY 19-20 General Fund Budget (800.0160.03: RHNA).

#### **ATTACHMENT(S):**

1. 6th Cycle RHNA Appeals Procedures
2. Exhibit A Appeal Request Form
3. Exhibit C-GOV\_65080.
4. Exhibit C -GOV\_65584.
5. Exhibit C - GOV\_65584.04
6. Exhibit C -GOV\_65584.05
7. RHNA Subcommittee Charter
8. PowerPoint Presentation - RHNA Appeals Procedures

## 6th Cycle RHNA 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 April 10, 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. May 25, 2020<sup>2</sup>. 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 appeal 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, information regarding SCAG's allocation methodology approved by SCAG's Regional Council on March 5, 2020<sup>3</sup>, and application of local factors in the development of SCAG's adopted Final Methodology is attached hereto as Exhibit "B". Appeals based on "change in circumstances" can only be filed by the jurisdiction or jurisdictions where the change in circumstances occurred.

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<sup>1</sup> This date assumes that the draft RHNA allocation will be available in early April 2020. Dates related to the appeal process will be finalized after the adoption of the Final RHNA Methodology.

<sup>2</sup> This date assumes that the draft RHNA allocation will be available in early April 2020. Dates related to the appeal process will be finalized after the adoption of the Final RHNA Methodology.

<sup>3</sup> This date is the scheduled date for adoption of the Final RHNA Methodology by the SCAG Regional Council. In the event of a date change, this section will be amended.

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 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 allocation 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 circumstances 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 pm July 9, 2020<sup>4</sup>. 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 conduct of the appeal hearings. Per the RHNA Subcommittee charter, which was adopted on February 7, 2019 by the Regional Council, 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 August 8, 2020<sup>5</sup>. 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. 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.

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:

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<sup>4</sup> This date assumes that the draft RHNA allocation will be available in early April 2020. Dates related to the appeal process will be finalized after the adoption of the Final RHNA Methodology.

<sup>5</sup> This date assumes that the draft RHNA allocation will be available in early April 2020. Dates related to the appeal process will be finalized after the adoption of the Final RHNA Methodology. Additionally, depending on the number of appeals filed and the complexity of the appeals SCAG may elect to extend this time period by thirty (30) days per Government Code Section 65584.05(i).

**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 (if applicable) 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 (HQT) 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.

DRAFT

List of Exhibits

Exhibit A: Draft RHNA Appeal Form (*pending*)

Exhibit B: SCAG's Adopted 6<sup>th</sup> RHNA Cycle Final Methodology (*pending*)

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

DRAFT

# **Sixth Regional Housing Needs Assessment (RHNA) Cycle Appeal Request**

*All appeal requests must be received by SCAG May 21, 2020, 5 p.m. Appeals should be submitted to [housing@scag.ca.gov](mailto:housing@scag.ca.gov). Late submissions will not be accepted.*

Date:

Jurisdiction Subject to Appeal Filing:

\_\_\_\_\_

\_\_\_\_\_

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**

- RHNA Methodology
- 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

## **FOR STAFF USE ONLY:**

Date \_\_\_\_\_

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

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

**Sixth Regional Housing Needs Assessment (RHNA) Cycle Appeal Request**

*All appeal requests must be received by SCAG May 21, 2020, 5 p.m. Appeals should be submitted to [housing@scag.ca.gov](mailto:housing@scag.ca.gov). Late submissions will not be accepted.*

- 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)

**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):**

**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:**

- 1.
- 2.
- 3.

**FOR STAFF USE ONLY:**

Date \_\_\_\_\_

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

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

**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.)

**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

Page 1 of 2

### **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

Page 2 of 2

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:

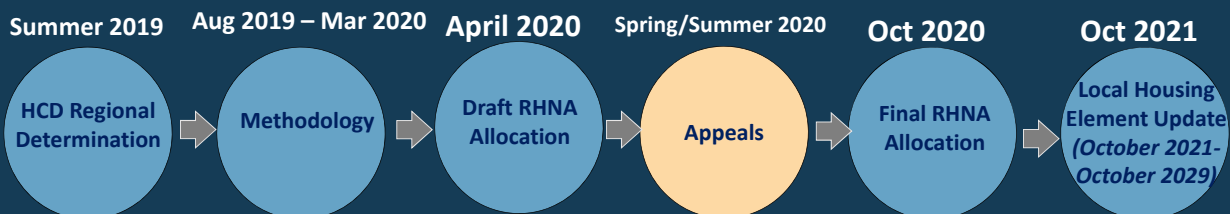
- Review information useful to the development of the RHNA Plan;
- Review and make policy decisions related to the RHNA process including policies for the RHNA methodology, the RHNA methodology, and the draft and final RHNA allocations, and forward such decisions to the CEHD Committee for review and 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.

# RHNA Appeals Procedures

Ma'Ayn Johnson, AICP  
Compliance & Performance  
Monitoring




## RHNA Process Timeline





# Changes to the 6<sup>th</sup> Cycle RHNA Appeals Procedures





 New!	5 <sup>th</sup> cycle	6 <sup>th</sup> cycle
Appeals procedures	Two separate processes – revision request and appeals processes	Only one appeal process
Who can appeal	<ul style="list-style-type: none"> <li>• Jurisdiction</li> </ul>	<ul style="list-style-type: none"> <li>• Jurisdiction</li> <li>• Other jurisdictions</li> <li>• HCD</li> </ul>
Bases for appeal	Cannot be based on: <ul style="list-style-type: none"> <li>• Local ordinances</li> </ul>	Cannot be based on: <ul style="list-style-type: none"> <li>• Local ordinances</li> <li>• Underproduction of housing based on last RHNA</li> <li>• Stable population growth</li> </ul>

# RHNA Appeals Timeline



## Who Can File an Appeal?



- Jurisdiction
-  • Other jurisdictions
-  • California Department of Housing and Community Development (HCD)

## Bases for Appeal



*From Government Code Section 65584.05(b):*

1. Local planning factors and information on affirmatively furthering fair housing (AFFH)
2. Application of final methodology
3. Change in circumstance

Must include statement why the revision is necessary to further the objectives of RHNA law

- See Government Code Section 65584

## Government Code Section 65584: Objectives of RHNA

- 1) To increase the housing supply and mix of housing types, tenure and affordability within each region in an equitable manner
- 2) Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns




## Government Code Section 65584: Objectives of RHNA

- 3) Promoting an improved intraregional relationship between jobs and housing
- 4) Allocating a lower proportion of housing need in income categories in jurisdictions that have a disproportionately high share in comparison to the county distribution
- 5) Affirmatively furthering fair housing



## Bases for Appeal: Local Planning Factors and AFFH



1. Planning opportunities and constraints, including:
  - Existing and projected jobs and housing relationship
  - Water/sewer service based on decisions by provider other than the jurisdiction
  - Open space protected by federal or State programs
  - Rate of overcrowding
  - Presence of a four-year college or university
-  • Affirmatively furthering fair housing
  - Full listing in Government Code Section 65584.04(b) and (e)



## Bases for Appeal: Methodology and Change in Circumstance



2. Application of methodology
3. Change in circumstance
  - Can only be used by jurisdiction where change occurred

## Bases for Appeal



- Appeals cannot be based on:
  - Any local ordinance, policy, voter-approved measure, or standard limiting residential development
-  • Prior underproduction of housing from the previous RHNA
-  • Stable population numbers

## Appeals Comment Period



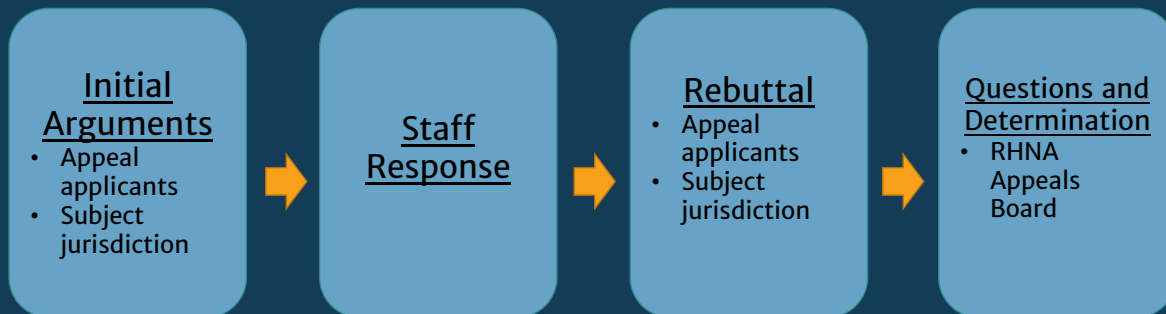
- 45-day comment period after appeals filing due date
- Mid-May to end of June 2020
- SCAG will notify all jurisdictions and HCD of all filed appeals
  - Webpage posting of filed appeals
- Local jurisdictions and HCD can comment on filed appeals

## Appeals Public Hearing



- July 2020 (30 day period)
- All filed appeals will be reviewed and determined by the RHNA Appeals Board (RHNA Subcommittee)
- Hearings will be organized by jurisdictions that are subjects of appeals

## Appeals Public Hearing: Day-of Procedure



## Appeals



- Successful appeals must be reallocated back to the region
- If fewer than 93,928 units are granted, they will be reallocated back proportionally to all jurisdictions
- If more than 93,928 units are granted, SCAG will apply a methodology similar to final methodology existing need formula (pending adoption) above that amount
  - Proportional to county origination
  - 50% based on transit access
  - 50% based on job access
  - Disadvantaged jurisdictions exempt from reallocation above ~94,000

## Final RHNA Allocation



- Appeal decisions by the RHNA Appeals Board are final and not subject to review by CEHD and Regional Council
- Reallocation of successful units cannot be appealed
- All appeals will be included in the proposed final RHNA allocation
- Public Hearing to adopt final RHNA allocation
  - October 2020



## Next Steps



February 24, 2020

- RHNA Subcommittee
- Final RHNA methodology
  - Appeals procedures

March 5, 2020

- CEHD
- Final RHNA methodology
  - Appeals procedures

- Regional Council
- Final RHNA methodology
  - Appeals procedures

April 2, 2020

- Regional Council
- Release of draft RHNA allocation

Early April, 2020

- Start of RHNA appeal filing period

## POST-APPEAL REALLOCATION



## Post-appeal reallocation of regional housing need



- Regional Determination is 1,341,827 total units
- Regionally, this is greater than 20% the current housing stock\*
- HCD's determination did **not** provide a range. Units from successful appeals would have to go somewhere else.
- Post-appeal redistribution must still further RHNA's statutory objectives
  - HCD can appeal
  - HCD can comment on appeals
  - HCD reviews the Final Allocation Plan (post-appeals)

\*Per CA DOF E-5 estimates, as of 1/1/2019

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## For more information

[www.scag.ca.gov/rhna](http://www.scag.ca.gov/rhna)

Email: [housing@scag.ca.gov](mailto:housing@scag.ca.gov)





Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT COMMITTEE  
MINUTES OF THE MEETING  
THURSDAY, February 6, 2020

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE CEHD COMMITTEE. A VIDEORECORDING OF THE ACTUAL MEETING IS AVAILABLE AT: <http://scag.igm2.com/Citizens/>  
The Community, Economic and Human Development (CEHD) met at SCAG, 900 Wilshire Blvd., Suite 1700, Los Angeles, CA 90017. A quorum was present.

**Members Present:**

**Hon. Peggy Huang, Chair**

**Hon. Stacy Berry, Vice Chair**

Hon. M. Belén Bernal

Hon. Russell Betts

Hon. Wendy Bucknum

Hon. Michael C. Carroll

Hon. Rose Espinoza

Hon. Margaret E. Finlay

Hon. Micheal Goodland

Hon. Bill Hodge

Hon. Tim Holmgren

Hon. Cecilia Hupp

Hon. Bill Jahn

Hon. Robert "Bob" Joe

Hon. Kathleen Kelly

Hon. Jed Leano

Hon. Marisela Magana

Hon. Jorge Marquez

Hon. Anni Marshall

Hon. Lauren Meister

Hon. Bill Miranda

Hon. John Mirisch

Hon. Steve Nagel

Hon. Trevor O'Neil

Hon. Michael Posey

Hon. Jim Predmore

***Cypress***

*South Gate*

*Desert Hot Springs*

*Mission Viejo*

*Irvine*

*La Habra*

*Duarte*

*Jurupa Valley*

*Calexico*

*Fillmore*

*Brea*

*Big Bear Lake*

*South Pasadena*

*Palm Desert*

*Claremont*

*Perris*

*Covina*

*Avalon*

*West Hollywood*

*Santa Clarita*

*Beverly Hills*

*Fountain Valley*

*Anaheim*

*Huntington Beach*

**TCA**

**District 18**

GCCOG

*Pres. Appt., Member at Large*

District 13

District 14

OCCOG

District 35

WRCOG

ICTC

District 47

OCCOG

District 11

AVCJPA

District 2

SGVCOG

District 69

District 33

GCCOG

WSSCOG

SFVCOG

*Pres. Appt., Member-at-Large*

*District 15*

District 19

OCCOG

ICTC

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*Be Open | Lead by Example | Make an Impact | Be Courageous*



Hon. Jan Pye	<i>Desert Hot Springs</i>	CVAG
Hon. Paul Rodriguez	<i>Chino</i>	<i>Pres. Appt., Member-at-Large</i>
Hon. Lyn Semeta	<i>Huntington Beach</i>	District 64
Hon. Mark Waronek	<i>Lomita</i>	SBCCOG
Hon. Acquanetta Warren	<i>Fontana</i>	SBCTA

**Members Not Present**

Hon. Al Austin, II	<i>Long Beach</i>	GCCOG
Hon. David Avila	<i>Yucaipa</i>	SBCTA
Hon. Megan Beaman Jacinto	<i>Coachella</i>	District 66
Hon. Juan Carrillo	<i>Palmdale</i>	North L.A. County
Hon. Steve De Ruse	<i>La Mirada</i>	GCCOG
Hon. Vartan Gharpetian	<i>Glendale</i>	<i>Pres. Appt., Member at Large</i>
Hon. Cecilia Iglesias	<i>Santa Ana</i>	District 16
Hon. James Mulvihill	<i>San Bernardino</i>	<i>Pres. Appt., Member at Large</i>
Hon. Edward Paget	<i>Needles</i>	SBCTA
Hon. Rita Ramirez	<i>Victorville</i>	District 65
Hon. Rex Richardson	<i>Long Beach</i>	District 29
Hon. Sonny Santa Ines	<i>Bellflower</i>	District 24
Hon. David Shapiro	<i>Calabasas</i>	LVMCOG
Hon. Becky Shevlin	<i>Monrovia</i>	SGVCOG
Hon. Tri Ta	<i>Westminster</i>	District 20
Hon. Joseph Tessari	<i>Eastvale</i>	WRCOG
Hon. Tony Wu	<i>West Covina</i>	SGVCOG
Hon. Frank Yokoyama	<i>Cerritos</i>	District 23
Hon. Frank Zerunyan	<i>Rolling Hills Estates</i>	SBCCOG

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Honorable Peggy Huang, called the meeting to order at 10:00 a.m. and asked Councilmember Jed Leano, City of Claremont, SGVCOG, to lead the Pledge of Allegiance.

**PUBLIC COMMENT PERIOD**

There were no public comments received.

**REVIEW AND PRIORITIZE AGENDA ITEM/S**

There were no reprioritizations made.

**CONSENT CALENDAR**

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**Approval Items**

1. Minutes of the October 3, 2019 Meeting
2. Minutes of the October 21, 2019 Special Meeting

**Receive & File**

3. State HCD Review Findings of SCAG's Draft RHNA Methodology
4. Go Human Outlook – Safety Strategies and Resources

A MOTION was made (Kelly) to approve the Consent Calendar. Motion was SECONDED (Jahn) and passed by the following votes:

**FOR:** BERNAL, BERRY, BETTS, BUCKNUM, CARROLL, ESPINOZA, HOLMGREN, HUANG, HUPP, JAHN, JOE, KELLY, LEANO, MAGANA, MARQUEZ, MARSHALL, MIRANDA, NAGEL, POSEY, PREDMORE, PYE, AND RODRIGUEZ (22).

**AGAINST:** NONE (0).

**ABSTAIN:** MIRISCH (1).

**INFORMATION ITEMS**

5. Financial Tools to Preserve Affordable Housing

Chair Huang introduced Steve PonTell, Chief Executive Officer and President of National Community Renaissance. He stated that today's presentation would focus on a variety of initiatives of a pilot program where private sector funding can participate, in conjunction with the public sector. He introduced Jennifer McElyea, Senior Managing Partner, Watt Investment Partners, who discussed a variety of tools available to address the housing crisis, including providing financial incentives for local jurisdictions to invest in and preserve naturally expiring affordable housing.

Ms. McElyea's presentation included an overview of how the Welfare Exemption tax codes and private capital mechanisms could be incentivized as a tool to help preserve existing affordable housing. She discussed its applicability and benefits for partnering with the private sector to invest in housing, which could also include the reduction of greenhouse gas emissions.

Mr. PonTell and Ms. McElyea responded to the comments and questions expressed by the committee members, including questions on ways to make the program work for permanent housing, and comments on the availability of receiving RHNA credits for preserving housing in this 6<sup>th</sup> RHNA cycle.

President Jahn reported that SCAG's leadership will be leading a delegation to Sacramento to meet with State Legislators. He noted that this pilot program would be included in the discussions.

The full presentation was included in today's agenda packet.

#### 6. Resolution No. 20-618-1 Regarding Regional Funding for Housing

Sarah Jepson, Planning Director, and Ma'Ayn Johnson, SCAG Staff, provided a brief overview of the Assembly Bill (AB) 101 program which was appropriated with funding for two new one-time programs to provide regions and jurisdictions with grants for planning activities, to enable jurisdictions to increase housing planning, and to accelerate housing production to meet housing needs determined in the sixth cycle of RHNA.

Ms. Jepson reported that the Executive Administration Committee (EAC) approved an action today that recommends that the Regional Council authorize SCAG to apply for advanced funding of 25% or \$11,867,755 of its maximum eligible funding allowed under the Regional Early Action Program (REAP). Ms. Jepson described the public and stakeholder engagement process and noted that a broader description of both programs and the eligible planning activities was included in the agenda packet.

Ma'Ayn Johnson described the mechanics of the Local Early Action Program (LEAP) and REAP programs. She noted that the LEAP program allows direct funding to jurisdictions to support local planning efforts and process improvements to increase housing production. She explained that the REAP program intends to provide funding to designated councils of governments, including SCAG (SCAG is eligible to apply for up to \$47,471,023 in one-time funding) to accelerate housing production through regional programs and providing funding to local jurisdictions based on criteria developed by SCAG. Ms. Johnson commented that SCAG is in the beginning stages for developing program objectives that align with regional and jurisdictional priorities, including the development of a Housing Program Framework for REAP. Ms. Johnson noted that there is some urgency to spend the grants as the deadline for spending all funds for both the LEAP and REAP programs is December 31, 2023.

SCAG staff responded on the comments and questions expressed by the committee members, including concerns for funding eligibility for an affordable housing trust fund, equitable funding formulations for jurisdictions with higher RHNA allocations and direct funding to organizations that are eligible and ready to receive funding.

#### 7. Advancement of the Growth Vision for Connect SoCal

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Kimberly Clark, SCAG Staff, provided a presentation on Connect SoCal's Advancement of the Growth Vision. She provided background information for developing the Draft Connect SoCal plan's Growth Vision and the Draft SoCal plan's Growth Forecast Principles, which were drafted in partnership with stakeholders from SCAG's Technical Working Group (TWG).

Ms. Clark described the one-on-one engagements process completed with local jurisdictions, Regional Planning Working Groups and Public workshops, seeking feedback for finalizing Connect SoCal's vision of future growth.

Additional topics focused on the Draft Connect SoCal Plan's growth vision methodology, priority growth areas, constrained areas, growth forecast principles, feedback summary and next steps.

SCAG staff responded on the comments and questions expressed by the committee members, including concerns for the final vote and adoption date of the Plan and when local jurisdictions will be notified of any Land Use changes. Additionally, SCAG staff noted that the Draft Growth Vision maps may be accessed on SCAG's Open Data Portal webpage, which is accessible from the SCAG main website.

Moving forward, SCAG staff noted that SCAG will continue to utilize local feedback to finalize the regional Growth Vision, and that there will be an additional update and report provided at the March CEHD Committee meeting. Ms. Jepson noted that a vote on the final release is anticipated at the April 2, 2020 Joint Policy Committee meeting, with a recommendation for adoption to the Regional Council at its April 2, 2020 meeting.

The full presentation was included in the agenda packet.

#### **CHAIR'S REPORT**

Chair Huang announced that nominations for Chair and Vice Chair will be coming soon.

#### **STAFF REPORT**

Ma'Ayn Johnson, SCAG Staff, asked the Committee to mark their calendars for a webinar on local housing funding hosted by HCD on February 20, 2020 from 1:00 p.m.-3:30 p.m. An email blast will be sent to local jurisdictions.

#### **ANNOUNCEMENTS**

Chair Huang welcomed CEHD's newest members: Hon. Acquanetta Warren, City of Fontana, and Hon. Micheal Goodland, City of Jurupa Valley.

#### **ADJOURNMENT**

There being no further business, Chair Huang adjourned the CEHD Committee meeting at 11:00 a.m.

Respectfully submitted by:

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Carmen Summers  
Community, Economic and Human Development Committee Clerk

[MINUTES ARE UNOFFICIAL UNTIL APPROVED BY THE CEHD COMMITTEE]  
//

CEHD Members

2020

MEMBERS	CITY	Representing	JAN (dark)	FEB	MAR	APR	MAY	JUNE	JULY	AUG (dark)	SEPT	OCT	NOV	DEC	Tot Atte [
Austin, Al	Long Beach	GCCOG													
Avila, David	Yucaipa	SBCTA													
Beaman Jacinto, Megan	Coachella	District 66													
Bernal, M. Belén	South Gate	GCCOG		1											
Berry, Stacy, V-Chair	Cypress	District 18		1											
Betts, Russell	Desert Hot Springs	President's Appointment		1											
Bucknum, Wendy	Mission Viejo	District 13		1											
Carrillo, Juan	Palmdale	North LA County													
Carroll, Michael, C.	Irvine	District 14		1											
DeRuse, Steve	La Mirada	District 31													
Espinoza, Rose	La Habra	OCCOG		1											
Finlay, Margaret	Duarte	District 35		1											
Gharpetian, Vartan	Glendale	President's Appointment													
Goodland, Micheal	Jurupa Valley	WRCOG		1											
Hodge, Bill	Calexico	ICTC		1											
Holmgren, Tim	Fillmore	District 47		1											
Huang, Peggy, Chair	Yorba Linda	TCA		1											
Hupp, Cecilia	Brea	OCCOG		1											
Iglesias, Cecilia	Santa Ana	District 16													
Jahn, Bill	Big Bear Lake	District 11		1											
Joe, Robert	So. Pasadena	AVCJPA		1											
Kelly, Kathleen	Palm Desert	District 2		1											
Leano, Jed	Claremont	SGVCOG		1											
Magana, Marisela	Perris	District 69		1											
Marquez, Jorge	Covina	District 33		1											
Marshall, Ann	Avalon	GCCOG		1											
Meister, Lauren	West Hollywood	WSCCOG		1											
Miranda, Bill	Santa Clarita	SFVCOG		1											
Mirisch, John	Beverly Hills	President's Appointment		1											
Mulvihill, James	San Bernardino	President's Appointment													
Nagel, Steve	Fountain Valley	District 15		1											
O'Neil, Trevor	Anaheim	District 19		1											
Paget, Ed	Needles	SBCTA													
Posey, Michael	Huntington Beach	OCCOG		1											
Pradmore, Jim		ICTC		1											
Pye, Jan	Desert Hot Springs	CVAG		1											
Ramirez, Rita	Victorville	District 65													
Richardson, Rex	Long Beach	District 29													
Rodriguez, Paul	Chino	President's Appointment		1											
Santa Ines, Sonny	Bellflower	District 24													
Semeta, Lyn	Huntington Beach	District 64													
Shapiro, David	Calabasas	LVMCOG													
Shevlin, Becky	Monrovia	SGVCOG													
Ta, Tri	Westminster	District 20													
Tessari, Joseph	Eastvale	WRCOG													
Waronek, Mark	Lomita	SBCCOG		1											
Warren, Acquanetta	Fontana	SBCTA		1											
Wu, Tony	West Covina	SGVCOG													
Yokoyama, Frank	Cerritos	District 23													
Zerunyan, Frank	Rolling Hills Estates	SBCCOG													

Attachment: Attendance Sheet (Minutes of the February 6, 2020 Meeting)

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**AGENDA ITEM 4  
REPORT**

Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

**To:** Community  
Economic & Human Development Committee (CEHD)  
Energy & Environment Committee (EEC)  
Transportation Committee (TC)  
Regional Council (RC)  
**From:** John Cho, Senior Regional Planner, Research & Analysis, (213)  
236-1847, choj@scag.ca.gov  
**Subject:** 31st Annual Demographic Workshop - Save the Date

**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION:**  
Receive and File

**STRATEGIC PLAN:**  
This item supports the following Strategic Plan Goal 3: Be the foremost data information hub for the region.

**EXECUTIVE SUMMARY:**  
*The Save the Date information for the 31<sup>st</sup> Annual Demographic workshop provides a theme and the date of the workshop, which will be jointly held with the USC Sol Price School of Public Policy, on June 11, 2020 at the University of Southern California*

**BACKGROUND:**  
The USC Sol Price School of Public Policy and the Southern California Association of Governments (SCAG) are pleased to invite you to the 31<sup>th</sup> Annual Demographic Workshop at USC's Trojan Grand Ballroom on Thursday, June 11<sup>th</sup>, 2020 from 8:30 AM to 3:30 PM.

With an ever-slowing population growth, this year's program, "What does it mean to be a slow growth state? – Catching up to unmet needs with slower population growth" provides the most recent update on demographic trends and their implications as we begin a new decade. The decennial census of 2020 also is currently in the field and we will hear updates on progress and challenges. Close-ups will then be provided on the latest trends in migration, fertility, and aging statistics. Additional panels will focus on implications of demographic changes for housing and offer reflections on the close linkage between demographics and long-range regional planning.

The program will also include a special lunch keynote address (to be announced) and a series of expert-led roundtable discussions to build skills about topics discussed throughout the day.

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**OUR CORE VALUES**  
*Be Open | Lead by Example | Make an Impact | Be Courageous*



**FISCAL IMPACT:**

Work associated with this item is included in the current FY 2019-20 Budget under 800-0160.04.



**AGENDA ITEM 5  
REPORT**

Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

**To:** Executive/Administration Committee (EAC)  
Community  
Economic & Human Development Committee (CEHD)  
Regional Council (RC)  
**From:** Kome Ajise, Executive Director, Executive Management, 213-  
236-1835, Ajise@scag.ca.gov  
**Subject:** Regional Early Action Planning (REAP) Grant Subregional  
Partnership Program & Funding Allocation

**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION FOR EAC:**

Recommend Regional Council authorize staff to develop a process and formula to make up to 50 percent, or \$23,736,000 of REAP funds available to SCAG to: 1) incentivize and support local partnerships implementing eligible activities, leveraging SB 2 Planning Grants and Local Early Action Planning (LEAP) grant funds where appropriate; and 2) make funds available relative to each subregion's total share of regional housing need, as determined by the adopted Regional Housing Needs Assessment (RHNA) allocation.

**RECOMMENDED ACTION FOR CEHD:**

Receive and File

**RECOMMENDED ACTION FOR REGIONAL COUNCIL:**

Authorize staff to develop a process and formula to make up to 50 percent, or \$23,736,000 of REAP funds available to SCAG to: 1) incentivize and support local partnerships implementing eligible activities, leveraging SB 2 Planning Grants and local LEAP funds where appropriate; and 2) make funds available relative to each subregion's total share of regional housing need, as determined by the adopted Regional Housing Needs Assessment (RHNA) allocation.

**STRATEGIC PLAN:**

This item supports the following Strategic Plan Goal 2: Advance Southern California's policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

**EXECUTIVE SUMMARY:**

***The California 2019-20 Budget Act, also known as Assembly Bill (AB) 101, appropriated one-time programs to provide regions with grants for planning activities to enable jurisdictions to increase housing planning and accelerate housing production in order to meet housing needs as determined by the Sixth Cycle Regional Housing Needs Assessment (RHNA). Local governments***

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*are separately eligible for formula-based planning grants under the Local Early Action Program (LEAP) and regional governments are eligible for grants supporting the RHNA process and support of LEAP activities under the Regional Early Action Planning Program (REAP.) Up to \$47.5 million is available for SCAG under the REAP for eligible activities.*

*Consistent with the Draft Regional Housing Program Framework of February 6, 2020, SCAG staff recommends authorizing staff to develop a process and formula to make up to 50 percent, or \$23,735,500 of REAP funds available to SCAG to: 1) incentivize and support local partnerships implementing eligible activities, leveraging SB 2 Planning Grants and local LEAP funds where appropriate; and 2) make funds available relative to each subregion's total share of regional housing need, as determined by the adopted Regional Housing Needs Assessment (RHNA) allocation.*

**BACKGROUND:**

The California 2019-20 Budget Act, also known as Assembly Bill (AB) 101, appropriated one-time programs to provide regions with grants for planning activities to enable jurisdictions to increase housing planning and accelerate housing production in order to meet housing needs as determined by the sixth Cycle Regional Housing Needs Assessment (RHNA). Up to \$47,471,023 is available for SCAG under the Regional Early Action Planning (REAP) grants for eligible activities.

On February 6, 2020 the Executive/Administration Committee and Regional Council reviewed **information about the REAP and LEAP funds, including a Draft Regional Housing Framework and early survey indications of needs of SCAG jurisdictions**, and authorized SCAG staff to apply for up to twenty-five (25) percent of the \$47.5 million for early program funding. Information related to the early application was also shared at the February 6, 2020 CEHD Committee meeting. At the time of this report, SCAG staff is putting together an application to submit to the California Department of Housing & Community Development (HCD) based on this authorization.

As part of its regional commitment in assisting jurisdictions plan for and accelerate housing production while coordinating regional planning efforts, SCAG staff recommends setting aside up to fifty (50) percent of its total eligible REAP funding, or \$23,736,000 (rounded), for availability based on the aggregate share of regional housing need of jurisdictions within each subregion, or its final RHNA allocation.

Applications for LEAP funds by local governments are due to HCD by July 1, 2020. Due to the comparatively short time for expenditure of both the LEAP and REAP funds (2023) and the comparatively small amount of LEAP funds many of our jurisdictions are eligible for, partnerships addressing common activities within subregions are desirable. It will be desirable to minimize the amount of separate individual contracts, with associated contract management and reporting requirements. REAP funds can support local governments in accessing the eligible LEAP funds and



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leverage those as well as related SB 2 Planning grant activities. Beyond the twenty-five percent advance funds, the REAP funds are available on a reimbursement, rather than an advance basis. Because the final RHNA allocation is planned for adoption on October 1, 2020, funds based on this formula will not be available until after this date. The intention of this funding will be to assist jurisdictions in speeding up the production of housing and a variety of activities eligible for funding, such as updating housing elements and streamlining permitting processes.

To maximize resources, SCAG also recommends that allocations to assist jurisdictions be made available on a subregional basis. Below is a table of each SCAG subregion's share of funding set aside for assisting jurisdictions based on the February 13, 2020 estimate of the draft RHNA allocation based on the staff recommended final RHNA methodology. Because the County of Los Angeles and County of Riverside span multiple subregions, they will be listed as individual subregional partners for this program's purposes. Likewise, the City of Los Angeles will be also listed as a subregional partner.

Subregion	Subregional share of funding based on estimated draft RHNA allocation <sup>1</sup>	Subregional funding based on estimated draft RHNA allocation (rounded) <sup>1</sup>
Arroyo Verdugo	1.7%	\$392,000.00
CVAG	2.4%	\$558,000.00
Gateway	5.5%	\$1,316,000.00
Imperial	1.2%	\$282,000.00
Las Virgenes-Malibu	0.1%	\$16,000.00
City of Los Angeles	34.0%	\$8,058,000.00
County of Los Angeles (Unincorporated Portion)	6.7%	\$1,589,000.00
North LA County	2.0%	\$485,000.00
OCCOG	13.7%	\$3,245,000.00
County of Riverside (Unincorporated Portion)	3.0%	\$721,000.00
SBCTA/SBCOG	10.3%	\$2,437,000.00
SGVCOG	6.7%	\$1,582,000.00
South Bay Cities	2.5%	\$603,000.00
Ventura	1.8%	\$432,000.00
Westside Cities	1.4%	\$340,000.00
WRCOG	7.1%	\$1,678,000.00
Total	100.0%	\$23,736,000.00

SCAG will be using some of the Advance REAP funding to further develop the Regional Housing Program framework on the remaining 50 percent of its eligible REAP funding, including a RHNA-based formula benefiting intended recipients. SCAG will be collaborating with technical assistance to be available by HCD for LEAP and REAP to coordinate availability with direct jurisdictional funding from programs such as SB 2 and LEAP grants in order to maximize all funding sources available to jurisdictions. SCAG will continue to update the EAC, CEHD Committee, and Regional Council on program progress, as needed.

**FISCAL IMPACT:**

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<sup>1</sup> This allocation is based on the February 13, 2020 draft RHNA allocation estimate tool, which is based on the staff recommended final RHNA methodology. The final RHNA allocation plan is anticipated for adoption by the SCAG Regional Council on October 1, 2020.



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Current work on the Regional Housing Needs Assessment is included in the current FY 19-20 General Fund Budget (800.0160.03: RHNA). There is no immediate fiscal impact for the tasks proposed under these funds. When awarded, the AB 101 REAP funds will be programmed in the Overall Work Program (OWP).

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Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

**To:** Community  
Economic & Human Development Committee (CEHD)  
Transportation Committee (TC)  
Energy and Environment Committee (EEC)  
**From:** Grieg Asher, Program Manager I, Sustainability, (213) 236-1869, asher@scag.ca.gov  
**Subject:** Building Sector Decarbonization

**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION FOR EEC:**  
Information Only – No Action Required

**RECOMMENDED ACTION FOR CHED AND TC:**  
Receive and File

**STRATEGIC PLAN:**  
This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

**EXECUTIVE SUMMARY:**  
*Panama Bartholomy, Executive Director for the Building Decarbonization Coalition will present an overview of recent trends in building decarbonization in California, and discuss opportunities to transition to a clean energy future.*

**BACKGROUND:**  
According to the California Air Resources Board (CARB), California is not currently on track to meet its 2045 goal of carbon neutrality and an 80% reduction in GHG emissions from all sectors by 2050. To reduce statewide emissions to these levels, California needs to double the rate at which it is cutting carbon. Achieving a low carbon economy by 2050 requires an early start and continuous progress on decarbonization. Residential buildings produce roughly two-thirds of the state’s building emissions. SCAG’s 2050 Pathways Study (2019) concluded that rapid and sustained decarbonization in both the transportation and building sectors are needed in the SCAG region to meet statewide GHG emission reduction targets. In response to the challenge of decarbonizing buildings, dozens of California cities have adopted stricter energy codes and other strategies to ensure that new buildings are highly energy efficient or carbon neutral.



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Panama Bartholomy, Executive Director for the Building Decarbonization Coalition will present an overview of recent trends in building decarbonization in California, and discuss opportunities to transition to a clean energy future. The Coalition works with local and statewide decision-makers to develop and support strong policies to reduce building emissions. The Coalition includes building industry stakeholders, energy providers, environmental organizations and local governments.

**FISCAL IMPACT:**

No Fiscal Impact. This is not a SCAG funded project.



Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

**To:** Community  
Economic & Human Development Committee (CEHD)  
Transportation Committee (TC)  
Energy and Environment Committee (EEC)  
**From:** Joseph Cryer, Associate Regional Planner, Sustainability, (213)  
236-1837, cryer@scag.ca.gov  
**Subject:** Permitting Electric Vehicle Supply Equipment

**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION FOR EEC:**

For Information Only – No Action Required

**RECOMMENDED ACTION FOR CEHD AND TC:**

Receive and File

**STRATEGIC PLAN:**

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy. 4: Provide innovative information and value-added services to enhance member agencies’ planning and operations and promote regional collaboration.

**EXECUTIVE SUMMARY:**

*SCAG staff have partnered with the Governor’s Office of Business and Economic Development (GO-Biz) to help accelerate electric vehicle supply equipment (EVSE) installations across the region. Lengthy permitting processes have been a barrier to the efficient and widespread deployment of EVSE across the state, so the State signed Assembly Bill 1236 into law in 2015 requiring authorities having jurisdiction to streamline EVSE permitting. A survey conducted by SCAG and GO-Biz found that only 12% jurisdictions in the SCAG region are substantially in compliance with AB 1236. A speaker from GO-Biz will discuss the findings of the assessment, their efforts to promote EVSE permit streamlining, and an upcoming permit streamlining workshop at SCAG on March 10<sup>th</sup>.*

**BACKGROUND:**

In October 2015, former California Governor Jerry Brown signed Assembly Bill 1236 into law requiring authorities having jurisdiction in the state to streamline permitting for electric vehicle supply equipment (EVSE), also referred to as charging stations. The law requires cities and counties to enact an ordinance to create an expedited and streamlined permitting process for electric vehicle

**OUR MISSION**

*To foster innovative regional solutions that improve the lives of Southern Californians through inclusive collaboration, visionary planning, regional advocacy, information sharing, and promoting best practices.*

**OUR VISION**

*Southern California’s Catalyst for a Brighter Future*

**OUR CORE VALUES**

*Be Open | Lead by Example | Make an Impact | Be Courageous*

charging stations. Jurisdictions with 200,000 or more residents were required to adopt an ordinance by September 30, 2016, while jurisdictions with under 200,000 had until September 30<sup>th</sup>, 2017. Several years later many jurisdictions in the state and SCAG region are still not fully compliant with AB 1236.

Non-compliance with AB 1236 has slowed the growth of EVSE needed to support the State's goal of 1.5 million zero-emission passenger vehicles on the road by 2025 and five million by 2030. Charging station developers report of frequent delays and barriers to obtaining a permit to install EVSE in most cities and counties in the state. Electrify America, one of the leading charging station developers in the state, has found that the average permitting time in California exceeds the national average by more than 70%, stations must be redesigned 30% more frequently during design and permitting in California, and stations in California cost 22% more to build. Other charging station developers indicate a similar experience working across California.

To support implementation of AB 1236 and speed development of EVSE infrastructure across the state, the Governor's Office of Business and Economic Development (GO-Biz) published the state's Electric Vehicle Charging Station Guidebook in July of 2019. As a companion to the guidebook, GO-Biz released an Electric Vehicle Charging Station Permit Streamlining Map to track progress toward streamlining permitting processes throughout the state. The map is designed to highlight communities that have implemented best practices and help other communities identify gaps in compliance. This map tracks California's EVCS permitting status progress by categorizing and color-coding jurisdictions as "**Streamlined**" (green), "**Partially Streamlined**" (yellow), and "**Not Streamlined**" (red). A preview of the map is shown in **Figure 1** on the following page. GO-Biz evaluates each jurisdiction based on ordinances, EVCS permitting checklist, city and county website information along with feedback from charging station developers. The seven AB 1236 criteria evaluated for grading are below:

1. **Streamlining Ordinance** - Ordinance creating an expedited, streamlined permitting process for electric vehicle charging stations (EVCS) including level 2 and direct current fast chargers (DCFC) has been adopted.
2. **Permitting checklists covering L2 and DCFC** - Checklist of all requirements needed for expedited review posted on city or county website
3. **Administrative approval of EVCS** - EVCS projects that meet expedited checklist are administratively approved through building or similar non-discretionary permit.
4. **Approval limited to health and safety review** - EVCS project review limited to health and safety requirements found under local, state, and federal law.
5. **Electric signatures accepted** - AHJ accepts electronic signatures on permit applications.
6. **EVCS not subject to association approval** - EVCS permit approval not subject to approval of an association (as defined in Section 4080 of the Civil Code).



7. **One complete deficiency notice** - AHJ commits to issuing one complete written correction notice detailing all deficiencies in an incomplete application and any additional information needed to be eligible for expedited permit issuance.

GO-Biz developed grading criteria based on the requirements of AB 1236 to evaluate if cities and counties have streamlined their EVCS permitting and met the requirements and intent of the law. SCAG staff partnered with GO-Biz to complete a survey of all jurisdictions in the SCAG region. Five years after the legislation was passed and three years after every jurisdiction in California needed to comply with the law, GO-Biz found that only **16%** of the cities and counties that have been graded in the state have met the requirements of AB 1236 to streamline their EVCS permitting. This compares to **12%** of cities and counties in SCAG’s 6-county region that are considered streamlined. **Figure 2** and **Figure 3** show the state’s and region’s progress toward becoming fully compliant as of February 11<sup>th</sup>, 2020.

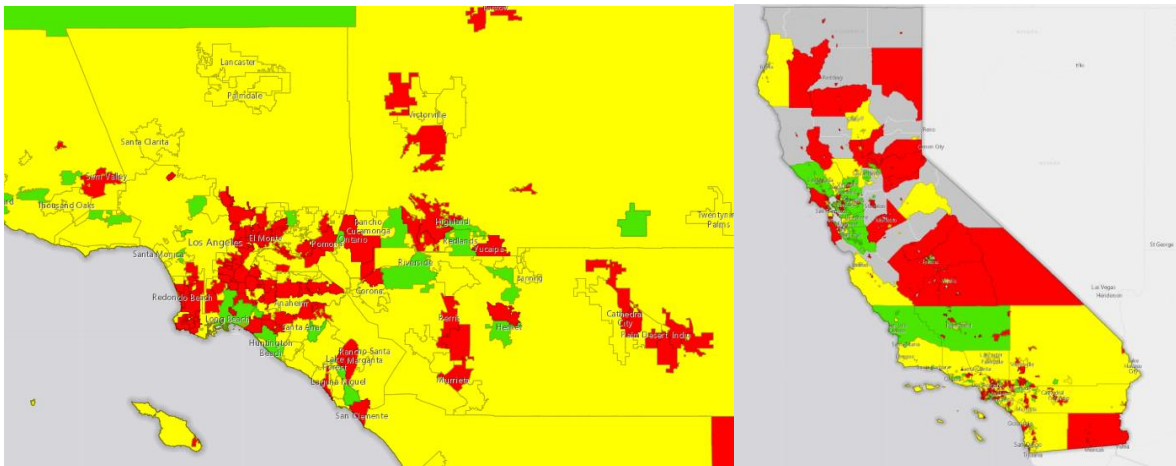


Figure 1 - Preview of the Electric Vehicle Charging Station Permit Streamlining Map available at <https://business.ca.gov/ZEVReadiness>

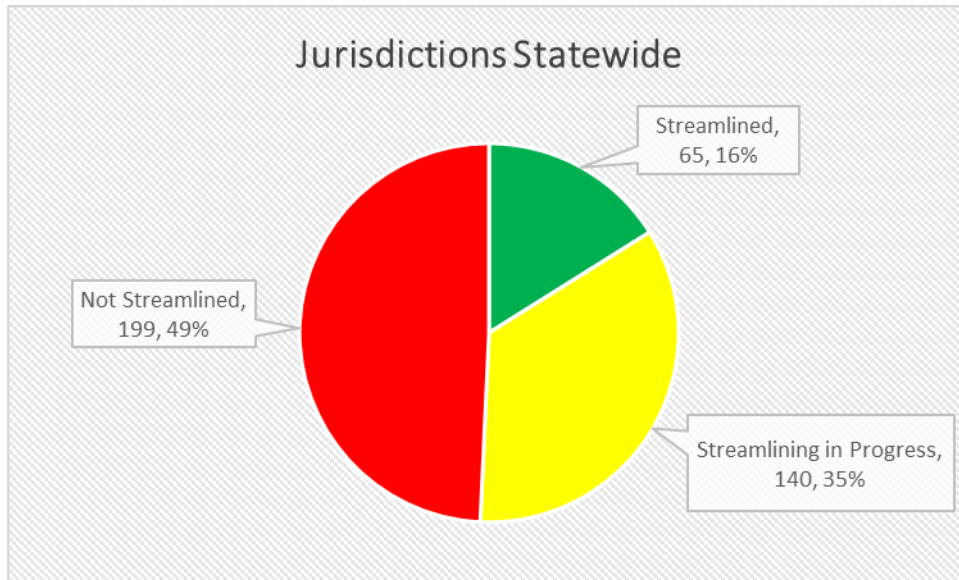


Figure 2 - Statewide Compliance with AB 1236 (404 graded cities and counties out of 540)

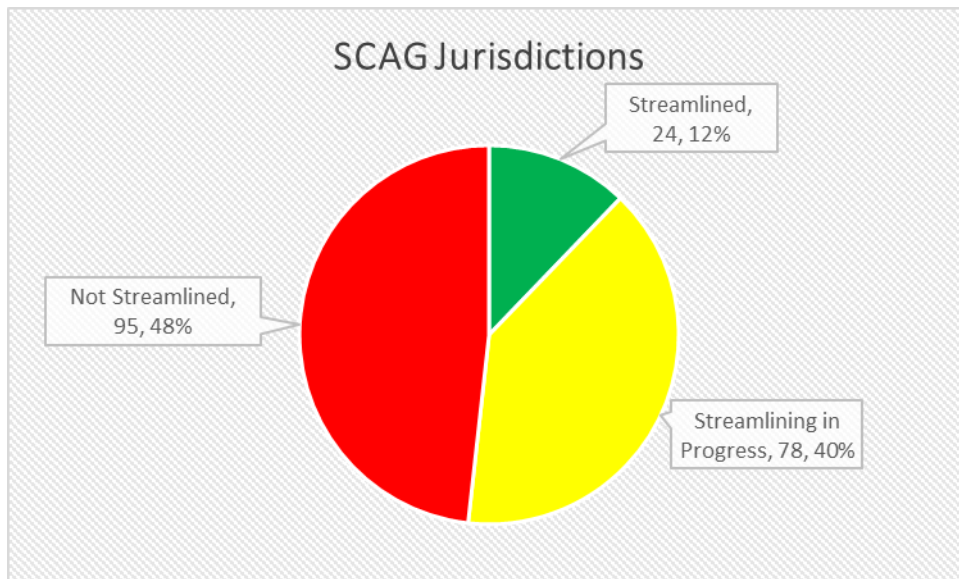


Figure 3 - SCAG Region Compliance with AB 1236 (all jurisdictions graded)

The EVSE permitting process remains a significant barrier for transportation electrification, but addressing permitting issues offers a tremendous opportunity to reduce the cost of installing charging infrastructure. The cost to install charging stations is currently three to five times higher than the cost of the charger itself, a much higher ratio compared to the average charger to

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installation cost in Europe. According to the Rocky Mountain Institute and illustrated in **Figure 4**, soft costs (i.e., processing costs, marketing costs, opportunity costs and notably, the cost of delays in permitting) have the greatest possibility for cost reduction in installing EVSE. While it is vexing to establish streamlined permitting procedures in California’s 540 jurisdictions, statewide compliance with AB 1236 offers a major chance to reduce the barriers to install charging stations and hastening the transition to an electrified transportation system that is a goal of the State and in the Draft Connect SoCal’s plan for “Accelerated Electrification” in the region.

GO-Biz plans to continue working with SCAG by developing tools and resources to help the jurisdictions in Southern California prepare for a zero-emission future. On March 10<sup>th</sup>, SCAG and GO-Biz will host a workshop to help promote best practices supporting infrastructure for battery electric and hydrogen fuel cell passenger vehicles. A flyer for this event is included with this staff report. Based on the feedback from the March 10<sup>th</sup> Workshop, SCAG and GO-Biz will evaluate how to best tailor future ZEV outreach initiatives and events. This will be the first of many collaborations between GO-Biz and SCAG on EVCS permit streamlining across Southern California – particularly because complementary regional initiatives including the Los Angeles Clean Tech Incubator’s (LACI) Zero Emissions 2028 Roadmap 2.0 and California’s existing zero emission goals and policies.

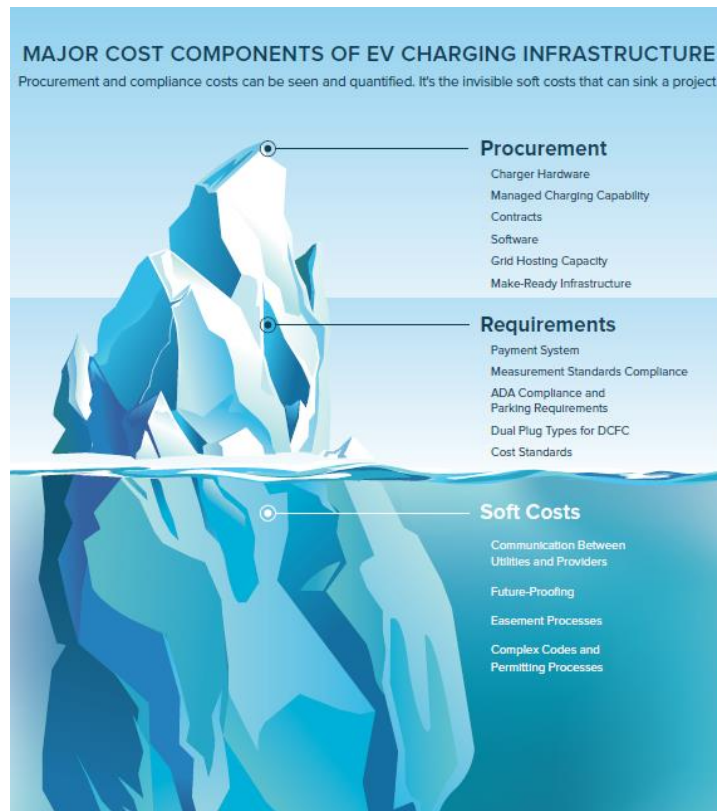


Figure 4 - From the Rocky Mountain Institute, Reducing EV Charging Infrastructure Costs, 2019

*Other GO-Biz initiatives*

The Governor’s Office of Business and Economic Development (GO-Biz) serves as the State of California’s leader for job growth, economic development and business assistance efforts. GO-Biz has a ZEV Market Development Team specifically dedicated to cultivating opportunities to accelerate zero emission vehicle market growth. The ZEV team works to develop stakeholder collaboration among government agencies, industry and the public as we work towards our zero emission vehicle goals as a state.

**FISCAL IMPACT:**

Work conducted under this program by SCAG staff is accounted for in OWP# 065.0137.12 Electric Vehicle (EV) Program Readiness Strategies.

**ATTACHMENT(S):**

1. Up to Code: Permit Streamlining and Funding for Zero-Emission Vehicle Infrastructure - March 10, 2020
2. GO-Biz Presentation

# UP TO CODE: PERMIT STREAMLINING AND FUNDING FOR ZERO-EMISSION VEHICLE INFRASTRUCTURE



**Tuesday, March 10, 2020**  
**10:00 a.m. – 4:30 p.m.**  
**SCAG Main Office**

The future of transportation is zero-emission. Is your city ready? Help be a part of the transition to zero-emission mobility by learning about the laws and best practices in permitting electric vehicle charging infrastructure and hydrogen refueling infrastructure.

Join us at the SCAG Main Office in downtown Los Angeles or via webinar on Tuesday, March 10, from 10:00 a.m. to 4:30 p.m., for a workshop covering new technologies, working with utilities, permitting best practices, funding

opportunities and complying with the American with Disabilities Act. All city planners, building officials, sustainability managers and anyone interested in zero-emission vehicles are welcome to attend.

Doors open at 9:30 a.m. for a coffee reception. A complimentary lunch will be provided by Veloz and the workshop will conclude with zero-emissions vehicle test drives organized by the Center for Sustainable Energy.

**Register To Attend:**  
[bit.ly/ZeroEmissionWorkshop](https://bit.ly/ZeroEmissionWorkshop)


Contact Joseph Cryer at [cryer@scag.ca.gov](mailto:cryer@scag.ca.gov) with any questions.







GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT

## Electric Vehicle Charging Station Permitting Guidebook



 Governor's Office of Business and Economic Development (GO-Biz) JULY 2019




# Electric Vehicle Charging Station Permit Streamlining



## SCAG Board Meeting

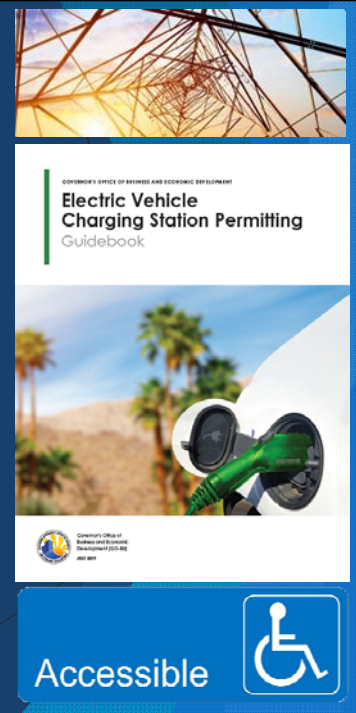
- March 5<sup>th</sup>, 2019 -

## Intro: What are Electric Vehicle Charging Stations (EVCS)

<p>Level 1 (Up to 1.9 kW) <i>- 4-5 miles per hour -</i></p>	<p>Level 2 (Up to 19.2 kW) <i>- 12-70 miles per hour -</i></p>	<p>Level 3 / Direct Current Fast Chargers / DCFC (50-350 kW) <i>- 3-20 miles per minute -</i></p>
		

# Guidebook Key Sections

- ▶ 1. Planning and Site Selection
- ▶ 2. Permitting
  - ▶ AB 1236 Streamlining Map
- ▶ 3. Accessibility
- ▶ 4. Connecting to the Grid
- ▶ 5. Construction, Commissioning, and Operation



Accessible



# Planning and Site Selection

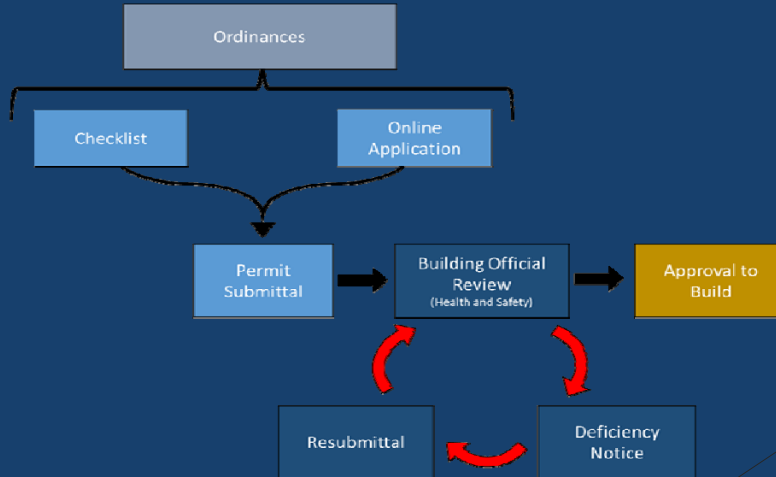
- ▶ Voluntary Building Codes
- ▶ Parking/Charging Clarification
  - ▶ AB 1100 (Kamlager-Dove, 2019)
- ▶ Climate Action Plans

Authority Having Jurisdiction (AHJ)	Policy
Sacramento County	EVCS spaces count as two spaces
Los Angeles County	EVCS spaces count as one space
City of Pleasanton	EVCS spaces count as one space
City of Santa Barbara	EVCS spaces count as one space
City of West Hollywood	EVCS spaces count as one space
City of Stockton	EVCS spaces count as two spaces, for up to 10% reduction of parking requirements



# Permitting

## ► Assembly Bill 1236 Permit Streamlining Law



Application Submittal » Complete Response		
Type of Charger	Within Best Practice	Optimal
L2 – Single Family	1 day	Same Day
Multifamily L2 – Shared (Multifamily/Workplace/Public)	5 days	
DCFC	5 days	

## Best Practice Permitting Timelines

Complete package » Approval to Build		
Type of Charger	Within Best Practice	Optimal
L2 – Single Family	1 day	Same Day
Multifamily L2 – Shared (Multifamily/Workplace/Public)	15 days*	
DCFC	15 days*	

Construction Complete Notice » Inspection		
Type of Charger	Within Best Practice	Optimal
L2 – Single Family	5 days	Same Day
Multifamily L2 – Shared (Multifamily/Workplace/Public)	5 days	
DCFC	5 days	



# Accessibility

- ▶ California is first in the nation to provide ADA compliance specificity



Total Number of EVCS at a Facility <sup>1</sup>	Minimum Number (by type of EVCS Required to Comply with Section 11B-812: <sup>1</sup> )	Minimum Number (by type of EVCS Required to Comply with Section 11B-812: <sup>1</sup> )	Minimum Number (by type of EVCS Required to Comply with Section 11B-812: <sup>1</sup> )
	Van Accessible	Standard Accessible	Ambulatory
1 to 4	1	0	0
5 to 25	1	1	0
26 to 50	1	1	1
51 to 75	1	2	2
76 to 100	1	3	3
101 and over	1, plus 1 for each 200, or fraction thereof, over 100	3, plus 1 for each 60, or fraction thereof, over 100	3, plus 1 for each 50, or fraction thereof, over 100

# Connecting to the Grid

- ▶ Working with Utilities
  - ▶ Communicate early with utilities
  - ▶ Working with designated interconnection teams



# Construction, Commissioning, and Operation

- ▶ Weight and Measures Certification
- ▶ Signage

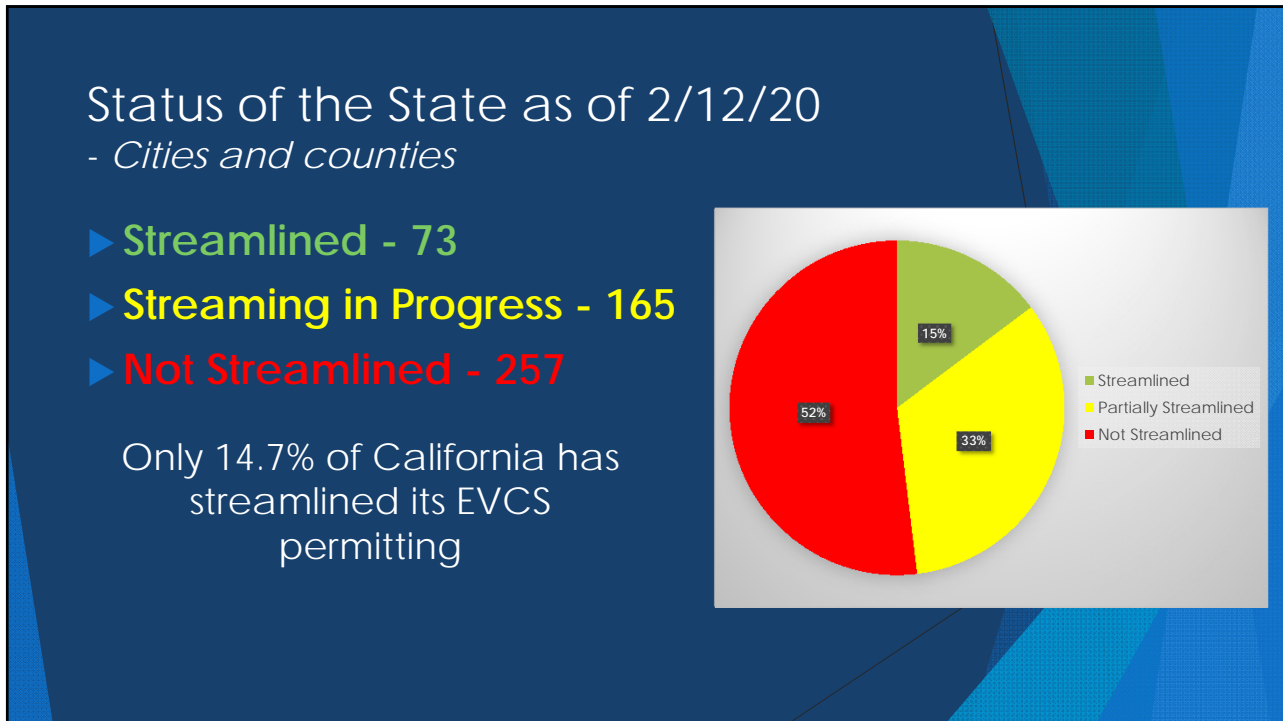
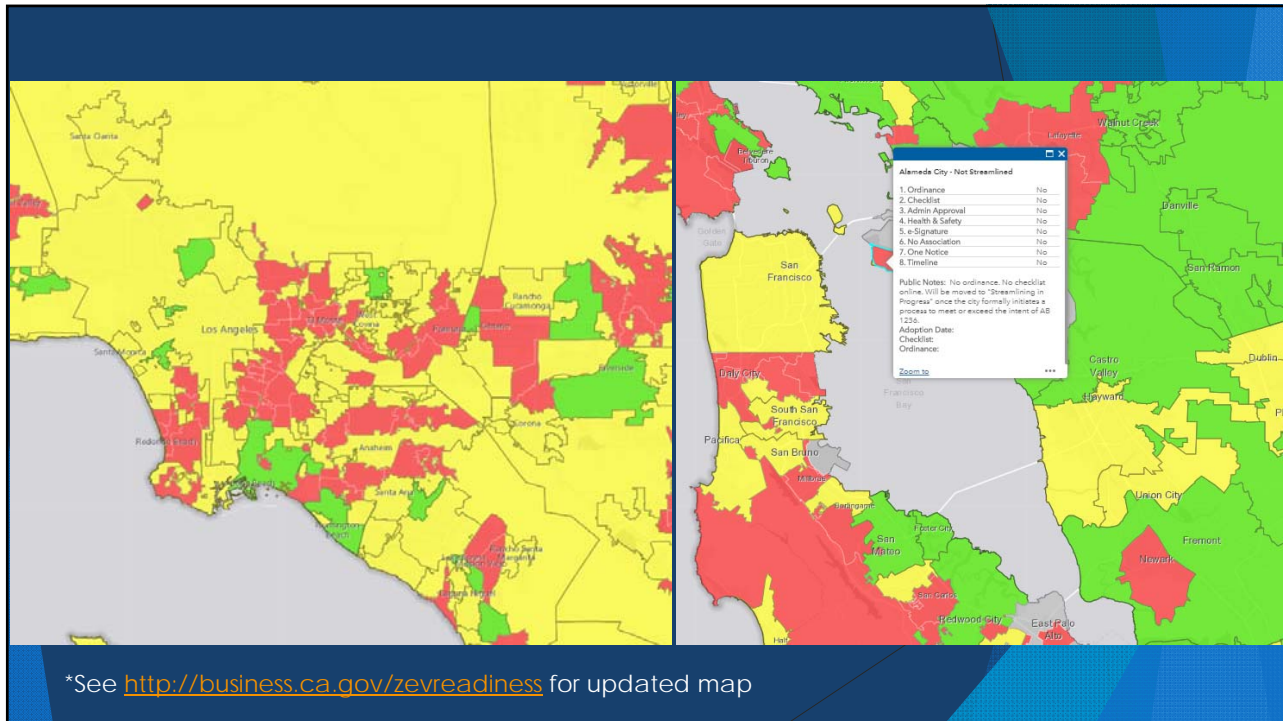


## CA Electric Vehicle Charging Station Permit Streamlining Map

\*Interactive map available [here](#)

EVCS Permit Ready Score:	
Green	City or County is EVCS Permit Ready, charging infrastructure permitting is streamlined
Yellow	City or County EVCS permit streamlining is in progress, or partially complete
Red	City or County is <b>not</b> streamlined for EVCS permitting
Grey	Not yet evaluated (or in process)



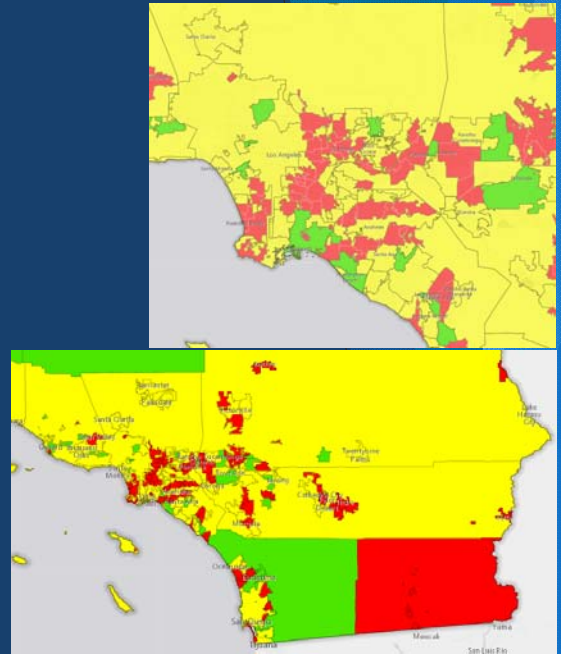


## SCAG Territory Comparison

-191 cities and 6 counties

- ▶ Streamlined - 24
- ▶ Streaming in Progress - 78
- ▶ Not Streamlined - 95

Only 12.2% of SCAG has streamlined its EVCS permitting



## Why is Permit Streamlining Important?

- ▶ Installing a charging station is 3 to 5 the cost of charger itself (*more expensive than other countries*);
  - ▶ Soft Costs (i.e. permitting) have the greatest possibility for cost reduction with installing charging stations
- ▶ Electrify America data across states:
  - ▶ Average permitting time in California exceeds the national average by more than 70%
  - ▶ Stations must be redesigned in California 30% more frequently
  - ▶ Cost 22% more to build in California
- ▶ New jobs, economic development and cleaner air

1. From [Reducing EV Charging Infrastructure Costs](#), Rocky Mountain Institute.



	<b>Scoring Criteria:</b>	<b>Complete if:</b>
☐	<b>1. Streamlining Ordinance</b> Ordinance creating an expedited, streamlined permitting process for electric vehicle charging stations (EVCS) including level 2 and direct current fast chargers (DCFC) has been adopted.	– Streamlining ordinance has been adopted
☐	<b>2. Permitting checklists covering Level 2 and DCFC</b> Checklist of all requirements needed for expedited review posted on city or county website.	– Permitting checklist is available and easily found on city or county website
☐	<b>3. Administrative approval of EVCS</b> EVCS projects that meet expedited checklist are administratively approved through building or similar non-discretionary permit.	– The streamlining ordinance states that permit applications that meet checklist requirements will be approved through non-discretionary permit (or similar)
☐	<b>4. Approval limited to health and safety review</b> EVCS project review limited to health and safety requirements found under local, state, and federal law.	– The streamlining ordinance states that no discretionary use permit is required and permit approval will be limited to health and safety review

☐	<b>5. Electric signatures accepted</b> AHJ accepts electronic signatures on permit applications.*	– Electronic signatures accepted on City or County website (usually specified in the ordinance)
☐	<b>6. EVCS not subject to association approval</b> EVCS permit approval not subject to approval of an association (as defined in <a href="#">Section 4080 of the Civil Code</a> ).	– The streamlining ordinance states that EVCS permits do not require association approval
☐	<b>7. One complete deficiency notice</b> AHJ commits to issuing one complete written correction notice detailing all deficiencies in an incomplete application and any additional information needed to be eligible for expedited permit issuance.	– The streamlining ordinance dictates that a written correction notice must detail all deficiencies
☐	<b>8. Bonus: Expedited timeline for approval</b> Consistent with the intent of AB 1236, AHJ establishes expedited timelines for EVCS permit approval compared to standard project approval procedures.	– The streamlining ordinance (or other policy mechanism) outlines expedited approval timelines for EVCS permits

## Common Problems

- ▶ Aesthetics – Requiring additional landscaping, colored bollards, public art etc.
- ▶ Zoning Concerns
- ▶ Parking Counts
- ▶ No Electronic Signature
- ▶ Different ADA Interpretations
- ▶ Lack of Awareness of AB 1236

**EXPECT  
DELAYS**

## Common Problem: Multiple Rounds of Deficiency Comments



# How to become "Green" on the AB 1236 Map

- ▶ Pass an Ordinance
- ▶ Create EVCS permitting checklist
  - ▶ Based on the ordinance and checklist, develop permitting process that (in practice) streamlines the permitting process
  - ▶ Removing Planning Department decisions from the process as much as possible

CHAPTER V. - STREAMLINED PERMITTING FOR ELECTRIC VEHICLE CHARGING STATIONS

Sec. C3-49. - Purpose and authority.

The purpose of this Chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for Electric Vehicle Charging Stations and removing obstacles to permitting for Electric Vehicle Charging Stations so long as the action does not supersede the Building Official's authority to identify and

California Building Officials

CITY OR COUNTY OF \_\_\_\_\_

RESIDENTIAL AND NON-RESIDENTIAL

CHECKLIST FOR PERMITTING ELECTRIC VEHICLES AND ELECTRIC VEHICLE SERVICE EQUIPMENT (EVSE)

Please complete the following information related to permitting and installation of Electric Vehicle Service Equipment (EVSE) as a supplement to the application for a building permit. This checklist contains the technical aspects of EVSE installations and is intended to help expedite permitting and use for electric vehicle charging.

Upon this checklist being deemed complete, a permit shall be issued to the applicant. However, if it is determined that the installation might have a specific adverse impact on public health or safety, additional verification will be required before a permit can be issued.

This checklist substantially follows the "Plug-in Electric Vehicle Infrastructure Permitting Checklist" contained in the Governor's Office of Planning and Research "Zero Emission Vehicles in California: Community Readiness Guidebook" and is intended to augment the same.

JOB ADDRESS:	Permit No.:
<input type="checkbox"/> Single Family <input type="checkbox"/> Multi-Family (Apartment) <input type="checkbox"/> Multi-Family (Condominium)	
<input type="checkbox"/> Commercial (Single Business) <input type="checkbox"/> Commercial (Multi-Businesses)	
<input type="checkbox"/> Mixed-Use <input type="checkbox"/> Public Right-of-Way	
Location and Number of EVSE to be Installed:	
Garage _____ Parking Level(s) _____	Parking Lot _____ Street Curb _____
Description of Work:	

## Learn More About Permit Streamlining in LA on March 10<sup>th</sup>

**UP TO CODE:  
PERMIT STREAMLINING  
AND FUNDING FOR  
ZERO-EMISSION VEHICLE  
INFRASTRUCTURE**

▼

**Tuesday, March 10, 2020  
10:00 a.m. – 4:30 p.m.  
SCAG Main Office**

Online and in-person attendance (free lunch provided)

Register to attend here: [bit.ly/ZeroEmissionWorkshop](https://bit.ly/ZeroEmissionWorkshop)

Contact us with your questions:



Kielan Rathjen  
[kielan.rathjen@gobiz.ca.gov](mailto:kielan.rathjen@gobiz.ca.gov)  
(916) 447-7936

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(916) 322-0563

Subscribe to our Newsletter: [The Plug and the Nozzle](#)





Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

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**To:** Community  
Economic & Human Development Committee (CEHD)  
Energy & Environment Committee (EEC)  
Transportation Committee (TC)  
Regional Council (RC)

**From:** Rongsheng Luo, Program Manager II, Compliance &  
Performance Monitoring, (213) 236-1994, LUO@scag.ca.gov

**Subject:** Status Update on Final Federal Safer, Affordable, Fuel-Efficient  
Vehicles Rule

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**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION FOR EEC:**

For Information Only – No Action Required.

**RECOMMENDED ACTION FOR CEHD, TC AND RC:**

Receive and File.

**STRATEGIC PLAN:**

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

**EXECUTIVE SUMMARY:**

*At the October 3, 2019 EEC meeting, staff made a presentation on the final federal Safer, Accountable, Fuel-Efficient (SAFE) Vehicles Rule Part I: One National Program Rule. Subsequently, the federal rule became effective on November 26, 2019. This staff report is a status update on the federal rule including major developments since the October 3, 2019 staff report, implications for the Final Connect SoCal, and the next steps.*

**BACKGROUND:**

Federal Safer, Accountable, Fuel-Efficient (SAFE) Vehicles Rule

On August 24, 2018, the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation’s National Highway Transportation and Safety Administration (NHTSA) jointly issued a proposed rule, “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks.” The proposed rule is designed to roll back the federal Corporate Average Fuel Economy (CAFE) and vehicle greenhouse gas (GHG) emissions standards

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promulgated under the Obama Administration.

On September 27, 2019, EPA and NHTSA jointly published “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program” to finalize elements of the proposed SAFE Vehicles Rule. Effective November 26, 2019, under the Part I Rule, NHTSA affirms that its statutory authority to set nationally applicable fuel economy standards preempts such state and local programs; and that EPA withdraws the Clean Air Act (CAA) preemption waiver that it granted to the State of California in January 2013 as it relates to California Air Resources Board (ARB) GHG and Zero-Emission Vehicle (ZEV) programs.

NHTSA and EPA are in the process of finalizing the remaining portions of the SAFE Vehicles Rule and are anticipated to issue a final rule on the federal fuel economy and GHG vehicle emissions standards in the near future.

#### Major Developments since Last Update

##### *State Interagency Coordination Working Group*

California State Transportation Agency (CalSTA), Caltrans, and ARB have established a coordinating group amongst the three agencies. The Working Group have been partnering with MPOs including SCAG and all stakeholders to identify near-term and long-term solutions, including developing adjustments to ARB’s EMFAC models. The Working Group also have had one-on-one consultations with agencies that may have the largest impacts and held larger stakeholder meetings for interested parties.

##### *Release of EMFAC Off-Model Adjustment Factors by ARB*

As previously reported, because of the CAA waiver withdrawal, ARB’s EMFAC model may not be used because the model reflects ARB’s ACC Regulations which are now invalidated by the Part I Rule. To address the issue, ARB developed and released off-model adjustment factors for both the EMFAC2014 and EMFAC2017 models to account for the impact of the Part I Rule on November 20, 2019. These adjustments provided in the form of multipliers can be applied to emissions outputs from the EMFAC model to account for the impact of the Part I Rule. If accepted or approved by the U.S. EPA, these adjustment factors will enable the use of the EMFAC model for both regional and project-level conformity analysis.

##### *Application of Off-Model Adjustment Factors to Connect SoCal*

Due to the complexity in applying these off-model adjustment factors, SCAG modeling staff first developed a rough and conservative method for an immediate evaluation of these adjustment

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factors. Subsequently, SCAG modeling staff has developed an accurate method to apply these adjustment factors to the conformity analysis for the Draft Connect SoCal. The analysis results confirm that the Draft Connect SoCal continues to demonstrate transportation conformity.

#### *Positions of Applicable Federal Agencies towards Off-Model Adjustment Factors*

Despite the positive developments, at the December 4, 2019 meeting of the California Transportation Commission, Federal Highway Administration (FHWA) Regional Administrator publicly announced that FHWA was waiting on direction from U.S. EPA on how to move forward with the adjustment factors. In the meantime, FHWA would not approve regional transportation plans, programs, and projects needing new conformity determination until U.S. EPA approves the adjustment factors.

U.S. EPA has been directly working with FHWA and Federal Transit Administration (FTA) regarding the use of ARB's EMFAC adjustment factors for transportation conformity determination. However, ARB has not officially submitted the adjustment factors to U.S. EPA and U.S. EPA has not provided any directions as of the writing of this staff report.

#### Implications for Final Connect SoCal

For the transportation conformity analysis of the Final Connect SoCal scheduled to be adopted by the Regional Council in April 2020, staff plans to perform two regional emissions analyses, one with the off-model adjustment factors and the other without. Staff anticipates that the Final Connect SoCal will demonstrate transportation conformity with and without these adjustment factors. However, unless and until U.S. EPA provides direction to accept or approve the adjustment factors, FHWA will not approve transportation conformity determination for the Final Connect SoCal.

As alerted previously, if the transportation conformity determination for Connect SoCal would not be approved by the FHWA/FTA by June 1, 2020, a 12-month transportation conformity lapse grace period would be triggered. During the conformity lapse grace period, all projects in the 2016 RTP/SCS and 2019 FTIP as amended can still receive federal approval; however, no new projects may be added and no changes may be made to the projects in the transportation plan or program, with the exception of exempt (mainly safety projects) and committed transportation control measure (TCM) (committed HOV lanes, transit, active transportation, and ITS projects in approved air plans) projects.

If the underlying issues would not be resolved in time, transportation conformity lapse would occur after the grace period. A conformity lapse impacts non-exempt projects (mainly mixed-flow capacity expansion projects) as well as TCM projects not in an approved air plan unless these projects have received federal authorization prior to the lapse. Specifically, these impacted projects

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can neither receive federal funding, federal approval, nor be amended into the regional transportation plan or program.

#### Next Steps

In order for the ARB's off-model adjustment factors to be a solution approvable by FHWA, it is critical that ARB officially submits these factors to U.S. EPA as soon as possible and U.S. EPA performs an expedited review and provide timely directions. If U.S. EPA would accept or approve these adjustment factors, ARB's EMFAC model can again be used for both regional and project-level conformity analysis and FHWA/FTA will resume their review/approval of new transportation conformity determinations. If U.S. EPA would not accept or approve these adjustment factors, it is important that U.S. EPA provide clarifications on what other remedy would be needed so we can work through the State Interagency Coordination Working Group to develop such remedy.

The off-model adjustment factors only account for the impact of the Part I Rule, not the pending Part II Rule. Therefore, upon the publication of the Part II Rule, staff will conduct interagency consultation to seek clarification and guidance especially from ARB, U.S. EPA, and FHWA/FTA regarding transportation conformity implications of the Part II Rule and to develop any necessary remedy.

Despite these uncertainties, SCAG staff will continue work to complete the Final Connect SoCal including the associated transportation conformity analysis. It will be still very challenging but staff will work proactively and closely with all involved agencies with the ultimate goal of resolving the underlying issues before our current transportation conformity determination will expire on June 2, 2020.

Finally, staff will provide regular updates to RC and/or Policy Committees as appropriate.

#### **FISCAL IMPACT:**

Work associated with this item is included in the FY 2019-2020 Overall Work Program under project number 025.0164.01: Air Quality Planning and Conformity.



**AGENDA ITEM 9  
REPORT**

Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

**To:** Community  
Economic & Human Development Committee (CEHD)  
Energy & Environment Committee (EEC)  
Transportation Committee (TC)  
Regional Council (RC)  
**From:** Roland Ok, Senior Regional Planner, Compliance &  
Performance Monitoring, (213) 236-1819, ok@scag.ca.gov  
**Subject:** Status Update on the Connect SoCal Final PEIR

**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION FOR EEC:**

For Information Only – No Action Required

**RECOMMENDED ACTION FOR CEHD, TC, AND RC:**

Receive and File

**STRATEGIC PLAN:**

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians. 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

**EXECUTIVE SUMMARY:**

*The purpose of this report is to provide a status update on comments received in response to the Draft Connect SoCal Program Environmental Impact Report (PEIR) that SCAG released for a 45-day public review and comment period on December 9, 2019 to January 24, 2020. Additionally, this report provides a preliminary draft outline and a schedule of key milestones for the Final PEIR. For information regarding Draft Connect SoCal comments and revisions, please see Agenda Item No. 3 in the EEC Packet.*

**BACKGROUND:**

Pursuant to the federal Fixing America’s Surface Transportation (FAST) Act (Pub. L. No. 114-94) and Section 65080 of the California Government Code, SCAG is required to adopt and update a long-range regional transportation plan (RTP) every four (4) years. SCAG’s last RTP was adopted in 2016 and an updated RTP is required to be adopted by April 2020. In accordance with the Sustainable Communities and Climate Protection Act of 2008, or Senate Bill (SB) 375 (Steinberg), the RTP will include a Sustainable Communities Strategy (SCS) which details strategies to reduce greenhouse gas (GHG) emissions from passenger vehicles (automobiles and light-duty trucks). As one of the State’s

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*Be Open | Lead by Example | Make an Impact | Be Courageous*

18 MPOs, SCAG must prepare an SCS that demonstrates the region’s ability to attain GHG emission-reduction targets through integrated land use, housing, and transportation planning.

CEQA and its implementing regulations (*State CEQA Guidelines*) require SCAG as the Lead Agency to prepare an EIR for any discretionary government action, including programs and plans that may cause significant environmental effects. *Connect SoCal* is a regional planning document updated every four years and provides an update to the 2016 RTP/SCS. Given the regional level of analysis provided in *Connect SoCal*, a Program EIR (PEIR) is the appropriate CEQA document. A PEIR is a “first-tier” CEQA document designed to consider “broad policy alternatives and program wide mitigation measures” (*State CEQA Guidelines* Sec. 15168). The programmatic environmental analysis for the *Connect SoCal* PEIR will evaluate potential environmental effects consisting of direct and indirect effects, growth-inducing impacts, and cumulative impacts resulting from the Plan, and will include mitigation measures to offset any identified potentially significant adverse environmental effects. As a first-tier document, the PEIR may serve as a foundation for subsequent, site-specific environmental review documents (including Addendums, Supplemental EIRs, Subsequent EIRs) for individual transportation and development projects in the region (*State CEQA Guidelines* Sec. 15385).

In addition to fulfilling legal requirements, the PEIR provides an opportunity to inform decision makers and the public about potential environmental effects associated with the implementation of the *Connect SoCal* Plan and alternatives. This first-tier regional-scale environmental analysis will also help local agencies evaluate and reduce direct and indirect impacts, growth-inducing impacts, and cumulative environmental effects with respect to local projects. For a copy of the Draft PEIR, please visit: <https://connectsocial.org/Pages/Draft-2020-PEIR.aspx>

#### **SUMMARY OF COMMENTS FOR THE *CONNECT SOCIAL* PEIR:**

On November 7, 2019, with EEC’s recommendation and RC’s subsequent approval, SCAG released the Draft PEIR for a 45-day public review and comment period from December 9, through January 24, 2020. Additionally, Staff conducted a public workshop on January 9, 2020 that provided an overview of the Draft PEIR, as well as information on the schedule and how to submit comments on the Draft PEIR. A total of 41 participants, which includes representatives from SCAG member jurisdictions, organizations and sister agencies participated in the workshop. For information regarding materials presented at the workshops, please visit the *Connect SoCal* PEIR website at: <https://connectsocial.org/Pages/Draft-2020-PEIR.aspx>

SCAG received fifty-two (52) comment letters on the Draft PEIR. Breakdown of commenters by category for the Draft PEIR are listed below:

**Table 1: Breakdown of Commenters by Category on the Draft PEIR**

Commenter Category	Number
Federal Agencies	1
State Agencies	2
Regional Agencies	6
Sub-regional Agencies	1
County Transportation Commission	4
Local Jurisdictions	13
Sovereign Nations	2
Organizations	18
Individuals	5

For a complete list of commenters please refer to *Attachment 1 – List of Commenters on the Draft PEIR*.

Among the 53 comment letters, there were approximately 262 unique comments<sup>1</sup> directly related to the Draft PEIR. While some comment letters included substantively similar or duplicative comments, a broad range of Draft PEIR topic areas was raised by the comments. Breakdown of comments by topic area are listed below:

**Table 2: Breakdown of Comments by Topic Area on the Draft PEIR**

Topic Area	No. of Comments
Corrections and Revisions	95
Regional Housing Needs Assessment	21
VMT analysis	20
Mitigation Measures	19
Air Quality	19
Greenhouse Gas Emissions	14
Biological Resources	14
Project List	8
Transportation	8
Aviation	7
Parks and Recreation	6
Land Use and Planning	6
Baseline Conditions	3

<sup>1</sup> SCAG received a total 327 comments, 66 of which were considered redundant (i.e. cross-referencing comments from other local jurisdictions or agencies). Only unique categories are presented in this staff report. A complete list and copy of comments will be provided in the Final PEIR.



Wildfire	2
Wastewater	2
Project Description	2
Thresholds of Significance	2
Health Risk Assessment	2
Alternatives	2
Cultural Resources	3
Hazards and Hazardous Materials	1
Water Quality	1
Solid Waste	2
Environmental Justice	1
Cumulative Impacts	1
Modeling	1
Total Unique Comments	262

**SUMMARY OF KEY COMMENTS:**

Upon evaluation, SCAG determined that several comments related to certain topics have recurred. SCAG has identified these comments as “Key Comments”. Key Comments include but are not limited to the following:

Vehicle Miles Travelled (VMT) Analysis: Several commenters have posed strong concerns over California Air Resources Board’s (CARB) emphasis on VMT reduction as a strategy to reduce greenhouse gas (GHG) emissions. Commenters have stated that GHG reduction targets are inaccurate, unattainable, and in conflict with SB 375. Commenters have stated that attempts to reduce VMT and potential fees attached to them would result in negative impacts to disadvantaged communities. Furthermore, with the housing shortage in California, VMT regulation would exacerbate the problem. Commenters against VMT reduction strategies have requested that SCAG undertake the preparation of an alternative planning scenario (APS) as CARB’s high targets for GHG and VMT reduction are unrealistic. Commenters who oppose VMT based analysis have also requested that SCAG should reject CARB’s decision to impose VMT reduction targets.

Biological Resources: Commenters have stated that SCAG’s Connect SoCal PEIR and Plan place a greater emphasis on wildlife corridors, protection to flora, wildlife connectivity, conservation lands and wetlands protection. Commenters have also requested that SCAG analyze impacts to biological resources as it relates to climate change. Furthermore, commenters have requested that SCAG develop stronger mitigation measures to protect biological resources. Commenters have requested that SCAG provide additional analysis and mitigation measures that would protect mountain lion population within the region and expand the analysis that links the effects of climate change on wildlife.

Climate Change and Greenhouse Gas Emissions: Commenters have urged SCAG to utilize the RTP/SCS process to aggressively reduce VMT at levels necessary to combat climate change and meet the state’s GHG reduction goals. Additionally they state that any VMT increase would negatively impact communities by leading to more vehicle crashes, poorer air quality, public health issues and impacts to wildlife corridors and habitats. However, and as stated previously, several commenters believe that the utilization of VMT to reduce GHG emissions are unattainable and infeasible.

Air Quality: Commenters have requested that the PEIR be revised to use a 2045 no project scenario as the baseline condition and update SCAG’s Health Risk Assessment with the revised baseline. Commenters have also provided an extensive list of mitigation measures to SCAG and requested that the Final PEIR incorporate said measures. Additionally, commenters have requested clarification regarding our analysis of construction activities, thresholds of significance and other topics regarding air quality analysis.

Regional Housing Needs Assessment: Commenters have raised concerns about the RHNA process and its consistency with the Plan and that the PEIR should address impacts of RHNA. For example, commenters argue that the RHNA methodology is inconsistent with the Connect SoCal growth forecast and that the PEIR does not consider the cumulative impacts of accommodating 1.34 new homes assigned to the region in the latest RHNA cycle. Commenters have also asked SCAG to revise and clarify the language describing the RHNA process within the regulatory framework subsection in **Section 3.14, Population and Housing**.

Mitigation Measures: Commenters have posed concerns over the sufficiency of the mitigation measures as they believe that the PEIR does not recognize all feasible mitigation measures for each of the dozens of significant unavoidable impacts identified for the Connect SoCal Plan. Other commenters have requested that SCAG drop the “can and should” language in the project level mitigation measures, given the limitation of SCAG’s authority pursuant to SB 375 over local jurisdictions’ land use authority.

As part of the Final PEIR process, SCAG will respond to all comments and clarify our position and if needed apply revisions to the document. For the key comments identified above, SCAG will provide “Master Responses” for each of those issues. Master responses will address multiple similar comments on an issue and provide a comprehensive reply as well as additional information, as needed.

**CONTENTS OF THE FINAL CONNECT SOCAL PEIR:**

Pursuant to CEQA Guidelines § 15132, the Final PEIR is required to consist of:

- a. The Draft PEIR or a revision of the draft

- b. Comments and recommendations received on the Draft PEIR either verbatim or in summary
- c. A list of persons, organizations, and public agencies commenting on the Draft PEIR
- d. The responses of the Lead Agency to significant environmental points raised in the review and consultation process
- e. Any other information added by the Lead Agency.

As such the contents of the proposed Connect Final PEIR will include the following items:

1. Draft Connect SoCal PEIR, which includes the following:
  - Executive Summary
  - Chapter 1.0 – Introduction
  - Chapter 2.0 – Project Description
  - Chapter 3.0 – Environmental Impact Analysis and Mitigation Measures
  - Chapter 4.0 – Alternatives
  - Chapter 5.0 – Long Term CEQA Considerations
  - Chapter 6.0 – List of Preparers
  - Chapter 7.0 - Glossary
  - Technical Appendices supporting the Draft PEIR
2. Chapter 8.0 – Introduction to the Final PEIR: This chapter will provide a brief summary of overview of what has occurred since the Draft PEIR and a brief overview of the Final PEIR process.
3. Chapter 9.0 – Response to Comments: This chapter provides background information on the Final PEIR for the Connect SoCal PEIR and includes public written comments on the Draft PEIR and its responses. It includes Master Responses to comments that recurred in a number of comment letters, and responses to written comments made by public agencies, organizations, and interested parties.
4. Chapter 10.0 – Clarifications and Revisions: This chapter provides clarifications and revisions, including staff-initiated revisions, to the Draft PEIR. Based on the staff’s assessment, none of the corrections or additions constitutes significant new information that results in finding of a new mitigation measure that is not analyzed in the Draft PEIR; no finding of a new impact or any increase in existing impacts that have been identified in the Draft PEIR; and thus, none of the corrections or additions significantly change the conclusions presented in the Draft PEIR.
5. Mitigation Monitoring and Reporting Program - The Mitigation Monitoring and Reporting Program (MMRP) is a standalone document that is prepared in compliance with the requirements of §21081.6 of the California Public Resources Code and CEQA Guidelines § 15091 (d) and § 15097. The MMRP, the monitoring plan, applies to the goals, policies, and strategies

articulated in the 2016 RTP/SCS and related mitigation measures to be implemented by SCAG, and project-level performance standards-based mitigation measures which are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

6. Findings of Fact and Statement of Overriding Considerations - The statement of Findings of Fact is prepared in compliance with the requirements of § 21081.6 of the California Public Resources Code and CEQA Guidelines § 15091. It describes facts, discussions, and conclusions reached in the environmental review relative to impacts, mitigation measures, and selection of an alternative. This chapter also includes a Statement of Overriding Considerations that is prepared in compliance with § 21081 of Public Resources Code and CEQA Guidelines § 15093. The existence of significant unavoidable impacts as identified in the Draft PEIR requires the preparation of a Statement of Overriding Considerations. The Statement of Overriding Consideration explains why SCAG is willing to accept the residual significant impacts. It describes the economic, social, environmental and other benefits of the 2016 RTP/SCS that override the significant unavoidable environmental impacts. It “reflect[s] the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment” (CEQA Guidelines § 15021 (d)).

**NEXT STEPS:**

Staff is reviewing and will respond to all of the public written comments on the Draft PEIR to be included as a component of the proposed Final PEIR (CEQA Guidelines §15132), and intends to seek action by the Environment and Energy Committee to recommend that the RC adopt and certify the Final PEIR at its April 2, 2020 meeting. As such, the proposed Final PEIR will be posted on SCAG’s website on March 23, 2020 to comply with the CEQA requirement that the Final PEIR be published at least 10 days prior to the proposed April 2, 2020 certification date (CEQA Guidelines § 15088).

**FISCAL IMPACT:**

Work associated with this item is included in the current Fiscal Year 2019/20 Overall Work Program (020.0161.04: Regulatory Compliance).

**ATTACHMENT(S):**

1. List of Commenters

**Attachment  
List of Commenters on the Draft EIR**

<b>Sovereign Nations</b>	
SOV-1	Santa Ynez Band of Chumash Indians
SOV-2	San Manuel Band of Mission Indians
<b>Federal Agencies</b>	
FED-1	Environmental Protection Agency
<b>State Agencies</b>	
STA-1	State of California, California State Transportation Agency
STA-2	California High-Speed Rail Authority
<b>Regional Agencies</b>	
REG-1	John Wayne Airport / Orange County
REG-2	South Coast Air Quality Management District
REG-3	Ventura County Air Pollution Control District
<b>Subregional Agencies</b>	
SUB-1	Orange County Council of Governments
<b>County Transportation Commission</b>	
TRANS-1	Los Angeles County Metropolitan Transportation Authority
TRANS-2	Orange County Transportation Authority
TRANS-3	San Bernardino County Transportation Authority & San Bernardino Council of Governments
TRANS-4	Transportation Corridor Agencies
<b>Local Jurisdictions</b>	
LOC-1	County of Los Angeles Department of Parks and Recreation
LOC-2	County of Ventura Resource Management Agency
LOC-3	Ventura County Public Works Watershed Protection Division
LOC-4	City of Costa Mesa
LOC-5	City of Huntington Beach
LOC-6	City of Indio
LOC-7	City of Irvine
LOC-8	City of La Habra
LOC-9	City of Laguna Hills
LOC-10	City of Lancaster
LOC-11	City of Los Angeles
LOC-12	City of Mission Viejo
LOC-13	City of Moreno Valley
LOC-14	City of South Pasadena
LOC-15	City of West Hollywood
LOC-16	City of Yorba Linda
<b>Organizations</b>	
ORG-1	Coalition for a Safe Environment, et al.
ORG-2	Sierra Club Pomona Valley
ORG-3	Sierra Club Moreno Valley

ORG-4	The Two Hundred
ORG-5	Westwood South of Santa Monica Blvd Homeowner's Association
ORG-6	Alliance for a Regional Solution to Airport Congestion
ORG-7	BizFed
ORG-8	Center for Biological Diversity
ORG-9	Center for Demographic Research
ORG-10	Climate Resolve
ORG-11	Keep Nuevo Rural
ORG-12	UNITE HERE Local 11
ORG-13	Southern California Leadership Council
ORG-14	Service Employees International Union
ORG-15	Bolsa Chica Land Trust
ORG-16	Friends of Harbors, Beaches, and Parks
ORG-17	Sierra Club Save Hobo Alisa Task Force
ORG-18	California Cultural Resource Preservation Alliance
<b>Individuals</b>	
IND-1	Marven Norman
IND-2	Albert Perdon
IND-3	Henry Fung
IND-4	Jordan Sisson
IND-5	Stephanie Johnson and Ghassan Roumani

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Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

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**To:** Executive/Administration Committee (EAC)  
Community  
Economic & Human Development Committee (CEHD)  
Regional Council (RC)

**From:** Kome Ajise, Executive Director, Executive Management, 213-236-1835, Ajise@scag.ca.gov

**Subject:** Resolution No. 20-619-1 : Preserving Naturally Occurring Affordable Housing Project Regulatory Agreement

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**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION FOR EAC:**

Recommend that the Regional Council adopt Resolution No. 20-619-1 to grant the SCAG Executive Director or his designee the authority to negotiate and execute up to eight (8) regulatory agreements with the National CORE/Watt Investment partners-related property owners for a pilot project that aims to preserve naturally occurring affordable housing.

**RECOMMENDED ACTION FOR CEHD:**

Receive and file

**RECOMMENDED ACTION FOR REGIONAL COUNCIL:**

Adopt Resolution No. 20-619-1 to grant the SCAG Executive Director or his designee the authority to negotiate and execute up to eight (8) regulatory agreements with the National CORE/Watt Investment partners-related property owners for a pilot project that aims to preserve naturally occurring affordable housing.

**STRATEGIC PLAN:**

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

**EXECUTIVE SUMMARY:**

*The preservation of naturally occurring affordable housing (NOAH) is one of many important tools available to local jurisdictions in increasing the supply of affordable housing and alleviating the housing crisis. National Community Renaissance of California (National CORE) and Watt Investment Partners requested SCAG's participation in an affordable housing model pilot project, also known as the NOAH Venture Project. National CORE and Watt Investment Partners are proposing to implement their NOAH Venture Project with properties they have already acquired, and have requested that SCAG assist with obtaining funding (\$500.00 per unit/620 units) to conduct outreach and education activities related to property management, to retain low-income*

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*tenants and preserve unit affordability. A draft regulatory agreement, attached, has been proposed that would involve SCAG providing funding for education and outreach related to operation of properties, to retain low-income tenants and preserve unit affordability. Staff recommends Regional Council approval of Resolution No. 20-619-1 to grant the SCAG Executive Director or his designee authority to negotiate and execute eight (8) regulatory agreements with the National CORE/Watt Investment partners-related property owners, subject to funding availability.*

**BACKGROUND:**

The preservation of naturally occurring affordable housing (NOAH) is one of many important tools available to local jurisdictions in increasing the supply of affordable housing and alleviating the housing crisis. At the February 5, 2020 Community, Economic & Human Development (CEHD) Committee meeting, representatives from National CORE and Watt Investment Partners presented the NOAH Venture Project. The NOAH Venture Project focuses on preserving housing units at-risk for losing their affordability status through providing education and resources to tenants that remove barriers for retention. This model cannot be implemented unilaterally and requires the participation of current residents. Activities to engage residents may include assistance with income verification, resources for new management transition, and workshops to educate tenants and the general community on affordable housing.

In return for retaining unit affordability, the new property owner can obtain a property tax exemption proportionate to the overall percentage of affordable units within the property. The proposed regulatory agreement would require that National CORE and Watt Investment Partners maintain an affordable ratio of not less than 51% of the total number of property units.

Additionally, to receive this tax exemption, the project must meet several criteria, including receiving financing from a public source related to the operation of property, and having the financing tied to a regulatory agreement with a public agency, with all or a portion of the units at or below 80% of the area median income. A jurisdiction may use preservation of affordable housing units, provided that they meet certain criteria, as a way to meet up to twenty-five (25) percent of their housing need as measured by their Regional Housing Needs Assessment (RHNA) allocation.

National CORE and Watt Investment Partners are proposing to implement their NOAH Venture Project to properties they have already acquired, and have requested that SCAG provide funding (\$500.00 per unit/620 units) to conduct outreach and education activities related to the operation of the properties to retain low-income tenants and preserve unit affordability.

At its February 5, 2020 meeting, the Regional Council authorized SCAG staff to apply for advance funding of up to twenty-five (25) percent of its eligible available funding under the statewide Regional Early Action Planning (REAP) grants program. Created under the California 2019-20 Budget

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Act, also known as Assembly Bill (AB) 101, REAP grants provide funding to councils of governments such as SCAG to accelerate and promote housing production based on eligible activities, including education, engagement, and outreach. At the time of this report, SCAG is developing its advance funding application and will be including activities related to education and outreach on housing production and preservation. To maintain the momentum of this funding, SCAG is also seeking to develop partnerships that can help match funding and identify gaps in housing crisis strategies between the public, private, and non-profit sectors. SCAG is eligible for a total of \$47.5 million, which must be fully expended by December 31, 2023.

Because this pilot project has the potential for replication of preservation efforts throughout the region, SCAG staff recommends approving a resolution for granting the SCAG Executive Director or his designee authority to negotiate and execute regulatory agreements with the National CORE/Watt Investment partners-related property owners, subject to available funding sources. SCAG staff will continue to update the EAC, CEHD Committee, and Regional Council on this project and REAP funding activities, as needed.

**FISCAL IMPACT:**

Work associated with this item is included in the current FY 19-20 General Fund Budget (800.0160.04).

**ATTACHMENT(S):**

1. Resolution 20-619-1 NOAH Venture Project
2. NOAH-SCAG Venture Regulatory Agreement (2020-02-27)draft



RESOLUTION NO. 20-619-1

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS 900 Wilshire Blvd., Ste. 1700 Los Angeles, CA 90017 T: (213) 236-1800 www.scag.ca.gov

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) GRANTING THE SCAG EXECUTIVE DIRECTOR THE AUTHORITY TO NEGOTIATE AND SIGN REGULATORY AGREEMENTS FOR A PILOT PROJECT ON THE PRESERVATION OF NATURALLY OCCURRING AFFORDABLE HOUSING

A NECESSARY QUORUM AND MAJORITY OF THE REGIONAL COUNCIL OF SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS ("APPLICANT") HEREBY CONSENTS TO, ADOPTS AND RATIFIES THE FOLLOWING RESOLUTION:

REGIONAL COUNCIL OFFICERS

- President Bill Jahn, Big Bear Lake
First Vice President Rex Richardson, Long Beach
Second Vice President Clint Lorimore, Eastvale
Immediate Past President Alan D. Wapner, San Bernardino County Transportation Authority

WHEREAS, the Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization, for the six county region consisting of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties;

WHEREAS, the preservation of naturally occurring affordable housing (NOAH) units at-risk of losing their affordability status can be an important tool in helping to increase the supply of affordable housing region wide;

WHEREAS, National Community Renaissance of California (National CORE) and Watt Investment Partners have developed an affordable housing model pilot project ("NOAH Venture Project") centered around the concept of NOAH to preserve at-risk affordable units and help residents remain in their affordable units through education and outreach efforts;

WHEREAS, funding for region wide housing education and outreach efforts is a priority for SCAG as part of its program to expend funds received pursuant to Health and Safety Code section 50515.02, also known as the Regional Early Action Planning (REAP) grant program;

WHEREAS, the NOAH Venture Project developed by National CORE and Watt Investment Partners requires financing from a public source related to the operation of property, financing tied to a regulatory agreement with a public agency, and regulatory agreement recorded against the property deed to qualify for a tax exemption under California Revenue and Taxation Code Section 214(g);

WHEREAS, National CORE and Watt Investment Partners have proposed to implement their NOAH Venture Project with properties they have already acquired, and have requested that SCAG assist with obtaining funding (\$500.00 per unit/620 units) to conduct outreach and education activities related to property management, to retain low-income tenants and preserve unit affordability and to enter into regulatory agreements with the National CORE/Watt Investment partners-related property owners; and

WHEREAS, the proposed regulatory agreement between SCAG and National CORE/Watt Investment Partners will require that National CORE and Watt Investment Partners maintain an affordable ratio of not less than 51% of the total number of property units.

COMMITTEE CHAIRS

- Executive/Administration Bill Jahn, Big Bear Lake
Community, Economic & Human Development Peggy Huang, Transportation Corridor Agencies
Energy & Environment Linda Parks, Ventura County
Transportation Cheryl Viegas-Walker, El Centro

Attachment: Resolution 20-619-1 NOAH Venture Project (Resolution No. 20-619-1: Preserving Naturally Occurring Affordable Housing t)

**NOW, THEREFORE, BE IT RESOLVED, THAT** the SCAG Executive Director or his designee is hereby authorized to negotiate and execute up to eight (8) regulatory agreements with the National CORE/Watt Investment partners-related property owners, as part of the NOAH Venture Project, subject to available funding.

**BE IT FURTHER RESOLVED THAT:**

1. The SCAG Executive Director or his designee is hereby authorized to review, consider and apply for available sources of funding that are eligible to expend funds related to the NOAH Venture Project; and

2. In the event available funding is secured, the SCAG Executive Director may negotiate and execute up to eight (8) regulatory agreements with the National CORE/Watt Investment partners-related property owners, in accordance with all applicable state and federal statutes, rules, regulations, and the regulatory agreements executed by and between the Southern California Association of Governments and such property owners.

**PASSED, APPROVED AND ADOPTED** by the Regional Council of the Southern California Association of Governments at its regular meeting this 5<sup>th</sup> day of March, 2020.

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William "Bill" Jahn  
President, SCAG

Attested by:

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Kome Ajise  
Executive Director

Approved as to Form:

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Justine Block  
Acting Chief Counsel

**FREE RECORDING IN  
ACCORDANCE WITH  
CALIFORNIA GOVERNMENT  
CODE SECTION 27383**

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Southern California Association  
of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

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**REGULATORY AGREEMENT**

This Regulatory Agreement (the “*Agreement*”) dated as of [\_\_\_\_], 20[\_\_\_] (the “*Effective Date*”), is made and entered into by and between [\_\_\_\_], a California limited partnership, or its successors and assigns (the “*Grantee*”), and the Southern California Association of Governments (“*SCAG*”), a Joint Powers Authority pursuant to California Government Code Section 6500 *et seq.*, collectively referred to herein as the “*Parties.*”

**RECITALS**

- A. On January 29, 2020 Grantee acquired and now operates, and manages one or more naturally occurring affordable housing buildings comprising \_\_\_\_\_ dwelling units (the “*Development*”) located in the City of Los Angeles as more particularly described in Exhibit A (the “*Property*”).
- B. In order to support the long-term preservation of the Development, Grantee has requested that SCAG apply for a grant on behalf of Grantee, in the approximate amount of Five Hundred Dollars and 00/100 (\$500.00) per unit (the “*Grant*”). Contingent upon approval and receipt of such Grant (“*Grant Funds*”) from the awarding state agency and execution of related funding agreements, including an agreement between SCAG and Grantee (“*Grant Agreement*”), as described herein, SCAG agrees to provide the Grant for the operation of the Development with a focus on (i) furthering efforts to preserve the affordable nature of the Development and (ii) providing support to educational efforts aimed at informing current and future residents regarding the transition of the Development to an affordable housing community operated within the requirements of this Agreement (“*Project*”).
- C. Grantee intends to restrict all or a portion of the Development for rental to households with incomes at or below 80% of the area median income, as defined in Section 50079.5 of the California Health and Safety Code, or such higher income level as may be treated as qualifying for the California property tax welfare exemption pursuant to Section 214(g) of the California Revenue and Taxation Code as it may be amended (“*Lower Income Households*”).



D. Grantee intends to apply for the California property tax welfare exemption in an amount that corresponds to the percentage of eligible units at the Development.

E. Grantee's managing general partner is a limited liability company that is wholly owned by National Community Renaissance of California, a California nonprofit public benefit corporation ("**CORE**"). CORE is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

F. SCAG's jurisdiction encompasses six counties, including the county in which the Property is situated. SCAG's role is to address regional issues, and, given the high demand for affordable housing in the southern California region, the preservation of affordable housing is critical for the region.

**NOW, THEREFORE**, Grantee and SCAG hereby establish and agree as follows:

1. Recitals. The foregoing recitals are a part of this Agreement.
2. Property. Grantee is the fee owner of the Property and all improvements now and hereafter located thereon.
3. Development. Grantee will operate and maintain the Development exclusively as rental housing and related facilities.
4. Qualifying Units. At least fifty-one percent (51%) of the dwelling units in the Development will be continuously available to or occupied by 1) Lower Income Households paying Qualifying Rents (the "**Qualifying Units**"), or 2) households residing at the Property and paying rents in effect as of the Effective Date plus increases implemented over time with the objective of achieving Qualifying Rents, but only as permitted by applicable state or local rent control laws or ordinances, and not to exceed Qualifying Rents ("**Phase-In Rents**"). The households described in clauses (1) and (2) above are referred to as "**Qualified Households**."
5. Rents.
  - a. Rents charged to households occupying Qualifying Units will substantially equal 30% of 80% of the area median income (except as may be restricted by applicable state or local rent control laws or ordinances) ("**Qualifying Rents**"). Qualifying Rents shall be net of, and shall not include, (i) any allowance for utility costs, or (ii) any fees, surcharges and the like imposed by government authorities and permitted to be passed through to tenants, including without limitation permissible amounts relating to the Los Angeles Rent Stabilization Ordinance or Systemic Code Enforcement Program. Qualifying Rents shall be established and updated by Grantee on a regular basis, based on area median income as most recently determined in accordance with Health and Safety Code Section 50079.5, not less than thirty (30) days prior to such establishment or updating. A rental amount shall not be deemed not to constitute a



Qualifying Rent if and to the extent that it is discounted as a result of policies that may be adopted by Grantee to avoid unreasonable hardship to tenants of the Development, which may include, in Grantee's sole discretion, (a) temporary reductions in the event of income loss or other household hardship, or (b) other management practices customary for non-profit operators of affordable housing.

- b. Rents charged to households residing at the Property as of the Effective Date will substantially equal Phase-In Rents.
  - c. The rents prescribed by this Section 5 (Qualifying Rents and Phase-In Rents) are explicitly intended to supersede the rent levels described in Section 50053 of the California Health and Safety Code, as contemplated by California Revenue & Taxation Code Section 214(g)(2)(A)(iii)(I).
6. Grant of Public Funds. SCAG warrants that it is an instrumentality of government and that a Grant awarded to Grantee under this agreement would be made out of public funds.
7. Term of Agreement.
- a. This Agreement will commence on the date hereof, remain in full force and effect, and apply to the Development through and including the tenth (10<sup>th</sup>) anniversary of the date of recordation of this Agreement ("**Initial Term**"), regardless of any sale, assignment, transfer, or conveyance of the Development or the Property, unless terminated earlier as set forth in paragraph b or c, below, or by the mutual consent of SCAG and Grantee.
  - b. This Agreement shall automatically terminate without any further obligation of each Party, in the event that SCAG is unable to secure Grant Funds as described below in Section 8.
  - c. Notwithstanding the foregoing, Grantee may terminate this Agreement at any time during the Initial Term upon thirty (30) days' prior written notice to SCAG; provided, that if Grantee terminates the Agreement within the Initial Term, then Grantee shall repay to SCAG ninety-nine percent (99%) of the amount of the Grant, if awarded, within ninety (90) days of the date of such termination.
  - d. This Agreement shall automatically renew at the end of the Initial Term and each Renewal Term for an additional one (1) year term ("**Renewal Term**"; together with the Initial Term, the "**Term**"), unless either SCAG or Grantee has provided the other with a notice of its intent not to renew not later than thirty (30) days prior to the end of the then existing term.
8. Grant Application.  
Grantee understands and agrees that receipt of Grant Funds under this agreement is contingent upon the following: 1) eligibility of the Grantee's project for receipt of state funds under the Regional Early Action Planning Grant Program ("**Grant Program**")

administered by the California Department of Housing and Community Development (“**Awarding Agency**”); 2) application by SCAG for funds under such Grant Program (“**Application**”); 3) approval by the Awarding Agency of such Application, and execution by SCAG and the Awarding Agency of a funding agreement and related documentation; and 4) execution of a Grant Agreement between the Parties. In the event that SCAG is unable to secure Grant Funds, the Parties agree that no further action will be required by SCAG, and this Agreement shall Terminate as set forth above in Section 7.b.

9. Non-Discrimination. Grantee shall not discriminate against any tenant or prospective tenant on the basis of any class or status prohibited by Government Code Section 12920 including: race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, genetic information, or any other arbitrary factor in violation of any state, federal, or local law governing discrimination in rental housing. Grantee further agrees to comply with all applicable provisions related to non-discrimination set forth in the Grant Agreement.
10. Management. Grantee shall be responsible for the operation and maintenance of the Development and the Property in a manner consistent with this Agreement.
11. Indemnification.
  - a. Grantee assumes all risk of injury to its employees, agents, contractors and tenants of the Property, including loss or damage to property.
  - b. Grantee shall indemnify, protect, defend and hold harmless SCAG, its members, officers, Regional Council Board members, employees and agents from and against any and all losses, liabilities, damages, costs and expenses, including attorney’s fees and costs to the extent caused in whole or in part by any intentional, negligent or wrongful act, error or omission, or non-compliance with Grant Agreement requirements, of the Grantee, its agents, employees, or contractors arising out of the performance of the Project under this Agreement.
12. Event of Default.
  - a. Notice and Time to Cure. In the event of a material breach, violation, or default by the Grantee in the performance of any covenant, agreement, or obligation of the Grantee set forth in this Agreement, SCAG shall provide the Grantee with at least sixty (60) days’ written notice of such breach, violation, or default, specifying the nature of the breach, violation, or default, the action needed to cure (to be determined in SCAG’s reasonable discretion), and a reasonable time period for Grantee to cure the breach, violation, or default (“**Cure Notice**”). If Grantee does not cure the breach, violation, or default in accordance with the Cure Notice, SCAG may declare an event of default

hereunder (“*Event of Default*”) by providing written notice of such Event of Default to Grantee (“*Default Notice*”). The parties acknowledge that the legal rights of tenants or other good cause may impede Grantee’s ability to speedily cure any violation hereof; accordingly, it shall not be an Event of Default and SCAG shall not issue a Default Notice so long as Grantee has commenced a cure (insofar as possible) within the time period stated in the Cure Notice and continues diligently to pursue such cure.

- b. Repayment. Following an Event of Default, Grantee may, as its sole and exclusive remedy, seek full or partial repayment of the Grant from the Grantee in accordance with the following schedule (“*Default Repayment Schedule*”):
- i. If the Event of Default occurs on or before the tenth (10<sup>th</sup>) anniversary of the date of recordation of this Agreement, Grantee shall repay to SCAG ninety-nine percent (99%) of the amount of the Grant within ninety (90) days after receipt by Grantee of the Default Notice.
  - ii. If the Event of Default occurs between the tenth (10<sup>th</sup>) and twenty-fifth (25<sup>th</sup>) anniversary of the date of recordation of this Agreement, Grantee shall repay to SCAG seventy-five percent (75%) of the amount of the Grant within ninety (90) days after receipt by Grantee of the Default Notice.
  - iii. If the Event of Default occurs between the twenty-fifth (25<sup>th</sup>) and fortieth (40<sup>th</sup>) anniversary of the date of recordation of this Agreement, Grantee shall repay to SCAG fifty percent (50%) of the amount of the Grant within ninety (90) days after receipt by Grantee of the Default Notice.
  - iv. If the Event of Default occurs between the fortieth (40<sup>th</sup>) and fifty-fifth (55<sup>th</sup>) anniversary of the date of recordation of this Agreement, Grantee shall repay to SCAG twenty-five percent (25%) of the amount of the Grant within ninety (90) days after receipt by Grantee of the Default Notice.

Even if an Event of Default occurs and Grantee repays the Grant in accordance with the Default Repayment Schedule, this Agreement shall remain in effect for the Term unless modified or terminated pursuant to the terms of Section 7 above.

13. Compliance with Agreement. Grantee agrees at all times to comply with the terms of this Agreement, and acknowledges that it has access to professional advice to the extent necessary to enable the Grantee to comply with the same.
14. Amendment. This Agreement shall not be altered or amended except in writing, as executed between SCAG and Grantee.

15. Partial Invalidity. If any provision of this Agreement shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.
16. Binding on Successors. This Agreement shall bind, and the benefits hereof shall inure to, the respective parties hereto, their legal representatives, executors, administrators, transferees, successors in interest and assigns. The term “Grantee” as used herein shall include and apply to any person or entity succeeding to the legal, equitable, proprietary, or possessory interest of Grantee in the Property and/or the Development. Grantee retains the right to assign this Agreement to another entity organized under the laws of the State of California, provided that the assignee agrees to comply with the terms of this Agreement and Grantee provides at least 30 days’ written notice of such assignment to SCAG.
17. Recording Agreement. This Agreement, or, where approved by SCAG in writing, a memorandum thereof, shall be recorded against the Property in the official records of the county in which the Property is situated. SCAG and Grantee agree to execute such instruments as may be required to subordinate this Agreement when required by other lenders pursuant to the terms of their financing.
18. Captions. The captions used in this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit, or describe the scope or the intent of this Agreement.
19. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of California. All code references herein refer to the California Codes, unless specifically indicated otherwise.
20. Notice. Except for any notice required under applicable law to be given in another manner, any notices, demands, or communications between the parties hereto shall be sufficiently given if, and shall not be deemed given unless, dispatched by certified mail, postage prepaid, return receipt requested or delivered by express delivery service with delivery receipt, to the address of the respective party as set forth below, or to such other address as the respective party may have designated by written notice given to the other party in the manner provided herein. Such written notices, demands, and communications shall be effective on the date shown on the delivery receipt as the date delivered, the date on which delivery was refused, or the date on which delivery was attempted.

If to Grantee: [Owner Entity Name]  
c/o National Community Renaissance of California  
9421 Haven Avenue  
Rancho Cucamonga, CA 91730  
Attn: Chief Financial Officer  
Email Address: mfinn@nationalcore.org

With a copy to: National Community Renaissance of California  
9421 Haven Avenue  
Rancho Cucamonga, CA 91730  
Attn: General Counsel  
Email Address: rdiaz@nationalcore.org

If to SCAG: Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017  
Attn: [ ]

21. Attorneys' Fees. The prevailing party in any action to enforce this Agreement shall be entitled to reasonable attorneys' fees as determined by the trier of fact in that forum.
22. Construction. Each party hereto acknowledges and agrees that it has had independent counsel review and participate in the drafting of this Agreement, and it hereby fully waives the application of any law, statute, or rule of construction or interpretation, including without limitation California Civil Code Section 1654, to the effect that any ambiguities are to be construed against the drafting party.
23. Dispute Resolution.
  - a. Good Faith Negotiations. The Parties shall attempt in good faith to resolve any potential dispute between themselves under this Agreement (a "Dispute") informally and promptly. If a Dispute is not resolved informally either Party may submit to the other Party a written notice of Dispute (the "Notice of Dispute"). The Notice of Dispute shall: (i) state the specific matters on which the Notice of Dispute is based; (ii) include supporting documentation; (iii) if the Notice of Dispute involves a cost adjustment, state the exact amount of the cost adjustment accompanied by all records supporting the demand; and (iv) include a written statement signed by an authorized person indicating that the Notice of Dispute is made in good faith, that the supporting documentation is accurate and complete. The Party submitting the Notice of Dispute shall comply with reasonable requests for additional information; provided, a Party may elect to refrain from submitting information based on the advice of counsel. The Parties shall attempt to resolve the Dispute promptly.
  - b. Failure of Negotiations. If, after good faith negotiations pursuant to Subsection (a) above, the Parties have not resolved the Dispute, the Parties shall settle and resolve the Dispute by arbitration pursuant to the requirements set forth in Exhibit A attached hereto.

24. Insurance. For the duration of the term of this Agreement, Grantee shall procure and maintain insurance with insurance carrier(s) admitted to write insurance in the State of California and rated A, VIII or better by the current A.M. Best Rating Guide or equivalent, for general liability, automobile liability, and Workers' Compensation as required by the California Labor Code. If insurance is provided by a non-admitted insurance carrier, such insurance must be included in the most recent California List of Eligible Surplus Lines Insurer (LESLI List) and otherwise satisfy insurance requirements. SCAG shall be included as additional insureds pursuant to a separate endorsement on all insurance policies, except for Workers Compensation. Promptly following the execution and delivery of this Agreement, Grantee shall provide certificates of insurance, and all required endorsements, evidencing the required coverages.

Grantee shall provide not less than ten (10) days' prior written notice to SCAG before the non-renewal or cancelation of any the required insurance coverages.

*[Signatures follow]*



**IN WITNESS WHEREOF**, the parties hereby execute and enter into this Agreement as of the date first set forth above and agree to be bound hereby.

**SCAG:**

**SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS,**  
a public agency of the State of California

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

**GRANTEE:**

[\_\_\_\_\_] ,  
a California limited partnership

By: \_\_\_\_\_

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

Title: \_\_\_\_\_



**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE PROPERTY**

DRAFT

**EXHIBIT B**  
**ARBITRATION OF DISPUTES.**

Any claim, controversy, dispute or disagreement arising out of or related to this Agreement or the breach, enforcement, interpretation or performance thereof (“Dispute”) shall be submitted to final and binding arbitration, at the request of any party hereto, on the terms and conditions set forth in this Exhibit A (the “Arbitration”).

1. Venue. The Arbitration shall be held at the offices of Judicial Arbitration and Mediation Service (“Jams”), at its office located in Los Angeles, California.
2. Arbitration Rules. The Arbitration shall be conducted pursuant to JAMS’s Rules of Practice and Procedure in effect at the time a request for arbitration is filed (the “Arbitration Rules”).
3. Selection of Arbitrator. The Arbitration shall be conducted by a single arbitrator (“Arbitrator”) appointed pursuant to the procedures set forth in the Arbitration Rules. Notwithstanding the foregoing, if the amount of the Dispute exceeds \$1,000,000, then the Arbitration shall be conducted by a panel of three arbitrators appointed pursuant to the procedures set forth in the Arbitration Rules (the “Panel”), and references herein to the Arbitrator shall be deemed to refer to the Panel.
4. Commencement of Arbitration. The Arbitration shall commence at the earliest possible opportunity unless otherwise agreed in writing by the parties hereto.
5. Cooperation of Parties. All of the parties hereto shall promptly and diligently cooperate with one another and the Arbitrator, and shall perform such acts as may be reasonably necessary to obtain a prompt and expeditious resolution of the Dispute in accordance with the terms hereof.
6. Application of California Law. Notwithstanding anything to the contrary set forth herein with respect to substantive (as opposed to procedural) matters, the Arbitrator shall be required to apply the laws of the State of California when deciding the issues of the Arbitration and rendering his or her decision.
7. Powers of Arbitrator. The parties hereto agree that the Arbitrator shall have the power to decide all issues of fact and law and report his or her decision thereon and issue all legal and equitable relief appropriate under the circumstances of the Dispute. The Arbitrator shall try all issues, whether of fact or law, and record a finding and judgment thereon and shall hear and determine all pretrial issues and motions and post-trial motions related to the judgment filed or to be filed and to act on all matters related thereto which may be within the jurisdiction of the Superior Court of the State of California. Except as otherwise provided by the Arbitration Rules, all rules of evidence as set forth in the California Evidence Code, other statutory and decisional law of California and all local court rules and California Rules of Court shall be applicable to any proceeding before the Arbitrator. Depositions may be taken and other discovery obtained during the Arbitration to the same extent as authorized in a civil judicial proceeding in California. The Arbitrator shall have the power to grant all legal and equitable remedies and award compensatory economic damages provided by California law.

8. Issuance of Arbitrator’s Decision. The Arbitrator shall render his or her final decision in writing, stating the reasons for each component of that decision.

9. Binding Effect of Arbitrator’s Decision; Duties of Parties. The parties agree to be bound by the final decision of the Arbitrator and to promptly provide the Arbitrator and the other party with any and all documents, instructions or other information necessary to allow the Arbitrator to arrive at its decision and to give effect to that decision.

10. Entry of Judgment. Judgment on the Arbitrator’s award may be entered in any court having jurisdiction thereof.

11. Cost of Arbitration. If arbitration is commenced between the Parties, the prevailing party in that arbitration shall be entitled to recover from the non-prevailing party all reasonable attorneys’ fees and costs, witness fees, arbitrators’ fees, and arbitration costs. “Prevailing party” shall include, without limitation, the following: (a) a party who dismisses arbitration in exchange for sums allegedly due; (b) the party who receives performance from the other party for an alleged breach of contract or a desired remedy where the performance is substantially equal to the relief sought in an action; or (c) the party who receives any award for relief through arbitration.

12. Confidentiality. Each Party agrees that without the prior written consent of the other Party, neither party shall make any private disclosure, public announcement or other communication with respect to the subject of the Arbitration, the matters discussed therein, or the Arbitrator’s final decision, and that all such matters will be kept in strictest confidence and not revealed to any other person or entity. Notwithstanding the foregoing; each party may make such disclosures (a) to the extent necessary to enforce the provisions of this Exhibit A and the Arbitration Rules (b) to the extent necessary to enforce the Arbitrator’s final decision or otherwise put that final decision into effect, (c) to its attorneys, accountants and business advisors in the course of prosecuting or defending its claims in the Dispute and otherwise competently participate in the Arbitration, or (d) to the extent necessary to as required by applicable law or subpoena, court order or other legal process in connection with litigation involving the Arbitration or this Agreement.

13. NOTICE: BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTERS INCLUDED IN THE ‘ARBITRATION OF DISPUTES’ PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE ‘ARBITRATION OF DISPUTES’ PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY.

**WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE ‘ARBITRATION OF DISPUTES’ PROVISION TO NEUTRAL ARBITRATION.**

**SCAG’s Initials: \_\_\_\_\_ GRANTEE’s Initials: \_\_\_\_\_**

DRAFT



Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017  
**March 5, 2020**

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**To:** Community  
Economic & Human Development Committee (CEHD)  
Energy & Environment Committee (EEC)  
Transportation Committee (TC)  
Regional Council (RC)

**From:** Naresh Amatya, Manager of Transportation Planning and Programs, Planning Division, (213) 236-1885, amatya@scag.ca.gov

**Subject:** Overview of Draft Connect SoCal Comments and Revision Approach

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**EXECUTIVE DIRECTOR'S  
APPROVAL**

**RECOMMENDED ACTION:**

For information and discussion only.

**STRATEGIC PLAN:**

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

**EXECUTIVE SUMMARY:**

*The purpose of this report is to provide an overview of the comments received on the Draft Regional Transportation Plan/Sustainable Communities Strategy (“RTP/SCS,” “Connect SoCal” or “Plan”) and receive input on staff’s intended approach for responding to comments and preparing revisions for finalizing Connect SoCal.*

**BACKGROUND:**

As the designated Metropolitan Planning Organization for the Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura, SCAG is required by state and federal statutes to prepare and update a long range (20 year minimum) Regional Transportation Plan that provides for the development and integrated management and operation of transportation systems and facilities that will function as an intermodal transportation network for the SCAG metropolitan planning area. Pursuant to the federal Clean Air Act, Connect SoCal is required to meet all federal transportation conformity requirements, including regional emissions analysis, financial constraint, timely implementation of transportation control measures, and interagency consultation and public involvement (42 U.S.C. §7401 et seq.).

The passage of California Senate Bill 375 (SB 375) in 2008 requires that an MPO prepare and adopt a

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**OUR MISSION**

*To foster innovative regional solutions that improve the lives of Southern Californians through inclusive collaboration, visionary planning, regional advocacy, information sharing, and promoting best practices.*

**OUR VISION**

*Southern California’s Catalyst for a Brighter Future*

**OUR CORE VALUES**

*Be Open | Lead by Example | Make an Impact | Be Courageous*

Sustainable Communities Strategy (SCS) that sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures, and policies, will reduce greenhouse gas emissions (GHG) from automobiles and light duty trucks (Govt. Code §65080(b)(2)(B)). The SCS outlines certain growth strategies that provide for more integrated land use and transportation planning, and maximize transportation investments. The SCS is intended to provide a regional land use policy framework that local governments may consider and build upon. The development of the RTP/SCS is subject to the California Environmental Quality Act (CEQA). Therefore, SCAG also prepares a Program Environmental Impact Report (PEIR) that evaluates the potential environmental impacts associated with the Connect SoCal.

Through a continuing, cooperative, and comprehensive planning process with its stakeholders, SCAG developed the Draft Connect SoCal Plan, which meets state and federal requirements and lays out a collective vision for improving the region's mobility, economy, and sustainability.

SCAG released the Draft Connect SoCal for over the required 60-day public comment period that began on November 14, 2019 and ended on January 24, 2020. The public review and comment period completes more than three years of dialogue and consultation on this planning effort. During the public review and comment period, SCAG conducted a large-scale outreach campaign throughout the six-county region to educate and solicit feedback on the Plan. Throughout the public comment period, SCAG held 21 elected official briefings (which were also open to the public), one tele-town hall, one webinar, and three public hearings which were video-conferenced simultaneously to the five regional offices to make them more accessible to residents throughout the region. All of the materials for the briefings, public hearings, and workshops were posted on the Connect SoCal website. During our outreach, many expressed their support for Connect SoCal and offered feedback on how it could be further improved.

SCAG encouraged the public to comment on the Plan at the aforementioned outreach events and through the online commenting form, regular mail, and email. SCAG received 107 separate communications (both oral and written) containing over 1,800 comments on the Draft Connect SoCal. A total of 81 comments were received from agencies/organizations and 26 were received from individuals. A summary list of commenters is attached to this report (Attachment 1).

Based on staff's review, all elements of the Draft Connect SoCal received supportive comments with the majority of comments that sought further clarification. At a summary level, comments can be combined into 16 major categories. Staff seeks to inform the Regional Council and Policy Committee members and receive input on the intended approach for responding to comments and preparing revisions. The major categories of Connect SoCal comments and requests for clarification, with a proposed approach described, are as follows.

## **1. Active Transportation**

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Areas Seeking Clarification - Many commenters, including advocacy and county transportation commissions, were supportive of the importance the Draft Connect SoCal places on active transportation, e-scooters and bikeshare. Many encouraged the need for a stronger approach to the implementation of Complete Streets in the region. While many comments were supportive of the increase in active transportation funds, there were many on the need to further increase the amount of funding allocated to regions for active transportation projects. Additionally, comments called for the prioritization of bikeway classes by safety levels.

Proposed Approach - SCAG will strengthen language on implementation of Complete Streets in the region and prioritization of bikeway classification preference. SCAG will also continue to assist our local jurisdictions in applying for active transportation planning and implementation funds in order to increase safety and equity outcomes.

## 2. Aviation and Airport Ground Access

Areas Seeking Clarification - Many comments sought minor clarifications on the role of aviation within the plan as well as SCAG's role in aviation system planning. A few questions related to the aviation demand forecast process, assumptions and results. Some requested exploring additional opportunities to connect airports, particularly Ontario International Airport, with high quality transit options.

Proposed Approach - Most of the responses to comments involved clarifying the relationship as well as roles and responsibilities between SCAG, Airport Authorities, County Transportation Commissions, Federal Aviation Administration (FAA) and others. Some comments resulted in minor revisions, primarily to address unintended errors and provide minor clarifications. No changes to the underlying data, analysis and policies were recommended in finalizing the Aviation and Airport Ground Access element of the proposed Final Connect SoCal.

## 3. Emerging Technology

Areas Seeking Clarification - SCAG received numerous comments on the importance of transitioning to zero-emissions vehicles in various sectors including passenger, transit and goods movement vehicles. Other comments stated that SCAG should remain technology-neutral with regard to vehicle fuel and power technology. Additionally SCAG received comments regarding the importance of micro-mobility and other "slow-speed" modes in achieving the goals of Connect SoCal.

Proposed Approach - SCAG's policies are technology neutral with regard to supporting zero and/or near-zero emissions vehicles in order to achieve regional objectives. Regarding micro-mobility, these devices are regulated by local jurisdictions. SCAG will continue to conduct research and disseminate best practices to our member jurisdictions.



#### 4. Environmental Justice

Areas Seeking Clarifications - Many respondents reported positive feedback on the Environmental Justice (EJ) Toolbox, General Plan Element indicators and the report's new structure, which were developed based on extensive stakeholder engagement. Other comments received were on various topics including developing EJ metrics and quantifiable targets, developing funding lists, examining park inequities, and clarification on certain maps and tables. Others requested to include additional consideration with public health and goods movement to increase collaboration with such topics.

Proposed Approach - Staff will provide clarifications and corrections where applicable in the narrative, tables, maps and charts. Suggestions related to including EJ metrics and quantifiable targets, developing funding lists, examining park inequities and more collaboration will be addressed after Connect SoCal adoption and with engagement from the Environmental Justice Working Group. Staff will continue to address these suggestions by developing an ongoing Environmental Justice Program.

#### 5. Goods Movement

Areas Seeking Clarification - Many comments focused on electrification of the regional freight rail system, strategies to reach a zero-emission freight system, and increased funding allocation to deploy zero-emission cargo movement system(s).

Proposed Approach - SCAG recognizes that there are numerous issues to resolve in order to achieve our regional objective of a zero-emissions goods movement system. SCAG concurs that the region needs to move to cleaner modes of freight transportation and will continue to advance strategies that reduce emissions in all modes. Further evaluation regarding costs, funding, and implementation of electrification of the regional freight rail system and zero-emission cargo movement system(s) should be conducted. SCAG remains open to evaluating all technologies that will help the region to reduce emissions and associated health impacts, and achieve regional air quality goals.

#### 6. Natural & Farm Lands Conservation

Areas Seeking Clarification - Comments were generally supportive of conservation strategies, and asked for further strengthening of conservation policies. Several comments described the need to identify further incentives and mechanisms to conserve lands to avoid growth on the urban fringe and further encourage infill development. Several comments were in support of the Regional Advance Mitigation Program (RAMP) strategy and sought more detail.

Proposed Approach - Text will be updated to clarify and reinforce conservation strategies and next steps. In the coming years, SCAG will support local entities and other stakeholders to assist in the cross-jurisdictional coordination and implementation of conservation

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strategies, especially developing a Regional Greenprint data tool and exploring opportunities through partnerships to design a RAMP.

## 7. Passenger Rail

Areas Seeking Clarification - Many comments supported the passenger rail investments included in Connect SoCal, including the Metrolink SCORE program. A number of comments were on project updates or clarifications, including the XpressWest Project, and updates from the California High Speed Rail Authority.

Proposed Approach - Revisions to the Final Connect SoCal will reflect those updates.

## 8. Project List

Areas Seeking Clarification - Most comments involved requests for project listing modifications to modeled and non-modeled projects. In addition, several commenters support or oppose, or seek clarification on, individual projects.

Proposed Approach - SCAG worked closely with the six county transportation commissions (CTCs) to identify the projects included in the draft Connect SoCal, and each CTC likewise coordinated their countywide projects with local transportation agencies. Final determinations regarding projects are the responsibility of the appropriate lead agency and determined through local planning and project development processes. Minor project modifications were accepted when received from CTCs. In total, approximately 172 project listings were modified. For additional projects that are regional in nature, SCAG worked collaboratively with stakeholders to identify them. Decisions to delete, replace or modify a project should similarly undergo a coordinated process involving the affected CTC and lead agency. Substantive changes to projects may be addressed in the next update or amendment to the plan.

## 9. Public Health

Areas Seeking Clarification - Numerous comments encouraged more robust data collection on public health. Other comments emphasized the need to further consider impacts to low income/minority communities.

Proposed Approach - Many concerns regarding impacts to low income/minority communities are discussed in the Environmental Justice Technical Report. As part of an on-going effort, SCAG plans to improve data collection on public health. Healthy places index scores will be included as part of the Final Connect SoCal.

## 10. Public Participation & Consultation

Areas Seeking Clarification - Comments received expressed the need to perform more intentional engagement in traditionally underrepresented and/or underserved communities

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throughout the SCAG region. Commenters also commended the use of new technologies, such as, live webinars and tele-town halls as effective tools for communication as they allow for greater access and participation from diverse audiences. There was also strong interest in continued engagement of Community Based Organizations (CBOs) pre and post development of draft Connect SoCal.

Proposed Approach - SCAG conducted a robust community engagement program after the draft Connect SoCal was released. Additional language in the Final Connect SoCal will be included to reflect those activities. For future cycles and in plan implementation activities, SCAG will continue to explore innovative ways to further engage traditionally underrepresented and/or underserved communities throughout the SCAG region.

## **11. Relationships between Connect SoCal and the Regional Housing Needs Assessment (RHNA)**

Areas Seeking Clarification - Comments received focused on the relationships between Connect SoCal and RHNA. Specifically, questions arose as to how the 6th Cycle RHNA has been considered in Connect SoCal, and how the Connect SoCal addressed the SB 375 requirements to identify areas within the region sufficient to house an eight year projection of the regional housing need for the region pursuant to California Government Code Section 65584.

Proposed Approach - Recent state RHNA legislation has changed the relationship between RHNA and the RTP/SCS. Legislative changes in 2018 modified the nature of the regional housing need determination for the 6th cycle RHNA. The 6th Cycle RHNA regional housing need total per HCD of 1,341,827 units consists of “projected need” (504,970 units) intended to accommodate the growth of population and households during the 6th Cycle RHNA (2021-2029) as well as “existing need” (836,857 units) intended to address the latent needs of the existing population. The “projected need” portion of the 6th Cycle RHNA is derived from the Connect SoCal Growth Forecast. Specifically, the Connect SoCal Growth Forecast projects 466,958 additional households over 2021-2029 (the RHNA planning period). These 466,958 households represent occupied housing units, to which are added two adjustment factors: vacancy need (14,467 units) and replacement needs (23,545 units) to yield the 504,970 housing units reflecting “projected need” for the 6th Cycle RHNA. In addition, the Final Connect SoCal will include information identifying areas within the region sufficient to house an eight year projection of the regional housing need. Existing need is allocated consistent with Connect SoCal goals and policies. Pending availability of local housing element updates resulting from the 6th cycle of RHNA’s existing need and analysis of the market response, existing need will be evaluated for inclusion into future RTP/SCS growth forecasts. Since the intent of existing need is to provide additional housing to the current population, it does not impact population growth and as such is consistent with the Connect SoCal population growth forecast.

## 12. Sustainable Communities Strategy

Areas Seeking Clarification - Numerous comments were received about housing and the impact of Connect SoCal strategies on housing affordability. The comments varied from wanting to see more explicit housing related policies from SCAG to suggesting a change in the growth strategies. Other comments questioned the inclusion of any discussion on housing in Connect SoCal. Comments sought further clarity about the GHG reduction strategies, concern about the use of vehicle miles travelled as a metric, and proposals to focus on certain strategies, such as electrification, over others. One comment suggested that SCAG stall the process for one year, similar to San Diego Association of Governments, or submit an alternative planning scenario instead of an SCS to the California Air Resources Board. A few comments requested a more descriptive final growth vision. SCAG also received input from local jurisdictions requesting technical refinements to the growth vision datasets. Other comments included requests for more climate data and polices to address climate change.

Proposed Approach - The land use policies included in Connect SoCal reflect an update and refinement but general consistency with the land use policies and strategies included in the first RTP/SCS (2012). SCAG staff will better clarify the impact of strategies on development decisions and that local jurisdictions retain land use authority. Technical refinements will be made to growth vision datasets where input improves alignment with plan policies and strategies. Staff will clarify GHG reduction strategies but will not be changing the focus or emphasis of certain strategies. Additional strategies suggested for incorporation into the SCS can be considered for next cycle after additional discussion with SCAG Policy Committee Members and stakeholders.

## 13. Transit

Areas Seeking Clarification - Comments were specific to individual projects/ proposals, freeway High Quality Transit Areas (HQTAs), and Regional Housing Needs Assessment (RHNA) allocation in regards to planned High Quality Transit Corridors (HQTCS).

Proposed Approach - SCAG will review and address project specific comments on a case-by-case basis. Generally, SCAG works with the county transportation commissions to identify specific transportation projects for inclusion in the RTP/SCS. Final determinations regarding transit technologies, project costs, project alignments, and project completion dates are the responsibility of the appropriate lead agency and determined through local planning and project development processes. For the 6th cycle of RHNA, SCAG is assigning a portion of housing unit need on the basis of 2045 HQTAs. These HQTAs will be consistent with those developed for Connect SoCal. Additionally, SCAG will revise the definition of HQTAs such that freeway transit corridors with no bus stops on the freeway alignment do not have a directly associated HQTAs.

#### 14. Transportation Conformity Analysis

Areas Seeking Clarification - Numerous comments recommended language on the challenge of attaining federal air quality standards be included in the Final Connect SoCal. Other comments were regarding clarifications on the transportation and emission models, conformity requirements, and overall appreciation to SCAG staff.

Proposed Approach - SCAG will include language regarding the challenges of attaining federal air quality standards and its potential implications. Clarifying language related to the transportation and emission models, conformity requirements, and other requested areas will be incorporated in the Final Connect SoCal.

#### 15. Transportation Finance

Areas Seeking Clarification - Comments were focused on clarifying details on the financial model, implementation guidelines for new revenue sources and need for more evaluation, including assurances on distribution of funds and consideration of impacts of fees on different segments of the population.

Proposed Approach - Text clarifications will be made regarding assumptions for the financial model and guidelines for implementation of new revenue sources. SCAG agrees that additional work is needed including, but not limited to, evaluating options for implementation, accountability and approaches for addressing income and geographic (e.g., urban vs. rural) equity impacts before the mileage-based user fee (or road charge) would become effective (which is why the draft Connect SoCal does not assume revenues from this source before 2030). SCAG, in collaboration with local, regional, state and federal stakeholders, will continue to actively participate in efforts to make transportation funding more sustainable in the long-run.

#### 16. Other

Areas Seeking Clarification - Other comments raise questions or concerns that do not fit into the above categories, such as copy editing and factual errors.

Proposed Approach - SCAG will consider revisions to the Final Connect SoCal generated by other comments on a case-by-case basis. In general, staff will consider revisions where adequate justification has been provided by the commenter.

#### Next Steps:

April 2, 2020

- o Joint Policy Committee will discuss proposed Final Connect SoCal and consider forwarding a recommendation for adoption by the Regional Council.
- o Energy and Environment Committee will review Final PEIR and consider forwarding a recommendation for approval by the Regional Council.

- o Regional Council will consider approving the Final PEIR and adopting the proposed Final Connect SoCal.

Early June 2020

- o CARB will review SCAG's determination that the SCS would, if implemented, achieve established GHG reduction targets.
- o FHWA and FTA in consultation with US EPA will review Connect SoCal for transportation conformity determination.

**FISCAL IMPACT:**

The budget for this work is primarily included in the WBS 010.0170.01 RTP Support, Development and Policy Implementation.

**ATTACHMENT(S):**

1. List of Commenters

## Draft Connect SoCal (2020 RTP/SCS) – Summary List of Comments (See Note\*)

### Agencies/Organizations:

- Alliance for a Regional Solution to Airport Congestion
- Bolsa Chica Land Trust
- Bureau of Engineering, City of Los Angeles
- California Air Resources Board
- California Community Builders / The Two Hundred
- California Cultural Resources Preservation Alliance, Inc.
- California Department of Transportation
- California Dept. of Fish and Wildlife
- California High Speed Rail Authority
- California Native Plant Society
- Californians for Electric Rail
- Center for Biological Diversity
- Center for Demographic Research, Cal State Fullerton
- City of California City
- City of Corona
- City of Costa Mesa
- City of Huntington Beach
- City of Indio
- City of Irvine
- City of La Habra
- City of Laguna Hills
- City of Lancaster
- City of Los Angeles
- City of Los Angeles, Department of Transportation
- City of Mission Viejo
- City of Moreno Valley
- City of Ontario
- City of Oxnard
- City of Palmdale
- City of San Marino
- City of South Gate
- City of South Pasadena
- City of West Hollywood
- City of Yorba Linda
- Climate Resolve
- Diamond Bar Pomona Valley Sierra Club Task Force
- Friends of Harbors, Beaches and Parks
- Friends of the Whittier Hills Association
- Have A Go
- Hills for Everyone
- Imperial County Transportation Commission
- Leadership Counsel for Justice and Accountability
- Los Angeles County Bicycle Coalition
- Los Angeles County Business Federation
- Los Angeles County Metropolitan Transportation Authority
- Natural Lands Coalition
- Omnitrans
- Orange County Business Council
- Orange County Council of Governments
- Orange County Transportation Authority
- Public Health Alliance of Southern California
- Rail Propulsion Systems LLC
- RailPAC
- Responsible Land Use

\*Reflects comments received and logged as of 02/19/2020 and may not be complete. Provided for informational purposes at this time. Commenters wishing to confirm receipt of any comment not shown may contact SCAG staff.



## Draft Connect SoCal (2020 RTP/SCS) – Summary List of Comments (See Note\*)

### Agencies/Organizations (continued):

- Retro Bicycle corp.
- Right of Say
- Riverside County Transportation Commission
- Ron Milam Consulting
- Safe Routes Partnership
- San Bernardino Community College
- San Bernardino County Transportation Authority
- Save Hobo Aliso Task Force
- Save The Rivera
- Service Employees International Union - United Service Workers West
- Sierra Club Los Angeles Chapter
- Sierra Club Moreno Valley Group
- SoCalGas
- South Bay Cities Council of Governments
- South Coast Air Quality Management District
- Southern California Edison
- Southern California Leadership Council
- Southern California Regional Rail Authority (SCRRA)
- Transportation Now of San Geronio Pass
- Transportation Corridor Agencies
- UNITE HERE Local 11
- United State Environmental Protection Agency
- Ventura County Air Pollution Control District
- Ventura County Planning Division
- Ventura County Transportation Commission
- Walk Bike Long Beach
- Westwood South of Santa Monica Blvd Homeowner's Association

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## Draft Connect SoCal (2020 RTP/SCS) – Summary List of Comments (See Note\*)

### **Contacts with No Affiliation:**

- Anonymous Submitter
- Adam Aitoumeziane
- Alan
- Albert Perdon
- Alexander Yessayantz
- Andrew Yoon
- Anna Jaiswal
- Don Salveson
- Garreth Wybenga
- Henry Fung
- Holly Osborne
- Ivan Garcia
- Jordan Sisson
- Mark Westerdale
- Marven Norman
- Meghan Kwast
- Michael Garlan
- Michael Rotcher
- Mitchel Kahn
- Pete Freeman
- Pilar Reynaldo
- Richard Sandbrook
- Stephanie Johnson and Ghassan Roumani
- Steven Shepherd
- T.L. Brink
- Tamara Zavinski

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