

RETAIN LOCAL LAND USE CONTROL FOR THE FUTURE OF YORBA LINDA HOUSING

Yorba Linda 2021-2029 Housing Element

The City of Yorba Linda is actively working to plan for the future of housing in our community. The City has worked with diverse community voices to develop a draft plan for the City's new Housing Element, the State-required housing plan that every city in California must adopt. This revised Housing Element proposal reflects significant community feedback, reduces the impacts of new housing development on existing neighborhoods and creates a framework to revitalize the Savi Ranch area with new development and housing opportunities. Now the City is seeking resident feedback on this revised plan. The City's unique "right-to-vote" ordinance, Measure B, empowers its residents with direct control over local zoning changes. While this measure emphasizes community involvement, it presents challenges when reconciling local control with statewide housing mandates.

Yorba Linda residents are encouraged to read about the revised Housing Element, review the parcels of land that have been proposed for zoning changes and ask questions about the Housing Element process and why certain decisions were made. This draft Housing Element deserves community feedback and City Staff is actively seeking out resident feedback throughout the Housing Element review and adoption process.

Adopting a Housing Element is a critical requirement of State law. Failure to adopt a compliant housing element can result in loss of funding, significant fines, loss of local land use control and create an opportunity for developers to use "Builder's Remedy" to bypass significant portions of our local land use code and build residential housing on their terms—not the community's. That is why your participation is so important.

Land use is complex and this document is intended to provide a high-level overview of the law and requirements to stakeholders and community leaders.

Housing Element 101

What is a Housing Element?

A Housing Element is a State-mandated policy document within a City's General Plan that identifies existing and future housing needs determined by the State and establishes clear goals and zoning changes needed to meet those goals. The State Department of Housing and Community Development (HCD) is tasked with reviewing Housing Elements for compliance with State housing laws.

What is a Regional Housing Needs Assessment (RHNA)? What is Yorba Linda's allocated number?

RHNA is a State-mandated process quantifying the need for housing in each city and county throughout the State. The RHNA process assigns a total number of housing units that each local government must plan for with its land use policies and outlines the general price points that the housing should seek to target. The RHNA Housing Allocation for Yorba Linda is 2,415 units for the 6th Cycle (2021-29), meaning the City must devise a plan and related zoning to allow for the potential development of 2,415 housing units in the City that could potentially be built by 2029.

What is the City's role in making sure Yorba Linda fulfills its Regional Housing Needs Assessment (RHNA) number?

Importantly, the City does not build housing. The market and market influences, such as certain subsidies, the macroeconomy, interest rates and more determine what housing gets built. The City's role is to create zoning that would theoretically allow that number of housing units to be built over the RHNA period, in this case, 2021 to 2029.

What is the Measure B/Right-to-Vote Amendment (RTVA) and why does it matter during a Housing Element update?

Enacted in 2006, Measure B, or the Right-To-Vote Amendment (RTVA), is a citizen-sponsored, voter-approved initiative, incorporated within the City's Municipal Code. It requires citywide elections for the approval of certain "Major Amendments" to the City's Planning Policy Documents, including the Housing Element. Although this measure highlights the value of community participation, it creates an additional important step for the community to navigate to adopt a compliant Housing Element.

Can the City or voters reject State-mandates and just not have a housing element?

California state housing policy and RHNA allocation are all subjects of discussion and policy debate for their merits and actual impact on the housing market. However, the City must develop a compliant Housing Element and related zoning or it will face the loss of local control for land use, risk substantial fines, lose access to State grant funds, become vulnerable to lawsuits from developers and affordable housing advocates and open the gates to 'Builder's Remedy' applications that completely bypass many local land use rules. Builder's Remedy promises the loss of City authority to review and limit developments.

Step-by-Step: Approving the 2021-2029 Housing Element

1

The HCD creates a total number of housing units for a period of time for each region in the State.

2

Southern California Association of Governments (SCAG) allocates its assigned number of housing units to all jurisdictions in its region, including Yorba Linda.

3

Yorba Linda takes steps to adopt a Housing Element that demonstrates how the City's zoning will accommodate the number of assigned units.

4

HCD reviews and approves the Housing Element.

5

City Council passes land use ordinances to implement the Housing Element.

6

Per the Right-to-Vote Amendment, City Council may vote to initiate a ballot measure to seek voter authorization of zoning changes to implement Housing Element.

7

Yorba Linda residents will vote on potential zoning changes required for implementing the Housing Element.

Key 2021-2029 Housing Element Milestones

Sept 2017:

Governor Brown enacts a significant housing reform of 15 bills.

Oct 2020:

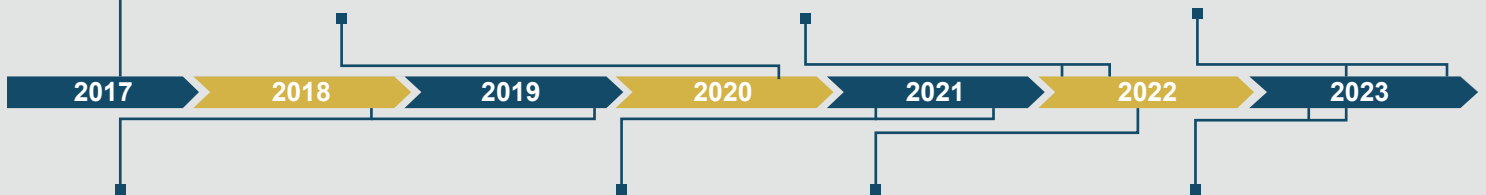
Yorba Linda challenges its RHNA allocation, but the appeal is denied.

Feb - Apr 2022:

While the City Council adopts the Housing Element and HCD conditionally certifies it, the City must quickly implement the proposed rezoning by Oct 2022 in order to avoid severe penalties.

Jun - Nov 2022:

Due to RTVA, the final approval of the Housing Element hinges on a majority 'Yes' vote from Yorba Linda residents on Measure Z. The measure ultimately fails (75.23% opposing and 24.77% in favor) and the City must return to the drawing board to bring the measure back to voters on the 2024 ballot or risk losing local land use control to the State through the Builder's Remedy.



Oct 2018 - Nov 2019:

The 6th Cycle Regional Housing Needs Assessment (RHNA) for the 2021-2029 period unfolds, leading Southern California Association of Governments (SCAG) to set an allocation of 2,415 units for Yorba Linda.

Mar - Oct 2021:

Final allocations are set, with the City striving to meet state deadlines by submitting multiple Housing Element drafts.

June 2022:

The State pushes back the rezoning deadline for cities with certified Housing Elements to October 2024.

Apr - Jun 2023:

The City engages a grassroots Yorba Linda Housing Policy Resident Working Group in an effort to evaluate next steps and to expand overall resident engagement on this important and complex policy issue.

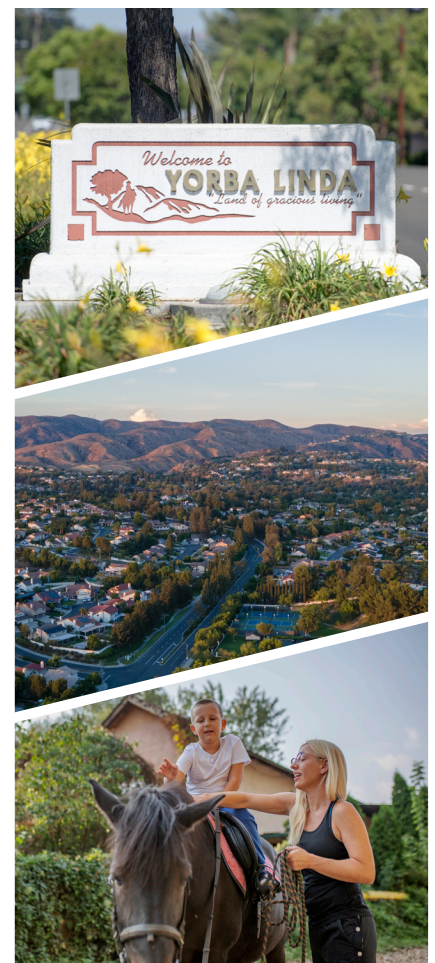
A Resident-Driven Housing Element

To tackle the intricate policy issue of housing, the City believed in connecting directly with its residents. This led to the formation of the Yorba Linda Housing Policy Resident Working Group, a diverse group of 17 residents representing varied geographies and perspectives on housing. Group members had shown prior interest in housing and even brought differing viewpoints on Measure Z, but always remained solution-oriented.

Throughout six meetings, the Working Group delved deep into the complexities of land use and housing policies, looking at their impacts and potential solutions. After thorough discussions, the group reached a consensus on several recommendations for the City's future housing strategy. Highlights include an emphasis on these key objectives:

- Retain local control through a positive November 2024 ballot vote to adopt a new Housing Element.
- Prioritize mixed-use zoning and development to address Yorba Linda's allocated RHNA numbers, especially in high-density areas.
- Advocate for comprehensive resident engagement and education on housing policy.

This effort of community members is a powerful example of citizen-driven solutions for a community and their collaboration and gracious treatment of one another — even though they sometimes disagreed with each other — demonstrated the best of Yorba Linda. As we now enter the broader community engagement phase, the City remains committed to a transparent and informed approach to shape the future of housing in Yorba Linda that also preserves local control.



Next Steps for the 2021-2029 Housing Element

The City Council retains control over the policy direction and decisions to adopt a Housing Element and place a ballot measure on a future ballot to comply with Measure B. If the City pursues the Working Group's recommendation for a new ballot measure in November 2024 to implement the rezoning needed to achieve compliance with HCD's mandates, the following timeline would be most likely.

- **Sep - Nov 2023:**
City holds a series of public workshops to engage the community on housing policy.
- **Dec 2023:**
Draft of the revised Housing Element is sent to HCD for review following Planning Commission and City Council hearings.
- **Feb 2024:**
HCD potentially provides recertification of the revised Housing Element.
- **Apr 2024:**
Environmental review of revised Housing Element for CEQA compliance begins.
- **Apr 2024:**
Traffic Commission reviews Housing Element and provides feedback.
- **May 2024:**
Planning Commission hosts a public hearing on the revised Housing Element and recommends that the City Council adopt the revised Housing Element.
- **July 2024:**
City Council considers adopting revised Housing Element and calls for a ballot vote.
- **Nov 2024:**
Potential new rezoning ballot measure vote to retain Yorba Linda's local control.



For More Information

Visit YLLocalControl.com to learn more about Yorba Linda housing policy and take a deeper dive into the complex and important issues behind the Yorba Linda Housing Element.

Contact Information

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