

# Yorba Linda Resident-Driven Housing Element

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Community Webinar Q&A  
April 3, 2024

# Retain Local Control for Yorba Linda Housing

*2021-2029 Housing Element Update*

[YLLocalControl.com](http://YLLocalControl.com)

# Welcome!

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This webinar is being recorded and will be available at [YLLocalControl.com](http://YLLocalControl.com) and on the City's Youtube page (@YorbaLindaCityHall) for later viewing.

## Agenda

- Panelist Introductions
- Presentation
- Q&A with the Community (Q&A feature of Zoom)

# Introductions

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# Tonight's Priorities

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- Provide access to information and answers to your questions
- Build trust with you about this complicated policy matter
- Ensure residents know about the key dates for hearings, community meetings and Commission and City Council actions
- Promote civic engagement and a culture of collaboration among your fellow residents

# Tonight's Agenda

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- Presentation ~30 Minutes
- Q&A ~ 45 Minutes

# Housing Elements Explained

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- What does it do?
- Who requires it?
- How many has Yorba Linda adopted?
- What is different this time?
- How did we get our housing unit allocation?
- How do they fit into the broader scheme of land development?

# Operating Facts for Tonight's Discussion

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- The RHNA Housing Allocation is 2,415 units for the 6<sup>th</sup> Cycle (2021-29).
- Cities who do not have a "Certified" Housing Element face big negative impacts including loss of state funding, loss of local control and risk with Builder's Remedy claims.
- November 2024 is the last opportunity for the City voters to approve a ballot measure to implement zoning that will deliver a Certified Housing Element. Failure to do so will result in the City losing its Conditionally Certified Housing Element.
- Legal pathways to battle against housing law and RHNA allocation are highly likely to fail, and certainly not likely to resolve before November 2024.
- Citizen efforts for a statewide ballot measure to restore local control are currently longshots and — even if successful — will not overturn the 2,415-unit allocation or the current cycle RHNA housing allocation process.

# Legal Battles To Preserve Local Control Are Failing

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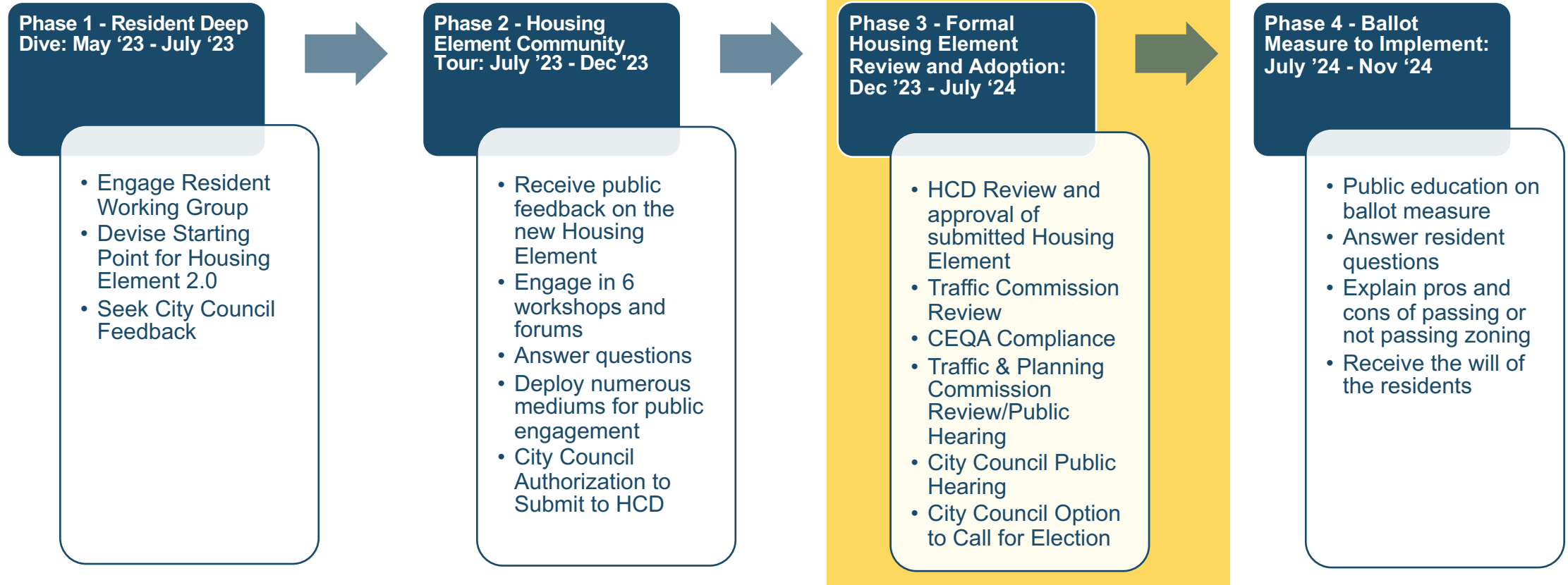
- City Appeal of City's RHNA allocation to SCAG – City appealed the number of units assigned to Yorba Linda. Appeal rejected.
- Orange County Council of Govts v. HCD – City a member of OCCOG which challenged RHNA allocation to Southern California. Lost in Trial Court and Court of Appeal.
- Two Huntington Beach lawsuits with State:
  - Huntington Beach sued State over housing laws in federal court. City lost. Case on appeal.
  - State sued Huntington Beach in State court. Trial Court ordered City not to interfere with RHNA housing sites. Case ongoing but Court already has ruled State likely to prevail.
- Builder's Remedy Cases – Cities subject to builder's remedy for non-compliance with State housing laws. Examples: La Canada Flintridge and Beverly Hills.

# Theoretical Timeline

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# Potential 4 Phases of Public Engagement and Feedback

July 2023 - November 2024: 18 Months of Resident Engagement



# A Future Tentative Timeline for Housing Element

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- **April 2024:** Community Conversations, Traffic Commission Review
- **May 2024:** Community Conversations, Planning Commission Review/Public Hearing
- **Jul 2024:** City Council Public Hearing and Ballot Measure Resolution
- **August - November 2024:** Voter Outreach and Measure Information
- **November 2024:** Residents Vote on Ballot Measure to Enable Housing Element

# A Time for Choosing: November Vote by Residents

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## **Adopt Housing Element**

- No Builder's Remedy Available to Developers
- City retains local zoning and planning authority
- Rezoning affect about 1.5% of all land in Yorba Linda
- City remains eligible for grant funding
- Some parcels are up-zoned for more density to increase available housing development options

## **Reject Housing Element**

- Builder's Remedy available to developers
- State becomes zoning and planning department
- No grant funding available for City
- Fines of up to \$600,000 a month

# Builder's Remedy – Why such a threat?

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- Government Code 65589.5(d)(5)
- Applicable when a jurisdiction does not have a certified Housing Element
- Supersedes Measure B requirements
- Jurisdictions may not deny based on General Plan or Zoning inconsistency
- Residential development only or certain mixed-use projects
- Must meet certain affordability requirements
  - 20% lower income or 100% moderate income
  - May be an emergency shelter
  - No cap on building height or density
- Cannot be proposed in agricultural or resource preservation zones
- Extremely difficult to make the findings to deny the development

# Builder's Remedy – A Local Example...

## The Fairmont Site...

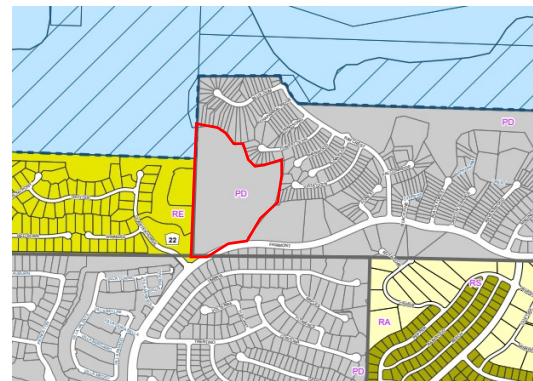


## Existing General Plan



- 9 acres Medium Residential  
– 3 du/ac allowed
  - Typical Single-Family Residential
- 14 acres Open Space – 0 du/ac allowed

## Existing Zoning



- 23 acres PD (Planned Development (Church)) – 0 du/ac allowed

# Builder's Remedy – A Local Example...

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To develop under **existing Yorba Linda regulations** –

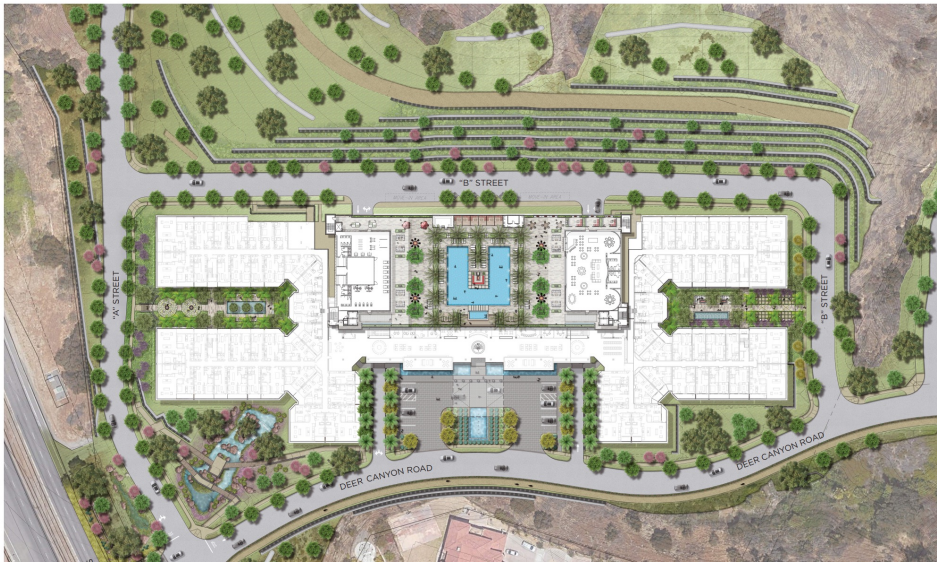
- Zone Change
- General Plan Amendment
- Design Review
- Public hearings at Planning Commission
- Appealable to City Council
- Measure B applicable
- City retains local control

To develop under **Builder's Remedy** -

- City cannot deny any qualifying residential development on the basis of existing General Plan Land Use or Zoning regulations
- Project must provide 20% of units affordable to lower income households or 100% of units affordable to moderate-income households
- CEQA compliance required

# Could this happen on Fairmont site?...

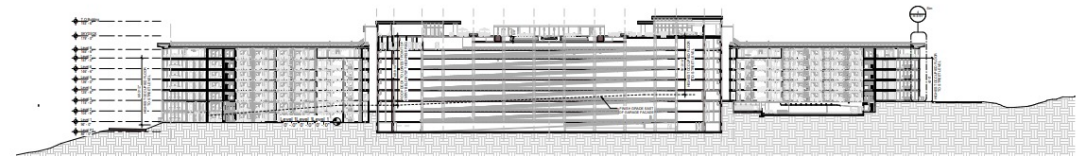
## Anaheim Proposed “Hills Preserve” Apartment Project



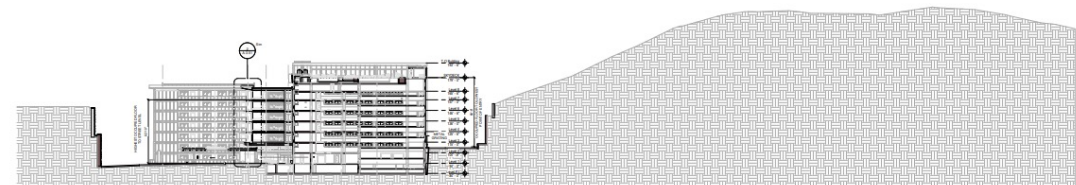
BrightView  
ANALYTICS



HILLS PRESERVE  
HILLS CLUB & PRESERVE  
ANAHEIM HILLS, CALIFORNIA



SITE SECTION (TRANSVERSE)  
SCALE: 1"=20'-0"



SITE SECTION (TRANSVERSE) 1  
SCALE: 1"=20'-0"



HILLS PRESERVE  
HILLS CLUB & PRESERVE  
ANAHEIM HILLS, CALIFORNIA

NOT FOR  
CONSTRUCTION  
08/15/23

A-3.01  
Sections

# The Housing Policy Resident Working Group

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- From mid-May to late June, the City Staff convened six meetings with a "Housing Policy Resident Working Group" made up of 17 Yorba Linda residents.
- June 26<sup>th</sup> was the conclusion of six meetings with this group.
- Selection/Membership Process
- Building stronger communities
- Why do you think Measure Z failed?
- Consequences of not having a compliant Certified Housing Element
- The City's goals for Citizen Working Group
- Timeline, Brief History, Potential Future
- Housing Element 101 Education

# The Group's Findings and Recommendations

## *Six key resident suggestions affirmed by the City Council*

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- Retaining local control with a November 2024 ballot vote is important.
- The City should pursue a November 2024 ballot measure to adopt zoning changes, and residents should seriously weigh the consequences if that ballot measure fails.
- The City should deploy more tools to connect with residents on the need for adopting a Housing Element and perform the education necessary to ensure the public is informed on this complex subject. This may include engaging additional consulting resources to supplement the City's outreach efforts for this acute need.
- A resident survey on housing issues could better inform the City's engagement efforts and should be pursued.
- The City should leverage Savi Ranch (to a reasonable extent) to create a new residential and mixed-use Downtown-like space for Yorba Linda.
- That the City should generally view mixed-use development as a positive and make it available where it is appropriate throughout higher density sites in the City.

# Working Group Housing Element Recommendation Summary

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- Add significant unit count and density to Savi Ranch swapping out some commercial retail for housing.
- Drop a number of smaller sites across the west side of Yorba Linda to balance out the geographic allocation of units in the city.
- Reduce zoning or acreage across three bigger sites: Bryant Ranch Center, Christmas Tree Farm and Fairmont resulting in over a 70% reduction in units in all these areas combined.
- Recognize existing zoning that is already in place on sites that were dropped for rezoning. Recognize other existing capacity on certain single-family zoned and church properties.
- Leave the proposed Congregational Lands Overlay zone as originally proposed with the removal of the three sites.

# City Council Action and Response

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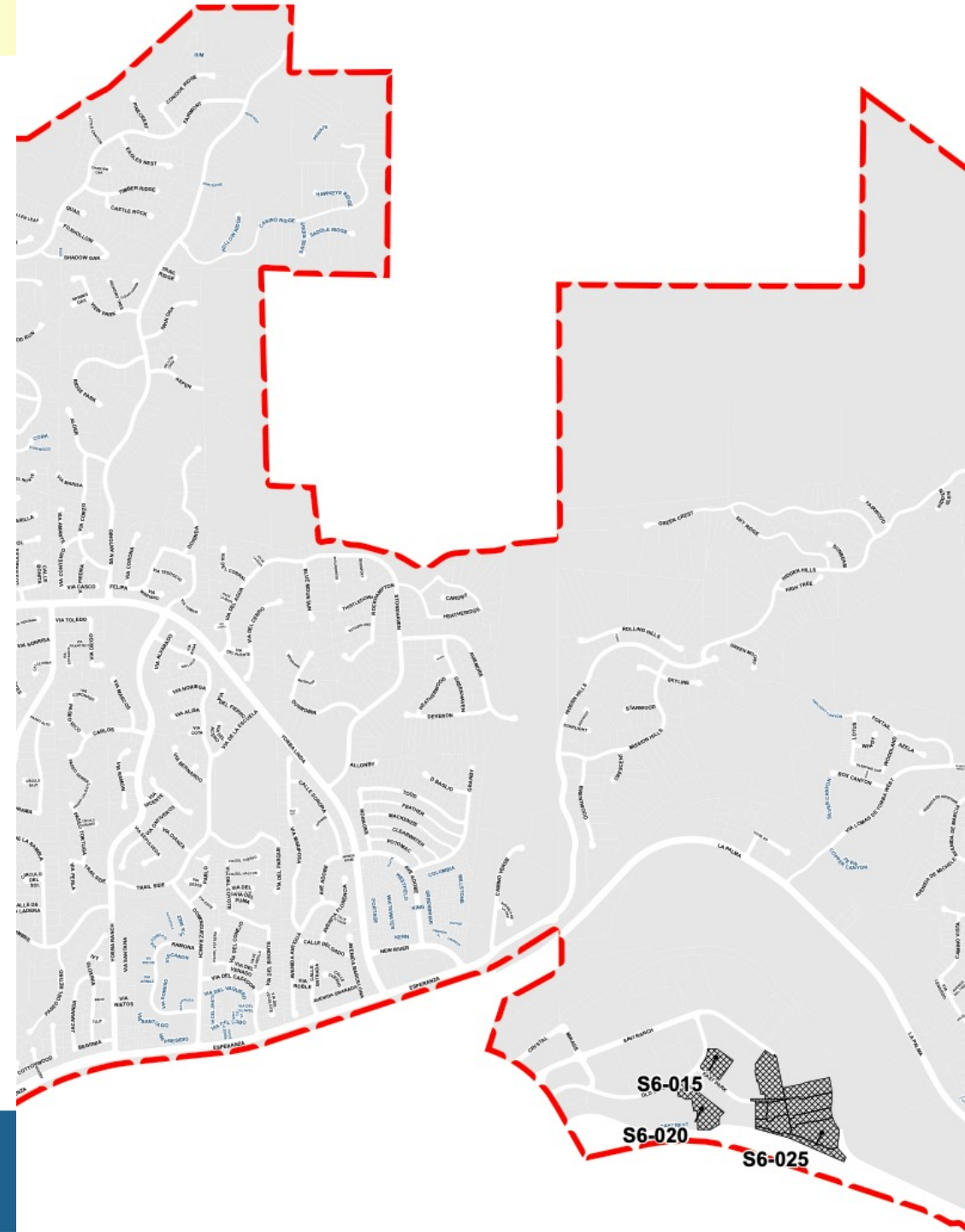
- Fall 2023 Public Engagement
  - One online webinar
  - Three in-person community workshops
  - Two community coffee chats
  - Two public hearings at Planning Commission and City Council
  - Launch of the YLLocalControl.com website
- General Feedback on Housing Element
  - Questions about state mandates and status of lawsuits
  - Expressions of concern about Builder's Remedy
  - Extensive emails about dropping Bryant Ranch Shopping Center
  - General support for revised plan as developed by residents
- Following the Working Group suggestions, additional City Council actions took place:
  - Residents on Bastanchury had concerns about proximity of development to their homes and the Housing Element was modified to spread zoning into an adjacent Congregational Overlay zone. Immediately adjacent residential properties were dropped.
  - The owner of Bryant Ranch Shopping Center indicated pursuit of their own zoning for the shopping center and has started a Measure B process. The site was dropped from the City's Housing Element.

# Draft Housing Element Review

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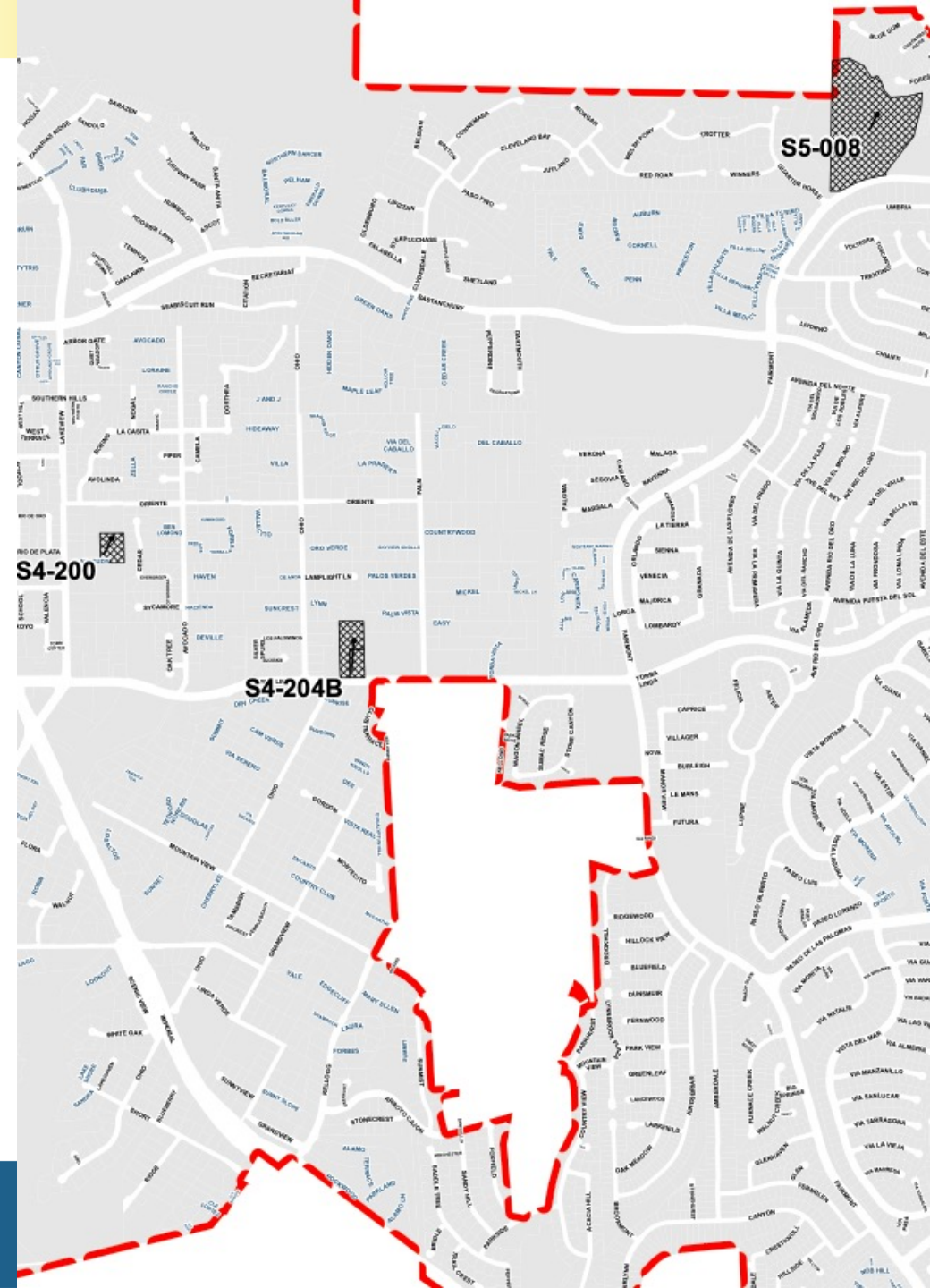
# East Side Changes

- Add new 8-acre site in Savi Ranch
- Increase density on all Savi Ranch sites from 35 du/ac to 60 du/ac (200 units to 790 units)
- Bryant Ranch Center removed and subject to separate Measure B (dropped 78 units)
- 100% reduction in Bryant Ranch Shopping Center
- 400% increase in Savi Ranch



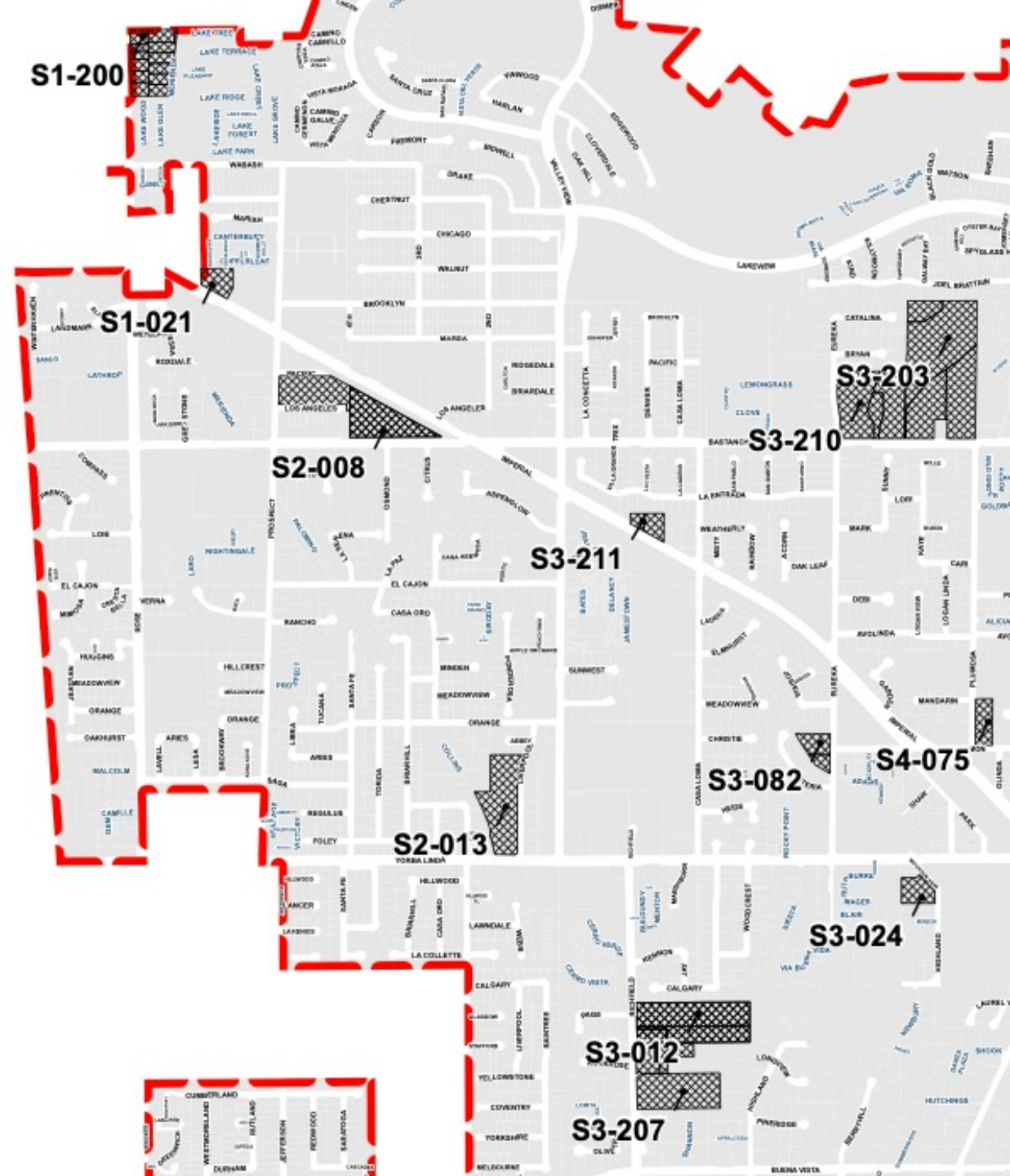
# Central Changes

- Keep two sites at southern terminus of South Ohio removed
- Keep site at Kellogg/Grandview removed
- Remove Chabad Center (Site S4-204A)
- Reduce acreage for Fairmont Site S5-008 from 23 acres to 3 acres (230 units to 30 units)
- >85% reduction on Fairmont Site



# West Side Changes

- Spread density between Shinnyo-En site (S3-210) and Duvall/Karagines (S3-203)
- Removed CRK Stables/Adjacent Residential
- Remove Islamic Center (Site S3-034)
- Remove Yorba Linda Preschool (Site S3-074)
- Remove 2-acre residential site NW of Islamic Center on Eureka (Site S3-034)
- Remove vacant residential site between Highland and Eureka (Site S3-205A)
- Reduce density for Christmas Tree Farm 35 du/ac to 10 du/ac (Site S3-207) – Reduction from 291 to 75 units (>70% reduction)
- Total reduction on west side of 440 units (35%)



# Table of East vs. Central vs. West New Housing Allocations

Site	Description	Density	West	Central	East
Site S6-015	John Force	60			131
Site S6-020	Extended Stay	60			206
New Site in Savi Ranch (Bac Tran)		60			453
Site S1-200	Rose Drive	35	177		
Site S3-082	Eureka (South of City Yard)	35	52		
Site S4-075	Plumosa (Town Center)	35	48		
Site S2-008	Friendship Baptist	35	60		
Site S3-012	Richfield Church	35	55		
Site S2-013	Messiah Lutheran	35	40		
Site S3-024	Friends Church	35	48		
Site S3-210	Shinyo-En USA	35	105		
Site S1-021	Vacant Parcel (LA Fitness)	35	52		
Site S4-200	Altrudy II	20		40	
Site S4-204B	West of Jesamyn Park	20		66	
Site S3-211	Vinjon's Kennel	10	20		
Site S3-207	Richfield Xmas Tree Farm	10	75		
Site S5-008	Fairmont Vacant Parcel	10		30	
Site S3-203	Bastanchury Site	10	89		
		TOTALS	821	136	790

Note this table is only showing rezoned property allocation and not other HCD-accepted unit counts like existing zoning capacity and ADU's. It does not add to 2415.

# Table of RHNA Allocations

Table IV-1: Potential Housing Units during 2021-2029 Planning Period

Income Levels	Very Low	Low	Moderate	Above Mod	Total
<b>2021-2029 RHNA Targets</b>	<b>765<sup>1</sup></b>	<b>451</b>	<b>457</b>	<b>742</b>	<b>2,415</b>
<b>Existing Zoning</b>					
Entitled Projects (post 6/30/2021 occupancy)				181	181
Town Center Specific Plan			31		31
RM-30 (Postal Annex Site)			12		12
Accessory Dwelling Units	100	172	120	8	400
Single-family Zoning Potential				63	63
Church Sites with Single-family Zoning			38	25	63
<b>Existing Site Capacity</b>	<b>272</b>		<b>201</b>	<b>277</b>	<b>750</b>
<b>RHNA Shortfall</b>	<b>(944)</b>		<b>(256)</b>	<b>(465)</b>	<b>(1,665)</b>
<b>Rezone Sites</b>					
RM-60 (Savi Ranch Sites)	435		150	205	790
Affordable Housing Overlay	279				279
Congregational Land Overlay	308				308
Mixed Use Housing Overlay	27		26		53
RM-20	40		25	41	106
RM			37	58	95
Planned Development			43	73	116
<b>Total Site Capacity (Existing + Rezone Sites)</b>	<b>1,361</b>		<b>482</b>	<b>654</b>	<b>2,497</b>
<b>RHNA Buffer</b>	<b>+145</b>		<b>+25</b>	<b>-88</b>	<b>+82</b>

# Measure B and Resident Zoning Control

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- Most zoning changes in Yorba Linda require voter approval
- The Housing Element requires a significant number of property rezoning actions
- 2022 Measure Z Failed - First Try at adopting a Housing Element
  - 7,221 – Yes 25%
  - 21,937 – No 75%
- November 2024 is the final opportunity Yorba Linda has to vote to adopt a Housing Element



# The Conversation Continues

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We are coming to your neighborhood:

- Learn more at [YLLocalControl.com](http://YLLocalControl.com)
- Ask us questions via [YLHousingElement@YorbaLindaCA.gov](mailto:YLHousingElement@YorbaLindaCA.gov)

**In-Person Meetings #1 (Central)**

Wednesday, May 1, 6 to 8 p.m.  
East Lake Village Community Association  
5325 Village Center Dr, Yorba Linda, CA 92886

**In-Person Meetings #3 (West)**

Thursday, May 23, 6 to 8 p.m.  
Community Center (Yorba Room)  
4501 Casa Loma Avenue, Yorba Linda, CA 92886

**In-Person Meetings #2 (East)**

Thursday, May 9, 6 to 8 p.m.  
Bryant Ranch Elementary School  
(Multi-Purpose Room)  
24695 Paseo de Toronto, Yorba Linda, CA 92887

## Tentative Dates for Public Hearings

**Traffic Commission Hearing**

Thursday, April 25 @ 6:30 p.m.  
Yorba Linda Council Chambers  
4858 Casa Loma Avenue, Yorba Linda, CA 92886

**Planning Commission Hearing**

Monday, May 15 @ 6:30 p.m.  
Yorba Linda Council Chambers  
4858 Casa Loma Avenue, Yorba Linda, CA 92886

**City Council Hearing**

Tuesday, June 18 @ 6:30 p.m.  
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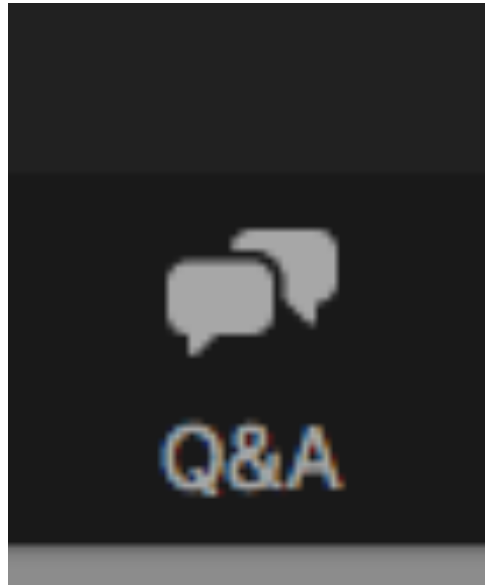
# Questions and Answers Time

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# Resident Questions

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Let's answer your questions. Please submit them using the Q&A Feature in Zoom at the bottom of your screen.



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End

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# Working Group Planning Principles

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- No single area of the City of Yorba Linda should be immune from doing its part to create housing opportunity areas.
- Increased density on existing, developed land in infill areas would be preferred to “greenfield” development that destroys open spaces in the City.
- Being aware of and making recommendations that attempt to mitigate Very High Fire Hazard Severity Zones should be a part of the City’s planning - though it is not a part of the State Housing Element evaluation process. For example, proactive adoption of dual access roads as Brea is doing.
- Whenever reasonably possible, the zoning should avoid high density immediately adjacent to single-family residential neighborhoods.

# Working Group Planning Principles

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- Where high density is adjacent to single-family residential areas, setbacks and design standards should be used to reduce the massing of buildings against property lines of the single-family residences. For example, the second story should continue to be set back 50 feet and a third story should be set back 100 feet.
- That mixed-use development, where possible, should be accommodated to create both housing opportunities and retail spaces/services that both enhance quality of life and provide needed sales tax revenue.
- Preserve the parks and trail systems throughout the City and provide recreation spaces for new residents that encourage community gathering and social interactions. These principles are consistent with the City's adopted General Plan and noted in the Land Use Element, Conservation Element and the Open Space and Recreation Element.

# Working Group Housing Element Evolution

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- Start with a baseline of Conditionally Certified Housing Element.
- Council removed four sites from Conditionally Certified Housing Element prior to Measure Z.
- Now apply the Working Group changes to the Housing Element to devise Housing Element 2.0.