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February 1, 2022

Megan Kirkeby, Deputy Director  
Department of Housing and Community Development  
Division of Housing Policy Development  
2020 W. El Camino Ave., Suite 500  
Sacramento, CA 95833

Subject: City of Aliso Viejo 2021-2029 Adopted Housing Element (6<sup>th</sup> cycle)

Dear Ms. Kirkeby:

Enclosed for your review is the City of Aliso Viejo 6<sup>th</sup> cycle adopted Housing Element. The element was adopted by the City Council at a public hearing on January 19, 2022. The adopted element was extensively revised to address your comments on the draft element. A summary table is also enclosed describing the revisions to the draft element that are contained in the adopted element.

Should you have questions, please contact me at [Odadabhoy@AVCity.org](mailto:Odadabhoy@AVCity.org) or our consultant John Douglas at [John@JHDPlanning.net](mailto:John@JHDPlanning.net).

Yours truly,

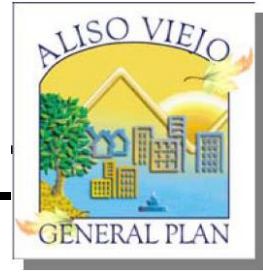
Omar Dadabhoy  
Community Development Director

Enclosures:

City of Aliso Viejo Adopted 2021-2029 Housing Element  
Summary of HCD comments and responses

# HOUSING PLAN

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## INTRODUCTION

Located in southwestern Orange County, Aliso Viejo is approximately bisected by Highway 73 with Laguna Beach bordering to the southwest, Laguna Woods to the north, Laguna Hills to the east, and Laguna Niguel and unincorporated County lands to the south. A primarily residential community, Aliso Viejo offers a wide variety of housing opportunities and has adequate schools, employment, shopping, parks, and open space for the recreation and leisure needs of its residents.

The Aliso Viejo Planned Community, which comprises the majority of the City, began development in the early 1980s. Following rapid growth in the 1980s and 1990s, residential portions of the planning area reached build-out soon after the City's incorporation on July 1, 2001, becoming the 34<sup>th</sup> city in Orange County.



At the time of incorporation in 2001, the City's vacant or underutilized sites were entitled with non-residential uses as specified in the Aliso Viejo Master Development Agreement approved by the County in 1988. However, with the City's adoption of its first General Plan in 2004, the opportunity for additional housing within the community became part of the General Plan process. The Community Benefit Overlay (CBO) concept, outlined in the Land Use Element, allowed modification to existing entitlements: 1) if the proposed development could be shown to provide added benefit to the community, and 2) if property owners were willing to forego or amend the 1988 entitlements under the Master Development Agreement. One such community benefit was the provision of housing affordable to very-low- and low-income households. Through the CBO mechanism, the potential for new construction of housing affordable to lower-income households was greatly increased, and the concept furthered local, regional, and state housing goals.

## PURPOSE OF THE HOUSING ELEMENT

The Housing Element serves as a guide for future residential growth in Aliso Viejo and establishes a strategy for meeting the community's housing needs. The Housing Element is designed to achieve the following objectives set forth in state law:

- 1) Identify adequate sites for a range of housing opportunities;
- 2) Assist in the development of adequate and affordable housing;
- 3) Address constraints to meeting the City's housing needs;
- 4) Conserve and improve the condition of housing; and
- 5) Promote equal housing opportunities for all persons.

## SCOPE AND CONTENT OF THE HOUSING ELEMENT

The Housing Element is a mandated component of the General Plan and satisfies the requirements of State planning law. The Housing Element contains two parts – the Housing Plan and the Community Profile. The Housing Plan has three sections: 1) Introduction; 2) Issues, Goals and Policies; and 3) Housing Programs. In the Issues, Goals and Policies section, potential housing issues are identified and discussed, and goals and policies are established to address these issues. The Housing Plan describes how the goals and policies will be achieved and implemented.

The Community Profile, contained in the General Plan as Appendix C, and part of the Housing Element, analyzes community demographics and housing stock characteristics, potential constraints to housing development, and identifies resources to meet the community's housing needs.

## RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS

California planning law requires the Housing Element to be consistent with other General Plan elements. Development policies contained in the Land Use Element, which establish the location, type, density, and distribution of land uses, including housing, support the goals of the Housing Element by identifying suitable locations for a variety of housing types.

All policies and programs within this Housing Element have been analyzed and found to be consistent with the other elements of the General Plan. [When future General Plan amendments are proposed, the City will evaluate other elements, including the Housing Element, to ensure consistency is maintained.](#)



## PUBLIC PARTICIPATION

Public participation is an important component of the Housing Element update process. Government Code §65583(c)(8) states that "The local government shall make diligent effort to achieve public participation of all the economic segments of the community in the development of the housing element, and the program shall describe this effort." Public participation played an important role in the formulation and refinement of the City's housing goals and policies.

City residents and many other interested parties were encouraged to participate in the Housing Element update process and to identify housing issues of concern, recommend strategies, review the draft element, and provide recommendations to decision-makers.

Please refer to Appendix C-6 for a summary of the Housing Element public participation program.

~~A Housing Element web page was established to provide interested persons with information including Frequently Asked Questions, meeting announcements, reference materials, and also included an online survey regarding housing needs in the community.~~

~~Persons and organizations representing the interests of lower income households and persons with special needs, as well as affordable housing developers, were specifically targeted in the City's notification list (Table H-1).~~

~~The following public meetings were conducted regarding the 2021 Housing Element update:~~

~~May 19, 2021 City Council study session~~

~~August 18, 2021 City Council public meeting~~

~~\_\_\_\_\_ City Council public hearing~~

~~Notices of all public meetings were posted on the City's website, and also mailed to all persons and organizations on the Housing Element interest list in advance of each meeting. The draft Housing Element was also posted on the Housing Element website and made available for review at City Hall, and notices were also mailed to the interest list when the draft Housing Element was published.~~

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**Table H-1**  
**Housing Element Notification List**

Kennedy Commission  
17701 Cowan Ave., Suite 200  
Irvine, CA 92614

League of Women Voters  
PO Box 1065  
Huntington Beach, CA 92647

OC Association of Realtors  
25552 La Paz Road  
Laguna Hills, CA 92653

Public Law Center  
601 Civic Center Drive West  
Santa Ana, 92701

Habitat for Humanity of Orange County  
2200 S. Ritchey St.  
Santa Ana, CA 92705

Jamboree Housing Corp.  
17701 Cowan Avenue  
Suite 200  
Irvine, CA 92614

The Related Companies of California  
18201 Von Karman Ave Ste 900  
Irvine, CA 92612

Community Housing Resources, Inc.  
17701 Cowan Avenue, Suite 200  
Irvine, CA 92614

South County Outreach  
26776 Vista Terrace  
Lake Forest, CA 92630

Dayle McIntosh Center  
South County Branch  
24012 Calle De La Plata # 110  
Laguna Hills, CA 92653

OC Housing Providers  
25241 Paseo de Alicia, Suite 120  
Laguna Hills, CA 92653

Brittany Irvin  
Province Group  
26 Corporate Plaza #260  
Newport Beach, CA 92660

OC Business Council  
2 Park Plaza, Suite 100  
Irvine, CA 92614

OC Housing Trust  
198 W. Lincoln Ave., 2nd Floor  
Anaheim, CA 92805

Neighborhood Housing Services of  
Orange County  
198 W. Lincoln Ave., 2nd Floor  
Anaheim, CA 92805

BIA/OC  
17744 Sky Park Circle #170  
Irvine, CA 92614

City of Laguna Woods  
Attn: Community Development Director  
24264 El Toro Road  
Laguna Woods, CA 92637

City of Laguna Hills  
Attn: Community Development Director  
24035 El Toro Rd  
Laguna Hills, CA 92653

City of Mission Viejo  
Attn: Community Development Director  
200, Civic Center  
Mission Viejo, CA 92691

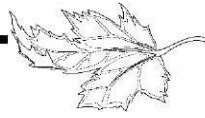
Community Outreach Coordinator  
Regional Center of Orange County  
P.O. Box 22010  
Santa Ana, CA 92702-2010

City of Laguna Niguel  
Attn: Community Development Director  
30111 Crown Valley Pkwy  
Laguna Niguel, CA 92677

City of Laguna Beach  
Attn: Community Development Director  
505 Forest Ave.  
Laguna Beach, CA 92651-2394

Dan Schmid  
Welcoming Neighbors Home  
23676 Birchler Dr.  
Lake Forest, CA 92630

Moulton Niguel Water District  
P.O. Box 30203  
Laguna Niguel, CA 92607



South Orange County Wastewater  
Authority  
34156 Del Obispo Street  
Dana Point, CA 92629

El Toro Water District  
24521 Los Alisos Boulevard  
Lake Forest, CA 92630

Brandon Young  
Mitchell M. Tsai, Attorney At Law  
155 South El Molino Ave, Ste. 104  
Pasadena, CA 91101



## ISSUES, GOALS, AND POLICIES

The goals, policies, and implementation programs of the Housing Element address three Citywide issues:

- 1) Providing opportunities for a variety of housing;
- 2) Maintaining quality neighborhoods and housing units that meet the needs of all income groups; and
- 3) Assisting special needs households and ensuring fair housing practices.

## VARIETY OF HOUSING OPPORTUNITIES

Housing needs vary depending on many factors, such as age, income, family type, household size, and mobility. A well-balanced community includes a variety of housing options. Providing a range of housing opportunities helps ensure that households of all types and sizes can find a home in Aliso Viejo that suits their needs.



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**Goal H-1 Encourage a diversity of housing types and provide affordability levels within Aliso Viejo to meet the needs of community residents.**

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|--------------|--|
| Policy H-1.1 | Identify sites appropriate for the development of a variety of housing types and price ranges to meet the needs of all socioeconomic segments of the community through the disbursement of affordable units in projects.   |
| Policy H-1.2 | Encourage through the use of density bonuses and rezoning to allow for residential development, development of affordable housing opportunities throughout the community, as well as development of housing for elderly and low- and moderate-income households near public transportation services. |
| Policy H-1.3 | Identify physical, legal, economic, and other constraints to the development of housing and collaborate with other public and private agencies to overcome such factors.   |
| Policy H-1.4 | Ensure that a portion of future residential development is affordable to low- and very-low-income households by designating certain sites as having the potential to be used for residential uses.   |



- Policy H-1.5 Encourage development of mixed-use neighborhoods that incorporate all levels of housing with commercial and business park development in existing and future developments.
- Policy H-1.6 Encourage the use of grant funds to purchase available residential units in order to increase the supply of rental and ownership units that are affordable to low- and moderate-income households.

## HOUSING AND NEIGHBORHOOD PRESERVATION

Housing and neighborhood preservation addresses two important issues: 1) improving the condition of Aliso Viejo's residential stock and neighborhoods; and 2) maintaining the supply of affordable housing. The first aspect of housing and neighborhood preservation is to provide a safe and aesthetically pleasing living environment. Improving the character of Aliso Viejo's neighborhoods also influences property values and overall quality of life. The other aspect of housing and neighborhood preservation is ensuring that access to affordable housing opportunities for lower-income households is provided throughout the community.



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### **Goal H-2 Create safe and aesthetically pleasing neighborhoods, and provide adequate housing to meet the needs of all household types and income groups.**

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- Policy H-2.1 As the City matures, maintain the quality of the housing stock through code enforcement as well as appropriate coordination with homeowner associations with regards to on-street parking, landscape maintenance, and water quality.
- Policy H-2.2 Promote increased awareness of the importance of property maintenance to long-term housing quality and property values, and encourage community and neighborhood involvement in neighborhood preservation through public information and awareness, the Aliso Viejo Community Association (AVCA), City newsletters, e-news, cable television, and informational brochures at the public counter at City Hall.
- Policy H-2.3 Work to preserve the affordability of publicly assisted and privately-financed housing units and to discourage their conversion to market-rate housing by requiring condominium conversions to provide very-low- and low-income units, with a focus on units that currently are or were previously affordable units that may have expired or are at risk of expiring.



## AFFIRMATIVELY FURTHERING FAIR EQUAL ACCESS TO HOUSING

The City seeks to expand the range of housing opportunities provided in Aliso Viejo, including housing for seniors on fixed incomes, lower and moderate income residents (including extremely low income households), the disabled, large families, female-headed households with children, and the homeless. In order to make adequate provision for the housing needs of all segments of the community, the City must ensure equal and fair housing opportunities are available to all residents. ~~Special circumstances may impede some persons and households from finding decent, affordable housing. The City has a responsibility to ensure that all persons have access to housing, regardless of race, religion, gender, familial status, marital status, national origin, color, age, disability, or source of income. To ensure that all groups have equal access to housing, the City should ensure the continuation of unimpeded access to a full range of housing opportunities.~~



**Goal H-3a** Ensure that all persons and household types have equal access to housing opportunities regardless of their special characteristics as protected under State and Federal fair housing laws.

**Goal H-3b** Increase the supply of affordable housing in high opportunity areas.

**Goal H-3c** Prevent displacement of low- and moderate-income residents with protected characteristics.

**Goal H-3d** Increase community integration for persons with disabilities.

**Goal H-3e** Ensure equal access to housing for persons with protected characteristics, who are disproportionately likely to be lower-income and to experience homelessness.

**Goal H-3f** Expand access to opportunity for protected classes.

**Goal H-3g** Collaborate with regional and local organizations.

**Policy H-3.1** Affirmatively further fair housing and promote equal housing opportunities for persons of all socioeconomic segments of the community.

**Policy H-3.2** Promote housing along with supportive services to meet the special housing needs of seniors, homeless individuals and families, and the disabled.

**Policy H-3.3** Encourage the provision of housing to meet the needs of families of all sizes.

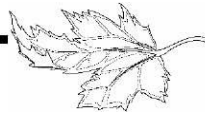


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| <a href="#"><u>Policy H-3.4</u></a>  | <a href="#"><u>Facilitate increased participation among traditionally underrepresented groups in the public decision-making process.</u></a>   |
| <a href="#"><u>Policy H-3.5</u></a>  | <a href="#"><u>Provide increased outreach and education for the broader community of residents, residential property owners and operators regarding fair housing practices and requirements, especially through non-traditional media.</u></a>   |
| <a href="#"><u>Policy H-3.6</u></a>  | <a href="#"><u>Using best practices from other jurisdictions, explore policies and programs that increase the supply affordable housing, such as linkage fees, housing bonds, inclusionary housing, public land set-aside, community land trusts, transit-oriented development, and expedited permitting and review.</u></a>                                   |
| <a href="#"><u>Policy H-3.7</u></a>  | <a href="#"><u>Explore the use of CDBG funds and other grants to provide low-interest loans to single-family homeowners and grants to homeowners with household incomes of up to 80% of the Area Median Income to develop accessory dwelling units with affordability restriction on their property.</u></a>   |
| <a href="#"><u>Policy H-3.8</u></a>  | <a href="#"><u>Review existing zoning policies and explore zoning changes to facilitate the development of affordable housing.</u></a>   |
| <a href="#"><u>Policy H-3.9</u></a>  | <a href="#"><u>Align zoning codes to conform to recent California affordable housing legislation.</u></a>  |
| <a href="#"><u>Policy H-3.10</u></a> | <a href="#"><u>Explore piloting a Right to Counsel Program to ensure legal representation for tenants in landlord-tenant proceedings, including those involving the application of new laws like AB 1482.</u></a>  |
| <a href="#"><u>Policy H-3.11</u></a> | <a href="#"><u>Conduct targeted outreach and support to persons with disabilities, including individuals transitioning from institutional settings and individuals who are at risk of institutionalization. As part of that assistance, maintain a database of housing that is accessible to persons with disabilities.</u></a>                                |
| <a href="#"><u>Policy H-3.12</u></a> | <a href="#"><u>Consider adopting the accessibility standards adopted by the City of Los Angeles, which require at least 15 percent of all new units in city-supported Low-Income Housing Tax Credit (LIHTC) projects to be ADA-accessible with at least 4 percent of total units to be accessible for persons with hearing and/or vision disabilities.</u></a> |
| <a href="#"><u>Policy H-3.13</u></a> | <a href="#"><u>Consider incorporating a fair housing equity analysis into the review of significant rezoning proposals and specific plans.</u></a>   |
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- Policy H-3.14 Study and make recommendations to improve and expand Orange County's public transportation to ensure that members of protected classes can access jobs in employment centers.
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- Policy H-3.15 Increase support for fair housing enforcement, education, and outreach.
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- Policy H-3.16 In collaboration with the Orange County Housing Authority (OCHA):
- a) Attend quarterly OCHA Housing Advisory Committee to enhance the exchange of information regarding the availability, procedures, and policies related to the Housing Assistance Voucher program and regional housing issues.
  - b) Support OCHA's affirmative fair marketing plan and de-concentration policies by providing five-year and annual PHA plan certifications.
  - c) In coordination with OCHA and fair housing services provider, conduct landlord education campaign to educate property owners about State law prohibiting discrimination based on household income.
- 
- Policy H-3.17 Through the City's fair housing contractor:
- a) Provide fair housing education and information to apartment managers and homeowner associations on why denial of reasonable modifications/accommodations is unlawful.
  - b) Conduct multi-faceted fair housing outreach to tenants, landlords, property owners, realtors, and property management companies. Methods of outreach may include workshops, informational booths, presentations to community groups, and distribution of multi-lingual fair housing literature.
- 
- ~~Policy H-3.1- Identify and participate in programs and provide incentives through density bonuses and rezoning to encourage residential projects that include housing for seniors, low- and moderate-income groups, or special-needs groups.~~
- ~~Policy H-3.2- Encourage the provision of housing and services for special needs groups, such as the homeless, the disabled, and victims of domestic violence by providing City grants to agencies providing services to persons in these groups.~~





- ~~Policy H-3.3~~ Collaborate with developers, landlords, home-seekers, tenants, real estate and lender groups, and other private for-profit and non-profit agencies to ensure that individuals and families seeking housing in Aliso Viejo are not discriminated against.
- ~~Policy H-3.4~~ Maintain a variety of housing types that complement the employment opportunities within the community and encourage a jobs/housing balance, provided that the City's long-range fiscal land use objectives are met.

## HOUSING PROGRAMS

This Housing Plan identifies specific action programs the City will implement to further its housing goals and policies during the 2021-2029 planning period. The programs, arranged under four headings and presented in numerical order, are designed to accomplish the following:

- ❖ Identify adequate sites to maintain a variety of housing opportunities;
- ❖ Conserve and improve the existing housing stock;
- ❖ Facilitate the development and maintenance of affordable housing;
- ❖ Address and remove unnecessary governmental constraints; and
- ❖ Ensure equal housing opportunity.

### ~~HOUSING POLICY MAP~~

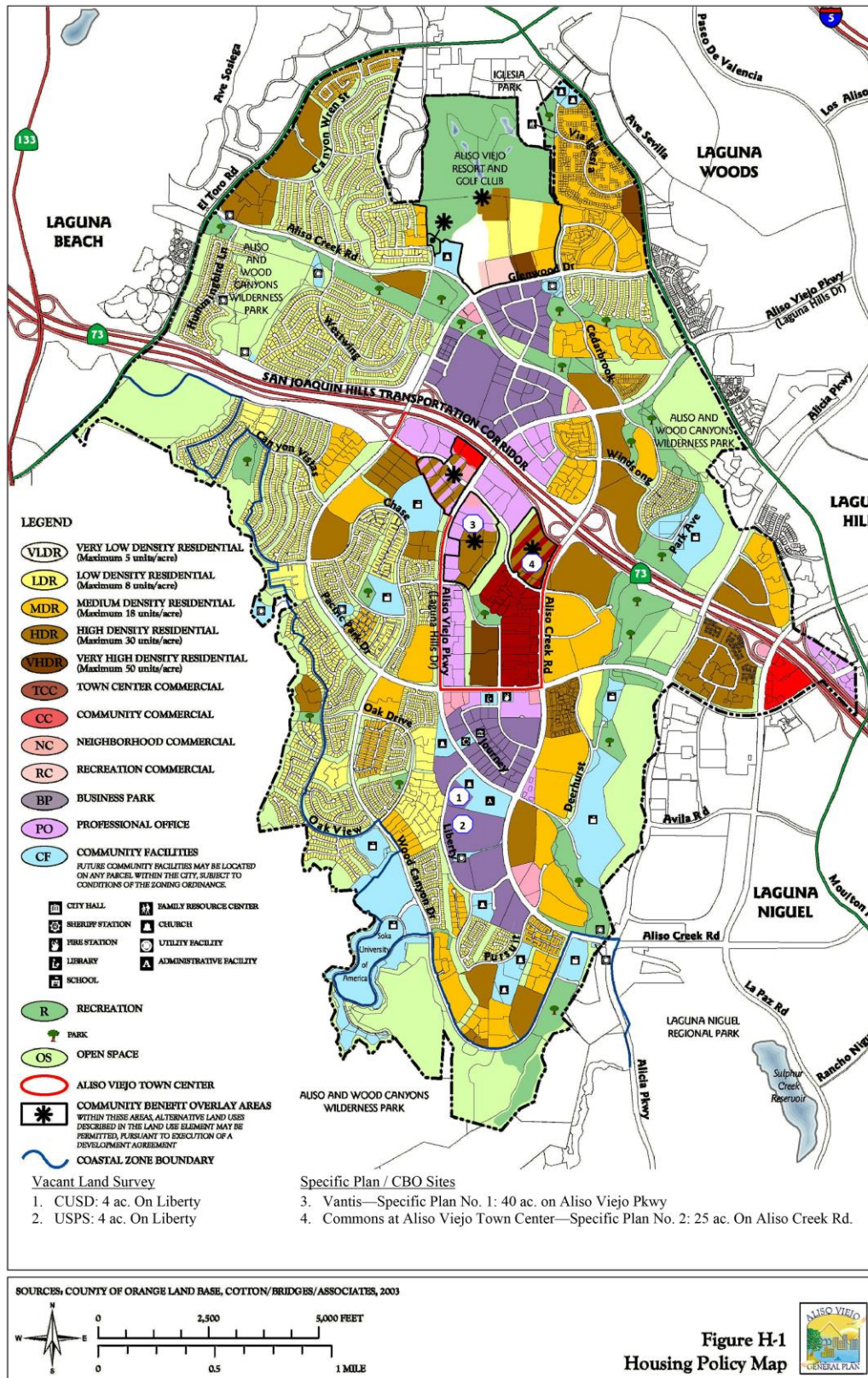
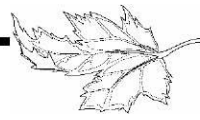
~~The Housing Policy Map (Figure H-1) depicts the locations having potential for future housing development during this planning period (see also Appendix C and Housing Program 1, *Adequate Sites for Affordable Housing*.~~

## VARIETY OF HOUSING OPPORTUNITIES

### 1. Adequate Sites for New Housing

Aliso Viejo's share of the region's new housing need for the 2021-2029 planning period as established by the Southern California Association of Governments (SCAG) in the Regional Housing Needs Assessment (RHNA) is 1,195 units. Of these, 390 units are designated for very-low-income households, 214 are for low-income households, 205 are for moderate-income households, and 386 are for above-moderate-income households.

State law requires cities to identify adequate sites with appropriate zoning to accommodate the additional housing need for the planning period. In compliance with the requirements of state law, the City will carry out the actions described below in order to identify and rezone adequate sites commensurate with its housing need during the planning period.



- ❖ Within the first three years of the planning period, the City will process amendments to the General Plan and zoning regulations to accommodate 100% of the shortfall of potential lower-income housing units to accommodate the RHNA allocation as identified in [Appendix C, Table CP-3225](#). Sites to be rezoned shall be selected from the candidate sites listed in [Appendix C, Table CP-3326](#) and shall comply with the provisions of *Government Code* §65583.2.h and §65583.2.i.
- ❖ City staff will provide assistance to applicants for housing developments on sites to be rezoned during the review process.
- ❖ The City will facilitate affordable multi-family development on these sites by supporting funding applications, allocating funds from the Affordable Housing Trust Fund, and/or approving modifications to development standards.
- ❖ The City will report annually to the California Department of Housing and Community Development on its progress in implementing this program.
- ❖ The City will monitor project approvals and comply with the *no net loss* requirements of *Government Code* Sec. 65863.

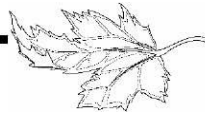
<u>Timeframe:</u>	<a href="#">General Plan and zoning amendments by October 2024; annual reporting</a>
<u>Objective:</u>	<a href="#">Provide adequate sites for housing to accommodate regional needs (Table H-1)</a>
Responsible Agency:	Planning Department
Funding Source:	General Fund; <a href="#">grant funds, if available</a>

## 2. Facilitate the Provision of Affordable Housing

State Density Bonus law (*Government Code* Sec. 65915 et seq.) establishes incentives to encourage the provision of affordable housing, and Chapter 15.58 of the Zoning Code provides local regulations and procedures to implement State requirements. AB 2345 (2019) amended State law to revise density bonus incentives that are available for affordable housing developments. The City will process a Code amendment concurrent with adoption of the Housing Element to update the City's density bonus regulations in conformance with current State law.

The City has also established an affordable housing fund to assist in the provision of affordable housing. To date, the City has collected approximately \$2.5 million in affordable housing in-lieu funds. The majority of the existing funds are from the Canyon Point condo conversion. The remaining balance is from a 12-unit CBO project, Ventana Ridge, as well as a small percentage from the





Glenwood and Vantis CBO projects. In 2016, the City provided a loan of \$2.25 million for the construction of 198 affordable units at 100 Freedom Lane, 50 of which are at or below 50% AMI and 148 units are at or below 60% AMI.

The priority for the use of in-lieu funds will be to assist the provision of extremely-low- and very-low-income rental housing [and housing for persons with special needs](#), which may include purchasing affordability covenants on existing rental units and/or providing incentives to non-profit developers of rental housing. These funds may also be utilized to retain affordable status on units that may require City intervention and the associated administrative costs.

In 2021, the City allocated \$154,650 of affordable housing in-lieu funds to purchase a condominium unit, which is leased to a non-profit organization for use as transitional housing [for homeless families](#).

<u>Timeframe:</u>	<a href="#">Update density bonus regulations by October 2022</a>
<u>Objective:</u>	<a href="#">New affordable housing commensurate with regional needs (Table H-1)</a>
Responsible Agency:	Planning Department
Funding Source:	In-Lieu Housing Fund

### 3. Homeownership Assistance Programs

The City recognizes the importance of providing homeownership opportunities for lower- and moderate-income households. The City will continue to monitor the availability of homeownership programs that are supported by other agencies and make this information available to prospective homeowners in Aliso Viejo. Such programs may include the Mortgage Credit Certificates, California Housing Finance Agency, mortgage revenue bonds, CDBG, and HOME.

The City will investigate the feasibility of developing its own homeownership assistance program with the use of CDBG funds (see Program 2).

Timeframe:	Annual updates to information posted on the City website
Program Objective:	Provide home buyer assistance information to potential homeowners in Aliso Viejo
Responsible Agency:	Planning Department
Funding Source:	General Fund; homebuyer assistance programs

### 4. Section 8 Housing Choice Vouchers

The Section 8 Housing Choice Vouchers program extends rental subsidies to very-low-income households and seniors who spend more than 30 percent of

their income on rent. The amount of subsidy is equal to the difference between the excess of 30 percent of monthly income and actual rent. The program is administered by the Orange County Housing Authority (OCHA) and funding is determined by the federal government; therefore, the City has no ability to determine the number of vouchers available in Aliso Viejo. The City will provide information regarding the Section 8 program on the City website and other locations in the City.

Timeframe: Throughout the planning period  
 Program Objective: The City will continue to promote the use of Section 8 Housing Choice Vouchers in Aliso Viejo with the objective of expanding assistance to very-low-income households. Specifically, the City will make referrals to OCHA, advertise the program on the City website and in newsletters, and distribute information at the public counter at City Hall throughout the planning period  
 Responsible Agency: Orange County Housing Authority; Planning Department  
 Funding Source: HUD Section 8 funds

## 5. OCHA Special Needs Groups Rental Assistance Program

In addition to the Section 8 Housing Choice Vouchers program, the Orange County Housing Authority (OCHA) administers rental assistance programs targeting special needs groups, including families whose children are at risk of being placed in out-of-home care, persons with disabilities, the homeless, and seniors. These programs include:

- ❖ *Family Unification:* This program provides Section 8 assistance to families whose children are at risk of being placed in out-of-home care or delayed in returning from care because of the families' inadequate housing.
- ❖ *Aftercare for Disabled:* This program provides Section 8 assistance specifically for disabled applicants.
- ❖ *Shelter Plus Care:* This program provides Section 8 assistance to homeless persons with disabilities.
- ❖ *HOPE IV - Elderly Independence:* This program provides Section 8 assistance to frail seniors.



The City [has no ability to determine funding levels or the number of persons served by these programs, but](#) will continue to promote these assistance programs on the City website and other locations.

Responsible Agency: Planning Department  
Program Objective: Continue to assist OCHA in promoting its Special Needs Groups Rental Assistance Programs in Aliso Viejo with the objective of expanding assistance to additional households with special needs. Specifically, the City will make referrals to OCHA, advertise the program on City website and newsletters, and distribute information at the public counter at City Hall.  
Timeframe: [Continuously](#) throughout the planning period  
Funding Source: General Fund

### 6. City Grants for Special Needs Groups

The City currently provides local community assistance grants for human and social service groups, including domestic violence shelters and homelessness prevention. Since 2005, the City has provided approximately \$34,000 in grants to Laura's House, a State-approved comprehensive domestic violence agency serving residents in southern Orange County. Their target population is battered women and children who are coping with the effects of domestic violence, needing emergency shelter, support, education and counseling. The City has also provided over \$83,000 in community assistance grants to South County Outreach (SCO). SCO provides services that include food and rental and utility bill financial assistance to Aliso Viejo individuals and families consisting of seniors, youth, children, the disabled, unemployed and those in crisis.

In addition, the City provides non-competitive grants to after-school and senior programs. Since 2003, the City has provided Age Well Senior Services (formerly South County Senior Services), which provides adult day care for older adults with multiple chronic illnesses, with approximately \$188,000 in grant funding.

On an annual basis, the City solicits community assistance grant applications from a variety of local non-profit service based organizations and the allocation of funding fluctuates depending on City budgetary constraints.

Timeframe: Throughout the planning period  
Responsible Agency: Community Services Department  
Funding Source: General Fund  
Program Objective: The City will allocate 50% of its Human and Social Services community assistance grant budget to incorporate homelessness prevention programs, programs for the disabled, and domestic violence



support programs into the annual cycle of grant funding.

## HOUSING AND NEIGHBORHOOD PRESERVATION

### 7. Code Enforcement

The Code Enforcement Program is operated through the City's Building Department. Code Enforcement staff responds to complaints related to substandard housing, property maintenance, overgrown vegetation, trash and debris, improper occupancy, and other nuisance and zoning complaints. In addition, the City will continue to implement and enforce the most recent provisions of the California Building Code. [Where violations are identified, property owners will be referred to programs that provide financial assistance for rehabilitation.](#)

Timeframe:	Throughout the planning period
Responsible Agency:	Building Department, Code Enforcement Division
Funding Source:	General Fund
Program Objective:	The City's Code Enforcement Staff will continue to enforce property maintenance standards and adopted City Building and Zoning codes. The City will promote the importance of property maintenance to long-term housing quality and property values, and encourage community and neighborhood involvement in neighborhood preservation through the Aliso Viejo Community Association (AVCA), City newsletters, e-news, cable television, and informational brochures at the public counter at City Hall. As opportunities become available, the City will consider directing resources to assist home rehabilitation <a href="#">and refer property owners to assistance programs.</a>

### 8. Conservation of Existing and Future Affordable Units

Aliso Viejo has several multi-family housing projects with units affordable to households earning lower incomes. None of these is at risk of converting to market-rate housing during this Housing Element period. Should there be a change in the status of these housing projects, the City will monitor the deed restrictions or affordability covenants of affordable housing and pursue options to preserve the affordable housing units.



Timeframe:	Throughout the planning period
Responsible Agency:	Planning Department
Funding Source:	General Fund
Program Objective:	Annually, the City will monitor the status, notify residents of potential conversion to market rate housing, and pursue options to preserve the units.

## REDUCE GOVERNMENTAL CONSTRAINTS TO HOUSING

### 9. Streamlined Residential Permit Processing

In order to facilitate affordable housing development, the City will offer streamlined priority processing for applications that include affordable units. Assistance will include pre-filing meetings to clarify application requirements, expedited review of application materials, and administrative assistance with grant funding applications. [The City will also process a Zoning Code amendment establishing SB 35 review procedures and objective standards for qualifying projects, and post zoning, development standards, and fees on the City's website.](#)

Timeframe:	Throughout the planning period; <a href="#">Zoning Code amendment by October 2022</a>
Responsible Agency:	Planning Department
Funding Source:	General Fund
Program Objective:	Minimize permit processing time to reduce development costs for affordable housing.

### 10. [Housing for Persons with Special Needs](#)~~Transitional/Supportive Housing, Emergency Shelters and Low Barrier Navigation Centers~~

Transitional housing, supportive housing, emergency shelters and low barrier navigation centers help to address the needs of persons who are homeless or at risk of becoming homeless.

Emergency shelters provide short-term aid to persons who are homeless and involve limited supplemental services. Transitional and supportive housing, in contrast, is directed at removing the basis for homelessness. Transitional and supportive housing is provided for an extended period of time and may be combined with other supportive services to assist in the transition from homelessness to self-sufficiency.

AB 2162 (2018) amended State law to require that supportive housing be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses if the proposed housing development meets specified criteria. AB 101 (2019) added the requirement that

low barrier navigation centers meeting specified standards be allowed by-right in areas zoned for mixed use and in non-residential zones permitting multi-family uses pursuant to Government Code Sec. 65660 et seq. [AB 139 \(2019\) modified State law regarding parking standards for emergency shelters](#). The City is currently processing ~~a~~ Code amendments to [address these requirements](#)~~allow supportive housing and low barrier navigation centers~~ consistent with State law.

[Residential care facilities provide 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living. The City will review current zoning regulations for such facilities and amend regulations to ensure conformance with applicable law.](#)

[Consistent with the Employee Housing Act \(Health and Safety Code Section 17021.5\) agricultural employee housing for six or fewer employees shall be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. An amendment to the Zoning Code will be processed in compliance with this requirement.](#)

Timeframe:	Code amendments <a href="#">in by October 2022</a>
Responsible Agency:	Planning Department
Funding Source:	General Fund
Program Objective:	Encourage the provision of transitional/supportive housing, emergency shelters, <del>and</del> low barrier navigation centers <a href="#">and agricultural employee housing</a> consistent with State law.

## 11. Accessory Dwelling Units

[Accessory dwelling units \(ADUs\) provide an important source of affordable housing for seniors, young adults and other low- and moderate-income households. Section 15.14.080 of the Zoning Code contains regulations and procedures for accessory residential units \(ADUs\) and junior accessory dwelling units \(JADUs\). The City will continue to monitor changes to State ADU law and update regulations as necessary to ensure ongoing conformance. The City will continue to encourage ADU production through targeted public information and identification of a designated planner to provide assistance to ADU applicants.](#)

Timeframe:	<a href="#">Code amendments by October 2022</a>
Responsible Agency:	<a href="#">Planning Department</a>
Funding Source:	<a href="#">General Fund</a>



Program Objective: 5 ADUs during the planning period

## EQUAL ACCESS TO HOUSING

### 1211. Affirmatively Furthering Fair Housing

Section C.7 of the Community Profile summarizes the fair housing issues and concerns in Aliso Viejo based on findings of the 2020 Regional Analysis of Impediments to Fair Housing and additional research conducted as part of this Housing Element update. The following table summarizes the fair housing issues and contributing factors that have been identified as well as the City's proposed actions to address these issues.

<u>AFH Identified Fair Housing Issues</u>	<u>Contributing Factors</u>	<u>City Actions</u>
<u>New Housing Options in High Opportunity Areas</u>  - <u>Expand access to opportunity for protected classes</u>	<ul style="list-style-type: none"><li>▪ <u>Location and type of affordable housing</u></li><li>▪ <u>Lack of access to opportunity due to high housing costs</u></li><li>▪ <u>Lack of fair housing outreach and enforcement</u></li><li>▪ <u>Availability of affordable housing</u></li><li>▪ <u>Availability of affordable units in a range of sizes</u></li></ul>	<ul style="list-style-type: none"><li>▪ <u>Identify sites in high opportunity areas for new housing development</u></li><li>▪ <u>Explore policies and programs that increase the supply of affordable housing</u></li><li>▪ <u>Through the Fair Housing Foundation, the City will conduct landlord education campaign to educate property owners about State law prohibiting discrimination based on household income</u></li><li>▪ <u>Through the Fair Housing Foundation, the City will provide fair housing education and information to apartment managers and homeowner associations on why denial of reasonable modifications/accommodations is unlawful</u></li><li>▪ <u>Through the Fair Housing Foundation, the City will conduct fair housing outreach to tenants, landlords, property owners, realtors, and property management companies</u></li></ul>
<u>Protecting Existing Residents from Displacement</u>	<ul style="list-style-type: none"><li>▪ <u>Displacement of residents due to economic pressures</u></li></ul>	<ul style="list-style-type: none"><li>▪ <u>Attend quarterly OCHA Housing Advisory Committee to enhance the exchange of information</u></li></ul>



<u>AFH Identified Fair Housing Issues</u>	<u>Contributing Factors</u>	<u>City Actions</u>
	<ul style="list-style-type: none"> <li>▪ <u>Availability of affordable housing</u></li> <li>▪ <u>Availability of affordable units in a range of sizes</u></li> </ul>	<u>regarding the availability, procedures, and policies related to the Housing Assistance Voucher program and regional housing issues</u> <ul style="list-style-type: none"> <li>▪ <u>Provide five-year and annual PHA plan certifications</u></li> </ul>
<u>Provide Access and Inclusion for Persons with Disabilities</u>	<ul style="list-style-type: none"> <li>▪ <u>Lack of supportive services for persons with disabilities</u></li> <li>▪ <u>Lack of access to resources, such as schools, transportation, and other in-home or community resources, for persons with disabilities</u></li> </ul>	<u>Review and amend if necessary the City's Housing and Reasonable Accommodation regulations and procedures</u>

~~The City contracts with the Fair Housing Foundation (FHF) to provide fair housing services. FHF services are directed to promote housing opportunities for all persons regardless of race, religion, sex, family size, marital status, ancestry, national origin, color, or disability.~~

~~Municipal Code Chapter 15.66 establishes procedures to ensure reasonable accommodation in housing for persons with disabilities. The City will continue to offer reasonable accommodation in conformance with fair housing law.~~

~~Aliso Viejo was also a participating jurisdiction in the preparation of the Orange County Analysis of Impediments to Fair Housing Choice (AI). Regional goals and strategies to address fair housing are described in the AI Executive Summary (pages 6-7). In addition to the region-wide goals and strategies, the following specific goals have been established for Aliso Viejo:~~

~~1. In collaboration with the Orange County Housing Authority (OCHA):~~

- ~~a. Attend quarterly OCHA Housing Advisory Committee to enhance the exchange of information regarding the availability, procedures, and policies related to the Housing Assistance Voucher program and regional housing issues.~~
- ~~b. Support OCHA's affirmative fair marketing plan and de-concentration policies by providing five-year and annual PHA plan certifications.~~



~~c. In coordination with OCHA and fair housing services provider, conduct landlord education campaign to educate property owners about State law prohibiting discrimination based on household income.~~

~~2. Through the City's fair housing contractor:~~

~~a. Provide fair housing education and information to apartment managers and homeowner associations on why denial of reasonable modifications/accommodations is unlawful.~~

~~b. Conduct multi-faceted fair housing outreach to tenants, landlords, property owners, realtors, and property management companies. Methods of outreach may include workshops, informational booths, presentations to community groups, and distribution of multi-lingual fair housing literature.~~

Timeframe: Throughout the planning period  
Responsible Agency: Community DevelopmentPlanning Department; Fair Housing Foundation  
Funding Source: County Housing Funds  
Program Objectives: Continue to support fair housing services in Aliso Viejo by advertising fair housing services on the City website and at the public counter at City Hall, library, post office, and other community locations.  
  
Continue to implement administrative procedures set forth in Municipal Code Chapter 15.66 to ensure reasonable accommodation in housing for persons with disabilities.  
  
Continue to implement actions to affirmatively further fair housing as described in the 2020-2024 Orange County Analysis of Impediments to Fair Housing Choice.

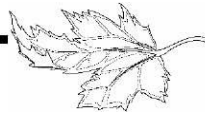
## ENERGY CONSERVATION

### **1312. Encourage Energy Conservation**

The Zoning Code includes a Green Building Program that offers incentives such as expedited processing and/or fee waivers when project proponents agree to incorporate environmentally sensitive sustainable and energy efficient construction techniques into their projects. Expedited permit processing is provided for all building permits for solar voltaic, solar thermal systems, tankless water heaters, windows and/or doors containing glass, high-efficiency heating, ventilation, and air conditioning (HVAC) systems. Furthermore, the Solar Energy Education Program complements the Green Building Program by encouraging use of passive solar systems in new and rehabilitated residential construction to improve energy efficiency of housing units. Daytime interior lighting costs can be significantly reduced or eliminated with the use of properly designed and located skylights, which can be easily installed at reasonable expense in existing houses, thereby substantially reducing electricity costs and energy consumption. Solar energy is a practical, cost effective, and environmentally sound way to heat and cool a home. Other opportunities for energy conservation in Aliso Viejo include continued implementation of State Title 24 building construction standards, complying with Energy Star conservation standards, and considering appropriate building orientation and landscaping during the development/design review process through implementation of the Zoning Ordinance.

Timeframe: Throughout the planning period  
Responsible Agency: Planning Department  
Funding Source: General Fund  
Program Objective: Encourage energy conservation





## QUANTIFIED HOUSING OBJECTIVES

The City's objectives for new housing construction, rehabilitation, and conservation for the 2021-2029 planning period are summarized in Table H-1.

**Table H-1**  
**Quantified Objectives – 2021-2029**

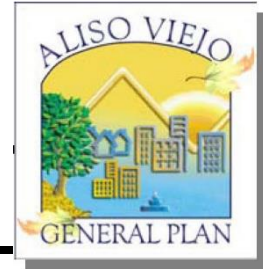
Program Category	Income Category					Totals
	Extremely Low	Very Low	Low	Mod	Upper	
New Construction	195	195	214	205	386	1,195
Rehabilitation	<u>2</u>	<u>3</u>	<u>5</u>	<u>2</u>	<u>2</u>	<u>10</u>
Conservation	528					528



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# APPENDIX C: COMMUNITY PROFILE



## Contents

<b>C-1. Introduction</b>	<b>1</b>
Demographic and Housing Analysis	1
Population Characteristics	1
Age Characteristics	2
Occupation and Labor Participation	2
Household Characteristics	4
Overcrowding	5
Household Income and Overpayment	6
Special Needs Populations	7
Housing Stock	16
Housing Age and Condition	16
Housing Tenure and Vacancy	17
Housing Costs and Affordability	19
At Risk Rental Housing	21
Low- and Moderate-Income Housing in the Coastal Zone	22
<b>C.2 Resources and Opportunities</b>	<b>29</b>
New Housing Needs	29
Residential Sites Inventory	30
Financial Resources	32
Opportunities for Energy Conservation	32
<b>C.3 Constraints Analysis</b>	<b>35</b>
Market Constraints	35
Governmental Constraints	36
Environmental, Infrastructure, and Public Service Constraints	51
<b>C.4 Evaluation of the Prior Housing Element</b>	<b>55</b>
<b>C.5 Sites Inventory</b>	<b>61</b>
<b>C.6 Public Participation Summary</b>	<b>77</b>
<b>C.7 Fair Housing Assessment</b>	<b>107</b>
Introduction and Overview of AB 686	107
Assessment of Fair Housing Issues	107
Integration and Segregation	110



Racially and Ethnically Concentrated Areas.....	124
Access to Opportunity .....	127
Disproportionate Housing Needs.....	131
Outreach .....	138
Local Data and Knowledge.....	138
Sites Inventory.....	139
Identification and Prioritization of Contributing Factors.....	141
Summary of Fair Housing Issues and Actions for Mitigation .....	143

## List of Tables

Table CP-1 Population Trends: Aliso Viejo and SCAG Region .....	1
Table CP-2 Age Characteristics .....	2
Table CP-3 Employment by Industry.....	3
Table CP-4 Employment by Occupation – Aliso Viejo and SCAG Region .....	3
Table CP-5 Household Size by Tenure .....	4
Table CP-6 Overcrowding by Tenure: Aliso Viejo and SCAG Region.....	5
Table CP-7 Overpayment by Income Category and Tenure .....	6
Table CP-8 Extremely-Low-Income Households by Race/Ethnicity and Tenure .....	7
Table CP-9 Elderly Households by Income and Tenure .....	8
Table CP-10 Disabilities by Type – Aliso Viejo .....	10
Table CP-11 Disabilities by Type for Seniors - Aliso Viejo and SCAG Region.....	10
Table CP-12 Developmental Disabilities – Aliso Viejo .....	12
Table CP-13 Female-Headed Households.....	13
Table CP-14 Nearby Homeless Shelters.....	15
Table CP-15 Housing Stock – Aliso Viejo and SCAG Region.....	16
Table CP-16 Housing Units by Year Built – Aliso Viejo and SCAG Region .....	17
Table CP-17 Housing Tenure: Aliso Viejo and SCAG Region.....	18
Table CP-18 Housing Tenure by Age Group .....	18
Table CP-19 Vacant Units by Type .....	19
Table CP-20 Affordable Housing Costs – Orange County.....	20
Table CP-21 Median Sales Price for Existing Homes: Aliso Viejo and SCAG Region .....	20
Table CP-22 Spending on Rent .....	21
Table CP-23 Inventory of Assisted Rental Housing.....	22
Table CP-24 Regional Housing Needs 2021-2029 – Aliso Viejo .....	29
Table CP-25 Residential Development Standards .....	38
Table CP-26 Parking Requirements by Use.....	40
Table CP-27 Permitted Residential Land Uses by District .....	42
Table CP-28 Planning and Development Fees .....	46
Table CP-29 Road Improvement Standards.....	47
Table CP-30 Progress in Achieving Quantified Objectives 2013-2021.....	55
Table CP-31 2013-2021 Housing Element Program Evaluation.....	57
Table CP-32 Vacant Residential Land Inventory .....	68
Table CP-33 Candidate Parcels for Rezoning.....	69
Table CP-34 Dissimilarity Index (0-100) .....	110
Table CP-35 Dissimilarity Index Values by Race and Ethnicity, Orange County vs. Aliso Viejo....	110



Table CP-36 Isolation Index Values by Race and Ethnicity, Orange County .....	111
Table CP-37 Isolation Index Trends, Aliso Viejo .....	111
Table CP-38 Disability by Type, Orange County/Region/Aliso Viejo .....	115
Table CP-39 White Household Income and Percent Population .....	125
Table CP-40 Domains and List of Indicators for Opportunity Maps.....	128
Table CP-41 Opportunity Map Scores and Categorization (2021) .....	128
Table CP-42 Demographics of Households with Disproportionate Housing Needs, Aliso Viejo ..	131
Table CP-43 Demographics of Households with Severe Housing Cost Burden, Aliso Viejo .....	132
Table CP-44 Percentage of Overcrowded Households by Race or Ethnicity, Aliso Viejo vs. Orange County.....	134
Table CP-45 Number of Housing Units by Year Built, Aliso Viejo.....	136

### List of Figures

Figure CP-1 Candidate Sites for Rezoning .....	71
Figure CP-1 Areas of Minority Concentration in Aliso Viejo (2018).....	112
Figure CP-2 Percent of Population with Disabilities, South Orange County Region.....	113
Figure CP-3 Percent of Population with Disabilities, Aliso Viejo.....	114
Figure CP-4 Disability Status in South County.....	115
Figure CP-5 Percentage of Adults Living Alone, Aliso Viejo .....	117
Figure CP-6 Percentage of Adults Living with their Spouse, Aliso Viejo .....	118
Figure CP-7 Percentage of Children in Married Couple Households, Aliso Viejo.....	119
Figure CP-8 Percentage of Children in Single Female-Headed Households, Aliso Viejo .....	120
Figure CP-9 Low and Moderate Income (LMI) Areas, South Orange County .....	122
Figure CP-10 Low and Moderate Income (LMI) Areas, Aliso Viejo.....	123
Figure CP-11 Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs), Orange County .....	124
Figure CP-12 White Population and Median Income Distribution .....	126
Figure CP-13 CalEnviroScreen 4.0 Percentile Scores .....	130
Figure CP-14 Cost Burdened/Overpayment for Renters and Owners – Aliso Viejo.....	133
Figure CP-15 Overcrowded Households, Aliso Viejo vs. Orange County .....	135
Figure CP-16 Displacement Typology, Aliso Viejo .....	137





## C-1. INTRODUCTION

The City strives to achieve a balanced housing stock that meets the varied needs of all income segments of the community. To accomplish this goal, a comprehensive assessment of community housing needs, obstacles to future housing opportunity, and an assessment of available resources must be undertaken.

### DEMOGRAPHIC AND HOUSING ANALYSIS

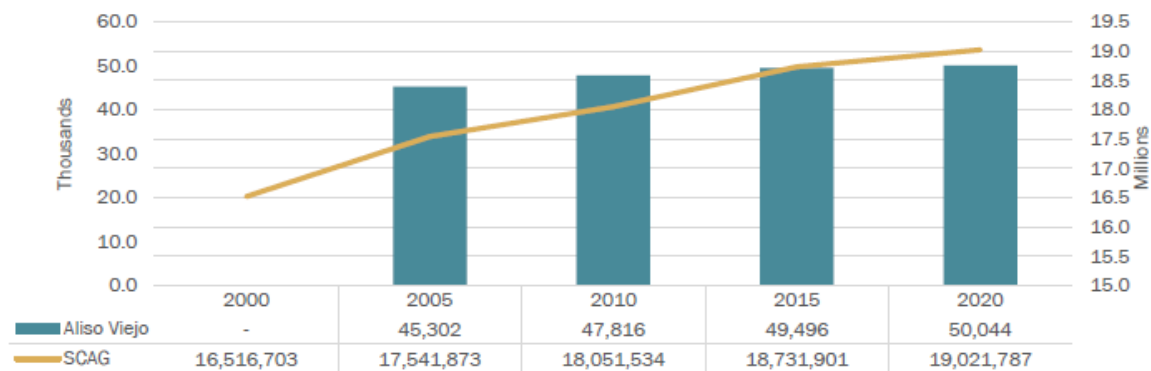
Factors such as age, cultural preferences, household size, occupation, and income combine to influence the types of housing needed and the ability to afford housing. These demographic characteristics, balanced with an analysis of existing housing stock conditions, help determine a community's housing needs.

The statistics included here are from recent data from the U.S. Census, the California Department of Finance (DOF), the California Employment Development Department (EDD), the Southern California Association of Governments (SCAG), and other relevant sources.

### POPULATION CHARACTERISTICS

Aliso Viejo's population in 2020 was approximately 50,044. As the City has approached full development population growth has slowed, with an increase of only about 550 persons during the 5-year period from 2015 to 2020 (Table CP-1).

**Table CP-1**  
**Population Trends: Aliso Viejo and SCAG Region**



CA DOF E-5 Population and Housing Unit Estimates



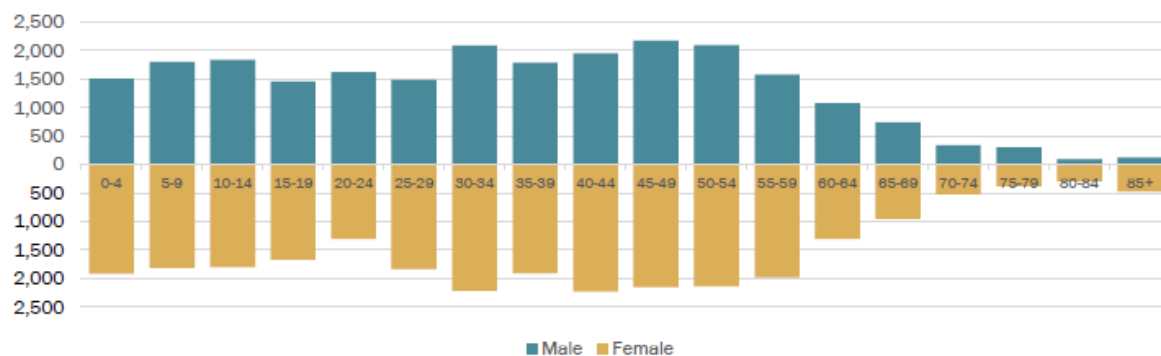


## AGE CHARACTERISTICS

A community's housing needs are affected by the age characteristics of residents. Typically, each age group has distinct lifestyles, family type and size, incomes, and housing preferences. As people move through each stage of life, housing needs and preferences change.

The share of Aliso Viejo's population under 18 years of age is 24.6%, which is slightly higher than the regional share of 23.4%. Aliso Viejo's seniors (65 and above) make up about 8.3% of the population, which is substantially lower than the regional share of 13% (Table CP-2).

**Table CP-2**  
**Age Characteristics**



*American Community Survey 2014-2018 5-year estimates*

## OCCUPATION AND LABOR PARTICIPATION

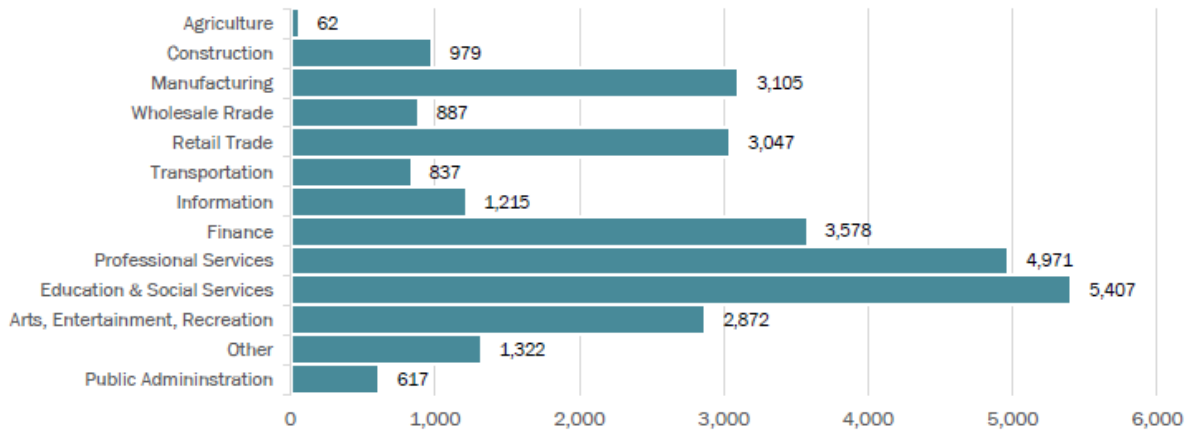
Employment has an important impact on housing needs. Different jobs and income levels affect the type and size of housing a household can afford. In addition, employment growth within a region typically results in an increase in housing demand.

According to recent Census data, Aliso Viejo has 28,899 workers living within its borders who work across 13 major industrial sectors (Table CP-3). The most prevalent industry is Education & Social Services with 5,407 employees (18.7% of total) and the second most prevalent industry is Professional Services with 4,971 employees (17.2% of total).

The most prevalent occupational category in Aliso Viejo is Management, in which 15,763 (54.5% of total) employees work. The second-most prevalent type of work is in Sales, which employs 7,190 (24.9% of total) in Aliso Viejo (Table CP-4).

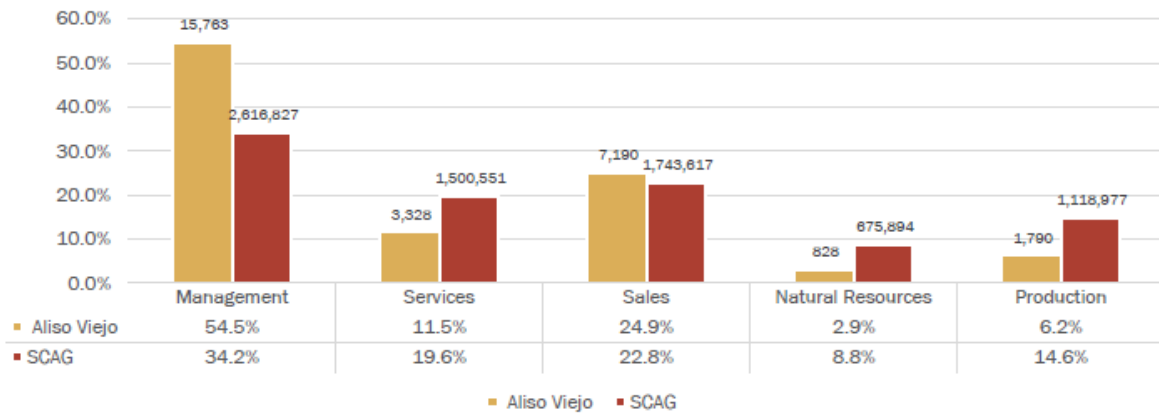


**Table CP-3  
Employment by Industry**



*American Community Survey 2014-2018 5-year estimates using groupings of 2-digit NAICS codes.*

**Table CP-4  
Employment by Occupation – Aliso Viejo and SCAG Region**



*American Community Survey 2014-2018 5-year estimates using groupings of SOC codes.*



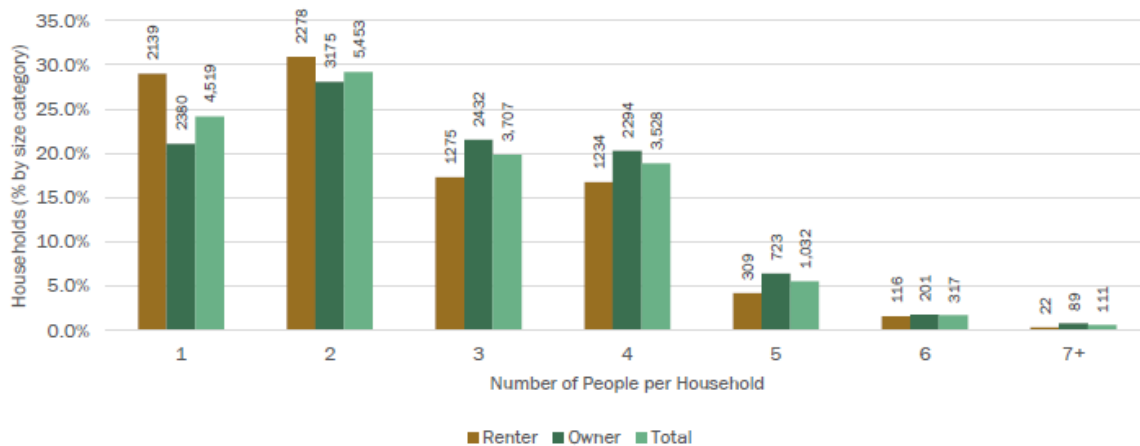
## HOUSEHOLD CHARACTERISTICS

A household is defined by the Census as all persons who occupy a housing unit, which may consist of a family, a single person, or unrelated persons sharing a housing unit. Persons residing in group quarters such as dormitories or retirement homes are not considered households. A community's household characteristics serve as an important indicator of the type and size of housing needed.

Household size is an important indicator of housing need. The presence of families with children, students, and elderly persons, among other groups, can have different effects on the household size in a community.

Recent Census data reported that the most commonly occurring household size is two persons (29.2%) while the second-most commonly occurring household size is one person (24.2%). Aliso Viejo has a slightly higher share of single-person households than the SCAG region overall (24.2% vs. 23.4%) and a much lower share of large households with 7+ persons than the SCAG region overall (0.6% vs. 3.1%). This suggests that the need for smaller units is significantly greater than for large units, especially among renters (Table CP-5).

**Table CP-5**  
**Household Size by Tenure**



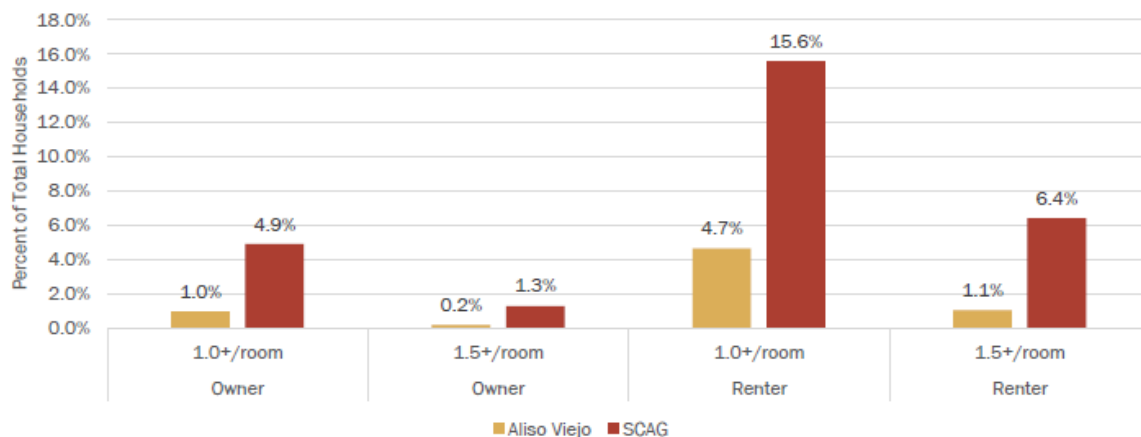
*American Community Survey 2014-2018 5-year estimates.*



## OVERCROWDING

The Census defines overcrowding as households with more than one person per room, excluding kitchens, bathrooms, and porches. Overcrowding can result when a shortage of larger units exists within a community or in cases where high housing costs force families to take on additional roommates or choose smaller units. Overcrowding also tends to accelerate deterioration of housing. Therefore, maintaining a reasonable level of occupancy and alleviating overcrowding are important objectives.

**Table CP-6**  
**Overcrowding by Tenure: Aliso Viejo and SCAG Region**



*American Community Survey 2014-2018 5-year estimates.*

According to recent Census data, overcrowding in Aliso Viejo is much less prevalent than for the County as a whole. Only about 1 percent of owner households and 6 percent of renter households in Aliso Viejo were reported to be overcrowded compared to 6 percent of owners and 22 percent of renters throughout the SCAG region (Table CP-6). Housing Program 1, *Adequate Sites for New Housing*, will help to alleviate problems associated with overcrowding by expanding housing opportunities in the City. Housing Program 2, *Facilitate the Provision of Affordable Housing*, and Housing Program 3, *Homeownership Assistance Programs*, can reduce the problem of overcrowding for large-renter households by making it more feasible for these households to rent or purchase suitable homes. In addition, Housing Program 4, *Section 8 Housing Choice Vouchers*, and Program 5, *OCHA Special Needs Groups Rental Assistance Program (Family Unification)*, can assist renter-households experiencing overcrowding by making rental assistance available to facilitate moving into larger units.



## HOUSEHOLD INCOME AND OVERPAYMENT

Income is one of the most important factors affecting housing opportunities available to a household, determining the ability to balance housing costs with other basic necessities. While housing choices, such as tenure (owning versus renting) and location are mostly income-dependent, household size and type also affect the proportion of income that can be spent on housing.

“Overpayment” is defined as paying more than 30 percent of gross income for housing expenses, including utilities. Overpayment is much more prevalent among lower-income households, as shown in Table CP-7.

**Table CP-7**  
**Overpayment by Income Category and Tenure**

Income by Cost Burden	Cost Burden > 30%	Cost Burden > 50%	Total
<b>Renters</b>			
Household income ≤ 30% HAMFI	660	635	790
Household income > 30% to ≤ 50% HAMFI	710	640	810
Household income > 50% to ≤ 80% HAMFI	1,185	425	1,240
Household income > 80% to ≤ 100% HAMFI	725	10	1,095
Household income ≥ 100% HAMFI	325	—	3,435
<b>Total</b>	<b>3,605</b>	<b>1,710</b>	<b>7,375</b>
<b>Owners</b>			
Household income ≤ 30% HAMFI	580	520	695
Household income > 30% to ≤ 50% HAMFI	205	145	340
Household income > 50% to ≤ 80% HAMFI	545	325	930
Household income > 80% to ≤ 100% HAMFI	640	105	1,155
Household income ≥ 100% HAMFI	1,240	80	8,175
<b>Total</b>	<b>3,210</b>	<b>1,175</b>	<b>11,295</b>

Notes:

HAMFI = HUD Area Median Family Income

≤ = less than or equal to

≥ = greater than or equal to

Households by Share of Income Spent on Housing Cost:			
Income	< 30%	30-50%	> 50%
< 30% HAMFI	105	124	1,025
30-50% HAMFI	240	185	695
50-80% HAMFI	640	1,535	670
80-100% HAMFI	730	935	135
> 100% HAMFI	9,830	1,460	134
<b>Total Households</b>	<b>11,545</b>	<b>4,239</b>	<b>2,659</b>

HUD CHAS, 2012-2016. HAMFI refers to Housing Urban Development Area Median Family Income.



## Extremely-Low-Income Households

Housing the extremely-low-income population (below 30% of area median income) can be especially challenging. Table CP-8 provides a breakdown of extremely-low-income households by race, ethnicity and tenure. The race/ethnicity with the highest share of extremely-low-income households in Aliso Viejo is Black, non-Hispanic (22.4% compared to 7.7% of total population). About 12 percent of renter households had extremely-low incomes as compared to approximately 5 percent of owners. As shown in Table CP-7 above, overpayment is most prevalent among extremely-low-income households, both owners and renters. The Housing Plan addresses the needs of ELI households through Program 2, Facilitate the Provision of Affordable Housing, and Housing Program 3, Homeownership Assistance Programs, by making it more feasible for ELI households to rent or purchase suitable homes.

**Table CP-8**  
**Extremely-Low-Income Households by Race/Ethnicity and Tenure**

	Total Households	Households below 30% HAMFI	Share below 30% HAMFI
White, non-Hispanic	12,570	960	7.6%
Black, non-Hispanic	380	85	22.4%
Asian and other, non-Hispanic	3,545	295	8.3%
Hispanic	2,120	100	4.7%
<b>TOTAL</b>	<b>18,615</b>	<b>1,440</b>	<b>7.7%</b>
Renter-occupied	7,450	875	11.7%
Owner-occupied	11,150	550	4.9%
<b>TOTAL</b>	<b>18,600</b>	<b>1,425</b>	<b>7.7%</b>

*HUD CHAS, 2012-2016. HAMFI refers to Housing Urban Development Area Median Family Income.*

## SPECIAL NEEDS POPULATIONS

Certain groups have greater difficulty finding decent, affordable housing due to special needs and/or circumstances. Special circumstances may be related to one's employment and income, family characteristics, disability, and household size, among others. Consequently, certain segments of residents in Aliso Viejo may experience a higher prevalence of housing cost burden, overcrowding, or other housing problems.

Under state law, "special needs" groups include senior households, persons with disabilities, large households, single-parent households, homeless persons, and agricultural



workers. This section provides a discussion of the housing needs facing each of these groups, as well as programs and services available to address housing or related needs.

## Senior Households

Many senior households have special needs due to relatively low, fixed incomes, physical disabilities or limitations, or dependency needs. Specifically, people aged 65 years and older often have four main concerns:

- ❖ *Housing:* Many seniors live alone and/or are renters.
- ❖ *Income:* People aged 65 and over are usually retired and living on a fixed income.
- ❖ *Health care:* Seniors are more likely to have health issues or disabilities.
- ❖ *Transportation:* Some of the elderly rely on public transportation. A significant number of seniors with disabilities may require alternative transportation.

According to recent HUD data, about 20.5% of elderly households have incomes less than 30% of the surrounding area income (compared to 24.2% in the SCAG region) and 30.4% have incomes below 50% of median income (compared to 30.9% in the SCAG region) (Table CP-9).

**Table CP-9**  
**Elderly Households by Income and Tenure**

		Owner	Renter	Total	Percent of Total Elderly Households:
Income category, relative to surrounding area:	< 30% HAMFI	205	445	650	20.5%
	30-50% HAMFI	80	235	315	9.9%
	50-80% HAMFI	385	155	540	17.0%
	80-100% HAMFI	185	170	355	11.2%
	> 100% HAMFI	985	330	1,315	41.4%
TOTAL		1,840	1,335	3,175	

*HUD CHAS, 2012-2016. HAMFI refers to Housing Urban Development Area Median Family Income.*

There are four senior-living complexes in Aliso Viejo: The Covington located at 3 Pursuit, Renaissance at the Wellington located at 24903 Moulton Parkway, Vintage Aliso (2C Liberty), and Liberty at Aliso (100 Freedom). The Covington includes 180 units; 155 of which are for independent living. The Wellington provides 233 units for senior residents; approximately half of the units are designated for independent living and the other half are for assisted living. The rental costs for both the independent and assisted living units at the two facilities are above-moderate. Vintage Aliso provides 202 senior apartments while





Liberty at Aliso includes 200 senior apartments (two units at each complex are for managers).

Various programs can address the special needs of seniors, including but not limited to congregate care, supportive services, rental subsidies, shared housing, and housing rehabilitation assistance. For the frail elderly, or those with disabilities, housing with architectural design features that accommodate disabilities can help ensure continued independent living. Seniors with mobility or self-care limitations also benefit from transportation alternatives. Senior housing with supportive services can be provided for those who require assistance with daily living.

Numerous programs and services assist Aliso Viejo seniors. Age Well Services is located in neighboring Laguna Woods, and Advocates for Senior Choices is located in nearby Mission Viejo. Age Well Services assists seniors with referrals for in-home help, personal care or housekeeping, Medicare, medical information, assisted living care, physicians, attorneys, and also a range of adult day services that include social and educational activities, exercise, and special outing and events. For seniors that have mobility restrictions, the Age Well Services Transportation program provides door-to-door driver-assisted services Monday through Friday. Case managers also facilitate the Meals-on-Wheels program that operates in south Orange County. The Meals-on-Wheels program provides meals to individuals 60 years of age and older, who are living at home and unable to prepare their own meals or go out to eat, and have little or no assistance to obtain adequate meals. Age Well Services is licensed by the State of California Department of Health Services.

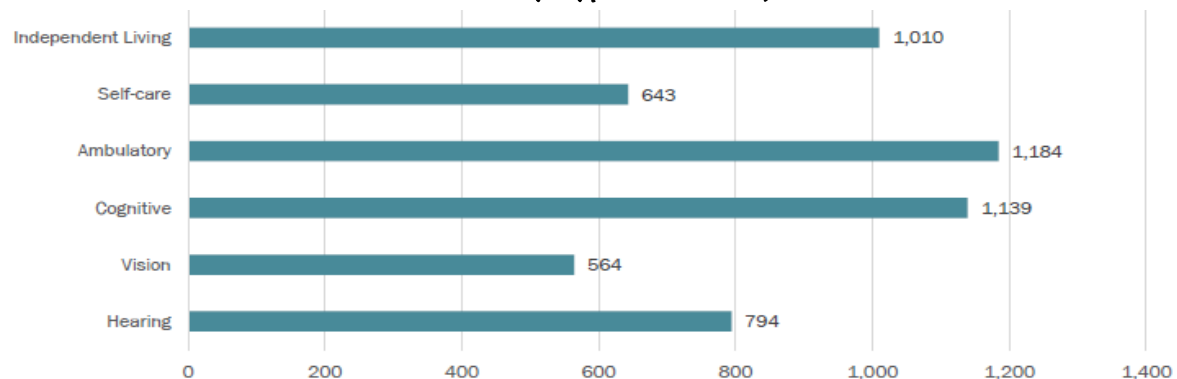
The programs available in Aliso Viejo to assist seniors with special housing needs include Housing Program 6, *City Grants for Special Needs Groups*, Housing Program 4, *Section 8 Housing Vouchers*, and Program 5, *OCHA Special Needs Groups Rental Assistance Program (Hope IV – Elderly Independence)*, which provide rental assistance to seniors. Housing Program 11, *Affirmatively Furthering Fair Housing*, assures the City's commitment to support fair housing services for all residents.

### Persons with Disabilities

Physical, mental, and/or development disabilities may prevent a person from working, restrict mobility, or make it difficult to care for oneself. Disabilities often result in special housing needs related to limited earning capacity, the lack of accessible and affordable housing, and higher health costs. Some residents suffer from disabilities that require living in a supportive or institutional setting. Recent disability statistics for Aliso Viejo residents as reported by the Census Bureau are presented in Table CP-10 while disability data for seniors are shown in Table CP-11.

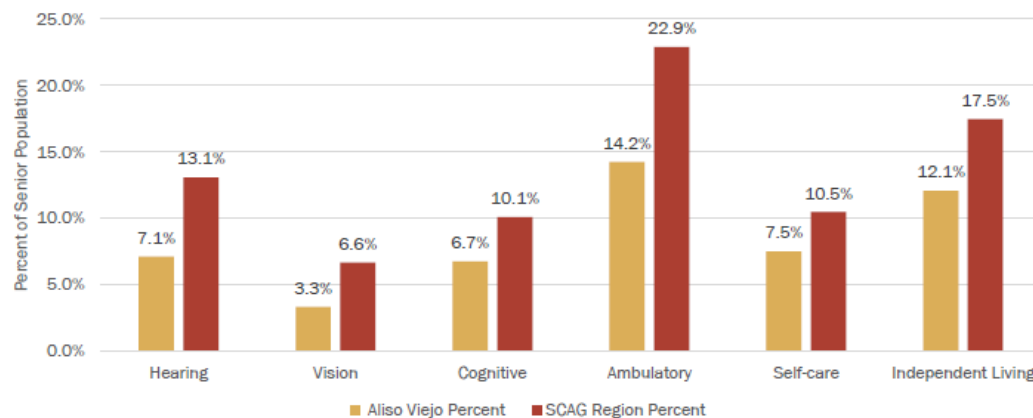


**Table CP-10**  
**Disabilities by Type – Aliso Viejo**



*American Community Survey 2014-2018 5-year estimates.*

**Table CP-11**  
**Disabilities by Type for Seniors - Aliso Viejo and SCAG Region**



*American Community Survey 2014-2018 5-year estimates.*

Ambulatory and cognitive disabilities are the most prevalent types of disabilities for the general population in Aliso Viejo. Among seniors, the most prevalent disability types are ambulatory (14 percent) and independent living (12 percent).

Living arrangements for persons with disabilities depend on the severity of the disability. Many live at home independently or with other family members. Strategies that can assist those with disabilities include special housing design features, income support for those who are unable to work, and in-home supportive services for persons with medical conditions. Such services may be provided by either public or private agencies.

The City enforces the accessibility requirements contained in the California Building Code,



Other regulations that affect housing for persons with special needs are discussed in the Governmental Constraints section of this report.

### Developmental Disabilities

As defined by federal law, “developmental disability” means a severe, chronic disability of an individual that:

- ❖ Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- ❖ Is manifested before the individual attains age 22;
- ❖ Is likely to continue indefinitely;
- ❖ Results in substantial functional limitations in three or more of the following areas of major life activity: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self-direction; f) capacity for independent living; or g) economic self-sufficiency;
- ❖ Reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

The Census Bureau does not report developmental disabilities. According to the U.S. Administration on Developmental Disabilities, an accepted estimate of the percentage of the population that can be defined as developmentally disabled is 1.5 percent. Many persons with developmental disabilities can live and work independently within a conventional housing environment. Those with more severely disabilities may require a group living environment where support is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, an important issue in supportive housing for those with developmental disabilities is the transition from the person’s living situation as a child to an appropriate level of independence as an adult.

The California Department of Developmental Services (DDS) reported that approximately 726 persons in Aliso Viejo experienced some type of developmental disability (Table CP-12).



**Table CP-12**  
**Developmental Disabilities – Aliso Viejo**

	Aliso Viejo
<b>By Residence:</b> Home of Parent/Family/Guardian	260
Independent/Supported Living	14
Community Care Facility	0
Intermediate Care Facility	0
Foster/Family Home	5
Other	0
<b>By Age:</b> 0 - 17 Years	279
18+ Years	168
<b>TOTAL</b>	<b>726</b>

*CA DDS consumer count by CA ZIP, age group and residence type for the end of June 2019. Data available in 161/197 SCAG jurisdictions.*

The State Department of Developmental Services (DDS) provides community-based services to persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. The Regional Center of Orange County<sup>1</sup> (RCOC) is one of 21 regional centers in California that provides point of entry to services for people with developmental disabilities. The RCOC is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families.

Any resident of Orange County who has a developmental disability that originated before age 18 is eligible for services. Services are offered to people with developmental disabilities based on Individual Program Plans and may include: Adult day programs; advocacy; assessment/consultation; behavior management programs; diagnosis and evaluation; independent living services; infant development programs; information and referrals; mobility training; prenatal diagnosis; residential care; respite care; physical and occupational therapy; transportation; consumer, family vendor training; and vocational training. RCOC also coordinates the State-mandated Early Start program, which provides services for children under age three who have or are at substantial risk of having a developmental disability.

The mission of the Dayle McIntosh Center is to advance the empowerment, equality, integration, and full participation of people with disabilities in the community. The Center is not a residential program, but instead promotes the full integration of disabled persons into the community. Dayle McIntosh Center is a consumer-driven organization serving all disabilities. Its staff and board are composed of over 50 percent of people with disabilities.

<sup>1</sup> <https://www.rcocdd.com/>



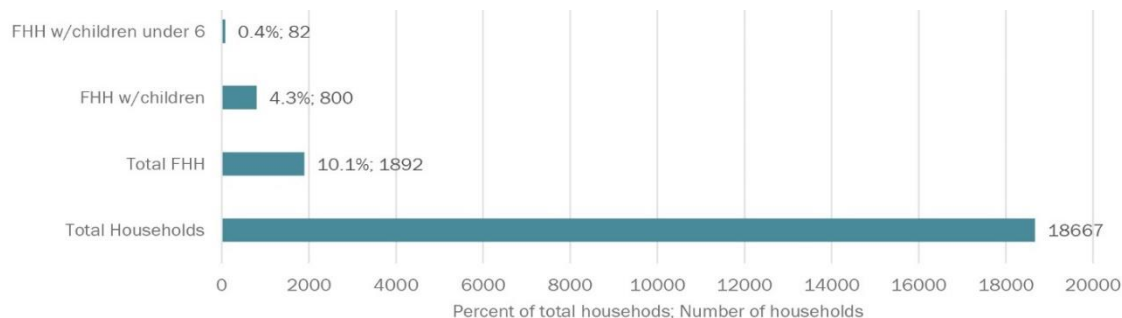
Its two offices service over 500,000 people in Orange County and surrounding areas with disabilities. The Center's South County branch is located in Laguna Hills, immediately adjacent to Aliso Viejo.

Housing Program 4, *Section 8 Housing Choice Vouchers*, and Program 5, *OCHA Special Needs Groups Rental Assistance Program (Aftercare for Disabled and Shelter Care Plus)*, can provide rental assistance to the disabled. In addition, Housing Program 11, *Affirmatively Furthering Fair Housing*, ensures that services are available to promote equal housing opportunities for all persons, including those with disabilities.

### Female-Headed Households

Because of their relatively lower incomes and higher living expenses, female-headed households are more likely to have difficulty finding affordable, decent, and safe housing. These households often require special consideration and assistance as a result of their greater need for affordable housing, accessible day care/childcare, health care, and other supportive services. Female-headed families with children are a particularly vulnerable group because they must balance the needs of their children with work responsibilities, and often while earning limited incomes. According to recent Census data, about 10.1% are female-headed (compared to 14.3% in the SCAG region), 4.3% are female-headed and with children (compared to 6.6% in the SCAG region), and 0.4% are female-headed and with children under 6 (compared to 1.0% in the SCAG region) (Table CP-13).

**Table CP-13**  
**Female-Headed Households**



*American Community Survey 2014-2018 5-year estimates.*

The City collaborates with the Boys & Girls Club of Capistrano Valley to provide traditional afterschool programs in the areas of education, career development, the arts, technology, health and life skills, sports, fitness and recreation, and character and leadership development. Programs include homework club, teen club, and an online learning pods. For adults there are a number of outreach programs, which includes the following collaborative partners: Champions for Change, Consumer Credit Counseling Services of Orange County, Saddleback's College Foster & Kinship Care Education, Miracles for Families, OCSD, Second Harvest Food Bank, South Orange County Childhood Obesity Task Force, Southern California Veterinary Medical Association, Soka University, Legal Aid Society of Orange County, and Orange County United Way Internal Revenue Service.



These programs and services offered through the City and the Boys & Girls Club can benefit female-headed households with children.

This Housing Element outlines a variety of City programs that can assist female-headed households with children who might have special housing needs. Housing Program 2, *Facilitate the Provision of Affordable Housing*, and Housing Program 3, *Homeownership Assistance Programs*, can benefit female-headed households by making it more feasible for these households to rent or purchase suitable homes. Housing Program 11, *Affirmatively Furthering Fair Housing*, helps ensure equal housing opportunities for all persons regardless of sex, family size, or marital status.

### Large Households

Large households are defined as those consisting of five or more members. As shown in Table CP-5 above, recent Census data estimated that about 1,460 large households resided in Aliso Viejo, of which 447 (31 percent) were renters and 1,013 (69 percent) were owners.

A variety of City programs can assist large households. Housing Program 1, *Adequate Sites for Affordable Housing*, can alleviate housing problems experienced by many large households by ensuring a wide variety of housing opportunity is available in the City. Housing Program 2, *Facilitate the Provision of Affordable Housing*, Housing Program 3, *Homeownership Assistance Programs*, can reduce the problem of overcrowding and overpayment for large-renter households by adopting programs that make it more feasible for these households to rent and purchase larger homes. Housing Program 4, *Section 8 Housing Choice Vouchers*, and Program 5, *OCHA Special Needs Groups Rental Assistance Program (Family Unification)*, offer rental assistance to large renter-households. Housing Program 11, *Affirmatively Furthering Fair Housing*, helps promote equal housing opportunities for all persons regardless of family size.

### Agricultural Workers

Recent Census estimates reported no residents of Aliso Viejo were employed in farming, fishing and forestry occupations<sup>2</sup>. While there are no farmworkers in the city, the Census of Agriculture estimated that there were approximately 1,772 farmworkers in Orange County as of 2017, of which 666 (38%) were seasonal (i.e., working 150 days or less per year). Any agricultural workers who choose to live in Aliso Viejo are eligible for any affordable housing programs and are not restricted by occupation.

### Homeless Persons

The Orange County homeless population consists of working families and individuals. Many live in cars, parks, under bridges, motels and in homeless shelters trying to maintain their dignity while they struggle to survive. As a result, most homeless remain hidden. The

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2 American Community Survey 2014-2018



most recent County of Orange “Point-in-Time” survey of the homeless population for which data is available was conducted in January 2019. That survey estimated that there were approximately 6,860 homeless persons in Orange County, of which 2,899 were sheltered and 3,961 were unsheltered<sup>3</sup>. Of those, one unsheltered person and no sheltered persons were reported in Aliso Viejo.

Regional strategies to combat homelessness are developed through Orange County’s Continuum of Care System. The goal of the Continuum of Care Strategic Plan is to work toward a seamless system of care through advocacy, homeless prevention, outreach and assessment, emergency shelter, transitional shelter and permanent affordable housing. The City of Aliso Viejo continues to participate in the Orange County Continuum of Care system and contributes to the regional effort by providing letters of support and participating in a survey of funding allocated for homeless services in the County. Table CP-14 identifies emergency shelters that located near Aliso Viejo.

**Table CP-14**  
**Nearby Homeless Shelters**

Homeless Shelter	Location
Cold Weather/Laguna Beach	Laguna Beach
CSP Youth Shelter	Laguna Beach
Friendship Shelter	Laguna Beach
Interfaith Interim Housing	Laguna Hills
Saddleback Community Outreach	Laguna Hills

In addition, Aliso Viejo has developed housing programs outlined in this Housing Element to assist those who may experience homelessness. Provisions for accommodating emergency shelters are included in the Zoning Ordinance. Permanent emergency shelters are permitted by-right in the Business Park zoning districts, and transitional/supportive housing is a permitted use in all residential zoning districts. Housing Program 5, *OCHA Special Needs Groups Rental Assistance Program (Shelter Care Plus)*, provides rental assistance to those with disabilities and experiencing homelessness.

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<sup>3</sup> County of Orange, 2019 Point in Time Final Report, July 30, 2019 (<http://ochmis.org/wp-content/uploads/2019/08/2019-PIT-FINAL-REPORT-7.30.2019.pdf>)

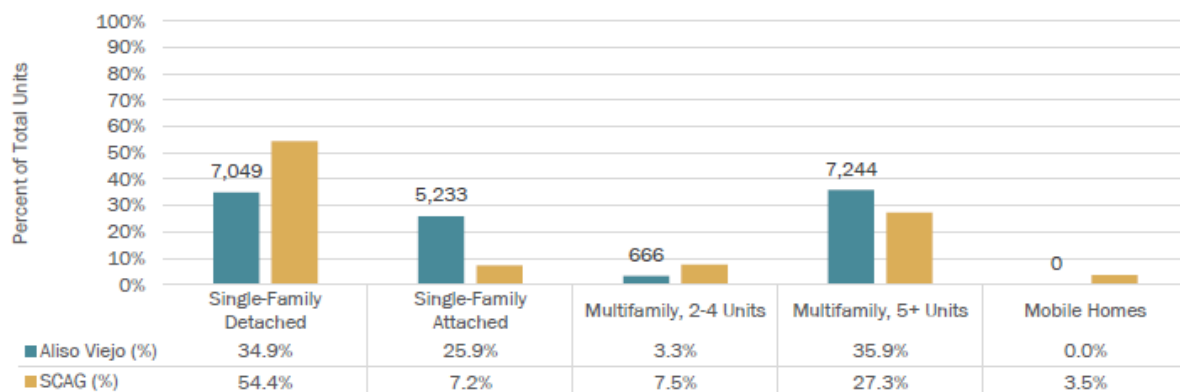




## HOUSING STOCK

Aliso Viejo offers a wide variety of housing types to meet the needs of its current and future residents. According to the California Department of Finance, about 35 percent of Aliso Viejo's housing stock consisted of single-family detached homes, 26 percent were single-family attached homes (townhouses), and 39 percent were multi-family apartments (Table CP-15).

**Table CP-15**  
**Housing Stock – Aliso Viejo and SCAG Region**



CA DOF E-5 Population and Housing Unit Estimates

## HOUSING AGE AND CONDITION

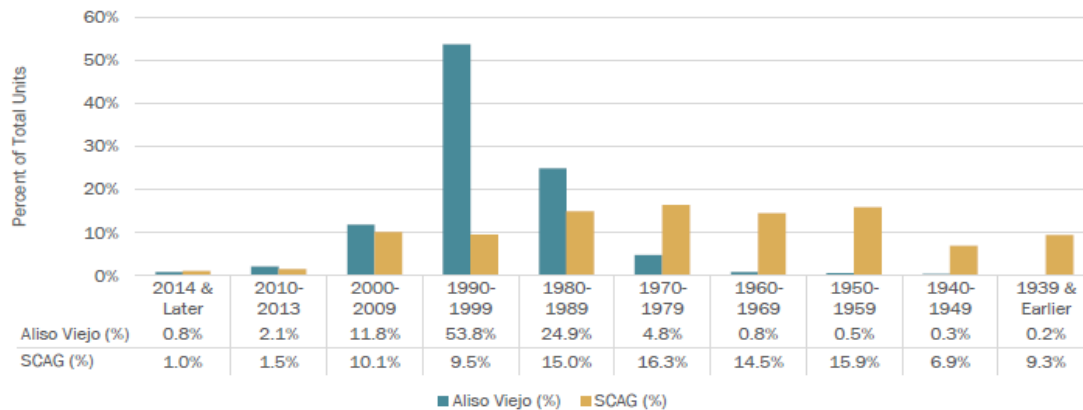
Housing age may be an important indicator of housing condition within a community. Housing is subject to gradual physical or technological deterioration over time. If not properly and regularly maintained, housing can deteriorate and discourage reinvestment, depress neighboring property values, and eventually impact the quality of life in a neighborhood.

Housing units in Aliso Viejo are relatively new when compared to the age of the region's housing stock (Table CP-16). Over two-thirds of Aliso Viejo's housing stock was constructed after 1990. A general rule in the housing industry is that structures older than 30 years begin to show signs of deterioration and require ongoing maintenance and repairs. Therefore, based on age alone, less than 28 percent of the housing stock may require maintenance and rehabilitation to prevent significant deterioration. Based on observations of City code enforcement staff and building inspectors, it is estimated that there are approximately 50 housing units in need of minor repair and 5 units in need of major rehabilitation or replacement. Although the vast majority of housing units in Aliso Viejo are less than 30 years of age, and problems associated with age and deterioration are likely



to be minimal, Housing Program 7, *Code Enforcement*, is designed to identify potential maintenance problems that could arise as the housing stock ages.

**Table CP-16**  
**Housing Units by Year Built – Aliso Viejo and SCAG Region**



*American Community Survey 2014-2018 5-year estimates.*

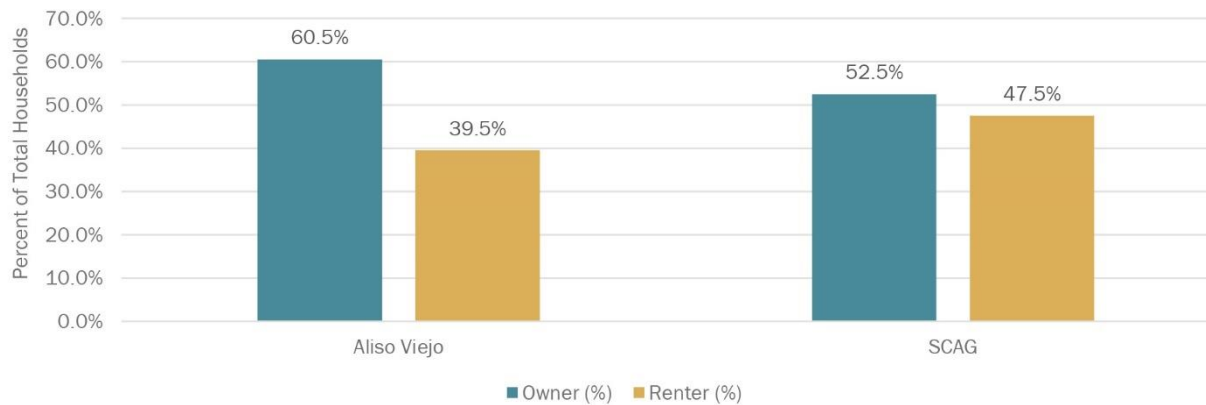
## HOUSING TENURE AND VACANCY

Housing tenure and vacancy rates are important indicators of the supply and cost of housing. Housing tenure refers to whether a unit is owned or rented. Vacancies are an important housing market indicator in that the vacancy rate often influences the cost of housing and reflects the match between housing demand and availability.

Recent Census estimates reported that about 61 percent of Aliso Viejo residents owned the units they occupied as compared to about 53 percent for the SCAG region as a whole (Table CP-17). Tenure varied by age, with the majority of Aliso Viejo residents between the ages of 35 and 84 owning their home (Table CP-18).

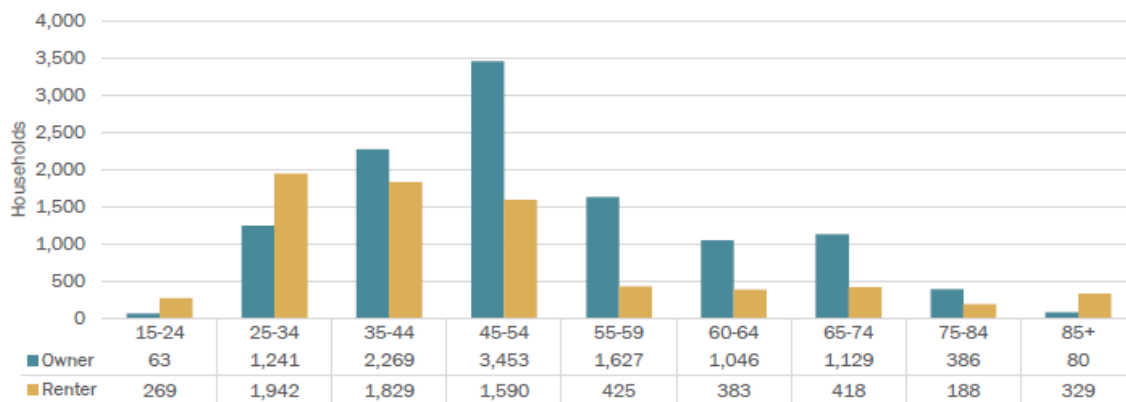


**Table CP-17**  
**Housing Tenure: Aliso Viejo and SCAG Region**



American Community Survey 2014-2018 5-year estimates.

**Table CP-18**  
**Housing Tenure by Age Group**

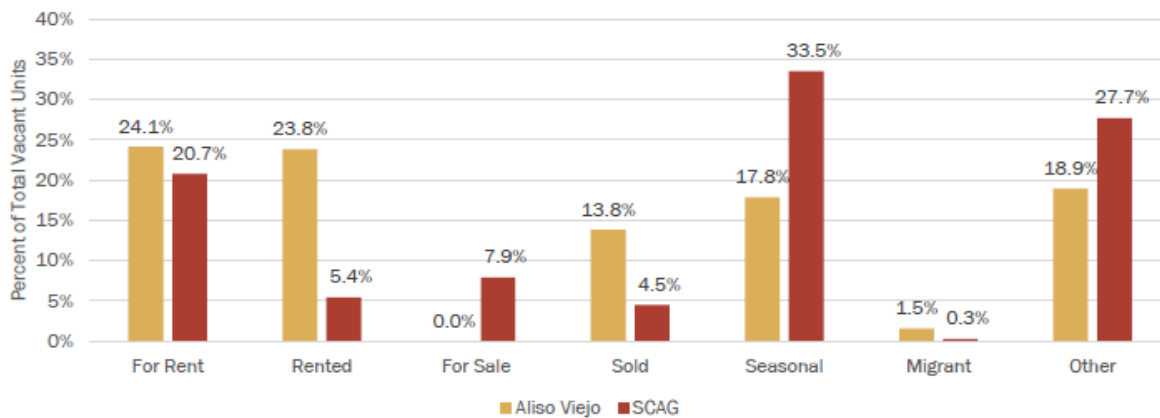


American Community Survey 2014-2018 5-year estimates.

A certain number of vacant units are needed to allow sufficient choice and mobility for residents. Generally, a vacancy rate of 1.5 to 2 percent for ownership housing and 5 percent for rental housing is considered necessary to balance demand and supply for housing. Recent Census vacancy estimates are shown in Table CP-19. Out of the total housing units in Aliso Viejo, there are approximately 19,078 occupied units, which equates to a 5.5% total vacancy rate.



**Table CP-19**  
**Vacant Units by Type**



*American Community Survey 2014-2018 5-year estimates.*

## HOUSING COSTS AND AFFORDABILITY

### Housing Affordability Criteria

State law establishes five income categories for purposes of housing programs based on the area (i.e., county) median income (AMI): extremely-low (30% or less of AMI), very-low (31%-50% of AMI), low (51%-80% of AMI), moderate (81%-120% of AMI) and above moderate (over 120% of AMI). Housing affordability is based on the relationship between household income and housing expenses. According to HUD and the California Department of Housing and Community Development, housing is considered “affordable” if the monthly payment is no more than 30 percent of a household’s gross income. In some areas, such as Orange County, these income limits may be increased to adjust for high housing costs.

Table CP-20 shows affordable rent levels and estimated affordable purchase prices for housing in Orange County (including Aliso Viejo)<sup>4</sup> by income category. Based on state-adopted standards, the maximum affordable monthly rent (including utilities) for 4-person extremely-low-income households is \$1,009, while the maximum affordable rent for very-low-income households is \$1,681. The maximum affordable rent for low-income households is \$2,689, while the maximum for moderate-income households is \$3,201.

Maximum purchase prices are more difficult to determine due to factors such as variations in mortgage interest rates, qualifying procedures, down payments, special tax assessments, homeowner association fees, and property insurance rates. With this caveat, the maximum

<sup>4</sup> Affordable rent and purchase prices are based on county median income.



home purchase prices by income category shown in Table CP-20 have been estimated based on typical conditions.

**Table CP-20**  
**Affordable Housing Costs – Orange County**

Income Category	Maximum Income	Affordable Rent	Affordable Price (est.)
Extremely Low	\$40,350	\$1,009	*
Very Low	\$67,250	\$1,681	*
Low	\$107,550	\$2,689	*
Moderate	\$128,050	\$3,201	\$500,000
Above moderate	Over \$128,050	Over \$3,201	Over \$500,000

Assumptions: Based on a family of 4 and 2021 State income limits; 30% of gross income for rent or principal, interest, taxes & insurance; 5% down payment, 4% interest, 1.25% taxes & insurance, \$350 HOA dues

Notes:

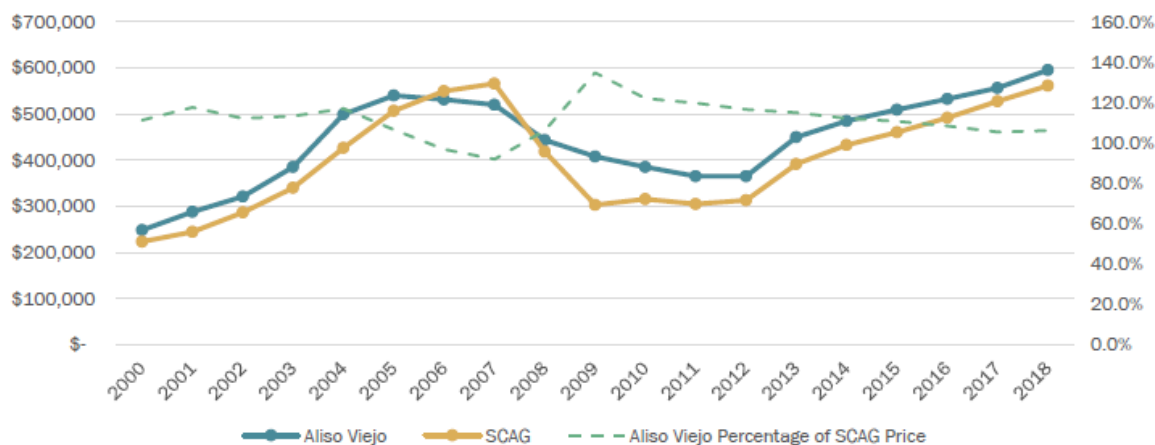
\*For-sale affordable housing is typically at the moderate income level

Source: Cal. HCD; JHD Planning LLC

## For-Sale Housing

Sales price statistics for existing homes during 2000-2018 are shown in Table CP-21. Based on the estimated affordable purchase prices shown in Table CP-20 above, the majority of homes in Aliso Viejo are only affordable for above-moderate income households. These data illustrate that public subsidies are generally required to reduce sales prices to a level that is affordable to lower-income buyers.

**Table CP-21**  
**Median Sales Price for Existing Homes: Aliso Viejo and SCAG Region**



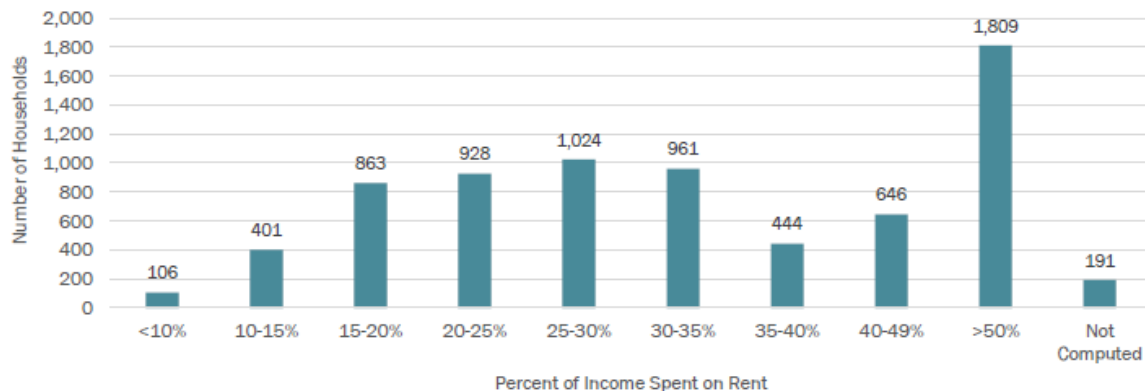
SCAG Local Profiles, Core Logic/Data Quick. SCAG median home sales price calculated as household-weighted average of county medians.



## Rental Housing

As described previously in the discussion of income and overpayment, a substantial proportion of renters in Aliso Viejo fall within the lower-income categories. As a result, trends in rental rates have a major impact on these residents. Among Aliso Viejo's renter households, about 52 percent spend 30 percent or more of gross income on housing cost, compared to 55 percent in the entire SCAG region. Additionally, about 25 percent spend 50 percent or more of gross income on housing cost, compared to 29 percent in the SCAG region (Table CP-22). According to a recent internet survey<sup>5</sup> monthly rental rates in Aliso Viejo range from \$2,200 for 1-bedroom apartments to \$5,000 for single-family homes.

Table CP-22  
Spending on Rent



## AT RISK RENTAL HOUSING

Existing housing that receives governmental assistance is often an important source of affordable housing in many communities. This section identifies the publicly assisted rental housing in Aliso Viejo, and evaluates the potential to convert to market rates during the ten-year period 2021 to 2031.

### Assisted Housing Inventory

Aliso Viejo has four assisted multi-family housing developments that provide 548 affordable housing units (Table CP-23). No lower-income rent-restricted units are at risk of converting to market-rate rents during the period of 2021 to 2031. As affordable housing opportunities are expanded in the future, the City will monitor the status, notify residents of potential conversion, and pursue options to preserve the units (Housing Program 8, *Conservation of Existing and Future Affordable Units*).

<sup>5</sup> [www.rent.com](http://www.rent.com), October 2021



**Table CP-23**  
**Inventory of Assisted Rental Housing**

Project Name	Assisted Units	Funding Source(s)	Earliest Date of Conversion	At Risk?
Vantis	20		2044	No
Woodpark Apartments	128	LIHTC	2050	No
Vintage Aliso	202	LIHTC	2072	No
Liberty at Aliso	198	LIHTC	2074	No
<b>Total</b>	<b>528</b>			

## LOW- AND MODERATE-INCOME HOUSING IN THE COASTAL ZONE

The western edge of the city is within the Coastal Zone. Government Code Section 65590 et seq. prohibits conversion or demolition of existing residential dwelling units occupied by low- or moderate-income persons or families unless provision has been made for the replacement in the same city or county of those dwelling units with units for persons and families of low- or moderate-income (excludes structures with less than 3 units, or less than 10 units for projects with more than one structure, among other exclusions).

Section 65590(d) further requires new housing development in the Coastal Zone to provide housing units for persons and families of low or moderate income, or if not feasible, to provide such units at another location within the same city or county, within the Coastal Zone or within three miles thereof.

Prior to the incorporation of Aliso Viejo in 2001, 478 housing units were permitted by the County within the portion of the Coastal Zone that is now part of the City. The County allowed for the construction of the units at market rate and there are currently no affordable units located in that area of the City. There have been no residential units demolished or converted within the Coastal Zone since City incorporation in 2001.

## AFFIRMATIVELY FURTHERING FAIR HOUSING

The Fair Housing Act of 1968 requires HUD and its program participants to administer housing and urban development programs in a manner that does not discriminate directly or indirectly based on race, color, religion, sex, national origin, age, familial status, or disability. The Fair Housing Act not only prohibited discrimination in housing-related activities and transactions but also requires entities to affirmatively further fair housing.

The Analysis of Impediments (AI) to Fair Housing Choice is the primary policy document utilized by HUD grantees for this purpose. HUD encourages jurisdictions to consult with one another and initiate metropolitan-wide planning to address impediments to fair housing choice.





The Orange County AI was prepared as a collaborative effort between Aliso Viejo, Anaheim, Buena Park, Costa Mesa, Fountain Valley, Fullerton, Garden Grove, Huntington Beach, Irvine, Laguna Niguel, La Habra, Lake Forest, La Palma, Mission Viejo, Orange, Rancho San Margarita, San Clemente, San Juan Capistrano, Santa Ana, Tustin, Westminster, and the County of Orange. Although the AI addressed county-wide issues, there are also goals specific to each jurisdiction.

Orange County's AI is a thorough examination of structural barriers to fair housing choice and access to opportunity for members of historically marginalized groups protected from discrimination by the federal Fair Housing Act (FHA). The AI also outlines fair housing priorities and goals to overcome fair housing issues. In addition, the AI lays out meaningful strategies that can be implemented to achieve progress towards the County's obligation to affirmatively furthering fair housing. The Lawyers' Committee for Civil Rights Under Law (Lawyers' Committee), in consultation with Orange County jurisdictions and with input from a wide range of stakeholders through a community participation process, prepared the AI.

In addition to participation in the AI, the City has completed the following fair housing outreach and analysis.

### Outreach

As discussed in the Housing Plan, the City held a total of two public meetings during the Housing Element update in an effort to include all segments of the community. Each meeting was publicized on the City's website and meeting notices were also sent to persons and organizations with expertise in affordable housing and supportive services. Interested parties had the opportunity to interact with City staff throughout the Housing Element update process and provide direct feedback regarding fair housing issues. In addition, as part of the public outreach efforts, an online survey was conducted regarding housing needs in the community, and the City promoted interest in the Housing Element update with a booth at the local farmers market.

The City also created a dedicated web page for the Housing Element update (<https://avcity.org/371/Housing-Element>) and provided opportunities for interested persons to participate remotely, which made it possible for those with disabilities limiting their travel to participate and comment on the Housing Element regardless of their ability to attend the meetings.

### Assessment of Fair Housing

The following analysis examines geographic data regarding racial segregation, poverty, persons with disabilities, and areas of opportunity as identified by the TCAC/HCD Opportunity Areas map.



~~Racial segregation. As seen in Figure CP-1, the percentage of non-white population in the city is similar to the adjacent areas and does not indicate any patterns of racial/ethnic concentration in the city.~~

~~Poverty. Recent Census estimates regarding poverty status of households in Aliso Viejo are shown in Figure CP-2. As seen in this map, there are no concentrations of poverty and the poverty rate is less than 10% for all Census tracts in the city.~~

~~Persons with disabilities. The incidence of disabilities is relatively low in Aliso Viejo compared to some areas of Southern California. As shown in Figure CP-3, the percentage of residents reporting a disability is less than 10% in the majority of the city, while the disability rate is 10% to 20% in some portions of the city.~~

~~Access to opportunity. According to the 2020 California Department of Housing and Community Development (HCD) and the California Tax Credit Allocation Committee (TCAC) Opportunity Area Map (Figure CP-4), most areas of Aliso Viejo are within designated “High Resource” or “Highest Resource” areas. High Resource areas are areas with high index scores for a variety of educational, environmental, and economic indicators. Some of the indicators identified by TCAC include high levels of employment and close proximity to jobs, access to effective educational opportunities for children and adults, low concentration of poverty, and low levels of environmental pollutants, among others.~~

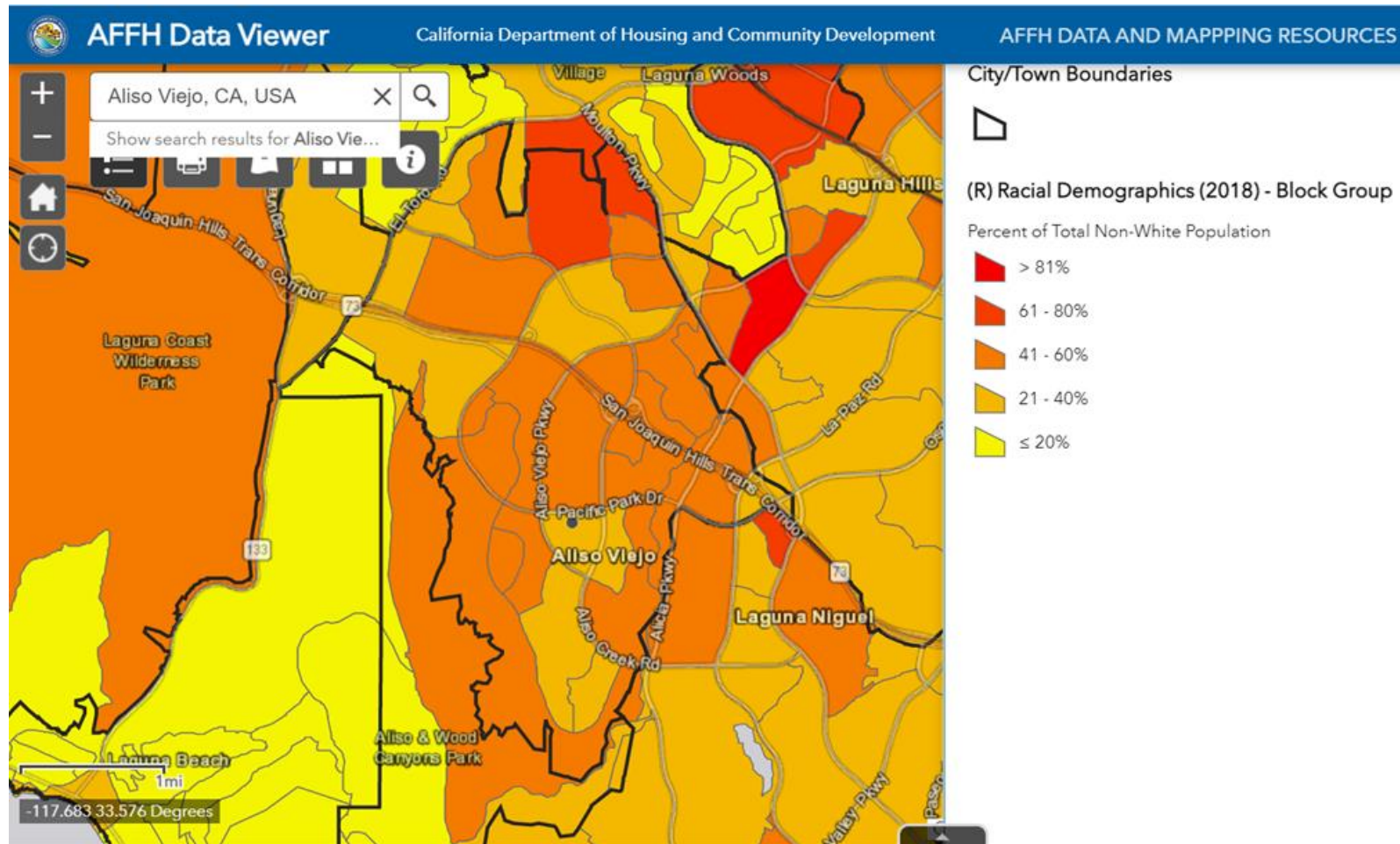
## **Conclusion**

~~This analysis shows that the primary barrier to fair housing in the city is high housing cost, which has the effect of limiting access by lower-income households to the high opportunities and resources available in Aliso Viejo. There is no evidence to suggest that discrimination against racial groups or persons with disabilities is a major issue.~~

~~The Housing Plan includes several programs to encourage and facilitate affordable housing development, as well as the provision of accessory dwelling units, which can expand affordable housing opportunities for lower-income persons such as caregivers, household employees, and others working in service occupations. Program 11 describes actions the City will take to affirmatively further fair housing and address any issues of housing discrimination that may arise.~~



**Figure CP-1**  
**Racial Characteristics**



Source: California Department of Housing and Community Development, AFFH Data Viewer, 2021

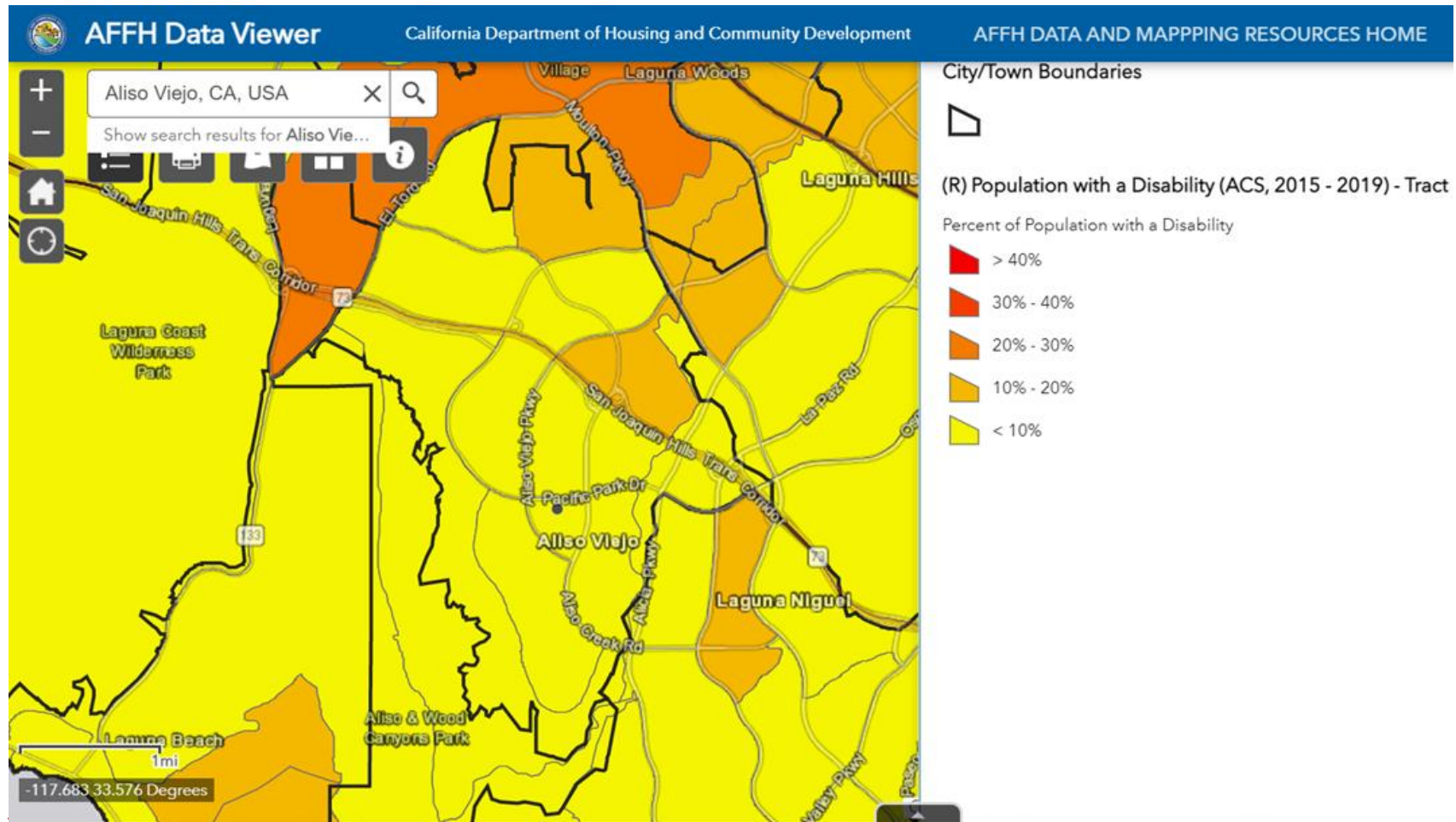






## COMMUNITY PROFILE

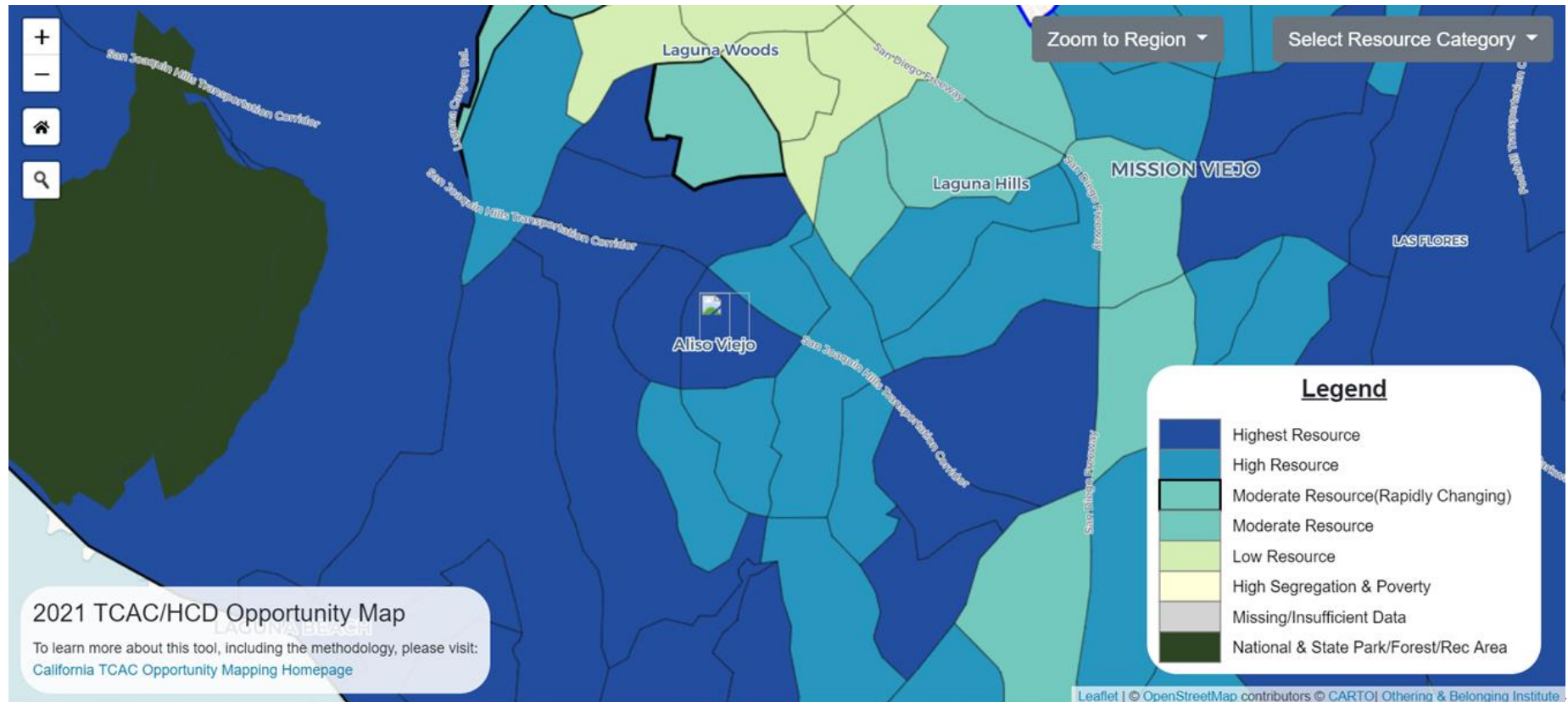
**Figure CP-3**  
**Disabilities**



Source: California Department of Housing and Community Development, AFFH Data Viewer, 2021



**Figure CP-4**  
**TCAC/HCD Opportunity Map**





## C.2 RESOURCES AND OPPORTUNITIES

This section analyzes the resources and opportunities available for the development, rehabilitation, and preservation of housing in Aliso Viejo. This analysis includes an evaluation of the availability of land resources for future housing development, financial resources available to support housing activities, administrative resources available to assist in implementing the housing programs, and opportunities for energy conservation.

### NEW HOUSING NEEDS

In March 2021 the Southern California Association of Governments (SCAG) adopted the 2021 -2029 Regional Housing Needs Assessment (RHNA) Plan, which assigns a share of the region's future housing need to each jurisdiction in the region. State law requires each community to demonstrate that it has sufficient land with appropriate zoning and development standards to accommodate its assigned housing need. Prior to the City's incorporation in 2001, residential development was subject to the County of Orange Inclusionary Zoning requirements. These requirements stipulated that 25 percent of all units developed in the Aliso Viejo Planned Community would be affordable to low- and moderate-income residents for a period of five years. With 5,823 affordable units developed (2,528 low-income and 3,295 moderate-income units - well above the 25 percent requirement), the County certified the community's compliance with its inclusionary requirements on July 6, 2001.

The City of Aliso Viejo has not adopted an inclusionary housing requirement; however, the City has been able to negotiate with individual developers to incorporate affordable housing into their developments. As an example, the latest project, a 435-unit apartment complex provided 38 affordable rental units.

For the 2021 through 2029 RHNA projection period, the City has been allocated a new housing need of 1,195 dwelling units, distributed by income category as shown in Table CP-24. It should be noted that SCAG did not include the extremely-low-income category when the RHNA was prepared. The need in the extremely-low-income need has been estimated to be half of the very-low category as allowed by state law.

**Table CP-24**  
**Regional Housing Needs 2021-2029 – Aliso Viejo**

Very Low*	Low	Moderate	Above Moderate	Total
390	214	205	386	1,195

Source: SCAG 2021.

\*Includes assumption of 195 extremely-low-income units





## RESIDENTIAL SITES INVENTORY

State law requires cities to identify adequate sites with appropriate zoning to accommodate the growth-assigned new housing need for the planning period. Table CP-25-Section C.5 includes an analysis of sites in the city with land use designations that allow additional residential development based on current zoning designations.

~~Table CP-25 shows that there are currently insufficient residential sites to accommodate the City's RHNA allocation for all income categories. To accommodate this shortfall, the Housing Element includes Program 1, Adequate Sites for New Housing to amend General Plan and zoning designations for sufficient sites to be selected from the sites listed in Table CP-26 to accommodate the RHNA allocation. Maps showing these candidate sites are provided in Attachment C-1.~~



## COMMUNITY PROFILE

**Table CP-25**  
**Residential Land Inventory**

Site	General Plan	Zoning	Acreage	Density	Units-by-Income-Category				Total-Units
					VL	Low	Mod	Above-Mod	
The Commons at Aliso Viejo Town Center—Towers Planning Area	CBO—The Commons at AV Town Center	SP No. 2—Commons	4.1	34.1 units/acre	7*	14	119	0	140
Potential ADUs					40	17	12	4	40
<b>Totals</b>			<b>4.1</b>		<b>17</b>	<b>31</b>	<b>131</b>	<b>4</b>	<b>180</b>
<b>Housing Need 2021-2029</b>					<b>360</b>	<b>214</b>	<b>205</b>	<b>386</b>	<b>1,195</b>
<b>Adequate Sites? (Shortfall)</b>					<b>(343)</b>	<b>(183)</b>	<b>(74)</b>	<b>(385)</b>	<b>(1,015)</b>

Notes:

—\* Deed-restricted units

**Candidate Parcels for Rezoning**

Site	Existing General Plan	Existing Zoning	Existing Uses	Acreage	Potential Units
1 Columbia	Business Park	BP-2	Office	2	60-100
41 Columbia	Business Park	BP-2	Office	2	60-100
35 Journey	Business Park	BP-1	Office	2	60-100
26800-26880 AV Pkwy	Business Park	BP-1	Office	7	210-350
The Commons	High-Density Residential/ Community Commercial	SP-2	Parking lot	21	630-1,050
AVTC Gateway	Community Commercial	CT	Parking lot	6	300
<b>TOTALS</b>				<b>40</b>	<b>1,320-2,000</b>



## FINANCIAL RESOURCES

### Affordable Housing In-Lieu Fees

The City allows developers to pay fees in lieu of providing affordable units with the fees deposited to a housing fund. Funds collected to date were spent to assist the 200-unit senior affordable project at 100 Freedom Lane (formerly 4 Liberty) and for the purchase of an affordable unit at 35 Playa Circle. As part of the 100 Freedom development, City in-lieu fees were used to subsidize 50 very-low-income units. The unit at 35 Playa Circle was leased to Family Assistance Ministries (FAM) for \$1 per year. FAM has placed a family in the unit. The in-lieu fee program has been successful to date. While all funds have been expended, the monies helped to construct 50 affordable units and purchase an additional standalone affordable unit. Moving forward the City will continue its efforts to collect in-lieu fees and adjust the fees accordingly based on land values.

### Low Income Housing Tax Credits (LIHTC)

Created by the 1986 Tax Reform Act, the LIHTC program has been used in combination with other resources to encourage the construction and rehabilitation of rental housing for lower-income households. The program allows investors an annual tax credit over a ten-year period, provided that the housing meets minimum low-income occupancy requirements. The tax credit is typically sold to large investors at a syndication value.

### Housing Choice Voucher (Section 8) Program

The Housing Choice Voucher (Section 8) program is a federal program that provides rental assistance to very-low-income persons in need of affordable housing. This program offers a voucher that pays the difference between the fair market rent and 30 percent of their income. The voucher allows a tenant to choose housing that may cost above the payment standard, but the tenant must pay the extra cost. The Orange County Housing Authority (OCHA) administers the Section 8 Voucher Program for Aliso Viejo. As of 2021, approximately 131 households in Aliso Viejo were receiving vouchers.

## OPPORTUNITIES FOR ENERGY CONSERVATION

Utility-related costs can directly impact affordability of housing in Aliso Viejo. By promoting and expanding opportunities for energy conservation, the City can indirectly alleviate housing cost burden and improve housing affordability in the community. Opportunities for energy conservation in Aliso Viejo include continued implementation of State Title 24 building construction standards, complying with Energy Star conservation standards, and considering appropriate building orientation and landscaping during the development/design review process through implementation of the Zoning Ordinance. The City requires a minimum of 50 percent of the landscaping to be drought tolerant in new development within Aliso Viejo.



In addition to the numerous environmental benefits discussed in the Conservation/Open Space Element, energy conservation measures implemented by the City can significantly reduce the cost of utilities to community households, thereby reducing housing cost burden and improving overall housing affordability in Aliso Viejo. In 2014 the City adopted a Green Building Program that offers incentives such as expedited processing and/or fee waivers when project proponents agree to incorporate environmentally sensitive sustainable and energy efficient construction techniques into their projects. The City currently offers a 25% permit fee waiver for residential solar thermal system installation. Daytime interior lighting costs can be significantly reduced or eliminated with the use of properly designed and located skylights, which can be easily installed at reasonable expense in existing houses, thereby substantially reducing electricity costs and energy consumption. Solar energy is a practical, cost effective, and environmentally sound way to heat and cool a home.



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## C.3 CONSTRAINTS ANALYSIS

Aliso Viejo strives to provide a variety of housing opportunities for current and future residents. However, a variety of factors can constrain the development, maintenance, and improvement of housing. These include market mechanisms, government codes, and physical and environmental constraints. This section addresses these potential constraints that affect the supply and affordability of housing in Aliso Viejo.

### MARKET CONSTRAINTS

Land costs, construction costs, and market financing contribute to the cost of housing reinvestment, and can potentially hinder the production of new housing. Although many constraints are driven by market conditions, jurisdictions may have some leverage in instituting policies and programs to address such constraints. The section below analyzes these market constraints as well as the activities that the City undertakes to mitigate their effects.

#### Development Costs

Construction costs vary widely according to the type of development, with multi-family housing generally less expensive to construct than single-family homes. However, wide variation within each construction type exists depending on the size of the unit and the number and quality of amenities provided, such as fireplaces, swimming pools, and interior features among others. The City has no influence over materials and labor costs, and the building codes and development standards in Aliso Viejo are not substantially different than most other cities in Orange County. Construction costs for materials and labor have increased at a higher pace than the general rate of inflation. In addition, as the supply of buildable vacant land is exhausted, housing development must occur on underutilized land, adding the expense of demolition to the total cost of development. The International Code Council estimated that the average construction cost for good-quality housing was approximately \$131 per square foot for single-family homes and \$119 per square foot for multi-family housing; however, costs can significantly exceed these amounts depending on a variety of factors.

Cities have little control over materials and labor costs; however, Housing Programs 1, *Adequate Sites for Affordable Housing* can reduce the cost of development for projects by assuming the cost of amending the General Plan and Zoning designations to allow for additional residential development. Furthermore, as described in Housing Program 2, *Facilitate the Provision of Affordable Housing*, assistance to non-profit developers of affordable developments can also offset the cost of development.



## Land Costs

The cost of raw land typically accounts for a large share of total housing production costs. Land costs may vary depending on whether the site is vacant or has an existing use that must be removed. Similarly, site constraints such as environmental issues (e.g., steep slopes, soil stability, seismic hazards, or flooding) can be a factor driving up the cost of developable land.

Prices also vary depending on density, proximity to the coast and neighborhood characteristics. Recent asking prices for developable land in Aliso Viejo have been in excess of \$1 million per acre. Because there are virtually no vacant sites suitable for residential development in Aliso Viejo, land prices depend heavily on the existing improvements on the property and can vary widely. Higher density reduces per-unit land costs. Aliso Viejo is a relatively high-density community in comparison to other cities in southern Orange County, and as noted previously, approximately 65 percent of the housing stock is attached housing, either condos or apartments. Therefore, although the price of land is expected to comprise a significant portion of the cost of housing, the City's zoning regulations allowing densities up to 50 units per acre serves to ameliorate this factor.

## Cost and Availability of Financing

Aliso Viejo is typical of Southern California communities with regard to the availability of home financing and interest rates. In recent years, mortgage interest rates have been very low by historic standards, resulting in increased affordability for home purchasers with good credit.

## GOVERNMENTAL CONSTRAINTS

Local policies and regulations can impact the price and availability of housing and, in particular, the provision of affordable housing. Land use controls, site improvement requirements, fees and exactions, permit processing procedures, and other factors may constrain the maintenance, development, and improvement of housing.

## Land Use Controls

Nearly all of the land in Aliso Viejo has either been developed or is permanently preserved for open space or recreation. The City was designed as a balanced planned community and the Land Use Element designates approximately 1,500 acres, or 40 percent of the City's land area, for a wide variety of residential uses to ensure adequate housing opportunity for its residents. The distribution of residential uses specified in the Land Use Element is depicted on the Land Use Policy Map and includes:





- ❖ Very Low Density Residential (VLDR) – maximum 5 units per acre
- ❖ Low Density Residential (LDR) – maximum 8 units per acre
- ❖ Medium Density (MDR) – maximum 18 units per acre
- ❖ High Density (HDR) – maximum 30 units per acre
- ❖ Very High Density Residential (VHDR) – up to 50 units per acre

VLDR and LDR uses account for 45 percent of all residential uses in Aliso Viejo, while MDR constituted 33 percent. HDR uses are 20 percent of the overall residential mix and the remaining 2 percent is comprised of VHDR uses.

### Residential Development Standards

Most of Aliso Viejo is built out and the community has very few opportunities for new development. The City is comprised of portions of two master-planned communities: Aliso Viejo Planned Community and the Rossmoor Leisure World Planned Community. The area in northern Aliso Viejo that was part of the Rossmoor Leisure World Planned Community represents a small percentage of the City's land. There are no opportunities for new development in this area and the potential for redevelopment is low as existing uses are in good condition. There are limited opportunities for new development and redevelopment in the remaining portions of the City that were part of the Aliso Viejo Planned Community.

The portion of the city within the Aliso Viejo Planned Community (PC) was originally regulated by the Aliso Viejo Planned Community Development Plan and Supplemental Text, approved by the County of Orange prior to the City's incorporation in 2001. Upon incorporation, the City adopted the existing County PC regulations. In 2008 the City adopted a new Zoning Code that superseded the original PC regulations and established development standards for residential land uses. Effective February 19, 2010 the residential development standards were amended, as summarized in Table CP-25. The purpose and density of each residential district is as follows:

- ❖ RL Residential - Low Density District. To provide for the development and preservation of low-density neighborhoods with single-family detached or attached residences and condominiums. Maximum density is 8 units per gross acre.
- ❖ RM Residential - Medium Density District. To provide for the development and preservation of medium-density neighborhoods containing detached and attached single-family homes on smaller lots, duplexes, townhomes, apartments, and condominiums. Each project will have ample common open space and recreation facilities. Maximum density is 18 units per gross acre.
- ❖ RH Residential - High Density District. To provide for the development and preservation of high-density neighborhoods consisting primarily of attached and multiple dwelling units such as townhomes, apartments, condominiums, and senior housing. Each project will have ample common open space and recreation facilities. Maximum density is 30 units per gross acre.



- ❖ **RVH Residential - Very High Density District.** To provide for the development and preservation of very-high-density neighborhoods consisting primarily of multiple dwelling units such as apartments, condominiums, and senior housing. Each project will have ample common open space and recreation facilities. Maximum density is 50 units per gross acre.
- ❖ **PRD Planned Residential Development Overlay District.** This is an overlay district which is to be combined with one of the residential base districts described above. The PRD overlay district provides for the development and preservation of planned unit developments with attached homes, detached homes, or a mixture of both. Each project will have ample common open space and recreation facilities. Setbacks and other development standards are to be tailored specifically to each project.

**Table CP-26 Table CP-25**  
**Residential Development Standards**

	RL		RM	RH	RVH	PRD <sup>c</sup>
	Single-Family Detached	Single-Family Attached				
<b>Height and Area Standards</b>						
Maximum structure height <sup>a</sup>	35 feet, maximum 2 stories (lofts do not count as a separate story)		35 feet	45 feet	65 feet	Same as base district
Building site area, min. (sq/ft)	3,000		5,000	5,000	5,000	
Building site coverage for entire project at initial development	No maximum		60%	60%	60%	
Min. Common Open Area (in addition to boundary landscaping), subject to sec. 15.14.120	n/a		25%	25%	25%	
<b>Minimum Building Setbacks <sup>b</sup></b>						
Front	10 feet	10 feet	For single-family detached and attached: same setbacks as RL; otherwise, n/a	n/a	n/a	As approved for each project
Side	10 ft. for one side only; or 10 ft. aggregate for both sides	0 ft. on attached side; 10 ft. on open side				
Rear	10 feet	10 feet				
Minimum Perimeter Setback	n/a	n/a	20 feet	20 feet	20 feet <sup>d</sup>	20 feet <sup>d</sup>



Landscaping			
Minimum Boundary Landscaping, subject to sec. 15.14.120	n/a	n/a	For multifamily, 15 feet min., 20 feet min. avg.
Minimum Parking Lot Landscaping	n/a		Min. 4% of parking lots serving 10 or more cars shall be landscaped in addition to boundary landscaping.
Drought Tolerance	n/a		Min. 50% of landscaping must be drought tolerant.

Source: Aliso Viejo Zoning Code, 2013

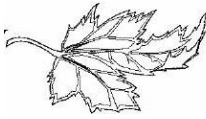
- a See Chapter 15.30 for additional provisions regarding height limits.
- b Setbacks are measured from ultimate street right-of-way line. Also, setbacks are subject to the provisions of sec. 15.14.040 (Encroachments into Setbacks).
- c The PRD standards shown are for projects approved after the effective date of this Code. For projects approved prior to the effective date of this Code, setbacks and other development standards shall be as established by the buildings as they exist on the effective date of this Code.
- d All min. perimeter setbacks shall be increased 1 foot for every foot in height above 35 feet

### Community Benefit Overlay (CBO)

The City's General Plan identified several areas in which alternative standards could be used to maximize development in certain areas. For each CBO area, the General Plan identifies the most intensive future use scenario while also allowing for up to two alternatives to allow for flexibility. All of the CBO areas have been developed except for the Enterprise/Aliso Creek Road CBO which lies in the Commons at Aliso Viejo Town Center. This is the area that was approved through Specific Plan for the Towers development.

### **Parking Standards**

Overly stringent parking standards may pose a constraint to housing development and reduce the viability of potential affordable housing projects by reducing the number of units that can be built. The City's parking standards are contained in Chapter 15.50 of the Zoning Code and are shown in Table CP-26 below. As noted in this table, required parking for multi-family units may be provided in a garage or a carport. Reduced parking requirements are available for qualifying projects such as when affordable units are provided. The City's parking standards are generally in line with HCD's Building Blocks provided to local jurisdictions for guidance on parking requirements. The difference being that the City's standards are per unit and not per bedroom count for single family homes. For multifamily apartments there is a per-bedroom requirement that is slightly higher than that recommended by the Building Blocks due to the lack of public transportation in the area. The number of spaces required in multifamily apartments ranges from 1.5 to 2.5 spaces per unit, which is 0.25 to 0.75 spaces more than the Building Blocks recommendation. However, the City will be updating its standards and moving to a bedroom count to more closely reflect parking need based on size and number of bedrooms in the unit.



**Table CP-27 Table CP-26**  
**Parking Requirements by Use**

Land Use	Minimum Off-Street Parking Requirement	Additional Requirements
Single family detached and single family attached	2 spaces per unit in a garage plus 1 space for any second dwelling unit (which may be a tandem driveway space, subject to §15.14.080)	Plus 0.5 off-street guest spaces per unit if there is no on-street parking in front of the units. Each garage space shall have minimum unobstructed interior dimensions of 10 ft. x 20 ft.
Multifamily dwellings, townhomes	2 spaces per unit in a garage	
Multifamily dwellings, apartments (either rental or condominium): Studio: 1 bedroom: 2 bedrooms or more bedrooms:	1 covered space per unit 1.2 covered spaces per unit 2 covered spaces per unit	Plus 0.5 guest spaces per unit, with parking distributed so that all units are within 150 feet of the resident's assigned or reasonably available parking space and within 150 feet of the nearest designated guest space.
Affordable housing (Ch. 15.58): Studio to 1 bedroom: 2-3 bedrooms: 4 or more bedrooms:	1 space per unit 2 spaces per unit 2.5 spaces per unit	Spaces may be tandem or uncovered.
Live/work and other mixed use developments	2 spaces per unit in a garage plus the spaces required for the nonresidential uses per this chapter; or as required in applicable specific plan	Each garage space shall have minimum unobstructed interior dimensions of 10 ft. x 20 ft.
Mobilehome parks	2 covered spaces per unit, which may be in tandem, plus 0.5 guest spaces per unit	
Single-room occupancy housing	1 space per dwelling unit	
Boarding or rooming houses	1 space per sleeping room	
Managed care: assisted living, congregate care facilities, and other senior group housing (age restricted)	1 space per dwelling unit; or 0.5 spaces per bed in dormitory housing	If the number of beds is uncertain at the time of City review, the requirement shall be 0.5 spaces per each 100 sq/ft of sleeping area
Managed care: convalescent homes	0.5 spaces per bed	
Homeless and emergency shelters	0.3 spaces per bed*	If the number of beds is uncertain at the time of City review, the requirement shall be 0.3 spaces per each 100 sq/ft of sleeping area
Transitional and supportive housing	1 space per dwelling unit; or 0.3 spaces per bed in dormitory housing	
Alcoholism or drug abuse recovery facilities and residential care facilities; all for 6 or fewer persons	As required for the single family or multifamily dwelling unit in which the facility is located	

\*See Program 10 in the Housing Plan

### Impact of Land Use Controls

The City has traditionally not placed over-regulatory burdens on land use development, specifically for residential units. There are no development impact fees or exactions adopted as part of the code nor have developers found it difficult to meet parking and landscaping ratios. In two recent cases modifications to development standards were approved for the two affordable housing projects approved at 100 Freedom Lane, which provided 198 and 200 units of affordable housing. A reduction in required parking was approved for these projects, resulting in additional units. However, there have been numerous complaints from area residents regarding the lack of adequate parking. This is



something that the property owner/manager has been working to address. The 435-unit apartment development at Vantis, on the other hand, was able to provide the required parking through a structure as a podium project. This is a market-rate project with 38 affordable units provided. As noted above, the City will evaluate and adopt new parking standards to more closely reflect need based on unit size/bedroom count.

### Condominium Conversions

Chapter 15.54 of the Zoning Code addresses the conversion of affordable units to ownership (condominium) units. The chapter includes a variety of provisions that are intended to preserve affordable housing opportunities, create additional affordable housing, and ensure that any housing stock that may be approved for an ownership opportunity be evaluated for compliance with construction and housing codes to ensure that the units are safe, sanitary, and livable. Primary features of the chapter include a requirement of an apartment vacancy rate of more than 5 percent unless mitigating circumstances are found by the City Council. The chapter also requires that 15 percent of converted units be affordable to very-low- and low-income households, as well as a requirement to provide tenant relocation assistance. All affordable units are required to be sold with an affordability covenant that restricts the sale of the unit to a low-income or very-low-income buyer in accordance with the terms set forth in Subchapter 2 of Chapter 6.5 of Division 1 of Title 25 of the *California Code of Regulations*.

### Affordable Housing Incentives

Chapter 15.58 of the Zoning Code contains regulations and procedures for approval of a density bonus as well as additional incentives for affordable or senior housing. AB 2345 of 2019 amended State law to revise density bonus incentives that are available for affordable housing developments. Program 2 is included in the Housing Plan to update the City's density bonus regulations in conformance with State law.

### Accessory Dwelling Units

Section 15.14.080 of the Zoning Code contains regulations and procedures for approval of accessory residential units (ADUs) and junior accessory dwelling units (JADUs). Program 11 in the Housing Plan includes a provision to monitor changes to State law and update City regulations as necessary to ensure consistency~~This section of the Code is consistent~~ with current ~~State~~ law.

### Provision for a Variety of Housing

A balanced community must offer a range of housing options for all economic segments of the population. This includes single-family housing, multi-family housing, factory-built or manufactured housing, mobile homes, reasonable accommodation in housing for persons with disabilities or special needs, emergency shelters, and transitional housing among others. Permitted residential land uses are summarized in Table CP-27.



**Table CP-28 Table CP-27**  
**Permitted Residential Land Uses by District**

Residential Uses	RL Low Density Residential	RM Med. Density Residential	RH High Density Residential	RVH Very High Density Res.
Single-family dwellings, detached	P	P	NP	NP
Single-family dwellings, attached	P	P	P	P
Multifamily dwellings	NP	P	P	P
Single-room occupancy housing	NP	P	P	P
Boarding and rooming houses	NP	C	C	C
Individual manufactured homes including mobilehomes on single family lots, subject to sec. 15.14.100	P	P	NP	NP
Mobilehome parks and developments, subject to sec. 15.14.100	C	C	C	C
Alcohol or drug abuse recovery or treatment facilities that are licensed by the State for up to six persons	P	P	NP	NP
Homeless and emergency shelters <sup>1</sup>	NP	C	C	C
Transitional and supportive housing	P	P	P	P
Accessory dwelling units subject to AVMC Sec. 15.14.080	A	A	NP	NP
Guest houses, subject to AVMC Sec. 15.14.090	A	A	NP	NP

P=permitted C=conditionally permitted A=accessory use NP=not permitted

1. Emergency shelters are permitted in the BP-1 and BP-2 zones by-right

**Multi-Family Units:** Multi-family residential is a permitted use with a Site Development Permit for the site and architectural design in the RM, RH, and RVH zoning districts (Table CP-25), although most of the land within these areas has already been built out. Future multi-family development can be achieved on the few remaining vacant properties with a change of zoning and general plan designation.

**Manufactured Housing:** Manufactured housing offers an affordable homeownership option to many low- and moderate-income households. In accordance with State law, the City of Aliso Viejo allows individual manufactured housing by right in the RL and RM residential zones providing these units are built to meet the California Building Code in accordance with applicable factory-built regulations.

**Agricultural Employee Housing:** As discussed previously in the Housing Needs Assessment, recent Census estimates reported no residents of Aliso Viejo were employed in farming, fishing and forestry occupations. Commercial agriculture is not permitted in any zoning district. The City's overall efforts to provide and maintain affordable housing opportunities will help to support any agricultural employees in other areas that may choose to reside in Aliso Viejo. In addition, Program 10 includes a Zoning Code amendment to allow agricultural employee housing for six or fewer employees as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone consistent with the Employee Housing Act (Health and Safety Code §17021.5).

**Residential Care Facilities:** Residential care facilities can be described as any family home, group care facility, or similar facility for 24-hour non-medical care of persons in need of





personal services, supervision, or assistance essential for sustaining the activities of daily living. The Zoning Ordinance includes definitions for residential care facilities but does not identify any zones where such facilities are permitted. The Zoning Ordinance defines "Health facilities" as "a facility, place or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which the persons are admitted for a 24-hour stay or longer" consistent with California Health and Safety Code §1250. Health facilities are allowed subject to a CUP in the Professional Office and Business Park-1 districts. Program 10 in the Housing Plan includes a commitment to review and amend regulations to ensure conformance with applicable law.

Alcoholism or drug abuse recovery or treatment facilities that are licensed by the State for a maximum capacity of six or fewer persons are permitted in all residential zoning districts consistent with State law.

**Housing for Persons with Disabilities:** Both the Fair Housing Act and the California Fair Employment and Housing Act require local governments to make reasonable accommodation (i.e., modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling. For example, it may be a reasonable accommodation to waive a setback requirement so that a paved path of travel can be provided to residents who have mobility impairments. A similar waiver might not be required for a different type of group home where residents are not physically disabled. Whether a particular modification is reasonable depends on the facts, and must be decided on a case-by-case basis. Chapter 15.66 of the Zoning Code includes establishes procedures for ensuring reasonable accommodation, including timeframes for decision making, and provision for relief from various land use, zoning, or building regulations that may constrain the housing for persons with disabilities.

Notice of the availability of reasonable accommodation and application forms are prominently displayed at the City's public counter advising the public of the availability of the procedure for individuals with disabilities. After submittal of a reasonable accommodation request, the Director of Planning reviews the application and issues a decision within 30 days. The Director's decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following findings, all of which are required for approval:

1. The housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws.
2. The requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws.





3. There are no alternatives which may provide an equivalent level of benefit.
4. The requested accommodation would not impose an undue financial or administrative burden on the city.
5. The requested accommodation would not require a fundamental alteration in the nature of the City's land use, zoning or building policies, practices or procedures.
6. The requested accommodation will not result in a direct and significant threat to the health or safety of other individuals or substantial physical damage to the property of others.

Within 10 days of the Director's decision, an applicant may appeal the decision to the City Council. Upon request, the City will provide assistance to an individual needing assistance in filing an appeal to ensure that the appeals process is accessible to individuals with disabilities.

These procedures are consistent with fair housing law and do not pose a constraint on persons with disabilities. In recent years the City has typically processed about one reasonable accommodation request per year.

**Definition of *Family*:** The Zoning Code defines *Family* as "one or more related or unrelated persons occupying a dwelling unit and operating as a single housekeeping unit. "Family" does not include occupants of a fraternity, sorority, boarding house, short-term rental, lodging house, club, motel, or any other type of transitory lodging." This definition is consistent with applicable law and does not pose a constraint to persons with disabilities.

**Emergency Shelters and Transitional/Supportive Housing:** Emergency shelters can be defined as charitable or public service facilities that provide temporary 24-hour shelter services to the homeless. The Zoning Ordinance allows emergency shelters by-right, without discretionary action, in the Business Park 1 and Business Park 2 districts. The BP districts encompass approximately 240 acres conveniently located with access to transit and services required by homeless persons. The primary purpose of the BP-1 district is to provide business and employment-generating development, including a range of light industrial uses and supporting offices and services consistent with the General Plan business park designation. The primary purpose of the BP-2 district is to provide for a wide range of industrial, research, manufacturing, storage, and warehouse uses that may not be desirable in the BP-1 district. Development standards for emergency shelters are the same as for other uses in the BP-1 and BP-2 zones designed to permit a variety of uses including community facilities and limited service and retail offices. There are no hazardous conditions that are inappropriate for human occupancy in these areas. As noted previously in the analysis of special needs, the most recent point-in-time survey (2019) identified one unsheltered person in Aliso Viejo. Approximately twelve developed parcels with vacant or underutilized space that could accommodate emergency shelters are located within the BP



districts, providing more than sufficient capacity to accommodate shelters to address this need.

**Low Barrier Navigation Centers:** In 2019 the State Legislature adopted AB 101 establishing requirements related to local regulation of low barrier navigation centers, which are defined as “Housing first, low-barrier, service-enriched shelters focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.” Low Barrier means best practices to reduce barriers to entry, and may include, but is not limited to:

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth
- (2) Accommodation of residents’ pets
- (3) The storage of possessions
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms

Low barrier navigation centers meeting specified standards must be allowed by-right in areas zoned for mixed use and in nonresidential zones permitting multi-family uses. Program 10 is included in the Housing Plan to update City regulations consistent with State law.

**Transitional/Supportive Housing:** Transitional housing is a type of rental housing used to facilitate the movement of homeless individuals and families to permanent housing. Transitional housing may include case management and support services to return people to independent living as soon as possible, typically between 6-24 months. Supportive housing offers support services to residents who may have longer-term disabilities.

Transitional/supportive housing can take several forms, including group quarters with beds, single-family homes, and multifamily apartments. The Zoning Code specifies that Transitional / Supportive Housing is a residential use that is subject only to the same regulations that apply to other residential uses of the same type in the same zone in compliance with SB 2. In 2018 AB 2162 amended State law to require that supportive housing be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed housing development meets specified criteria. Program 10 is included in the Housing Plan to update City regulations consistent with State law.

## Planning and Development Fees

Planning and development fees can increase the cost of housing and pose a constraint to the development of affordable housing projects (see Table CP-28). While fees affect the cost of housing, they are necessary for the City to continue providing essential planning and building services, and do not exceed the actual cost of providing these services. Actual



processing costs reflect a 100 percent cost recovery system. The only development impact fees that have been collected in the City are for projects with a development agreement. A multi-family project with a site development permit does not require a development agreement unless the developer requests such agreement. As of 2021, the fees to develop a typical single-family unit within a development (example: 2,150-square-foot house with 504-square-foot garage) and multi-family unit (10,142-square-foot 7-plex with 3,190-square-foot garage) without a subdivision or development agreement are as follows:

**Table CP-29Table CP-28**  
**Planning and Development Fees**

Permit Process	Single Family Development <sup>1</sup> (per unit)	Multifamily Development <sup>2</sup>
Planning: Site Development Permit	Site Development Permit: Cost Recoverable	Site Development Permit: Cost Recoverable
Building: Plan Check Fee	\$2,091.84	\$6,474.94/structure
Building: Permit Fee	\$3,218.20	\$9,961.46/structure
Building: Issuance	\$82.40	\$82.40/structure
Building: Mechanical	\$399.11	\$2,793.00/structure
Building: Plumbing	\$267.00	\$1,869.00/structure
Building: Electrical	\$389.96	\$2,201.36/structure
City General Plan:	\$576.80	\$2,415.43/structure
State Building Fees: Strong Motion Implementation Program	\$53.56	\$224.29/structure
Construction/Demolition Fee: Recoverable Deposit:	\$211.83 (4% of valuation not to exceed \$50,000)	\$180.00/structure (4% of valuation not to exceed \$50,000)
Water Quality:	\$16,480.00 \$229.00	\$50,000.00 \$229.00
Scanning \$1.00/page	(\$1.00/page) \$200.00 est.	(\$1.00/page) \$300.00 est.
State Building Fees: SB 1473	\$17.00	\$70.00/structure
State CASp Fee: AB 1379	\$4.00	\$4.00
Road Fees: San Joaquin Hill Transportation Corridor Agency	\$5,893.00	(\$3,432.00/unit ) \$24,024.00
Road Fees: Coastal Area Road Improvements and Traffic Signals	\$2,958.00	(\$2,367.00/unit) \$16,569.00.00
Road Fees: Moulton Parkway	\$609.00	(\$609.00/unit) \$4,263.00
School Fees: Capistrano Unified School District (Paid at school)	(\$4.08 per square foot, with the exception of properties within a development that includes a Mello-Roos) \$8,772.00	(\$4.08 per square foot, with the exception of properties within a development that includes a Mello-Roos.) \$41,379.36
Impact Fees: Park, Open Space/Recreation, Water Connection, and Sewer Connection, Storm Drain	\$0	\$0
<b>Est. Total Fees</b>	<b>\$42,452.70</b>	<b>\$163,040.24 (\$23,291.46 for each unit within the 7-plex)</b>



Permit Process	Single Family Development <sup>1</sup> (per unit)	Multifamily Development <sup>2</sup>
Total fees as percentage of building valuation	10.3%	9.5%

Notes:

1. Based on 2,150-square-foot living area with 504-square-foot garage (valuation \$412,000.00)

2. Based on 7-plex, 10,142-square-foot living area with 3,190-square-foot garage (valuation \$1,725,308.00)

Source: City of Aliso Viejo, 2021

In summary, planning and building fees represent approximately 10 percent of total development cost.

### On- and Off-Site Improvements

City road standards vary by roadway designation as provided in Table CP-29.

**Table CP-29**  
**Road Improvement Standards**

Roadway Designation	Number of Lanes	Right-of-Way Width	Curb-to Curb Width
Major Highway	6	120	102
Secondary Highway	4	80	64
Collector Street	2	64	40
Local Street	2	60	36
Cul-De-Sac	2	52-56	36-40

Source: City of Aliso Viejo General Plan - Circulation Element.

A local residential street requires a 60-foot right-of-way, with two 18-foot travel lanes. The City's road standards are typical for cities in Orange County and do not act as a constraint to housing development.

After the passage of Proposition 13 and its limitation on local governments' property tax revenues, cities and counties have faced increasing difficulty in providing public services and facilities to serve their residents. One of the main consequences of Proposition 13 has been the shift in funding of new infrastructure from general tax revenues to development impact fees and improvement requirements on land developers. As part of a Development Agreement, the City could require developers to provide on-site and off-site improvements necessary to serve their projects. Such improvements may include water, sewer and other utility extensions, street construction and traffic control device installation that are reasonably related to the project. Dedication of land or in-lieu fees may also be required of a project for rights-of-way, transit facilities, recreational facilities, and school sites, consistent with the Subdivision Map Act.

The City's Capital Improvement Program (CIP) contains a schedule of public improvements including streets, bridges, overpasses and other public works projects to facilitate the continued build-out of the City's General Plan. The CIP helps to ensure that construction of public improvements is coordinated with private development.



Although development fees and improvement requirements increase the cost of housing, cities have little choice in establishing such requirements due to the limitations on property taxes and other revenue sources needed to fund public services and improvements.

## Development Permit Procedures

Development review and permitting procedures ensure that residential construction proceeds in an orderly manner. However, the time and cost of permit processing and review can be a constraint to housing development if they place an undue burden on the developer.

The process to obtain a development permit begins when a project proponent submits a project proposal to the City. For projects identified as “permitted” (see Table CP-27) such as a typical single-family and multi-family projects, a Site Development Permit is required. The purpose of an SDP for a residential project is to confirm that the physical design of the project is consistent with development standards and design guidelines set forth in the zoning regulations. Unlike a conditional use permit, the SDP process does not examine the appropriateness of the use itself. The Director of Planning Services has the discretion to administratively approve a Site Development Permit or forward it to the City Council. The Decision of the Director is based on the following required Aliso Viejo Municipal Code findings:

1. Consistency with General Plan. The project is consistent with the general plan and any applicable specific plan.
2. Consistency with Zoning Code. The land use and associated development conform to the permitted use provisions and development standards of this zoning code and is consistent with this code and any applicable specific plan.
3. Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.
4. Architectural Design. The architectural design of the project, including but not limited to the architectural style, scale, building mass, materials, colors, architectural details, and roof style, is compatible with surrounding development.
5. Site Design. The site design of the project, including but not limited to project entries, interior circulation, pedestrian and bicycle access, pedestrian amenities, screening of equipment and trash enclosures, exterior lighting, and other site design elements, is compatible with surrounding development.
6. Landscape Design. Project landscaping, including but not limited to the location, type, size, color, texture, and coverage of plant materials, has been designed so as to provide visual relief, complement buildings, visually emphasize prominent design elements and vistas, screen undesirable views, provide a harmonious transition



between adjacent land uses and between development and open space, and provide an overall unifying influence to enhance the visual continuity of the project.

The typical length of time for a Site Development Permit approved by the Director is two months. If the Director forwards the application to City Council, the typical process is four months. Once the site development permit is approved, a Building Permit, which is ministerial, is required. The permitting process is as follows:

- ❖ Applicant submits three sets of a site plan, floor plans, and elevations to the Building department. Additionally, the Applicant submits a Building Permit application with the required fee based on the valuation of the project.
- ❖ The application is taken in for a plan check, which is completed within ten business days. If revisions are necessary, the plans and comments are routed back to the Applicant. Following receipt of the revisions, Staff has five business days to review.
- ❖ Once the plan check is complete, the building permit department is able to issue the permit. It is incumbent upon the applicant to call for inspections once construction commences.

Very few residential projects require a conditional use permit (see Table CP-27). For those that do require a CUP, the process takes between four and six months. Applicants must submit site plans, floor plans and elevations along with public noticing labels. Staff reviews the application for completeness, transmits the plans when appropriate to the Public Works Department, Building Department, Orange County Fire Authority and Police Services. Comments are collected and provided to the application so that any necessary changes can be made and plans resubmitted. The application is then presented to the City Council for review. Required findings for approval are as follows:

1. Consistency with General Plan. The land use is consistent with the general plan and any applicable specific plan.
2. Consistency with Zoning Code. The land use and associated development conform to the permitted use provisions and development standards of this zoning code and are consistent with this code and any applicable specific plan.
3. Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.
4. Surrounding Uses. Approval of the application will not create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the vicinity.

Given the built-out character of the City, remaining development potential is fairly limited. The City does not have a backlog of development applications and is able to process





applications in a timely manner. The City's development standards and Site Development Permit procedures provide clear, objective guidelines for developers and help to minimize the time required to obtain approval, which helps to reduce overall development cost. While current procedures do not pose unreasonable constraints, the City is currently developing permit tracking software to streamline the development review process.

### Developed Densities and Permit Times

The City has not experienced requests to develop at lower densities than anticipated in the sites inventory. The typical time from planning entitlement to building permit application varies considerably depending on the type of project. A remodel or ADU building permit application may be submitted within a week or so of planning approval while a large, complex project could require several months and may also be affected by the project financing, availability of construction labor and equipment, or other factors over which cities have no control.

### **Building Codes and Enforcement**

The City has adopted the 2019 California Building Codes, which include the California Building Code, California Residential Code, California Plumbing Code, California Mechanical Code, California Electric Code, California Fire Code, California Green Buildings Standards Code, California Energy Code, California Administrative Code, and the California Referenced Standards Code. While adding to the cost of residential development, enforcement of the California Building Code is necessary to ensure the safety of current and future residents of Aliso Viejo.

#### Local amendments to the building codes were limited to:

- ❖ Ensuring swimming pool safety measures were in place as they were not carried forward in the 2019 Building Codes,
- ❖ Providing additional regulations in High Fire Severity Zones to ensure appropriate fuel medication standards
- ❖ Streamlined processing of permits for electric vehicle charging stations
- ❖ Standards for grease interceptors for businesses
- ❖ Proper address identification

These amendments are intended to promote public safety and do not pose a substantial constraint to the provision of housing. The fuel medication standards are the most stringent part of the local amendments; however, they do not create a burden or increase costs for individual homeowners because they are typically implemented by the homeowner's associations who maintain common landscape areas.





Code enforcement is primarily complaint-based. Complaints are investigated by the Code Enforcement Officer, and if a violation is found, the officer will attempt to gain voluntary compliance. If not reached, then a series of three notices would be issued. If the notices go unheeded then administrative citations can be issued or the matter can be referred to the City Attorney's Office. However, the City makes every attempt to work with homeowners and businesses to gain voluntary compliance.

The most common types of cases are noise and property maintenance issues. During the COVID-19 pandemic, there were issues with rent increases or inability to pay rent. In these cases, staff referred the resident to a partnering social service provider such as FAM and South County Outreach, to the Fair Housing Foundation and/or to State programs for rental assistance.

## ENVIRONMENTAL, INFRASTRUCTURE, AND PUBLIC SERVICE CONSTRAINTS

Environmental factors and a lack of necessary infrastructure or public services can constrain residential development in a community by increasing costs and reducing the amount of land suitable for housing construction.

### Environmental Constraints

Environmental constraints related to wildland fire hazards, seismic activity, geology, or topography, potential for flooding, or other environmental issues can impact the cost associated with the maintenance, improvement, and development of housing. The Safety Element identifies areas within the City subject to seismic, geologic, wildfire, and flooding hazards which may constrain residential development, as well as policies and programs to mitigate these hazards.

**High Fire Severity Zones:** A portion of the west side of the City, located adjacent to the Aliso and Wood Canyons are in high fire hazard severity zones. This area is already built-out and no additional housing is anticipated in this area. In addition, OCFA conducts annual inspections within this area and has developed a system of collaboration with the homeowners and the homeowners associations to address any issues identified which are predominately related to trimming or removing landscaping.

**Seismic and Geologic Constraints:** Earthquake shaking is largely caused by the release of seismic energy during periods of sudden displacement along a fault. Aliso Viejo is located in a relatively active seismic region of the State and may be subject to moderate or severe ground shaking at any time. Although no known fault traverses Aliso Viejo that could subject it to ground-rupture, the Inglewood-Newport fault, located northeast of the City could trigger landslides and liquefaction. Measures identified in the Safety Element are required to mitigate hazards associated with natural seismic and geologic conditions and



result in added development costs and constrain residential development. Nevertheless, these measures are necessary to protect public safety.

**Flooding:** The Safety Policy Map (Figure S-1 in the Safety Element) outlines portions of the community that fall within a 100-year flood zone. Most of this area is located in the Aliso and Wood Canyons Wilderness Park and has been designated as Open Space in the Land Use Element. However, no land designated for residential uses is located within the floodplain.

**Ecological and Biological Resources:** Although much of Aliso Viejo is comprised of urbanized or disturbed areas that generally have low habitat value for wildlife, nearly 25 percent of the City's land area is set aside as open space, the majority of which is located within the Aliso and Wood Canyons Wilderness Park, a significant source of ecological and biological resources.

Extensive research and planning efforts conducted by the County of Orange and other jurisdictions prior to the City's incorporation have identified the locations of sensitive habitats and species. Aliso Viejo lies within the Coastal subregion of the Orange County Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP) area.

Several areas within Aliso and Wood Canyons Wilderness Park are designated as Non-Reserve Open Space within the NCCP/HCP, while a substantial area west of the City is designated as NCCP Habitat Reserve. Within the Habitat Reserve area, the NCCP/HCP restricts the kinds of permitted uses to protect long-term habitat values. Residential uses are prohibited, as are new active recreational uses outside already disturbed areas.

### Infrastructure and Public Service Constraints

A lack of adequate infrastructure or public services and facilities to keep pace with the demands of new development can be a substantial constraint to residential development. This section looks at the City's domestic water, sewer, flood control, dry utilities and solid waste disposal systems to evaluate capacity to meet residential demands. SB 1087 of 2005 requires cities to provide a copy of their Housing Elements to local water and sewer providers, and also requires that these agencies provide priority hookups for developments with lower-income housing. The Housing Element will be provided to these agencies immediately upon adoption. The City is built out and the infrastructure, including those for all utilities and streets, is adequate to meet current and projected needs during the planning period. All utility and infrastructure providers have indicated the capacity to accommodate housing needs identified in this Housing Element.

**Domestic Water:** Potable water is imported by Metropolitan Water District of Southern California (MWD) and transferred to the Moulton Niguel and El Toro Water Districts, which serve Aliso Viejo. According to these Districts, existing piping and filtration infrastructure is adequate to serve future development within the City and the water supply is adequate at least until the year 2030. These districts are totally dependent on the MWD



to meet water demands. According to the MWD's long-term water supply modeling, reliable supplies can be maintained until 2030 under conditions that have existed in prior dry periods.

The City will continue to work with the Moulton Niguel and El Toro Water Districts to implement the Urban Water Management Plans and ensure that adequate water supplies are available to meet the needs of existing and future growth. The City will review proposed development projects to ensure that approved projects do not degrade water pressure or reduce supplies available to the rest of the community. Those projects found to be subject to California State Water Code 10910-10915 will be required to undergo review by the applicable water purveyor to ensure adequate water supplies will be available.

In addition, the City will encourage water conservation through various methods. The City will comply with AB 1881 regarding water conservation in landscaping irrigation. The City will coordinate with the Aliso Viejo Community Association (AVCA) to ensure that landscaping, park maintenance and other services provided by the Association employ water conservation measures and use recycled water if available from water suppliers. City officials will continue collaboration with Transportation Corridor Agency (TCA) to achieve attractive, well-maintained low-water landscaping within the Transportation Corridor. The City will continue to expand and implement a plant palette consisting of native and xeriscape plant species to serve as a model for private landscaping projects. In addition to conserving water, new landscaping within the City will be required to consist of 50 percent low water native or xeriscape plant species as required by the General Plan. These requirements will be re-evaluated periodically and the percentage of low water plants will be increased over time. These measures will mitigate the potential constraint on residential development resulting from future availability of adequate water supplies and infrastructure.

**Sewer Facilities:** The Moulton Niguel and El Toro Water Districts operate sewer collection and transmission facilities within Aliso Viejo. According to the Districts, these facilities are well-maintained and will be able to service future growth within the City. Collected wastewater is transmitted to the Regional Wastewater Treatment Plant operated by the South Orange County Wastewater Authority (SOCWA). New development will be required to cooperate with the Moulton Niguel Water District or the El Toro Water District to ensure that the existing wastewater infrastructure can adequately serve the project. The City will continue to cooperate with the South Orange County Wastewater Authority in efforts to provide adequate wastewater treatment services for Aliso Viejo. In addition, the City will continue to coordinate with the local water districts in their planning and maintenance of their wastewater collection facilities in the community to ensure adequate wastewater infrastructure for future residential development in Aliso Viejo.

**Flood Control:** The Orange County Flood Control District (OCFCD) is responsible for regional flood control facilities, while the City maintains local facilities that tie into



OCFCD's regional system. Local drainage facilities consist mostly of underground closed conduits and storm drains located primarily in developed areas of the City. These facilities collect and convey storm water to regional facilities including the Laguna Canyon, Woods Canyon, and Aliso Creek Channels. The City will continue to coordinate with the OCFCD, which is responsible for maintenance and monitoring of regional flood control facilities.

**Dry Utilities:** Dry utilities such as electricity, telephone and cable are provided by private companies and are currently available in the areas where future residential development is planned. When new development is proposed the applicant coordinates with utility companies to arrange for the extension of service. There are no known service limitations that would restrict planned development during the planning period.

**Solid Waste:** Solid waste generated in Aliso Viejo is collected by a private contractor and transmitted to various landfills operated by the Orange County Integrated Waste Management Department (IWMD). Although Aliso Viejo is nearly built out, the Orange County population continues to grow and so does its waste. IWMD is responsible for ensuring that waste is disposed of in a way that protects public health, safety, and the environment. To accomplish this objective, IWMD developed a Regional Landfill Options for Orange County (RELOC) Strategic Plan. The City will continue to cooperate with IWMD in efforts to maintain and expand its regional landfill facilities. The adequacy of regional landfills to handle future flows of solid waste generated in Aliso Viejo will not constrain future residential development in the City.



## C.4 EVALUATION OF THE PRIOR HOUSING ELEMENT

Section 65588(a) of the *Government Code* requires that jurisdictions evaluate the effectiveness of the previous Housing Element, the appropriateness of goals, objectives and policies, and the progress in implementing programs for the previous planning period. This appendix contains a review the housing goals, policies, and programs of the previous housing element and evaluates the degree to which these programs have been implemented during the previous planning period, 2013 through 2021. The findings from this evaluation have been instrumental in determining the City's 2021-2029 Housing Implementation Program.

Table CP-30 compares the City's quantified objectives for the 5<sup>th</sup> planning period to accomplishments.

**Table CP-30**  
**Progress in Achieving Quantified Objectives 2013-2021**

Program Category	Quantified Objective	Progress
<b>New Construction</b>		
Extremely Low	-	-
Very Low	7	83
Low	34	335
Moderate	199	386
Above Moderate	-	35
<b>Total</b>	<b>240</b>	<b>839</b>
<b>Conservation (Sec. 8)</b>		
Very Low		
Low	56	56
Moderate		
Above Moderate		
<b>Total</b>	<b>56</b>	<b>56</b>

Table CP-31 summarizes the programs contained in the previous Housing Element along with the program objectives and accomplishments.

### Effectiveness in Meeting Special Housing Needs

In addition to the specific program accomplishments described in Table CP-31, the City has attempted to make strides in meeting the needs of its special needs population. Goal H-3, Policy H-3.1 states that the City should "identify and participate in programs and provide incentives through density bonuses and rezoning to encourage residential projects that



include housing for seniors, low- and moderate-income groups or special needs group.” This was accomplished through the rezoning and construction of two projects (2 Liberty and 4 Liberty) in which 402 units were constructed, 398 of which were senior affordable units. The 2 Liberty project was granted a density bonus with development standard concessions, and 4 Liberty was provided affordable housing in-lieu fees.

Policy H-3.2 encourages the “provision of housing and services for special needs groups, such as the homeless, the disabled and victims of domestic violence by providing City grants to agencies providing services to persons in these groups.” The City has partnered with South County Outreach and Family Assistance Ministries to provide these services. In addition, the City used affordable housing in-lieu fees and its own General Fund to purchase an affordable unit to house homeless individuals.



**Table CP-32 Table CP-31**  
**2013-2021 Housing Element Program Evaluation**

Program	Objectives	Timeframe	Progress
1. Adequate Sites for Affordable Housing	<p>1) The City will process amendments to the General Plan and zoning designations for sites located at 4 Liberty and 2C Liberty to accommodate at least 249 lower income housing units in compliance with Government Code Sec. 65583.2.h and Sec. 65583.2.i.</p> <p>2) Staff will provide assistance to applicants during the design review process.</p> <p>3) The City will facilitate affordable multi-family development on these sites by supporting funding applications, allocating funds from the Affordable Housing In-Lieu Monies, and / or approving modifications to development standards.</p> <p>4) The City will report annually to the California Department of Housing and Community Development on its progress in implementing this program.</p> <p>5) The City will monitor project approvals and comply with the no net loss requirements of Government Code Sec. 65863. No zoning amendment or project approval shall reduce the residential density than assumed in Table CP-23 of the Housing Element Community Profile unless the City makes written findings in accordance with Sec. 65863 (b).</p>	<p>1) Within first year of the planning period (October 15, 2014)</p> <p>2) Ongoing</p> <p>3) Ongoing</p> <p>4) By April 1 each year</p> <p>5) Ongoing</p>	<p>1) On January 22 and February 5, 2014, the City processed amendments to the General Plan and zoning designations for sites located at 4 Liberty and 2C Liberty to accommodate at least 249 lower income housing units.</p> <p>2) Staff provided assistance to the 2C Liberty site applicant during the design review process for the applicant's 2014 site development permit. Additionally, staff provided assistance to the 4 Liberty site applicant during the design review process for the applicant's 2015 site development permit.</p> <p>3) On November 5, 2014, the City Council approved a 202-unit senior affordable project located at 2C Liberty. The approval included modifications/waivers to six (6) development standards. On October 7, 2015, the City Council approved a 200-unit senior affordable project located at 4 Liberty. The approval included modifications/waivers to six (6) development standards.</p> <p>4) Following the March 17, 2021 public meeting, staff <del>will</del> <u>submitted this the</u> annual <u>planning progress</u> report to the California Department of Housing and Community Development.</p> <p>5) The approval of the projects located at 2C Liberty for 202 units and 4 Liberty for 200 units exceeded the residential density at each site (144 units) assumed in Table CP-23 of the Housing Element Community Profile.</p>
2. Affordable Housing In-Lieu Funds	<p>1) The City will hire a qualified housing consultant to develop recommendations for the best use of the in-lieu funds, with the priority of extremely-low and very-low-income housing.</p> <p>2) The City Council will make the funds available to qualified participants and could also be utilized to retain affordable status on units that may</p>	<p>1) Within first year of the planning period (October 15, 2014)</p> <p>2) Within two years after the adoption of the Housing Element (January 22, 2016)</p>	<p>1) On October 1, 2014, the City hired a qualified housing consultant, RSG, to develop recommendations for the best use of the in-lieu funds.</p> <p>2) On February 4, 2015 the City Council considered and approved RSG's recommendations, and the funds became available to qualified applicants.</p>





## COMMUNITY PROFILE

Program	Objectives	Timeframe	Progress
	require City intervention and the associated administrative costs.		3) Per Resolution 2016-08 (approved February 17, 2016) the City provided Aliso Viejo 1776, LP., a \$2,250,000 loan in lieu of providing 50 very-low income units at the 4 Liberty site. <u>4) Purchased the affordable unit at 35 Playa and placed a family of four that was facing homelessness.</u>
3. Homeownership Assistance Programs	Provide homebuyer assistance information to potential homeowners in Aliso Viejo.	Ongoing	<p>As homebuyer assistance information becomes available from the County of Orange or non-profit agencies, staff does and will continue to make available the information on the City's website and at the public counter. Additionally, when one of the 58 affordable, owner-occupied units become available, an interest list of potential buyers is provided to the seller.</p> <p><u>The City maintains a waiting list comprised of person(s) inquiring about the affordable housing units and the criteria for purchasing available units. The interested party is provided with a Pre-Application Checklist to review and determine if they may qualify should a unit become available. If the inquiring party decides that they appear to be qualified, they provide their name, contact phone number, and email address. This information is passed on to a seller should a property come up for sale. At that time, a full application is completed, and the buyer would move forward if approved. This list is maintained and updated as any information may change. On average there are 120 people on the waiting list at any given time and approximately two units per year become available.</u></p>
4. Section 8 Housing Choice Vouchers	The City will continue to promote the use of Section 8 Housing Choice Vouchers in Aliso Viejo with the objective of expanding assistance to very-low income households. Specifically, the City will make referrals to OCHA, advertise the program on the City website and in newsletters, and distribute information at the public counter at City Hall.	Ongoing	The City has and will continue to make referrals to the Orange County Housing Authority regarding Section 8 Housing Choice Vouchers.
5. OCHA Special Needs Groups Rental Assistance Program	The City will continue to assist OCHA in promoting its Special Needs Groups Rental Assistance Programs in Aliso Viejo with the	Ongoing	The City has and will continue to make referrals to the Orange County Housing Authority regarding Special Needs Group Rental Assistance.



## COMMUNITY PROFILE

Program	Objectives	Timeframe	Progress
	objective of expanding assistance to additional households with special needs. Specifically, the City will make referrals to OCHA, advertise the program on the City website and in newsletters, and distribute information at the public counter at City Hall.		<u>The City estimates that approximately one referral was made every month during the planning period. It is unknown if OCHA expanded the program based on these referrals. In the next planning period, the City should increase efforts to document referral and increase communication with OCHA to follow-up on referrals.</u>
6. City Grants for Special Needs Groups	The City will allocate 50% of its Human and Social Services community assistance grant budget to incorporate homelessness prevention programs, programs for the disabled, and domestic violence support programs into the annual cycle of grant funding.	Ongoing	<u>In FY 2017/18, 57% or \$10,500 of the \$18,500 Human and Social Services community assistance grant budget was approved for homeless prevention programs, programs for the disabled, and domestic violence support programs.</u> <u>In FY 2018/19, 53% or \$16,000 of the \$30,000 Human and Social Services community assistance grant budget was approved for homeless prevention programs, programs for the disabled, and domestic violence support programs.</u> <u>In FY 2019/20, 49% or \$14,750 of the \$30,000 Human and Social Services community assistance grant budget was approved for homeless prevention programs, programs for the disabled, and domestic violence support programs.</u> <u>In FY 2020/21, 80% or \$14,750 of the \$18,500 Human and Social Services community assistance grant budget was approved for homeless prevention programs, programs for the disabled, and domestic violence support programs.</u> <del>66% or \$12,250 of the \$18,500 Human and Social Services community assistance grant budget was approved for homeless prevention programs, programs for the disabled, and domestic violence support programs in July 2020.</del>
7. Code Enforcement	The City's Code Enforcement Staff will continue to enforce property maintenance standards and adopted City Building and Zoning Codes. The City will promote the importance of property maintenance to long-term housing quality and property values, and encourage community and neighborhood preservation through the Aliso Viejo Community Association (AVCA), City newsletters-news, cable television, and informational	Ongoing	<p>The City's code enforcement staff has and will continue to aggressively enforce property maintenance standards, including the enforcement of health and safety provisions.</p> <p><u>The City maintain a 0.5 FTE code enforcement officer. To date, this has been sufficient, however, if the number of cases continues to increase, an additional 0.5 FTE may be required.</u></p> <p><u>To date, monies have not become available to assist with home rehabilitation. However, the City intends to make programs available during the new cycle with the use of CDBG funds</u></p>



## COMMUNITY PROFILE

Program	Objectives	Timeframe	Progress
	brochures at the public counter at City Hall. As opportunities become available, the City will consider funneling resources into home rehabilitation.		
8. Conservation of Existing and Future Affordable Units	Annually, the City will monitor the status, notify residents of potential conversion, and pursue options to preserve the units.	Ongoing	Planning staff has and will continue to monitor the affordable units. In 2020, the City did not receive any notices for potential conversions.
9. Streamlined Residential Permit Processing	Minimize permit processing time to reduce development costs for affordable housing.	Ongoing	Planning staff worked diligently with the applicant for 2C Liberty to minimize permit processing time for its affordable housing 202-unit project. The application was submitted in May 2014 and approved in November 2014, a total of six months. Additionally, Planning staff worked diligently with the applicant for 100 Freedom Lane (4 Liberty) to minimize permit processing time for its affordable housing 200-unit project. The application was submitted in May 2015 and approved in October 2015, a total of five months. In 2018, staff continued to assist the 100 Freedom Lane development through the construction process. In 2019, the City was also awarded \$160,000 in first year SB 2 grant funds to secure a Enterprise Land Management software system which will reduce processing times.
10. Fair Housing Services	The City will continue to contract to support fair housing services for City residents. The City will advertise fair housing services on its website and at the public counter at City Hall, library, and other community locations.	Ongoing	As of July 1, 2020, the City initiated a contract with the Fair Housing Foundation to provide fair housing services. From January 1, 2020 - June 30, 2020, the City contracted with the Fair Housing Council of Orange County (FHOC) via the entitlement status administrative partnership with the County of Orange.
11. Encourage Energy Conservation	Amend zoning regulations to encourage energy conservation.	2014	As of September 2014 (approved July 16, 2014) a zoning code amendment creating AVMC 15.68 Green Building Program became effective to encourage energy conservation. The amendment included the implementation of a fee reduction for energy conserving permits and a solar education program.



## C.5 SITES INVENTORY

### Overview

State law requires cities to identify adequate sites with appropriate zoning to accommodate the assigned regional housing need for the planning period. This section includes an evaluation of the capacity for additional residential development during the 2021-2029 planning period.

### Affordability Assumptions

State law establishes a “default density” of 30 units per acre that is considered suitable for lower-income housing. The site inventory analysis is based on this affordability assumption. While the inventory must assign potential units on each site to income categories, those allocations are not an affordability mandate or a prediction of the actual income levels of future units. The purpose of assigning potential units to income categories is to determine whether adequate sites are available to accommodate the City’s RHNA allocation based on the default density criteria established in State law. Because all of the sites listed in the inventory are currently zoned, or are proposed for rezoning, to allow residential densities of at least 30 units/acre, these sites are all suitable for housing of any income level. As required by Government Code Sec. 65863 (no net loss) the City must evaluate future housing developments on sites listed in the Housing Element and ensure that it can accommodate, at all times throughout the planning period, its remaining unmet share of the regional housing need.

### Existing Sites Inventory

Nearly all of the properties designated for residential use in Aliso Viejo have been developed. Table CP-32 lists vacant sites in the city with land use designations that allow additional residential development based on current zoning designations. Only one site – the Towers Planning Area in The Commons Specific Plan – remains undeveloped. This parcel is designated in the Specific Plan for 140 multi-family units and a development agreement requires 7 very-low-income and 14 low-income deed-restricted units to be provided. No project-specific development entitlement has been approved for this property, and the 119 additional units assumed for the site are assigned to the moderate-income category based on allowable density. The zoning allows stand-alone residential development.

### Accessory Dwelling Units

Accessory dwelling units (ADUs) represent an excellent opportunity for affordable housing in built-out communities such as Aliso Viejo, particularly for single persons or small households such as the elderly, college students, young adults, and caregivers. Recent changes in State law have made the construction of ADUs much easier for homeowners,



and the City has seen an increase in ADU development applications and inquiries recently. During the past few years the City has approved 2 ADU permits, although neither of those has yet been built. Based on ADU applications and public inquiries, it is expected that a few ADUs will be built each year during the remainder of the planning period. However, the City is conservatively assuming no ADU credit toward the RHNA allocation. Based on recent analysis conducted by SCAG approximately two-thirds of future ADUs are expected to be affordable to lower-income households, which would provide additional capacity to address housing needs.

### Underutilized Candidate Sites for Rezoning

As seen in Table CP-32, based on the current inventory of potential sites for housing development there is a shortfall of capacity to accommodate the City's RHNA allocation. To accommodate this shortfall, the Housing Plan includes Program 1, *Adequate Sites for New Housing* to amend General Plan and zoning designations for sufficient sites to be selected from the sites listed in Table CP-33 to accommodate the RHNA allocation. Maps showing these candidate sites are provided in Figure CP-1.

As noted in the existing sites inventory analysis above, there are no vacant sites in the city that are suitable for rezoning for residential use. The only vacant parcels in the city are unsuitable for residential development for one or more of the following reasons:

- Deed-restricted permanent habitat conservation or open space (such as Aliso-Wood Canyon Regional Park)
- Common areas owned by homeowner associations (mostly manufactured slopes)
- City-owned parkland
- Flood hazard zones, steep slopes, or other environmentally sensitive areas
- Entitlements have been granted for business/medical uses
- Adjacent to incompatible industrial/business park land uses that generate noise throughout the day and night

Due to the lack of vacant developable land and the fully developed condition of existing residential neighborhoods, the RHNA allocation can only be accommodated through amendments to General Plan and zoning in non-residential areas and through potential accessory dwelling units, as discussed above.

As in many built-out urban communities in coastal Southern California, the best opportunities for residential development are properties previously developed for commercial or business park uses. Due to changing real estate market conditions, many of these areas have become ripe for additional development or redevelopment for housing or mixed residential/commercial uses.



Numerous examples of this type of redevelopment have recently occurred in nearby cities such as Laguna Niguel, a master-planned community that was also originally approved under the jurisdiction of the County of Orange in the 1980s, and which is immediately adjacent to the southeast of Aliso Viejo. In Laguna Niguel, several recent multi-family developments at densities up to 100 units/acre have replaced former commercial or light industrial properties in the “Laguna Niguel Gateway” area. These new residential developments are within the same market area as Aliso Viejo and demonstrate the feasibility and market demand for high-density residential redevelopment. City staff conversations with property owners and developers have confirmed similar interest in the residential redevelopment of commercial or business park properties in Aliso Viejo.

In addition to this recent local experience, previous academic research by the University of California, Berkeley<sup>6</sup> to identify potential infill development opportunities in California concluded that the ratio of improvement value to land value (I/L ratio) serves as an indicator of the likelihood of redevelopment. That study utilized an I/L ratio of less than 1.0 for commercial and multi-family residential properties, and the authors of that study noted that this methodology “...has a strong theoretical and empirical basis: urban parcels for which improvement values are less than land values are widely considered to be economically underutilized. Indeed, many, if not most, market-rate infill housing projects are currently built on refill sites.”

To identify the most appropriate candidate sites with high potential for residential redevelopment during the 2021-2029 planning period, the City conducted an extensive review of commercial and business park areas where housing development may be appropriate, with particular attention to the following factors:

- A substantial amount of surface parking or low-value uses such as storage
- *For Sale* or *For Lease* signs, or other information indicating expired leases
- Ratio of assessed improvements-to-land value (I/L ratio) less than 1.0
- Good access to opportunity, including transportation, commercial services, schools, medical facilities and employment
- Parcels of substantial size (i.e., 2 acres or more) or adjacent parcels under common ownership and suitable for consolidation into a single building site
- Property owner interest in redevelopment

Based on these considerations the City identified a preliminary list of candidate sites, which was posted for public review. The preliminary list of sites was then reviewed by the City Council at a public workshop, and property owners and other interested stakeholders had

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<sup>6</sup> University of California, Berkeley Institute of Urban and Regional Development, The Future of Infill Housing in California: Opportunities, Potential, Feasibility and Demand, 2005





the opportunity to provide input on the appropriateness of those sites, or to suggest other sites that should be considered for residential redevelopment. Based on public comments a revised list of sites was prepared. Candidate sites were selected based on public input and have been supported by housing advocacy groups.

The revised list of candidate sites that resulted from the public review process is shown in Table CP-33. All of these sites are currently developed, although several of the parcels only contain surface parking lots. All of the candidate sites are at least 2 acres and less than 10 acres in size, although a few of the parcels in Site 3 are less than one-half acre but are adjacent and suitable for consolidation into a single development.

### Realistic Capacity

As shown in Table CP-33, the proposed density range for rezoned sites is 30 to 50 units/acre, which is consistent with recent market trends in Aliso Viejo and other coastal portions of southern Orange County. As noted above, recent residential redevelopment projects in Laguna Niguel have occurred at significantly higher densities (up to 100 units/acre) and two recent residential developments in Aliso Viejo at 2C Liberty and 4 Liberty have been built at densities of 50 units/acre. There are no site characteristics indicating that potential development on the candidate sites would not be able to achieve these densities.



2C Liberty





The potential yield for the candidate sites has been conservatively estimated as 30 units/acre (i.e., the low end of the proposed density range) for all sites except the Commons, which is estimated at 50 units/acre because this site is considered a prime candidate for higher density and the property owner has indicated interest in development at this density. Using these assumptions, the total potential yield of the candidate sites would be 1,097 units, which represents only 73% of the total potential yield of 1,497 units if all these sites were developed at the high end of the range (50 units/acre).



4 Liberty

### Infrastructure Availability

Infrastructure such as water, wastewater, drainage systems and dry utilities are in place for all of the candidate sites, and there are no known limitations that would preclude the anticipated level of development. As part of future Land Use Element amendments and zoning changes to ensure availability of adequate sites (see Program 1a) CEQA analysis will be conducted to confirm infrastructure availability, and if any constraints are identified, appropriate mitigation measures will be established to ensure that infrastructure improvements will be available to serve future development on these sites.



### Environmental Constraints

As discussed previously in the Constraints section, there are a variety of environmental conditions that affect development throughout California; however, all of the candidate sites have been previously developed and there are no known environmental issues that would preclude their redevelopment for residential uses. There are no heavy industrial uses or known hazardous contamination on or adjacent to any of the sites listed in Table CP-32 and Table CP-33. Therefore, environmental conditions are not expected to preclude residential redevelopment of these sites at the proposed densities.

### Conclusion

Recent amendments to Housing Element law adopted by the State Legislature (Government Code Sec. 65583.2(g)(2)) require that when a city is relying on nonvacant sites to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use does not constitute an impediment to additional residential development during the planning period. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.

Based upon the foregoing analysis, the City finds that existing uses on the candidate sites listed in Table CP-33 are likely to be discontinued during the planning period and do not impede additional residential development for the following reasons:

- With the exception of one vacant property (The Commons – Towers Planning Area) there are no vacant sites suitable for residential development remaining Aliso Viejo. Therefore, additional residential development can only be accommodated through the redevelopment of underutilized properties, or through accessory dwelling units and SB 9 urban lot splits.
- Additional demand for housing in Orange County, as evidenced by rapid increases in housing prices and rents, a shortage of housing available for sale or rent, and real estate “bidding wars,” creates strong market incentives for the conversion of existing underutilized commercial and business park properties in Aliso Viejo.
- Societal changes brought about by Covid-19 such as an increase in remote office work and on-line shopping have resulted in reduced demand for commercial and office space, which has adversely impacted the profitability of commercial real estate. At the same time, residential real estate demand has increased significantly.
- Recent examples of successful multi-family residential development in Aliso Viejo and neighboring cities at similar or higher densities than assumed in the list of candidate sites.



- Specific characteristics of the candidate sites listed in Table CP-33 that create strong incentive for redevelopment such as development interest expressed by property owners or developers, large parking areas, low-value uses such as storage, assessed improvement-to-land value ratios significantly less than 1.0, *For Sale* or *For Lease* signs, vacant buildings, or other information indicating expired leases, good access to opportunity and residential amenities such as transportation, commercial and medical services, schools and employment opportunities, parcels of substantial size or adjacent parcels under common ownership that are suitable for consolidation into a single building site.



~~Table CP-33~~ **Table CP-32**  
**Vacant Residential Land Inventory**

Site/APN	General Plan	Zoning	Acreage	Density	Units by Income Category				Total Units
					VL	Low	Mod	Above Mod	
The Commons at Aliso Viejo Town Center – Towers Planning Area <u>APN 629-101-17 (portion)</u>	CBO – The Commons at AV Town Center	SP No. 2 - Commons	4.1	34.1 units/acre	7*	14*	119	0	140
Potential ADUs					<u>110</u>	<u>217</u>	<u>212</u>	<u>01</u>	<u>540</u>
<b>Totals</b>			<b>4.1</b>		<b>817</b>	<b>1631</b>	<b>121131</b>	<b>01</b>	<b>145180</b>
Housing Need 2021-2029					390	214	205	386	1,195
Adequate Sites? (Shortfall)					<b>(383343)</b>	<b>(200183)</b>	<b>(8674)</b>	<b>(386385)</b>	<b>(1,0551,045)</b>

Notes:

\* Deed-restricted units

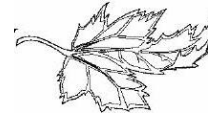


# COMMUNITY PROFILE

**Table CP-34 Table CP-33**  
**Candidate Parcels for Rezoning**

Site	Site Address/Intersection	APN	General Plan (Current)	Zoning (Current)	Parcel Size (Acres)	Existing Use	WL Ratio	Proposed GP	Proposed Zoning	Min Density (units/acre)	Max Density (units/acre)	Lower	Mod	Above Mod	Total
1	1 Columbia	623-141-01	BP	BP-2	2.0	Offices	0.45	MU	MU	30	50	36	6	18	60
2	41 Columbia	623-141-09	BP	BP-2	2.0	Offices	0.48	MU	MU	30	50	36	6	18	60
3	The Commons	629-101-16	HDR/TCC	SP-2	2.0	Parking	0.12	MU	MU	30	50	60	10	30	100
3	The Commons	629-101-17 (portion)	OS/CBO	SP-2	4.0	Vacant	0.19	MU	MU	30	50	120	20	60	200
3	The Commons	629-101-18	HDR/TCC	SP-2	3.9	Parking	0.00	MU	MU	30	50	117	19	61	197
Subtotal: Site 3					9.9		0.12					297	49	151	497
4	Enterprise & Aliso Creek Rd	629-321-44	TCC	CT	1.0	Parking	0.70	MU	MU	30	50	18	3	9	30
4	Enterprise & Aliso Creek Rd	629-321-42	TCC	CT	0.4	Parking	0.19	MU	MU	30	50	7	1	4	12
4	Enterprise & Aliso Creek Rd	629-321-43	TCC	CT	0.7	Parking	0.00	MU	MU	30	50	12	2	6	20
4	Enterprise & Aliso Creek Rd	629-321-48	TCC	CT	1.4	Parking	0.53	MU	MU	30	50	24	4	13	41
4	Enterprise & Aliso Creek Rd	629-321-20	TCC	CT	0.2	Parking	0.19	MU	MU	30	50	2	0	3	5
4	Enterprise & Aliso Creek Rd	629-321-41	TCC	CT	1.0	Parking	2.43	MU	MU	30	50	18	3	9	30
4	Enterprise & Aliso Creek Rd	629-321-17	TCC	CT	0.5	Parking	0.00	MU	MU	30	50	8	1	5	14
4	Enterprise & Aliso Creek Rd	629-321-45	TCC	CT	0.7	Parking	0.18	MU	MU	30	50	12	2	7	21
4	Enterprise & Aliso Creek Rd	629-321-01	TCC	CT	0.3	Parking	0.38	MU	MU	30	50	4	0	4	8
4	Enterprise & Aliso Creek Rd	629-321-02	TCC	CT	0.7	Parking	0.49	MU	MU	30	50	12	2	6	20
4	Enterprise & Aliso Creek Rd	629-321-03	TCC	CT	0.3	Parking	0.16	MU	MU	30	50	5	0	4	9
Subtotal: Site 4					7.0		0.59					122	18	70	210
5	26800 Aliso Viejo Parkway	629-451-07	PO	PO	2.0	Offices	0.46	MU	MU	30	50	36	6	18	60
5	26840 Aliso Viejo Parkway	629-451-08	PO	PO	2.0	Offices	0.44	MU	MU	30	50	36	6	18	60
5	26880 Aliso Viejo Parkway	629-451-09	PO	PO	3.0	Offices	0.30	MU	MU	30	50	54	9	27	90
Subtotal: Site 5					7.0		0.38					126	21	63	210
6	35 Journey	632-134-07	BP	BP-1	2.0	Offices	0.49	MU	MU	30	50	36	6	18	60
TOTALS					29.9							653	106	338	1,097

# COMMUNITY PROFILE

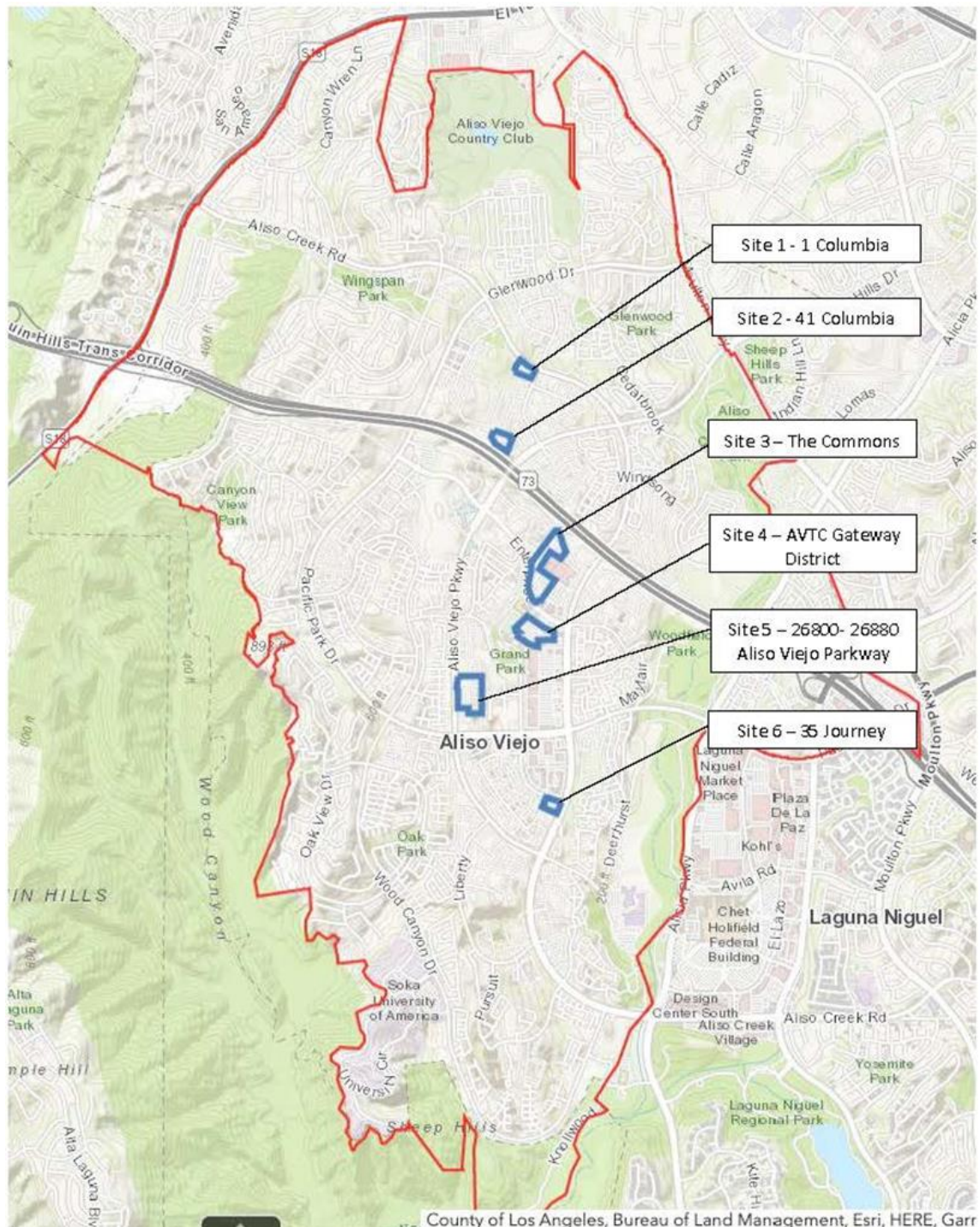


Site	Existing General Plan	Existing Zoning	Existing Uses	Acreage	Potential Units
1 Columbia	Business Park	BP-2	Office	2	60-100
41 Columbia	Business Park	BP-2	Office	2	60-100
35 Journey	Business Park	BP-4	Office	2	60-100
26800-26880 AV Pkwy	Business Park	BP-1	Office	7	240-350
The Commons	High Density Residential/ Community Commercial	SP-2	Parking lot	24	630-1,050
AVTC Gateway	Community Commercial	CT	Parking lot	6	300
<b>TOTALS</b>				<b>40</b>	<b>1,320-2,000</b>





**Figure CP-1**  
**Candidate Sites for Rezoning**







## Site Inventory – Potential Sites

### 1 Columbia

**Site Size:** 2 acres

**Info:** Office building at the Corner of Columbia and Aliso Creek Road

**Zoning:** BP-2



1



## Site Inventory – Potential Sites

### 41 Columbia

**Site Size:** 2 acres

**Info:** Office building formerly occupied by Benny Hinn Ministries and Love World.

**Zoning:** BP-2



2



## Site Inventory – Potential Sites

### 35 Journey

**Site Size:** 2 acres

**Info:** Office building located at corner of Journey and Aliso Creek Rd.

**Zoning:** BP-1



3



## Site Inventory – Potential Sites

### 26800-26880

#### Aliso Viejo Parkway

**Site Size:** 7 acres

**Info:** Mid-block office buildings located between Glaukos campus and Pacific Park Dr.

**Zoning:** BP-1



4



## Site Inventory – Potential Sites

### The Commons

**Site Size:** 9.9 acres

**Info:** Potential to add mixed-use component to parking lot area adjacent to building previously occupied by Lowe's

**Zoning:** SP-2



5



## Site Inventory – Potential Sites

### AVTC Gateway District

**Site Size:** 7.2 acres

**Info:** Mixed-use potential. Community Design Process anticipated 300 housing units.

**Zoning:** CT



6



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## C.6 PUBLIC PARTICIPATION SUMMARY

Public participation is an important component of the Housing Element update process. Government Code §65583(c)(8) states that “The local government shall make diligent effort to achieve public participation of all the economic segments of the community in the development of the housing element, and the program shall describe this effort.” Public participation played an important role in the formulation and refinement of the City’s housing goals and policies.

City residents and many other interested parties were encouraged to participate in the Housing Element update process and to identify housing issues of concern, recommend strategies, review the draft element, and provide recommendations to decision-makers.



A Housing Element web page was established to provide interested persons with information including Frequently Asked Questions, meeting announcements, reference materials, and also included an online survey regarding housing needs in the community. Persons and organizations representing the interests of lower-income households and persons with special needs, as well as affordable housing developers,

were specifically targeted in the City’s notification list (see below).

The following public meetings and other opportunities for public involvement were conducted for the 2021-2029 Housing Element update:

- May 19, 2021 City Council study session
- August 18, 2021 City Council public meeting
- January 12, 2022 Public workshop
- January 19, 2022 City Council public hearing

Notices of all public meetings were posted on the City’s website, and also mailed to all persons and organizations on the Housing Element interest list in advance of each meeting. The draft Housing Element was also posted on the Housing Element website and made available for review at City Hall, and notices were also mailed to the interest list when the draft Housing Element was published.

In addition to participation in public meetings, interested parties were invited to submit written comments via email or mail. City staff also had individual conversations with representatives of Orange County housing organizations including the Kennedy Commission and Welcoming Neighbors Home.



During public meetings and in the online survey, the most frequent comments centered around the insufficient amount of housing affordable to local residents and employees, and the importance of maintaining the quality and character of existing residential neighborhoods.

On June 5, 2021 City staff hosted a booth at the Farmer's Market in the Aliso Viejo Town Center. The purpose of the booth was to distribute information regarding the Housing Element Update process and to gather feedback from residents. Staff provided background on the Housing Element process, answered questions, and encouraged community participation for the Housing Element update. Staff also displayed a large map of the city and asked participants to identify areas of the city they felt would be best to accommodate additional housing. Valuable feedback from community members regarding housing-related topics was received. An informational flyer was also distributed, which included a QR code which they could scan to access the City's dedicated Housing Element Update website.

For the January 12, 2022 online workshop, the City prepared written responses to specific questions raised in letters during the Housing Element update process. During the workshop, staff provided a verbal summary of those comments and how they had been addressed in the Housing Element.

While many of the causes and potential solutions to these issues are beyond the control of cities, the Housing Plan includes programs designed to address each of these issues.

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## Housing Element Notification List

Kennedy Commission  
17701 Cowan Ave., Suite 200  
Irvine, CA 92614

League of Women Voters  
PO Box 1065  
Huntington Beach, CA 92647

OC Association of Realtors  
25552 La Paz Road  
Laguna Hills, CA 92653

Public Law Center  
601 Civic Center Drive West  
Santa Ana, 92701

Habitat for Humanity of Orange County  
2200 S. Ritchey St.  
Santa Ana, CA 92705

Jamboree Housing Corp.  
17701 Cowan Avenue  
Suite 200  
Irvine, CA 92614

The Related Companies of California  
18201 Von Karman Ave Ste 900  
Irvine, CA 92612

Community Housing Resources, Inc.  
17701 Cowan Avenue, Suite 200  
Irvine, CA 92614

South County Outreach  
26776 Vista Terrace  
Lake Forest, CA 92630

Dayle McIntosh Center  
South County Branch  
24012 Calle De La Plata # 110  
Laguna Hills, CA 92653

OC Housing Providers  
25241 Paseo de Alicia, Suite 120  
Laguna Hills, CA 92653

Brittany Irvin  
Province Group  
26 Corporate Plaza #260  
Newport Beach, CA 92660

OC Business Council  
2 Park Plaza, Suite 100  
Irvine, CA 92614

OC Housing Trust  
198 W. Lincoln Ave., 2nd Floor  
Anaheim, CA 92805

Neighborhood Housing Services of  
Orange County  
198 W. Lincoln Ave., 2nd Floor  
Anaheim, CA 92805

BIA/OC  
17744 Sky Park Circle #170  
Irvine, CA 92614

City of Laguna Woods  
Attn: Community Development Director  
24264 El Toro Road  
Laguna Woods, CA 92637

City of Laguna Hills  
Attn: Community Development Director  
24035 El Toro Rd  
Laguna Hills, CA 92653

City of Mission Viejo  
Attn: Community Development Director  
200, Civic Center  
Mission Viejo, CA 92691

Community Outreach Coordinator  
Regional Center of Orange County  
P.O. Box 22010  
Santa Ana, CA 92702-2010

City of Laguna Niguel  
Attn: Community Development Director  
30111 Crown Valley Pkwy  
Laguna Niguel, CA 92677

City of Laguna Beach  
Attn: Community Development Director  
505 Forest Ave.  
Laguna Beach, CA 92651-2394

Dan Schmid  
Welcoming Neighbors Home  
23676 Birtcher Dr.  
Lake Forest, CA 92630

Moulton Niguel Water District  
P.O. Box 30203  
Laguna Niguel, CA 92607

South Orange County Wastewater  
Authority  
34156 Del Obispo Street  
Dana Point, CA 92629

El Toro Water District  
24521 Los Alisos Boulevard  
Lake Forest, CA 92630

Brandon Young  
Mitchell M. Tsai, Attorney At Law  
155 South El Molino Ave, Ste. 104  
Pasadena, CA 91101



## City of Aliso Viejo 2021 Housing Element FAQ

### 1. What is a Housing Element?

State law<sup>1</sup> requires each city to adopt a comprehensive, long-term General Plan for its physical development. Aliso Viejo's General Plan<sup>2</sup> is divided into the following six "elements" or chapters that contain goals, policies and programs which are intended to guide land use and development decisions:

- Land Use
- Housing
- Circulation
- Conservation/Open Space
- Safety
- Noise

The purpose of the Housing Element is to evaluate the housing needs of Aliso Viejo's current and future residents and set forth policies and programs to address those needs.

While most portions of General Plans typically have a time horizon of 20-25 years, State law requires that the Housing Element be updated in 8-year "cycles." The City is currently preparing a Housing Element update for the 2021 to 2029 planning period, which is referred to as the "6<sup>th</sup> Housing Element cycle" in reference to the six required updates that have occurred since the comprehensive revision to State Housing Element law in 1980.

State law<sup>3</sup> establishes detailed requirements for Housing Elements, which are summarized in California Government Code Section 65583:

*The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.*

<sup>1</sup> California Government Code Sec. 65300 et seq.

<sup>2</sup> <https://avcity.org/300/General-Plan>

<sup>3</sup> California Government Code Sec. 65580 et seq.



## Aliso Viejo 2021 Housing Element FAQ

### 2. What is Housing Element “certification” and why is it important?

The State Legislature has delegated to the California Department of Housing and Community Development (“HCD”) the authority to review Housing Elements and issue findings regarding the elements’ compliance with the law.<sup>4</sup> When HCD issues a letter finding that the Housing Element is in substantial compliance with State law it is referred to as “certification” of the Housing Element.

Housing Element certification is important for two main reasons:

- **Local control.** The General Plan and its various elements provide the foundation for the City’s land use plans and development regulations, and the Housing Element is part of the General Plan. If the City were challenged in court on a planning or zoning matter and the General Plan were found by the court to be invalid, the court could order changes to City land use plans or regulations and assume control over City land use decisions. HCD certification establishes a “rebuttable presumption of validity”<sup>5</sup> that the Housing Element complies with State law, which would support the City’s legal defense. Recent laws also allow courts to impose fines on a jurisdiction if it fails to adopt a Housing Element in compliance with State law.<sup>6</sup>
- **Eligibility for grant funds.** Some State grant funds are contingent upon Housing Element certification. Grants can help to cover the cost of some projects that would otherwise rely on the City’s General Fund.

Aliso Viejo’s last Housing Element update was completed in 2014 and was certified by HCD as fully compliant with State law.

### 3. What are the most important issues that must be addressed in the Housing Element update?

The major issues that must be addressed in the Housing Element update are: 1) how City policies, plans and regulations help to meet the region’s housing needs for persons and families of all income levels; and 2) how City land use regulations accommodate the special housing needs of those with disabilities or other difficulties.

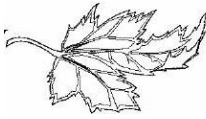
- **Accommodating Regional Housing Needs.** Under State law<sup>7</sup> all cities are required to plan for additional housing to accommodate population growth and address existing housing problems such as overcrowding and high housing cost. State law recognizes that cities generally do not build housing, since that is typically the role of private and non-profit developers and builders. However, cities are required to adopt policies, development regulations and standards to encourage a variety of housing types that are affordable for persons of all income levels. The Regional Housing Needs Assessment (“RHNA”) is the method by which each jurisdiction’s share of new housing needs is determined (see #5 below).

<sup>4</sup> California Government Code Sec. 65585

<sup>5</sup> California Government Code Sec. 65589.3.

<sup>6</sup> AB 101 of 2019

<sup>7</sup> California Government Code Sec. 65583



## Aliso Viejo 2021 Housing Element FAQ

- **Housing for Persons with Special Needs.** Under State law<sup>8</sup> cities must also ensure that their plans and regulations encourage the provision of housing for persons with special needs including:
  - ✓ Reasonable accommodation for persons with disabilities
  - ✓ Transitional housing
  - ✓ Supportive housing
  - ✓ Emergency shelters and other facilities serving the homeless
  - ✓ Large (5+) families

### 4. What is “affordable” housing?

By definition, housing is considered “affordable” when total housing cost, including utilities, is no more than 30% of a family’s gross income. State law describes five income categories, which are based on county median income as shown in Table 1.

**Table 1. Household Income Categories**

Income Category	% of county median income
Extremely low	Up to 30%
Very low	31-50%
Low	51-80%
Moderate	81-120%
Above moderate	Over 120%

Source: California Government Code Sec. 65584(f)

Affordable housing costs for all jurisdictions in Orange County are determined based on these income categories as shown in Table 2. These incomes, rents and housing prices are based on a 4-person family and are adjusted for different family sizes.

**Table 2. Income Categories and Affordable Housing Costs – Orange County**

Income Category	Maximum Income	Affordable Rent	Affordable Price (est.)
Extremely Low	\$40,350	\$1,009	(1)
Very Low	\$67,250	\$1,681	(1)
Low	\$107,550	\$2,689	(1)
Moderate	\$128,050	\$3,201	\$500,000
Above moderate	Over \$128,050	Over \$3,201	Over \$500,000

Assumptions:

- Based on a family of 4 and 2021 State income limits
- 30% of gross income for rent or principal, interest, taxes & insurance
- 5% down payment, 4% interest, 1.25% taxes & insurance, \$350 HOA dues

Notes:

- (1) For-sale affordable housing is typically at the moderate income level

Source: Cal. HCD; JHD Planning LLC

### 5. What is the “RHNA” why is it important?

Each California city is required to plan for new housing to accommodate a share of regional needs. The Regional Housing Needs Assessment (“RHNA”) is the process established in State law<sup>9</sup> by which housing needs are determined.

<sup>8</sup> California Government Code Sec. 65583(a)(5)

<sup>9</sup> California Government Code Sec. 65584 et seq.





## Aliso Viejo 2021 Housing Element FAQ

Prior to each planning cycle the total new housing need for each region of California is determined by HCD based upon economic and demographic trends, existing housing problems such as overcrowding and overpayment, and additional housing needed to ensure reasonable vacancy rates and replace units lost due to demolition or natural disasters.

Aliso Viejo is located within the Southern California Association of Governments ("SCAG") region, which includes Los Angeles, Orange, Riverside, San Bernardino, Imperial and Ventura counties. The total housing need for the SCAG region is distributed to cities and counties by SCAG based upon objectives and criteria established in State law.<sup>10</sup>

In 2019 HCD determined that the total new housing need for the entire SCAG region in the 6<sup>th</sup> Housing Element cycle is 1,341,827 units. In March 2021 SCAG adopted the RHNA plan for the 6<sup>th</sup> cycle, which fully allocates the RHNA to jurisdictions in the SCAG region.<sup>11</sup> Table 3 shows the RHNA allocations for Aliso Viejo, Orange County, and the entire SCAG region.

**Table 3. 6<sup>th</sup> Cycle RHNA – Aliso Viejo, Orange County and SCAG Region**

	Aliso Viejo	Orange County	SCAG Region
Housing need allocation 2021-2029	1,195	183,861	1,341,827

Source: SCAG, 3/4/2021

The RHNA also distributes each jurisdiction's total housing need into four income categories (the extremely-low and very-low categories are combined for RHNA purposes). Aliso Viejo's 6<sup>th</sup> cycle RHNA allocation by income category is shown in Table 4.

**Table 4. 6<sup>th</sup> RHNA by Income Category – Aliso Viejo**

Extremely Low + Very Low	Low	Moderate	Above Moderate	Total
390	214	205	386	1,195

Source: SCAG, 3/4/2021

## 6. Is the RHNA a construction mandate?

The RHNA allocation identifies the projected amount of additional housing a jurisdiction would need in order to have enough housing at all price levels to fully accommodate its assigned share projected growth over the 8-year planning period while also eliminating existing problems of overcrowding and overpayment. The RHNA is a *planning requirement* based upon housing need, *not a construction quota or mandate*. Jurisdictions are not required to build housing or issue permits to achieve their RHNA allocations, but some provisions of State law establish specific requirements when housing production falls short of RHNA allocations. One such requirement is streamlined review and approval of housing development applications that meet specific standards.<sup>12</sup> Other than requirements for streamlined permit processing, there are

<sup>10</sup> California Government Code Sec. 65584(d)

<sup>11</sup> <http://www.scag.ca.gov/programs/pages/housing.aspx>

<sup>12</sup> California Government Code Sec. 65913.4 (SB 35 of 2017)



## Aliso Viejo 2021 Housing Element FAQ

currently no legal or financial penalties imposed on cities for failing to achieve their RHNA allocations.

### 7. What must cities do to comply with the RHNA?

The Housing Element must provide an evaluation of the city's capacity for additional housing based on land use patterns, development regulations, other development constraints (such as infrastructure availability and environmental conditions) and real estate market trends. The analysis must be prepared at a parcel-specific level of detail and identify properties (or "sites") where additional housing could be built consistent with City regulations. This evaluation is referred to as the "sites analysis" and State law requires the analysis to demonstrate that the city has adequate capacity to fully accommodate its RHNA allocation in each income category. If the sites analysis does not demonstrate that adequate capacity exists to fully accommodate the RHNA, the Housing Element must describe what steps will be taken to increase capacity commensurate with the RHNA – typically through amendments to land use and zoning regulations that could facilitate additional housing development. Such amendments typically include increasing the allowable residential density or allowing housing to be built in areas that are currently restricted to only non-residential land uses.

### 8. Why are cities in high-cost areas expected to have affordable housing? Low-cost housing is not economically feasible here due to high land prices.

State housing laws are based on the premise that every city has an obligation to adopt regulations to accommodate a range of housing types for persons at all income levels. Every community is dependent on a variety of low- and moderate-income workers in jobs such as landscaping, building maintenance, child and elder care, medical technicians, personal services, clerical support and retail trade. While the existing housing stock serves the needs of many residents, market rents and prices are higher than some families can afford. In addition, low-wage jobs have increased at a much faster rate than affordable housing is being built.

While cities are not required to build new housing, they must ensure that their land use regulations encourage a full range of housing types. Rental apartments typically provide the majority of affordable housing, but other types of housing such as accessory dwelling units (ADUs) can also help to address this need. Various governmental programs provide funding assistance for affordable housing, but if a city's development regulations do not allow sufficient additional housing, the housing needs of the local workforce may be shifted to other cities.



## Aliso Viejo 2021 Housing Element FAQ

### 9. Aliso Viejo is fully developed. Why is the RHNA allocation so high?

SCAG's 6<sup>th</sup> cycle RHNA allocation for the entire 6-county region is 1,341,827 units compared to 412,137 units in the 5<sup>th</sup> cycle. There are two main reasons why the 6<sup>th</sup> RHNA allocation is so much higher than the 5<sup>th</sup> cycle.

First, the 5<sup>th</sup> cycle RHNA allocation was established in 2012 while the severe economic effects of the "Great Recession" were discouraging growth. As a result, the 5<sup>th</sup> RHNA was uncharacteristically low. For comparison, SCAG's 4<sup>th</sup> cycle (2006-2013) RHNA allocation was approximately 700,000 housing units.

Second, for the 6<sup>th</sup> cycle the State made a major modification to the process for determining RHNA allocations. In prior RHNA cycles, total housing need was based only on *projected population growth*. However, for the 6<sup>th</sup> RHNA cycle the State added *existing need* to the total RHNA calculation. Existing need includes households that are currently overcrowded (defined as more than one person per room) or are overpaying for housing (defined as more than 30% of gross income). The total 6<sup>th</sup> cycle RHNA allocation for the SCAG region is comprised of the sum of existing need and projected need, as follows:

Existing need:	577,422 units
<u>Projected need:</u>	<u>764,405 units</u>
Total need:	1,341,827 units

As seen from this breakdown, if existing need were excluded (as was the case in prior RHNA cycles) the total need would be similar to the 4<sup>th</sup> cycle RHNA.

With regard to jurisdictional RHNA allocations, the methodology adopted by SCAG for the 6<sup>th</sup> cycle places greater emphasis on the proximity of housing to jobs and public transit rather than availability of vacant developable land. As a result, the urbanized areas of Los Angeles and Orange counties have been assigned much higher housing need as compared to prior cycles even though they generally have much less vacant land than inland areas.

The RHNA allocations assume that in many urbanized cities of Orange and Los Angeles counties, a significant portion of new housing needs will be met through the redevelopment of older commercial properties.

### 10. How will Aliso Viejo accommodate its new housing needs assigned in the RHNA?

Aliso Viejo is fully developed and very little vacant land suitable for new housing is available. Therefore, the City's RHNA allocation must be satisfied through redevelopment of properties that have potential for housing or mixed use (i.e., a combination of housing and commercial uses on the same property). The City is currently studying development options for the Aliso Viejo Town Center that could include additional housing to satisfy RHNA obligations. The Housing Element update will identify a specific strategy for creating additional opportunities for housing.

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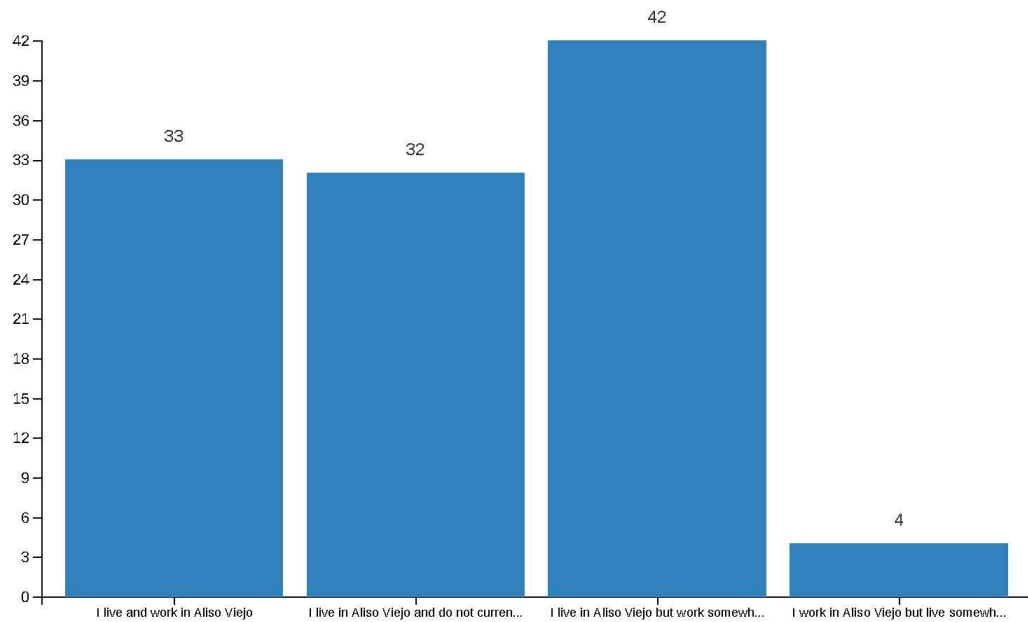




2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

## Question 1: 1. Do you currently live and/or work in Aliso Viejo?

Answered 111 Skipped 0 Date range Year to date Submitted by All





2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

## Question 2: 2. If you live in Aliso Viejo, what were the main reasons you chose to live here?

Answered 111 Skipped 0 Date range Year to date Submitted by All

Field value	Number of responses
Attractive neighborhoods	56 (50.5%)
Between work and beach	1 (0.9%)
City services, facilities and programs	8 (7.2%)
Close to family and/or friends	21 (18.9%)
Close to my workplace	26 (23.4%)
Does not apply	4 (3.6%)
Family friendly	1 (0.9%)
Good housing value	38 (34.2%)
Have lived here 30 years.	1 (0.9%)
Housing quality	42 (37.8%)
Laguna Beach School District	1 (0.9%)
Local recreational amenities	34 (30.6%)
Moved from Chicago for job	1 (0.9%)
Moved here in 1995, before lots of infrastructure.	1 (0.9%)
N/A	1 (0.9%)
Neighborhood safety	72 (64.9%)
New Build 25+ years ago	1 (0.9%)
Planned City with wide streets, attractive landscaping and limit on housing.	1 (0.9%)
Proximity to shopping and services	33 (29.7%)
Quality of local schools	42 (37.8%)
small amount of residents	1 (0.9%)
soka university	1 (0.9%)
there was nothing here when we moved here	1 (0.9%)
Upper Class Area, but starting to degrade with Section 8 - May turn into another LA	1 (0.9%)
We've owned and loved this home and our neighbors for 26 years.	1 (0.9%)
weather, proximity to the beach, and property values maintaining their worth/increasing.	1 (0.9%)

1 - 26 of 26



2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

### Question 3: 3. What do you consider to be the most pressing housing problems in Aliso Viejo?

Answered 111 Skipped 0 Date range Year to date Submitted by All

Field value	Number of responses
Affordability	51 (45.9%)
Affordable apartments with small fenced yards with green spaces (non-tiled) for planting or large dogs.	1 (0.9%)
burglary	1 (0.9%)
Fair housing/discrimination	3 (2.7%)
Financial assistance with home repairs for property owners with limited incomes	15 (13.5%)
If you can't afford to live here, move elsewhere. Wake up Aliso Viejo Mayor and City Counsel	1 (0.9%)
I'm not aware of any significant housing problems in Aliso Viejo	39 (35.1%)
Lack of guest houses for multigenerational families	1 (0.9%)
Lack of housing for larger families	12 (10.8%)
Lack of housing for smaller families	11 (9.9%)
Lack of retail shopping and restaurants	1 (0.9%)
More housing is needed close to schools, shopping, public transit and other services	6 (5.4%)
More housing options with supportive services are needed for people with disabilities	7 (6.3%)
More temporary housing is needed for homeless persons	6 (5.4%)
Need for multi-generational homes with casitas/apts	1 (0.9%)
No Single level homes	1 (0.9%)
None great to live here	1 (0.9%)
Piping/plumbing due to harsh water	1 (0.9%)
Senior affordable housing	1 (0.9%)
there is too much housing	1 (0.9%)
too many apartments	2 (1.8%)
Too many dense apartments housing/ traffic	1 (0.9%)
Too many homes, stop building	1 (0.9%)
Too many new dwellings (IE Vantis) with less and less restaurants, shopping and entertainment options. We're losing way too many restaurants (Cosmos, Bagels&Brew, Native Foods, Panini Cafe, Active, etc etc etc) which isn't ideal for the AV experience.	1 (0.9%)
Too many people moving here!!! Too many apartments, crime, etc.	1 (0.9%)
Unregulated Airbnb's. I share a wall with one. It has been a nightmare.	1 (0.9%)
We need more EV free or low cost for AV residential only	1 (0.9%)

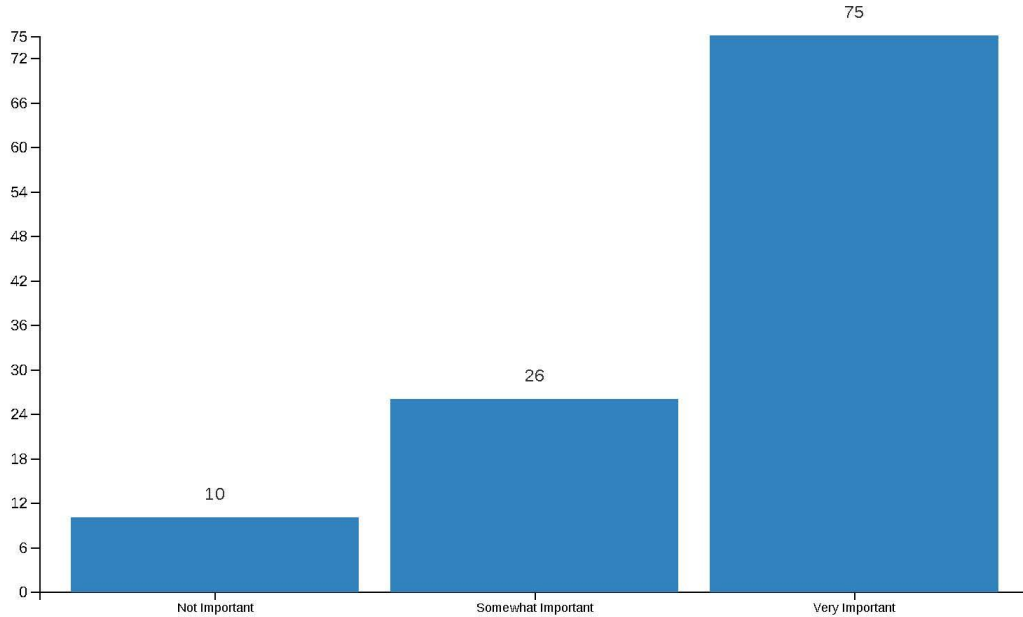
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2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

### Question 4: Maintaining the character of existing residential neighborhoods

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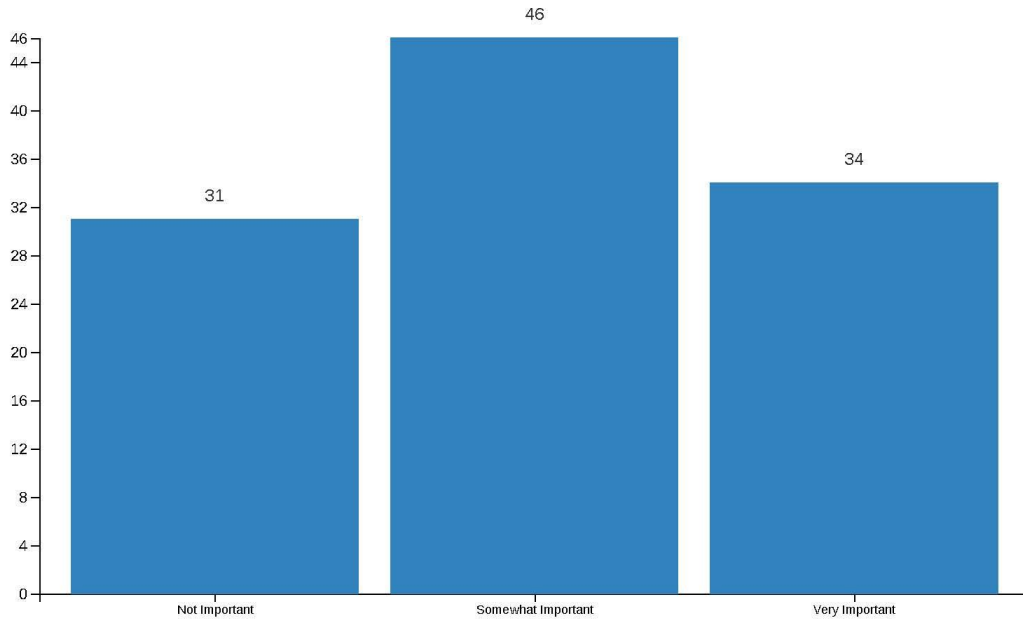




2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

### Question 5: Ensuring that children who grow up in Aliso Viejo can afford to live in Aliso Viejo

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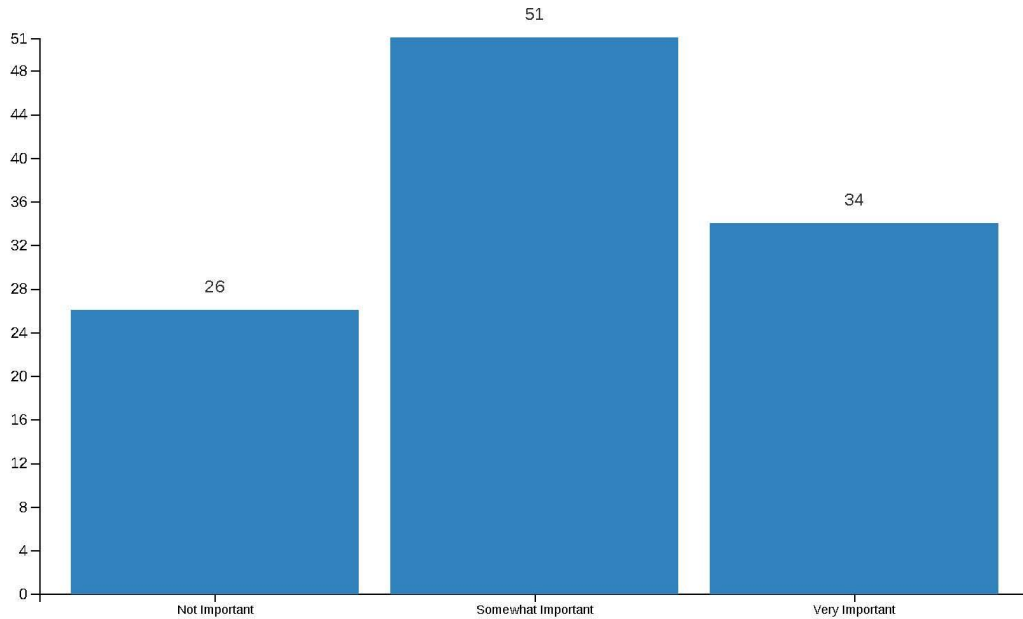




2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

### Question 6: Ensuring that a diverse range of housing types (e.g. single-family, townhomes, apartments) are provided to meet t...

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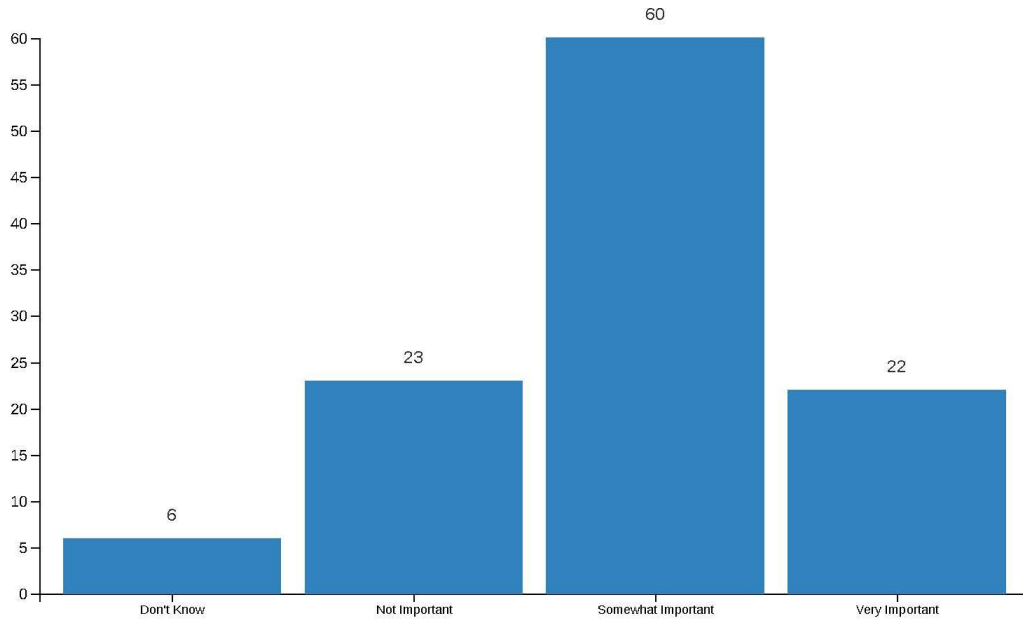




2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

## Question 7: Establishing special needs housing for seniors, large families, veterans and/or persons with disabilities

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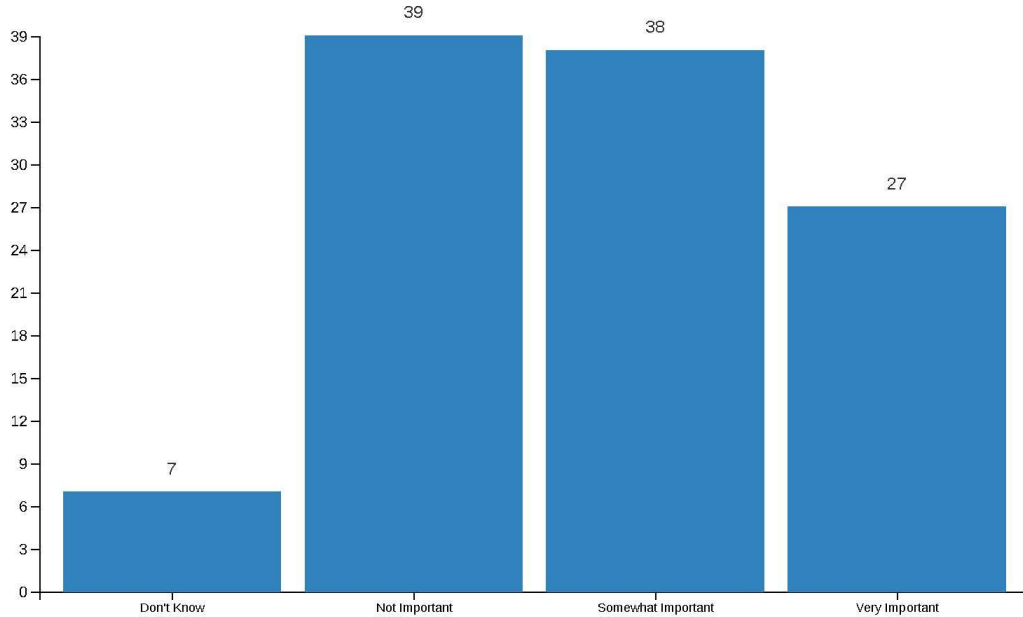




2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

### Question 8: Integrating affordable housing throughout the community

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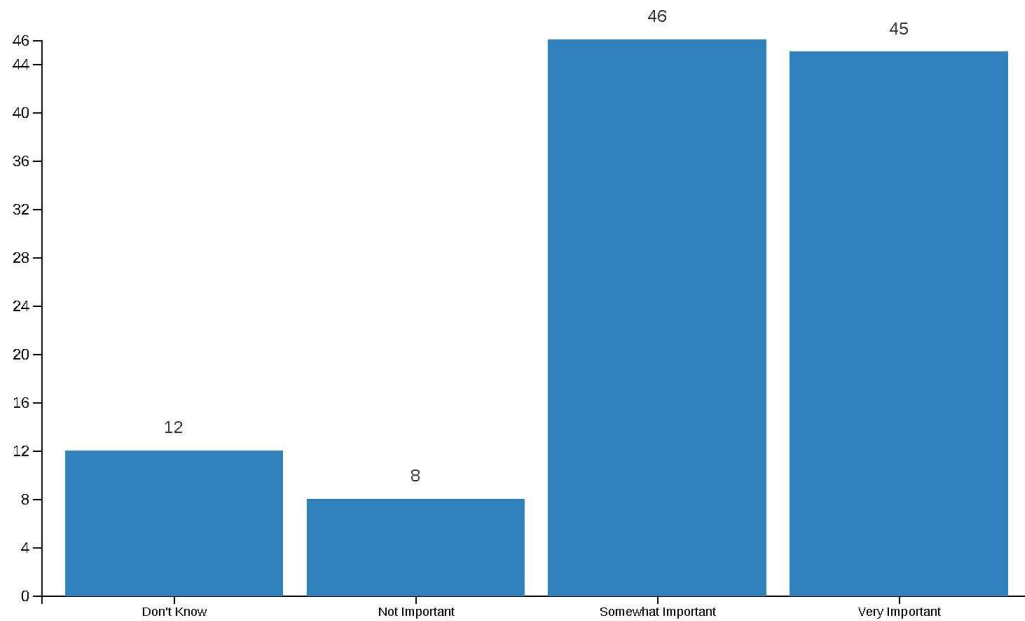




2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

## Question 9: Encouraging the rehabilitation of existing housing stock

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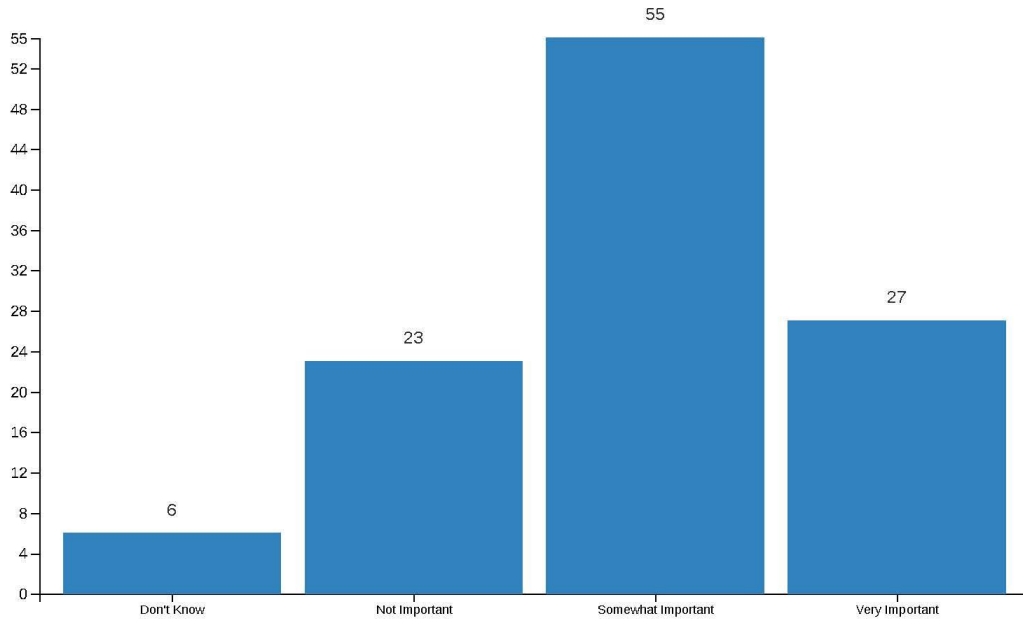




2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

## Question 10: Establishing programs to help at-risk homeowners keep their homes

Answered 111 Skipped 0 Date range Year to date Submitted by All

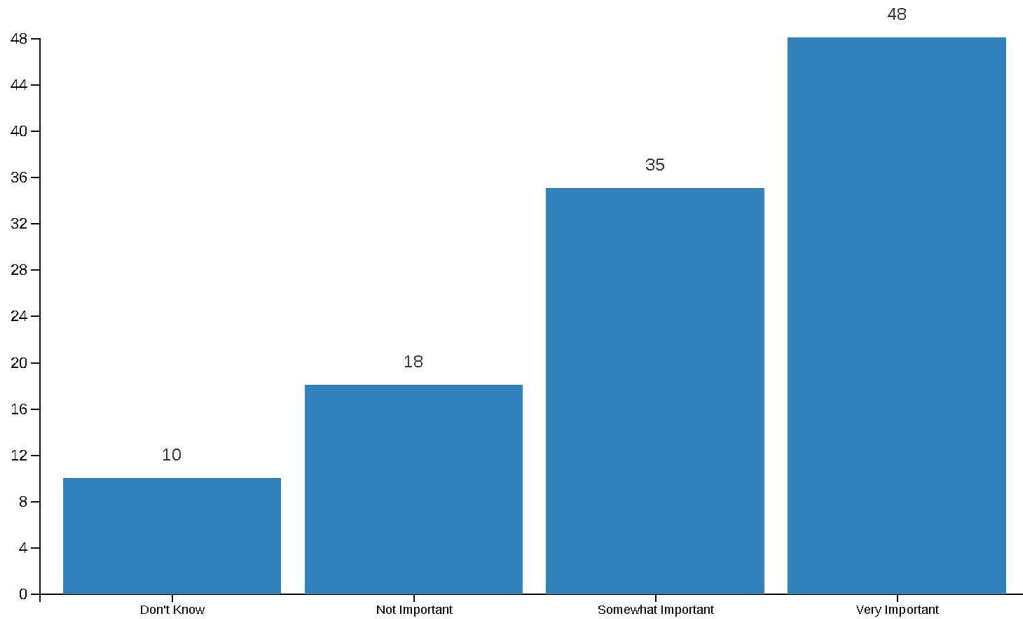




2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

## Question 11: Fair and equitable housing opportunities and programs to help maintain and secure neighborhoods

Answered 111 Skipped 0 Date range Year to date Submitted by All



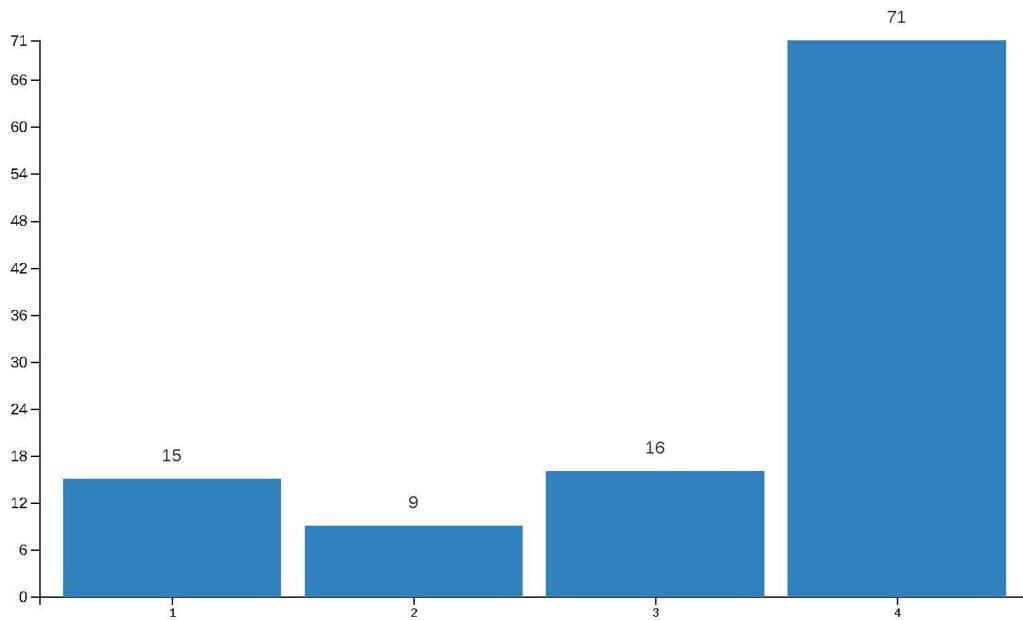
11 / 28



2021-2029 Housing Element Update, 05/10/21 - 08:33 AM

### Question 12: Allow more density in single-family zones

Answered 111 Skipped 0 Date range Year to date Submitted by All





## Comments & Responses

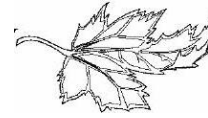
### Aliso Viejo 2021-2029 Housing Element

<u>Comment</u>	<u>Response</u>
<p>1. In the 2013-2021 planning period there were 534 moderate-income housing units built compared to 34 lower-income units – a ratio of 15 to 1. We would like to see an even more balanced approached to development in the 6th Cycle. We are especially interested in the city offering more lower-income family rentals (3 and 4 bedroom apartments.)</p>	<p>While the City will advocate with developers to construct large bedroom units, it is important to note that cities do not build housing. Cities have little control over the number of affordable housing units (including affordable units) that are built. City plans and regulations create opportunities and incentives for development, but private property owners, developers and builders decide if and when to build based on many factors outside cities' control including general economic and housing market conditions, individual business plans, state and federal policies, interest rates, private lender policies, the cost of materials, labor cost and availability, other investment opportunities, available public subsidies for affordable housing, etc.</p> <p>It is also very important to know that large public subsidies are typically necessary to produce deed-restricted low-income housing. In the urban coastal areas of Southern California, required subsidies can be in excess of \$300,000 per unit. For the SCAG region alone, this translates into a total cost of over \$167 billion based on the lower-income RHNA of 558,000 units for the 8-year planning period. For comparison, the total cost of the federal Low Income Housing Tax Credits (LIHTC) program for the entire nation is about \$11 billion per year.</p> <p>With regard to 3- and 4-bedroom apartments, the City does not control unit sizes. However, some affordable housing subsidy programs such as the Low Income Housing Tax Credits program include priority or incentives for large units.</p>
<p>2. Sites listed as candidates for re-zoning have a lot of potential. While all of the sites have existing structures, several of the sites are unoccupied. Rather than taking 3 years to re-zone the sites, we urge the</p>	<p>The City intends to start the rezoning process as soon as there is confirmation from HCD that the proposed sites are acceptable with the understanding that large-scale rezoning is a very complex</p>





Comment	Response
<u>city to re-zone them within 1 year of the 6th Cycle Housing Element being adopted.</u>	<p><u>process due to extensive State legal requirements including CEQA compliance and public participation. The City is an advocate for the State legislature adopting CEQA amendments or exemptions that would streamline the rezoning and housing development process, as they have for some other types of developments such as sports stadiums. If an EIR is necessary, the required time to process zoning amendments could easily take more than a year.</u></p> <p><u>In addition, the City has a very small staff and a large work effort such as a Housing Element update or major rezoning requires an extensive amount of time and money. While the State has made some grant funds available to assist cities in these efforts, the City's costs often exceed available grant funds.</u></p> <p><u>Further, when the State Legislature adopts new housing laws imposing additional administrative burdens on cities, there is typically no State funding provided to cover cities' costs in implementing the new requirements. Instead, the Legislature typically justifies this lack of funding by allowing cities to charge fees on new development to cover the additional cost. At the same time, cities are often criticized for their development fees, which exacerbate the cost of housing.</u></p>
<u>3. We also urge the city to rigorously pursue affordable housing developers, such as Jamboree, National CORE or others, and reduce constraints to incentivize them build affordable housing units in Aliso Viejo so the city can meet its 6th Cycle RHNA goals of 574 lower-income units.</u>	<p><u>The City works cooperatively with affordable housing developers. For example, the City has worked with USA properties to construct two senior affordable housing developments with 398 affordable units. City Staff also has relationships with local affordable housing developers and will work with them to develop the proposed sites.</u></p> <p><u>With regard to meeting the RHNA, it is important to note that State law does not require cities to achieve the RHNA allocations. Rather, cities must provide sufficient opportunities for housing development through their plans and zoning regulations commensurate with the RHNA.</u></p>



Comment	Response
	<p>While some cities have been able to actually achieve their RHNA allocations in previous housing cycles, the RHNA allocations were <u>more than tripled</u> for the 6<sup>th</sup> planning cycle – to over 1.3 million units for the SCAG region compared to about 400,000 units in the previous cycle. The primary reason for the huge RHNA increase is <u>the State’s change in the RHNA methodology to include existing households who are overcrowded (more than 1 person per room) or are overpaying (more than 30% of gross income for housing) in addition to projected population growth. The RHNA is a planning goal based on the amount of new housing that would need to be built in the next 8 years to accommodate every new household while also completely eliminating overcrowding and overpayment for every existing household in the region.</u></p> <p><u>“Existing need” was not included in any previous RHNA cycle during the past 40 years. Almost half of the total RHNA in the SCAG region for this cycle is due to existing need rather than projected growth. For Aliso Viejo, the assigned housing need due to population growth is 48 units while the city’s assigned share of the region’s existing need due to existing overcrowding and overpayment throughout the region is 1,144 units.</u></p> <p><u>Regional growth forecasts are based on a variety of factors including land available for development. Aliso Viejo is almost fully developed, and the only opportunities for new housing are through the redevelopment of existing properties. Unlike older areas like northern Orange County and Los Angeles County, there are no blighted areas in Aliso Viejo that are obvious candidates for redevelopment. Property owners will only demolish and redevelop existing properties if the economics “pencil out” and from a financial perspective, it seems unlikely that redevelopment equal to the City’s RHNA allocation will occur in the next 8 years, no matter what policies the City adopts to encourage housing development.</u></p>



Comment	Response
	<u>Given all these facts, it does not seem reasonable to expect that Aliso Viejo will “meet its RHNA” if that phrase is interpreted to mean “achieve its RHNA.”</u>
<p><u>4. We are especially excited about The Commons – where formerly Lowe’s was located. It is conveniently located near Trader Joe’s and other shopping. It is a huge property – but of course there are existing structures there. Does this site already have a housing overlay with affordable housing requirements? If so, could you please elaborate on the requirements and what exactly is planned for this area?</u></p> <p><u>The Aliso Viejo Town Center is promising with its large parking lot. Again, does this site have an existing housing overlay and what are the affordable housing requirements?</u></p> <p><u>For the Business Park on Aliso Viejo Parkway, we note there is a “Space Available” sign outside. This property seems to encompass 3 very large buildings and a huge parking lot, but we can’t tell what the potential is. How much space is available? Does the owner want to redevelop the property into housing? How long are the leases that are now in place? We think this would be a wonderful location for the city to encourage a partnership between the owner and affordable and permanent supportive housing developers such as Jamboree and National CORE to apply for Project HomeKey funding.</u></p> <p><u>We note there is a “Space Available” sign outside 35 Journey and 41 Columbia. Again, please share your analysis of the potential here.</u></p> <p><u>For 1 Columbia we did not see a “Space Available” sign outside. What is your analysis of this site? Why do you think it has potential to be re-developed?</u></p> <p><u>We were interested to hear that there is vacant land by Liberty and that TransWestern already has an application to build there. We think that would have been a terrific location for permanent supportive housing since it would have been close to behavioral health providers.</u></p>	<p><u>The City has discussed the potential of an affordable housing overlay with the owners of the proposed sites. All of the owners welcomed the overlay and many had already started to investigate the possibility of redeveloping their properties.</u></p> <p><u>Due to the time constraints State law imposes on cities for preparing Housing Element updates, the analysis of rezoning strategies for the candidate sites is preliminary and conceptual. State law identifies a 2-step process, with step 1 being identification of candidate sites in the Housing Element, and step 2 being subsequent detailed studies (including CEQA analysis and public hearings) leading to rezoning.</u></p> <p><u>Accordingly, detailed analysis of specific development parameters for the candidate sites will be conducted after final adoption of the Housing Element, along with additional public review and discussion. The identification of candidate sites is based primarily on staff’s knowledge and development inquiries from property owners.</u></p>



Comment	Response
<p><u>5. ADUs – We note the projection of 40 ADUs to meet the RHNA goals. We would like to see more details on the plan to monitor to development and affordability of ADUs - including, as other cities have done, a plan to track ADU rents to measure if progress is being made on the production of affordable units. In addition, we would like to see more incentives put in place to encourage the development of ADUs – such as expedited review of ADU permits, pre-approved ADU design plans and reduction of permit fees for deed restricted affordable ADUs.</u></p>	<p><u>The City’s current ADU requirements in the Aliso Viejo Municipal Code require annual reporting of ADU rents.</u></p> <p><u>The City intends to incentivize ADU production through the creation of a guidebook for the creation and design of ADUs if grant funds can be obtained. The City will also work with interested parties to identify any obstacles to the development of ADU’s and proposed Zoning Code changes based on the feedback received. However, it should also be recognized that the cost of building an ADU can be quite high - \$250,000 would not be unusual for a 800-sq-ft ADU assuming a cost of about \$300 per square foot.</u></p>
<p><u>6. Program 4: Section 8 Housing Choice Vouchers - We ask that the City be more specific and robust in their plans for educating residents about the Federal Housing Choice Voucher rental assistance program. We especially urge the city to do outreach to landlords to encourage them to accept housing vouchers because we are hearing that even when people are approved for the vouchers, they cannot find landlords who will accept them. We also recommend that the City coordinate with United Way to bring informational sessions about their Welcome Home OC program to Aliso Viejo landlords. This program is a landlord incentive program that provides financial incentives such as double security deposits, sign-on bonus, holding fees, and other assurances for landlords who rent units in Orange County to individuals, Veterans, and families with a housing voucher. The program is a joint effort between the United to End Homelessness initiative, Orange County United Way, Public Housing Authorities, and rental property owners to reduce the time involved in the search for housing by increasing the availability of rental units.</u></p>	<p><u>The Orange County Housing Authority operates the Housing Choice Voucher program. The City will request that the Housing Authority provide additional educational opportunities for landlords and residents.</u></p> <p><u>The City has promoted the Welcome Home OC program via the City’s social media outlets, and will continue to coordinate with the United Way to disseminate program information to landlords in Aliso Viejo.</u></p>
<p><u>7. Although the city has achieved a degree of success in encouraging affordable housing, given that all the proposed sites have buildings on them, we think that a much more robust set of programs are needed to affirmatively attract developers to build lower income housing in Aliso Viejo.</u></p>	<p><u>As discussed in No. 4 above, the City has discussed the potential for an housing overlay with many of the property owners and there is widespread interest. The City also welcomes suggestions on potential programs that can be deployed to attract developers.</u></p>



Comment	Response
<p>8. <u>Inclusionary Housing Ordinance - Given the urgent need of residents for low-income housing, the Kennedy Commission strongly recommends the City adopt an Inclusionary Housing Ordinance within the next year to ensure that identified sites are truly feasible and effectively provide affordable housing in a balanced manner. We recommend that the ordinance include a 15% requirement of affordable housing production at extremely-low-, very-low- and low-income categories and that it apply to all residential projects. The ordinance should be flexible to allow for the development of affordable housing onsite, off site, or provide for an appropriate in-lieu fee option. We recommend an in-lieu fee option in the range of \$10,000 to \$15,000 per unit, or \$10 to \$15 per square foot, to go along with this policy. The in-lieu fee must be calculated to achieve the gap financing needed to create affordable housing and be used to leverage additional state and federal housing funds. We recommend the affordable units be deed restricted for at least 55 years. A feasibility study and implementation of the ordinance should be completed no later than one year from the adoption of the Housing Element.</u></p>	<p><u>While the City agrees that there can be benefits to inclusionary housing ordinances, practically speaking, the City has been more successful in their absence. In the City's experience, with inclusionary housing ordinances, which generally require 15% affordability, developers design their projects to meet that minimum requirement. With the developments at 2 Liberty and 100 Freedom Lane, the City was able to obtain 100% affordability (excluding manager's units).</u></p> <p><u>In addition, inclusionary housing, and variations such as housing overlay zones, are techniques used by many cities to require the production of affordable housing as part of development projects. However, these techniques are not universally supported because they impose an additional cost on property owners and developers. As the saying goes, "There is no free lunch." Selling or renting some housing units at below-market rates must be offset by higher prices for other units, or lower revenues for the property owner or developer. Another argument against such techniques is that they discourage development or steer development into other areas without such requirements. The State has taken a neutral position on inclusionary requirements, and a recent law established a threshold of 15% lower-income inclusionary requirement above which the State requires a financial analysis to evaluate whether the requirement acts as an unreasonable constraint on housing development.</u></p> <p><u>Even absent a formal inclusionary requirement, the City has been successful in negotiating affordable housing production as part of the development entitlement process.</u></p>
<p>9. <u>Mixed-Use Zoning - We support the city's planning for mixed-use developments that provide residential units along major corridors and can provide significant opportunities for affordable housing development. We understand that mixed-use zoning allows for the integration of housing with other uses on underutilized commercial or industrial sites while retaining existing commercial/industrial square footage usage to provide services to new residents and the surrounding</u></p>	<p><u>See #8 above</u></p>



Comment	Response
<u>community. We recommend that the City require 15% of housing to be affordable at the extremely-low-, very-low-, and low-income levels in the mixed-use zoned focus areas.</u>	
<u>10. Affordable Housing Overlay - The City should adopt an Affordable Housing Overlay, especially over the mixed-use focus areas that are being rezoned and upzoned. A minimum of 15% of all units should be set aside for extremely low-, very low-, and low-income levels in exchange for development and regulatory incentives. The City must identify a timeframe to study the policy and a timeframe for adoption and implementation. We recommend that this happen in the first year of the 6th Cycle as part of the Zoning Code update.</u>	<u>See #8 above</u>
<u>11. Congregational Housing Overlay - A Congregational Housing Overlay Zone provides an opportunity for the development of affordable housing on religious sites while retaining the existing religious use. The overlay would provide 100% affordable units on congregational sites, with a focus on extremely-low-, very-low- and low-income categories.</u>	<u>This idea was proposed to the City by a local housing advocacy group. There is merit to this idea and the City continues to investigate the possibility.</u>
<u>12. Adaptive Reuse Ordinance - Certain building, fire code, and parking requirements add costs to building conversion projects and reduce the likelihood of developers converting commercial buildings to residential. The City should consider the adoption of an Adaptive Reuse Ordinance, such as Santa Ana's ordinance, to provide alternative building and fire standards for the conversion of eligible buildings in exchange for 15% of converted units dedicated to extremely low-, very low- and low-income categories.</u>	<u>While the ordinance referenced is specific to the needs of Santa Ana, there is the possibility that one or more of the proposed sites could adaptively reuse the existing structures on site. The City will investigate the reference ordinance further and include provisions as appropriate during the rezoning process.</u>
<u>13. Community Land Trust - The City should consider developing a Community Land Trust that would allow the City to retain ownership of land (either donated or purchased) and lease the land to the owner of the improvements for community benefit and the creation of 100% affordable housing.</u>	<u>The City will investigate this proposal further.</u>
<u>14. Density Bonus - The City should analyze the effectiveness of the City's density bonus ordinance to develop affordable housing for lower-income households. The City's 5th cycle RHNA progress demonstrates that moderate and above moderate-income housing production has outpaced lower-income housing development by a 15 to 1 ratio. The City should prioritize affordable housing for lower-income households in its update and implementation of density bonuses. The review should</u>	<u>The City most recently evaluated its density bonus provisions with the two developments at 2 Liberty and 100 Freedom Lane. However, the City believes that there is merit in continual reevaluation of all of its Municipal Code provisions and will reevaluate the density bonus section of the Code.</u>



Comment	Response
<u>include analysis as to how the density bonus is being implemented. This is especially important when analyzing its effectiveness in higher density specific plans and rezonings that give density and land use incentives and parking reductions, similar to the density bonus, but without requiring affordable housing. It is worth noting that rental developments can only use density bonuses to incentivize lower-income units.</u>	
<u>15. Incentivizing 100% Affordable Housing - Regulatory, zoning and administrative requirements can contribute to high construction costs, and negatively affect the feasibility of producing affordable housing. The City should develop a program that incentivizes 100% affordable developments and reevaluate the current zoning code to eliminate barriers and create incentives for affordable housing developments. Incentives could include reducing or eliminating permitting fees, offering additional by-right incentives beyond density bonus, reducing parking standards, and alternative development standards. The City should consult with for-profit and nonprofit developers to determine appropriate regulatory incentives.</u>	<u>Recent changes to State density bonus law already provide the incentive of at least 80% density bonus in addition to other incentives and concessions for 100% affordable projects.</u>
<u>16. City Owned Sites and Surplus Property - The city should prioritize city owned sites and surplus land to be developed exclusively for 100% affordable housing for low, very low and extremely low income families. The City must be proactive and implement a program that markets available surplus land to affordable housing developers.</u>	<u>The City currently owns no surplus property. It owns the property in which City Hall is located and three park properties all of which it intends to retain.</u>
<u>17. We also recommend that the city issue an RFP to actively solicit affordable housing developers to the city. We would like to see the city offer support from the fund of collected in-lieu fees in exchange for development of extremely-low-, very-low and low-income housing units as well as funding available from the State of California's HomeKey funds, and the federal government American Rescue Plan Act funds.</u>  <u>The Project Homekey deadline is January 31st. There is a source of funding, the Permanent Local Housing Allocation (PLHA), that will be available in 2022. This PLHA funding is readily available to cities but only if they apply for it. Is our city tracking these program deadlines to bring these resources to our community? Are we aware of all funding opportunities? It is important for the city to take advantage of these</u>	<u>Affordable housing RFPs are typically issued when a city controls the property. Currently, the City does not own any surplus property that is available for affordable housing.</u>





Comment	Response
<u>funding sources NOW to make important strides in the provision of affordable housing.</u>	
<u>18. Ensure that development sites being identified and discussed in the initial draft are realistic and available during the planning period. Greater analysis is needed on the potential transition and feasibility of sites proposed to meet the lower income needs, especially on sites proposed for rezoning.</u>	<u>See #4 above</u>
<u>19. The city should also further analyze the City's development patterns, zoning, housing policies and land use that have led to such a disparity in creating new housing opportunities. This disparity is demonstrated by the city's RHNA process in the current planning period.</u>	<u>See #1 above</u>
<u>20. Ensure housing opportunity sites identified are not simply upzoned, rezoned or become part of overlays or specific plans that give away higher density and development incentives, without capturing the increase in financial gain and land use incentives being given to property owners and market rate developers. A 15% affordable housing inclusion at extremely low (5%), very low (5%) and low-income (5%) is necessary on these sites in exchange for these enhanced development opportunities and incentives.</u>	<u>See #8 above</u>
<u>21. The City should provide an adequate analysis and recommendations on how the City will Affirmatively Further Fair Housing (AFFH). Most of the affordable housing development opportunities have been identified and planned in the lower and moderate resource areas of the City. AFFH requires that cities promote the creation of affordable housing in high resource areas that provide important amenities such as schools, grocery stores, and medical services while also encouraging investment and conservation in low resource areas. The City needs to provide better strategies to facilitate affordable housing in higher resource areas, especially on the 6th Cycle Housing Element sites identified in this area. Furthermore, under AFFH, the City should also include anti-displacement policies that protect low income residents from rising rents and commit to reinvesting in low resource areas to improve the quality of living of residents in those areas.</u>	<u>Appendix C.7 of the revised draft Housing Element includes additional extensive analysis of fair housing issues.</u>



## C.7 FAIR HOUSING ASSESSMENT

### INTRODUCTION AND OVERVIEW OF AB 686

In January 2017, Assembly Bill 686 (AB 686) introduced an obligation to affirmatively further fair housing (AFFH) into California state law. AB 686 defined “affirmatively further fair housing” to mean “taking meaningful actions, in addition to combat discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for persons of color, persons with disabilities, and other protected classes. The Bill added an assessment of fair housing to the Housing Element which includes the following components: a summary of fair housing issues and assessment of the City’s fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities, an assessment of contributing factors, and an identification of fair housing goals and actions.

### ASSESSMENT OF FAIR HOUSING ISSUES

#### Fair Housing Enforcement and Outreach

The City of Aliso Viejo is served by the Fair Housing Foundation (FHF). The FHF is contracted to investigate and resolve discrimination complaints, conduct discrimination auditing and testing, and education and outreach, including the dissemination of fair housing information such as written material, workshops, and seminars. FHF also provides landlord/tenant counseling, which is another fair housing service that involves informing landlords and tenants of their rights and responsibilities under fair housing law and other consumer protection regulations, as well as mediating disputes between tenants and landlords. While the nearest FHF office is in the City of Orange, the majority of cases are handled over the phone, and to ensure ease for local residents workshops are held in City facilities.

Between 2018 and 2021, FHF served 132 residents of Aliso Viejo and assisted with 16 fair housing complaints by Aliso Viejo residents. From the allegations FHF opened 5 cases accounting for about 2 percent of the cases opened by FHF in the Orange County. Of the 5 cases, 2 cited disability as a basis for discrimination. Source of Income was the second most common basis for discrimination. The U.S. Department of Housing and Urban Development (HUD) maintains a record of all housing discrimination complaints filed in local jurisdictions. These grievances can be filed on the basis of race, color, national origin, sex, disability, religion, familial status and retaliation. From July 1, 2018 to June 30, 2021, 6 fair housing complaints in Orange County were filed with HUD. There were none filed with HUD for Aliso Viejo residents. FHF was able to successfully conciliate 2 cases, 2 cases



they could not obtain evidence of discrimination, and 1 case was resolved with providing Fair Housing training to management. In Orange County and the City of Aliso Viejo, Denial of Access was the most commonly reported - comprising 31 percent of all cases in the county and 40 percent of Aliso Viejo cases.

The 2020 Orange County Analysis of Impediments to Fair Housing Choice (“AI”) found that the following may be contributing factors to fair housing for the County of Orange as a whole. The AI did identify issues with particular cities for each of these items, and Aliso Viejo was not specifically identified:

Access to transportation for persons with disabilities. The main barrier being a general lack of public transportation infrastructure.

- ❖ Access to finance services for residents.
- ❖ Access to public supported housing for persons with disabilities, although persons with disabilities are able to access housing through the Housing Choice Voucher program.
- ❖ Admissions and occupancy policies and procedures, including preferences in publicly supported housing. In particular, housing authorities, including the Orange County Housing Authority, provide live-work preferences to applicants for Housing Choice Vouchers.
- ❖ The availability of affordable units in a range of sizes. Overcrowding, as defined by HUD, in Orange County is very high, at 9.51% overall, expanding to 15.97% for renters.
- ❖ The availability, type, frequency, and reliability of public transportation. Public transportation in Orange County primarily consists of bus service operated by the Orange County Transportation Authority (OCTA) and Metrolink light rail service.
- ❖ Community opposition in general was identified. Aliso Viejo has not experienced community opposition in the two senior projects totaling 198 affordable units and for the units in the Glenwood and Vantis neighborhoods.
- ❖ Displacement of residents due to economic pressures in parts of Orange County that have historically had concentrations of low-income Hispanic and Vietnamese residents. Aliso Viejo is not considered one of these areas.
- ❖ Impediments to mobility, specifically Housing Choice Voucher payment standards that make it difficult to secure housing in many disproportionately White parts of the county, contribute to segregation and disparities in access to opportunity.
- ❖ Lack of access to opportunity due to high housing costs in particular, as the Disparities in Access to Opportunity section of this Analysis reveals, coastal areas and far eastern portions of the county have greater access to educational,



economic, and environmental opportunity than do most areas in between. Aliso Viejo is not considered a coastal community.

- ❖ Lack of affordable in-home or community-based supportive services due to the absence of any waiting list for Home and Community-Based Services for persons with developmental disabilities. This issue primarily affects people with psychiatric disabilities.
- ❖ Lack of affordable, integrated housing for individuals who need supportive services. This is a significant contributing factor for two reasons. First, the shortage of permanent supportive housing throughout Orange County in comparison to the total need is characteristic of the broader shortage of affordable housing generally. Second, although there are some programs that specifically focus on providing permanent supportive housing to individuals with disabilities, including developments built with Mental Health Services Act funds and Mainstream Housing Choice Vouchers, there has not been a concerted effort to raise local bond funds for affordable housing and prioritize permanent supportive housing with a portion of bond proceeds as there has been in some other California jurisdictions.
- ❖ Lack of local or regional cooperation. Although the prerequisites for collaboration across jurisdictions exists, there remains a problem with local governments not taking the steps to achieve regionally determined goals like progress toward meeting each jurisdictions Regional Housing Needs Allocation for very low- income and low-income households.
- ❖ Lack of local public fair housing outreach. There are no local public entities that conduct fair housing outreach and enforcement, with the California Department of Fair Employment and Housing and HUD constituting the only public enforcement bodies that operate in Orange County.
- ❖ Lack of resources for fair housing agencies and organizations. There are two large fair housing organizations operating in Orange County that provide services to residents and engage in enforcement, outreach, and education. However, the size of the federal Fair Housing Initiatives Program, the primary funding program for fair housing organizations, has failed to keep up with inflation, making Congress's appropriations worth less over time. In order to meet the needs of residents of a large and diverse county, local fair housing agencies and organizations require greater levels of resourcing.
- ❖ Land use and zoning laws. With some exceptions, communities in Orange County that have relatively high concentrations of White residents and relatively low concentrations of Hispanic residents tend to have zoning that allows for limited opportunities to develop multifamily housing.



## INTEGRATION AND SEGREGATION

### Race and Ethnicity

The ethnic and racial composition of a region is useful in analyzing housing demand and any related fair housing concerns as it tends to demonstrate a relationship with other characteristics such as household size, locational preferences, and mobility. To assist in this analysis of integration and segregation, the Department of Housing and Community Development (HCD) has provided AFFH Data and Mapping Resources, which are included below. Also included is data from the 2020 Orange County Analysis of Impediments to Fair Housing Choice prepared by Lawyers' Committee for Civil Rights Under Law.

According to the California Fair Housing Task Force's 2021 opportunity maps, there is a small area in the northern portion of the City that is more than 81% racially segregated. This is a portion of the City that was developed under the County's jurisdiction prior to City incorporation in 2001.

Table CP-34 and Table CP-35 below reflect the Dissimilarity Indices for Aliso Viejo and the County as a whole. The Dissimilarity Index measures the percentage of a certain group's population that would have to move to a different Census tract to be evenly distributed within a city or metropolitan area in relation to another group. The higher the Dissimilarity Index, the higher the extent of segregation. The City of Aliso Viejo has relatively lower rates of dissimilarity than the County as a whole. The exception being the Black/White population, which is approximately 4% higher.

**Table CP-34**  
**Dissimilarity Index (0-100)**

Value	Level of Segregation
0-40	Low Segregation
41-54	Moderate Segregation
55-100	High Segregation

**Table CP-35**  
**Dissimilarity Index Values by Race and Ethnicity, Orange County vs. Aliso Viejo**

Racial/Ethnic Dissimilarity Index	1990 Trend		2000 Trend		2010 Trend		Current	
	Orange County	Aliso Viejo	Orange County	Aliso Viejo	Orange County	Aliso Viejo	Orange County	Aliso Viejo
Non-White/White	30.38	N/A	34.71	N/A	33.58	N/A	44.71	13.3
Black/White	32.60	N/A	33.63	12.6	32.27	12.3	46.98	50.89
Hispanic/White	36.13	N/A	41.08	11.6	38.18	20.4	52.82	22.57
Asian or Pacific Islander/White	32.58	N/A	34.31	6.1	34.82	8.1	43.19	14.98

The Isolation Index (Table CP-36 and Table CP-37) measure what percentage of the Census tract in which a person of a certain racial identity lives includes other persons of that same racial/ethnic group. A higher index number represents a larger clustering of a given population. In Aliso Viejo, the White/White population shows a slightly greater clustering



than for Orange County as a whole. Other racial groups experience much lower levels of clustering in general and when compared to the County as a whole.

**Table CP-36**  
**Isolation Index Values by Race and Ethnicity, Orange County**

Isolation Index	Current
White/White	55.16
Black/Black	3.32
Hispanic/Hispanic	52.81
Asian/Asian	31.84

**Table CP-37**  
**Isolation Index Trends, Aliso Viejo**

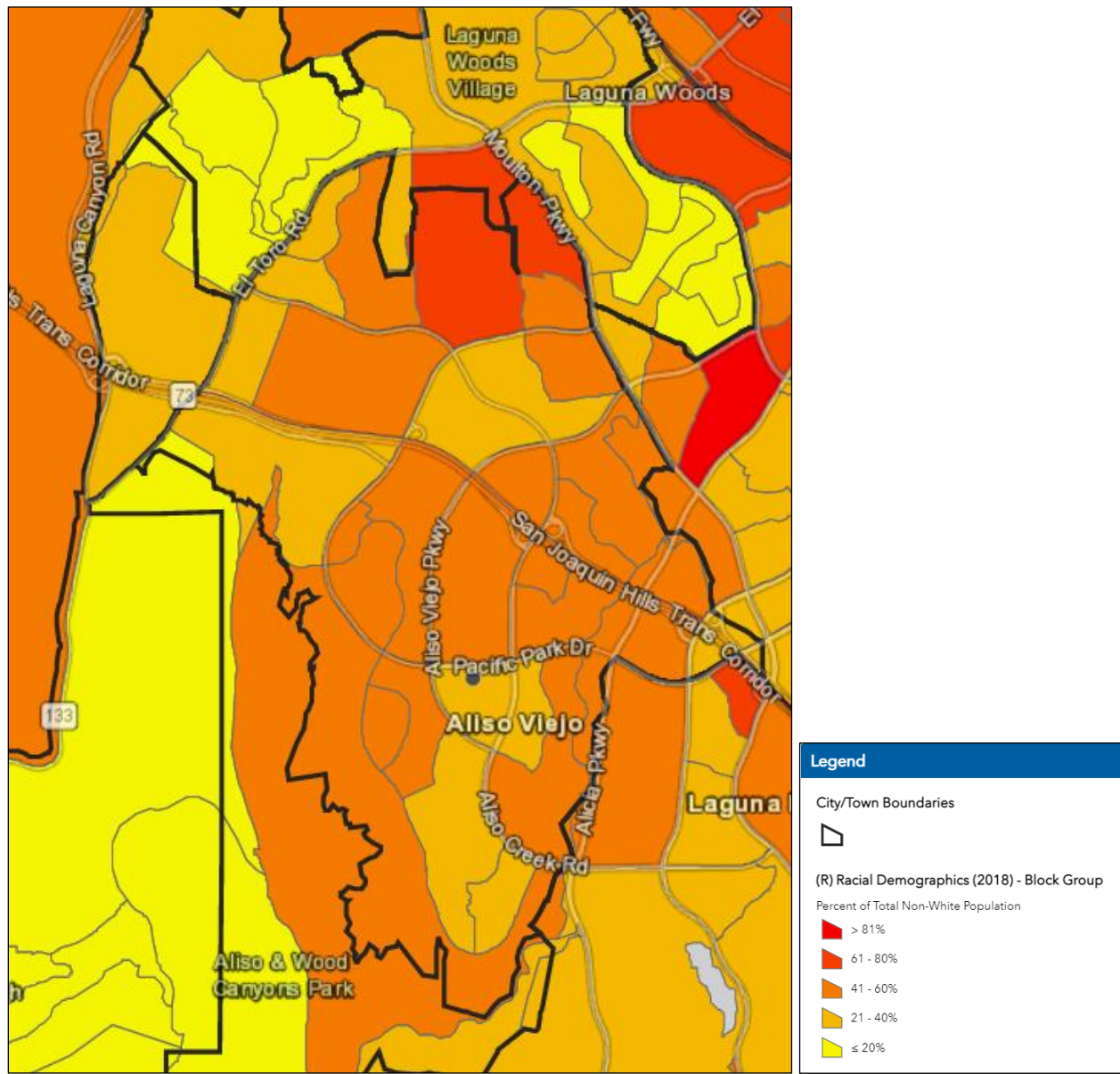
Isolation Index	1980 Trend	1990 Trend	2000 Trend	2010 Trend	Current
White/White	N/A	N/A	71.3	62.6	62.94
Black/Black	N/A	N/A	2.7	2.7	3.97
Hispanic/Hispanic	N/A	N/A	12.5	21.7	19.52
Asian/Asian	N/A	N/A	13.5	18.5	16.32

Areas of minority concentration by block group in Aliso Viejo are shown in Figure CP-2. The percentage of non-white population ranges from 21 percent to 80 percent and is highest in the northern portion of the city, which is also the area with the oldest housing stock.





**Figure CP-2**  
**Areas of Minority Concentration in Aliso Viejo (2018)**



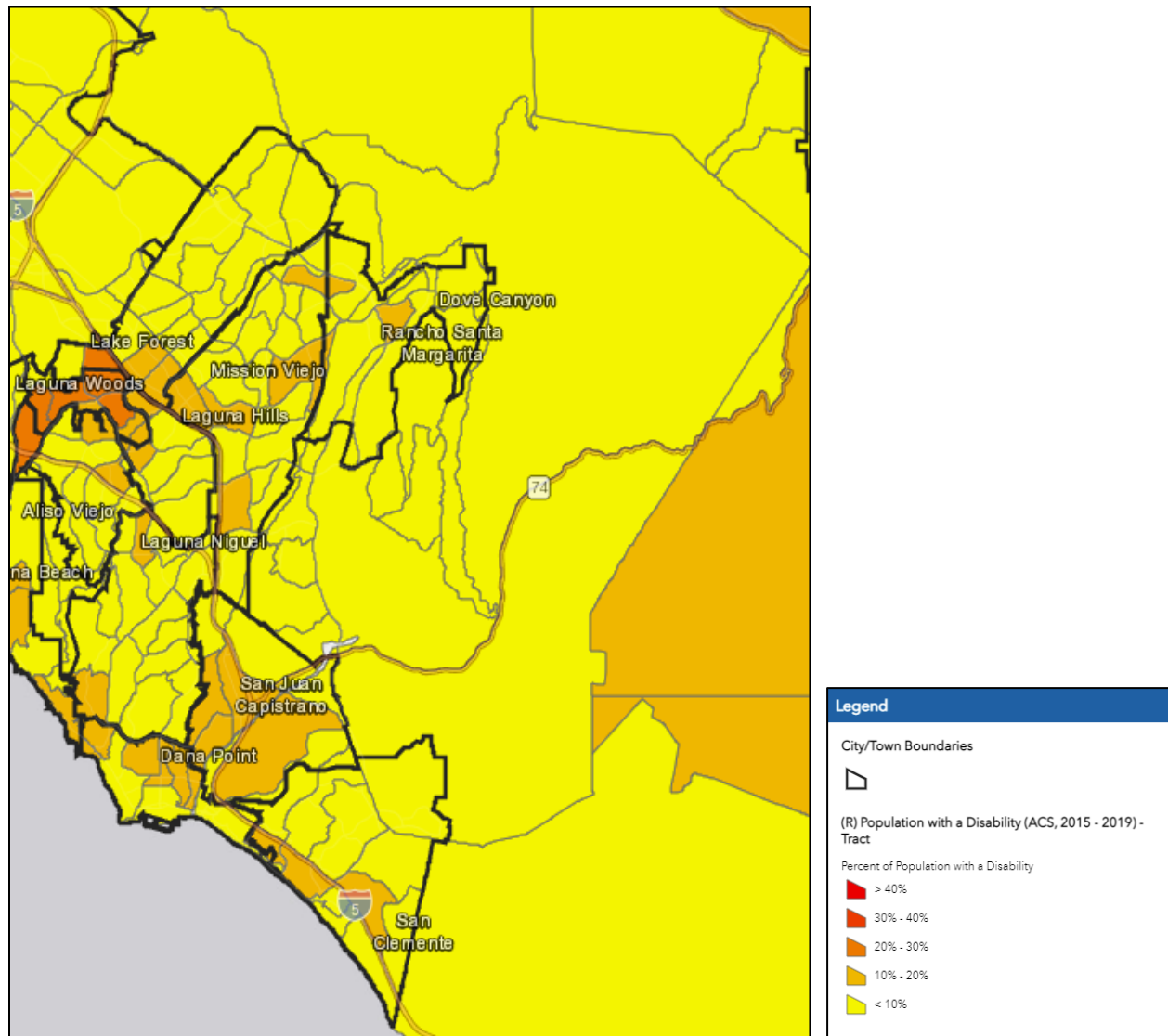




## Persons with Disabilities

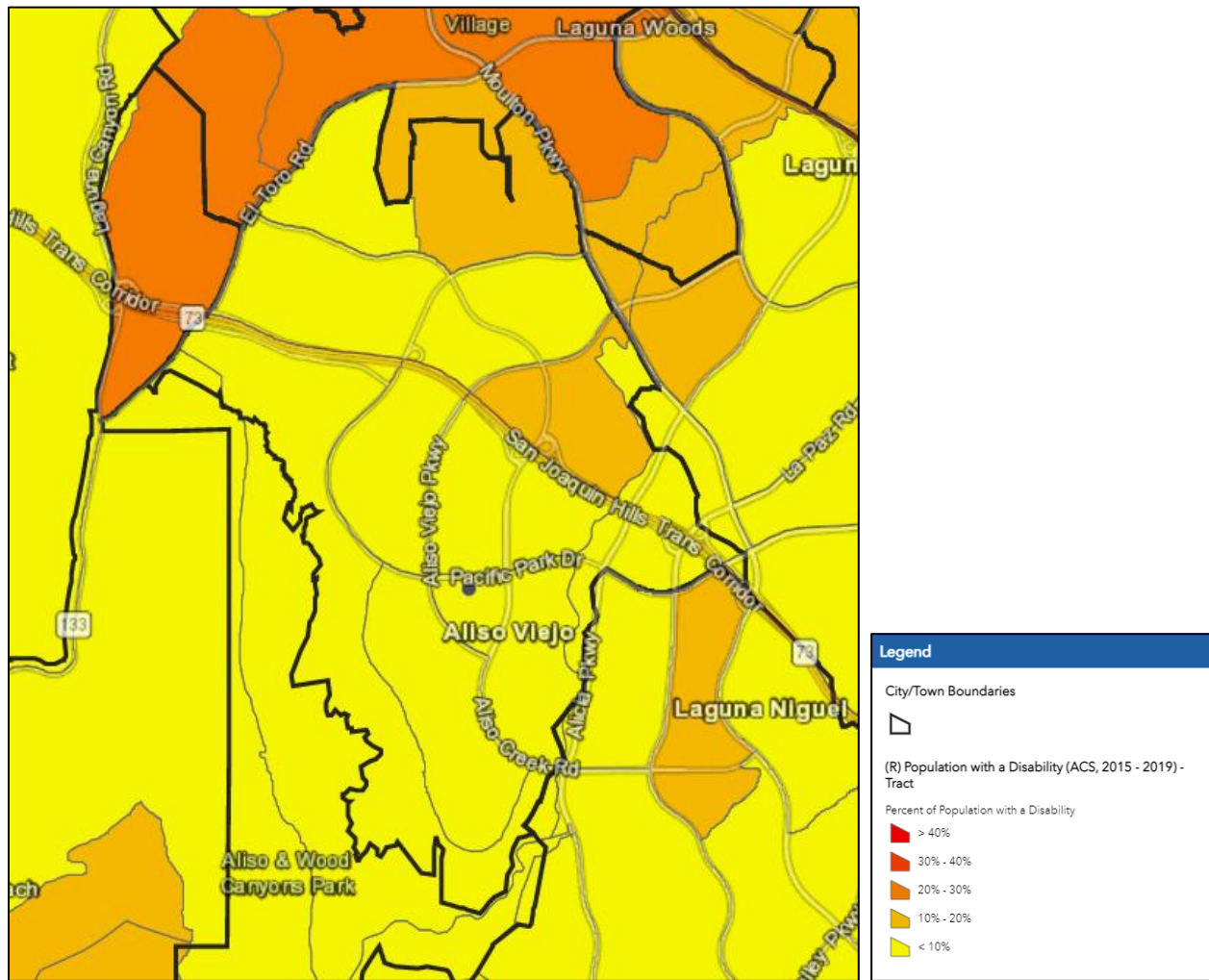
Figure CP-3 and Figure CP-4 show the percentage of persons with disabilities in the South Orange County region and in Aliso Viejo. The incidence of disabilities in Aliso Viejo is similar to the surrounding areas with the exception of Laguna Woods, which is atypical because of the very high percentage of seniors in Leisure World.

**Figure CP-3**  
**Percent of Population with Disabilities, South Orange County Region**



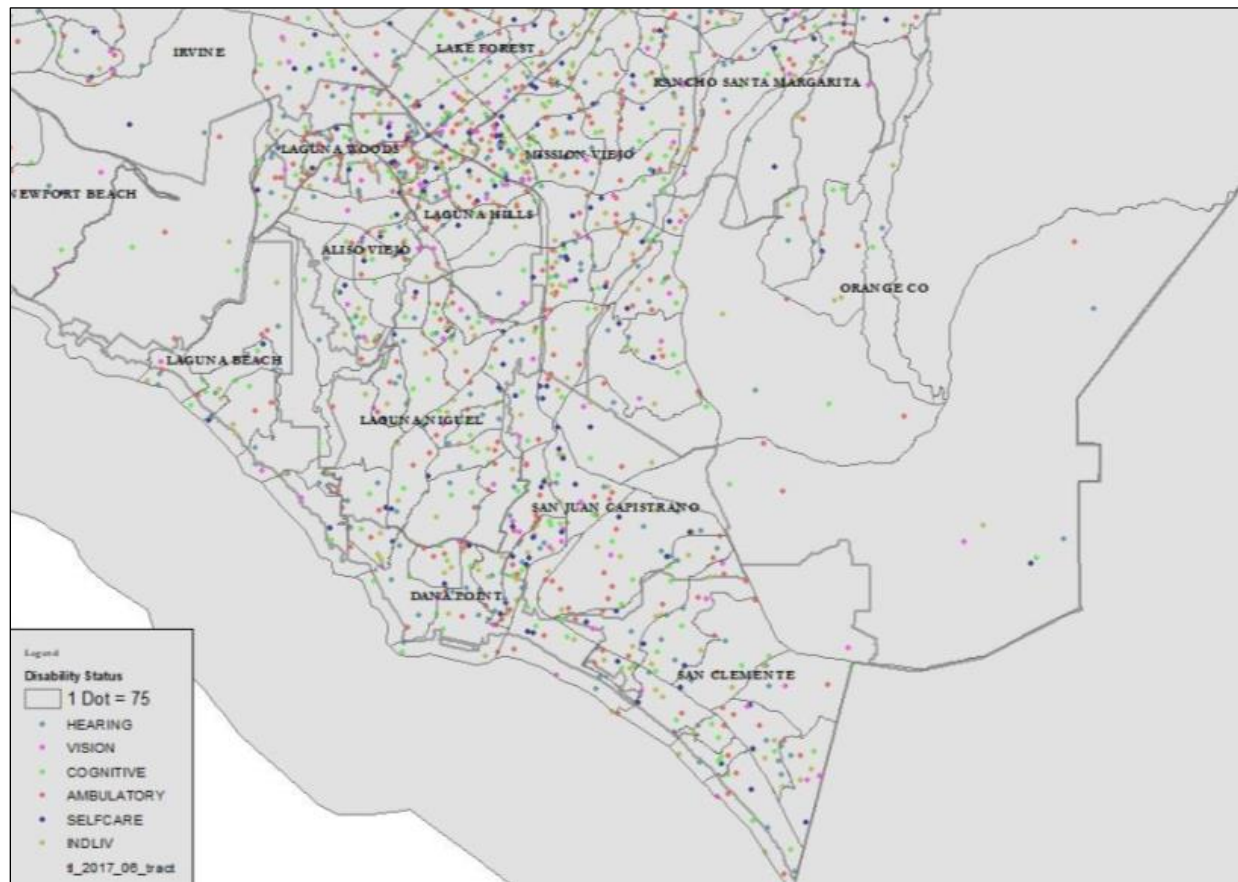


**Figure CP-4**  
**Percent of Population with Disabilities, Aliso Viejo**





**Figure CP-5**  
**Disability Status in South County**



According to the 2020 AI, “In Aliso Viejo...concentrations of persons with various types of disabilities are generally lower than they are countywide.” The most common types of disabilities in the City (Table CP-38) are Ambulatory Difficulty (2.27%) and Cognitive Difficulty (2.25%). The AI found that throughout the county the supply of affordable, accessible units is insufficient to meet the need.

**Table CP-38**  
**Disability by Type, Orange County/Region/Aliso Viejo**

Disability Type	Orange County		Region		Aliso Viejo	
	#	%	#	%	#	%
Hearing Difficulty	81,297	2.59%	333,537	2.53%	914	1.80%
Vision Difficulty	51,196	1.63%	247,670	1.88%	503	0.99%
Cognitive Difficulty	99,317	3.16%	480,601	3.65%	1,140	2.25%
Ambulatory Difficulty	133,232	4.24%	677,592	5.14%	1,148	2.27%
Self-Care Difficulty	61,615	1.96%	327,895	2.49%	669	1.32%
Independent Living Difficulty	104,705	3.34%	526,534	4.00%	913	1.80%



### Familial Status

Familial status refers to the presence of children under the age of 18, whether the child is biologically related to the head of household, and the marital status of the head of households. According to the HCD AB686/AFFH data tool maps (Figure CP-6), there is no high concentration of households with adults living alone in the City. Conversely, in the remainder of the City's Census tracts, the percentage of adults living with their spouse is 60 percent and above (Figure CP-7).

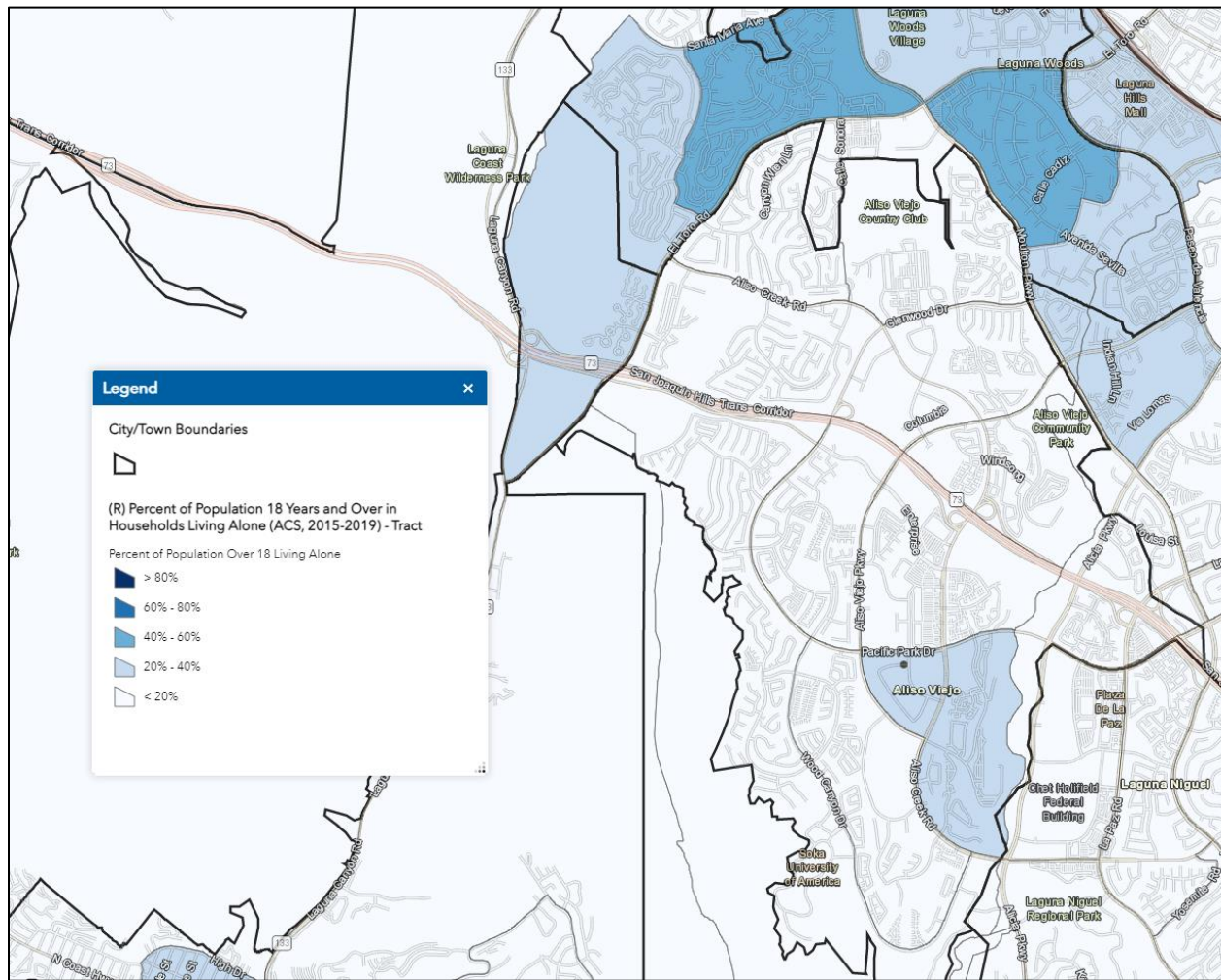
Families with children may face housing discrimination by landlords who fear that children will cause property damage. Some landlords may have cultural biases against children of the opposite sex sharing a bedroom. Differential treatments such as limiting the number of children in a complex or confining children to a specific location are also fair housing concerns. Single-parent households are also protected by fair housing law. 69.7 percent of Aliso Viejo households are families with children. The City's share of families with children is higher than the County average of 44.98 percent. According to the HCD AFFH map in Figure CP-8 the percentage of children in married households is high in most portions of the City. There is one Census tract that is in the 40 to 60 percent range.

Female-headed households with children require special consideration and assistance because of their greater need for affordable housing and accessible day care, health care, and other supportive services. In Aliso Viejo, female headed households are concentrated in a Census tract in the southeastern area of the City (Figure CP-9). This tract has 20 to 40 percent of children living in female-headed households, compared to less than 20 percent in the remainder of the City.

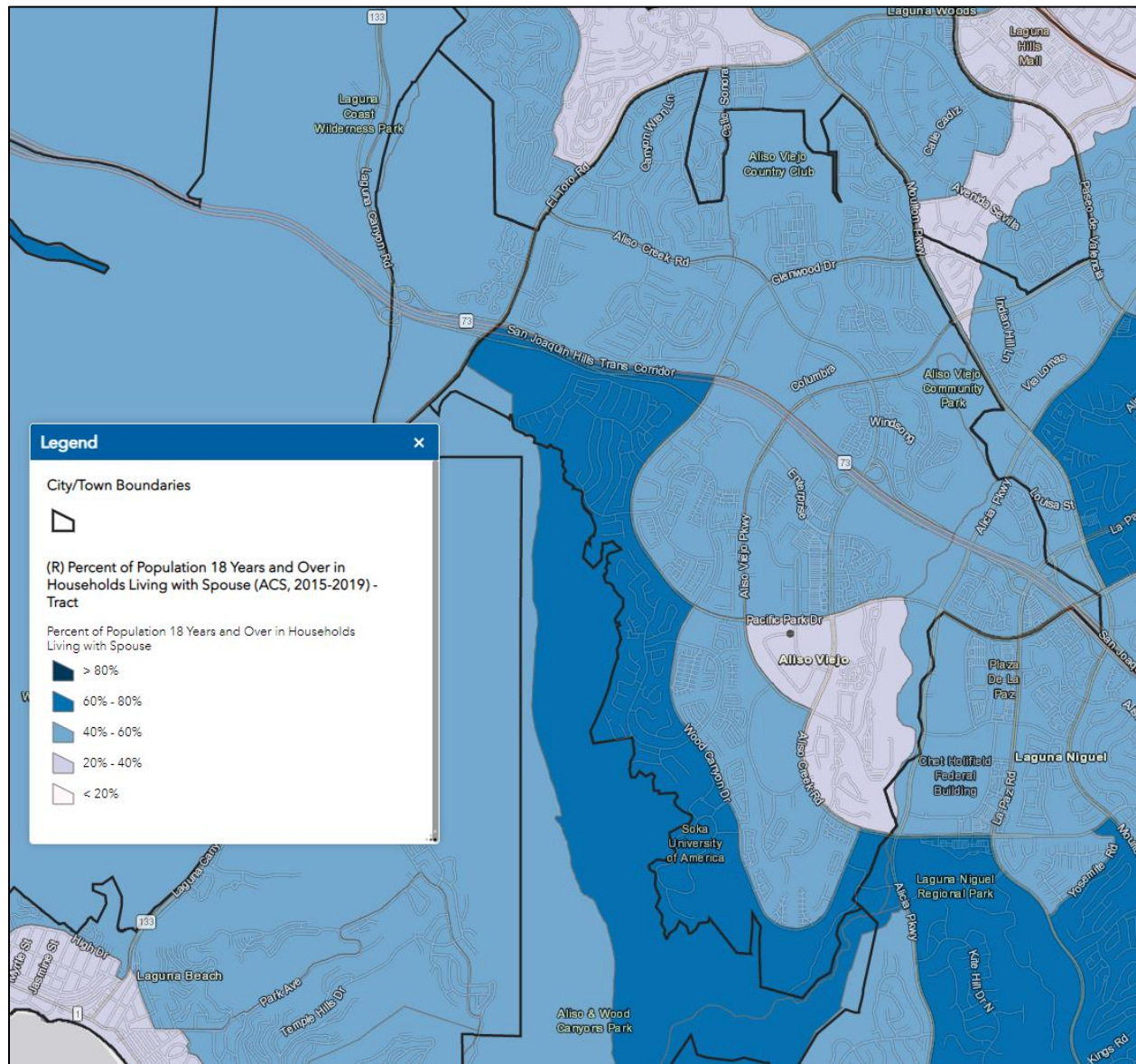




**Figure CP-6**  
**Percentage of Adults Living Alone, Aliso Viejo**



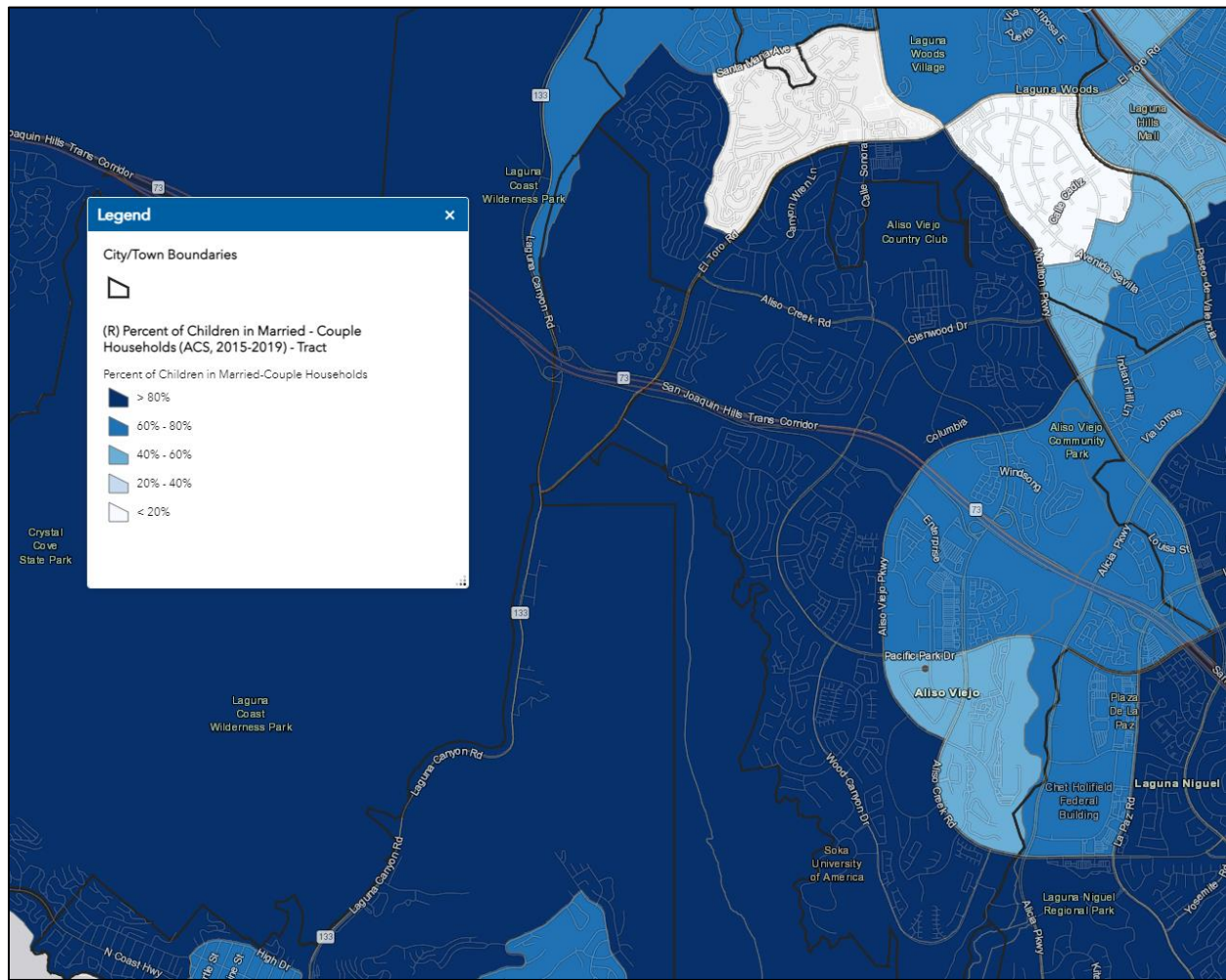
### Percentage of Adults Living with their Spouse, Aliso Viejo





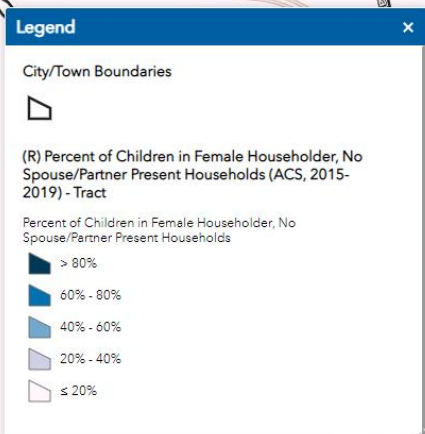


**Figure CP-8**





**Figure CP-9**



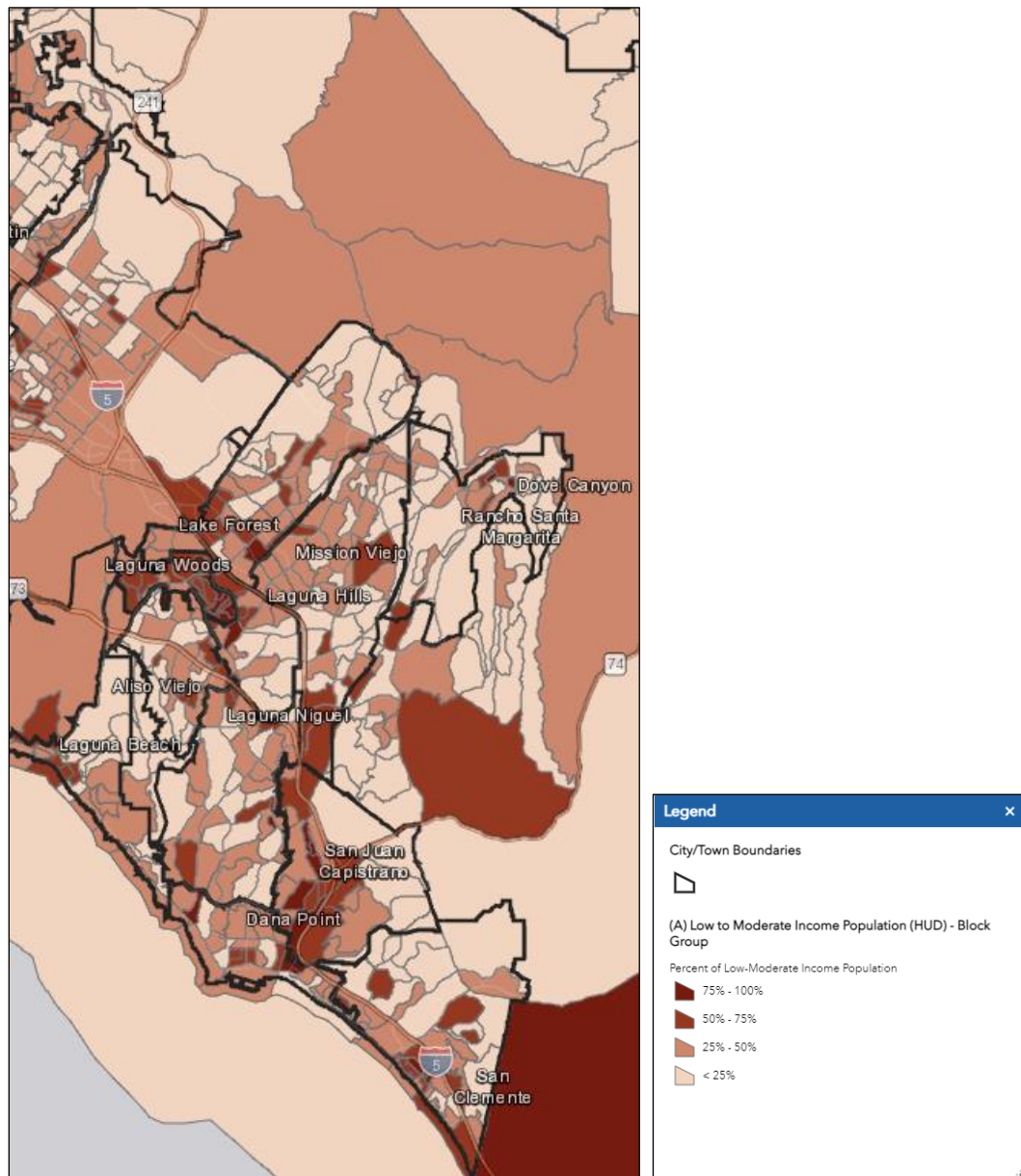


### Income Level

Identifying low- or moderate-income (LMI) geographies and individuals is important in overcoming patterns of segregation. Figure CP-10 shows the LMI areas in South Orange County by Census block group. HUD defines an LMI area as a Census tract or block group where over 51 percent of the population is LMI (based on HUD income definition of up to 80 percent of the AMI). LMI areas are scattered all across the South County region. Similarly, LMI areas are scattered through Aliso Viejo with the greatest concentration in the northern and eastern portions of the City (Figure CP-11).

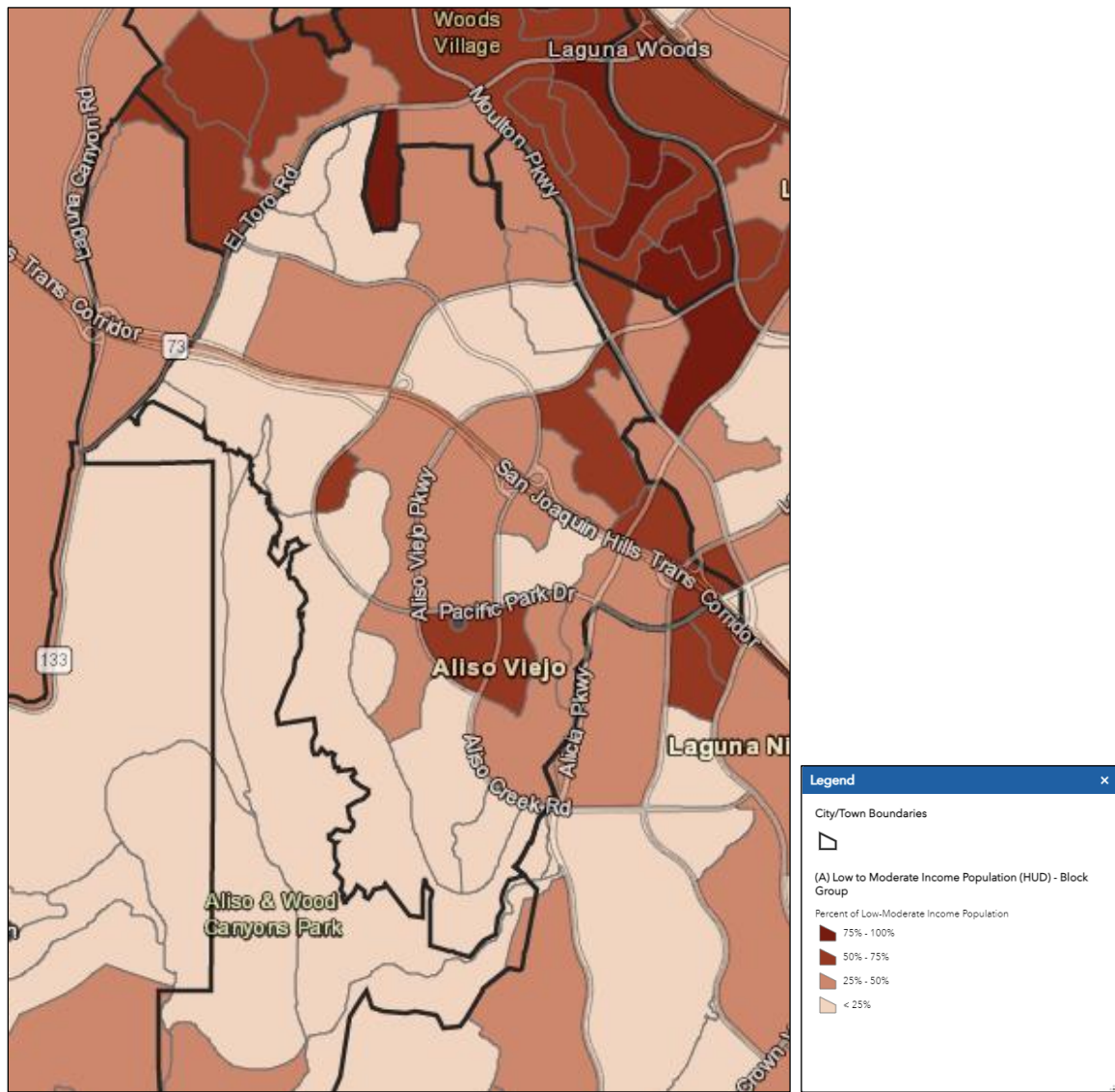


**Figure CP-10**  
**Low and Moderate Income (LMI) Areas, South Orange County**





**Figure CP-11**  
**Low and Moderate Income (LMI) Areas, Aliso Viejo**







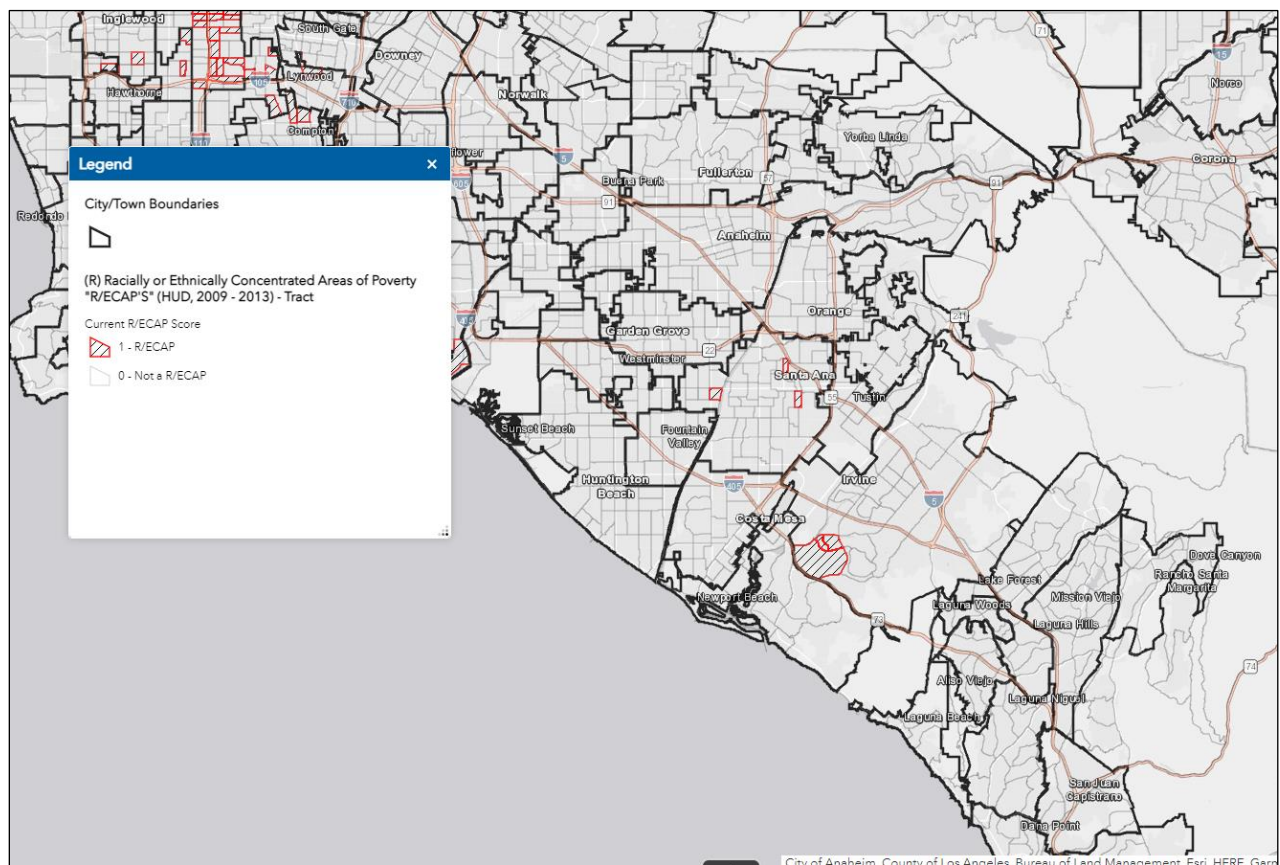
## RACIALLY AND ETHNICALLY CONCENTRATED AREAS

### Racially/Ethnically Concentrated Areas of Poverty

In an effort to identify racially/ethnically concentrated areas of poverty (R/ECAPs), HUD has identified Census tracts with a majority non-White population (greater than 50 percent) and a poverty rate that exceeds 40 percent, or is three times the average Census tract poverty rate for the metro/micro area, whichever threshold is lower. In Orange County, R/ECAPs are scattered in small sections in four areas, consisting of six Census tracts. There are no R/ECAPs in Aliso Viejo.

**Figure CP-12**

### Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs), Orange County





### Racially Concentrated Areas of Affluence

While racially concentrated areas of poverty and segregation have long been the focus of fair housing policies, racially concentrated areas of affluence (RCAAs) must also be analyzed to ensure housing is integrated, a key to fair housing choice. According to a policy paper published by HUD, RCAA is defined as affluent, White communities.

RCAAs have not been studied extensively nor has a standard definition been published by HCD or HUD. For purposes of this fair housing assessment, the percentage White population and median household income are used as proxies to identify potential areas of affluence. Figure CP-13 shows that the City has multiple Census tracts with a high concentration of Whites and high median income (greater than \$100,000). Surrounding cities have similar characteristics.

As Table CP-39 shows, White households also tend to have higher median incomes than all the population. In Aliso Viejo, White households earn about \$1,000 more than all households and make up 67% of the population.

**Table CP-39**  
**White Household Income and Percent Population**

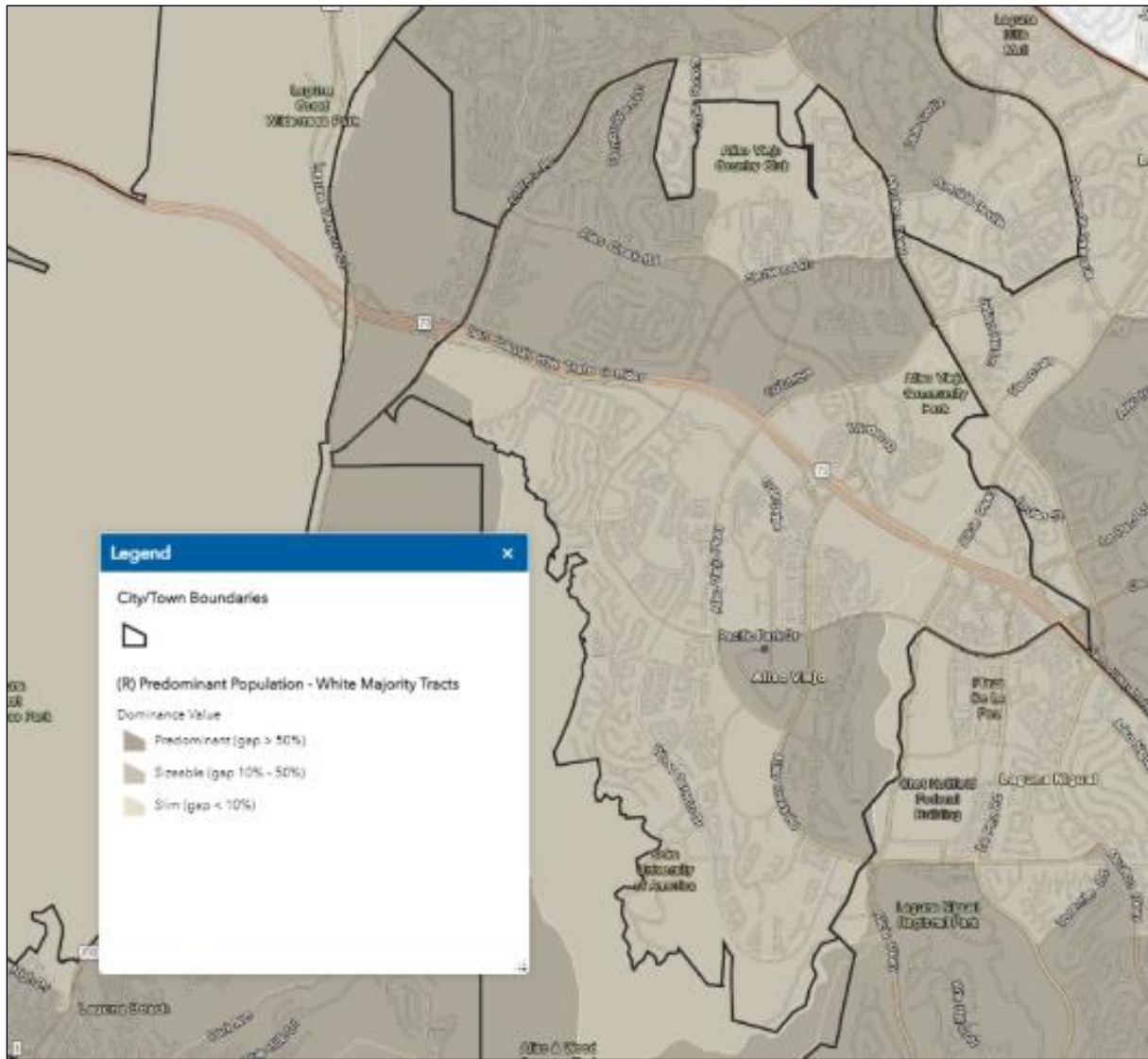
	Aliso Viejo	Orange County
<u>Median Household Income</u>		
<u>All Households</u>	<u>\$112,689</u>	<u>\$90,234</u>
<u>White Alone</u>	<u>\$113,853</u>	<u>\$101,958</u>
<u>White Population</u>	<u>67%</u>	<u>52.0%</u>

Source: 2019 American Community Survey, 5-year estimates.





**Figure CP-13**  
**White Population and Median Income Distribution**

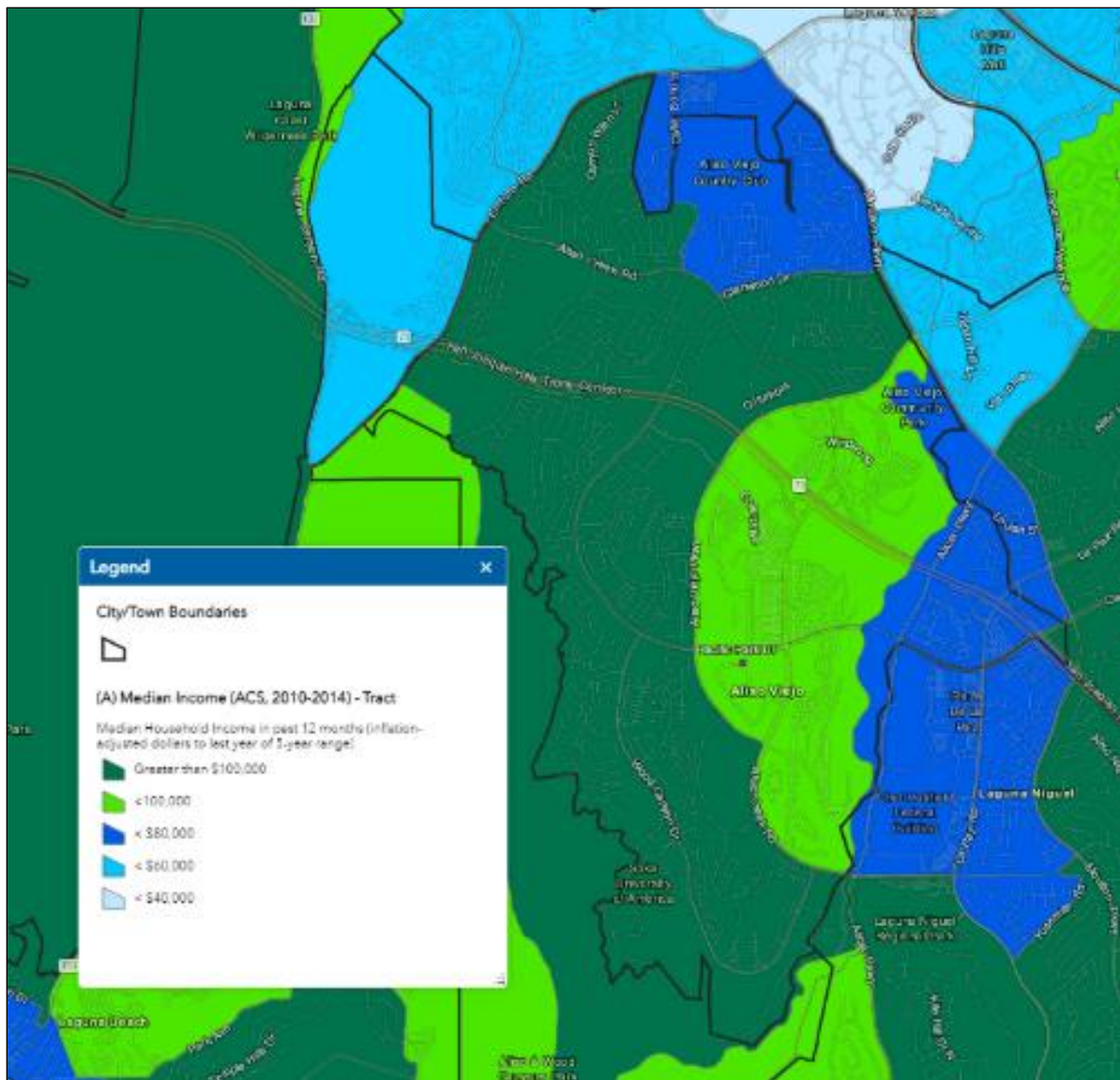




## ACCESS TO OPPORTUNITY

### TCAC/HCD Opportunity Maps

The 2021 TCAC/HCD Opportunity Maps are made from composite index scores of three different domains (economic, environmental, and education) to categorize tracts as low, moderate, or high resource (Table CP-40 shows the full list of indicators). Categorization is based on percentile rankings for Census tracts within the Orange County Region. Higher composite scores mean higher resources. The 2021 TCAC/HCD opportunity maps identified 12 of the 14 Census tracts in Aliso Viejo as High Resource (Table CP-41). One tract was scored as low resource and one as moderate but rapidly changing.





**Table CP-40**  
**Domains and List of Indicators for Opportunity Maps**

Domain	Indicator
<u>Economic</u>	<u>Poverty</u> <u>Adult Education</u> <u>Employment</u> <u>Job Proximity</u> <u>Median home value</u>
<u>Environmental</u>	<u>CalEnviroScreen 3.0 pollution Indicators and values</u>
<u>Education</u>	<u>Math proficiency</u> <u>Reading proficiency</u> <u>High School graduation rates</u> <u>Student poverty rates</u>

Source: California Fair Housing Task Force, Methodology for the 2020 TCA/HCD Opportunity Maps.

**Table CP-41**  
**Opportunity Map Scores and Categorization (2021)**

<u>Census Tract</u>	<u>Economic Domain Score</u>	<u>Environmental Domain Score</u>	<u>Education Domain Score</u>	<u>Composite Index Score</u>	<u>Final Category</u>
<u>06059042320</u>	<u>0.437</u>	<u>0.847</u>	<u>0.678</u>	<u>0.316</u>	<u>High Resource</u>
<u>06059042334</u>	<u>0.312</u>	<u>0.867</u>	<u>0.724</u>	<u>0.285</u>	<u>High Resource</u>
<u>06059062632</u>	<u>0.875</u>	<u>0.636</u>	<u>0.974</u>	<u>0.624</u>	<u>Highest Resource</u>
<u>06059062633</u>	<u>0.898</u>	<u>0.941</u>	<u>0.934</u>	<u>0.709</u>	<u>Highest Resource</u>
<u>06059062634</u>	<u>0.709</u>	<u>0.834</u>	<u>0.723</u>	<u>0.455</u>	<u>Highest Resource</u>
<u>06059062635</u>	<u>0.905</u>	<u>0.927</u>	<u>0.7</u>	<u>0.556</u>	<u>Highest Resource</u>
<u>06059062636</u>	<u>0.556</u>	<u>0.839</u>	<u>0.756</u>	<u>0.414</u>	<u>High Resource</u>
<u>06059062637</u>	<u>0.574</u>	<u>0.849</u>	<u>0.756</u>	<u>0.427</u>	<u>Highest Resource</u>
<u>06059062638</u>	<u>0.653</u>	<u>0.948</u>	<u>0.934</u>	<u>0.599</u>	<u>Highest Resource</u>
<u>06059062639</u>	<u>0.726</u>	<u>0.886</u>	<u>0.619</u>	<u>0.395</u>	<u>High Resource</u>
<u>06059062640</u>	<u>0.444</u>	<u>0.87</u>	<u>0.594</u>	<u>0.268</u>	<u>High Resource</u>
<u>06059062641</u>	<u>0.598</u>	<u>0.821</u>	<u>0.442</u>	<u>0.144</u>	<u>Moderate Resource (Rapidly Changing)</u>
<u>06059062648</u>	<u>0.002</u>	<u>0.925</u>	<u>0.388</u>	<u>-0.439</u>	<u>Low Resource</u>
<u>06059062649</u>	<u>0.34</u>	<u>0.882</u>	<u>0.7</u>	<u>0.283</u>	<u>High Resource</u>

Source: California Fair Housing Task Force, TCAC/HCD Opportunity Maps, 2020 Statewide Summary Table, December 2020



### Opportunity Indicators

The 2020 AI used opportunity indicators developed by HUD to help inform communities about disparities in access to opportunity.

#### Education

According to the 2020 AI, jurisdictions with the highest educational opportunity also appeared to have primarily large concentrations of non-Hispanic Whites and Asian/Pacific Islanders. Irvine, Aliso Viejo, and Huntington Beach were provided as good examples of cities with large populations of those two groups. Other high opportunity cities, by contrast, appear more segregated and more heavily populated by non-Hispanic Whites.

#### Employment

According to the CA Employment Development Department, in 2020 the average unemployment rate in California was 10.1 percent. For Orange County the rate was 8.8 percent and for the City of Aliso Viejo the unemployment rate in 2020 was 7.5 percent.

#### Transportation

All Transit explores metrics that reveal the social and economic impact of transit, specifically looking at connectivity, access to jobs, and frequency of service. According to the data provided by the 2020 AI:

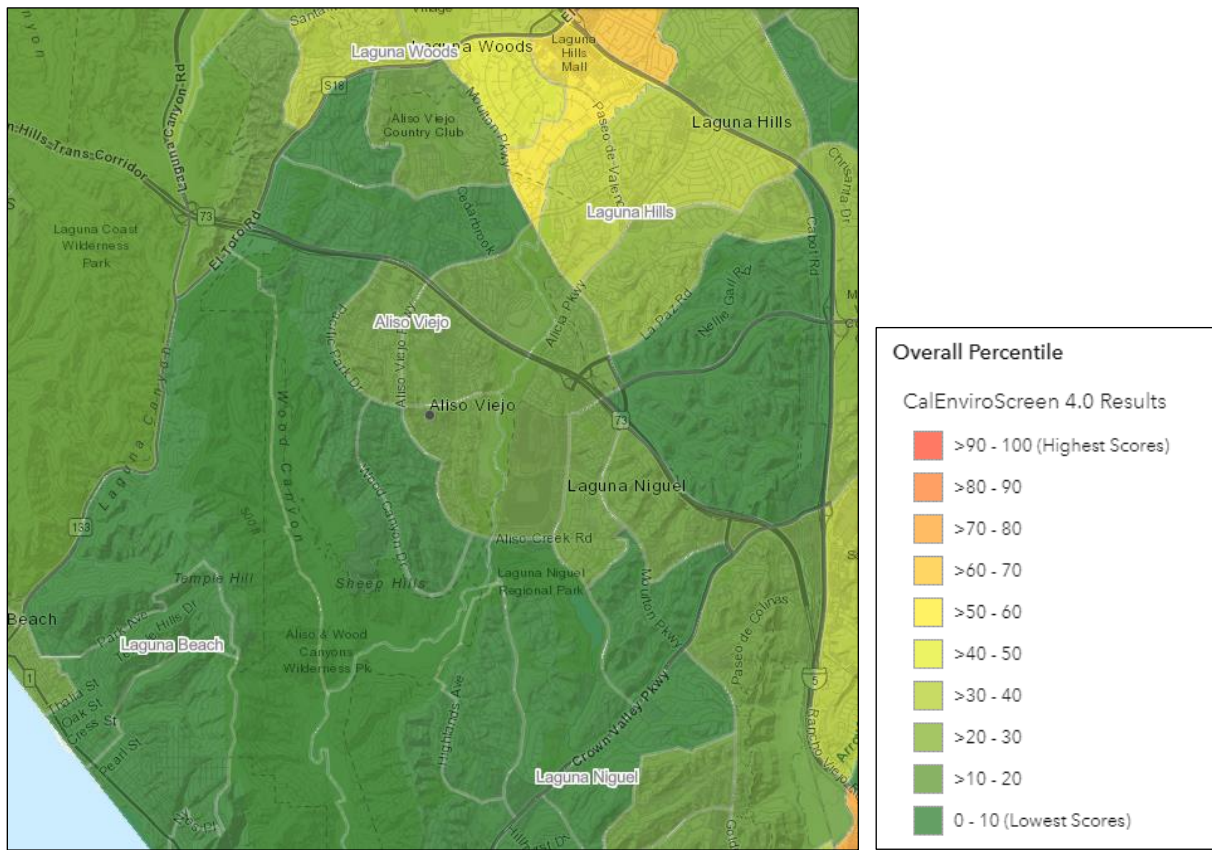
“There are no significant disparities between racial/ethnic groups in the low transportation cost index in most jurisdictions in Orange County. Index scores are in the 20s for all groups in Laguna Niguel, Mission Viejo, and San Clemente. Scores are in the low to mid 30s for all racial/ethnic groups in Buena Park, Lake Forest, La Palma, Orange City. Scores are in the high 30s to low 40s for all groups in Aliso Viejo, Anaheim, Fountain Valley, Fullerton, Garden Grove, Irvine, Huntington Beach, La Habra. Scores are moderate (in the high 40s to low 50s) across groups in Costa Mesa, Santa Ana, and Westminster.”

#### Environmental

The California Office of Environmental Health Hazard Assessment (OEHHA) developed a screening methodology called the California Communities Environmental Health Screening Tool (CalEnviroScreen) to help identify California communities disproportionately burdened by multiple sources of pollution. High scoring Census tracts tend to be more burdened by pollution from multiple sources and are most vulnerable to its effects, taking into account their socioeconomic characteristics and underlying health status. Aliso Viejo had relative low scores, with two Census tracts in the lowest range (1 to 5 percent), two in the 5 to 10 percent range, four in the 10 to 15 percent range and two in the 15 to 20 percent range.



### CalEnviroScreen 4.0 Percentile Scores





## DISPROPORTIONATE HOUSING NEEDS

The AFFH Rule Guidebook defines *disproportionate housing needs* as “a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing needs when compared to the proportion of a member of any other relevant groups or the total population experiencing the category of housing need in the applicable geographic area.” 24 C.F.R. § 5.152” The analysis is completed by assessing cost burden, severe cost burden, overcrowding, and substandard housing.

The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census Bureau for HUD provides detailed information on housing needs by income level for different types of households. Housing problems considered by CHAS include:

- ❖ Housing cost burden, including utilities, exceeding 30 percent of gross income;
- ❖ Severe housing cost burden, including utilities, exceeding 50 percent of gross income;
- ❖ Overcrowded conditions (housing units with more than one person per room); and/or
- ❖ Units with physical defects (lacking complete kitchen or bathroom)

As shown in Table CP-42, a higher percentage of Black (62 percent) and Hispanic (44 percent), households experience housing problems compared to White (39 percent), Asian (35 percent), and all City households (39 percent). Families with more than five members also experience housing problems disproportionately (50 percent). Aliso Viejo households experience housing problems (47 percent) at lower rates than the County overall (51 percent).

**Table CP-42**  
**Demographics of Households with Disproportionate Housing Needs, Aliso Viejo**

Households Experiencing Any of 4 Housing Problems	Households with Problems	Number of Households	Percentage of Households with Problems
<b>Race/Ethnicity</b>			
White, Non-Hispanic	4,840	12,570	38.50%
Black, Non-Hispanic	235	380	61.84%
Hispanic	930	2,120	43.87%
Asian or Pacific Islander, Non- Hispanic	995	2,830	35.16%
Native American, Non-Hispanic	20	70	28.57%
Total	7,020	17,970	39.07%
<b>Household Type and Size</b>			
Family households, <5 people	3,955	11,390	34.72%
Family households, 5+ people	705	1,420	49.65%
Non-family households	2,635	5,605	47.01%





<u>Households Experiencing Any of 4 Severe Housing Problems</u>	<u>Households with Severe Problems</u>	<u>Number of Households</u>	<u>Percentage of Households with Severe Problems</u>
<b><u>Race/Ethnicity</u></b>			
<u>White, Non-Hispanic</u>	<u>2,075</u>	<u>12,570</u>	<u>16.51%</u>
<u>Black, Non-Hispanic</u>	<u>140</u>	<u>380</u>	<u>36.84%</u>
<u>Hispanic</u>	<u>400</u>	<u>2,120</u>	<u>18.87%</u>
<u>Asian or Pacific Islander, Non- Hispanic</u>	<u>425</u>	<u>2,830</u>	<u>15.02%</u>
<u>Native American, Non-Hispanic</u>	<u>0</u>	<u>70</u>	<u>0.00%</u>

## **Cost Burden**

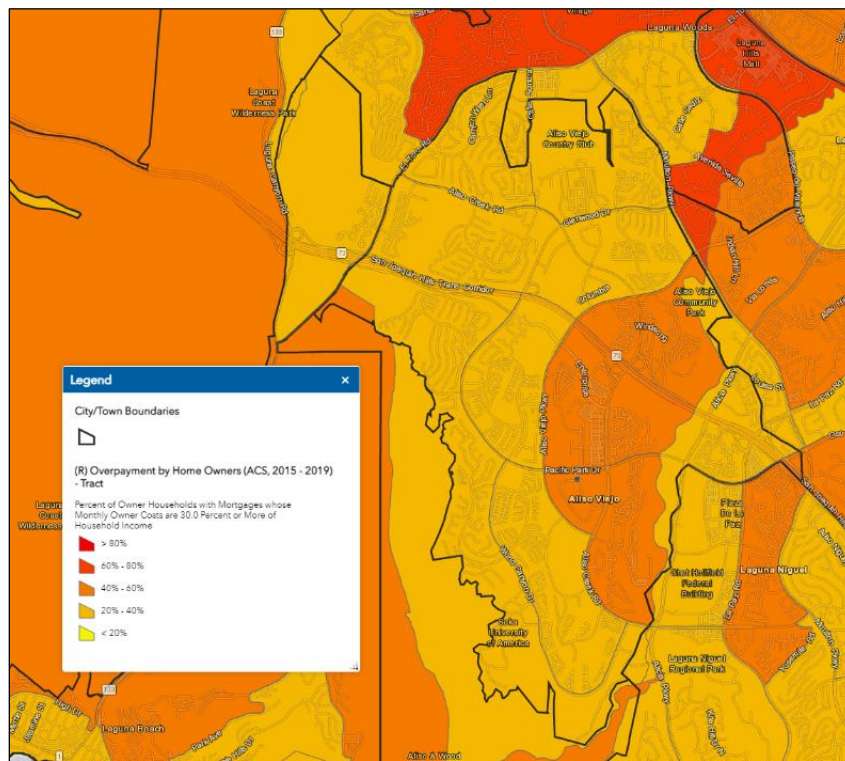
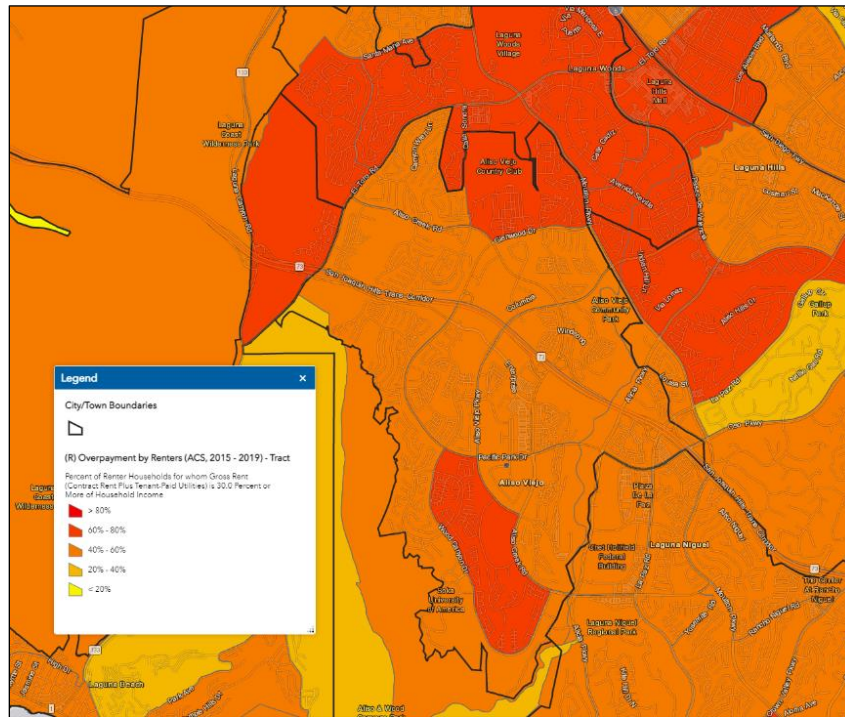
A household is considered cost burdened if it spends more than 30 percent of its income in housing costs, including utilities. Black (37 percent) and White (15 percent) households in Aliso Viejo experience cost burdens at higher rates than the Citywide average (14 percent).

**Table CP-43**  
**Demographics of Households with Severe Housing Cost Burden, Aliso Viejo**

<u>Households Experiencing Severe Housing Cost Burden</u>	<u>Households with Severe Cost Burden</u>	<u>Number of Households</u>	<u>Percentage of Households with Severe Cost Burden</u>
<b><u>Race/Ethnicity</u></b>			
<u>White, Non-Hispanic</u>	<u>1,840</u>	<u>12,570</u>	<u>14.64%</u>
<u>Black, Non-Hispanic</u>	<u>140</u>	<u>380</u>	<u>36.84%</u>
<u>Hispanic</u>	<u>225</u>	<u>2,120</u>	<u>10.61%</u>
<u>Asian or Pacific Islander, Non- Hispanic</u>	<u>350</u>	<u>2,830</u>	<u>12.37%</u>
<u>Native American, Non-Hispanic</u>	<u>0</u>	<u>70</u>	<u>0.00%</u>
<u>Total</u>	<u>2,555</u>	<u>17,970</u>	<u>14.22%</u>
<b><u>Household Type and Size</u></b>			
<u>Family households, &lt;5 people</u>	<u>1,010</u>	<u>11,390</u>	<u>8.87%</u>
<u>Family households, 5+ people</u>	<u>150</u>	<u>1,420</u>	<u>10.56%</u>
<u>Non-family households</u>	<u>730</u>	<u>5,605</u>	<u>13.02%</u>



**Figure CP-15**  
**Cost Burdened/Overpayment for Renters and Owners – Aliso Viejo**





### Overcrowding

Overcrowding is defined as housing units with more than one person per room (including dining and living rooms but excluding bathrooms and kitchen). According to the 2018 five-year ACS estimates, a lower percentage of households across all ethnic groups in Aliso Viejo are living in overcrowded conditions as compared to the County as a whole. There is one Census tract in the northern portion of the City with a higher rate of overcrowding than the rest of the City, with between 8.3 and 12 percent of the population living in overcrowded conditions (Figure CP-16).

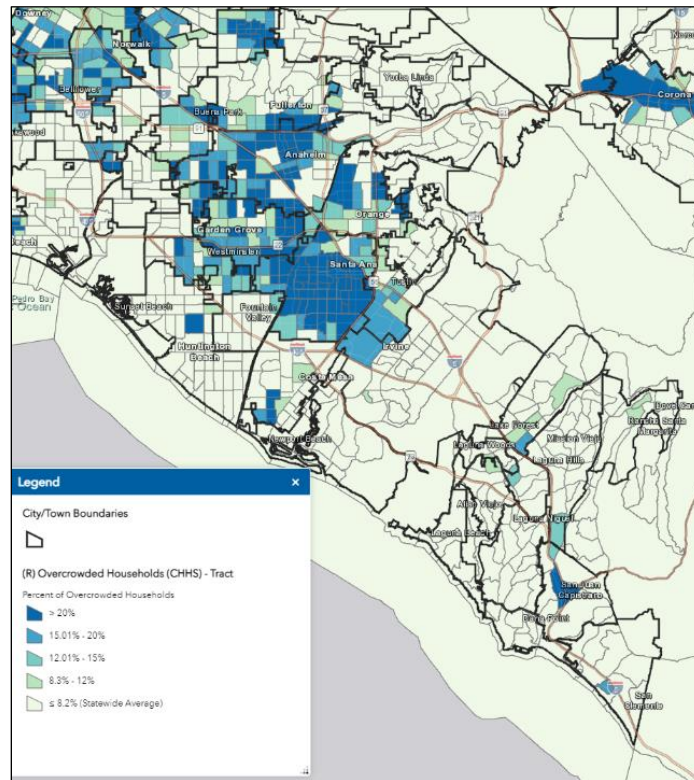
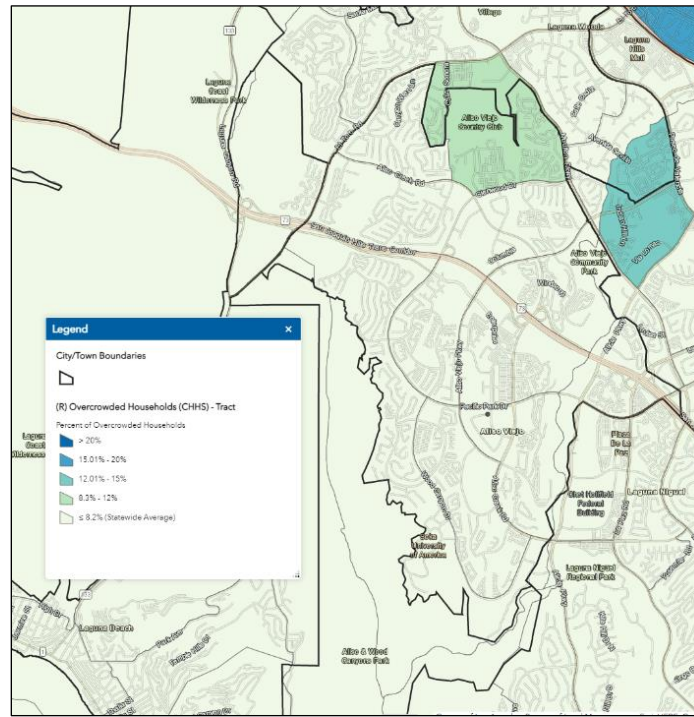
**Table CP-44**

**Percentage of Overcrowded Households by Race or Ethnicity, Aliso Viejo vs. Orange County**

Geography	White, Non-Hispanic	Black	Native American	Asian American, Pacific Islander	Hispanic
Orange County	1.95%	6.52%	11.38%	7.76%	25.72%
Aliso Viejo	1.47%	0.00%	0.00%	2.79%	7.47%



**Figure CP-16**  
**Overcrowded Households, Aliso Viejo vs. Orange County**





### Substandard Conditions

The City estimates that less than 2 percent of homes in Aliso Viejo are in substandard condition based on American Home Survey (AHS) data. According to AHS, there are 219 homes without any fuel used, 19 homes without complete plumbing facilities, 191 homes lacking complete kitchen facilities, and 223 without telephone services.

Housing age is frequently used as an indicator of housing condition. In general, residential structures over 30 years of age require minor repairs and modernization improvements, while units over 50 years of age are likely to require major rehabilitation such as roofing, plumbing, and electrical system repairs. As the newest City in Orange County, the majority of the City's housing is less than 30 years old. Approximately 70 percent of the City's housing is less than 30 years old, while less than 6 percent of the housing is older than 50 years.

**Table CP-45**  
**Number of Housing Units by Year Built, Aliso Viejo**

Year Structure Built	Number	Margin of Error	Percentage	Margin of Error
Built 2014 or later	257	±75	1.3%	±0.4
Built 2010 to 2013	515	±133	2.6%	±0.7
Built 2000 to 2009	2,260	±279	11.5%	±1.5
Built 1990 to 1999	10,623	±484	54.2%	±2.1
Built 1980 to 1989	4,799	±332	24.5%	±1.6
Built 1970 to 1979	795	±171	4.1%	±0.9
Built 1960 to 1969	153	±91	0.8%	±0.5
Built 1950 to 1959	155	±96	0.8%	±0.5
Built 1940 to 1949	41	±48	0.2%	±0.2
Built 1939 or earlier	9	±13	0.0%	±0.1
<b>Total housing units</b>	<b>19,607</b>	<b>±384</b>	<b>19,607</b>	<b>=</b>

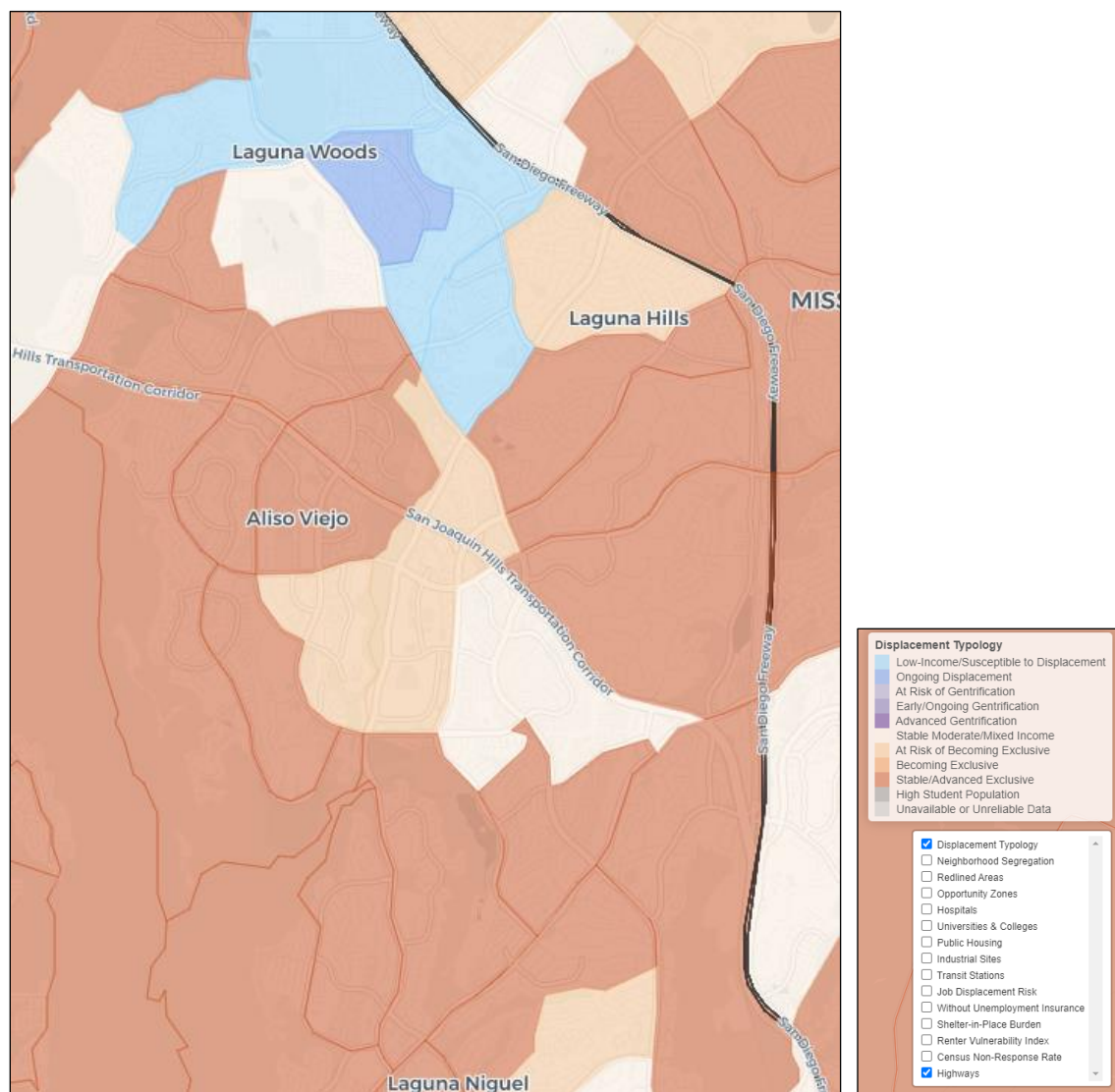




## Displacement Risk

UC Berkeley's Urban Displacement Project (2018) defines residential displacement as "the process by which a household is forced to move from its residence – or is prevented from moving into a neighborhood that was previously accessible to them because of conditions beyond their control." As part of this project, the Urban Displacement Project includes an interactive map that displays changes in neighborhood characteristics that may indicate displacement (Figure CP-17). Two key factors in visualizing displacement are the loss of low-income households and increases in rent. One area in Aliso Viejo is identified as being at-risk in the center of the City, south of the 73 Toll Road. There is a larger area identified as at-risk on the map; however, that is in a Census tract in an adjacent City.

**Figure CP-17**  
**Displacement Typology, Aliso Viejo**







### Other Data

Tenure – Aliso Viejo’s households are primarily homeowners. According to AHS data, just over 60 percent of households are owners while almost 40 percent are renters.

### OUTREACH

The City of Aliso Viejo has recently hired a Public Information Officer/Management Analyst. A large portion of the job duties include updating the City’s website, keeping residents and stakeholders current on City events through social media and producing a weekly e-News newsletter. Through this position and their responsibilities, the City intends to engage residents, businesses and other stakeholders in a more robust fashion.

### LOCAL DATA AND KNOWLEDGE

The northeast portion of the City, known as Via Iglesia, differs from the remainder of Aliso Viejo in many ways. The Via Iglesia neighborhood was annexed from the County during incorporation but was not part of the City’s original master plan. Via Iglesia consists of a series of fourplexes, unlike other areas of the City, and is largely Hispanic with its own community center and park. It consists of an older housing stock with lower incomes, and requires additional investment to maintain the quality of homes.

Staff also conducted a windshield survey on the City in November of 2021. It is estimated that 75% of the City’s residential area was surveyed. The areas that were predominantly not included were gated communities.

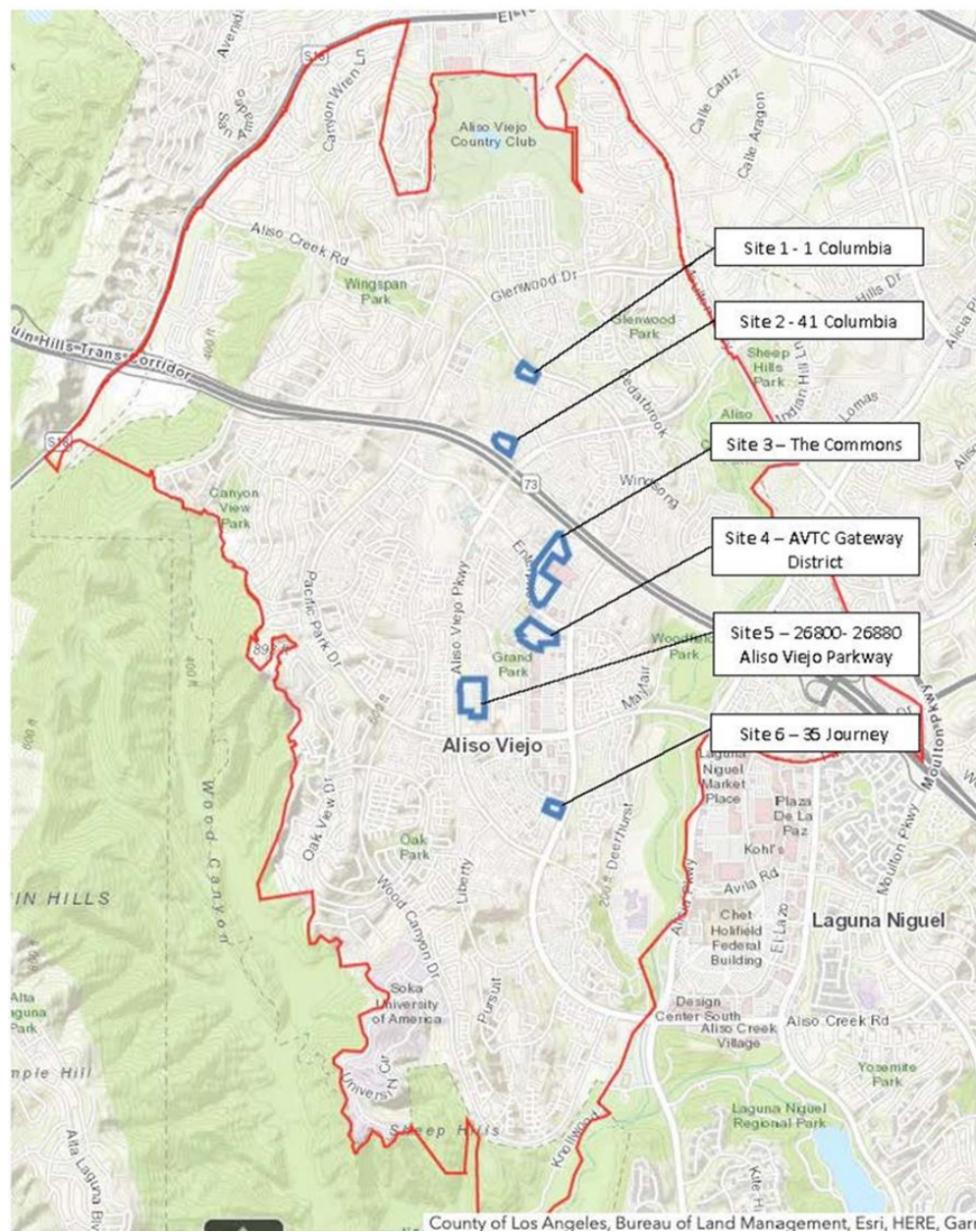
Of the developments visited, the majority had no visible issues. For those that did have some level of disrepair, the most common issue was chipped or peeling paint (4 instances). Next were fencing issues (3), deteriorated fascia (2), dead or dying landscaping (2), and single instances of roof damage, cracks and general disrepair.

The data above does not include the Via Iglesia neighborhood, where the City found widespread instances of peeling fascia, cracks on garage doors, peeling/chipping paint; older roofs that may require repair or replacement; overflowing dumpsters, illegal electrical wiring, original HVAC systems, fencing in disrepair and possible illegal construction. With these widespread issues, the Via Iglesia community may be suitable for a housing revitalization grant program through use of CDBG funds.



## SITES INVENTORY

The City's residential neighborhoods are virtually built out, and future residential development will likely occur within the City's mixed-use overlay. This RHNA strategy relies on underutilized office properties where residential uses would be permitted, as anticipated through a residential overlay zone. The locations of the candidate sites to accommodate future housing needs are distributed through the city as shown in the following map.





### Integration and Segregation: Race and Income

Census tracts with the highest concentration of minorities and low/moderate-income population (LMI) are located in the northeastern part of the City. The sites inventory identified sites outside this area to offer additional opportunities for lower-income housing in areas with higher opportunity.

### Racially/Ethnically Concentrated Areas of Poverty and Affluence

While no racially/ethnically concentrated areas of poverty (per HUD's definition) were found in Aliso Viejo, some tracts with a high concentration of minorities and LMI populations were found in the northeastern part of the City. Census Tract 626.33 can be considered a concentrated area of affluence as it has a large proportion of White population and the highest range in median income. Some sites feasible for lower-income housing and residential recycling sites identified in the sites inventory are in located in more affluent areas. However, sites identified in the sites inventory are locations with more access to opportunities.

### Access to Opportunity

Based on the TCAC/HCD Opportunity Maps, the City is categorized as moderate resource to highest resources levels. The sites identified in the site inventory are located in tracts identified as high resource and highest resource. In addition, the City has identified properties in its sites inventory located all around the City.

### Disproportionate Housing Needs

The fair housing assessment found Black (non-Hispanic) households have a higher percentage of households with problems at 61.84% in comparison to the County's 48.29% Black (non-Hispanic) households with problems. The sites inventory identified sites in high opportunity areas to provide access to opportunities and mitigate the disproportional housing needs.



## IDENTIFICATION AND PRIORITIZATION OF CONTRIBUTING FACTORS

The following are contributing factors that affect fair housing choice in Aliso Viejo.

### Insufficient and Inaccessible Housing Options in High Opportunity Area

The 2020 AI and the Fair Housing Assessment found there was a need to expand access of opportunity for people who identify with any protected classes.

#### Contributing Factors:

- ❖ Location and type of affordable housing
- ❖ Lack of access to opportunity due to high housing cost
- ❖ Lack of fair housing outreach and enforcement
- ❖ Availability of affordable housing
- ❖ Availability of affordable units in a range of sizes

### Protecting Existing Residents from Displacement

The analysis found a concentration of households vulnerable to displacement. Based on the AFFH Data Viewer, the households at vulnerable to displacement are towards the center of the city.

#### Contributing Factors:

- ❖ Displacement of residents due to economic pressures
- ❖ Availability of affordable housing
- ❖ Availability of affordable units in a range of sizes

### Provide Access and Inclusion for Persons with Disabilities

To address the insufficient number of housing units for persons with disabilities across the county, the City adopted a Housing and Reasonable Accommodation regulation and procedures.

#### Contributing Factors:

- ❖ Lack of supportive services for persons with disabilities
- ❖ Lack of access to resources, such as schools, transportation, and other in-home or community resources, for persons with disabilities



### Substandard Conditions

Based on the windshield survey, Via Iglesia neighborhood had more widespread issues throughout the community in comparison to the rest of the city.

### Contributing Factors:

- ❖ Age of housing stock
  - ❖ Cost of repairs or rehabilitation
  - ❖ Lack of community revitalization strategies
-





## SUMMARY OF FAIR HOUSING ISSUES AND ACTIONS FOR MITIGATION

The following table summarizes fair housing issues in Aliso Viejo and actions the City intends to take to address these issues.

<u>AFH Identified Fair Housing Issues</u>	<u>Contributing Factors</u>	<u>City Actions</u>
<u>New Housing Options in High Opportunity Areas</u>  - <u>Expand access to opportunity for protected classes</u>	<ul style="list-style-type: none"><li>▪ <u>Location and type of affordable housing</u></li><li>▪ <u>Lack of access to opportunity due to high housing costs</u></li><li>▪ <u>Lack of fair housing outreach and enforcement</u></li><li>▪ <u>Availability of affordable housing</u></li><li>▪ <u>Availability of affordable units in a range of sizes</u></li></ul>	<ul style="list-style-type: none"><li>▪ <u>Identify sites in high opportunity areas for new housing development</u></li><li>▪ <u>Explore policies and programs that increase the supply of affordable housing</u></li><li>▪ <u>Through the Fair Housing Foundation, the City will conduct landlord education campaign to educate property owners about State law prohibiting discrimination based on household income</u></li><li>▪ <u>Through the Fair Housing Foundation, the City will provide fair housing education and information to apartment managers and homeowner associations on why denial of reasonable modifications/accommodations is unlawful</u></li><li>▪ <u>Through the Fair Housing Foundation, the City will conduct fair housing outreach to tenants, landlords, property owners, realtors, and property management companies</u></li></ul>
<u>Protecting Existing Residents from Displacement</u>	<ul style="list-style-type: none"><li>▪ <u>Displacement of residents due to economic pressures</u></li><li>▪ <u>Availability of affordable housing</u></li><li>▪ <u>Availability of affordable units in a range of sizes</u></li></ul>	<ul style="list-style-type: none"><li>▪ <u>Attend quarterly OCHA Housing Advisory Committee to enhance the exchange of information regarding the availability, procedures, and policies related to the Housing Assistance Voucher program and regional housing issues</u></li><li>▪ <u>Provide five-year and annual PHA plan certifications</u></li></ul>





<u>AFH Identified Fair Housing Issues</u>	<u>Contributing Factors</u>	<u>City Actions</u>
<u>Provide Access and Inclusion for Persons with Disabilities</u>	<ul style="list-style-type: none"> <li>▪ <u>Lack of supportive services for persons with disabilities</u></li> <li>▪ <u>Lack of access to resources, such as schools, transportation, and other in-home or community resources, for persons with disabilities</u></li> </ul>	<u>Review and amend if necessary the City's Housing and Reasonable Accommodation regulations and procedures</u>

## **RESOLUTION NO. 2022-04**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT PA21-019 (GPA) FOR THE 2021-2029 GENERAL PLAN HOUSING ELEMENT**

**WHEREAS**, on April 21, 2004, the City Council adopted its first Housing Element as part of its comprehensive General Plan; and

**WHEREAS**, the Department of Housing and Community Development (“HCD”) certified the City’s 2004 Housing Element for the 2000-2005 planning period; and

**WHEREAS**, pursuant to California Government Code section 65588, each local government is required to periodically review and update its housing element. The current housing element cycle covers the planning period of 2021-2029; and

**WHEREAS**, in accordance with state law, the Southern California Association of Governments (“SCAG”) found that the City’s share of the region’s housing need for the 2021-2029 projection period was 1,195 units (“RHNA Allocation”); and

**WHEREAS**, of the 1,195 units, 390 units are designated for extremely low and very low-income households, 214 units are for low-income households, 205 units are for moderate-income households and 386 are for above moderate-income households; and

**WHEREAS**, the City must identify sites that can accommodate its share of the RHNA Allocation; and

**WHEREAS**, the City may amend its General Plan pursuant to Government Code Sections 65350 et seq. and Aliso Viejo Zoning Code Chapter 15.78; and

**WHEREAS**, the City desires to amend its General Plan to incorporate a Housing Element Update (which consists of an updated Housing Plan and Community Profile) that would bring the City’s Housing Element into compliance with the requirements of state housing element law for the 2021-2029 planning period and would reflect its goals for satisfying its most recent RHNA Allocation (the “Housing Element Update”); and

**WHEREAS**, on May 19, 2021, the City of Aliso Viejo City Council conducted a public study session to solicit comments from all interested members of the public regarding the Housing Element Update; and

**WHEREAS**, on August 18, 2021, the City of Aliso Viejo City Council held a publicly noticed meeting considered public input and recommendations presented by staff in the Agenda Report and oral presentation relating to the proposed Planning Application PA21-019 (GPA) Housing Element Update; and

**WHEREAS**, based on testimony received on August 18, 2021, the City Council voted to direct staff to submit the Draft 2021-2029 Housing Element Update to HCD; and

**WHEREAS**, on August 19, 2021, the Draft Housing Element was submitted for review to HCD pursuant to Government Code Sec. 65585(b); and

**WHEREAS**, on October 18, 2021, HCD issued a letter reporting its findings on the Draft 2021-2029 Housing Element Update pursuant to Government Code Sec. 65585(d); and

**WHEREAS**, the Draft 2021-2029 Housing Element Update has been revised to address the findings of HCD; and

**WHEREAS**, on January 19, 2022, the City Council held duly noticed public hearing as prescribed by law to consider public testimony, evidence, HCD findings and staff recommendations regarding the Draft 2021-2029 Housing Element Update; and

**WHEREAS**, the City has reviewed the proposed Project and has determined that it is Categorically Exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections Section 15061 (Common Sense Exemption); and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1. Determination of Recitals.** The City Council hereby finds and determines that all of the recitals set forth above are true and correct. The above recitals are hereby incorporated as substantive findings of this Resolution.

**SECTION 2. Compliance with CEQA.** The City Council finds the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) which states, in part, that a project is exempt from CEQA if "the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The 2021-2029 Housing Element would not result in any direct or indirect physical changes to the environment. The Housing Element Update is strictly a policy document and does not provide entitlements to any specific land use projects. The Housing Element Update does not make any changes to the Aliso Viejo General Plan land use map and would not modify any land use designations, allowed densities, or land use intensities established by the General Plan. Therefore, the proposed project is exempt from CEQA pursuant to State CEQA Guidelines, section 15061.

**SECTION 3. Findings.** The City Council approves Planning Application PA21-019 (GPA) Housing Element Update on the basis of the following findings, which are made in light of the entire record, including all written and oral evidence presented to the City Council as legislative body:

1. *Public Welfare. Approval of the amendment will not create conditions materially detrimental to the public health, safety and general welfare.*

Pursuant to state law, every jurisdiction in California must adopt a General Plan, and every General Plan must contain a Housing Element. The proposed amendment to the City General Plan Housing Element will support an adequate supply of housing, including Aliso Viejo's share of the region's new housing need for the 2021-2029 planning period as established by the Southern California Association of Governments. The amendment will make way for new residential development opportunities in the City in an environmentally responsible manner. Therefore, the proposed amendment will not create conditions materially detrimental to the public health, safety and general welfare.

2. *Internal General Plan Consistency. The amendment is internally consistent with those goals, objectives, and policies of the General Plan which are not being amended.*

State planning law requires the Housing Element to be consistent with other General Plan elements. The Housing Element most closely relates to the Land Use Element and is consistent with all elements of the General Plan. Development policies contained in the Land Use Element, which establishes the location, type, density, and distribution of local land uses, including housing, most directly relate to the Housing Element. The Housing Element Housing Plan and Community Profile are consistent with the other elements of the General Plan. Specifically, the Housing Element amendment is consistent with:

- a) The Housing Element: The proposed Housing Element amendment replaces the existing Housing Element in its entirety. All policies and program recommendations within this Housing Element have been analyzed to determine the appropriateness of retention and/or implementation.
- b) The Land Use Element: The proposed General Plan Amendment is consistent with the Land Use Element for the following reasons:

The General Plan's Land Use Goal (LU-1) seeks to provide a diverse mix of land uses to meet the future needs of all residents and the business community. This amendment to the Housing Element advances this goal by first providing a description of the residents; the most recent population characteristics, age characteristics, race and ethnicity, occupation and labor participation, household type, household size, household income and overpayment, overcrowding, special needs populations, housing stock, housing age and condition, housing tenure and vacancy, housing costs and affordability, and at risk rental housing. Secondly, the

amendment advances the goal by describing the resources and opportunities available to meet the needs of the residents.

Goal LU-3 encourages development that provides a solid fiscal foundation for the City. The sites which would be affected by the in the implementation of Program 1 of the Housing Element are located within close proximity to retail and commercial establishments demanded by residents. Specifically, Program 1 of the Housing Element will advance this goal by expanding residential development opportunities that would contribute to the City's tax base. The Housing Element Update will help to promote Aliso Viejo as an employment center by providing adequate housing for employees of national, regional, and local businesses headquartered in Aliso Viejo. The Update will encourage innovative mixed-use, pedestrian-friendly development projects that reduce traffic congestion and improve quality of life.

- c) The Circulation Element: The proposed amendment to the Housing Element is consistent with the Circulation Element for the following reasons:

The General Plan's Circulation Element Goal (C-2) seeks to maintain an effective regional transportation network. Potential residential sites throughout the City are adjacent to major arterial roadways and bus transit facilities, which will give residents multi-modal access throughout Aliso Viejo and the surrounding region.

- d) The Noise Element: The proposed amendment to the Housing Element is consistent with the Noise Element for the following reasons:

The General Plan's Noise Element Goal (N-1) seeks to minimize the impact of point source noise and ambient noise levels throughout the community. Per Program 7 of this amendment to the Housing Element the City's Code Enforcement staff will continue to enforce property maintenance standards and adopted City Building and Zoning codes which include the noise ordinance. The City will promote the importance of maintenance to long-term housing quality and property values, and encourage community and neighborhood involvement. The City will ensure that construction and occupancy of higher-density residential developments are compatible with and do not exceed thresholds defining the acceptable noise environment in surrounding areas. Furthermore, an applicant seeking to develop a prospective residential site will be required to obtain a site development permit subject to the City's and the Aliso Viejo Community Association's stringent standards for noise mitigation.

Goal N-2 seeks to minimize transportation-related noise impacts. This amendment to the Housing Element will encourage the use of alternative transportation technologies that minimize noise impacts. Due to the proximity of the urban core and resource centers of the City to potential residential development sites, this amendment to the Housing Element will enable residents to access the City's commercial center, schools, and business parks by walking in addition to a variety of alternative transportation technologies.

- e) The Conservation and Open Space Element: The proposed amendment to the Housing Element is consistent with the Conservation and Open Space Element for the following reasons:

The General Plan's Conservation/Open Space Element Goal (COS-5) seeks to improve air quality within Aliso Viejo and the region. This amendment to the Housing Element will support this goal by enabling residents to live, work, and recreate within a small radius. Developing residential units in close proximity to commercial resource centers, schools, and churches will reduce emissions related to vehicular travel.

Goal COS-7 seeks to ensure the long-term provision of open spaces and expansion of parks and recreational opportunities within the community. This amendment to the Housing Element will increase the potential development of the number of residential units available to the City at a higher number of dwelling units per gross acre of land. This increase in density will satisfy demand for dwelling units without threatening the preservation of existing open spaces and expansion of parks and recreational opportunities needed to serve additional residents in the immediate and distant future.

- f) The Safety Element: The proposed amendment to the Housing Element is consistent with the Safety Element for the following reasons:

The General Plan's Safety Element Goal (S-2) seeks to protect the community from wildland fires. This amendment to the Housing Element would encourage development of residential structures in compliance with the City's and Aliso Viejo Community Association's stringent site design and maintenance standards. The density and location of the sites are anticipated to be in within close proximity to the Orange County Fire Authority's facilities, which would support the Authority's efforts to reduce fire risks through public education.

Goal S-4 seeks to protect the community from hazards associated with air pollution, hazardous materials, and nuclear power production. This designation will support the efforts of federal, state, and county agencies to decrease air pollution emissions occurring within the air basin. This amendment to the Housing Element will potentially increase the inventory of residential products available in Southern California that are within close proximity of commercial resource centers and employment centers.

Goal S-5 seeks to safeguard the community from criminal activity and structural fire hazards. This amendment to the Housing Element would enable local law enforcement and fire protection services to be responsive to the City's residents by developing sites within close proximity to law enforcement and fire prevention authorities. Both the Orange County Sheriff and Orange County Fire Authority have adequate facilities and personnel throughout the City. The proximity of these



agencies and their resources will reduce the risk of criminal activity and structural fires at the sites with a potential for residential development.

Thus, this proposed amendment to the Housing Element is internally consistent with the goals and policies of other elements of the City's General Plan.

### *3. Land Use Compatibility.*

The adoption of the Housing Element Update makes no changes to the General Plan Land Use Policy Map. The proposed Housing Element Update does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development, preservation, and rehabilitation of housing consistent with existing and proposed uses identified in the Aliso Viejo General Plan and as mandated to be allowed under State law.

### *4. Property Suitability.*

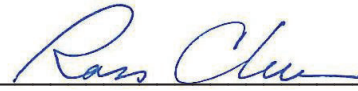
As part of the available sites analysis process, development options such as mixed-use, construction of accessory dwelling units (ADUs), and rezoning of office properties were identified due to Aliso Viejo being fully developed with little vacant land suitable for new housing. The City's RHNA allocation must be satisfied through redevelopment of properties that have potential for housing or mixed use. The sites identified in the Housing Element Update present opportunities for new residential development and are suitable for redevelopment. Any future housing development projects will be subject to separate entitlement review.

**SECTION 4. Transmit Housing Element to HCD.** Staff is hereby directed to transmit the adopted 2021-2029 Housing Element Update, which includes the Housing Plan (Exhibit "A" to this Resolution) and Appendix C, Community Profile (Exhibit "B" to this Resolution), to HCD. The City Manager is further directed to make any technical or clerical revisions to the Housing Plan or Community Profile as necessary to facilitate a finding from HCD that the element substantially complies with the requirements of state law.

**SECTION 5. Filing of Notice of Exemption.** The City Council hereby authorizes and directs staff to prepare, execute and file with the Orange County Clerk a Notice of Exemption for the proposed Project.

**SECTION 6. Location of Documents.** The administrative record for the Project is maintained at City Hall located at 12 Journey, Suite 100, Aliso Viejo, CA 92656. The custodian of records is the City Clerk.

**PASSED, APPROVED AND ADOPTED** this 19<sup>th</sup> day of January 2022.



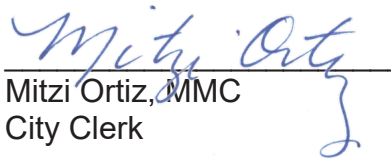
Ross Chun  
Mayor

APPROVED AS TO FORM:



Scott C. Smith  
City Attorney

ATTEST:



Mitzi Ortiz, MMC  
City Clerk


STATE OF CALIFORNIA            )  
COUNTY OF ORANGE            ) ss.  
CITY OF ALISO VIEJO            )

I, MITZI ORTIZ, City Clerk of the City of Aliso Viejo, California, DO HEREBY CERTIFY that foregoing Resolution No. 2022-04 was duly passed and adopted by the City Council of the City of Aliso Viejo at their regular meeting held on the 19th day of January 2022, by the following roll call vote, to wit:

AYES:           Mayor Chun, Mayor Pro Tem Hurt, Councilmembers Harrington, Munzing, and Ackley

NOES:           None

ABSENT:        None

  
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MITZI ORTIZ  
CITY CLERK

(SEAL)

**Summary of HCD Comments and City Responses**  
**City of Aliso Viejo**  
**January 19, 2022**

<b>HCD Comment (Letter of 10/18/2021)</b>	<b>Adopted Housing Element Page No. (tracked changes)</b>	<b>Response/Revision</b>
A. Review and revision	CP 55-60	The evaluation of the prior element has been revised to provide additional information regarding program accomplishments and the City's effectiveness in meeting the housing needs of special needs populations.
B.1 Affirmatively furthering fair housing	CP-107 to 144 H-21 to 23	The Community Profile has been revised to include a description of public outreach, an assessment of fair housing, identification and prioritization of contributing factors to fair housing issues and goals, and actions sufficient to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity. In addition, Program 12 of the Housing Plan has been revised to describe actions the City will take to affirmatively further fair housing.
B.2 Extremely-low-income needs	CP-6/7 CP-29	The element has been revised to provide additional data regarding ELI needs. The draft Housing Element as submitted to HCD included projected ELI needs of 50% of the very-low RHNA.
B.3 Housing conditions	CP-16	The element has been revised to provide estimates of the number of housing units in need of rehabilitation or replacement.
B.3 Overpayment by Tenure	CP-6	The element has been revised to provide overpayment data by tenure and income category (Table CP-7).
B.3 Vacancy Rates and Housing Prices	CP-18 CP-21	The draft Housing Element as submitted to HCD included vacancy rates by tenure (Table CP-19) and median home sales prices (Table CP-21). The element has been revised to provide additional data regarding vacancy and typical rental rates.
B.4 Sites inventory	CP-61 to 74	<u>Parcel listing</u> . Table CP-33 has been expanded to provide additional data regarding candidate parcels for rezoning. In addition, Table CP-32 has been revised to clarify that the Towers PA is a site and not an approved project.
	CP-71 to 74	<u>Map of sites</u> . Figure CP-1 shows the locations of the sites in the inventory.

HCD Comment (Letter of 10/18/2021)	Adopted Housing Element Page No. (tracked changes)	Response/Revision
	CP-69	<u>Aggregated sites</u> . Table CP-33 has been revised to list each parcel-by-parcel number or unique reference, parcel size, zoning, general plan designation, describe any existing uses for any nonvacant sites, and include a calculation of the realistic capacity of each parcel.
	CP-61 to 74	<u>Realistic capacity</u> . The element has been revised to include additional analysis of realistic capacity and an estimate of the number of units that can be accommodated on each site in the inventory.
	CP-61 to 74	<u>Nonvacant sites</u> . The element has been revised to provide additional detail regarding the methodology used to determine the additional development potential within the planning period.
	CP-63	<u>Large sites</u> . Table CP-33 has been revised to clarify that there are no parcels larger than 10 acres in the inventory.
	CP 52 to 54 CP 65	<u>Infrastructure</u> . The element has been revised to include additional analysis regarding the adequacy of infrastructure to serve projected development.
	CP 51-52 CP 66	<u>Environmental constraints</u> . The element has been revised to include additional analysis any known environmental constraints or other known conditions within the City that could impact housing development in the planning period.
	CP-61-62	<u>ADUs</u> . The analysis of potential ADU production has been revised to provide additional analysis of ADU production. No RHNA credit is claimed for ADUs.
		<u>Electronic Sites Inventory Form</u> : Pursuant to Government Code section 65583.3, subdivision (b), the City will submit the HCD sites inventory form with the adopted Housing Element.
B.4 Sites with Zoning for a Variety of Housing Types	H-19-20 CP-44	<u>Emergency Shelters</u> : The element has been revised to clarify that shelters are permitted without discretionary action and describe the development standards of the zones that allow emergency shelters by-right, the capacity of these zones to accommodate the identified housing need for emergency shelters, the applicability of any spacing requirements, typical parcel sizes, whether the sites are nonvacant, and the potential capacity for adaptive reuse. In addition, the analysis should provide an analysis of proximity to transportation and services for these sites, hazardous conditions, and any

HCD Comment (Letter of 10/18/2021)	Adopted Housing Element Page No. (tracked changes)	Response/Revision
		conditions inappropriate for human habitability. In addition, Program 10 has been expanded to include an amendment to emergency shelter parking requirements consistent with AB 139.
	H-19-20 CP-42	<u>Employee Housing</u> : The element has been revised to note that there are no Aliso Viejo residents employed in agricultural occupations and agriculture is not a permitted use in any zoning district. Program 10 has been expanded to include a Zoning Code amendment consistent with the Employee Housing Act (Health and Safety Code Section 17021.5) to allow employee housing for six or fewer employees as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. Since agriculture is not a permitted use anywhere in the city, Section 17021.6 is not applicable to Aliso Viejo.
	H-20 CP-41	<u>Accessory Dwelling Units</u> : Program 11 has been revised to ensure that City regulations continue to be consistent with current ADU law.
B.5 Governmental constraints	CP-39 to 41	<u>Land use controls</u> . As noted in the original draft element, the city is almost completely built-out and only one parcel has potential for residential development under current zoning (see Table CP-33). The element has been revised to provide additional analysis of land-use controls as potential constraints on a variety of housing types, including whether 100% residential developments are permitted in mixed use zones.
	CP-45 to 47	<u>Fees and exactions</u> . The original draft element included a complete analysis of development fees and exactions. It should be noted that projects do not require a rezoning or variance if they are consistent with the zoning for the property.
	CP-48 to 50	<u>Processing and Permit Procedures</u> : The element has been revised to provide additional analysis regarding the City's permit processing times and approval procedures. In addition, the element has been revised to provide additional analysis of the approval findings for a Site Development Permit and the criteria for the Director to forward the application to the City Council, and processing and permit procedures' impacts as potential constraints on housing supply and affordability.



HCD Comment (Letter of 10/18/2021)	Adopted Housing Element Page No. (tracked changes)	Response/Revision
	CP-29	<u>Inclusionary Requirements</u> : The element has been revised to provide additional clarification of inclusionary requirements.
	CP-50/51	<u>Codes and Enforcement</u> : The element has been revised to provide additional analysis regarding the City's building and zoning code enforcement processes and procedures, including any local amendments to the building code, and analyze their impact as potential constraints on housing supply and affordability.
	H-19	<u>SB 35 streamlined review</u> . Program 9 has been revised to include preparation of written procedures for the SB 35 Ministerial Approval Process.
	H-19	<u>Zoning, Development Standards, and Fees</u> : Program 9 has been revised in compliance with new transparency requirements for posting all zoning, development standards, and fees on the City's website.
	CP-41 to 44 H-19/20	<p><u>Constraints on persons with disabilities</u>. The element has been revised to include additional analysis of potential constraints on housing for persons with disabilities, as follows:</p> <p><i>Reasonable Accommodation</i>: The element has been revised to describe reasonable accommodation procedures for providing exceptions in zoning and land use including typical findings for approval of a reasonable accommodation request.</p> <p><i>Definition of Family</i>: The element has been revised to describe the zoning code definition of a family and analyze as a potential constraint on housing for persons with disabilities.</p> <p><i>Residential Care Facilities</i>: The element has been revised to provide additional information regarding City regulations for residential care facilities. In addition, Program 10 has been revised to amend zoning regulations provide additional clarity in conformance with applicable law.</p>
B.6 Nongovernmental constraints	CP-35/36	<u>Land Prices and Cost of Construction</u> : The element has been revised to include additional information regarding the price of land and cost of construction.

HCD Comment (Letter of 10/18/2021)	Adopted Housing Element Page No. (tracked changes)	Response/Revision
	CP-46	<u>Developed Densities and Permit Times:</u> The element has been revised to provide additional analysis of requests to develop housing at densities below those anticipated in the sites inventory and the length of time between receiving approval for a housing development and submittal of an application for building permits.
B.7 Special housing needs	CP-7 to 15 CP 41 to 45 H-15 to 20	<u>Persons with Disabilities:</u> The original draft element included SCAG data pre-approved by HCD regarding the total number of Aliso Viejo residents with disabilities by type, as well as the number of seniors with disabilities by type. The element also includes analysis of the special housing needs of persons with disabilities and how the City's regulations and programs address these needs. Programs 4, 5 and 6 specifically describe City efforts to assist persons with special needs, and Program 10 has also been revised to address the needs of persons with disabilities.
	CP-14	<u>Farmworkers:</u> The element has been revised to provide additional data and analysis regarding farmworkers in the county as a whole.
C.1 Housing Programs	H-12 to 24	Programs have been revised to include a description of the City's specific role in implementation; definitive implementation timelines; objectives, quantified where appropriate; and identification of responsible agencies and officials.
C.2 Adequate sites	H-12 to 14	As discussed under comment B.4 above, the element has been revised to include a complete sites analysis. As noted in Program 1, the element includes a commitment to rezone adequate sites consistent with State law.
	CP-61/62	<u>Accessory dwelling units.</u> As discussed under comment B.4 above, the element has been revised to eliminate any RHNA credit for projected ADUs.
C.3 ELI and special needs households	H-14/15	As noted in Program 2 of the original draft element, "The priority for the use of in-lieu funds will be to assist the provision of extremely-low- and very-low-income rental housing, which may include purchasing affordability covenants on existing rental units and/or providing incentives to non-profit developers of rental housing." This program has been expanded to include additional special needs housing.

<b>HCD Comment (Letter of 10/18/2021)</b>	<b>Adopted Housing Element Page No. (tracked changes)</b>	<b>Response/Revision</b>
C.4 Removing constraints		Issues related to removing constraints are discussed under comments B.5 and B.6 above.
C.5 Affirmatively furthering fair housing	CP-107 to 144 H-21 to 23	Additional analysis of AFFH issues is provided in Section C.7 and Program 12 has been expanded to include additional actions the City will take to further fair housing.
C.6 Accessory dwelling units	H-20	Program 11 has been added to include additional incentivizes to promote ADU development for very low-, low-, and moderate-income households.
D. Quantified objectives	H-25	Quantified objectives have been added for rehabilitation by income category.
E. Public Participation	CP-77 to 106	The element has been revised to provide further description of opportunities for public review and how public comments have been addressed in the element.
F. Consistency with General Plan	H-2	The Housing Plan has been revised to describe how General Plan consistency will be maintained.
G. Housing in the Coastal Zone	CP-22	The element has been revised to provide information regarding housing in the Coastal Zone.