

Jennifer Lowe

From: Rona Henry <rona.s.henry@gmail.com>
Sent: Friday, November 10, 2023 3:57 PM
To: CityCouncil; Trish Kelley; Brian Goodell; Robert Ruesch; Cynthia Vasquez; Community Development; Elaine Lister
Cc: Lee, Chelsea@HCD
Subject: Read Into Record: Mission Viejo October 2023 Housing Element Draft

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To: Mayor Goodell, Mayor Pro Tem Kelley, and Councilmembers Bucknum, Ruesch, and Vasquez and Planning and Transportation Commission Chair Blum, Vice Chair Molinari, and Commissioners Breton, Brewer and Disney

From: Rona Henry, Chair, Welcoming Neighbors Home

Date: November 8, 2023

RE: [Mission Viejo October 2023 Housing Element Draft](#)

Welcoming Neighbors Home has appreciated the City taking into consideration our input on previous drafts of the 2021-2029 Mission Viejo Housing Element. We would now like to offer comments on the [October 2023 version of the Housing Element draft](#).

First and foremost, we are very happy to see a program to do an Inclusionary Housing feasibility study by the end of 2023. We look forward to seeing the results of that study. We ask that you please share the results of that study with us.

Given the tremendous lack of affordable housing for people at lower income levels, we recommend the fifteen percent requirement that is being considered be distributed evenly between very low income and low income – so 7.5 percent to very low income and 7.5 percent to low income households.

We also recommend that the policy include a mechanism for increasing in-lieu fees over time with the consumer price index or similar. And we encourage the city to require affordable units to be deed restricted for a minimum of 55 years or longer.

Given that the City has included some sites that have very high density (50+ units to the acre) in their housing inventory, it's especially important that the City adopt an Inclusionary Housing Policy. The city should require the community benefit of more affordability in exchange for this higher density housing.

We do note, and have some concern, that it appears that the number of lower income units has been decreased:

- from 90 to 58 for Extremely Low and Very Low Income
- from 71 to 52 for Low Income

The overall buffer of sites went down from 529 to 434. This puts pressure on the remaining sites to meet the RHNA. We hope the City will prioritize incentivizing the building of lower income units in the remaining sites.

There were a number of items that we appreciated in this draft:

1. The increased height limits will help reduce constraints on production.
2. The promotion of the ADU loan program will hopefully incentivize the building of ADUs. We hope the City will prioritize helping lower income households (vs. moderate income) with their ADU effort – as this is the area of greatest need.
3. We were happy to see the City will extend by-right approval to the entire site C with 20% of the units being affordable to lower-income households, as required for a reuse site for RHNA.

Thank you again for considering our input.

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Rona Henry
Chair, [Welcoming Neighbors Home Initiative](#)
Tapestry, a Unitarian Universalist Congregation
rona.s.henry@gmail.com 609-216-1784

November 11, 2023

Ms. Elaine Lister, Director of Community Development
City of Mission Viejo
200 Civic Center
Mission Viejo, CA 92691

RE: Comments on Mission Viejo's Revised 2021-2029 Housing Element (October 2023)

Dear Elaine,

Thank you for allowing the public an opportunity to provide comments. I would like to commend the city for working with the state's Department of Housing & Community Development (HCD) and revising our Housing Element to get it closer to compliance. From the last revision, I am excited on the additional language that was incorporated in Housing Program 2: Surplus Land Act- "Development within Site 3 shall be By-Right... Residential units within Site 3 shall have a minimum 20% affordable to low and very low-income households."¹ This action is integral in ensuring that much needed affordable housing will be built for lower income households and it will also count towards our lower income RHNA goals. As the City moves forward in encouraging and facilitating more affordable housing, the following are my recommendations:

- 1) Waive the City's Parks Impact Fee for developments proposing at least ten percent very low-income homes.** The Parks Impact Fee for a proposed 52-unit development is \$750,000² and this cost can adversely impact the construction costs for affordable housing. By waiving the Parks Impact Fee, it can help incentivize the development of very low-income homes.
- 2) When the Request for Proposal (RFP) is released, Site 3 should be prioritized and developed exclusively for affordable housing in which 100% of the units are affordable to lower income families.** Site 3 is publicly owned by the Mission Viejo Housing Authority and the City has control in negotiating 100% affordability on this site.
- 3) As a condition of compliance, there should be a mid-cycle review/adjustment if production is not moving forward on identified sites for lower income households and if production falls short of the expected yield during the first half of the planning period.** The city should also respond to market conditions. If the city's housing programs and strategies are not successful in generating affordable housing development interest during the first half of the planning period, the city should re-evaluate the effectiveness

¹ City of Mission Viejo 2021-2029 Housing Element (Revised, October 2023), p. 94.

² City of Mission Viejo 2021-2029 Housing Element (Revised, October 2023), p. 61.

of existing programs and update it. In addition, the city should also consider identifying additional sites.

- 4) **Revise the language for Program 14: Inclusionary Requirements by replacing the word “explore”³ to the following: “commit to creating and implementing an inclusionary housing program.”** For inclusionary to be effective in addressing our unmet housing needs, we need to create **deeper affordability** for new rental units that target very low-income households. Setting aside inclusionary units, especially for moderate-income households, will not help address the city’s lower income affordability crisis. More importantly, the construction of moderate-income units will not help count towards our VERY HIGH lower income RHNA goals.

Instead of a city-wide inclusionary housing program, the city should have different affordability set-aside for different parts of the city or specific projects. **For proposed projects on sites that have a high potential for large residential developments, the affordability set-aside should be higher than other projects. In particular, opportunity sites that were rezoned in October 2021 or will be rezoned should trigger housing requirements with a higher set-aside of at least 20 percent. The proposed projects on these sites, especially the ones that were rezoned at higher densities to RPD 50 and RPD 80, should also have a higher in-lieu fee than other projects or areas of the city.**

By creating overlays rezoning, and upzoning to higher densities, the City increased the potential value of the property. For landowners, this is an added benefit for future entitlement of their property that will allow a more valuable use. Since the city gave away leverage and potential development incentives in exchange for nothing in return, it would not be unreasonable to couple affordable housing requirements on these sites. On the other hand, for smaller proposed projects, the set-aside and in-lieu fees should be lower.

Thank you and I look forward to working with the city to identify new rental housing opportunities that will be affordable to lower income households.

Sincerely,

Linda Tang

³ City of Mission Viejo 2021-2029 Housing Element (Revised, October 2023), p. 103.

November 13, 2023

To: City of Mission Viejo Planning Commission, Mission Viejo City Council

Sent electronically to:

Mission Viejo Planning Commission

Joe Blum - jblum@cityofmissionviejo.org

Robert Breton – rbreton@cityofmissionviejo.org

Gary Disney- gdisney@cityofmissionviejo.org

Laval Brewer- lbrewer@cityofmissionviejo.org

Peter Molinari – pmolinari@cityofmissionviejo.org

Mission Viejo City Council

Mayor Brian Goodell-bgoodell@cityofmissionviejo.org

Wendy Bucknum- wbucknum@cityofmissionviejo.org

Cynthia Vasquez – cvasquez@cityofmissionviejo.org

Trish Kelley – tkelley@cityofmissionviejo.org

Bob Ruesch- rruesch@cityofmissionviejo.org

City Clerk: cityclerk@cityofmissionviejo.org

HCD: HousingElements@hcd.ca.gov

From: Ilene Geiger, Mission Viejo resident

RE: Public comment during the November 13, 2023 Mission Viejo Planning Commission meeting and the November 14, 2023 Mission Viejo City Council meeting regarding the revised Housing Element

Dear Mission Viejo Planning Commissioners and City Council Members,

I'm Ilene Geiger, resident of Mission Viejo.

I applaud the staff's continued work on the Housing Element.

First of all, it's especially encouraging that you are considering adopting an inclusionary housing policy. We all know that we don't have nearly enough affordable housing in our city. An inclusionary housing policy is one way to incrementally increase it over time. We're talking about housing that is affordable for community members who work in places like our hospitals, our schools, our grocery stores and our care facilities. These are all of the places that make our community run. I hope your study of an inclusionary policy ultimately results in a policy that leads to the development of affordable housing for these and other community members in the low and very low income brackets.

The other thing that stands out in this latest housing element draft is the work you've done with Related CA to refine the densities for each property in the housing inventory. This is great. The only problem is the required affordable units is still around 50 percent for each property and there are only a total of 110 surplus units for the low and very low income categories. Especially with the increased construction costs, I imagine it will be tough for developers to make projects pencil with a requirement of 50 percent affordable units. I recognize this work is not easy and I applaud your efforts. At the same time, I imagine no one wants to see this work wasted and these sites simply carried over to the next housing element cycle. To make the projects financially feasible, more sites should be added to increase the low and very low income surplus units or to spread out the low and very low RHNA unit requirements per site.

Thank you for your time.

Sincerely,

Ilene Geiger

Ilene Geiger
Resident of Mission Viejo

Jennifer Lowe

Subject: FW: Public Comment for Nov. 13 and Nov. 14 revised Housing Element agenda item

From: Catherine Palmer <cpalmer@uci.edu>

Sent: Monday, November 13, 2023 4:44 PM

To: Joe Blum <jblum@cityofmissionviejo.org>; Robert Breton <rbreton@cityofmissionviejo.org>; Gary Disney <gdisney@cityofmissionviejo.org>; LaVal Brewer <lbrewer@cityofmissionviejo.org>; Robert Ruesch <rruesch@cityofmissionviejo.org>; Wendy Bucknum <wbucknum@cityofmissionviejo.org>; Brian Goodell <bgoodell@cityofmissionviejo.org>; Trish Kelley <tkelley@cityofmissionviejo.org>; Cynthia Vasquez <cvasquez@cityofmissionviejo.org>; CityCouncil <citycouncil@cityofmissionviejo.org>; CityAdmin <cityadmin@cityofmissionviejo.org>; CityManager <citymanager@cityofmissionviejo.org>

Cc: Elaine Lister <elister@cityofmissionviejo.org>; HousingElements@hcd.ca.gov

Subject: Public Comment for Nov. 13 and Nov. 14 revised Housing Element agenda item

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Please include as part of the public record on this topic.

November 13, 2023

To: City of Mission Viejo Planning Commission

Mission Viejo City Council

Sent electronically to:

Mission Viejo Planning Commission

Joe Blum - jblum@cityofmissionviejo.org

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City Clerk: cityclerk@cityofmissionviejo.org

Elaine Lister, Director of Community Development: elister@cityofmissionviejo.org

HCD: HousingElements@hcd.ca.gov

From: Cathy Palmer, Mission Viejo resident

RE: Public comment during the November 13, 2023 Mission Viejo Planning Commission meeting and the November 14, 2023 Mission Viejo City Council meeting regarding the revised Housing Element

Dear Mission Viejo Planning Commissioners and City Council Members,

I am writing to support the City's Department of Community Development most recently revised Housing Element. It seems as though the City finally took the assignment seriously and produced a plan that has the potential to result in building more affordable housing units that will allow young families, teachers, public safety workers, and caregivers to live in the community where they work. I would like to thank Director Lister's efforts to incorporate feedback from community members and affordable housing advocates like Welcoming Neighbors Home and the Mission Viejo Planning Partnership into the most recent draft.

People who live in community, spend their money in that community which is a boost to city revenue. People who can afford to live close to where they work are not driving insane distances to get from the communities where they can afford to live to their jobs. They become more invested in the community and contribute in other ways to its success. It also means that emergency workers can respond more quickly should Mission Viejo experience a major disaster.

Affordable workforce housing has environmental benefits as well as economic ones. Workers who live close to their jobs are more likely to take public transportation if they are commuting short distances from their home to their workplace. This keeps cars off the road and helps to address air quality, traffic, and parking concerns.

Others who have more expertise in housing policy than I do have also commented on the revised draft. I urge the Commissioners and Council members to take their comments and suggestions for improvement seriously, and take them into consideration as the City moves from the planning to the implementation of the Housing Element.

One aspect of the revised Element I am most supportive is the recommendation that the City draft and adopt an Inclusionary Housing policy by the end of 2023. The adoption of policies that require developers to

provide certain percentages of very-low and low income in their projects will provide clarity and direction to those interested in building more housing unites in Mission Viejo.

I support and appreciate the comments below most of which have been made by others:

- The fifteen percent affordability requirement that is being considered should be distributed evenly between very low income and low income - so 7.5 percent to very low income and 7.5 percent to low income households.
- The policy should include a mechanism for increasing in-lieu fees over time with the consumer price index or similar and the city should require affordable units to be deed restricted for a minimum of 55 years or longer. **(CP Note Bene: This is important!! We don't want occupants to be priced out after ten years of occupancy. Developers often have deep pockets and can wait out a decade to turn a profit.)**
- Given that the City has included some sites that have very high density (50+ units to the acre) in their housing inventory, it's especially important that the City adopt an Inclusionary Housing Policy. The city should require the community benefit of more affordability in exchange for this higher density housing.
- Increasing the height limits on new development will help reduce constraints on profitability for developers.
- The City should write a mandatory review of progress toward reaching their RHNA goals every 2 to 3 years to ensure that we are on track to meet the numbers and to make adjustments if progress is not being made.

As you consider adopting the Housing Element and drafting an Inclusionary housing policy, I would like to draw your attention to [Table II-2 on p. 12 of the pdf](#). As you can see, the population of Mission Viejo aged significantly between 2000 and 2020, especially as compared to the overall population for Orange County. I believe this trend is due to a variety of factors such as MV's high-cost of housing and the trend of younger people to prefer more walkable, mixed-use communities as opposed to the single-family home, car-dependent, suburban lifestyle of the 1960's. It also suggests that Mission Viejo residents will begin to require more assistance with healthcare and the activities of daily living as they age. Affordable workforce housing can help make our community more attractive to health care workers who provide a vital service to aging populations.

Table II-2 Population by Age, Mission Viejo, 2000 versus 2020

	2000 Census	2020 ACS	
	Mission Viejo	Mission Viejo	Orange County
Preschool (<5 years)	6.8%	5.4%	5.9%
5-19 years	22.6%	16.7%	18.6%
20-24 years	4.4%	4.7%	6.6%
Young Adults (25-44 years)	30.9%	22.7%	27.5%
Middle Age (45-64 years)	24.6%	29.0%	26.7%
Seniors (65+ years)	10.8%	21.3%	14.8%
Median Age	37.4	45.3	38.3

In conclusion, I am hesitantly pleased with the newest iteration of the Housing Element. My hope is that the City will act sincerely to implement its recommendations and use it as a plan for action, rather than an academic assignment that looks good on paper, but isn't acted on.

November 14, 2023

Mission Viejo City Council
City of Mission Viejo
200 Civic Center
Mission Viejo, CA 92691

**RE: Comments to the City of Mission Viejo’s Public Hearing for General Plan Amendment
GPA 2021-35 on November 2023**

To The Honorable Members of the Mission Viejo City Council,

The Kennedy Commission (the Commission) is a broad-based coalition of residents and community organizations that advocates for the production of homes affordable for families earning less than \$30,000 annually in Orange County. Formed in 2001, the Commission has been successful in partnering and working with Orange County jurisdictions to create effective housing and land-use policies that have led to the new construction of homes affordable to lower-income working families.

Thank you for the opportunity to review and comment on **Agenda Item 25** regarding the City of Mission Viejo’s plan to revise the General Plan Housing Element.

Site 3

The Commission endorses the City’s consideration to designate **Site 3** as a by-right development. Site 3 is a city owned site that overlaps with **Site C**, a site identified on the previous cycle’s Housing Element. As The Department of Housing and Community Development has requested, Site C is an individual site and subject to AB 1397, requiring a by-right approval. To make Site 3 by-right would align the zonings of both sites and make them both more affordable to lower income households by setting aside 20% of their units to lower income families.

New Housing Policies for Affordable Housing

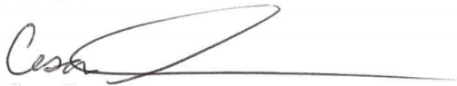
As HCD points out, Mission Viejo would be more effective in fulfilling its RHNA score should there be a program that allows by-right development for new residential developments in which 100% of the units are affordable to very-low income households. The Commission strongly recommends such a program, especially since the passing of AB 1763, which provides a density bonus for 100% affordable housing projects.

Finally, HCD has recommended the city to revise the language used for Program 14 so that The Housing Element reads that The City “commit creating and implementing an Inclusionary

Housing program”. Instead, The City revised the housing element to say that staff will advance an inclusionary requirement for housing development to the City Council. This revision side-steps the City’s plan to study or consider the possibility of implementing an Inclusionary Housing Ordinance. **The Commission strongly recommends the city adopt an Inclusionary Housing Ordinance or a Housing Opportunities Ordinance that requires 15% of units of all citywide residential projects be set at the extremely low (5%), very-low (5%), and low-income levels (5%). This ordinance will help the city create balanced housing development along with market rate housing.** This policy will help create the affordable housing that is not created in the Orange housing market. The Inclusionary Housing Ordinance should be implemented no later than six months from the adoption of the 6th Cycle Housing Element.

We look forward to working with the City of Orange to encourage effective housing policies that will help create balanced housing development and create much-needed affordable housing in our local communities. If you have any questions, please feel free to contact me at (949) 250-0909 or cesarc@kennedycommission.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Cesar", followed by a long horizontal line extending to the right.

Cesar Covarrubias
Executive Director