

HOUSING ELEMENT

CITY OF MISSION VIEJO

**DRAFT
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1. Introduction to the Housing Element

In 1965, the area known today as the City of Mission Viejo was ranch land, consisting of rolling hills and grazing cattle. A year later the ground was broken for the first homes in this newly approved planned community in county unincorporated territory. In 1988, the Mission Viejo planned community was incorporated. The City of Mission Viejo is now almost completely built out, with a balanced provision of housing and jobs. The California Department of Finance estimated that the total number of dwelling units in the City was 34,959 with a population of 94,267 as of January 1, 2020.

Unlike the other elements of the General Plan, State law explicitly requires that the Housing Element be updated on an 8-year cycle linked to the Regional Transportation Plan (*California Government Code* §65588). This Housing Element covers the 2021-2029 planning period. The goals and policies of this Housing Element carry forward much from the previous element, with refinements and new programs where necessary to address changed circumstances and new State laws. The housing development strategy and housing programs reflect the City's experience gained from previous efforts in the improvement, preservation, and development of affordable housing. Nonetheless, the City's built-out status, in accordance with the master plan prepared by the Mission Viejo Company, continues to affect the City's ability to accommodate the housing needs of all economic segments of the community.

1.1 Purpose of the Housing Element

The Land Use Element is concerned with housing in a spatial context, while the Housing Element identifies housing policies and programs aimed at meeting the identified housing needs of the City's current and anticipated future population. This Housing Element builds upon goals and policies that are primarily concerned with where new housing is to be located and at what density it will be constructed. Other concerns of the Housing Element include the identification of strategies and programs that focus on 1) housing affordability, 2) rehabilitation of substandard housing, 3) meeting the demand for new housing, 4) the conservation of the current housing stock, 5) providing equal opportunity to residents, and 6) preserving affordable units. This Housing Element addresses and complies with requirements that have been established by the State Legislature.

The State Legislature continues to declare that a severe shortage of affordable housing exists, especially for persons and families of low and moderate income. The Housing Element is the primary document in which a city identifies the measures taken to encourage the development of affordable housing. This document and its review by the California Department of Housing and Community Development (HCD) are the primary means by which the State influences local governments to be responsive to the affordable housing shortage.

1.2 Scope and Content of the Element

The Housing Element summarizes the City's existing and projected housing conditions and needs, providing the basis for policies and programs to address those needs. Specific housing programs that will implement the goals and policies are identified in the section entitled Housing Plan (Chapter 6) that follows the Goals and Policies.

The California Legislature recognizes the important role of local general plans, and housing elements in particular, in implementing statewide housing goals, which call for the provision of decent and sound housing for all persons. In addition, the importance of continuing efforts toward providing housing that

is affordable to all income groups is stressed. The major concerns of the Legislature with regard to the preparation of housing elements are included in the *California Government Code*, which states:

- Local governments should recognize their responsibility in contributing to the attainment of the State’s housing goals;
- Cities and counties should prepare and implement housing elements coordinated with State and Federal efforts in achieving the State's housing goal;
- Each local jurisdiction should participate in determining the necessary efforts required to attain the State’s housing goals;
- Each local government should cooperate with other local governments in addressing regional housing needs.

Table H-1 summarizes State Housing Element requirements and identifies the applicable sections of the Mission Viejo Housing Element where these requirements are addressed.

**Table H-1
State Housing Element Requirements**

Required Housing Element Component	Reference
A. Housing Needs Assessment and Inventory of Resources and Constraints	Govt. Code §65583(a)
1. Analysis of population and employment trends in Mission Viejo in relation to regional trends.	Chapter 2 Housing Needs Assessment – Population Characteristics & Employment
2. Documentation of projections and quantification of Mission Viejo's existing and projected housing needs for all income levels.	Chapter 2 Housing Needs Assessment
3. Analysis and documentation of Mission Viejo’s housing characteristics including the following: <ul style="list-style-type: none"> a. level of housing cost compared to ability to pay; b. overcrowding; and c. housing stock condition. 	Chapter 2 Housing Needs Assessment – Housing Stock Characteristics Chapter 2 Housing Needs Assessment – Household Characteristics Chapter 2 Housing Needs Assessment – Housing Stock Characteristics
4. An inventory of land suitable for residential development including vacant sites and sites having redevelopment potential and an analysis of the relationship of zoning, public facilities and services to these sites.	Chapter 3 Resources and Opportunities – Land Resources; Appendix B – Residential Land Inventory
5. Analysis of existing and potential governmental constraints upon the maintenance, improvement, or development of housing for all income levels.	Chapter 4 Housing Constraints – Governmental Constraints
6. Analysis of existing and potential non-governmental and market constraints upon maintenance, improvement, or development of housing for all income levels.	Chapter 4 Housing Constraints – Non-Governmental Constraints
7. Analysis of special housing needs: developmentally disabled, elderly, large families, female-headed households, and homeless.	Housing Needs Assessment –Special Needs
8. Analysis of opportunities for energy conservation with respect to residential development.	Chapter 3 Resources and Opportunities – Energy Conservation Opportunities

Required Housing Element Component	Reference
<p>9. Analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years including:</p> <ul style="list-style-type: none"> a. list each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period; b. cost analysis for replacement housing; c. identify public and private non-profit corporations which have legal and managerial capacity to acquire and manage these housing developments; and d. identify and consider the use of all federal, state, and local financing and subsidy programs which can be used to preserve, for lower income households, the assisted housing developments. 	<p>Chapter 2 Housing Needs Assessment – Assisted Housing at Risk of Conversion</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>
B. Goals and Policies	Govt. Code §65583(b)
<ul style="list-style-type: none"> 1. Identification of Mission Viejo’s community goals relative to maintenance, improvement, and development of housing. 2. Quantified objectives and policies relative to the maintenance, improvement, and development of housing in Mission Viejo. 	<p>Chapter 5 Housing Element Goals and Policies</p> <p>Chapter 6 Housing Plan</p>
C. Implementation Program	Govt. Code §65583(c)
<p>An implementation program should do the following:</p> <ul style="list-style-type: none"> 1. Identify adequate sites which will be made available through appropriate action with required public services and facilities for a variety of housing types for all income levels; 2. Program to assist in the development of adequate housing to meet the needs of low- and moderate-income households; 3. Identify and, when appropriate and possible, remove governmental constraints to the maintenance, improvement, and development of housing in Mission Viejo; 4. Conserve and improve the condition of the existing housing stock in Mission Viejo; 5. Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin or color; 6. Preserve for lower income households the assisted housing developments identified as being at-risk; and 7. Identify the agencies and official responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals. 	<p>Chapter 6 Housing Plan</p> <p>Chapter 6 Housing Plan</p> <p>Chapter 6 Housing Plan</p> <p>Chapter 6 Housing Plan</p> <p>Chapter 6 Housing Plan</p> <p>Chapter 6 Housing Plan</p> <p>Chapter 6 Housing Plan</p>

Appendix A of this Housing Element contains an evaluation of the 2013-2021 Housing Element goals, policies, programs and quantified objectives compared with the actual results.

1.3 Citizen Participation

This document builds on and reflects the direct and indirect public participation rendered in the formulation of Mission Viejo's first General Plan in 1990, including the housing goals and policies. As part of the 1990 General Plan program, the public had the opportunity to participate at 19 General Plan Advisory Committee meetings, to answer a Community Attitude Survey (sent to 5,000 residents), to participate at a Saturday open house workshop, and to view the draft documents at City Hall and the library.

In 2007 the City amended the General Plan, the Housing Element, and the Zoning Code to identify and designate additional sites for high-density multi-family housing. The 2007 update included extensive public participation, including a joint workshop of the City Council and the Planning and Transportation Commission and four subsequent public hearings conducted by the Planning and Transportation Commission and the City Council.

As part of the 2021 update of the City's Housing Element, citizens and interested organizations were provided a variety of opportunities to participate in the process. An introduction to the Housing Element update was provided at a joint study session of the City Council and the Planning and Transportation Commission on March 31, 2021. In May 2021 the preliminary draft Housing Element was published for public review and on May 24, 2021 the Planning and Transportation Commission conducted a hearing to review the draft Housing Element and receive public comments. The City Council held two public hearings on June 8 and June 22, 2021 to review the draft Housing Element and receive public comments.

Major issues raised during these hearings included the need for affordable housing and options for accommodating the City's assigned share of regional housing needs.

Notices of all public hearings were published in the *Saddleback Valley News* and posted at City Hall, the Mission Viejo Library, the Norman P. Murray Community and Senior Center, and the California Employment Development Department (located at 23456 Madero, Suite 150, Mission Viejo). In addition, non-profit groups, churches, community groups, and public service groups active in the community received notices for the Housing Element public hearings. Copies of the public hearing draft of the Housing Element were distributed to interested agencies and individuals; copies were available for review and for purchase at City Hall. A copy of the draft Housing Element was made available at the Mission Viejo Library and on the City website.

2. Housing Needs Assessment

Mission Viejo lies in southern Orange County, approximately midway between Los Angeles and San Diego. The city is economically diverse and provides a range of employment, lifestyle, and housing opportunities. Much of Mission Viejo’s growth took place in the 1970s and 1980s prior to its incorporation in 1988. Rapid growth continued between 1990 and 2000. Since incorporation, Mission Viejo has grown from a population of approximately 72,800 to about 94,267 residents in 2020. Mission Viejo is approximately 17.4 square miles in area and is bounded by Lake Forest to the northwest, Rancho Santa Margarita to the north and east, Laguna Hills and Laguna Niguel to the west, San Juan Capistrano to the south, and unincorporated Orange County to the east.

This chapter examines general population and household characteristics and trends, such as age, employment, household composition and size, household income, and special needs. Characteristics of the existing housing stock (e.g., number of units and type, tenure, age and condition, costs) are also addressed. Finally, the City’s projected housing growth needs based on the 2021-2029 Regional Housing Needs Assessment (RHNA) are examined.

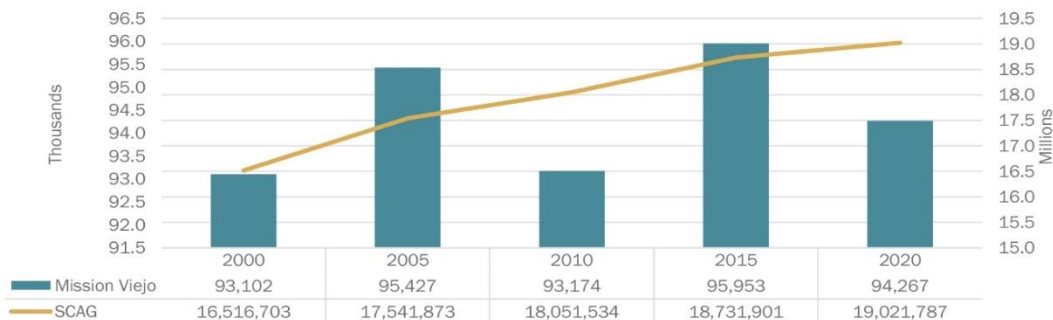
The Housing Needs Assessment utilizes recent data from the U.S. Census Bureau, California Department of Finance (DOF), California Employment Development Department (EDD), Southern California Association of Governments (SCAG) and other relevant sources. Supplemental data was obtained through field surveys. In addition, the City’s Consolidated Plan provides useful information for this update of the Housing Element.

2.1 Population Characteristics

1. Population Growth Trends

Mission Viejo was incorporated in 1988 with a population of 72,820. From 1990 to 2000 the city experienced robust growth of approximately 30% to a population of 93,102. In 1992 the City annexed the 662-acre Community Service Area 12, known as the Aegean Hills neighborhood, with approximately 6,600 residents. From 2000 to 2020 the city experienced modest growth of approximately 1% to an estimated population of 94,267 (see Table H-2).

**Table H-2
Population Trends, 2000-2020
Mission Viejo vs. SCAG Region**

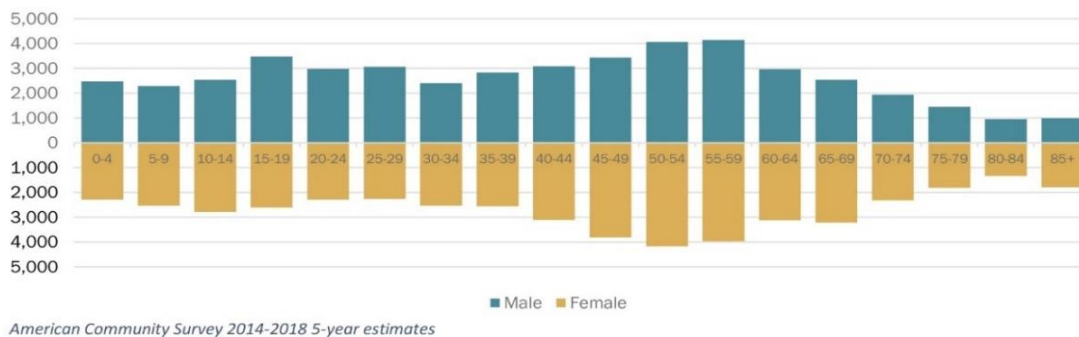


CA DOF E-5 Population and Housing Unit Estimates

2. Age

Housing needs are influenced by the age characteristics of the population. Different age groups require different accommodations based on lifestyle, family type, income level, and housing preference. Table H-3 shows recent Census estimates of the city’s population by age group and gender. This table shows that the largest age groups in Mission Viejo are 50-54 and 55-59. The population of Mission Viejo is approximately 49.5% male and 50.5% female. The share of the population of Mission Viejo that is under 18 years of age is 19.7%, which is lower than the regional share of 23.4%. Mission Viejo’s seniors (65 and above) make up 19.1% of the population, which is higher than the regional share of 13%.

**Table H-3
Age Distribution –
Mission Viejo**



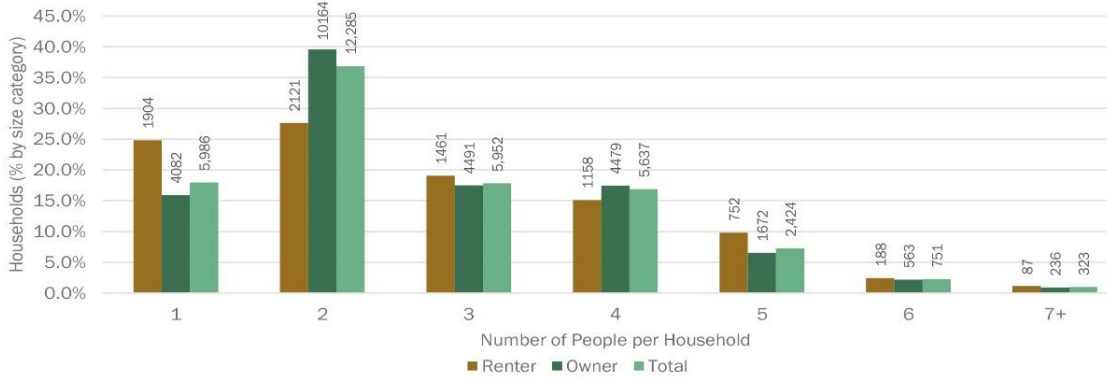
2.2 Household Characteristics

1. Household Size and Tenure

Household characteristics are important indicators of the type and size of housing needed in a city. The Census defines a “household” as all persons occupying a housing unit, which may include single persons living alone, families related through marriage or blood, or unrelated persons sharing a single unit. Persons in group quarters such as dormitories, retirement or convalescent homes, or other group living situations are included in population totals, but are not considered households.

Table H-4 provides recent Census estimates of household size and tenure (owner vs. renter) in Mission Viejo. The most commonly occurring household size is of two people (36.8%) and the second-most commonly occurring household is of one person (17.9%). Mission Viejo has a lower share of single-person households than the SCAG region overall (17.9% vs. 23.4%) and a lower share of 7+ person households than the SCAG region overall (1% vs. 3.1%).

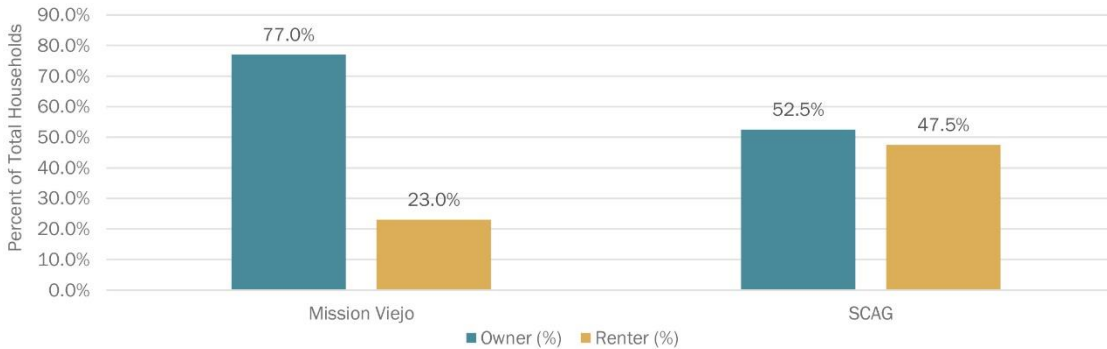
**Table H-4
Household Size by Tenure –
Mission Viejo**



American Community Survey 2014-2018 5-year estimates.

Housing tenure is an important indicator of the housing market. Communities need an adequate supply of units available both for rent and for sale to accommodate a range of households with varying income, family size and composition, and lifestyle. Table H-5 provides recent estimates of owner-occupied and renter-occupied units in the city compared to the region as a whole. Of Mission Viejo's total housing units, approximately 77% are owner-occupied and 23% are renter-occupied. The share of renters in Mission Viejo is lower than in the SCAG region overall.

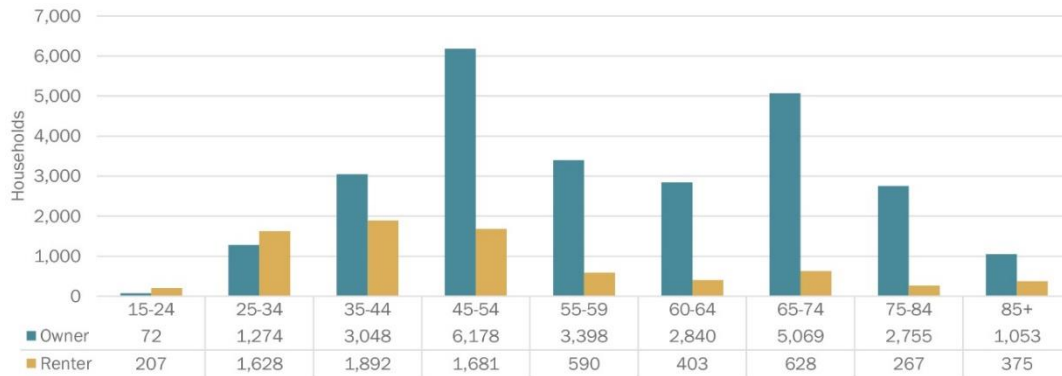
**Table H-5
Housing Tenure –
Mission Viejo vs. SCAG Region**



American Community Survey 2014-2018 5-year estimates.

Housing tenure typically varies based on the age of the householder. In Mission Viejo, the only age groups where renters outnumber owners are 15-24 and 25-34 (Table H-6).

**Table H-6
Housing Tenure by Age –
Mission Viejo**

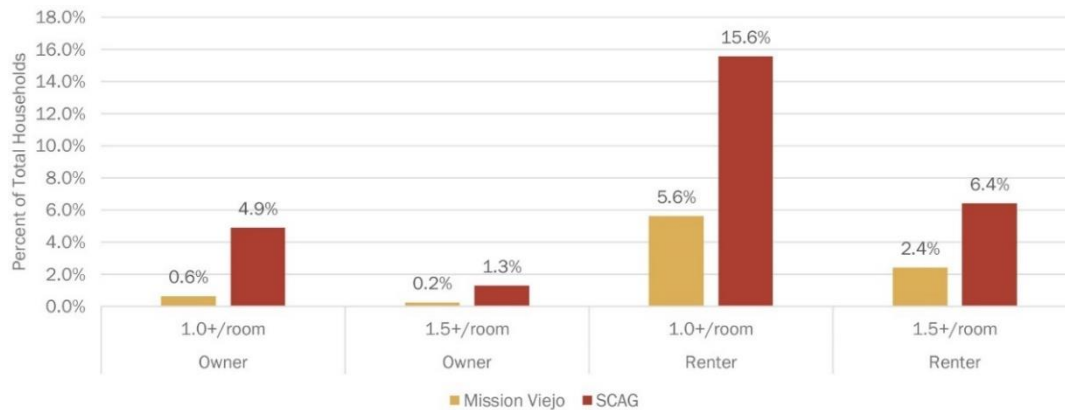


American Community Survey 2014-2018 5-year estimates.

2. Overcrowding

Overcrowding is often closely related to household income and the cost of housing. The U.S. Census Bureau considers a household to be overcrowded when there is more than one person per room, excluding bathrooms and kitchens, with severe overcrowding when there are more than 1.5 occupants per room. Table H-7 summarizes recent Census estimates of overcrowding for City of Mission Viejo and the SCAG region as a whole.

**Table H-7
Overcrowding –
Mission Viejo vs. SCAG Region**



American Community Survey 2014-2018 5-year estimates.

This table shows that overcrowding was more prevalent among renters than for owner-occupied units. Approximately 8% of the city’s renter-occupied households were overcrowded compared to only 1% of owner-occupants.

3. Household Income and Overpayment

Household income is a primary factor affecting housing needs in a community. *Extremely-low-income* refers to households with incomes no more than 30% of the county median. HUD data provides a breakdown of extremely-low-income households by race and ethnicity. The race/ethnicity with the highest share of extremely-low-income households in Mission Viejo is Hispanic (13.5% compared to 8.5% of total population). (Table H-8).

Table H-8
Extremely-Low-Income Households by Race, Ethnicity and Tenure –
Mission Viejo

	Total Households	Households below 30% HAMFI	Share below 30% HAMFI
White, non-Hispanic	25,265	1,990	7.9%
Black, non-Hispanic	389	19	4.9%
Asian and other, non-Hispanic	3,990	290	7.3%
Hispanic	4,099	554	13.5%
TOTAL	33,743	2,853	8.5%
Renter-occupied	7,725	1,080	14.0%
Owner-occupied	26,010	1,780	6.8%
TOTAL	33,735	2,860	8.5%

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

According to State housing policy, overpaying occurs when housing costs exceed 30% of gross household income. Table H-9 displays recent HUD estimates for overpayment by income category. According to HUD data, the incidence of overpayment was substantially higher for households in the extremely-low-income and very-low-income categories.

Table H-9
Overpayment by Income Category –
Mission Viejo

Income	Households by Share of Income Spent on Housing Cost:		
	< 30%	30-50%	> 50%
< 30% HAMFI	325	279	2,045
30-50% HAMFI	899	765	1,555
50-80% HAMFI	1,565	1,955	940
80-100% HAMFI	1,625	1,735	180
> 100% HAMFI	17,125	2,370	160
<i>Total Households</i>	<i>21,539</i>	<i>7,104</i>	<i>4,880</i>

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

Although homeowners enjoy income and property tax deductions and other benefits that help to compensate for high housing costs, lower-income homeowners may need to defer maintenance or repairs due to limited funds, which can lead to deterioration. For lower-income renters, severe cost burden can require families to double up resulting in overcrowding and related problems. The federal Section 8 Housing Choice Voucher program is one of the largest sources of assistance for lower-income renters. Unfortunately, funding levels for this program do not match the level of need, and long waiting lists are the norm. Programs to facilitate the production of new affordable rental units can help to alleviate overpayment (see Chapter 5 for a discussion of City programs to encourage and facilitate the development of additional housing for lower-income residents).

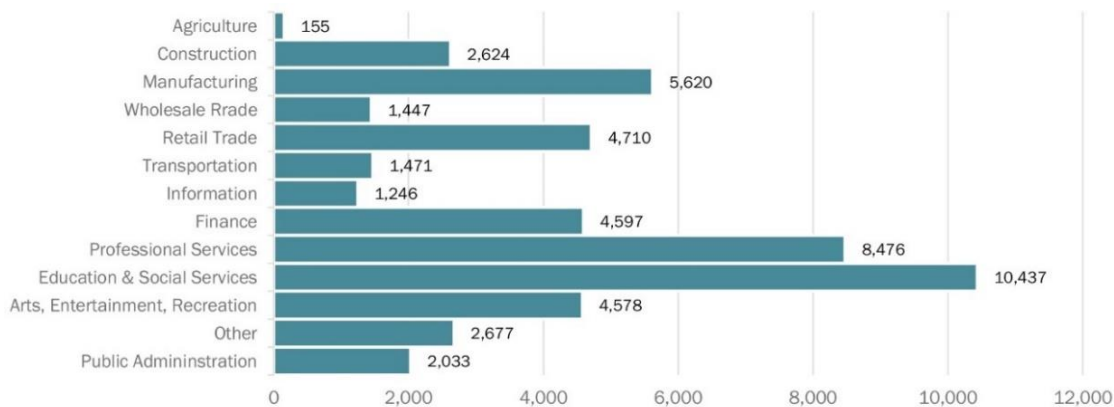
2.3 Employment

Employment is an important factor affecting housing needs within a community. The jobs available in each employment sector and the wages for these jobs affect the type and size of housing residents can afford.

1. Current Employment

Current employment and projected job growth have a significant influence on housing needs during this planning period. Table H-10 shows that Mission Viejo has 50,071 workers living within its borders who work across 13 major industrial sectors. The most prevalent industry is Education & Social Services with 10,437 employees (20.8% of total) and the second most prevalent industry is Professional Services with 8,476 employees (16.9% of total).

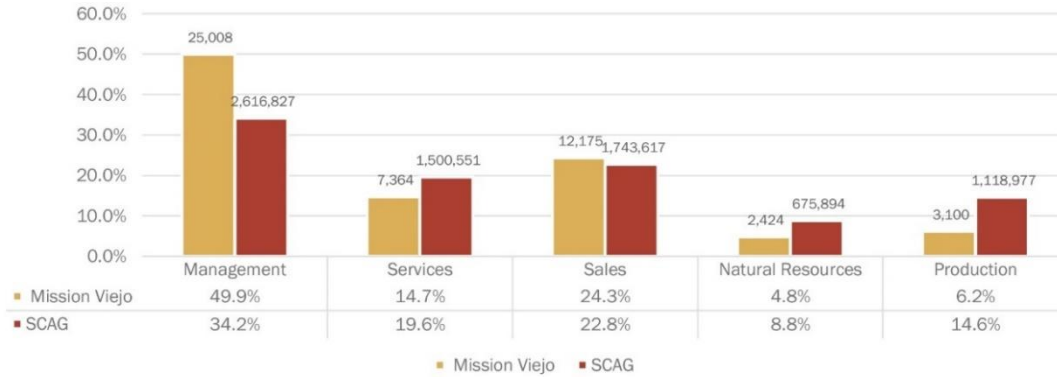
**Table H-10
Employment by Industry –
Mission Viejo**



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

In addition to understanding the industries in which the residents of Mission Viejo work, it is also possible to analyze the types of jobs they hold. The most prevalent occupational category in Mission Viejo is Management, in which 25,008 (49.9% of total) employees work. The second-most prevalent type of work is in Sales, which employs 12,175 (24.3% of total) in Mission Viejo (Table H-11).

**Table H-11
Employment by Occupation –
Mission Viejo**



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

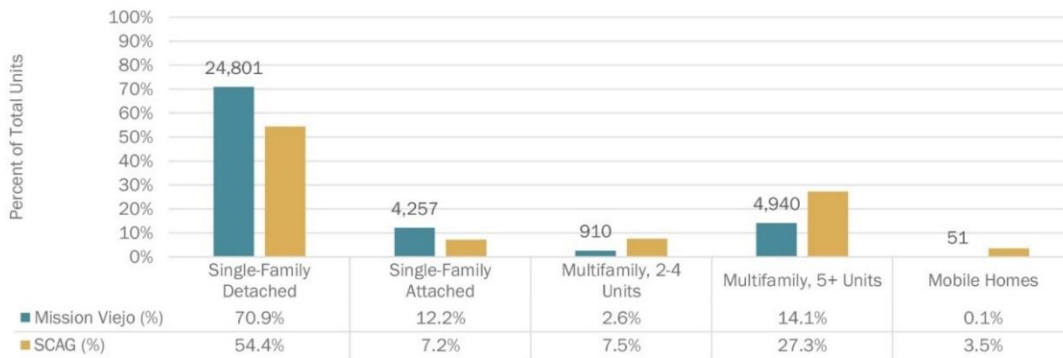
2.4 Housing Stock Characteristics

This section presents an evaluation of the characteristics of the community’s housing stock and helps in identifying and prioritizing needs. The factors evaluated include the type of housing units, vacancy, age and condition, housing costs, affordability, and assisted affordable units at-risk of loss due to conversion to market-rate. A housing unit is defined as a house, apartment, mobile home, or group of rooms, occupied as separate living quarters, or if vacant, intended for occupancy as separate living quarters.

1. Housing Type and Vacancy

About 71% of housing units in Mission Viejo are single-family detached homes as compared to about 54% in the SCAG region as a whole (Table H-12). The average household size (as expressed by the population to housing unit ratio) is 2.78.

**Table H-12
Housing by Type –
Mission Viejo vs. SCAG Region**

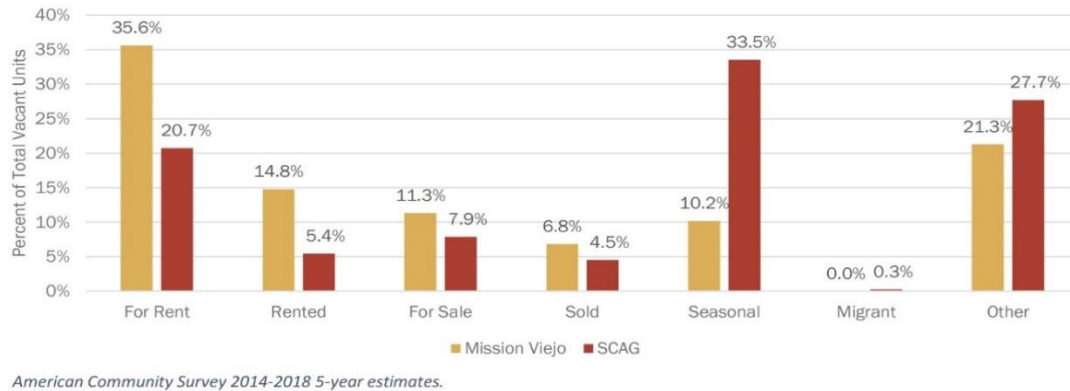


CA DOF E-5 Population and Housing Unit Estimates

The largest category of vacant housing units in Mission Viejo is units for rent (Table H-13). The total

vacancy rate was reported to be 4%.

**Table H-13
Housing Vacancy –
Mission Viejo vs. SCAG Region**

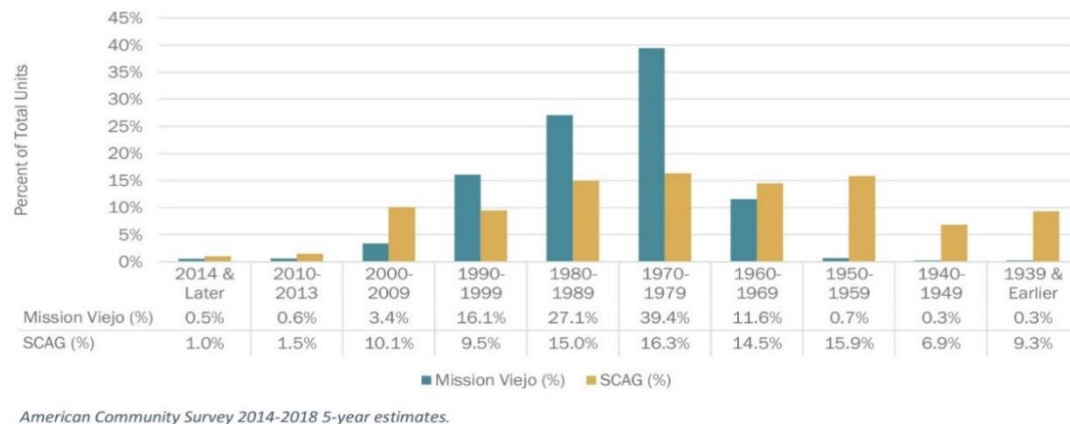


2. Housing Age and Conditions

Housing age is often an important indicator of housing condition. Housing units built prior to 1978, before stringent limits on the amount of lead in paint were imposed, may have interior or exterior building components coated with lead-based paint. Housing units built before 1970 are the most likely to need rehabilitation and to have lead-based paint in deteriorated condition. Lead-based paint becomes hazardous to children under age six and to pregnant women when it peels off walls or is pulverized by windows and doors opening and closing.

Table H-14 shows the age distribution of the housing stock in Mission Viejo compared to the region as a whole.

**Table H-14
Age of Housing Stock –
Mission Viejo vs. SCAG Region**



Large-scale development in Mission Viejo began in the 1960s; therefore, relatively few housing units are more than 50 years old. Only about 12% of housing units were constructed prior to 1970. The largest portion of the city’s housing units were built during the 1970s and are now more than 30 years old. According to City Building and Code Enforcement staff, it is estimated that approximately 1% to 2% of the housing stock (340-680 units) are in need of some type of repair or rehabilitation.

The goal of the City’s Code Enforcement program is to address housing concerns before they become serious problems, and staff responds to daily calls from citizens regarding code violations and informs eligible parties of available programs to assist in correcting problems. The proactive Code Enforcement program has helped to reduce structural deterioration by identifying problems and directing residents to available resources to assist with improvements.

3. Housing Cost

a. 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% 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 H-16 shows affordable rent levels and estimated affordable purchase prices for housing in Mission Viejo (and Orange County)¹ by income category. Based on state-adopted standards for a 4-person family, the maximum affordable monthly rent for extremely-low-income households is \$961, while the maximum affordable rent for very-low-income households is \$1,601. The maximum affordable rent for low-income households is \$2,562, while the maximum for moderate-income households is \$3,090.

**Table H-16
Income Categories and Affordable Housing Costs –
Orange County**

Income Category	Maximum Income	Affordable Rent	Affordable Price (est.)
Extremely Low	\$38,450	\$961	*
Very Low	\$64,050	\$1,601	*
Low	\$102,450	\$2,562	*
Moderate	\$123,600	\$3,090	\$500,000
Above moderate	Over \$123,600	Over \$3,090	Over \$500,000

Assumptions:

- Based on a family of 4 and 2020/21 State income limits
- 30% of gross income for rent or principal, interest, taxes & insurance
- 5% down payment, 3.75% interest, 1.25% taxes & insurance, \$350 HOA dues

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

Source: Cal. HCD; JHD Planning LLC

Maximum purchase prices are more difficult to determine due to variations in such factors as mortgage interest rates and qualifying procedures, down payments, special tax assessments, homeowner association fees, and property insurance rates. With this caveat, the maximum home purchase price by income category shown in Table H-16 are estimates based on typical conditions. Affordable purchase

¹ Affordable rent and purchase prices are based on county median income.

prices have only been estimated for moderate- and above-moderate-income households since most deed-restricted affordable for-sale units are provided at the moderate income level.

b. For-Sale Housing

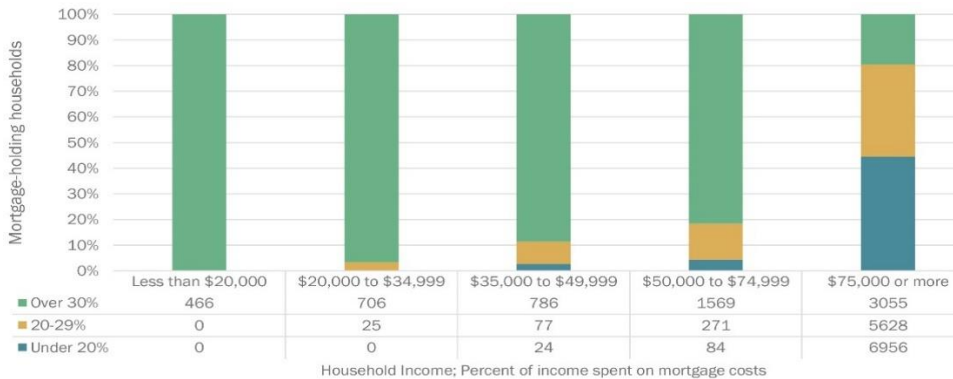
Median sales prices for existing homes in Mission Viejo compared to the SCAG region during the period 2000-2018 are shown in Table H-17. This chart shows that prices in Mission Viejo were consistently higher than the regional average throughout this period. Based on the estimated affordable purchase prices shown in Table H-16, very few for-sale homes are affordable to lower-income homebuyers.

**Table H-17
Median Sales Prices for Existing Homes 2000 - 2018 –
Mission Viejo vs. SCAG Region**



Mortgage-holding households in Mission Viejo can be broken down by income and the percentage of income spent on mortgage costs (Table H-18). As one might expect, the general trend is that lower-income households spend a higher share of income on housing costs, while high-income households may spend a lower share of income on housing. The income category most prevalent amongst Mission Viejo mortgage-holding households is \$75,000 or more while the most prevalent share of income spent on mortgage costs is under 20%.

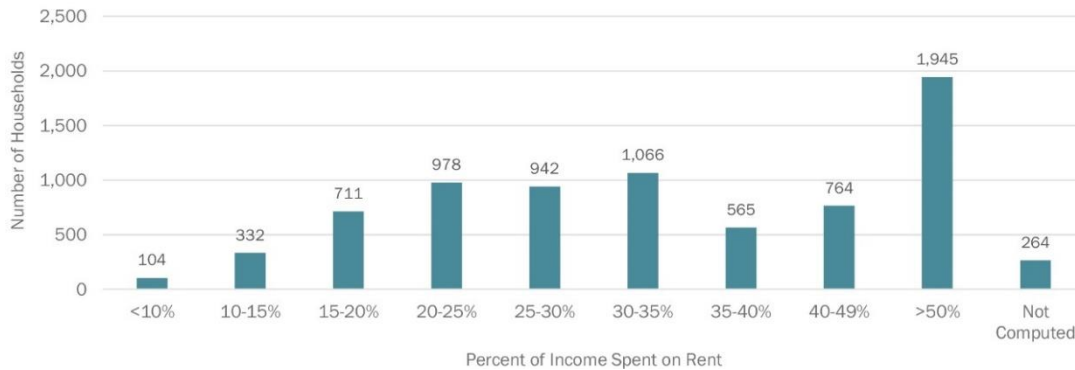
**Table H-18
Mortgage Costs by Income Category –
Mission Viejo**



c. Rental Housing

According to recent Census estimates about 57% of renters spend 30% or more of gross income on housing, compared to 55% in the SCAG region as a whole. Additionally, 25% of Mission Viejo renters spend 50% or more of gross income on housing compared to 29% in the SCAG region. (Table H-9).

**Table H-19
Percentage of Income Spent on Rent –
Mission Viejo**



When market rents are compared to the amount lower-income households can afford to pay (Table H-16), it is clear that very-low- and extremely-low-income households have a difficult time finding housing without overpaying. The gap between current average rent and affordable rent for 4-person families at the very-low-income level is about \$400 per month, while the gap at the extremely-low-income level is \$881 per month. However, at the low-income and moderate-income levels, households are much more likely to find affordable rentals.

2.5 Special Needs

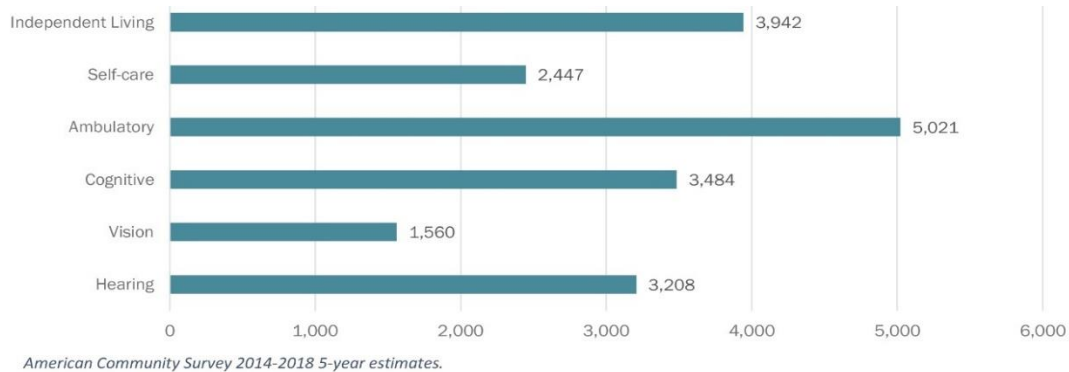
Certain groups have greater difficulty in finding decent, affordable housing due to special circumstances. Such circumstances may be related to one’s employment and income, family characteristics, disability, or other conditions. As a result, some Mission Viejo residents may experience a higher prevalence of overpayment, overcrowding, or other housing problems.

State Housing Element law defines “special needs” groups to include persons with disabilities (including developmental disabilities), the elderly, large households, female-headed households with children, homeless people, and farm workers. This section contains a discussion of the housing needs facing each of these groups.

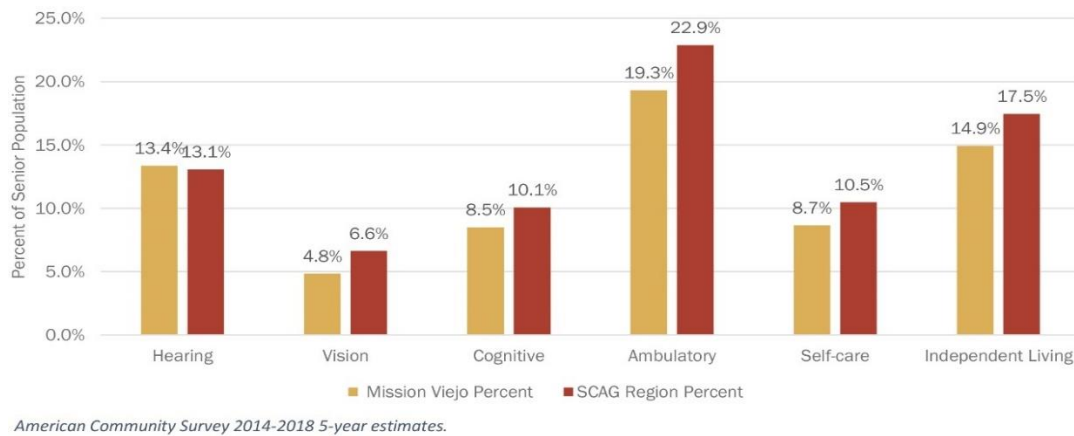
1. Persons with Disabilities

Persons with disabilities face a variety of housing challenges. Recent Census estimates reported that ambulatory and independent living disabilities were the most common types of disabilities among all Mission Viejo residents (Table H-20) and also among those aged 65 and over (Table H-21). Housing opportunities for those with disabilities can be maximized through housing assistance programs and providing universal design features such as widened doorways, ramps, lowered countertops, single-level units and ground floor units.

**Table H-20
Disabilities by Type –
Mission Viejo**



**Table H-21
Disabilities by Type for Seniors 65+ –
Mission Viejo**



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 U.S. Census Bureau does not record 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%. California Department of Developmental Services (DDS) statistics for Mission Viejo are shown in Table H-22.

Many persons with developmental disabilities can live and work independently within a conventional housing environment. More severely affected individuals require a group living environment where supervision is provided while some may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person’s living situation as a child to an appropriate level of independence as an adult.

**Table H-22
Developmental Disabilities –
Mission Viejo**

		Mission Viejo
By Residence:	Home of Parent/Family/Guardian	468
	Independent/Supported Living	69
	Community Care Facility	56
	Intermediate Care Facility	107
	Foster/Family Home	18
	Other	0
	By Age:	0 - 17 Years
	18+ Years	272
TOTAL		1708

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.

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 (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% of people with disabilities. 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 Mission Viejo.

Vocational Visions (www.vocationalvisions.org), a non-profit organization located in Mission Viejo, has provided services to local residents with developmental disabilities in partnership with the Saddleback Valley Unified School District since 1974 when the program began with 30 clients and staff of five. This organization currently has over 500 clients and a staff of almost 200 people.

Vocational Visions has helped thousands of men and women with disabilities obtain employment, further education and reach both professional and personal goals. Effective treatment increases the level of functioning for many of these clients, thus maximizing their quality of life vocationally, economically and socially. Services are provided to qualifying persons at no charge.

Vocational Visions is accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF) and is the only facility-based program in south Orange County. It offers eight comprehensive programs including:

- Day Training Activity Program
- Health Related Services Program
- Emeritus Program
- Adult Development Program
- Work Activity Program
- Vocational Rehabilitation Work Activity Program
- Supported Employment
- South County Clubhouse

In addition to these resources, the City responds to the needs of the developmentally disabled population through programs that facilitate new affordable housing development, preservation of existing low- and moderate-income housing, and equal housing opportunity.

2. Elderly

Federal housing data define a household type as 'elderly family' if it consists of two persons with either or both age 62 or over. Of Mission Viejo's 10,515 such households, 13.1% earn less than 30% of the surrounding area income compared to 24.2% in the SCAG region, and 31.2% earn less than 50% of the surrounding area income compared to 30.9% in the SCAG region (Table H-23). Elderly homeowners may be physically unable to maintain their home or cope with living alone. The housing needs of this group can be addressed through smaller units, accessory dwelling units, shared living facilities (such as board and care homes), congregate housing and housing assistance programs. In addition, homes occupied by "empty-nester" seniors represent a significant supply of potential move-up housing for younger families if suitable alternative living arrangements can be found for these seniors.

**Table H-23
Elderly Households by Income and Tenure –
Mission Viejo**

	Owner	Renter	Total	Percent of Total Elderly Households:	
Income category, relative to surrounding area:	< 30% HAMFI	1,030	350	1,380	13.1%
	30-50% HAMFI	1,325	575	1,900	18.1%
	50-80% HAMFI	1,440	320	1,760	16.7%
	80-100% HAMFI	930	100	1,030	9.8%
	> 100% HAMFI	4,145	300	4,445	42.3%
TOTAL	8,870	1,645	10,515		

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

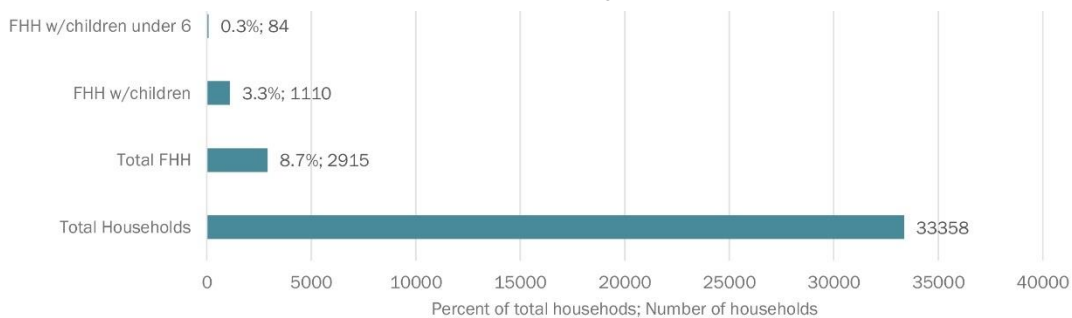
3. Large Households

Household size is an indicator of need for large units. Large households are defined as those with five or more members. As shown previously in 2.21.Table H-4, the Census Bureau reported that approximately 53% of owner households and 62% of renter households in Mission Viejo have only one or two members. About 10% of owner households and about 9% of renter households had five or more members. This distribution indicates that the need for large units with four or more bedrooms is expected to be significantly less than for smaller units.

4. Female-Headed Households

The Census Bureau estimated that 8.7% of households in Mission Viejo are female-headed (compared to 14.3% in the SCAG region), 3.3% are female-headed and with children (compared to 6.6% in the SCAG region), and 0.3% are female-headed and with children under 6 (compared to 1.0% in the SCAG region) (Table H-24). While female-headed households represent a relatively small portion of all households, they may have difficulty finding affordable housing due to difficulties juggling employment and childcare responsibilities. Many of the assistance programs described in Chapter 6 will help to address the needs of this group.

**Table H-24
Female Headed Households –
Mission Viejo**

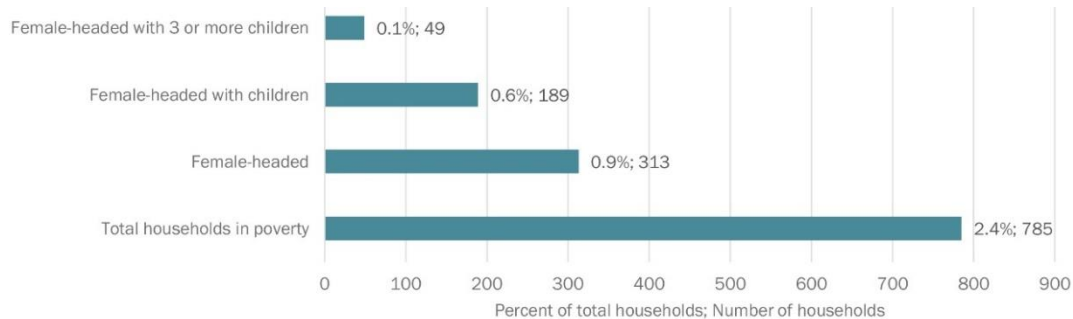


American Community Survey 2014-2018 5-year estimates.

Recent Census estimates reported 2.4% of Mission Viejo's households are experiencing poverty,

compared to 7.9% of households in the SCAG region. Poverty thresholds, as defined by the ACS, vary by household type. In 2018, a single individual under 65 was considered in poverty with an income below \$13,064/year while the threshold for a family consisting of 2 adults and 2 children was \$25,465 per year. Just under 1% of all female-headed households in Mission Viejo were reported to be below the poverty line (Table H-25).

**Table H-25
Female Headed Households by Poverty Status –
Mission Viejo**



American Community Survey 2014-2018 5-year estimates.

5. Farm Workers

Farm workers are traditionally defined as persons whose primary income is from seasonal agricultural work. Historically Orange County’s economy was linked to agriculture. While there are still active farming areas on the Irvine Ranch and some other areas, shifts in the local economy to technology, production and service-oriented sectors have significantly curtailed agricultural activities within the county. Today, Orange County is a mostly developed urban/suburban region with a strong local economy that is not tied to an agricultural base.

Recent Census estimates reported that there were about 74 jobs in Mission Viejo in farming, fishing and forestry occupations (Table H-26). The nearest major agricultural areas to Mission Viejo are the Irvine Ranch, approximately 5 miles to the northwest, and Rancho Mission Viejo to the southeast. Since there are no agricultural operations within Mission Viejo, the need for permanent farmworker housing is of less concern than in other areas where large-scale agricultural operations exist. The needs of agricultural workers who are permanent residents are addressed through a variety of affordable housing programs that serve the needs of all lower-income persons and are not restricted only to farmworkers.

**Table H-26
Agricultural Employment Status –
Mission Viejo**

Farmworkers by Occupation:

Mission Viejo	Percent of total Mission Viejo workers:	SCAG Total	
74	0.15%	57,741	Total jobs: Farming, fishing, and forestry occupations
62	0.18%	31,521	Full-time, year-round jobs: Farming, fishing, and forestry occupations

Employment in the Agricultural Industry:

Mission Viejo	Percent of total Mission Viejo workers:	SCAG Total	
146	0.29%	73,778	Total in agriculture, forestry, fishing, and hunting
124	0.36%	44,979	Full-time, year-round in agriculture, forestry, fishing, and hunting

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

6. Homeless Persons

Throughout the country, homelessness is a serious problem. Factors contributing to homelessness include: the general lack of emergency shelters, transitional housing, and housing affordable to lower-income persons; an increasing number of persons whose incomes fall below the poverty level; reductions in public assistance for the poor; and the de-institutionalization of the mentally ill.

The County of Orange undertakes a biannual “Point-in-Time” survey of the homeless population as part of its application for homeless assistance grant funds to HUD. The most recent Point-in-Time data from the survey conducted in January 2019 estimated that there were approximately 6,860 homeless persons at the time of the survey, of which 2,899 were sheltered and 3,961 were unsheltered². In Mission Viejo, the survey identified 22 unsheltered and 9 sheltered homeless persons.

A discussion of City regulations related to emergency shelters and other types of facilities that serve the homeless population is provided in Chapter 4.

2.6 Assisted Housing at Risk of Conversion

This section identifies all residential projects in the city that are under an affordability restriction, along with those housing projects that are at risk of losing their low-income affordability restrictions within the 10-year period 2021-2031. This information is also used in establishing quantified objectives for units that can be conserved during this planning period. The inventory of assisted units includes all units that have been assisted under any federal, state, local and/or other program.

State law requires local governments to analyze the potential of housing developments with affordability assistance to convert to market rate housing. There are currently 4 projects with affordable units in

² 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>)

Mission Viejo (Table H-27). During the next 10 years, none of these units will be eligible to convert from low-income housing uses due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use.

**Table H-27
Assisted Housing Developments –
Mission Viejo**

Project Name	Type of Public Assistance	Total Units	Affordable Units	Household Type	Expiration Date
Avalon	Mortgage Revenue Bonds	166	34 VL	Families	2037
Heritage Villas	LIHTC	143	58 VL 83 Low	Families	2070
Arroyo Vista	LIHTC, CalHFA	156	16 VL 60 Low	Families	2049
Sycamore Lane	Section 8	208	42 Low		Permanent

Source: City of Mission Viejo Community Development Dept., 2021

2.7 Future Housing Needs

1. Overview of the Regional Housing Needs Assessment

The Regional Housing Needs Assessment (RHNA) is a key tool for local governments to plan for anticipated growth. The RHNA quantifies the anticipated need for housing during the period from July 2021 to October 2029. Communities then determine how they will address this need through the process of updating the Housing Element of their General Plans.

The current RHNA was adopted by the Southern California Association of Governments (SCAG) in March 2021. The future need for new housing was determined by the forecasted growth in households in a community as well as existing needs due to overpayment and overcrowding. The housing need was adjusted to maintain a desirable level of vacancy to promote housing choice and mobility and to account for units expected to be lost due to demolition, natural disaster, or conversion to non-housing uses. Total housing need was then distributed among four income categories on the basis of the current household income distribution.

After the total housing need was determined for the SCAG region, RHNA allocations to individual jurisdictions were developed by SCAG based on factors established in State law. The distribution of housing need by income category for each jurisdiction was adjusted to avoid an over-concentration of lower-income households in any community.

2. 2021-2029 Mission Viejo Housing Needs

The total additional housing need for the City of Mission Viejo during the 2021-2029 planning period is 2,217 units. This total is distributed by income category as shown in Table H-28.

Table H-28
2021-2029 Regional Housing Needs - Mission Viejo

Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
337	337	401	397	745	2,217

Source: SCAG 2021

It should be noted that the extremely-low-income category is included within the very-low-income category in the adopted RHNA. As provided in Assembly Bill (AB) 2634 of 2006, jurisdictions may determine their extremely-low-income need as one-half the need in the very-low category. A discussion of how the City will accommodate this need is provided in the land inventory section of Chapter 3.

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3. Resources and Opportunities

A variety of resources are available for the development, rehabilitation, and preservation of housing in the City of Mission Viejo. This section provides an overview of the land resources and adequate sites necessary to address the City’s regional housing needs allocation for the 2021-2029 RHNA projection period, as adopted by the Southern California Association of Governments on March 4, 2021 (see Table H-29). This section also describes the financial and administrative resources available to support the provision of affordable housing, as well as opportunities for energy conservation, which can lower utility costs and increase housing affordability.

3.1 Land Resources

Section 65583(a)(3) of the *Government Code* requires Housing Elements to contain an “inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.” A detailed inventory of residential development sites is provided in Appendix B. The results of this analysis are summarized in Table H-29 below. The table shows that the City’s land inventory for potential residential development is sufficient to accommodate the RHNA in all income categories for this projection period.

**Table H-29
Land Inventory Summary –
City of Mission Viejo**

	Income Category			
	Very Low	Low	Moderate	Above Moderate
Vacant sites	299	178	177	330
Underutilized sites	406	245	242	450
Potential ADUs	8	12	9	1
Total	713	435	428	781
RHNA (2021-2029)	674	401	397	745
Adequate sites?	Yes	Yes	Yes	Yes

Source: City of Mission Viejo Community Development Dept., 2021

A discussion of public facilities and infrastructure needed to serve future development is contained in Section 4.2.3, Non-Governmental Constraints. There are currently no known service limitations that would preclude the level of development described in the RHNA, although developers will be required to pay fees or construct public improvements prior to or concurrent with development. Additionally, while some of the RHNA sites have environmental constraints such as steep slopes or geotechnical issues, the level of development described in the RHNA reflects anticipated development potential given feasible methods for addressing those issues. Development of properties identified in the City’s Land Inventory shall comply with all State-mandated RHNA requirements.

3.2 Financial and Administrative Resources

1. State and Federal Resources

Community Development Block Grant Program (CDBG)

Federal funding for housing programs is available through the Department of Housing and Urban Development (HUD). The City's use of federal funds is described in the 2020-2024 Consolidated Plan. As an Entitlement City, Mission Viejo participates in the Community Development Block Grant (CDBG) program. CDBG funds are used by the City to fund its Housing Rehabilitation Program (see *Local Resources*).

CDBG funds may also be used to provide public services (including labor, supplies and material), provided that the public service meets a national objective of the CDBG program. The amount of CDBG funds obligated within a program year to support public service activities cannot exceed 15% of the City's total allocation. Several organizations operating service programs have been supported with City CDBG funds. These programs include childcare services, senior-housing services, legal services, disabled services, homeless prevention services, and support services to abused and neglected children. Unfortunately, the amount of CDBG funding has declined in recent years, and future grants are dependent on the federal budgeting process.

In 2016 the City Council amended the CDBG Annual Action Plan to allocate \$820,000 to support the purchase of existing housing for transitional affordable housing. In 2017, the City entered into an agreement with Families Forward, a nonprofit public benefit corporation assisting families in need, to support the acquisition and long-term operation of two condominium dwelling units for tenancy and occupancy by qualified very-low-income households who are ready to move from transitional housing into more permanent housing. In 2020 the City entered into a second agreement with Families Forward, providing \$524,690 in CDBG funds to supplement the purchase of two additional condominium units for occupancy by very-low-income households.

The City does not currently participate in other HUD programs such as HOME, Emergency Shelter Grant (ESG) or Housing Opportunities for Persons with AIDS (HOPWA).

Section 8 Rental Assistance

The City of Mission Viejo contracts with the Orange County Housing Authority, which administers the Section 8 Voucher Program. The Housing Assistance Payments Program assists low-income, elderly and disabled households by paying the difference between 30% of an eligible household's income and the actual cost of renting a unit. The City facilitates use of the Section 8 program within its jurisdiction by encouraging apartment owners to list available rental units with the County Housing Authority for potential occupancy by tenants receiving Section 8 certificates.

Low-Income Housing Tax Credit Program

The Low-Income Housing Tax Credit Program was created by the Tax Reform Act of 1986 to provide an alternate method of funding low-and moderate-income housing. Each state receives a tax credit, based upon population, toward funding housing that meets program guidelines. The tax credits are then used to leverage private capital into new construction or acquisition and rehabilitation of affordable housing. Limitations on projects funded under the Tax Credit programs include minimum requirements that a certain percentage of units remain rent-restricted, based upon median income, for a term of 15 years.

2. Local Resources

Mission Viejo Community Development Agency Set-Aside Funds

The Mission Viejo Community Development Agency (CDA) Project Area was adopted in 1992. On February 1, 2012 all redevelopment agencies were dissolved by the State Legislature pursuant to Assembly Bill (AB) 1x26, and the City became the “Successor Agency” to the CDA. In 2011 the City established the Mission Viejo Housing Authority (MVHA) to be the Housing Successor to the CDA. All housing assets, including encumbered funds in the former CDA’s Low and Moderate Income Housing Fund, were transferred to the MVHA. At this time, the future disposition of low/mod set-aside funds is uncertain.

Mission Viejo Housing Rehabilitation Program

The Mission Viejo Housing Rehabilitation Program has provided technical and financial assistance since 2000 to qualifying low-income households who are owner/occupants of single-family residential properties in the City of Mission Viejo. The program is currently funded with the Community Development Agency Housing Set-aside Fund and CDBG funds. The program’s objectives are to correct nonconforming uses, remedy code violations, and generally repair and improve deteriorating properties in an effort to provide decent housing and a suitable living environment for persons and families of low and moderate income. Examples of eligible repairs include repairs to heating, plumbing and driveways; new roofs; exterior painting; window and door replacement; and correction of code violations that pose a threat to public safety. Financial assistance is provided in the form of a grant or deferred payment loan. Single-family rehabilitation grants in amounts up to \$5,000 are available to qualifying property owners to correct existing local and/or state code violations and finance eligible exterior improvements to residential properties. The City offers deferred payment loans to eligible property owners in amounts up to \$25,000 with combined loan and grants not to exceed \$30,000. In 2020, the City processed 6 loans or grants totaling \$106,000.

Residential Mortgage Revenue Bonds

The City has authorized participation in two County-administered Residential Mortgage Revenue Bond Program to increase the supply of affordable housing in the County - the Multi-Family Housing Revenue Bond Program and the Single-Family Residential Mortgage Revenue Bond Program. Under these programs, tax-exempt bonds are issued to provide funds for construction and mortgage loans to encourage developers to provide both rental and for-sale housing affordable to lower-income families and individuals.

3.3 Energy Conservation Opportunities

As residential energy costs rise, the subsequent increasing utility costs reduce the affordability of housing. Although the City is fully developed, new infill development and rehabilitation activities are occurring, allowing the City to directly affect energy use within its jurisdiction.

The City has many opportunities to directly affect energy use and conservation. In addition to required compliance with the Building Code and Title 24 of the California Energy Code and California Green Building Standards Code relating to energy conservation, the City sets forth goals and policies which encourage the conservation of non-renewable resources in concert with the use of alternative energy sources to increase energy self-sufficiency. In a large part, energy savings and utility bill reductions can be realized through the following energy design standards:

- **Glazing** – Glazing on south facing exterior walls allows for winter sunrays to warm the structure. Avoidance of this technique on the west side of the unit prevents afternoon sunrays from overheating the unit.
- **Landscaping** – Strategically placed vegetation reduces the amount of direct sunlight on the windows. The incorporation of deciduous trees in the landscaping plans along the southern area of units reduces summer sunrays, while allowing penetration of winter sunrays to warm the units.
- **Building Design** – The implementation of roof overhangs above windows shield the structure from direct solar rays.
- **Cooling/Heating Systems** – The use of attic ventilation systems reduces attic temperatures during the summer months. Solar heating systems for swimming pool facilities save on energy costs. Natural gas is conserved with the use of flow restrictors on all hot water faucets and showerheads.
- **Weatherizing Techniques** – Weatherization techniques such as insulation, caulking, and weather stripping can reduce energy use for air-conditioning up to 55% and for heating as much as 40%. Weatherization measures seal a dwelling unit to guard against heat gain in the summer and prevent heat loss in the winter.
- **Efficient Use of Appliances** – Each household contains different mixture of appliances. Regardless of the mix of appliances present, appliances can be used in ways that increase their energy efficiency. Unnecessary appliances can be eliminated; proper maintenance and use of stove, oven, clothes dryer, clothes washer, dishwasher, and refrigerator can also reduce energy consumption. New appliance purchases can be made on the basis of efficiency ratings.

In 2008, the City Council adopted a fee waiver for the installation of solar and other energy-saving equipment now available to new homeowners and senior residents in the City. Details regarding this program are also found on the City's website³. The fee waiver program applies to all building permits for solar photovoltaic, solar thermal systems, tankless water heaters, windows and/or doors containing glass, high-efficiency heating, ventilation and air conditioning (HVAC) systems. Expedited plan review and same-day inspection also accompany the fee waiver program. In addition, in 2008, the City adopted a Solar Energy Education Program to complement its existing Green Building Program. The City also actively promotes and markets energy conservation and education in the community.

The City will also continue to actively pursue grant and funding opportunities associated with federal and state Energy Efficiency and Conservation Block Grant programs.

In 2012 the City established the *Improve Don't Move* program, which provided fee waivers for home improvements, including energy-saving modifications, and in 2014, the Council approved a water conservation fee waiver program to encourage the installation of water-saving improvements.

3 <https://cityofmissionviejo.org/sites/default/files/EEFW%20program%20handout%20rev%202019.docx>

4. Housing Constraints

This section of the Housing Element provides an analysis of existing and potential constraints upon the maintenance, improvement, or development of housing for all income levels. Governmental and nongovernmental constraints are considered in the analysis. This analysis will help focus the goals, policies and programs in the most efficient and effective manner. As noted in previous Housing Elements, Mission Viejo was developed as a planned community under a development agreement that limited the City's ability to modify development standards covered under the agreement. The development agreement expired in 2001 and the City has full control over land use and zoning. The legacy of the of master plan is still significant, however, as the City was built-out in accordance with the original vision established by the Mission Viejo Company.

4.1 Governmental Constraints

The intent of local government regulations is to protect public health and safety and ensure a decent quality of life for the residents. However, such regulations may add to the cost of housing. State law requires that the Housing Element address and, where appropriate and legally possible, demonstrate local efforts to remove governmental constraints to the maintenance, improvement and development of housing for all income levels and for special housing needs. Potential governmental constraints identified by State housing law include land use controls, fees and other exactions required of developers, site improvements, building codes and their enforcement, and local processing and permit procedures.

1. Land Use Plans and Regulations

a. General Plan

Each city and county in California must prepare a comprehensive, long-term General Plan to guide its future. The land use element of the General Plan establishes the basic land uses and density of development within the various areas of the city. Under State law, the General Plan elements must be internally consistent, and the City's zoning must be consistent with the General Plan. Thus, the land use plan must provide suitable locations and densities to implement the policies of the Housing Element.

The Mission Viejo General Plan Land Use Element provides for four residential land use designations, as shown in Table H-30.

**Table H-30
Residential Land Use Categories –
Mission Viejo General Plan**

Designation	Maximum Density*	Description
Residential 3.5	3.5	Low density detached and attached single family dwellings.
Residential 6.5	6.5	Low to medium density detached and attached single-family dwellings (duplexes, condominiums, and townhomes).
Residential 14	14.0	Medium and higher density detached and attached single family dwellings and multi-family apartments.
Residential 30	30.0	High density single family attached and multi-family dwelling units.

Source: City of Mission Viejo General Plan.

*Density expressed in dwelling units per gross acre.

In addition, the General Plan contains two mixed-use designations which allow residential development: Commercial Neighborhood/Community Facility/Residential 14 and Office Professional/Residential 30/Business Park. These mixed-use designations allow any use category to exist individually on a site, or to be combined with one or both of the other categories in a mixed-use project.

The City of Mission Viejo General Plan is not considered to be a constraint to the goals and policies of the Housing Element as the City’s zoning is consistent with the General Plan and adequate sites with appropriate densities have been identified and zoned to facilitate construction commensurate with the City’s fair share of new housing units during the planning period (see Section 3 – Resources and Opportunities beginning on page 25).

b. Zoning Designations

The City regulates the type, location, density, and scale of residential development through the Development Code, a part of the City’s Municipal Code. The Development Code, which contains the City’s zoning regulations, serves to implement the General Plan and is designed to protect and promote the health, safety, and general welfare of residents. The Development Code also helps to preserve the character and integrity of existing neighborhoods. The Development Code sets forth residential development standards for each zoning district.

The five zoning districts that allow residential units as a permitted use are as follows:

- RPD 3.5** Residential Planned Development 3.5
- RPD 6.5** Residential Planned Development 6.5
- RPD 14** Residential Planned Development 14
- RPD 30** Residential Planned Development 30
- RPD 30A** Residential Planned Development By-Right (Affordable)

A summary of the residential development standards for these zoning districts is provided in Table H-31. These development standards continue to be viewed as reasonably necessary to protect the public health, safety and welfare and maintain the quality of life, and are not considered to be constraints on the development of housing.

**Table H-31
Residential Development Standards**

Development Standard	Zoning District Designations			
	RPD 3.5	RPD 6.5	RPD 14	RPD 30 RPD 30A
Maximum Density (du/ac) ¹	3.5	6.5	14.0	30.0
Minimum Lot Area (sq. ft.)	5,000	5,000	5,000	5,000
Minimum Front Yard (ft.)	20	20	30	30
Minimum Side Yard (ft.)	5	5	10	15
Minimum Rear Yard (ft.)	10	10	30	30
Maximum Lot Coverage (%)	60	60	50	50
Maximum Building Height (ft.)	35 ²	35 ²	35 ²	35 ²

Source: City of Mission Viejo Development Code

1. Density expressed in dwelling units per gross acre.
2. 35 feet or two stories whichever is less. In the RPD 30 and RPD 30A District, this provision may be modified by the Planning and Transportation Commission as part of a Planned Development Permit application up to a maximum height of 45 feet or 3-stories.

The City’s Development Code was adopted in October 1998 and has been reviewed and amended over time to ensure that it remains current and consistent with State law, and that it continues to facilitate development. Amendments to the Development Code included updates for reasonable accommodation, density bonus, emergency shelters, and development and parking standards for accessory dwelling units. City staff meets regularly with housing developers and routinely engages in discussion regarding the City Development Code standards. The City’s Development Code also allows for a minor exception process to allow adjustments to the Code of up to 15% for setbacks, height, parcel dimensions and modifications of up to 30% for on-site circulation and parking. These provisions address special hardship circumstances and help facilitate development while avoiding the administrative requirements of seeking a variance. The City’s standards are not generally seen as an obstacle to affordable housing development. Several affordable housing development projects have been approved in recent years, and some have been granted a density bonus or modification to development standards such as building height in order to enhance project feasibility. In addition, the Heritage Villas affordable senior project was approved with one parking space per unit based on a study analyzing parking need at similar projects.

As stated in the Development Code, the standards listed above shall apply unless modified by a Planned Development Permit issued by the Planning and Transportation Commission. The Planned Development Permit process allows nontraditional or unique site plan design if found appropriate by the Planning and Transportation Commission. The development standards were analyzed to ensure that the maximum housing densities for a zone could be attained. Results from the analysis indicated that the maximum densities could be achieved.

Densities range from 3.5 dwelling units per gross acre in the RPD 3.5 District to a maximum of 30.0 units per gross acre in the RPD 30 District. In addition, State law allows a potential density bonus above the allowable density specified in the Code.

Three additional zoning districts, the Commercial Community District (CC) District, Commercial Highway District (CH) and the Office/Professional District (OP) allow congregate care/senior housing when combined with the Senior Housing Overlay Zone (SH). All senior housing developments are subject to a conditional use permit.

A summary of the residential development permitted by the City’s Zoning Ordinance is provided in Table H-32.

The Development Code provides for a variety of housing types including single-family homes, multi-family (both rental and condominiums), manufactured housing, mobile homes, and accessory dwelling units (ADUs). Low-income housing can be accommodated in all residential districts. ADUs, which are an important tool in facilitating affordable housing, are permitted by-right in any residential zone with an existing single-family home.

**Table H-32
Permitted Residential Development by Zoning District**

Housing Type Permitted	RPD 3.5	RPD 6.5	RPD 14	RPD 30	RPD 30A	CC	CH	OP
Residential Uses								
Single-Family Detached	PD	PD	PD	PD	P			
Single-Family Attached	PD	PD	PD	PD	P			
Multi-Family Dwellings			PD	PD	P			
Condominium		PD	PD	PD	P			
Manufactured Housing	PD	PD	PD	PD	P			
Mobile Home Parks	PD	PD	PD	PD	PD			
Second Units	P	P	P	P				
Special Needs Housing								
Emergency Shelters ³				C	C			
Transitional Housing ³				C	C			
Residential Care Facilities (6 or fewer persons) ³	P	P	P	P	P			
Residential Care Facilities (7 or more persons) ³			C	C	C			
Congregate Care/Senior Housing			C ¹	C ¹		C ²	C ²	C ²
Single Room Occupancy								C

Source: Mission Viejo Development Code P = Permitted PD = Planned Development Permit C = Conditional Use Permit

- 1 Congregate Care/Senior Citizen Housing is subject to the development standards set forth in §9.10.020 of the Development Code.
- 2 Use is allowed only when combined with the Senior Housing Overlay Zone (SH).
- 3 Use is permitted in accordance with existing state law.

The RPD 30A District, adopted in 2007, was created to provide suitable zoning for parcels A, B and C identified in the Housing Plan as potential sites for affordable housing. The district permits residential development by-right in accordance with housing element law and waives the need for any type of discretionary permit. The RPD 30A District also contains affordability criteria that require a percentage of the units within parcels A, B and C to be affordable to low- or very low-income households. The percentage of residential units in parcels A, B, and C required to be affordable are as follows:

- Parcel A – 15% (minimum and maximum)
- Parcel B – 15% (minimum)
- Parcel C – 20% (minimum)

c. Special Needs Housing

Persons with special needs include those in residential care facilities, persons with disabilities, the elderly, farm workers, persons needing emergency shelter or transitional living arrangements, and single room occupancy units. The City's provisions for these housing types are discussed below.

- **Residential Care Facilities** – Residential care facilities refer to any family home, group home, or rehabilitation facility that provides non-medical care to persons in need of personal services, protection, supervision, assistance, guidance, or training essential for daily living. Section 9.01.050 (129) of the Mission Viejo Development Code defines the term *residential care facility* as “a family home or group care facility for 24-hour non-medical care of persons in need of personal services, supervision or assistance for sustaining the activities of daily living or for protection” However, the Code does not explicitly identify residential care facilities as a permitted use in any of the residential zones. Under State law, residential care facilities that serve six or fewer persons are classified as a residential use and must be permitted by-right in all residential districts in the City of Mission Viejo. Facilities serving more than six persons are conditionally permitted in the RPD 14 and RPD 30 Districts by conditional use permit. These requirements are consistent with State law and do not pose a significant constraint on the establishment of such facilities.
- **Housing for Persons with Disabilities** – Both the federal Fair Housing Act and the California Fair Employment and Housing Act impose an affirmative duty on local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. The Building Codes adopted by the City of Mission Viejo incorporate accessibility standards contained in Title 24 of the California Administrative Code. Additionally, in 2003 the City adopted a reasonable accommodation ordinance pursuant to SB 520 (Municipal Code Section 9.60). The purpose of the ordinance is to provide reasonable accommodation in the application of zoning and building laws, and policies and procedures for persons with disabilities seeking fair access to housing. Any person seeking reasonable accommodation because of a disability may file an application with the Director of Community Development. There is no fee required. The Director shall review the application for completeness within 5 days of receipt, and shall make a determination on the request within 30 days of receipt of a complete application. In making a determination about the reasonableness of a requested accommodation, the following factors shall be considered:
 - (a) Whether the accommodation is reasonable considering the nature of the applicant's disability, the surrounding land uses, and the rule, standard, policy, or practice from which relief is sought;
 - (b) Whether the accommodation is necessary to afford the applicant equal opportunity to enjoy and use a specific dwelling in the City;
 - (c) Whether the accommodation will have only incidental economic or monetary benefits to the applicant, and whether the primary purpose of the accommodation is to assist with real estate speculation or excess profit taking;
 - (d) Whether the accommodation will create a substantial adverse impact on surrounding land uses, or a public nuisance, that cannot be reasonably mitigated;
 - (e) Whether the accommodation is reasonably feasible considering the physical attributes of the property and structures;

- (f) Whether there are alternative accommodations which may provide an equivalent level of benefit to the applicant, while minimizing adverse impacts on surrounding land uses and lessening the financial and/or administrative burden on the City;
- (g) Whether the requested accommodation would impose an undue financial or administrative burden on the City; and
- (h) Whether the requested accommodation would constitute a fundamental alteration of the zoning or building laws, policies or procedures of the City.

Definition of “family” – Municipal Code Sec. 9.01.050 defines “Family” as “One or more persons related or unrelated, living together as a single nonprofit housekeeping unit, as distinguished from a group occupying a boarding or lodging house, hotel, club, or similar dwelling for group use. A family shall include domestic servants employed by the family but shall not include a fraternal, religious, social, or business group.” This definition is consistent with State law.

Concentration requirements – care facilities or group homes are not subject to any minimum spacing requirements.

Site planning requirements – no special site planning requirements are applied to care facilities or group homes that are not applicable to other residential uses in the same zone. Also, as noted above, modifications to zoning and building regulations may be granted under the City’s Reasonable Accommodation Ordinance.

Parking requirements – modified parking requirements may be reviewed and approved under the Reasonable Accommodation Ordinance.

Compliance with building codes and the provisions of the federal Americans with Disabilities Act (ADA) could have the potential to increase the cost of housing production and can also impact the viability of rehabilitation of older properties required to be brought up to current code standards. However, these regulations provide minimum standards that must be complied with in order to ensure the development of safe and accessible housing.

- **Farm Worker Housing** – As discussed in Section 2.5.5 (beginning on page 20), the City of Mission Viejo is not located within a major agricultural area and has no significant need for permanent on-site farm worker housing. The City’s overall efforts to provide and maintain affordable housing opportunities will help to support any agricultural workers that reside in Mission Viejo.
- **Housing for the Elderly** – Many seniors in Mission Viejo reside in State-licensed care facilities with six or fewer residents, which are permitted by-right. Congregate Care/Senior Housing is permitted in the RPD 14 and RPD 30 Districts subject to a conditional use permit. Congregate Care/Senior Housing is also permitted in CC, CH, and OP Districts when combined with the Senior Housing Overlay Zone (SH). The Development Code provides special standards for senior citizen housing developments within the RPD 14 and RPD 30 Districts and also within the Senior Housing Overlay Zone. These standards are designed to ensure that proposed facilities meet the physical and social needs of senior citizens. A density bonus may be utilized for Senior Housing projects within the RPD 14 and RPD 30 Districts. The requirement for a conditional use permit is reasonable to ensure compliance with the senior housing standards and not considered to be a constraint to the development of senior housing.

- **Emergency Shelters and Transitional/Supportive Housing** – Emergency shelters are facilities that provide a safe alternative to acute homelessness either in a shelter facility, or through the use of motel-vouchers. Emergency shelter is short-term, usually for 30 days or less. Transitional housing is longer-term housing, typically up to 2 years. Transitional housing requires that the resident participate in a structured program to work toward established goals so that they can move on to permanent housing. Residents are often provided with an array of supportive services to assist them in meeting goals.

Senate Bill 2 of 2007 requires that unless adequate shelter facilities are available to meet a jurisdiction’s needs, emergency shelters must be allowed by-right (i.e., without discretionary review such as a conditional use permit) in at least one zoning district, but may include specific development standards. In 2009 the Development Code was amended to allow emergency shelters by-right in the Business Park district. Sites within this zone are located within walking distance of shopping, medical, civic offices, employment and public transportation. The Business Park zone encompasses more than 165 acres and there are currently some vacant parcels and buildings in these zones that could accommodate shelters. Development standards are appropriate to facilitate emergency shelters, and are summarized as follows:

Setbacks: 25 ft. front/25 ft. rear/15 ft. side
 Height: 35 ft. maximum
 Floor Area Ratio: 1.0 maximum
 Maximum beds: 10
 Parking: 1 space per 250 square feet of gross floor area
 Intake/waiting area: 500 square feet
 Management plan and on-site supervision/security required
 Minimum separation from another emergency shelter: 250 feet
 Maximum length of stay: 180 days

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:

- 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
- Accommodation of residents’ pets
- The storage of possessions
- 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 in Section 6 includes a commitment to process an amendment to the Development Code in compliance with this requirement.

Transitional housing is defined in Section 50675.2(h) of the *Health and Safety Code* as follows:

“Transitional housing” and "transitional housing development" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

Supportive housing is defined in Section 50675.14(b)(2) of the *Health and Safety Code* as follows:

“Supportive housing” means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

City regulations permit transitional and supportive housing subject to the same standards and procedures as other residential uses of the same type in the same zone in conformance 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 in Section 6 includes a commitment to process an amendment to the Development Code in compliance with this requirement.

- **Single Room Occupancy** – Single room occupancy facilities are small studio-type units and are allowed by conditional use permit in the OP District. Development standards for these uses are no more restrictive than for other uses allowed in these districts.

d. **Off-Street Parking Requirements**

The City’s parking requirements are also governed by the City’s Municipal Code and its application to residential uses vary by residential type. Single-family attached and detached dwellings require two covered parking spaces per unit. Multi-family dwellings require 1.5 parking spaces for studio and 1-bedroom units, 2 spaces for 2-bedroom units, and 2.5 spaces for 3 or more bedroom units. Senior projects require one covered parking space for each dwelling unit for the exclusive use of the senior residents and one uncovered parking space for each dwelling unit for employee and guest use. Parking requirements are summarized in Table H-33.

**Table H-33
Residential Parking Requirements**

Dwelling Type	Minimum Parking Space Required
Single-Family Dwellings	2 covered spaces within an enclosed garage
Planned unit developments, including single-family dwellings and condominiums	2 covered spaces within an enclosed garage
Apartment Development	
Studio and one bedroom	1.5 covered
Two Bedrooms	2 covered
Three or more bedrooms	2 covered and 0.5 uncovered
Guest Parking*	1 guest space for every 3 units, unless Planning and Transportation Commission applies another guest parking requirement pursuant to a Planned Development Permit.
Mobile Home Parks	2 covered spaces within an enclosed garage.
Second Units	1 parking space per unit or per bedroom, whichever is greater, covered or uncovered

Source: Mission Viejo Development Code Section 9.25.020

*Guest parking requirements may be adjusted by Planning and Transportation Commission pursuant to a Planned Development Permit or other discretionary action.

The required parking is typical for most cities in Orange County and is not considered to be a constraint on the production of affordable housing. It is widely accepted that seniors and low-income households have fewer cars on average than higher-income households.⁴ The City of Mission Viejo Planning and Transportation Commission has the ability to grant reduced parking for senior housing and other affordable housing projects through the conditional use permit process. In addition, State density bonus law establishes parking standards for qualifying affordable developments that pre-empts local parking requirements for density bonus projects.

e. Accessory Dwelling Units

In response to State-mandated requirements and local needs, the City of Mission Viejo allows for the development of accessory dwelling units (ADUs) by-right (i.e., no discretionary approval required) in any residential district with an existing single-family residence on site. Minimum development standards for second units include:

- Maximum floor area 640 square feet
- Minimum parcel size 9,000 square feet
- Minimum parcel width 80 feet
- Minimum buildable pad size 7,200 square feet
- One additional (covered or uncovered) parking space required
- Applicant must be an owner-occupant of the main dwelling unit

4 Comparative data to support reduced parking need for low-income and senior housing is available from the Non-Profit Housing Association of Northern California. Additional resources include *Parking Requirements Guide for Affordable Housing Developers* provided by the Southern California Association of Non-Profit Housing <http://www.scanph.org> and *Parking Standards*, Davidson and Dolnick, American Planning Association Planning Advisory Service, Report Number 510/511.

ADUs serve to augment resources for senior housing, or other low- and moderate-income segments of the population. Six ADUs were approved by the City during 2014-2020. Based on this record, the City's ADU development standards are not considered to present any unreasonable constraints. Because second units are limited to a maximum of 640 square feet, they would be expected to rent within the very-low- or low-income category.

In recent years, the State Legislature has adopted extensive changes to ADU law in order to encourage housing production. Among the most significant changes is the requirement for cities to allow one ADU plus one "junior ADU" on single-family residential lots by-right subject to limited development standards. Program 8 in Section 6 includes a commitment to update the City's ADU regulations in conformance with current State law.

f. Density Bonus

Under *California Government Code* §§65915-65918, a density increase over the otherwise maximum allowable residential density under the Municipal Code is available to developers who agree to construct housing developments with units affordable to low- or moderate-income households or senior citizen housing development. In 2011 the Watermarke project was approved with a 20% density bonus and building height modification for their 256-unit apartment project on Site B. AB 2345 of 2019 amended State law to revise density bonus incentives that are available for affordable housing developments. Program 7 in Section 6 includes a commitment to amend the Development Code to include these changes to State density bonus law.

g. Mobile Homes/Manufactured Housing

The manufacturing of homes in a factory is typically less costly than the construction of individual homes on-site thereby lowering overall housing costs. State law precludes local governments from prohibiting the installation of mobile homes on permanent foundations on single-family lots. State law also declares a mobile home park to be a permitted land use on any land planned and zoned for residential use, and prohibits requiring the average density in a new mobile home park to be less than that permitted by the Municipal Code. A city or county may, however, require use permits for mobile home parks. Although there are no mobile home parks in the City of Mission Viejo, manufactured housing is allowed in all residential zones as a permitted use provided the installation complies with the site development standards for the applicable zoning district.

h. Condominium Conversions

The Municipal Code permits the conversion of apartment projects to condominiums provided all the requirements of the Subdivision Map Act are met (Municipal Code §9.72.025[a][10]).

i. Building Codes and Their Enforcement

State law prohibits the imposition of building standards that are not necessitated by local geographic, climatic or topographic conditions and requires that local governments making changes or modifications in building standards must report such changes to the Department of Housing and Community Development and file an expressed finding that the change is needed.

The City's building codes are based upon the California Building, Plumbing, Mechanical, Electrical and Fire Codes. These are considered to be the minimum necessary to protect the public's health, safety and welfare. No additional regulations have been adopted by the City beyond the minimum requirements of the State Codes. Thus, the City's building codes and their enforcement are determined to not impose a housing constraint that would unnecessarily add to housing costs.

2. Local Processing and Permit Procedures

State Planning and Zoning Law establishes permit processing requirements for residential developments. Within the framework of State requirements, the City has structured its development review process to minimize the time required to obtain permits while ensuring that projects receive careful review.

a. Residential Permit Processing

There are three levels of review authority in Mission Viejo, listed from lowest to highest authority: (1) Director of Community Development, (2) Planning and Transportation Commission, and (3) City Council. The Director has the final approval authority for Certificates of Occupancy, Minor Modifications, Minor Exceptions, Lot Line/Boundary Adjustments and Planned Development Permits involving no more than one unit. The Commission has the power to grant final approval for Variances, Planned Development Permits for residential permits encompassing two or more units, Conditional Use Permits, Architectural Review Permits, Tentative Tract and Parcel Maps. The Council has final determination for legislative acts including Specific Plans, General Plan Amendments, Zoning Map Amendments, Development Code Amendments, and Development Agreements.

Processing times vary and depend on the size and complexity of the project. Projects approved by the Community Development Director typically require 2 to 3 months to process while projects approved by the Planning and Transportation Commission typically require 3 to 6 months to process. All project approvals are final unless appealed. Projects approved by the City Council typically require 6 to 12 months to process.

Certain steps of the development process are required by State rather than local laws. The State has defined processing deadlines to limit the amount of time needed for review of required reports and projects. In an effort to provide an efficient permit processing system, the City has implemented the following time and cost saving developmental processes:

- Prepared permit processing guidelines to assist residential builders in applying for development permits for single-family residences, multi-family residential developments and subdivisions.
- Located all City divisions involved in permitting process in one central location.
- Developed “early consultation” pre-application process to identify issues as soon as possible and reduce processing time. No fee is required for this service.
- Allowed processing fees to be reduced, postponed or supplemented with housing funds for affordable projects meeting City priorities.
- Provided a GIS application on the City’s website with land use information and links to important planning documents such as General Plan and Development Code.
- Encouraged concurrent processing of applications.
- Assigned a point-person and liaison to facilitate communication and timely inter-agencies review of development projects.
- Established electronic plan check review services and on-line access to permit forms and applications.

These processes help to ensure that the development review process does not act as a constraint to housing development.

Residential projects in Mission Viejo generally receive concurrent processing of various development applications (e.g., subdivision and zoning approvals), thereby significantly reducing review time and minimizing related holding costs.

b. Environmental Review

Environmental review is required for all development projects under the California Environmental Quality Act (CEQA). Today, the City is nearly built-out, and there are no significant vacant areas in the City left to develop (see Land Inventory discussion in Chapter 3). Most infill residential projects in Mission Viejo are either Categorical Exempt or require only an Initial Study and Negative Declaration. A Negative Declaration typically takes four to six weeks to prepare, depending on complexity of the project and required technical studies, followed by a State-mandated public review period. Categorical Exempt developments require a minimal amount of time which does not add to the length of the development process. As a result, environmental review does not pose a significant constraint to housing development.

c. Site Improvements, Development Fees and Other Exactions

State law limits fees charged for development permit processing to the reasonable cost of providing the service for which the fee is charged. Various fees and assessments are charged by the City and other public agencies to cover the costs of processing permit applications and providing services and facilities such as schools, parks and infrastructure. Almost all of these fees are assessed through a pro rata share system, based on the magnitude of the project's impact or on the extent of the benefit that will be derived.

Table H-34 provides a listing of fees the City of Mission Viejo charges for new residential development.

**Table H-34
Planning and Development Fees**

Fee Category	Fee or Deposit Amount*
Planning and Application Fees	
Pre-Application Review	None
Parcel Map	\$6,200
Tentative Tract Map	\$7,600
Vesting Tentative Tract Map	\$7,600
Planned Development Permit (Community Development Director Approval)	\$3,000
Planned Development Permit (Planning and Transportation Commission Approval)	\$5,500
Conditional Use Permit	\$3,500
Specific Plan	\$7,500 Deposit
General Plan Amendment	\$7,500 Deposit
Development Agreement	\$7,500 Deposit
Zone Change	\$7,500 Deposit
Environmental	
Initial Study/Negative Declaration (review & preparation)	\$1,500
Environmental Impact Report (review) ²	\$10,000 Deposit

Source: City of Mission Viejo Community Development Department, 2021

*Items with deposits are based on actual processing costs which may exceed initial deposit amount.

The City evaluates the actual cost of processing the development permits when revising its fee schedule. The most recent revisions to the fee schedule were adopted in June 2019.

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. The City requires 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 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 can impact the cost of housing, the City of Mission Viejo strives to keep such fees to a minimum and actively pursues other sources of revenue to fund public improvements that are coordinated with private development.

4.2 Non-Governmental Constraints

California *Government Code* §65583(5) requires an analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels including the availability of financing, the price of land, and the cost of construction. This analysis is provided below. There are numerous factors that affect the development of new housing and the maintenance of existing units for all income levels. Mission Viejo shares many of the same constraints that challenge the typical Southern California community, such as market conditions, land and building costs, infrastructure requirements and environmental considerations.

1. Market Constraints

The high cost of renting or buying adequate housing is the primary ongoing constraint to providing affordable housing in the City of Mission Viejo. High construction costs, labor costs, land costs and market financing constraints all contribute to increases in the price of housing.

a. Construction Costs

Construction cost is affected by the price of materials, labor, development standards and general market conditions. The City has no influence over materials and labor costs, and the building codes and development standards in Mission 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 according to the Construction Industry Research Board.

b. Land Costs

Land represents one of the most significant components of the cost of new housing. Land values fluctuate with market conditions, and the current downturn in the housing market has caused a moderation in land appreciation.

The high price of land throughout Orange County poses a significant challenge to both market rate development and subsidized lower-income housing. Per-unit land cost is directly affected by density – higher density allows the cost to be spread across more units, reducing the total price. The Development Code allows up to 30 units per acre in the RPD 30 District, excluding density bonus, which helps to reduce per-unit land cost.

c. Cost and Availability of Financing

The crisis in the mortgage industry that accompanied the “Great Recession” affected the availability of real estate loans, particularly for those without high credit ratings. As a result of the decline in real estate values and foreclosure rates, changes in mortgage underwriting standards had a greater impact on low-income families than other segments of the community. This issue was national in scope, however, and cities have no ability to address the problem. As the economy has recovered, historically low interest rates have allowed some homebuyers to obtain very favorable mortgage terms, but many families who do not have superior credit ratings may be unable to qualify for a mortgage.

2. Environmental Constraints

Portions of Mission Viejo are exposed to a variety of environmental conditions that may constrain the development of lower-priced residential units. Although these constraints are primarily physical and hazard-related, they are also related to the conservation of the City's natural resources. Although some of the sites identified in the land inventory (Appendix B) have environmental constraints, such as steep slopes or geotechnical issues, feasible methods exist to address such constraints. These environmental constraints, when fully mitigated and combined with the development potential of the unconstrained land, would not preclude the assumed level of development.

a. Flood Hazards

The Public Safety Element identifies those areas in the City that are subject to periodic flooding based on Flood Insurance Rate Maps prepared for the area. These areas include Arroyo Trabuco and Tijeras Canyon in the eastern portion of the city, Oso Creek in the central area, Aliso Creek along the northwest boundary, and the area along the Orange County Transportation Authority (OCTA) and Metrolink Railroad Line (formerly Atchison, Topeka & Santa Fe) from Alicia Parkway south of the Oso Parkway/Interstate 5 interchange. General Plan policies require specific mitigation measures for development within these flood-prone areas.

b. Seismic Hazards

Like the entire Southern California region, Mission Viejo is located within an area of high seismic activity. Movement of the San Andreas, San Jacinto, Elsinore-Whittier, and Newport-Inglewood faults generates the primary seismic activity in the city. Although the inactive Capistrano fault crosses through the city, it poses little or no threat to the region. Potential seismic hazards include ground ruptures, ground shaking, liquefaction, landslides, and seiches. Of these five, Mission Viejo is more susceptible to ground shaking, liquefaction, and seiches in the event of an earthquake. The entire city can be expected to experience ground shaking during the occurrence of an earthquake along the region's four major faults. Soils susceptible to potential liquefaction within the city are located along Arroyo Trabuco and other major streams. Seiche damage potential is greatest along Lake Mission Viejo, Upper Oso Reservoir, and El Toro Reservoir. The Public Safety Element sets forth policies to address these seismic hazards in Mission Viejo.

c. Hazardous Materials

Hazardous materials can be classified into four basic categories: toxins, flammables, irritants, and explosives. Because of their widespread use, it is assumed that each type of hazardous material is transported through, used, or stored to some degree within Mission Viejo. The transportation of hazardous materials to and from sites poses potential risks of upset. The major transportation routes within the study area include the San Diego Freeway, the arterial roadways serving the commercial areas, and the OCTA and Metrolink Railroad Line along the western margin. The potential threats posed by transportation accidents involving hazardous material include explosion, physical contact by emergency response personnel, exposure to large segments of the population via airborne exposure, or release into drinking water sources. Further recommendations, restrictions, and safety precautions are outlined in the Public Safety Element.

d. Urban/Wildland Fires

Urban fires have the potential to result in personal injury or loss of life, and damage or destruction of structures at high monetary costs. Certain urban development scenarios pose more difficult fire protection problems. These scenarios include multi-story, wood frame, high-density apartment development; multi-story office buildings; large continuous developed areas with combustible roof materials; residential developments in outlying hillside areas with limited fire flows; and uses storing, handling, and using hazardous materials on-site.

The Orange County Fire Authority (OCFA) is responsible for providing fire protection services to Mission Viejo. The City of Mission Viejo and OCFA worked with residents to identify a framework for addressing future losses due to wildfires in and around the city. The California Department of Forestry and Fire Protection (Cal Fire) identified and mapped several hazard areas based on weather, topography, vegetation, probable ember travel, and fire history and required the City to adopt these zones and apply regulations to address the hazard. While there was general agreement that these areas were at risk, there was also recognition that much had been done by the City and residents to mitigate that risk. There was also a shared concern with unintended consequences of adopting these maps, including the potential for decreased home values and increases in insurance rates. As a result, in July 2012, the City Council rejected the maps and all Very High, High, and Moderate Fire Hazard Severity Zones. In order to meet State requirements for map rejection and to continue to focus on the mitigation measures that will improve community safety, a “Special Fire Protection Area” was created. The Special Fire Protection Area Map provides both residents and City staff with a tool to improve community safety by: 1) making the information available to residents so they can take action to protect their homes and families from wildfire through OCFA’s Ready, Set, Go program; 2) guiding future planning decisions within the City; 3) focusing OCFA fire prevention efforts through vegetation management and public education; and 4) defining geographical areas in which specific wildfire construction standards contained within City building codes can be applied to new home construction projects.

e. Natural Resources

In addition to seismic hazards, floodplains, and hazardous materials, areas with significant plant and animal species are present in Mission Viejo. Areas of high sensitivity contain threatened or endangered plant or animal species as determined by State or Federal laws.

The area with the highest sensitivity in Mission Viejo is the Arroyo Trabuco because of its significance as a prime bird nesting/foraging habitat and major wildlife movement corridor. Other highly sensitive areas include the waterfowl habitat near Oso Reservoir; the riparian habitat for birds and other wildlife in Tijeras Canyon; the prime bird of prey foraging/wintering habitats along the ridgelines of Tijeras Canyon and O’Neill Regional Park; and the undisturbed bird of prey foraging/wintering area in Plano

Trabuco. The City of Mission Viejo protects these highly sensitive areas through its development review procedures. Development standards will necessarily be more stringent in these sensitive areas to minimize potential adverse impacts to natural resources.

3. Infrastructure Constraints

Adequate infrastructure and public services are necessary to accommodate future residential development. The following sections discuss the availability of water, sewer, solid waste, and educational services to accommodate additional growth in Mission Viejo.

a. Wastewater

Sewage collection and treatment in Mission Viejo is provided by the Santa Margarita Water District (SMWD), the Moulton-Niguel Water District (MNWD), and the El Toro Water District (ETWD). Both the Santa Margarita and Moulton-Niguel Water Districts operate water reclamation plants that provide reclaimed water for use on greenbelts and golf courses located in the City. Most of the sewage generated in Mission Viejo is treated at the South East Regional Reclamation Authority (SERRA) treatment facility in Dana Point. Sewer infrastructure improvements are typically installed in conjunction with new developments and sewer lines are extended as necessary. Sewage treatment capacity is available to serve the City's remaining developable area, and therefore does not constrain development. None of the identified land inventory sites have wastewater service limitations that would preclude the level of development described in Appendix B, Land Inventory Summary.

b. Water

Water for City residents is supplied by the SMWD, which serves the eastern portion of the city, the MNWD, which serves the western portion of the city, and the ETWD, which serves the western area formerly in Community Service Area 12. The three districts treat and distribute water purchased from the Metropolitan Water District, which imports water from northern California and the Colorado River. As with sewer lines, water transmission, pumping, and storage facilities are expanded as necessary to accommodate future growth. Domestic water supply is not expected to limit development during the planning period. None of the identified land inventory sites have water service limitations that would preclude the level of development described in Appendix B, Land Inventory Summary.

c. Storm Water Drainage

The City maintains a Master Drainage Plan which identifies existing facilities and deficiencies and outlines a program to correct known problem areas. The Orange County Flood Control District (OCFCD) is responsible for the regional flood control system and maintains several facilities within Mission Viejo. The City works closely with OCFCD to identify improvements needed to accommodate proposed development projects. Development proposals are reviewed for consistency with approved development plans and with the Master Drainage Plan. With these existing facilities and review procedures in place, the City's flood control system is not expected to limit development during the planning period. None of the sites identified in the land inventory have storm water drainage limitations that would preclude the level of development described in Appendix B, Land Inventory Summary.

4. Affirmatively Furthering Fair Housing

The Fair Housing Act of 1968 prohibits discrimination in housing-related activities and requires cities to affirmatively further fair housing. Under the Federal consolidated planning process, the Analysis of Impediments (AI) to Fair Housing Choice is the primary tool for addressing fair housing issues. In 2020 the City of Mission Viejo joined with other Orange County cities and the County of Orange to develop

a county-wide AI. Based on extensive analysis of housing and community indicators, and the input of residents, a list of impediments to fair housing choice has been developed and a corresponding set of action steps to address fair housing barriers has been prepared. Program 16 in Section 6 describes actions the City will take to affirmatively further fair housing during the planning period.

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5. Housing Element Goals and Policies

This section of the Housing Element contains the goals and policies the City intends to implement to address a number of important housing-related issues. The following six major issue areas are addressed by the goals and policies of the Housing Element: 1) ensure that a broad range of housing types are provided to meet the needs of both existing and future residents; 2) ensure that housing is maintained and preserved; 3) provide housing support services; 4) ensure housing is sensitive to environmental and social needs; 5) promote equal housing opportunity; and 6) preserve the affordability of assisted housing units. Each issue area and the supporting goals and policies are identified and discussed in the following section.

5.1 Housing Opportunities

The City will continue to encourage the construction of new housing units that offer a wide range of housing types to ensure that an adequate supply is available to meet existing and future needs. The provision of a balanced inventory of housing in terms of unit type (e.g., single-family, multiple-family), cost, and style will allow the City to fulfill a variety of housing needs.

GOAL 1: Expand upon the present range of housing types to meet future needs of residents.

- Policy 1.1:** Continue to provide a variety of dwelling unit types for all segments the population.
- Policy 1.2:** Encourage a variety of public and private efforts in providing affordable housing opportunities to area residents, particularly for lower-income households, the elderly, large families, the physically impaired, and female heads of household.
- Policy 1.3:** Encourage the development of childcare facilities in conjunction with the development of housing.
- Policy 1.4:** Continue to provide incentives to assist in the development of affordable housing, including expeditious permit processing and fee waivers.
- Policy 1.5:** Where an established percentage of the dwelling units of a project are devoted to lower-income households, provide incentives such as density bonus, tax-exempt financing, waiver of fees, assistance with development of on- or off-site improvements, and reductions in minimum parking requirements.

5.2 Maintenance and Preservation

The goal of housing preservation is to protect the existing quality and investment in housing and to avoid a degree of physical decline that will require a larger rehabilitation effort to restore quality and value. In general, the housing stock has been well maintained although most homes are reaching an age where some rehabilitation is required. It is the City's intent to pursue efforts to both prevent deterioration and encourage repairs where necessary.

GOAL 2: Promote the continued maintenance and enhancement of residential areas.

- Policy 2.1:** Provide a code enforcement program to ensure continued success in maintaining the integrity of neighborhood areas.
- Policy 2.2:** Provide for the continuing maintenance of public open space and landscaped areas adjacent to residential neighborhoods.
- Policy 2.3:** Provide rehabilitation loans and grants program to preserve and conserve the City's housing stock.
- Policy 2.4:** Provide adequate standards for remodeling and expanding existing residential units to ensure compliance with State and Uniform Building Code requirements and to insure compatibility with surrounding residential development.
- Policy 2.5:** Monitor the level of existing affordable housing stock in the City.

5.3 Housing Services

In addition to policies designed to increase the availability and adequacy of the City's affordable housing stock, it is important that services are available to ensure the efficient utilization of the housing stock.

GOAL 3: Provide support services in meeting the needs of the City's low- and moderate-income residents.

- Policy 3.1:** Encourage senior citizen independence through the promotion of housing services related to in-home care, meal programs, and counseling.
- Policy 3.2:** Encourage development of new housing units designated for the elderly or persons with disabilities to be in close proximity to public transportation and community services.
- Policy 3.3:** Work with area social service providers in addressing the needs of the homeless population and those at risk of becoming homeless.
- Policy 3.4:** Support social service providers that operate shared housing programs that match low- and moderate-income individuals who want to share rental housing costs for joint living arrangements.
- Policy 3.5:** Work with housing developers, builders, and non-profit organizations to develop housing for low- and moderate-income households.
- Policy 3.6:** Support Mortgage Revenue Bond Programs aimed at providing housing opportunities for low- and moderate-income households.
- Policy 3.7:** The Disaster Aid Fund should be utilized to provide emergency shelter to victims of natural and man-made disasters.

5.4 Environmental Sensitivity

It is an on-going concern in the City to ensure that residential growth is sensitive to the environmental and social needs of the community. Development will be accommodated that is coordinated with available community resources and infrastructure, and is designed to minimize impacts on the natural environment.

GOAL 4: Provide for housing that is sensitive to environmental and social needs.

- Policy 4.1:** Balance future increases in population growth with existing and projected community resources.
- Policy 4.2:** Evaluate residential proposals within hillside areas in terms of potential impacts to landform and viewsheds.
- Policy 4.3:** Evaluate residential development proposals in terms of energy conservation measures provided.
- Policy 4.4:** Ensure compatibility of new residential development with existing development to enhance the city's residential neighborhoods.

5.5 Fair Housing

Housing opportunities in the City must be made available to all persons regardless of age, income, or race. The City has made a strong and firm commitment that fair housing practices will continue in Mission Viejo. Affirmatively furthering fair housing is required under State and Federal law.

GOAL 5: Promote equal housing opportunity.

- Policy 5.1:** Prohibit discrimination in the sale or rental of housing with regard to race, ethnic background, religion, disability, income, sex, age, and household composition.
- Policy 5.2:** Continue active support and participation with the Fair Housing Foundation to affirmatively further fair housing opportunities.
- Policy 5.3:** Implement state and federal laws for access and adaptability for the developmentally disabled, and continually adopt updates to City codes to reflect current accessibility requirements.

5.6 Preservation of At-Risk Housing Units

Dwelling units that are affordable to low- and very-low-income households are an important resource to the community that should be preserved. When affordable housing projects are at-risk of converting to market rate, the City needs to take special measures to try to preserve those affordable units. Whenever affordable housing projects are at-risk of converting, the City will continue to pursue the following policies to monitor and preserve affordable housing.

GOAL 6: Preserve housing units affordable to low- and very-low-income households.

- Policy 6.1:** Continue to monitor affordable housing projects to identify units that may be at-risk of conversion to market rate.
- Policy 6.2:** Contact at-risk housing project owners well in advance of covenant expiration and discuss options for preserving affordability.
- Policy 6.3:** Encourage non-profit housing organizations to acquire at-risk housing projects or purchase market rate apartment units.
- Policy 6.4:** Preservation of at-risk units shall be a priority for housing funding resources. Funding reallocation from lower priority programs such as

rehabilitation programs shall be considered when preservation opportunities are presented.

State housing law encourages the development of action programs to achieve the stated goals and policies. Table H-35 below provides a correlation between each goal and policy and identifies implementing programs. The programs are described in Chapter 6, the Housing Plan.

**Table H-35
Housing Policies and Related Programs**

Policy	Program
GOAL 1: Expand Upon the Present Range of Housing Types to Meet Future Needs of Residents	
<p>Policy 1.1: Continue to provide a variety of dwelling unit types for all segments of the population.</p> <p>Policy 1.2: Encourage a variety of public and private efforts in providing affordable housing opportunities to area residents, particularly for lower-income households, the elderly, large families, the physically impaired, and female-heads of household.</p> <p>Policy 1.3: Encourage the development of child-care facilities in conjunction with the development of housing.</p> <p>Policy 1.4: Continue to provide incentives to assist the development of affordable housing, including expeditious permit processing and fee waivers.</p> <p>Policy 1.5: Where an established percentage of the dwelling units of a project are devoted to lower-income households, provide incentives such as density bonus, tax-exempt financing, waiver of fees, assistance with development of on- and off-site improvements, and reductions in minimum parking requirements.</p>	<ul style="list-style-type: none"> • Land Use Element/Development Code (#5) • Affordable Housing Outreach (#9) • Density Bonus (#7) • Mortgage Revenue Bond Financing (#11) • Non-Profit Housing Development (#12) • Pre-application Review Program (#18) • Efficient Processing (#14) • Development Fees (#15) • Density Bonus (#7) • Affordable Housing Outreach (#9) • Mortgage Revenue Bonding Financing (#11) • Development Fees (#15)
GOAL 2: Promote the Continued Maintenance and Enhancement of Residential Areas	
<p>Policy 2.1: Utilize the code enforcement division to ensure continued success in maintaining the integrity of neighborhood areas.</p> <p>Policy 2.2: Provide for the continuing maintenance of public open space and landscaped areas adjacent to residential neighborhoods.</p> <p>Policy 2.3: Provide rehabilitation loans and grants program to preserve and conserve the City's housing stock.</p> <p>Policy 2.4: Provide adequate standards for remodeling and the expansion of existing residential units to insure compliance with State and Uniform Building Code requirements and to insure compatibility with surrounding residential development.</p> <p>Policy 2.5: Monitor the level of existing affordable housing stock in the City.</p>	<ul style="list-style-type: none"> • Code Enforcement (#3) • Median and Slopes Program (operating budget) • CDBG Rehabilitation Loans and Grants (#1) • Implemented through the Zoning and Building Codes • Cooperative effort between the City and Saddleback Valley Board of Realtors to monitor housing affordability.

Policy	Program
GOAL 3: Provide Support Services in Meeting the Needs of the City's Low- and Moderate-Income Residents	
<p>Policy 3.1: Encourage senior citizen independence through the promotion of housing services related to in-home care, meal programs, and counseling.</p> <p>Policy 3.2: Encourage development of new housing units designated for the elderly or persons with disabilities to be in close proximity to public transportation and community services.</p> <p>Policy 3.3: Work with area social service providers in addressing the needs of the homeless population and those at risk of becoming homeless.</p> <p>Policy 3.4: Support social service providers that operate shared housing programs that match low- and moderate-income individuals who want to share rental housing costs for joint living arrangements.</p> <p>Policy 3.5: Work with housing developers, builders, and non-profit organizations to develop housing for low and moderate income households.</p> <p>Policy 3.6: Support Mortgage Revenue Bond Programs aimed at providing housing opportunities for low and moderate income households.</p> <p>Policy 3.7: The Disaster Aid Fund should be utilized to provide emergency shelter to victims of natural and manmade disasters.</p>	<ul style="list-style-type: none"> • Senior Community Service Program • Implemented through the General Plan and zoning (#5) • Emergency Shelters and Transitional Housing (#10) • CDBG Public Service Programs (#17) • CDBG Public Service Programs (#17) • Non-Profit Housing Development (#12) • Mortgage Revenue Bond Financing (#11) • Emergency Operation Plan (shelter provided by American Red Cross).
GOAL 4: Provide for Housing which is Sensitive to Environmental and Social Needs	
<p>Policy 4.1: Balance future increases in population growth with existing and projected community resources.</p> <p>Policy 4.2: Evaluate residential proposals within hillside areas in terms of potential impacts to landform and viewsheds.</p> <p>Policy 4.3: Evaluate residential development proposals in terms of energy conservation measures provided.</p> <p>Policy 4.4: Ensure compatibility of new residential development with existing development to enhance the City's residential neighborhoods.</p>	<ul style="list-style-type: none"> • Implemented through the Land Use Element, Development Code and CEQA review process • Implemented through the Land Use Element, Development Code and CEQA review process • Implemented through the Land Use Element, Development Code and CEQA review process • Implemented through the Land Use Element, Development Code and CEQA review process
GOAL 5: Promote Equal Housing Opportunity	
<p>Policy 5.1: Prohibit discrimination in the sale or rental of housing with regard to race, ethnic background, religion, disability, income, sex, age, and household composition.</p> <p>Policy 5.2: Continue active support and participation with the Fair Housing Foundation to affirmatively further fair housing opportunities.</p> <p>Policy 5.3: Implement state and federal laws for access and adaptability for the developmentally disabled, and continually adopt updates to City codes to reflect current accessibility requirements.</p>	<ul style="list-style-type: none"> • Equal Housing Opportunity Services (#16) • Equal Housing Opportunity Services (#16) • Equal Housing Opportunity Services (#16)

5.7 Related Goals and Policies

The Land Use Element sets forth the amount and type of residential development permitted under the General Plan, thereby affecting housing opportunity in Mission Viejo. In addition, the Land Use Element contains policies directed at maintaining the existing housing stock, as well as ensuring the quality of new residential development. The Circulation Element contains policies to minimize roadway traffic into residential neighborhoods and the Noise Element sets forth policies to minimize the level of noise in neighborhoods. The Conservation/Open Space Element establishes development standards to minimize the impact of residential development on sensitive resources, such as hillside areas, ecological habitat, and scenic viewsheds. The Public Safety Element sets forth policies to ensure the safety of the City's housing stock through such measures as code enforcement, and mitigation of environmental hazard as a condition to development. The Public Facilities Element sets forth policies and standards to ensure the adequacy of facilities to serve existing and future residential development. Finally, the Economic Development Element sets forth a strategy aimed at the attainment of a job/housing balance in Mission Viejo. The Housing Element and the other Elements of the General Plan have been reviewed to ensure that they are consistent with one another. In addition, the Development Code and Capital Improvement Program have been reviewed to ensure consistency. These related documents are consistent with the Housing Element. Table H-36: Housing Policy by Element depicts General Plan policies in other elements that support the goals of the Housing Element.

**Table H-36
Housing Policies by Element**

Issue Area	Policies by Element							
	Land Use	Circulation	Conservation/ Open Space	Public Safety	Noise	Public Facilities	Economic Development	Growth Management
Housing Opportunities	1.4, 2.1	7.1	–	–	2.1-2.8		2.1-2.3	–
Maintenance and Preservation	1.3, 3.1, 3.3, 3.6	5.1-5.8, 7.1	–	–	1.1-1.7, 3.1-3.3	–	–	–
Housing Services		4.1-4.6	–	–	–	–	–	–
Environmental Sensitivity	1.6, 2.8, 2.9, 2.16, 3.4, 3.10, 4.3	6.1-6.3	1.1-1.13, 2.1-2.4	1.1-1.3, 2.1-2.6, 3.1-3.6, 5.1-5.4, 6.1-6.7	1.1-1.7, 2.1-2.8, 3.1-3.3	1.1-1.3, 3.1-3.3, 4.1-4.2, 5.1-5.6, 6.1-6.3, 7.1-7.4		1.1.-1.3, 2.1-2.3, 3.1
Fair Housing	1.2, 3.9	–	–	–	–	–	–	–

6. Housing Plan

This section of the Housing Element describes the actions and programs the City will use to implement adopted goals and policies, and achieve the objectives for housing development, conservation, and improvement.

Section 2 – Housing Needs Assessment describes the housing needs of the City's current and projected population, as well as the specific needs resulting from the potential deterioration of older units, lack of affordable housing for lower-income groups, and special housing needs for certain segments of the City's population. The goals and policies contained in the Housing Element address the City's identified housing needs. These goals and policies are implemented through a series of housing programs.

Mission Viejo's overall housing program strategy for addressing its housing needs during the 2021-2029 planning period addresses the following issue areas:

- Conserving and improving the condition of the existing stock of affordable housing;
- Providing adequate sites to achieve a variety and diversity of housing;
- Assisting in the development of affordable housing;
- Removing governmental constraints if necessary;
- Promoting equal housing opportunity; and
- Providing social services that support low- and moderate-income residents.

Housing programs include both existing programs currently in use in Mission Viejo as well as revisions to existing programs to address new circumstances and the City's current housing needs. This section provides a description of each housing program and future program goals. The Quantified Objectives (Table H-37) and Housing Program Summary (Table H-38) at the end of this section summarize the future goals of each program, along with identifying the program funding source, responsible agency, and time frame for implementation.

Conserving and Improving Existing Affordable Housing

The State of California has made housing preservation and conservation a high statewide priority. While the City's housing stock is in excellent condition, a significant proportion of the City's housing is over 40 years of age, indicating the need for continued maintenance and the potential need for targeted rehabilitation in the future.

1. Housing Rehabilitation Program

The Housing Rehabilitation Program provides technical and financial assistance to qualifying lower-income households who are owner/occupants of single-family residential properties in the City of Mission Viejo. The primary funding for the program is the Community Development Block Grant program (CDBG), under which the City receives funds from HUD.

This program's objectives are to correct nonconforming uses, remedy code violations, and generally repair and improve deteriorating properties in an effort to provide decent housing and a suitable living environment for persons and families of low and moderate income. Financial assistance is provided in the form of a grant or deferred payment loan. Single-family rehabilitation grants in amounts up to

\$10,000 are available to qualifying property owners to correct existing local and/or state code violations and finance eligible exterior improvements to residential properties. The City offers deferred payment loans to eligible property owners in amounts up to \$25,000 with combined loan and grant not to exceed \$30,000. The eight-year objective is to advertise availability of loans and grants and provide assistance to 90 units during the planning period.

The City is committed to maintaining this program as long as it is effective. As part of an on-going effort to ensure this program meets a current need within the community, the City has added a Paint Program. The Paint Program allows the City to award a smaller financial grant to a larger number of residents. The City will continue to monitor its Housing Rehabilitation program and modify it as necessary to ensure it addresses housing need in the community.

2. Home Weatherization Improvements

As residential energy costs continue to rise, increasing utility costs reduce the affordability of housing, thus aggravating the City's current shortage of affordable units. Southern California Edison (SCE) and San Diego Gas and Electric (SDG&E) offer a variety of energy conservation services designed to help low-income households, senior citizens, permanently disabled, and non-English-speaking customers reduce their energy use. Homeowners or renters may qualify for the following types of weatherization improvements free of charge: attic insulation, weather stripping, caulking, water heater insulation blankets, water-saving showerheads, heating/cooling duct insulation, and other types of limited home repairs which increase energy efficiency. To expand utilization of these programs, the City will provide informational brochures at the public counter and at the Norman P. Murray Community and Senior Center.

3. Code Enforcement

The City adopted a nuisance abatement ordinance in 1989 to codify standards and procedures for abating property maintenance, building and zoning violations. Potential code violations are identified based on complaints reported to the City and those observed by code enforcement officers. There are three code enforcement officers that work with the residents towards amiable solutions. In addition, code enforcement officers inform property owners of the rehabilitation loan and paint programs. The majority of code violations in Mission Viejo pertain to property maintenance, and according to the City's Building Official, only four substandard residential structures have been identified since the program's inception.

4. Section 8 Certificate/Voucher Program

The City of Mission Viejo contracts with the Orange County Housing Authority (OCHA) to administer the Section 8 Certificate/Voucher Program. The Section 8 rental assistance program extends rental subsidies to low-income families and elderly that spend more than 30% of their income on rent. The subsidy represents the difference between the excess of 30% of the monthly income and the allowable rent determined by the Section 8 program. Most Section 8 subsidies are issued in the form of Housing Choice Vouchers which allow clients to locate their own housing. Assisted clients will pay no less than 30% of their adjusted income as their share and are not allowed to pay more than 40% of their adjusted income towards the total rent.

Due to the high demand for housing vouchers, there is a waiting list for the program. Unless OCHA receives new funding, they can only issue vouchers to replace persons who leave the program. OCHA regularly submits applications for additional housing vouchers.

The City's 2020-2024 Consolidated Plan reported that OCHA provides approximately 282 Section 8 Rental Certificates and Vouchers to residents of Mission Viejo. It is impossible to know whether additional housing vouchers will become available for City residents during this planning period. However, based on previous allocation levels, the City's goal will be to secure an additional five rental subsidies annually. The City will facilitate use of the Section 8 program in its jurisdiction by encouraging apartment owners to list available rental units with OCHA for potential occupancy by tenants receiving Section 8 certificates.

Providing Adequate Housing Sites

A key element in satisfying the housing needs of all segments of the community is the provision of adequate sites for housing of all types, sizes and prices. This is an important function in both zoning and General Plan land use designations.

5. Land Use Element/Development Code

Fundamental to the provision of housing is the zoning and designation of property for residential purposes. Since the City is nearing buildout, it is anticipated that potential redevelopment of the underutilized properties shown in Appendix B will provide sufficient opportunities to accommodate the City's assigned share of regional housing needs, which has been identified as 2,217 new dwelling units during the 2021-2029 RHNA period. The sites listed in Table B-2 will be rezoned concurrent with Housing Element adoption and will allow for a variety of housing types to address all economic segments of the community. Allowed densities range up to 50 dwelling units per acre, with higher densities achievable through density bonus provisions.

6. Inventory of Surplus Public Land

In 2007 one City-owned site was identified and rezoned for high-density housing development. The City will continue to monitor the availability of surplus land or the possible conversion of facilities. If any land deemed or declared surplus is identified, an assessment will be made of its suitability for residential development. Those sites suitable for affordable housing will be forwarded to non-profit developers for their consideration as to development potential.

7. Density Bonus Units

Pursuant to State law, the City offers a density bonus along with regulatory concessions and/or incentives, if a developer agrees to construct affordable housing or units for qualifying residents (i.e., seniors and disabled). The density bonus program not only assists with the cost of development but also increases the housing stock by allowing a density above the Development Code standards. In recent years State density bonus law has been amended to create greater incentives for affordable housing and the City is currently in the process of amending the Development Code to incorporate the latest amendments. The City will continue to encourage affordable housing developers to take advantage of this option.

8. Accessory Dwelling Units

Accessory dwelling units ("ADUs") are an important option for creating additional affordable housing opportunities. An ADU is a separate and complete living unit on the same parcel as existing single- or multi-family units. Because ADUs can be created more economically than conventional newly constructed units, they offer an effective method of expanding the affordable housing stock. The cost savings come from the utilization of existing infrastructure and land. ADUs can also help homeowners

generate additional income from extra living space by allowing them to convert that space into another unit.

In recent years State law has been amended to create stronger incentives for ADU development, and the City is currently in the process of amending the Development Code in conformance with current State law. The City will continue to promote ADUs by providing brochures and/or informational displays at the building permit counter and other appropriate locations (with PDF versions for website distribution) detailing the benefits of ADUs and the process for obtaining approval.

Assisting in the Development of Affordable Housing

New construction is a major source of housing for prospective homeowners and renters but generally requires public sector support for the creation of units affordable to lower-income households. The following programs attempt to address the overall need for the development of affordable housing in Mission Viejo.

9. Affordable Housing Outreach Program

To successfully facilitate affordable housing development for lower-income persons and households, including those with extremely-low-incomes, various incentives and strategies are identified and specifically targeted to the sites in the Land Inventory Summary (Appendix B) that are suitable for lower-income housing. These targeted incentives and strategies are as follows:

- *Affordable Housing Outreach.* The City will continue to market the parcels to non-profit housing developers and provide technical assistance for development review process, and coordinate discussions between property owner, non-profit developer, and various governmental agencies. The City will also continue to market the incentives and concessions to be offered to facilitate development of affordable rental housing for low-income families, workers and seniors, including extremely-low-income persons where feasible. The City has prepared and circulated a marketing package for the City-owned Site C, and City staff has had numerous meetings and discussions with interested developers and non-profit corporations. Staff has also developed an interest matrix identifying which developers and non-profit corporations are interested in affordable housing sites to be able to contact them should new information or funding become available. To further improve its affordable housing outreach efforts, the City of Mission Viejo has become an active participant in the Alliance for Housing Our Communities, a coalition of housing and community advocates with the primary goal of increasing affordable homes in south Orange County. Other partners include Mission Hospital, the Kennedy Commission, some other local cities, and non-profit corporations including Mary Erickson Foundation, Dayle McIntosh Center, and OC Human Relations Commission. The City has hosted and co-sponsored meetings to bring different group and decision makers together and help increase awareness of the need for affordable housing.
- *Development & Parking Incentives and Concessions.* The City will provide various incentives and concessions for the identified parcels including, but not limited to, a reduction in the minimum setback and square footage requirements, and in the ratio of required off-street parking spaces, and an increase in the building height limit and maximum lot coverage, to promote the financial feasibility of homes affordable to lower income families.
- *Funding Program.* Due to the State's 2012 dissolution of redevelopment agencies, a significant source of funding for affordable housing was eliminated. However, the City will attempt to provide funding assistance using all available housing funds including CDBG

funds for projects affordable to low-, very-low-, and extremely-low-income persons and families proposed on suitable parcels to encourage such development in this planning period. This program will also provide advice to potential non-profit organizations and developers regarding locating and acquiring additional financing. The City will apply or assist in the application of funds for State and Federal funding programs such as the Multi-family Housing Program, and California Tax Credit Allocation funding.

- *Development Fees.* For affordable housing projects proposed on these parcels, the City will provide a fee waiver or subsidy.
- *Affordable Housing Education Program.* The City will continue to maintain an ongoing Affordable Housing Education Program to provide education and facts on affordable housing. The aim of the program is to help foster and build support for affordable housing and address “Who Needs Affordable Housing?” and “What is Low Income?” The program incorporates various formats including printed materials (fact sheets, brochures, and bus shelters ads), media outreach, and public forums such as tours of existing affordable developments.
- *Remove Governmental Constraints.* The City will ensure standards are not excessive and do not unnecessarily constrain affordable housing. The City will work with interested developers to determine the need and remove or modify standards to facilitate the development of affordable housing.
- *Land Value Negotiation.* As described in Appendix B, Land Inventory Summary, the City owns Site C and controls the sale of the property. The City will sell the land and shall implement a schedule of actions to ensure that suitable and feasible land is made available for the development in accordance with the above analysis and implementation section under Site C.
- *Extremely-low-income housing.* To the extent feasible, the City will encourage developers to include units affordable to extremely-low-income (i.e., those with 30% or less of Area Median Income) in affordable housing projects in order to achieve the City’s quantified objectives (Table H-37). It is recognized that the subsidy required to provide units at the ELI level is much greater than for other lower-income groups, and that more units can be assisted at the very-low- and low-income levels with a given amount of funding.

The City remains committed to working with qualified developers and non-profit corporations to ensure high quality affordable housing for the community.

10. Emergency Shelters, Transitional and Supportive Housing

The issue of homelessness is a complex statewide issue. In 2007, Senate Bill (SB) 2 amended State law regarding emergency shelters and transitional/supportive housing. SB 2 generally requires that emergency shelters be permitted by-right in at least one zoning district, or that jurisdictions enter into a multi-agency agreement to deal with this issue more broadly. In 2009 the City amended the Municipal Code to designate the Business Park zone where shelters are permitted by-right, along with specific development standards, in conformance with the provisions of SB 2. Sites in this zone are located within walking distance of shopping, medical, civic offices, employment and public transportation. The Business Park zone encompasses more than 165 acres and there are currently some vacant parcels and buildings in these zones that could accommodate shelters. The City will continue to work cooperatively with interested agencies to facilitate the development of an emergency shelter.

AB 101 (2019) added a 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 *California Government Code* §65660, et seq.

Senate Bill 2 also specifies that transitional and supportive housing shall be treated as a residential use with only those requirements that apply to other residential uses in the same district. As noted in Chapter II, several transitional housing units have been established in Mission Viejo. City policies and regulations permit transitional and supportive housing subject to the same standards and procedures that apply to other residential uses of the same type in the same zone in conformance 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.

The City is currently processing an amendment to the Development Code in conformance with AB 101 and AB 2162.

11. Mortgage Revenue Bond Financing

The County of Orange has established two revenue bond housing programs to increase the supply of affordable housing in the County - the Multi-family Housing Revenue Bond Program and the Single-Family Residential Mortgage Revenue Bond Program. Under these programs, tax-exempt bonds are issued to provide funds for construction and mortgage loans to encourage developers to provide both rental and for-sale housing that is affordable to lower-income families and individuals. The Mission Viejo Company participated in both the multi-family and single-family bond programs. Subsequent to incorporation, the City entered into a cooperative agreement with the County in support of additional bond-financed projects in Mission Viejo. The City will continue to facilitate the use of these bond programs.

12. Non-Profit Housing Development

A non-profit housing corporation works to develop, conserve and promote affordable housing, either owner- or renter-occupied. Particularly in relation to senior citizen housing (such as HUD Section 202 projects), the corporation is often a local religious organization interested in developing affordable housing. The corporation is often involved with what is called "assisted housing", where some type of government assistance (such as Section 8) is provided to the individual household to keep rents affordable. Housing corporations can work with assisted housing in several ways.

- a. The corporation may assemble a development package and sell it to a profit-motivated developer. The package usually consists of a site, project design, the necessary permits, and, in some cases, preliminary financing commitments. The advantage of this method is that the non-profit can get low- and moderate-income housing built while ending its involvement early in the process and going on to other projects. The disadvantage is that the non-profit may lose control over the development at the time of sale. However, the corporation could negotiate to retain some control over the project in its contractual agreement with the developer.
- b. The non-profit corporation may participate in a joint venture with a profit-motivated developer. Though it usually performs the same functions as in the first method, the non-profit can retain more control over the development and gain hands-on development experience while benefiting from the financial resources of the for-profit developer. In this

option, however, the non-profit has a longer involvement and would have to negotiate the rights and responsibilities of the two partners.

- c. In the third approach, the non-profit corporation is the developer. In this case, the group must employ staff with necessary expertise or rely heavily on consultants. In return, the group has total control over the development. This option requires more risk, money, time, effort, and capability on the part of the non-profit.

A non-profit corporation can help meet the City's goals for additional housing by implementing or assisting with the implementation of programs described in this Housing Element. The City will actively support local non-profit groups to facilitate the development and improvement of both senior housing and housing affordable to low-, very-low-, and extremely-low-income persons and families in Mission Viejo. Support to non-profit groups, for example, will include technical assistance for development review process, assistance locating and acquiring financing, and coordinator discussions between property owner, non-profit developer, and various governmental agencies.

The City has a history of successful working relationships with non-profit affordable housing developers, including Citizens Housing Corporation (Arroyo Vista multi-family apartment complex) and Jamboree Housing Corporation (Heritage Villas Senior Apartments), developed during previous planning periods. More recently, the City has coordinated meetings with non-profit developers, including Bridge, Habitat for Humanity, and Jamboree Housing Corporation. These meetings were successful and allowed the City an opportunity to present its affordable housing sites, answer questions regarding the process, and discuss available funding opportunities. The City will continue to facilitate new affordable housing projects by meeting with interested developers at least twice a year and providing technical assistance to developers in support of affordable housing development, including evaluation of projects for appropriate use of funding sources, support in the preparation of grant applications, and assisting in moving projects forward through the public review process.

13. Reverse Mortgage Program

The most substantial asset of most elderly homeowners is their home, which usually increases significantly in value with inflation. And while owning a home may provide a rich asset base with the onslaught of retirement and a fixed income, many elderly homeowners may not have sufficient income to cover the rising costs in home utilities, insurance, taxes, and regular maintenance.

An option for elderly homeowners is to draw needed income from the accumulated equity in their homes through a reverse mortgage. A reverse mortgage is a deferred payment loan or a series of such loans for which a home is pledged as security. Qualification for the loan is based primarily on property value rather than on income, allowing the elderly homeowner on a fixed income to receive a loan for which he or she would not otherwise qualify.

Most reverse mortgage loans have been underwritten by a government-sponsored program marketed through independent mortgage brokers, although there are major independent financial firms that now market reverse mortgage programs.

At the Norman P. Murray Community and Senior Center, information programs have been held to inform interested residents about reverse mortgages. The City will continue to provide financial institutions with the opportunity to educate interested seniors. Social service caseworkers will also advise elderly homeowners of the reverse mortgage programs, including both benefits and potential drawbacks.

Removing Governmental Constraints

Under current law, the Mission Viejo Housing Program must include the following:

Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.

14. Efficient Processing

Residential projects in Mission Viejo generally receive concurrent processing, thereby shortening review time and minimizing related holding costs. Nonetheless, the evaluation and review procedure contributes to the cost of housing in that holding costs incurred by developers are ultimately reflected in the unit's selling price or rent. In order to streamline review times for affordable housing projects, the City will prioritize affordable housing applications in the following sequence:

- First, applications which require a Housing Element in compliance with State law such as the State's Rental Housing Construction Program and Federal HOME Program.
- Second, applications that meet all other City requirements and are requesting a density bonus in exchange for a minimum of 20% affordable housing units.
- Third, all other applications ranked in terms of the percentage of very-low- and low-income housing units to be included in the proposed development.

15. Development Fees

Development fees have been set at a level necessary to cover the costs to the City and to make appropriate contributions to the community. However, these fees contribute to the cost of housing, and may constrain the development of low- and moderate-income units. For senior citizen and affordable housing projects, the City shall consider fee waivers or subsidies on a case-by-case basis. In addition, the City will encourage local school districts to reduce or eliminate school impact fees charged to affordable senior housing developments. With regard to City projects, the payment of fees may be deferred until loan proceeds are obtained or revenues from project proceeds are received.

Affirmatively Further Fair Housing

To make adequate provision for the housing needs of all economic segments of the community, the housing program must include actions that affirmatively further fair housing opportunities for all persons regardless of race, religion, sex, family size, marital status, ancestry, national origin, color, age or physical disability.

16. Affirmatively Furthering Fair Housing

The Fair Housing Act of 1968 prohibits discrimination in housing-related activities and requires cities to affirmatively further fair housing. Under the Federal consolidated planning process, the Analysis of Impediments (AI) to Fair Housing Choice is the primary tool for addressing fair housing issues. In 2020 the City of Mission Viejo joined with other Orange County cities and the County of Orange to develop a county-wide AI. Based on extensive analysis of housing and community indicators, and the input of residents, a list of impediments to fair housing choice has been developed and a corresponding set of action steps to address fair housing barriers has been prepared. The following specific actions have been identified in the AI for the City of Mission Viejo to affirmatively further fair housing during the planning period.

1. In collaboration with the Orange County Housing Authority (OCHA):
 - a. Attend quarterly OCHA Housing Advisory Committee meetings 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.
 - c. Provide general fair housing counseling and referrals services to address tenant-landlord issues, and investigate allegations of fair housing discrimination and take appropriate actions to conciliate cases or refer to appropriate authorities.
 - d. Periodically monitor local newspapers and online media outlets to identify potentially discriminatory housing advertisements.
 - e. Include testing/audits within the scope of work with fair housing provider.
3. In cooperation with the Orange County Transportation Authority:
 - a. Provide community education regarding transport services for persons with disabilities.
 - b. Explore bus route options to ensure neighborhoods with concentration of low-income or protected class populations have access to transportation services.
4. Monitor FBI data to determine if any hate crimes are housing related and if there are actions that may be taken by the City's fair housing service provider to address potential discrimination linked to the bias motivations of hate crimes.
5. Support local eviction prevention strategies to reduce the number of homeless individuals and families (homelessness prevention services).
6. Seek funding through State programs (SB2/PLHA) to expand affordable housing and or homelessness prevention services.
7. Prepare a new Housing Element that is compliant with all current State laws and is certified by the California Department of Housing and Community Development.
8. Update zoning ordinance to comply with current State law.

Providing Housing-Related Public Services

To assist low- and moderate-income residents, the housing program should include complementary programs that support residents in obtaining adequate housing or assist them with their special needs.

These programs include, but are not limited to, continuum care for homeless, supportive services for persons with disabilities, and childcare services.

17. Community Development Block Grant (CDBG) Public Service Programs

The primary objective of the CDBG program is “development of viable urban communities, by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for persons of low- and moderate-income.” CDBG funds may be used to provide public services (including labor, supplies and material), provided that the public service meets a national objective of the CDBG program. The amount of CDBG funds obligated within a program year to support public service activities cannot exceed 15% of the City’s total allocation. These funds can target the needs of the low- and moderate-income residents as identified in the City of Mission Viejo Consolidated Plan. Several organizations operating service programs have been supported with City CDBG funds. These programs include childcare services, senior-housing services, legal services, disabled services, homeless prevention, and support services to abused and neglected children.

Research shows a need for public service programs geared to addressing childcare for low-income working parents, the elderly, abused women, neglected teenagers, and persons with disabilities. The City will continue to actively publicize the CDBG program and availability of funds, and prioritize programs which address these identified needs within the community.

18. Pre-application Review Program

During the project development stage, City staff will encourage developers to include amenities or facilities such as childcare, job training, work stations, and exercise equipment. These types of amenities empower tenants to increase their financial independence and well-being. Projects that include these types of amenities will be given priority when the City Council issues financial assistance or other considerations.

19. Energy Conservation

The City has many opportunities to directly affect energy use. In addition to required compliance with the Building Code and Title 24 of the California Administrative Code relating to energy conservation, the City sets forth goals and policies which encourage the conservation of non-renewable resources in concert with the use of alternative energy sources to increase energy self-sufficiency. In a large part, energy savings and utility bill reductions can be realized through the following energy design standards:

- **Glazing** – Glazing on south facing exterior walls allows for winter sunrays to warm the structure. Avoidance of this technique on the west side of the unit prevents afternoon sunrays from overheating the unit.
- **Landscaping** – Strategically placed vegetation reduces the amount of direct sunlight on the windows. The incorporation of deciduous trees in the landscaping plans along the southern area of units reduces summer sunrays, while allowing penetration of winter sunrays to warm the units.
- **Building Design** – The implementation of roof overhangs above southerly facing windows shield the structure from solar rays during the summer months.
- **Cooling/Heating Systems** – The use of attic ventilation systems reduces attic temperatures during the summer months. Solar heating systems for swimming pool facilities save on

energy costs. Natural gas is conserved with the use of flow restrictors on all hot water faucets and showerheads.

- **Weatherizing Techniques** – Weatherization techniques such as insulation, caulking, and weather stripping can reduce energy use for air-conditioning up to 55% and for heating as much as 40%. Weatherization measures seal a dwelling unit to guard against heat gain in the summer and prevent heat loss in the winter.
- **Efficient Use of Appliances** – Each household contains different mixture of appliances. Regardless of the mix of appliances present, appliances can be used in ways that increase their energy efficiency. Unnecessary appliances can be eliminated; proper maintenance and use of stove, oven, clothes dryer, clothes washer, dishwasher, and refrigerator can also reduce energy consumption. New appliance purchases can be made on the basis of efficiency ratings.

In 2008, the City Council adopted a fee waiver for the installation of solar and other energy-saving equipment now available to new homeowners and senior residents in the City. Details regarding this program are also found on the City’s website⁵. The fee waiver program applies to all building permits for solar photovoltaic, solar thermal systems, tankless water heaters, windows and/or doors containing glass, high-efficiency heating, ventilation, air conditioning (HVAC) systems and other improvements that go beyond Building Code and Title 24 requirements. Expedited plan review and same-day inspection also accompany the fee waiver program. In addition, in 2008 the City adopted a Solar Energy Education Program to complement its existing Green Building Program. The City also actively promotes and markets energy conservation and education in the community.

The City will also actively pursue grant and funding opportunities associated with federal and state Energy Efficiency and Conservation Block Grant programs.

Quantified Objectives and Program Summary

The City’s quantified objectives and housing programs are summarized in the following tables.

**Table H-37
Quantified Objectives (2021-2029) –
City of Mission Viejo**

	Income Category					Totals
	Ex. Low	Very Low	Low	Moderate	Upper	
New construction	337	337	401	397	745	2,217
Rehabilitation	20	25	45			90
Conservation						

Quantified objective for new construction is for the RHNA projection period 6/30/2021 – 10/15/2029

5 <https://cityofmissionviejo.org/sites/default/files/EEFW%20program%20handout%20rev%208-2019.docx>

**Table H-38
Housing Program Summary**

Program	Responsible Agency	Funding Source	Program Objectives	Schedule
1. Housing Rehabilitation Program	Community Development Department	CDBG	To maintain quality of housing in established neighborhoods, particularly for very-low- and low-income households by providing 90 deferred loans or grants for housing rehabilitation.	Throughout the planning period
+2. Home Weatherization Improvements	Community Development Department	So. Cal Edison and So. Cal Gas	To provide information to residents regarding available weatherization improvements to reduce housing utility costs.	Throughout the planning period
3. Code Enforcement	Community Development Department	Department Budget	To enforce City codes pertaining to property maintenance, building and zoning.	Throughout the planning period
4. Section 8 Assistance Payment / Housing Vouchers	O.C. Housing Authority; City Community Development Department	HUD-Section 8 Certificate & Housing Vouchers	To provide at least 280 rental subsidies to lower-income families and elderly, and encourage listing of rental units with County Housing Authority.	Throughout the planning period
5. Land Use Element / Development Code	Community Development Department	Department Budget	To maintain a range of residential development opportunities through appropriate land use and zoning designations to accommodate the RHNA allocation.	Zoning amendments concurrent with Housing Element adoption
6. Inventory of Surplus Public Land	Community Development Department	Department Budget	To maintain an inventory of all land owned by public entities declared surplus.	Throughout the planning period
7. Density Bonus Units	Community Development Department	Department Budget	Continue to implement the Development Code density bonus provisions in compliance with State law, to maximize the capacity of housing sites and facilitate construction of affordable units.	Throughout the planning period
8. Accessory Dwelling Units	Community Development Department	Department budget	To expand the affordable housing stock by encouraging the provision of accessory dwelling units in compliance with State law.	Throughout the planning period
9. Affordable Housing Outreach	Community Development Department	CDBG, Revenue Bonds	To meet the City's regional housing need allocation for all income groups through the pursuit of multiple tactics.	Continue promoting affordable housing development throughout the planning period.
10. Emergency Shelters and Transitional Housing	Community Development Department	Department budget	Continue to implement City policies and regulations regarding emergency shelters and transitional/supportive housing in conformance with State law.	Throughout the planning period
11. Mortgage Revenue Bond Financing	Orange County; Mission Viejo Community Development Department	Revenue bonds	To increase supply of rental and ownership units affordable to low- and moderate-income households.	Throughout the planning period

Program	Responsible Agency	Funding Source	Program Objectives	Schedule
12. Non-Profit Housing Development	Community Development Department	Department budget	To provide support and assistance to non-profit housing organizations to facilitate affordable housing production commensurate with the City's quantified objectives.	Throughout the planning period
13. Reverse Mortgage Program	Community Development Department	Department budget	Coordinate with social service groups and lending institutions to provide information to seniors about reverse mortgage programs.	Throughout the planning period
14. Efficient Processing	Community Development Department	Department budget	To provide concurrent processing for residential projects to shorten review time and minimize related holding costs.	Throughout the planning period
15. Development Fees	Community Development Department	General Fund	To provide reduced development fees for affordable and senior citizen housing.	Throughout the planning period
16. Affirmatively Furthering Fair Housing	Community Development Department; OCHA	HUD-CDBG	Work cooperatively with other agencies to ensure equal housing opportunity by providing tenant/landlord counseling, housing discrimination response, and related housing services.	Throughout the planning period
17. Community Development Block Grant Public Service Programs	Community Development Department	HUD-CDBG	To fund public service programs that support lower-income households to obtain adequate housing or assist them with special needs.	Throughout the planning period
18. Pre-application Review Program	Community Development Department	Department budget	Encourage developers to include amenities such as childcare, computer workstations in affordable developments.	Throughout the planning period
19. Energy Conservation Program	Community Development Department	Department budget	Continue to encourage energy conservation through incentives such as expedited processing and fee waivers for qualifying projects. Continue the Solar Energy Education Program, which promotes energy conservation throughout the community.	Throughout the planning period

Appendix A

Evaluation of the Prior Housing Element

Section 65588(a) of the *California Government Code* requires that jurisdictions evaluate the effectiveness of the existing Housing Element, the appropriateness of goals, objectives and policies, and the progress in implementing programs for the previous planning period. The goals and policies from the 2013 Housing Element have been reviewed and determined to continue to be appropriate. Table A-1 contains a review the housing programs of the previous Housing Element, and evaluates the City’s progress in implementing those programs during the previous planning period, years 2013 through 2021. Table A-2 presents the City’s progress in meeting the quantified objectives from the previous Housing Element. The findings from this evaluation have been instrumental in refining the City’s 2021-2029 Housing Implementation Programs.

Table A-1
Housing Element Program Evaluation
City of Mission Viejo
2013 – 2021

Program	Responsible Agency	Funding Source	Program Objectives	Progress
1. Housing Rehabilitation Program	Community Development Department	CDBG	To maintain quality of housing in established neighborhoods, particularly for very-low- and low-income households by providing 128 deferred loans or grants for housing rehabilitation.	Approximately 80 rehab applications were approved during 2014-2020
2. Home Weatherization Improvements	Community Development Department	So. Cal Edison and So. Cal Gas	To provide information to residents regarding available weatherization improvements to reduce housing utility costs.	Home weatherization flyers have been made available at City Hall.
3. Code Enforcement	Community Development Department	Department Budget	To enforce City codes pertaining to property maintenance, building and zoning.	The City's Code Enforcement staff has implemented this program continuously.
4. Section 8 Assistance Payment / Housing Vouchers	O.C. Housing Authority; City Community Development Department	HUD-Section 8 Certificate & Housing Vouchers	To provide at least 280 rental subsidies to lower-income families and elderly, and encourage listing of rental units with County Housing Authority.	Approximately 280 vouchers were provided.
5. Land Use Element / Development Code	Community Development Department	Department Budget	To maintain a range of residential development opportunities through appropriate land use and zoning designations.	On 8/25/2020 GPA-2020-33 and Zone Change ZC2020-23 were approved by the City Council to rezone a 6.36-acre site from R (Recreation) to RPD30 (Residential Planned Development) to accommodate a 91 attached dwelling unit project.
6. Inventory of Surplus Public Land	Community Development Department	Department Budget	To maintain an inventory of all land owned by public entities declared surplus.	No additional surplus properties have been identified.
7. Density Bonus Units	Community Development Department	Department Budget	Continue to implement the Development Code density bonus provisions in compliance with state law, in order to maximize the capacity of housing sites and facilitate construction of affordable units.	On October 14, 2019, the Planning and Transportation Commission approved a 60-unit townhome project on Site A, with density bonus concession for building height, with the project providing 15% of the total units as affordable to low- and very-low-income households.
8. Second Units	Community Development Department	Department budget	To expand the affordable housing stock by allowing a second unit on the same parcel as existing single or multifamily units.	In 2020, building permits were issued for three ADUs, two of which were also issued certificates of occupancy in 2020.

Program	Responsible Agency	Funding Source	Program Objectives	Progress
9. Affordable Housing Outreach	Community Development Department	CDBG, Revenue Bonds	To meet the City’s regional housing need allocation for all income groups through the pursuit of multiple tactics.	The City has continued to market its affordable housing sites, including the 8.5-acre City-owned Affordable Housing Site C, with an inclusionary housing requirement for a minimum 20% of the total units as affordable to lower-income households.
10. Emergency Shelters and Transitional Housing	Community Development Department	Department budget	Continue to implement City policies and regulations regarding emergency shelters and transitional/supportive housing in conformance with SB 2.	The City continued to implement regulations regarding emergency shelters and transitional/supportive housing in conformance with SB 2.
11. Mortgage Revenue Bond Financing	Orange County; Mission Viejo Community Development Department	Revenue Bonds	To increase supply of rental and ownership units affordable to low- and moderate-income households.	Revenue bonds have been used to finance three affordable housing projects in Mission Viejo.
12. Non-Profit Housing Development	Community Development Department	Department budget	To provide support and assistance to non-profit housing organizations to facilitate affordable housing production commensurate with the City’s quantified objectives.	The City continued to solicit development of the 8.5-acre City-owned Affordable Housing Site C, with an inclusionary housing requirement for a minimum 20% of the total units as affordable to lower-income households.
13. Reverse Mortgage Program	Community Development Department	Department budget	Coordinate with social service groups and lending institutions to provide information to seniors about reverse mortgage programs.	The City’s Norman P. Murray Community and Senior Center continued to coordinate special workshops on reverse mortgages to inform and educate seniors, and offered a twice yearly financial series on various financial topics including reverse mortgages.
14. Efficient Processing	Community Development Department	Department budget	To provide concurrent processing for residential projects to shorten review time and minimize related holding costs.	The City continued to process projects concurrently and efficiently. It is the City’s practice to process planning applications concurrently. Building plan check for new large-scale projects is 10 working days.
15. Development Fees	Community Development Department	General Fund	To provide reduced development fees for affordable and senior citizen housing.	With the dissolution of the CDA, funding for fee subsidies has been very limited. The City Council approved the Water Conservation fee waiver program in 2014. The energy efficiency fee

Program	Responsible Agency	Funding Source	Program Objectives	Progress
				waver program is also active, available to new homeowners and seniors.
16. Equal Housing Opportunity Services	Fair Housing Foundation	HUD-CDBG	To ensure equal housing opportunity by providing tenant/landlord counseling, housing discrimination response, and related housing services through the Fair Housing Foundation.	In FY 2014-2015, 85 households from Mission Viejo were assisted with fair housing issues and concerns. In FY 2015-2016, 102 households were assisted. In FY 2016-2017, 71 households were assisted. In FY 2017-18, 57 households were assisted. In FY 2018-19, 63 households were assisted. In FY 2019-20, 48 households were assisted.
17. Community Development Block Grant Public Service Programs	Community Development Department	HUD-CDBG	To fund public service programs that support lower-income households to obtain adequate housing or assist them with special needs.	The CDBG public service program funded organizations providing services for low income families, seniors, homeless and homelessness prevention, and persons with Alzheimers, dementia and other developmental disabilities.
18. Pre-application Review Program	Community Development Department	Department budget	Encourage developers to include amenities such as childcare, computer workstations in affordable developments.	The Adiago-on-the-Green apartments, completed in 2015, includes two pools, gym, creek-adjacent greenbelt and pathway, meeting rooms, and entertainment rooms. The Shea Homes Haven and Neo projects currently under construction share a pool, tot-lot, and multiple shaded bbq and seating areas. The 91-unit Trumark Homes project approved in 2020 includes a pool, tot-lot, and multiple shaded bbq and seating areas.
19. Energy Conservation Program	Community Development Department	Department budget	<p>Continue the Green Building Program, which encourages energy conservation through incentives such as expedited processing and fee waivers for qualifying projects.</p> <p>Continue the Solar Energy Education Program, which promotes energy conservation throughout the community.</p>	The City offers expedited processing and, since 2006, has offered "Energy Efficiency" fee waivers for qualifying green building projects and solar installations, currently available to seniors and new homeowners. In 2014, the Council approved a "Water Conservation" fee waiver program to encourage the installation of water conservation improvements. In 2020 the

Program	Responsible Agency	Funding Source	Program Objectives	Progress
				City purchased an electric vehicle and installed two vehicle charging stations at City Hall.

**Table A-2
Progress in Achieving Quantified Objectives – 2013-2020
City of Mission Viejo**

Program Category	Quantified Objectives	Progress
New Construction*		
Extremely-low	21	
Very-low	21	13
Low	29	31
Moderate	33	17
Above-moderate	73	848
Total	177	909
Rehabilitation		
Extremely-Low	45	
Very-Low	45	66
Low	38	
Moderate		
Above-Moderate		
Total	128	
Preservation/Conservation		
Extremely-Low	140**	Approx. 280
Very-Low	140**	
Total	280**	Approx. 280

*The RHNA projection period for new construction was 2014 - 2021.

**Section 8 vouchers

Appendix B Residential Land Inventory

This appendix provides the detailed assumptions and methodology for the residential land inventory. As shown in Table B-1 the inventory of potential housing sites exceeds the City’s RHNA allocation for the 2021-2029 projection period in all income categories.

**Table B-1
Residential Sites Summary
City of Mission Viejo**

	Income Category			
	Very Low	Low	Moderate	Above Moderate
Vacant sites	299	178	177	330
Underutilized sites	406	245	242	450
Potential ADUs	8	12	9	1
Total	713	435	428	781
RHNA (2021-2029)	674	401	397	745
Adequate sites?	Yes	Yes	Yes	Yes

Source: City of Mission Viejo Community Development Dept., 2021

Vacant and Underutilized Sites

Mission Viejo is almost completely built-out, and very few vacant sites remain for housing development. To encourage additional construction of affordable multi-family rental housing, in 2007 the City rezoned three vacant sites for affordable housing development by-right with an allowable density of 30 units/acre. Of those, only Site C still remains undeveloped.

For the 2021-2029 planning period most of the City’s potential for additional housing is on underutilized properties that are currently developed with residential or commercial uses. During preparation of the 2021 Housing Element update the City conducted a thorough review of potential sites that have realistic potential to be developed with additional housing. The sites listed in Table B-2 were selected based on factors such as existing uses, market conditions and property owner interest in redevelopment. The list of sites was vetted in a series of public meetings held by the Planning and Transportation Commission and the City Council.

The estimated capacity of sites was based on whether the property is proposed to be zoned exclusively for residential use or with a housing overlay zone. Sites proposed for residential zoning assume full yield based on allowable density (either 30 or 50 units/acre) while sites proposed for a housing overlay zone assume 50% of residential capacity. Detailed information for each site is shown in Table B-2 and site locations are shown in Exhibit B-1. Zoning amendments consistent with Table B-2 will be processed concurrent with Housing Element adoption.

Accessory Dwelling Units

Based on recent trends, it is anticipated that approximately 3 to 4 ADUs per year will be built during the 2021-2029 period, which would result in approximately 30 additional units during the planning period.

Based on research compiled by SCAG⁶, ADUs are expected to be distributed among the following income categories:

- 15% extremely-low-income
- 10% very-low-income
- 43% low-income
- 30% moderate-income
- 2% above-moderate-income

⁶ SCAG, Regional Accessory Dwelling Unit Affordability Analysis, 2020 (https://scag.ca.gov/sites/main/files/file-attachments/adu_affordability_analysis_120120v2.pdf?1606868527)

**Table B-2
Housing Sites Inventory**

APN	Address	Parcel Size (Acres)	Zoning	Allowed Density	Existing Use	Potential Units					Notes
						VL	Low	Mod	Above	Total	
Site C											
74011203	Center Drive		R		Vacant						
74011239			R		Vacant						
740113xx			R		Vacant						
74011202			R		Vacant						
74001240			R/ RPD30A		Vacant						
74001236			R/ RPD30A		Vacant						
Subtotal		32.80		30		299	178	177	330	984	Developer interest - assumes full capacity based on residential zoning
Silverado Plaza											
809-311-16	25542 Jeronimo Rd.		CN		Commercial						
Subtotal		1.50		50		24	12	14	26	75	Assumes full capacity based on residential zoning
Mission Foothill											
839-161-13	28719 Los Alisos Blvd. Piccolinos		CH	30	Commercial						Assumes 50% capacity for overlay
839-161-14	28813 Los Alisos Blvd		CH	30	Commercial						Assumes 50% capacity for overlay
839-161-15	28815 Los Alisos Blvd		CH	30	Commercial						Assumes 50% capacity for overlay
839-161-17	28813 Los Alisos Blvd	0.74	CH	30	Vacant						Assumes 100% capacity for the vacant 0.74-acre parcel -22 units
Subtotal		4.41		30		23	14	14	26	77	Assumes 50% of capacity for overlay zone and full capacity for the vacant 0.74-acre parcel
Idyllwillow Apartments											
740-012-29	28008 Marguerite Pkwy		RPD30		Apartments						Current density: 16.9 du/ac.
Subtotal		23.70		30		95	56	56	104	311	Net yield minus 400 existing units
Commerce Center											
782-471-01	27200 to 27230 La Paz Road		CC		Commercial						
782-471-02	27240 La Paz Road		CC		Commercial						
782-471-03			CC		Commercial						
782-471-04			CC		Commercial						

APN	Address	Parcel Size (Acres)	Zoning	Allowed Density	Existing Use	Potential Units					Notes
						VL	Low	Mod	Above	Total	
782-471-05			CC		Commercial						
782-471-06			CC		Commercial						
Subtotal		3.00		30		24	20	16	30	90	Assumes full capacity based on residential zoning
Town Center-(Burnham)											
740-016-03	28331 Marguerite Pkwy		CH		Commercial						
Subtotal		3.40		30		16	9	9	17	51	Assumes 50% of capacity for overlay zone
College Center-(ValueRock)											
740-011-15	28171 Marguerite Pkwy		CH		Commercial						
Subtotal		7.80		30		36	21	21	39	117	Assumes 50% of capacity for overlay zone
Macy's											
740-121-26	27000 Crown Valley Pkwy		CR		Commercial						
Subtotal		8.60		30		78	47	46	86	258	Assumes full capacity based on residential zoning
Saddleback Business Center											
636-022-14	27071 Cabot Rd		BP / R		Business Park & Recreation						
Subtotal		9.38		30		43	25	25	47	141	Assumes 50% of capacity for overlay zone
Grace Church Parking Lot											
809-521-11	Parking lot off Trabuco Rd		CN / R		Parking lot / Vacant						
Subtotal		2.40		50		36	22	22	40	120	Assumes full capacity based on residential zoning
Burlington											
740-012-28	28452 Marguerite Pkwy		CH								
Subtotal		6.90		30		31	19	19	35	104	Overlay
TOTALS											
						705	423	419	780	2,327	

Exhibit B-1 Housing Sites Location Map

