



ABAG-MTC Staff Response to  
*City of Pleasant Hill* RHNA Appeal

ABAG Administrative  
Committee

September 24, 2021

# Overview of City of Pleasant Hill Appeal

## Appeal Request:

- Reduce allocation by 1,019 units (57%) from 1,803 units to 784 units.

## Staff Recommendation:

- Deny the appeal.

## Appeal bases cited:

- ABAG failed to adequately consider information submitted in the Local Jurisdiction Survey.
- ABAG failed to determine the jurisdiction's Draft Allocation in accordance with the Final RHNA Methodology and in a manner that furthers, and does not undermine, the RHNA Objectives.

*Note: The City of Pleasant Hill did not submit a Local Jurisdiction Survey.*

# Issue #1: Airport Safety Development Restrictions

*Jurisdiction Argument: ABAG failed to adequately consider impact of development restrictions around Buchanan Airport.*

## ***ABAG-MTC Staff Response:***

- Government Code Section 65584.04(e)(2)(B) states:
  - ABAG may not limit consideration of suitable housing sites to a jurisdiction's existing zoning and land use restrictions and must consider potential for increased residential development under alternative zoning ordinances and land use restrictions.
  - Jurisdictions must consider underutilized land, opportunities for infill development, and increased residential densities as a component of available land for housing.
- Plan Bay Area 2050 Final Blueprint and final RHNA methodology align with restrictions imposed by Buchanan Airport safety zones and adequately considers development limitations raised in the appeal.
- No household growth forecasted in safety zones where residential development prohibited. Growth forecasted in Safety Zone 4 adjacent to existing residential and within the 4-story height limit.

# Issue #2: Lack of Available Land

*Jurisdiction Argument: RHNA Methodology fails to consider availability of land suitable for housing. Pleasant Hill will need to re-zone commercial lands for housing to meet its RHNA requirements which would exacerbate jobs-housing imbalance.*

## **ABAG-MTC Staff Response:**

- Government Code Section 65584.04(e)(2)(B) states:
  - ABAG may not limit consideration of suitable housing sites to a jurisdiction's existing zoning and land use restrictions and must consider potential for increased residential development under alternative zoning ordinances and land use restrictions.
  - Jurisdictions must consider underutilized land, opportunities for infill development, and increased residential densities as a component of available land for housing.
- Pleasant Hill does not provide evidence it is unable to consider underutilization of sites, increased densities, and other planning tools to accommodate its assigned need.
- The RHNA Methodology incorporates each jurisdiction's jobs-housing relationship through use of the Plan Bay Area 2050 Final Blueprint as the baseline allocation.

# Issue #3: Drought

*Jurisdiction Argument: RHNA Methodology fails to consider the unknown long-term availability of water resources available for new housing development required by RHNA.*

## ***ABAG-MTC Staff Response:***

- Government Code Section 65584.04(e)(2)(A) states:
  - ABAG must consider opportunities and constraints to development of housing due to “lack of capacity for sewer or water service due to federal or state laws, regulations or regulatory actions, or supply and distribution decisions made by a sewer or water service provider other than the local jurisdiction that preclude the jurisdiction from providing necessary infrastructure for additional development during the planning period.”
- Although Pleasant Hill indicates that Contra Costa Water District’s Urban Water Management Plan does not analyze the impact of household growth resulting from RHNA, the City has not demonstrated it is precluded from accommodating its RHNA allocation because of a decision by its water service provider.

# Issues #4, #5, #6, #7: Methodology Does Not Further RHNA Objectives

*Argument #4: RHNA Methodology fails to further objective to “increase the housing supply in an equitable manner” because comparable cities that are forecasted to experience more job growth than Pleasant Hill experienced less of an increase in RHNA compared to last cycle.*

*Argument #5: RHNA Methodology fails to further objective to achieve the region’s greenhouse gas target because it does not direct housing near job centers and promotes a growth pattern which will result in increased vehicle miles traveled and greenhouse gas emissions.*

*Argument #6: RHNA Methodology fails to further objective to promote “an improved intraregional relationship between jobs and housing” because Plan Bay Area 2050 forecasts Contra Costa County’s share of region’s projected housing growth will be larger than its share of region’s projected job growth.*

*Argument #7: RHNA Methodology fails to further objective to allocate balance disproportionate income distributions because Pleasant Hill received a larger percentage increase in RHNA than higher resourced jurisdictions.*

- These arguments challenge the Final RHNA Methodology adopted by ABAG and approved by HCD, and thus fall outside the scope of the appeals process.
- HCD has authority to determine if the RHNA methodology furthers the statutory objectives and HCD found that ABAG’s methodology does further the objectives.

## Recommended Action for **City of Pleasant Hill** Appeal

**Deny** the appeal filed by the City of Pleasant Hill to reduce its Draft RHNA Allocation by 1,019 units.

- Pleasant Hill did not submit a Local Jurisdiction Survey, so an appeal on this basis is not valid. Further, ABAG considered information submitted in the local Jurisdiction Survey consistent with how the methodology factors are defined in Government Code Section 65584.04(e).
- The jurisdiction's Draft RHNA Allocation is in accordance with the Final RHNA Methodology adopted by the ABAG Executive Board and approved by HCD and furthers the RHNA Objectives identified in Government Code Section 65584(d).