

REGIONAL HOUSING NEEDS ALLOCATION

Association of Bay Area Governments

2023-2031 Regional Housing Needs Assessment (RHNA) Appeal Request*Submit appeal requests and supporting documentation via DocuSign by 5:00 pm PST on July 9, 2021.****Late submissions will not be accepted.*** Send questions to rhna@bayareametro.govJurisdiction Whose Allocation is Being Appealed: City of SaratogaFiling Party: ☐ HCD ☒ Jurisdiction: City of SaratogaContact Name: Debbie Pedro Title: Community Development DirectorPhone: (408) 868-1231 Email: dpedro@saratoga.ca.us**APPEAL AUTHORIZED BY:**Name: Yan ZhaoSignature: Date: 7/8/2021**PLEASE SELECT BELOW:**

- ☒ Mayor
- ☐ Chair, County Board of Supervisors
- ☐ City Manager
- ☐ Chief Administrative Officer
- ☐ Other: _____

IDENTIFY ONE OR MORE BASES FOR APPEAL [Government Code Section 65584.5(b)]

- ☒ ABAG failed to adequately consider information submitted in the Local Jurisdiction Survey regarding RHNA Factors (Government Code Section 65584.04(e)) and Affirmatively Furthering Fair Housing (See Government Code Section 65584.04(b)(2) and 65584(d)(5)):
- ☒ Existing and projected jobs and housing relationship.
 - ☐ Sewer or water infrastructure constraints for additional development due to laws, regulatory actions, or decisions made by a provider other than the local jurisdiction.
 - ☒ Availability of land suitable for urban development or for conversion to residential use.
 - ☐ Lands protected from urban development under existing federal or state programs.
 - ☐ County policies to preserve prime agricultural land.
 - ☐ Distribution of household growth assumed for Plan Bay Area 2050.
 - ☐ County-city agreements to direct growth toward incorporated areas of county.
 - ☐ Loss of units contained in assisted housing developments.
 - ☐ Households paying more than 30% or 50% of their income in rent.
 - ☐ The rate of overcrowding.
 - ☐ Housing needs of farmworkers.
 - ☐ Housing needs generated by the presence of a university campus within a jurisdiction.
 - ☐ Housing needs of individuals and families experiencing homelessness.
 - ☐ Loss of units during a declared state of emergency from January 31, 2015 to February 5, 2020.
 - ☒ The region's greenhouse gas emissions targets to be met by Plan Bay Area 2050.
 - ☐ Affirmatively furthering fair housing.
- ☐ ABAG failed to determine the jurisdiction's Draft RHNA Allocation in accordance with the Final RHNA Methodology and in a manner that furthers, and does not undermine the RHNA Objectives (see Government Code Section 65584(d) for the RHNA Objectives).
- ☐ A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted in the Local Jurisdiction Survey (*appeals based on change of circumstance can only be made by the jurisdiction or jurisdictions where the change occurred*).

Pursuant to Government Code Section 65584.05, appeals shall be based upon comparable data available for all affected jurisdictions and accepted planning methodology, and supported by adequate documentation, and shall include a statement as to why the revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d). An appeal shall be consistent with, and not to the detriment of, [the development pattern in the sustainable communities strategy \(Plan Bay Area 2050 Final Blueprint\)](#). (Click [here](#))

Number of units requested to be reduced or added to jurisdiction's Draft RHNA Allocation:

☒ Decrease Number of Units: 856 ☐ Increase Number of Units: _____

Brief description of appeal request and statement on why this revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d) and how the revision is consistent with, and not to the detriment, of the development pattern in Plan Bay Area 2050. Please include supporting documentation for evidence as needed, and attach additional pages if you need more room.

The availability of land suitable for urban development or for conversion to residential use in Saratoga is limited due to wildfire risks. Approximately 50% of Saratoga is in the Wildland Urban Interface (WUI) area and at high risk for wildfires. For example, Saratoga's downtown business district has the highest concentration of multifamily and mixed-use housing in the City. However, this area of the City with the highest opportunity for multi-family and mixed-use housing, is in a Very High Fire Hazard Zone and Wildland Urban Interface area. The properties in the WUI and high fire risk areas should be considered highly constrained sites where new development is not appropriate because it would be irresponsible to plan more housing in areas with high fire risk.

Additionally, increasing the City's housing allocation by 389% over the fifth cycle RHNA is not consistent with the statutory objective to promote improved intraregional jobs-housing relationship and to help reduce greenhouse gas emissions by planning for housing growth near public transit facilities and the region's job centers. Saratoga has few commercial areas and is not in a Transit Rich Area (TRA) as there are no VTA bus stops within the City limits with peak service frequency of 15 minutes or less. The handful of VTA bus lines stops every 20 to 60 minutes and serves only a small part the City. Because the City is underserved by public transit, significantly increasing the number of housing units in areas where public transportation is not readily available will increase the community's greenhouse gas emissions which is inconsistent with the transportation and environmental strategies of Plan Bay Area 2050.

List of supporting documentation, by title and number of pages

1. Saratoga RHNA Appeal Letter July 7, 2021, 4 pages
2. _____
3. _____



The maximum file size is 25MB. To submit larger files, please contact rhna@bayareametro.gov.

Click here to
attach files



CITY OF SARATOGA

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Incorporated October 22, 1956

July 7, 2021

Therese McMillan
ABAG/MTC Executive Director
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

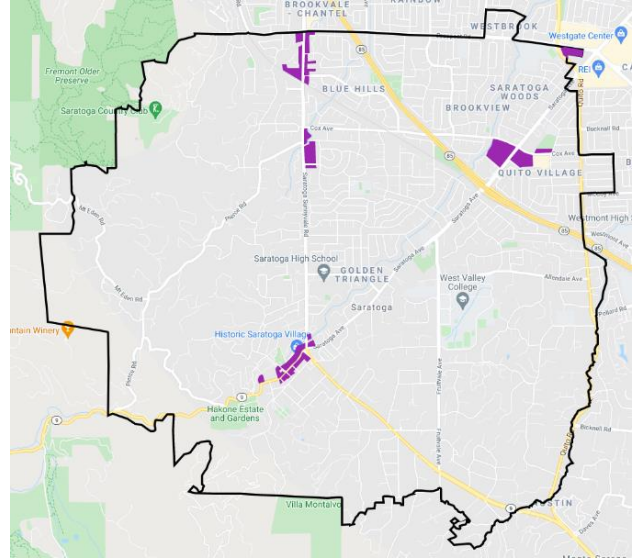
Subject: City of Saratoga Appeal of Draft 2023-2031 Regional Housing Needs Assessment Allocation

Dear Ms. McMillan,

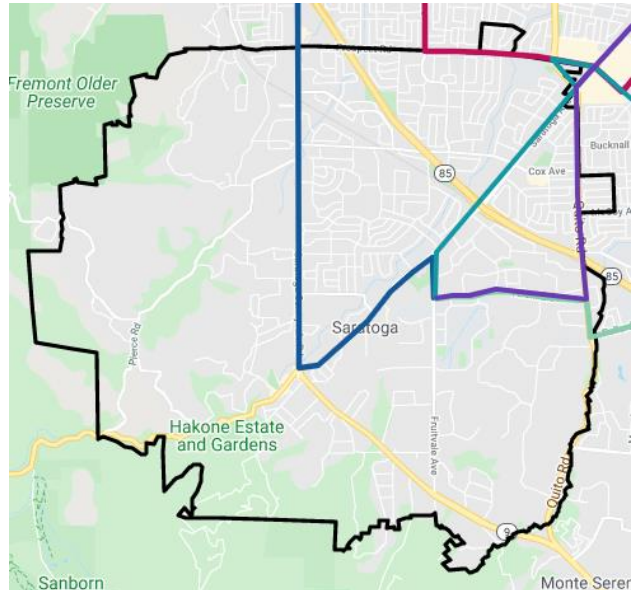
On behalf of the Saratoga City Council and the Saratoga community, the City of Saratoga hereby submits an appeal to the Association of Bay Area Governments (ABAG) of the Draft 2023-2031 Regional Housing Needs Assessment (RHNA) Allocation. The City of Saratoga is appealing on the grounds the ABAG failed to adequately consider information submitted in the Local Jurisdiction Survey regarding RHNA Factors, including existing and projected jobs and housing relationship, availability of land suitable for urban development or for conversion to residential use; and the region's greenhouse gas emissions targets to be met by Plan Bay Area 2050. Furthermore, we request a 50% reduction in the City of Saratoga RHNA from 1,712 new housing units to 856 new units.

RHNA	Total	Very Low Income	Low Income	Moderate Income	Above Moderate
Draft	1,712	454	261	278	719
Proposed	856	227	131	139	360

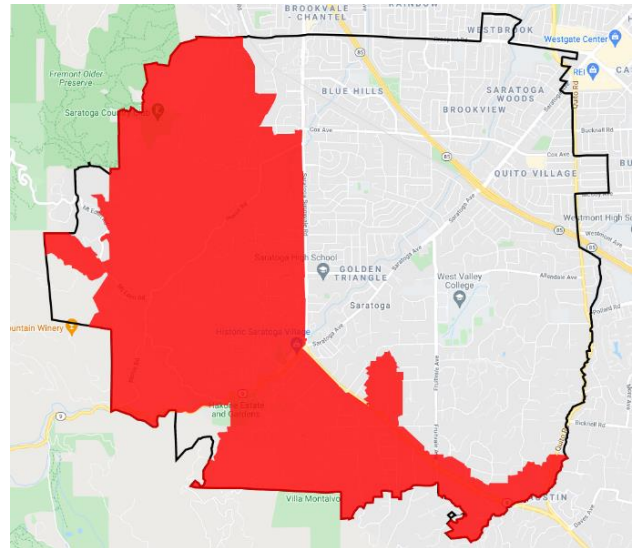
Nearly all of Saratoga land has been devoted to residential housing. Saratoga's commercial space is already extremely limited, especially after 80,000 square feet of retail and office space was lost to a Senate Bill 35 project. The parcels in purple on the adjacent map represent commercial properties in the City that provide services and jobs to the community and represent areas for future mixed use higher density housing in the City of Saratoga. The City is being forced to consider reducing the limited commercial job producing development that it has to accommodate the new housing required by the State, leading to longer commutes and personal trips for current and future residents. This directly conflicts with the [RHNA Methodology](#) objective to reduce greenhouse gas emissions.



The City of Saratoga is also incorrectly identified as being in a Transit-Rich Area (TRA), which would include cities with a bus stop with peak service frequency of 15 minutes or less. Currently, there are no bus routes within City limits with peak service frequency of 15 minutes or less. As you can see on the map displaying bus routes in Saratoga, public transportation options in Saratoga consist of only 5 bus lines that serve only a small part of the City. These routes offer varying service on weekdays, ranging from every 20 to 60 minutes. Clearly, Saratoga is far from any reasonable interpretation of Transit-Rich. With hardly any public transportation options in Saratoga, this forces residents into their cars, and that ultimately increases emissions and traffic. This is counterproductive to the City's and ABAG's efforts thus far and future goals to reduce greenhouse gas emissions.



Roughly half of Saratoga is in the Wildland Urban Interface area and at high or very high risk for wildfires. The area in red on the map below shows the Wildland Urban Interface area in the City of Saratoga. Saratoga's downtown business district, a location most cities plan for higher density mixed use housing, is in a Very High Fire Hazard Zone and Wildland Urban Interface area. Last year, the CZU August Lightning Complex burned nearly 87,000 acres of land and destroyed 7,000 buildings in the Santa Cruz Mountains just outside Santa Clara County and the City of Saratoga. Many roads in Saratoga are narrow and winding, serving as the only entry and exit point for hillside neighborhoods. The Plan Bay Area 2050 Draft Environmental Impact Report, which helps shape the RHNA Allocation process, acknowledges that an increase in housing units in the San Francisco Bay Area will intensify the risk of wildland fires and mitigation measures, such as educating the public and enforcing defensible space requirements, will not minimize this threat. The significant increase in the City of Saratoga RHNA Allocation and State legislative penalties for failing to reach RHNA targets incentivize increasing housing development in areas like Wildland Urban Interface area that simply cannot sustain increased housing density. Conversely, planning for the addition of more than 1,700 new homes in other sections of Saratoga that are outside of the Wildland Urban Interface is simply impractical and unrealistic given the financial realities of residential construction.



Further compounding this issue, Santa Clara Valley Water recently declared a water shortage emergency and instituted a mandatory 15% reduction in water use compared to 2019. Vegetation in our fire risk areas is extraordinarily dry and many of us fear what this and future fire seasons will look like, as it has become clear that drought conditions may be the new normal. As [reported](#) in the *San Jose Mercury News*, a recent study of this year's runoff from the Sierra Mountains indicates that due to climate change, past hydrology models are no longer reliable. Santa Clara County is also extremely sensitive to drought conditions locally as well as elsewhere in the State. Approximately 50% of Santa Clara County's water supply comes from outside the County. The Draft EIR for Plan Bay Area 2050 states that even after mitigation measures are implemented, water supplies will be insufficient to support the Bay Area's projected population increases. It is clear that Saratoga simply cannot accommodate an increased demand for water that would result from the addition of more than 1,700 new homes.

The proposed RHNA Allocation places an undue burden on the City of Saratoga with our limited commercial services, job base, access to public transportation, and over half

of the City is in a Moderate to Very High Fire Severity Zones. For these reasons, we urge you to reduce the City of Saratoga 2023-2031 RHNA Allocation from 1,712 to 856 new units. This proposal from the City of Saratoga represents a far more realistic and feasible target.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Yan Zhao', written over the printed name.

Yan Zhao, Mayor
City of Saratoga