



January 21, 2021

Mayor Jesse Arreguin, President Executive Board  
Association of Bay Area Governments (ABAG)  
375 Beale Street, Suite 700  
San Francisco, CA 94105

Submitted via email to [RHNA@bayareametro.gov](mailto:RHNA@bayareametro.gov)

**Re: Proposed RHNA Methodology and Subregional Shares – Continuing Concern  
Regarding Overallocation to Unincorporated Counties**

Dear President Arreguin and ABAG Executive Board,

On behalf of the Midpeninsula Regional Open Space District (Midpen) and Santa Clara Valley Open Space Authority (Authority), we are writing to express our **continuing concern regarding the significantly increased allocations to unincorporated areas** in the recommended housing allocation methodology - Option 8A (methodology) - for the Regional Housing Needs Allocation (RHNA) Cycle 6 and its potential to impact the natural and working lands of our region. We appreciate the response to our comment letters dated January 19, 2021. **As we have stated previously, we support the production of much needed housing in our region, consistent with statutory requirements.** Thank you for this opportunity to communicate our responses.

Unfortunately, we have found that ABAG’s response to our comments fails to address our underlying issues and raises new concerns. In the response letter, ABAG states,

“In identifying future locations for housing, ABAG supports the region’s county governments encouraging housing in these existing communities where most of the unincorporated population already lives, especially in locations within unincorporated counties that are near major job centers and high-quality transit stations.”

In the unincorporated areas in San Mateo and Santa Clara Counties with appreciable populations, captured in Census-designated place (CDP) or urban cluster designations, there is a glaring lack of major job centers, a lack of water and sanitation infrastructure, and lack of significant transportation hubs. This is consistent with the goals of Plan Bay Area and SB 375, which directs infrastructure and growth into incorporated areas for livability and climate mitigation objectives. In addition, many of these areas are surrounded by regionally recognized Priority Conservation Areas (PCAs), which seek to protect and enhance regionally significant natural landscapes, public access, and habitats surrounding the built environment, and to provide respite for the densifying Priority Development Areas (PDAs).

The reply letter further states,

“The Final Blueprint Growth Geographies not only exclude CAL FIRE designated “Very High” fire severity areas, but they also exclude “High” fire severity areas in unincorporated communities as well as county-designated wildland-urban interface (WUI) areas where

applicable. Communities can also choose to take these risks into consideration with where and how they site future development, either limiting growth in areas of higher hazard or by increasing building standards to cope with the hazard.”

While we appreciate the exclusion of High and Very High fire severity areas from designated growth areas, these growth areas do not extend appreciably into unincorporated areas in that would attempt to absorb its growth. San Mateo County’s only appreciable urban infill area is North Fair Oaks, which is limited in its ability to handle significant increases beyond what it has already planned for. Primary alternatives fall to the unincorporated coastside communities, which lack significant transit, as well as water and sanitation infrastructure and are proximate to these designated high and very high fire zones.

Similarly, in Santa Clara County, the only unincorporated urban infill areas are very limited as to their ability to absorb additional units. Stanford, adjacent to the City of Palo Alto, is the only location in which the County has an opportunity to negotiate housing units, and will not physically be able to absorb anywhere close to 3,000 units. The unincorporated pockets surrounded by the City of San Jose are governed by an agreement with the City that leaves planning for housing and urban services to City processes. Therefore, a significant proportion of units allocated to unincorporated Santa Clara County would result in sprawl into rural areas without urban services, counter to the intent of Plan Bay Area.

Furthermore, the response letter from ABAG states:

“...ABAG-MTC staff has facilitated discussions with local jurisdictions about opportunities to direct additional RHNA units to incorporated areas.”

While transfers from unincorporated to incorporated areas after the fact may be allowed, such “post approval of the RHNA methodology and allocations” agreements leave in place fundamentally flawed methodology, resulting high unit allocations to county unincorporated areas. This sets a precedent to for the next RHNA rather than establishing RHNA methodology and allocations that meet the statutory requirements, make sense and can be built. It is during the RHNA process, not after it has concluded, that the methodology and allocations must be set right.

While we appreciate the latest adjustments made to reduce unincorporated county allocations, we continue to feel the methodology fails to comply with statutory objectives laid out in Government Code (GOV) section 65584. In particular GOV 65584(d)(2):

*(d) The regional housing needs allocation plan shall further all of the following objectives:*

*(2) Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region’s greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.*

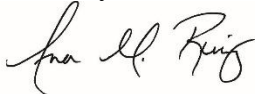
The methodology, as it is reflected through its excessive allocations to unincorporated areas, will force counties that lack the ability to meet their allocation requirements within its urbanized, transit-accessible areas into zoning lands that are inappropriate for housing and dangerous to local habitats and wildlife corridors in order to meet those requirements. It neither protects

environmental and agricultural resources as these lands are consumed, nor reduces greenhouse gas emissions due to the lack of transit alternatives in these rural areas where residents are forced to rely on automobiles.

**For all of the reasons stated, while we support Option 8A and believe it contains important housing equity elements, we assert the methodology fails in regard to allocations to unincorporated areas, and request that the methodology be revised so that remaining housing allocations for unincorporated counties across the region be significantly reduced or eliminated, to maintain consistency with climate goals and strategies of SB 375, Plan Bay Area and the State of California.**

We appreciate your consideration for these concerns and look forward to speaking with you should you have any questions.

Sincerely,



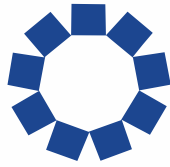
Ana M. Ruiz  
General Manager  
Midpeninsula Regional Open Space District



Andrea Mackenzie  
General Manager  
Santa Clara Valley Open Space Authority

Attachments:

1. ABAG letter of response to earlier comments by the Midpeninsula Regional Open Space District dated January 19, 2021



ASSOCIATION  
OF BAY AREA  
GOVERNMENTS

Bay Area Metro Center  
375 Beale Street, Suite 700  
San Francisco, CA 94105  
415.820.7900  
[www.abag.ca.gov](http://www.abag.ca.gov)

January 19, 2021

*Jesse Arreguin, President*  
Mayor, City of Berkeley

*Belia Ramos, Vice President*  
Supervisor, Napa County

*David Rabbit*  
*Immediate Past President*  
Supervisor, Sonoma County

*Karen Mitchoff*  
*Chair, Regional*  
*Planning Committee*  
Supervisor, Contra Costa County

*Vacant*  
*Chair, Legislation Committee*

*Karen Mitchoff*  
*Chair, Finance Committee*  
Supervisor, Contra Costa County

Ms. Ana M. Ruiz, General Manager  
Midpeninsula Open Space District  
330 Distel Circle  
Los Altos, CA 94022-1404

RE: Comments on Proposed Regional Housing Needs Allocation (RHNA) Methodology

Dear Ms. Ruiz:

Thank you for your comment letter on the Proposed RHNA Methodology as well as your organization's ongoing engagement in the RHNA process. After reviewing feedback from the public comment period, ABAG released the Draft RHNA Methodology on December 18, 2020. The Draft Methodology uses the same baseline allocation, factors, and weights as the Proposed Methodology. However, the 2050 Households baseline in the Draft Methodology has been updated to include data from the Plan Bay Area 2050 Final Blueprint, while the Proposed Methodology used data from the Draft Blueprint.

Whereas the Plan Bay Area 2050 Draft Blueprint featured 25 strategies that influenced the location of future growth, the Final Blueprint features 35 revised strategies adopted by the ABAG Executive Board and Metropolitan Transportation Commission in fall 2020. These strategies shift the regional growth pattern, with generally small to moderate impacts on RHNA allocations. Integration of the Plan Bay Area 2050 Final Blueprint baseline data addresses many of the issues raised in the public comment period, such as reducing allocations to most unincorporated areas and improving greenhouse gas emission reductions. More information on the Draft RHNA Methodology is available in this document on ABAG's website:

[https://abag.ca.gov/sites/default/files/abag\\_draft\\_rhna\\_methodology\\_release\\_december2020.pdf](https://abag.ca.gov/sites/default/files/abag_draft_rhna_methodology_release_december2020.pdf)

Staff appreciates your organization's concerns about the share of housing need assigned to unincorporated counties. Notably, use of the Final Blueprint as the baseline allocation in the Draft RHNA Methodology results in smaller allocations for most of the unincorporated county areas in the region compared to the Proposed RHNA Methodology, which relied on the Draft Blueprint. For example, under the Draft Methodology, unincorporated Santa Clara County receives an allocation of 3,156 units, a 24% reduction from the Proposed Methodology allocation. In identifying future locations for housing, ABAG supports the region's county governments encouraging housing in these existing communities where most of the unincorporated population already lives, especially in locations within unincorporated counties that are near major job centers and high-quality transit stations.

Furthermore, at the request of local jurisdiction staff in some counties, ABAG-MTC staff has facilitated discussions with local jurisdictions about opportunities to direct additional RHNA units to incorporated areas. This includes the use of provisions in Housing Element Law that allow an unincorporated county to develop an agreement to transfer a portion of its RHNA allocation to a city or town after it receives its RHNA allocation from ABAG. ABAG-MTC staff is available to help with this process and provide any assistance needed by local jurisdictions.

Staff also recognizes your organization's comments about natural hazard risk. Including the Final Blueprint in the Draft RHNA Methodology addresses concerns about natural hazards, as Plan Bay Area 2050 restricts growth outside Urban Growth Boundaries and does not allow for Growth Geographies to overlap with the worst fire hazard severity zones. The Final Blueprint Growth Geographies not only exclude CAL FIRE designated "Very High" fire severity areas, but they also exclude "High" fire severity areas in unincorporated communities as well as county-designated wildland-urban interface (WUI) areas where applicable. Communities can also choose to take these risks into consideration with where and how they site future development, either limiting growth in areas of higher hazard or by increasing building standards to cope with the hazard.

Notably, the performance evaluation metrics indicate that the Draft RHNA Methodology performs well in meeting all five of the RHNA statutory objectives, including objectives related to reducing greenhouse gas emissions and promoting efficient development patterns. This analysis shows that the Draft Methodology results in jurisdictions with the most access to jobs and transit as well as jurisdictions with the lowest vehicle miles traveled per resident experiencing higher growth rates from their RHNA allocations than other jurisdictions in the region.

We encourage you to remain engaged both in the RHNA process and in the Plan Bay Area 2050 process, which will continue through late 2021. The ABAG Executive Board is slated to take action on the Draft RHNA Methodology at the January 21, 2021 meeting. After a Draft RHNA Methodology is adopted by the Executive Board, ABAG will submit the methodology to the Department of Housing and Community Development for review and then use the state agency's feedback to develop a final methodology and draft RHNA allocation in spring 2021. Release of the draft allocation will be followed by an appeals period starting in the summer of 2021, with the final RHNA allocation assigned to each of the Bay Area's local governments in late 2021.

Thank you again for your feedback and participation in this process.

Sincerely,



Matt Maloney  
Director, Regional Planning Program

MM: EK

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