

August 25, 2026

Honorable Sheila F. Hanson
Presiding Judge of the Superior Court of California
Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

RE: City of Buena Park Response to Grand Jury Report – “California Housing Mandates: The Unintended Reshaping of Orange County Neighborhoods”

Dear Judge Hanson:

The Buena Park City Council has reviewed the Orange County Grand Jury's report entitled, "California Housing Mandates: The Unintended Reshaping of Orange County Neighborhoods." Below are the City of Buena Park's responses to the aforementioned report:

FINDINGS:

F1 In recent years, the California Legislature has enacted an unusually large and burdensome volume of housing-related laws intended to strengthen compliance with State Housing Mandates.

Response: The City of Buena Park agrees with this finding. Not only has the amount of housing-related legislation adopted in recent years created an overly complicated and often conflicting housing legislative landscape, but most, if not all of the legislation have been unfunded mandates, which further burdens cities with shouldering the costs associated with implementing new legislation.

F2 Housing Mandates are implemented through a RHNA process that often lacks transparency and relies on complex methodologies that are difficult for local officials and the public to understand or meaningfully challenge.

Response: The City of Buena Park agrees with this finding. The City of Buena Park received a RHNA Allocation in the 6th Cycle Housing Element of 8,919 residential units, representing a 2,500% increase in housing units from the previous cycle. The allocation methodology used to apportion these units was modified very late in the RHNA Allocation methodology adoption process and disproportionately impacted cities like Buena Park, who suddenly had to plan for the largest increase in housing units in its 73-year history.

F4 Meaningful participation by Orange County cities in both OCCOG and SCAG meetings is critical to ensuring that local perspectives are represented during the development and implementation of Housing Mandates policies.

Response: The City of Buena Park partially agrees with this finding. While meaningful participation is an important component, recent housing legislation has largely been influenced by lobbyists and special interest groups without regard for local context.

F5 SCAG's 6th Cycle RHNA assigned Orange County a questionable total of 183,861 housing units for the 2021–2029 planning period, with higher allocations concentrated in cities with major population and employment centers.

Response: The City of Buena Park agrees with this finding. Cities like Buena Park, which is not a city with major population and employment centers, especially compared to the cities of Anaheim and Santa Ana, were particularly overburdened.

F6 RHNA allocations are unrealistic and not attainable within the current planning cycle due to limited available land, built-out urban conditions, infrastructure constraints, environmental factors, and public health and safety requirements.

Response: The City of Buena Park agrees with this finding. Buena Park is a substantially built-out city which leaves very little vacant land for new residential construction. The City's 6th Cycle Housing Element identified a realistic capacity of only about 957 units from vacant and underutilized sites, entitled projects, and anticipated accessory dwelling units, against an allocation of 8,919 units, a shortfall of 7,962 units. Accommodating that shortfall required rezoning and Housing Incentive Overlays across more than 400 parcels and depends heavily on the redevelopment of existing commercial and residential uses, on infrastructure that was never sized for growth of this magnitude, and relying on market conditions that are outside of the City's control.

F7 Residents in Orange County consistently express a desire for local planning decisions to reflect community priorities, including but not limited to neighborhood character, safety considerations, the environment and open-space preservation.

Response: The City of Buena Park agrees with this finding. Buena Park is a predominantly residential community whose established neighborhoods, parks, and Beach Boulevard Entertainment Corridor are defining features that the community consistently asks the City to preserve. Throughout the 6th Cycle Housing Element process, residents who participated in public workshops and hearings emphasized preserving neighborhood character, parks, and public safety while the City worked to meet its RHNA obligation. The scale and density of development required to be planned for to satisfy the City's RHNA allocation was, in some cases, in direct contrast to community priorities.

F8 California's regulatory construction costs (i.e. permitting fees) present substantial challenges for private housing developers—particularly those delivering affordable units.

Response: The City of Buena Park disagrees with this finding. According to the Department of Housing and Community Development (HCD), permit fees represent less than 10% of the total construction costs. Permit fees are charged on a 'cost recovery' basis, meaning the permit fee amount reflects the actual time and material costs to provide the services. The larger and more impactful costs associated with construction are land acquisition prices, materials, and labor costs, which represent a much larger percentage of the total construction costs.

F9 The cost of constructing a single affordable housing unit in California typically ranges from approximately \$500,000 to \$800,000 per unit when fully complying with current state regulations. New low-income housing is generally not financially feasible without public subsidy.

Response: The City of Buena Park agrees with this finding. This cost reality is evident in Buena Park, where high land-acquisition costs in a fully built-out city, prevailing wages, and

material costs make new deed-restricted affordable housing financially infeasible without public subsidy at the state or local level. Of the City's 8,919-unit allocation, 3,462 units are designated for lower-income households, yet the City has no dedicated local funding source capable of closing the financing gap on units at that scale. Without meaningful state and federal subsidies, production at any meaningful level of affordability is likely unachievable.

F10 **Prior to their dissolution in 2012, redevelopment agencies served as a primary mechanism for cities and counties to finance affordable housing and related infrastructure. The loss of redevelopment has reduced cities' ability to support construction of affordable units.**

Response: **The City of Buena Park agrees with this finding.** Like most Orange County cities, Buena Park relied on its former redevelopment agency and the associated Low and Moderate Income Housing Fund as a primary local tool for financing affordable housing and supporting infrastructure. The statewide dissolution of redevelopment in 2012 eliminated the City's most significant local funding mechanism for affordable housing, and no comparable state replacement has been provided. This loss directly constrains the City's ability to deliver the 3,462 lower-income units required under its 6th Cycle allocation.

F11 **Because public subsidy is limited and highly competitive, cities seeking to produce meaningful quantities of low-income housing must rely in part on private development incentives, often resulting in higher overall development densities and unit counts than the RHNA allocation.**

Response: **The City of Buena Park disagrees with this finding.** Cities wishing to produce meaningful amounts of low-income housing can rely on a combination of tools, including accessory dwelling units, inclusionary housing requirements, partnerships with non-profit, religious and fraternal organizations and mission-driven affordable housing developers, and are not necessarily required to entitle densities or unit counts in excess of their RHNA allocation in order to do so. In Buena Park's experience, the higher densities reflected in its rezoning and Housing Incentive Overlays were driven primarily by the size of the RHNA allocation itself rather than demand for higher density by residential developers. In fact, in many cases, developers are electing to utilize Density Bonus Law to qualify for concessions and waivers and rather than to maximize density.

F12 **The 6th Cycle RHNA methodology included numerous technical inputs published by SCAG and HCD; however, these inputs were highly complex and difficult for cities to interpret or independently verify.**

Response: **The City of Buena Park agrees with this finding.** Buena Park experienced this firsthand during the 6th Cycle. The data inputs and methodology underlying the City's 8,919-unit assignment were difficult for staff to independently interpret or verify, and the methodology was modified late in the adoption process in a manner that substantially increased the City's allocation. The complexity of these inputs, and the constraints on appeals implemented by SCAG, limited the City's practical ability to meaningfully evaluate or challenge the RHNA allocation assigned to it.

RECOMMENDATIONS:

R7 **OCCOG, all Orange County cities and the County of Orange should reassess the current dues structure, by September 30, 2026, to ensure that OCCOG has the**

resources necessary to effectively represent Orange County jurisdictions in SCAG processes, including RHNA methodology development and appeals. (F3, F15).

Response: Buena Park would support the reassessment of the current dues structure for OCCOG provided those changes in dues are tied to measurable and transparent improvements in services or effective representation.

R8 By December 31, 2026, the Orange County Board of Supervisors should partner with cities to evaluate countywide infrastructure capacity— including water, wastewater, flood control, transportation, and public-safety systems—and develop a coordinated regional plan capable of supporting the level of housing growth required under state law. (F6)

Response: This recommendation has not yet been implemented, but will be implemented by the date recommended. Buena Park would be happy to participate in this effort. As a largely built-out city, Buena Park's water, wastewater, drainage, and circulation systems were not designed to absorb residential growth on the scale contemplated by the 6th Cycle RHNA, and the City has a direct interest in a coordinated countywide assessment of this capacity. Buena Park would contribute local infrastructure data and planning staff to such an effort and supports a regional approach that realistically aligns infrastructure investment with mandated housing growth.

R9 By September 30, 2026, the Orange County Board of Supervisors should strengthen its engagement with OCCOG and increase staff support to develop a shared, countywide database of potential housing sites and key development-feasibility factors. (F15)

Response: This recommendation will not be implemented because it is not warranted, and not reasonable as stated. This recommendation is directed primarily to the Orange County Board of Supervisors rather than to the City, which has limited ability to implement it. In addition, Buena Park already maintains a detailed, publicly available inventory of potential housing sites and development-feasibility factors in its Housing Element, which identifies more than 400 parcels with associated capacity assumptions. A separate countywide database would duplicate information that cities are already required to prepare and maintain.

R11 The County of Orange and each city should ensure consistent participation in SCAG and OCCOG committees by September 30, 2026, including the Technical Advisory Committee (TAC), to strengthen regional representation during RHNA-methodology development. (F3, F4, F15).

Response: This recommendation will not be implemented because it is not warranted. Buena Park already ensures regional representation through the designated technical representative and alternate described in its response to Recommendation R12, and the City participates in OCCOG and SCAG processes as staffing resources allow. A separate mandate guaranteeing consistent participation in every committee, including the Technical Advisory Committee, is not warranted for a city of Buena Park's size and staffing, and would duplicate the continuity already achieved under R12.

R12 The County of Orange and each city should designate a single technical representative, by September 30, 2026, along with an alternate, for all RHNA-

related SCAG and OCCOG committees to ensure continuity of participation and eliminate gaps in representation across multiple decision-making bodies. (F4)

Response: The City of Buena Park has already implemented this recommendation. The City has identified a technical representative and alternate to participate in OCCOG and SCAG Committees.

R14 By April 30, 2027, the County of Orange and each city should publish annual monitoring dashboards showing (a) entitlement pipeline conditions, (b) realistic site yield, (c) assembled funding sources for affordable units, and (d) conversion rates from planned capacity to issued permits and completed units, ensuring that County and city-determined capacity assumptions remain aligned with actual production. (F13).

Response: This recommendation will not be implemented because it is not warranted, and not reasonable as stated. Buena Park already reports its entitlement pipeline, permitting activity, and housing production annually to the California Department of Housing and Community Development (HCD) through the Annual Progress Report required under Government Code section 65400, which is a public document. Preparing a separate annual dashboard containing the four specified categories of information would duplicate that mandated reporting and impose a significant administrative burden on the City's limited planning staff without creating greater transparency. The City therefore does not find this recommendation warranted or reasonable as stated.

R15 By September 30, 2026, and ongoing, the County Board of Supervisors and all city councils should make a coordinated and sustained effort to educate their constituents about the RHNA process - its requirements, its impact on local planning and community character, and the role residents can play in shaping outcomes. Public education efforts should also include guidance on how community members can effectively engage with the California Legislature and advocate for more realistic, data-driven housing policies. (F1, F7).

Response: The City of Buena Park has already implemented this recommendation. During the 6th Cycle Housing Element process, the City educated residents about the RHNA process and its local impacts through publicly noticed Planning Commission and City Council hearings, community workshops, and materials made available through the Community Development Department website. The City continues to provide residents with information on housing requirements and on opportunities to participate in regional and State housing-policy decisions. The City also continues to hold community meetings for large residential development projects.

R16 By December 31, 2026, all cities should look to enhance their relationships with not-for-profit affordable housing developers to increase the opportunity to develop more affordable housing. (F8, F10, F12).

Response: The City of Buena Park has already implemented this recommendation. Through its 6th Cycle Housing Element, the City established Housing Incentive Overlays and rezoned sites specifically to facilitate affordable housing, and the City engages with non-profit and affordable housing developers to pursue development of deed-restricted units consistent with that framework. Recently, the City has worked with C&C Development for a 55-unit, 100% affordable project, Jamboree Housing for a 57-unit PSH housing development, National CORE for a 60-unit, 100% affordable senior housing development and Prosper Architects to convert an

existing motel into an affordable, 100-unit SRO development. The City remains committed to strengthening these partnerships to expand affordable housing opportunities in Buena Park.

Thank you for providing the City of Buena Park the opportunity to respond to this report.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. France', with a long horizontal flourish extending to the right.

Aaron France
City Manager

cc: Buena Park City Council
Christopher G. Cardinale, City Attorney