

## 5. Environmental Analysis

### 5.12 POPULATION AND HOUSING

This section of the Draft Environmental Impact Report (DEIR) examines the potential for socioeconomic impacts of the proposed Laguna Niguel City Center Mixed Use Project (proposed project) on the City of Laguna Niguel (City), including changes in population, employment, and demand for housing, particularly housing cost/rent ranges defined as “affordable.”

#### 5.12.1 Environmental Setting

##### 5.12.1.1 REGULATORY BACKGROUND

###### State

###### *California Housing Element Law*

California planning and zoning law requires each city and county to adopt a General Plan for future growth (California Government Code § 65300). This plan must include a housing element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. At the state level, the Housing and Community Development Department (HCD) estimates the relative share of California’s projected population growth that would occur in each county based on California Department of Finance population projections and historical growth trends. These figures are compiled by HCD in a Regional Housing Needs Assessment (RHNA) for each region of California. Where there is a regional council of governments, the HCD provides the RHNA to the council. The council then assigns a share of the regional housing need to each of its cities and counties. The process of assigning shares gives cities and counties the opportunity to comment on the proposed allocations. The HCD oversees the process to ensure that the council of governments distributes its share of the state’s projected housing need.

State law recognizes the vital role local governments play in the supply and affordability of housing. To that end, California Government Code requires that the housing element achieve the following goals:

- Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city’s or county’s share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed.
- Assist in the development of adequate housing to meet the needs of extremely low, very low, low and moderate income households.
- Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities.
- Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.

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- Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, disability, and other characteristics protected by the California Fair Employment and Housing Act, Section 65008 (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), and any other state and federal fair housing and planning law.
- Preserve assisted housing developments for lower income households.
- Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent for very low, low, or moderate-income households.
- Include an identification of the agencies and officials 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.
- Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.
- Affirmatively further fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2. (California Government Code Section 65583)

California housing element laws (Government Code Sections 65580 to 65589) require that each city and county identify and analyze existing and projected housing needs in its jurisdiction and prepare goals, policies, and programs to further the development, improvement, and preservation of housing for all economic segments of the community, commensurate with local housing needs.

#### *Housing Accountability Act*

The Housing Accountability Act (HAA) requires that cities approve applications for residential development that are consistent with a city's general plan and zoning code development standards without reducing the proposed density. Under the HAA, an applicant is entitled to the full density allowed by the zoning and/or general plan provided the project complies with all objective general plan, zoning, and subdivision standards and provided that the full density proposed does not result in a specific, adverse impact on public health and safety and cannot be mitigated in any other way. (Objective standards are measurable and have clear criteria that are determined in advance, such as numerical setback, height limit, universal design, lot coverage requirement, or parking requirement.)

#### *Amendment to the Housing Accountability Act*

Assembly Bill (AB) 678 amends the HAA by increasing the documentation and standard of proof required for a local agency to legally defend its denial of low- to moderate-income housing development projects. If the local agency considers the housing development project to be inconsistent, not in compliance, or not in conformity with objective, written applicable standards, ordinances, plans, policies, or programs, AB 678 requires that, within a specific time period, the local agency provide the applicant with written documentation of its reasons. If the local agency fails to provide this, AB 678 deems the housing development project

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consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other provision.

### ***AB 1515, Reasonable Person Standard***

AB 1515 added additional findings related to the HAA. It specifies that a housing development project is deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity.

### ***SB 330, Housing Crisis Act of 2019***

Among other changes that promote housing, the Housing Crisis Act of 2019 strengthened the HAA, which states that a housing development project that complies with the objective standards of the General Plan and Zoning Ordinance must be approved by the City, unless the City is able to make written findings based on the preponderance of the evidence in the record that either: (1) the City has already met its Regional Housing Needs Assessment (RHNA) requirement; (2) there is an impact to the public health and safety and this impact cannot be mitigated; (3) the property is agricultural land; (4) approval of the project would violate State or Federal law and this violation cannot be mitigated; or (5) the project is inconsistent with the zoning and land use designation and not identified in the General Plan Housing Element RHNA inventory.

## **Regional**

### ***Southern California Association of Governments***

The Southern California Association of Governments (SCAG) represents Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. It is a regional planning agency and serves as a forum for addressing regional issues concerning transportation, the economy, community development, and the environment.

### ***Regional Transportation Plan/Sustainable Communities Strategy***

On September 13, 2020, SCAG adopted the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), also known as Connect SoCal. The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. This long-range plan, which is a requirement of the state of California and the federal government, is updated by SCAG every four years as demographic, economic, and policy circumstances change. Connect SoCal embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders. The 2020-2045 RTP/SCS includes growth forecasts that estimate employment, population, and housing growth. These estimates are used by SCAG, transportation agencies, and local agencies to anticipate and plan for growth. Connect SoCal works to address residents' challenges by promoting job accessibility, enabling shorter commutes, making communities safer and encouraging lower-cost housing developments. One of the key goals is to encourage development of diverse housing types in areas that are supported by multiple transportation options.

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#### Local

Development of housing in the City is guided by the goals, objectives, and policies of the general plan and housing element. A Housing Element is a local plan adopted by the City that includes goals, policies, and programs that direct decision making around housing. State law requires that Housing Elements be updated on 8-year “cycles.” The City is currently preparing a Housing Element update for the 2021-2029 planning period, which is referred to as the “6th Housing Element cycle” in reference to the six required updates that have occurred since the comprehensive revision to State Housing Element law in 1980.

#### 5.12.1.2 EXISTING CONDITIONS

##### Population

The population of the City and Orange County (for comparison purposes) from the 2000, 2010 and 2020 US Census are shown in Table 5.12-1. Note that the population growth percentage in Laguna Niguel between 2000 and 2020—2.15 percent—was substantially less than the corresponding growth rate for Orange County—12.0 percent.

**Table 5.12-1 City of Laguna Niguel and Orange County Population, 2000–2020**

	2000	2010	2020	Change 2000–2020	Percent Change 2000–2020
City of Laguna Niguel	63,002	62,979	64,355	2,189	2.15%
Orange County	2,846,289	3,010,232	3,186,989	17,675,775	12.0%

Sources: US Census 2020.

##### Population Forecast

Taking into account a combination of recent and past trends, technical assumptions, and local or regional growth policies, SCAG is able to generate regional growth forecasts for counties and their cities. SCAG’s growth forecasts for 2016 and 2045 for Laguna Niguel and Orange County are shown in Table 5.12-2. SCAG’s forecasts show the City growing at a similar pace to the rest of Orange County. Note also that the population of Laguna Niguel is forecast to grow notably faster between 2016 and 2045 than it did between 2000 and 2020 (see Table 5.12-1).

**Table 5.12-2 Population Forecast, City of Laguna Niguel and Orange County**

	2016	2045	Change 2016-2045	Percent Change 2016-2045
City of Laguna Niguel	66,100	69,700	3,600	5.5%
Orange County	3,180,000	3,535,000	267,000	8.2%

Source: SCAG 2020a.

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#### Housing

Estimated available housing, including unit type characteristics, in Laguna Niguel and Orange County for the year 2020 is detailed in Table 5.12-3.

**Table 5.12-3 Housing Units, City of Laguna Niguel and Orange County**

Housing Unit Type	City of Laguna Niguel	Orange County
Single-Family Detached	14,524	558,523
Single-Family Attached	5,110	133,885
Multifamily	7,092	393,037
Mobile Homes	48	33,526
<b>Total</b>	<b>26,774</b>	<b>1,118,971</b>
Average Household Size	2.56	2.94
Vacancy Rate	5.6%	5.4%

Source: DOF 2021.

#### Regional Housing Needs Assessment

The RHNA is mandated by State housing law as part of the periodic process of updating housing elements of local general plans. State law requires that housing elements identify RHNA targets set by HCD to encourage each jurisdiction in the state to provide its fair share of very low, low, moderate, and above moderate income housing. The RHNA does not promote growth but provides a long-term outline for housing in the context of local and regional trends and housing production goals.

SCAG determines total housing need for each community in southern California based on three general factors: 1) the number of housing units needed to accommodate future population and employment growth; 2) the number of additional units needed to allow for housing vacancies; and 3) the number of very low, low, moderate, and above moderate income housing units needed in the community. Additional factors used to determine the RHNA include tenure, the average rate of units needed to replace housing units demolished, and other factors.

The 6<sup>th</sup> Cycle Final RHNA Allocation Plan was adopted by SCAG on March 4, 2021 and Updated July 1, 2021. The City's RHNA allocation for the 2021–2029 period is shown in Table 5.12-4. The City is required to ensure that sufficient sites are planned and zoned for housing to accommodate its need, and to implement proactive programs that facilitate and encourage the production of housing commensurate with its housing needs.

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**Table 5.12-4 City of Laguna Niguel RHNA Allocation, 2021-2029**

Household Income Category	Target (Units)
Extremely Low + Very Low	348
Low	202
Moderate	223
Above Moderate	434
<b>Total</b>	<b>1,207</b>

Source: SCAG 2021.

#### *Housing Forecast*

SCAG forecasts that the number of households in Laguna Niguel will increase by 1,400 units between 2016 and 2045, as shown in Table 5.12-5. Household forecasts for Orange County are provided as a comparison.

**Table 5.12-5 Households Forecast, City of Laguna Niguel and Orange County**

	2016	2045	Change 2016–2045	Percent Change 2016–2045
City of Laguna Niguel	24,800	26,200	1,400	5.7%
Orange County	1,025,000	1,154,000	129,000	12.6%

Source: SCAG 2020b.

## Employment

#### *Employment Projections*

SCAG forecasts that employment in Laguna Niguel will increase 13.2 percent between 2016 and 2045, as shown in Table 5.12-6 below. Employment projections for Orange County are provided as a comparison.

**Table 5.12-6 Employment Projections, City of Laguna Niguel and Orange County**

	2016	2045	Change 2016-2045	Percent Change, 2016-2045
City of Laguna Niguel	19,600	22,200	2,600	13.2%
Orange County	1,710,200	1,980,500	270,300	16.9%

Source: SCAG 2020b.

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#### Jobs-Housing Balance

The jobs-housing ratio is a general measure of the total number of jobs and housing units in a defined geographic area without regard to economic constraints or individual preferences. The balance of jobs and housing in an area—in terms of the total number of jobs and housing units as well as the types of jobs versus the price of housing—has implications for mobility, air quality, and the distribution of tax revenues. The jobs-housing ratio is one indicator of the project's effect on growth and quality of life in the project area.

SCAG applies the jobs-housing ratio at the regional and subregional levels to analyze the fit between jobs, housing, and infrastructure. A major focus of SCAG's regional planning efforts has been to improve this balance. Jobs-housing goals and ratios are advisory only. No ideal jobs-housing ratio is adopted in state, regional, or city policies. The American Planning Association (APA) is an authoritative resource for community planning best practices, including recommendations for assessing jobs-housing ratios. Although the APA recognizes that an ideal jobs-housing ratio will vary from jurisdiction to jurisdiction, its recommended target for an appropriate jobs-housing ratio is 1.5, with a recommended range of 1.3 to 1.7 (Weltz 2003).

As shown in Table 5.12-7, the City is “housing rich” with a jobs-housing ratio substantially lower than the recommended target and much lower than Orange County. The jobs-housing ratio in Laguna Niguel is forecast to remain relatively the same between 2016 and 2045, between 0.73 and 0.71. The jobs-housing ratio in Orange County is estimated to decrease slightly from 1.70 to 1.68 during the same period and would remain a healthy balance.

**Table 5.12-7 Jobs-Housing Balance**

	Year	Employment	Households	Jobs-Housing Ratio
Laguna Niguel	2016	18,300	24,800	0.73
	2045	18,800	26,200	0.71
Orange County	2016	1,710,200	1,025,000	1.67
	2045	1,980,500	1,154,000	1.72

Source: SCAG 2021.

#### 5.12.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines and the City's CEQA Manual, a project would normally have a significant effect on the environment if the project would:

- P-1 Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
- P-2 Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

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#### 5.12.3 Plans, Programs, and Policies

The Laguna Niguel General Plan includes the following goals and policies on population, growth and housing:

##### *2013 – 2021 Housing Element<sup>1</sup>*

- **Goal 1:** Provide a diversity of housing opportunities that satisfy the physical, social, and economic needs of existing and future residents of Laguna Niguel.
  - **Policy 1.1.** Ensure that housing is safe and sanitary with adequate public services to accommodate the needs of City residents.
  - **Policy 1.3.** Promote a variety of housing opportunities that accommodate the needs of all income levels of the population.
- **Goal 2:** Maintain equal housing opportunities for all residents in Laguna Niguel.
  - **Policy 2.1.** Support actions to reduce regulatory constraints which impede equal housing opportunities.

The Laguna Niguel Housing Element, Chapter 5 Housing Plan addresses the issues identified in the Housing Element and provides six specific programs with strategies and action items to achieve the City's housing goals and policies.

#### 5.12.4 Environmental Impacts

##### 5.12.4.1 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

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**Impact 5.12-1: The proposed project would not induce substantial unplanned population growth directly or indirectly. [Threshold P-1]**

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At full buildout, the proposed project would include 158,581 square feet of new commercial space (including restaurant, retail and office) and 275 apartment units. The existing approximately 14,400 square foot library would be replaced by a larger library (approximately 16,290 square feet). The dwelling units would include a mix of one-bedroom, two-bedroom, and three-bedroom units. The residential component of the proposed project would generate direct population growth, and the commercial component of the proposed project has the potential to generate indirect population growth.

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<sup>1</sup> The City updated the Housing Element for the 2021-2029 planning period. The City's 2021-2029 Housing Element was approved by City Council (Reso 2021-1372) in October 2021. The 2021-2029 Housing Element was forwarded to the California Department of Housing and Community Development (HCD) and is pending certification. The 2021-2029 Housing Element does not include changes that would alter the impact analysis conclusions presented in this EIR.



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#### *Direct Population Growth*

The current zoning and general plan designations for the project site do not allow residential uses, and the proposed project would require a General Plan Amendment and new zoning to allow multifamily residential development.

The proposed project would develop 275 dwelling units. Assuming an average of 2.56 residents per dwelling unit (DOF 2021)<sup>2</sup> the project would generate 704 new residents. Table 5.12-8 shows the proposed project's contribution to housing and population in the city and county. As shown in Table 5.12-8, the proposed project's population and housing contribution is well within SCAG's RTP/SCS's projected growth for both Laguna Niguel and Orange County. The estimated population growth in the City due to project buildout would represent approximately 20 percent of the expected growth. Although representing a substantial portion of the projected future growth, it is not considered a significant impact when considering that the City has planned for growth in this area. As with the population projections, the 275 new dwelling units would represent approximately 20 percent of the forecast housing growth of 1,400 units anticipated by 2045 for the City (see Table 5.12-5). Thus, the project would also be within SCAG's projected housing growth.

**Table 5.12-8 Proposed Project's Population and Housing Contribution**

	2016	Future (2045)	Project	2016 + Project	Remaining to Future (2045)
<b>City of Laguna Niguel</b>					
Population	66,100	69,700	704	66,804	2,896
Housing	24,800	26,200	275	25,075	1,125
<b>Orange County</b>					
Population	3,180,000	3,535,000	704	3,180,704	354,296
Housing	1,025,000	1,154,000	275	1,025,275	128,725

Sources: SCAG 2020a,b

#### *Jobs-Housing Balance*

The proposed project includes approximately 174,851 square feet of new commercial space (including the new library), which includes restaurant, retail, library, medical office, and general office uses. Table 5.12-9 summarizes the different types of commercial uses and the number of employees each use would be expected to generate. It is anticipated that the project would create both full-time and part-time job opportunities and that positions would be filled by people within the local area/region. Future employees of the project would likely be a mix of currently unemployed people and individuals moving from existing jobs. Employee generation for the project would be within SCAG's planning projections for the City. The project would contribute toward the attainment of regional goals and policies to encourage mixed-use development and walkable communities.

<sup>2</sup> The Department of Finance (DOF) residents per dwelling unit figure is a City-wide average and conservative for this project since no conventional single family homes are being proposed.

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**Table 5.12-9 Proposed Project Employee Generation**

	Square Footage	Generation Rate	Estimated Net Increase in Employees
Fast Casual Restaurant	17,355	271 sf / employee	64 employees
Quality Restaurant	8,650	434 sf / employee	20 employees
High-Turnover Restaurant	16,765	271 sf / employee	62 employees
Shopping Center	34,340	761 sf / employee	45 employees
Library	16,290	500 sf / employee	0 employees <sup>3</sup>
Medical Office	20,854	549 sf / employee	38 employees
Office	60,597	332 sf / employee	183 employees
<b>Total</b>	<b>174,851</b>	<b>--</b>	<b>412 employees</b>

Source: PlaceWorks 2021; U.S. Census Bureau 2018.

Notes: sf = square feet

The jobs-housing ratio is a general measure of the number of jobs versus housing in a defined geographical area. The recommended target is 1.5, with a range of 1.3 to 1.7 (Weltz 2003). As shown in Table 5.12-7, the City of Laguna Niguel is “housing rich” and at 0.73 jobs/housing unit is currently well below the range. Orange County is job-rich and at the very high end of the recommended range for jobs-housing ratio both currently and in the future. The proposed project’s addition of 275 units and 412 jobs would be expected to nominally, but beneficially, affect the City’s jobs-housing balance.

#### *Indirect Population Growth*

The project would involve development in an urban area on a site with established infrastructure systems and would not require additional infrastructure related to water, wastewater, or solid waste beyond what is needed to serve the project. The project would not expand capacity of any utilities. Project development would not require the extension of any roadways. Roadway improvements as described in Chapter 3.0 *Project Description*, would improve site area circulation and safety, but would not increase the capacity of the existing transportation network. The project would not indirectly induce population growth.

#### *Planned Growth*

The City has long planned for growth on the project site. The General Plan designates the project site as part of Community Profile Area 14 and anticipated the addition of up to 217,800 square feet of office and 130,680 square feet of community commercial on the project site. The project would reduce the commercial square footage and add 275 residential units, but as noted above, these units respond to anticipated housing growth demand and would not induce new, unplanned growth.

Overall impacts related to unplanned growth would be less than significant.

<sup>3</sup> The current library will increase in size, but no additional employees are necessary.

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*Level of Significance Before Mitigation:* Less than significant impact.

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**Impact 5.12-2: Project implementation would not result in displacing people and/or housing or necessitate the construction of replacement housing elsewhere. [Threshold P-2]**

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The project site is approximately 25 acres, and about half of that is undeveloped. The other half is developed with a county maintenance yard, South County Justice Center (closed in 2008), former fire station, current fire station (OCFA Station No. 5) and the Laguna Niguel Library. No dwelling units or residents currently occupy the site. Thus, the proposed project would not displace housing or people. No impact would occur.

*Level of Significance Before Mitigation:* No impact.

### 5.12.5 Cumulative Impacts

#### Population and Housing

All residential projects would directly contribute to population growth in the area, and nonresidential development would indirectly contribute to population growth in the project area. Of the related projects in Table 4-1, 14 projects include residential components that would introduce 3,599 residential units.<sup>4</sup> With an average household size of 2.56, the proposed project and the cumulative projects would contribute approximately 9,917 new residents to the project area, which includes the cities of Laguna Niguel, San Juan Capistrano, Dana Point, Aliso Viejo, and Laguna Hills. Only five of the 14 residential projects are in Laguna Niguel and would add dwelling units to the City, similar to the proposed project. These 5 cumulative projects would contribute 911 residential units and generate approximately 2,332 residents. Based on the projections shown in Table 5.12-8, the proposed project combined with the five cumulative projects in Laguna Niguel are within the anticipated population and housing growth for the City.

### 5.12.6 Level of Significance Before Mitigation

Impacts 5.12-1 and 5.12-2 are less than significant prior to mitigation.

### 5.12.7 Mitigation Measures

No mitigation measures are required

### 5.12.8 Level of Significance After Mitigation

Impacts would be less than significant.

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<sup>4</sup> Cumulative Project #27 is excluded from the total number reported because it is a student dormitory project and is not expected to contribute to long-term population growth.

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