

***This is a revised draft of the Housing Element, published for public review and comment. Written comments may be emailed to Alexa Smittle at [asmittle@sealbeachca.gov](mailto:asmittle@sealbeachca.gov).***

***Please note that due to the large electronic file size and multiple track changes, the original document was separated into more manageable sections. Unfortunately, this brought about other formatting issues, including the misnumbering of footnotes. Please bear with us as we work through these minor technical glitches.***

### **III. RESOURCES AND OPPORTUNITIES**

A variety of resources are available for the development, rehabilitation, and preservation of housing in Seal Beach. This chapter provides an overview of the land resources and adequate sites to address the City's RHNA and describes the financial and administrative resources available to support the provision of affordable housing. Additionally, the chapter discusses opportunities for energy conservation which can lower utility costs and increase housing affordability.

#### **A. Land Resources**

Section 65583(a)(3) of the *Government Code* requires Housing Elements to contain an "inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites." The analysis of potential development sites is contained in Appendix B.

#### **B. Financial and Administrative Resources**

##### **1. State and Federal Resources**

**Community Development Block Grant Program (CDBG)** - Federal funding for housing programs to benefit lower income residents and neighborhoods is provided by the Department of Housing and Urban Development (HUD). The CDBG program is flexible in that funds can be used for a wide range of activities including acquisition and or disposition of real estate, public facilities and improvements, relocation, rehabilitation and construction of housing, home ownership assistance, and clearing activities. The CDBG program provides formula funding to larger cities and counties, while smaller jurisdictions with less than 50,000 population generally compete for funding under the Urban County Consolidated Plan administered by the County of Orange. CDBG funds are limited in geographical use, as project expenditures must be used to benefit lower income areas. As described in Section II of this document, most Seal Beach households fall in moderate to higher income brackets. Therefore, CDBG expenditures are currently limited to the Leisure World area. In FY 2021-22 the City received a \$200,000 grant from the County and \$49,000 in Permanent Local Housing Allocation ([PLHA](#)) funds from the State, which are being used for bathroom accessibility improvements in the Leisure World community. [This](#)

program continued in FY 2022-23 and 2023-24 with continued funding through both CDBG and PLHA.

**Section 8 Rental Assistance** – The City of Seal Beach works cooperatively with the Orange County Housing Authority (OCHA), which administers the Section 8 Voucher Program. The Housing Assistance Payments Program assists low-income, elderly and disabled households by paying the difference between 30% of an eligible household's income and the actual cost of renting a unit. The City facilitates use of the Section 8 program within its jurisdiction by encouraging apartment owners to list available rental units with OCHA for potential occupancy by tenants receiving Section 8 certificates.

**Low-Income Housing Tax Credit Program** - The Low-Income Housing Tax Credit Program was created by the Tax Reform Act of 1986 to provide an alternate method of funding low- and moderate-income housing. Each state receives a tax credit, based upon population, toward funding housing that meets program guidelines. The tax credits are then used to leverage private capital into new construction or acquisition and rehabilitation of affordable housing. Limitations on projects funded under the Tax Credit programs include minimum requirements that a certain percentage of units remain rent-restricted, based upon median income, for a term of 30 years.

## 2. Local Resources

On February 1, 2012, the Seal Beach Redevelopment Agency was dissolved as a result of the state legislature's approval of Assembly Bill (AB) x1-26 (2011) and the California Supreme Court's action upholding that law. On February 1, 2012, the City became the Successor Agency to the Redevelopment Agency, and redevelopment housing assets were transferred to the Orange County Housing Authority as the Housing Successor. At this time, no dedicated funding source for affordable housing is locally generated.

A number of non-profit and governmental organizations are active in the development of affordable housing in the County of Orange. The City could potentially partner with one or more of these organizations for the development of affordable units.

Habitat for Humanity: Habitat is a non-profit, nondenominational Christian organization that builds and repairs homes for very low-income families with the help of volunteers and homeowner/partner families. Habitat homes are sold to partner families at no profit with affordable, no interest loans. Habitat has completed numerous projects throughout Orange County.

Jamboree Housing Corporation (JHC): JHC is a non-profit that has developed numerous affordable housing projects throughout Orange County and the State. Jamboree has also established an in-house social services division, "Housing with a HEART," that operates at most properties to assist residents in maintaining self-sufficiency.

Affirmed Housing: the Affirmed team seeks to provide affordable housing solutions that also consider community, transportation, and environmental concerns. Headquartered in San Diego, Affirmed has developed more than 60 projects serving families, seniors, and veterans in the greater San Diego, Orange County/Los Angeles, and Bay Area regions.

Irvine Housing Opportunities (IHO): IHO formed in 1976 to address the shortage of affordable housing in Irvine, and has since expanded to several Southern California counties. IHO develops, owns and operates affordable housing for low to moderate income families and individuals, and is also involved in the acquisition and rehabilitation of at-risk projects and preservation as long-term affordable housing.

National Community Renaissance: National CORE is a nonprofit developer with in-house capacity to construct and renovate large scale developments. The company owns and manages more than 4,500 multifamily units throughout Southern California, including several projects in Orange County. As part of its inclusive approach to improving quality of life, it staffs community resource centers at all its properties. These centers are supported and administered by the Hope Through Housing Foundation.

Neighbor Works Orange County (NHS OC): For 35 years, NHS OC has served Orange County, implementing innovative housing solutions that are accessible to families. NHS OC owns 110 affordable rental housing units that it has developed in targeted neighborhoods, and is actively engaged in the purchase, rehab and re-sale of foreclosed homes. The Agency provides a number of programs that benefit a variety of constituents, including: financial literacy; first-time home-buyer education, counseling and lending services; foreclosure prevention services; and community building programs.

Orange County Community Housing Corporation (OCCHC): OCCHC's mission is to transition extremely low-income families towards greater self-sufficiency by assisting them with housing and education. Since its founding in 1977, OCCHC has developed over 200 units of affordable housing in various cities in Orange County. Most of these apartments are owned and managed by OCCHC.

Orange Housing Development Corporation (OHDC): OHDC is a non-profit housing developer founded in 1990. Located in the City of Orange, the Agency's start-up costs were originally funded by the Orange Redevelopment Agency. OHDC's primary focus is within Orange County, but has developed over 3,000 units in communities throughout California.

Southern California Housing Development Corporation: SoCal Housing is a non-profit developer with in-house capacity to construct and renovate large scale developments, with 4,500 units throughout Southern California. Its mission is to create affordable housing communities that contribute to neighborhood vitality. Community resource centers are provided at all SoCal Housing's properties, administered by the Hope Through Housing Foundation.

## **C. Energy Conservation Opportunities**

State of California Energy Efficiency Standards for Residential and Nonresidential Buildings were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are codified in Title 24 of the California Energy Code and are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods.

Title 24 sets forth mandatory energy standards and requires the adoption of an “energy budget” for all new residential buildings and additions to residential buildings. Separate requirements are adopted for “low-rise” residential construction (i.e., no more than 3 stories) and non-residential buildings, which includes hotels, motels, and multi-family residential buildings with four or more habitable stories. The standards specify energy saving design for lighting, walls, ceilings and floor installations, as well as heating and cooling equipment and systems, gas cooling devices, conservation standards and the use of non-depleting energy sources, such as solar energy or wind power. The home building industry must comply with these standards while localities are responsible for enforcing the energy conservation regulations through the plan check and building inspection processes.

Examples of techniques for reducing residential energy use include the following:

- **Glazing** – Glazing on south facing exterior walls allows for winter sunrays to warm the structure. Reducing glazing and regulating sunlight penetration on the west side of the unit prevents afternoon sunrays from overheating the unit.
- **Landscaping** – Strategically placed vegetation reduces the amount of direct sunlight on the windows. The incorporation of deciduous trees in the landscaping plans along the southern exposure of units reduces summer sunrays, while allowing penetration of winter sunrays to warm the units.
- **Building Design** – The implementation of roof overhangs above southerly facing windows shield the structure from solar rays during the summer months.
- **Cooling/Heating Systems** – The use of attic ventilation systems reduces attic temperatures during the summer months. Solar heating systems for swimming pool facilities saves on energy costs. Natural gas is conserved with the use of flow restrictors on all hot water faucets and showerheads.
- **Weatherizing Techniques** – Weatherization techniques such as insulation, caulking, and weather stripping can reduce energy use for air-conditioning up to 55% and for heating as much as 40%. Weatherization measures seal a dwelling unit to guard against heat gain in the summer and prevent heat loss in the winter.
- **Efficient Use of Appliances** – Appliances can be used in ways that increase their energy efficiency. Unnecessary appliances can be eliminated. Proper maintenance and use of stove, oven, clothes dryer, washer, dishwasher, and refrigerator can also reduce energy consumption. New appliance purchases can be made on the basis of efficiency ratings.
- **Solar Installations** – On July 13, 2009, the City Council adopted a comprehensive fee schedule (Resolution 5898). The resolution waived all fees for standard residential solar installations.

In addition to these techniques for reducing energy use in dwellings, the City supports broader “smart growth” efforts to encourage compact development and public transportation. For example, Programs 1a and 1b in the Housing Action Plan (Chapter V)

includes a commitment to process a zoning amendment to facilitate new high-density multi-family residential development on underutilized land in proximity to commercial and employment opportunities and bus transit. Such development contributes to a reduction in greenhouse gas emissions through lower energy use and vehicle trips (see also Programs 6a and 6c). In addition, as part of the City's program to assist low-income households in Leisure World to upgrade bathrooms to facilitate aging in place, the City will provide applicants with information on use of green materials and energy conserving measures in home improvements (Program 6b).

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## IV. CONSTRAINTS

### A. Governmental Constraints

#### 1. Land Use Plans and Regulations

##### a. General Plan

Each city and county in California must prepare a comprehensive, long-term General Plan to guide its future. The Land Use Element of the General Plan establishes the basic land uses and density of development within the various areas of the city. Under state law, the General Plan elements must be internally consistent, and the City's zoning must be consistent with the General Plan. Thus, the Land Use Element must provide suitable locations and densities to implement the policies of the Housing Element.

The Land Use Element of the Seal Beach General Plan sets forth the City's policies for guiding local development. These policies, together with the zoning regulations, establish the amount and distribution of land to be allocated for different uses within the city. The Land Use Element provides three different densities of residential land uses displayed in 0. The Land Use Element identifies 1,471 acres for residential uses, Residential uses representing 20 percent of the total acreage in the city and nearly 64 percent of the acreage designated for non-military uses.

**Table IV-1  
Residential Land Use Categories –  
Seal Beach General Plan**

Designation	Maximum Density*	Total Acreage
Low Density Residential (LR)	9	353.7
Medium Density Residential (MR)	17.0	505.4
High Density Residential (HR)		166.4
Planning Area 1 <u>(Old Town/Surfside)</u>	20.0	150.7
Planning Areas 2-3 <u>(Marina Hill/Hellman Ranch/Boeing/Leisure World)</u>	32.2	1,007
Planning Area 4 <u>(College Park)</u>	45.3	15.7

Source: City of Seal Beach General Plan, 2021

\*Density expressed in dwelling units per net acre.

Low Density Residential: A minimum lot size of 5,000 square feet is required. Neighborhoods within this designation are developed with stable, high-quality homes and no change in land use patterns in these neighborhoods is expected, with the exception of the addition of ADUs. Low Density Residential neighborhoods include Marina Hill, Surfside, College Park West, and most of College Park East.

Medium Density Residential: The intent of this classification is to allow the development of two units on the typical coastal lot. –Nevertheless, many of the properties within this

classification are developed with single family homes. –A minimum of 2,500 sq. ft. of land area is required for each unit. –Areas within this designation include Leisure World, Bridgeport, portions of College Park East, and a ~~coastal~~ neighborhood adjacent to Old Ranch Town Center.

High Density Residential: Three areas of the eCity fall within this district, which requires 1,350 sq. ft. of land area per unit. –In Old Town, single family uses are mixed with multi-family uses including apartments and a mobile home park. The Leisure World development as well as high density developments adjacent to the Shops at Rossmoor represent other examples of this land use.

In addition to these residential land use designations, the Limited Commercial area along Seal Beach Boulevard between Landing Avenue and Electric Avenue contains a mixture of high-density residential, low-intensity office, and small commercial uses. Both mixed-use and exclusive residential development are allowed in this area.

## b. Zoning Designations and Development Standards

The Seal Beach Zoning Code was comprehensively updated in 2010.<sup>1</sup> The Zoning Code provides three residential zones: Residential Low Density (RLD), Residential Medium Density (RMD) and Residential High Density (RHD). The Limited Commercial/Residential Medium Density district also allows exclusive residential or mixed-use development. The relationship between General Plan land use categories and zoning districts is shown in Table IV-2.

**Table IV-2  
Residential Zoning Districts**

Map Symbol	Zoning District	General Plan Category	Intended Uses
RLD-9	Residential Low Density - 9	Low Density Residential	Single-unit and small, zero-lot line neighborhoods at a base density of up to 15 dwelling units per net acre.
RLD-15	Residential Low Density – 15		
RMD-18	Residential Medium Density - 18	Medium Density Residential	Duplexes, townhouse projects, apartments, and small-lot, single-unit residential uses, at a density of 15 to 18 dwelling units per net acre. Additional density may be achieved through density bonuses.
RHD-20	Residential High Density - 20	High Density Residential	Multi-unit residential developments at a base density of 20 to 46 dwelling units per net acre. Additional density may be achieved through density bonuses.
RHD-33	Residential High Density – 33		
RHD-46	Residential High Density – 46		
L-C/RMD	Limited Commercial/Residential Medium Density	Mixed Use	Limited commercial and office uses in conjunction with residential uses.

Source: City of Seal Beach Zoning Code, 2023

## Allowable Residential Uses

<sup>1</sup> The Seal Beach Zoning Code is codified in Title 11 of the Seal Beach Municipal Code.



There are seven base zoning districts in the city that permit residential use, ranging in allowable density from 9 units/acre in the RLD-9 district to 46 units/acre in the RHD-46 district (0). Allowable uses include single-family detached houses in the RLD-9 and RLD-15 districts, to multi-family residential condominiums and apartments with base densities from 20 to 46 units/acre in the RHD-20, RHD-33 and RHD-46 districts. As shown in 0, most residential uses are permitted by-right, without discretionary review or design review. Exceptions include large group homes, and some types of residential care facilities, which require approval of a use permit by the Planning Commission. The Limited Commercial/Residential Medium Density (L-C/RMD) district allows commercial use, exclusive residential use, or commercial/residential mixed use.

**Table IV-3**  
**Permitted Residential Uses by Zoning District**

Housing Type	RLD	RMD	RHD	L-C/RMD	PO	SC	GC
Single-Unit Residential	P	P	P	P	-	-	-
Duplex	-	P	P	P	-	-	-
Multi-Unit Residential	-	P	P	P	-	-	-
Manufactured Housing <sup>1</sup>	P	P	P	-	-	-	-
Second Units <sup>1</sup>	P	P	P	-	-	-	-
Group Homes <sup>2</sup>	-	-	M	-	-	-	-
Residential Care-General <sup>3</sup>	-	-	C	-	C	C	C
Residential Care-Limited <sup>3</sup>	P	P	P	P	C	C	C
Residential Care-Senior <sup>3</sup>	-	-	C	-	C	C	C
Transitional & Supportive Housing	4	4	4	4	4	4	4

Source: Seal Beach Municipal Code, 2023

Notes:

RLD=Residential Low Density

RMD=Residential Medium Density

RHD=Residential High Density

L-C/RMD=Limited Commercial/Residential Medium Density

PO=Professional Office

SC=Service Commercial

GC=General Commercial

P=permitted as of right

M=minor use permit

C=conditional use permit

1. A manufactured home on a permanent foundation is considered a single-family dwelling

2. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. Includes rooming houses and dormitories but excludes residential care facilities

3. See discussion under Special Needs Housing

4. Permitted subject to the same regulations as for other residential uses of the same type in the same zone

## Development Standards

Development standards vary by zone and are described below. During the Zoning Code update process, development standards were reviewed to ensure that they do not prevent projects from achieving densities at the upper end of the allowable density range.

Residential Districts. The zoning district suffix indicates the allowable base density. One house per lot is permitted in the RLD district. In the RMD and RHD districts, multi-family housing is allowed with density determined by the parcel size and the required square footage of lot area per unit. For example, in the RHD-20 district, the allowable base density is 20 units/acre, which requires at least 2,178 square feet of lot area per unit<sup>2</sup>. Additional density is possible through density bonus provisions (Chapter 11.4.55 of the Municipal Code).

The Zoning Code currently requires a minimum unit size of 950 sq. ft. or 1,200 sq. ft., depending on the zoning district (not including ADUs and JADUs). -In recognition of the need to promote higher densities and a range of housing types, the City proposes to eliminate or substantially reduce the minimum unit size in the Code. -This change will occur as part of a broader Zoning Code update to implement various provisions of the Housing Element.

Other development standards regulate building height, lot size, unit sizes, setbacks, off-street parking, lot coverage, building separation and landscaping (0). Setbacks and lot coverages in particular have been reviewed and found not to be an impediment to achieving permitted density. In general, setbacks have already been designed to accommodate maximized lot use, with three-foot side setbacks in many districts. With the addition of ADU and JADU-related zoning updates, single family zones may further intensify lot use.

Limited Commercial/Residential Medium Density (L-C/RMD) District. The allowable base density for exclusively residential projects in the L-C/RMD district is one unit per 2,500 square feet of lot area (17.4 units/acre) and projects must comply with the development standards of the RHD-20 district. Mixed-use projects allow second floor residential use with a base density of one unit per 2,000 square feet of lot area (21.8 units/acre). For narrow lots (<37.5 feet) there is a 30-foot height limit, while wider lots are allowed a height of 25 feet/2 stories on the front half of the lot and 35 feet/3 stories on the rear half of the lot. Additional height may be allowed at specific locations designated in design guidelines, planned unit developments, or specific plans, or pursuant to density bonus regulations. Development standards for the L-C/RMD district are shown in 0.

Two additional types of zoning districts, the Planned Development (PD) Overlay District and Specific Plans, allow residential development through discretionary actions.

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<sup>2</sup> One acre contains 43,560 square feet of land. At a ratio of 2,178 square feet of lot area per unit, 20 units per acre would be permitted (2,178 x 20 = 43,560).

**Table IV-4  
Development Standards for Residential Zoning Districts**

	RLD-9	RLD-15	RMD-18	RHD-20	RHD-33	RHD-46	Supplemental Regulations
<b>Density/Intensity of Use - Lot Dimensions</b>							
Maximum Density	1 unit per 5,000 sq. ft. of lot area, plus an "Accessory Dwelling Unit"	1 unit per 3,000 sq. ft. of lot area, plus an "Accessory Dwelling Unit"	1 unit per 2,500 sq. ft. of lot area	1 unit per 2,178 sq. ft. of lot area	1 unit per 1,350 sq. ft. of lot area	1 unit per 960 sq. ft. of lot area	See Section 11.4.05.115 for Accessory Dwelling Unit standards. See subsection A for Surfside Standards
Maximum Density with State Affordable Housing Bonus (du/ac)							See Chapter 11.4.55: Affordable Housing Bonus
<b>Minimum Lot Area (sq. ft.)</b>							
Interior Lots	5,000	3,000	5,000	2,500	5,000	5,000	(W) See Section 11.4.05.115 for Accessory Dwelling Unit standards.
Corner Lots	5,500	3,000	5,500	2,500	5,500	5,500	(W) See Section 11.4.05.115 for Accessory Dwelling Unit standards.
Nonresidential Uses	10,000	10,000	10,000	10,000	10,000	10,000	
<b>Minimum Lot Size (ft.)</b>							
Interior Lots	50 x 100	30 x 80	50 x 100	25 x 100	50 x 100	50 x 100	(W)
Corner Lots	55 x 100	35 x 80	50 x 100	25 x 100	55 x 100	55 x 100	(W)

	RLD-9	RLD-15	RMD-18	RHD-20	RHD-33	RHD-46	Supplemental Regulations
<b>Minimum Floor Area (sq. ft.)</b>							
Primary Dwelling Unit	1,200	1,200(E)	950	950	950	950	
Junior Accessory Dwelling Unit	150	150	150	150	150	150	
1-Bedroom Accessory Dwelling Unit	400	400	400	400	400	400	
2+-Bedroom Accessory Dwelling Unit	600	600	600	600	600	600	
<b>Maximum Floor Area for Accessory Dwelling Units (sq. ft.)</b>							
Junior Accessory Dwelling Unit	500	500	500	500	500	500	
Detached Accessory Dwelling Unit	1,200 (L-4)	1,200 (L-4)	1,200 (L-4)	1,200 (L-4)	1,200 (L-4)	1,200 (L-4)	
Attached Accessory Dwelling Unit	1,200 (L-4)	1,200 (L-4)	1,200 (L-4)	1,200 (L-4)	1,200 (L-4)	1,200 (L-4)	L-3
Maximum Lot Coverage (%)	(B)	67	50	75 (B)	60	80	(B) (W)
Substandard Lot Standards	Yes	Yes	Yes	Yes	Yes	Yes	(C)

<b>Building Form and Location</b>							
<b>Minimum Yards (ft.)</b>							
Front - Minimum	(D)	(E)	Average 12; minimum 6	Average 12; minimum 6	18	18	(D) (E) (W); L-2
Interior Side - Minimum	(A) (D)	(E)	10% of lot width; 3 ft.	10% of lot width; 3 ft.	10% of lot width; 3 ft.	10% of lot width; 3 ft.	(A) (D) (E) (W)

			minimum; 10 ft. maximum	minimum; 10 ft. maximum	minimum; 10 ft. maximum	minimum; 10 ft. maximum	
Corner Side - Minimum	15% of lot width; 10 ft. maximum	(E)	15% of lot width; 10 ft. maximum	15% of lot width; 10 ft. maximum	15% of lot width; 10 ft. maximum	15% of lot width; 10 ft. maximum	(E) (W)
Rear	10	(E)	5 ft.; but when abutting an alley 24 ft. minus width of the alley	24 ft. minus width of the alley	24 ft. minus width of the alley		(E) (W)
<b>Main Building Envelope</b>							
Flood Zone Heights	Yes	Yes	Yes	Yes	Yes	Yes	(F)
Maximum Height (ft.)	25 (A) (G) (not to exceed 2 stories)	25 (E)	(G)	25	35	35	(A) (G) (E) (W)
Maximum Height of Downslope Skirt Walls (ft.)	6	6	6	6	6	6	(H)
Projections	Yes	Yes (E)	Yes	Yes	Yes	Yes	(I) (E) (W)
Minimum Distance Between Buildings on the Same Lot (ft.)	6	6	6	6	6	10-20	(J)
Minimum Court Dimensions (ft.)	—	—	—	—	15	15	
<b>Building Design</b>							
Exterior Stairways Prohibited	Yes	Yes	Yes	Yes	No	No	L-1
Porches	Yes	—	—	Yes	—	—	(K)

<b>Vehicle Accommodation</b>	
Off-Street Parking and Loading	See Chapter 11.4.20: Off-Street Parking and Loading

Maximum Number of Curb Cuts for Driveway	1 (L)	1	1	1	1	1	(L)
Maximum Width of Driveway (ft.)	18	—	—	—	—	—	(M)
Limitations on Parking and Garage Frontage	Yes	Yes	Yes	Yes	Yes	Yes	(N)
<b>Landscaping and Open Space</b>							
Minimum Permeable Surface/Maximum Paving in Street-Facing Yards (%)	60/50	60/50	60/50	60/50	60/50	60/50	(O)
Minimum Site Area Devoted to Landscaping (%)	25	15 (E)	15	Yes	15	15	(E), (P); See also Section 11.4.30.015
Planting Required on Downslope Lots	Yes	Yes	Yes	Yes	Yes	Yes	(Q)
Pedestrian Walkways	—	—	Yes	Yes	Yes	Yes	(R)
<b>Other Development Standards</b>							
Accessory Structures	Yes	Yes	Yes	Yes	Yes	Yes	See Section 11.4.05.100; (W)
2-Story Cabanas/Manufactured Homes	—	—	—	—	Yes	—	(S)
Roof Decks	Yes	—	Yes	Yes	Yes	Yes	(T)
Solar Access	Yes	Yes	Yes	Yes	Yes	Yes	See Section 11.4.10.045
Walls and Fences	Yes	Yes	Yes	Yes	Yes	Yes	See Chapter 11.4.15
General Site Standards	See Chapter 11.4.10: General Site Standards						
Landscaping and Buffer Yards	See Chapter 11.4.30: Landscaping and Buffer Yards						
Signs	See Chapter 11.4.25: Sign Regulations						
Nonconforming Structures	See Chapter 11.4.40: Nonconforming Uses, Structures, and Lots						
Coastal Development Permit	See Chapter 11.4.35: Coastal Development Permit						
Reasonable Accommodations	See Chapter 11.5.30: Reasonable Accommodations						

- L-1: Exterior stairways providing access from the ground level and/or the first floor to the second floor or above are prohibited when such stairways are not specifically required by the [California Building Code](#). Exterior stairways may be permitted through the building permit process in the RLD-9 district on properties with a second story kitchen existing as of March 9, 1998. In such a case, a covenant shall be recorded on the title of the property stipulating the property is to be used only as a Single-Unit dwelling. Exception #1: Exterior stairways may be permitted on Single-Unit dwellings located within identified flood zones upon approval of an administrative use permit pursuant to Chapter 11.5.20: Development Permits. Exception #2: Exterior stairways may be permitted on a residential lot to provide ingress and egress to an accessory dwelling unit or junior accessory dwelling unit constructed in accordance with Section 11.4.05.115 of this title.
- L-~~32~~: Refer to Appendix A - City Council Approved Blanket Setback Variances.
- L-~~43~~: As used in this section, “living area” means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.
- L-4: An ADU with a gross floor area between 1,001 and 1,200 square feet is allowed provided a minimum of one parking space is provided for the ADU.

**Table IV-5  
Residential Development Standards for Commercial/Mixed-Use Zoning Districts**

DEVELOPMENT STANDARDS – COMMERCIAL AND MIXED-USE DISTRICTS						
	LC/RMD	PO	MSSP	SC	GC	Additional Regulations
Lot Size and Density						
Minimum Lot Size (sq. ft.)	2,500	7,000	2,750	7,000	10,000	
Maximum Floor Area Ratio	0.90	--	--	--	--	
Maximum Residential Density – lot area per unit (sq. ft.)						
Base Density	2,500	--	--	--	--	(A)
Density for Mixed Use Development	2,000	--	--	--	--	(A)
Density – Affordable Housing Bonus	See Additional Regulations	--	--	--	--	See Chapter 11.4.55: Affordable Housing Bonus
Building Form and Location						
Maximum Building Height (ft.)	35	35	30	35	35	(B)
Building Setback on Street Frontages	varies	varies	varies	varies	varies	(C)
Minimum Yard Requirements						
Interior Side	varies	varies	varies	varies	varies	(C)
Rear	varies	varies	varies	varies	varies	(C)
Building Transition Zone Adjacent to R Districts	Yes					(D)
Landscaping and Open Space						
Public Open Space	Yes					(E)
Minimum lot area to be landscaped	5%	10%	0%	10%	10%	See Chapter 11.4.30: Landscaping and Buffer Yards
Minimum required front yard area to be landscaped	60%	--	--	--	--	



	LC/RMD	PO	MSSP	SC	GC	Additional Regulations
Circulation and Parking						
Limitations – Location of Parking	Yes			(F)		
Limitations on Curb Cuts	Yes			(G)		
Limitations – Location of Truck Docks; Loading and Service Areas	Yes			(H)		
Off-Street Parking and Loading	Yes			See Chapter 11.4.20: <i>Off-Street Parking and Loading</i>		
Reduced Parking Requirements	Yes			See Chapter 11.4.20: <i>Off-Street Parking and Loading</i>		
Building Design						
Building Orientation	Yes					(I)
Design Provisions	--	--	Yes	--	--	(J)
Special Requirements for Residential Development						
Open Space (sq. ft. per unit)	100	--	--	--	--	(K)
Side and Rear Yard Setbacks	Yes	--	--	--	--	(L)
Other Applicable Development Standards						
Consistency with Council Adopted Design Guidelines, Area Plans, or Specific Plans	(M)					
Pedestrian Access to Buildings Setback from the Street	(N)					
Projections in to Required Yards	(O)					
General Site Standards	See Chapter 11.4.10: <i>General Site Standards</i>					
Fencing	See Chapter 11.4.15: <i>Fences, Hedges, and Walls</i>					
Parking and Loading	See Chapter 11.4.20: <i>Off-Street Parking and Loading</i>					
Signs	See Chapter 11.4.25: <i>Sign Regulations</i>					
Landscaping and Buffer Yards	See Chapter 11.4.30: <i>Landscaping and Buffer Yards</i>					
Coastal Development Permit	See Chapter 11.4.35: <i>Coastal Development Permit</i>					
Non-conforming Structures and Lots	See Chapter 11.4.40: <i>Non-conforming Uses, Structures, and Lots</i>					

### **Planned Development (PD) Overlay District**

The purpose of the Planned Development Overlay District (–PD) is to provide for detailed review of development that warrants special review and deviations from underlying development standards. This overlay district is also intended to provide opportunities for creative development approaches that will achieve superior design solutions to that which would be possible if the project were built in full compliance with the required standards of the base district, and will not cause a significant adverse impact on residences to the side, rear, or directly across a street with respect to solar access, privacy and compatibility. Currently there is only one area of the City within a –PD overlay – Leisure World.

The land use and density requirements within a –PD Planned Development Overlay District shall be those of the underlying base district. An application for a Planned Development and any amendment to the Plan shall be processed in accordance with the procedure for conditional use permits.

The City Council may approve a Planned Development Plan that deviates from the minimum lot area, yard requirements, building heights, and other physical development standards defined in the base district, while ensuring compliance with the land use and density requirements of the base district. Physical development standards may be modified if the Planned Development Plan includes examples of superior community design, environmental preservation and/or public benefit amenities.

Prior to submitting an application for a Planned Development Plan an applicant proposing a project over one acre in gross area or that includes publicly owned land is required to schedule a pre-application study session with the Planning Commission to discuss the general acceptability of the project proposal, issues that need to be addressed, and the need, if any, for any interagency coordination. This preliminary consultation helps to streamline the development review process by identifying issues early in the planning process.

Findings for Approval. The City shall approve a PD Overlay District Zoning Map Amendment and Planned Development Plan only if all of the following findings are made:

- A. The project meets all of the findings required for a conditional use permit pursuant to Section 11.5.20.020: *Required Findings* and the finding that the approved plan is consistent with the purposes of the district where it is located and conforms in all significant respects with the General Plan and any specific plan.
- B. Development within the PD Overlay District is demonstratively superior to the development that could occur under the standards applicable to the underlying base district and will achieve superior community design, environmental preservation, and/or substantial public benefit. In making this determination, the following factors shall be considered:

1. Appropriateness of the use(s) at the proposed location.
2. The mix of uses, housing types, and housing price levels.
3. Provision of units affordable to persons and families of low and moderate income or to lower income households.
4. Provision of infrastructure improvements.
5. Provision of open space.
6. Compatibility of uses within the development area.
7. Quality of design, and adequacy of light and air to the interior spaces of the buildings.
8. Overall contribution to the enhancement of neighborhood character and the environment of Seal Beach in the long term.
9. Creativity in design and use of land.

Because the PD overlay district creates additional options for projects within the overlay, it does not pose a constraint to residential development.

### **Specific Plans**

Chapter 11.3.25 of the Zoning Code allows the adoption of specific plans pursuant to State law. The City has five specific plans. Only the Hellman Ranch ~~specific~~ Specific plan Plan and DWP Specific Plan allow for residential uses, and both are fully developed.

### **Development Agreements**

On August 23, 1999, the City adopted Ordinance No. 1440-A, approving a Development Agreement (DA) between the then-owner of the Old Ranch Golf Course and the City, entitled Development Agreement and Amendment to Memorandum of Understanding Dated July 14, 1997 - Bixby Ranch Towne Center Development Project, August 23, 1998 for the Bixby Ranch Towne Center Development Plan. Pursuant to Sections 3.1.1.3 and 3.2.5.11 of the DA, the owner agreed that uses on parcels within the Golf Course are restricted for a thirty-year period to the following: commercial golf course, public or private; golf course clubhouse; golf driving range and appurtenant driving range uses; golf course maintenance operations; open space; landscaping, and parking for golf course uses. These land use restrictions will end in 2029. The underlying General Plan and zoning provisions applicable to the Golf Course would not currently operate as a constraint on development in the absence of the DA. The Golf Course is designated in the Land Use Element of the General Plan as Quasi-Public (Open Space/Golf), and the property is zoned Recreation Golf (RG); under the Zoning Code, single-unit residential and multi-unit residential are allowed in the RG zoning district with a conditional use permit in conjunction with a golf course.

### Effects of Zoning Regulations on the Provision of Low- and Moderate-Income Housing

Zoning regulations have a considerable effect on the development of low- and moderate-income housing. In urban areas, and particularly coastal jurisdictions, high land costs can make affordable housing infeasible without large public subsidies.

In 2004, State law was amended (AB 2348) to identify “default densities” that are considered suitable for lower-income housing. For small metropolitan jurisdictions with less than 25,000 population—~~such as Seal Beach~~, the default density is 20 units/acre. However, Seal Beach's population threshold was adjusted above the 25,000-person threshold in 2022, making the new default density 30 units/acre. All of some of the existing—the Residential High Density (RHD) zoning districts allow densities of ~~20-30~~ units/acre or more, with designations for 33 and 46 units per acre.

Development standards in the RHD districts allow projects to be built at or near the maximum densities. Height limits are 25 feet in the RHD-20 district, allowing for 2-story structures consistent with a voter-approved height restriction; and 35 feet in the RHD-33 and RHD-46 districts, which allow 2- and 3-story structures, respectively. Other development standards such as setbacks and lot coverage are typical for the allowable densities. These regulations help to facilitate the production of low- and moderate-income housing.

During the 2010 comprehensive Development Code update process, architects and builders indicated that development standards do not pose any significant constraints to achieving maximum allowable densities. However, nearly all residentially-zoned land is developed, and there is limited capacity for additional housing on these properties. As discussed in Chapter III, the greatest potential for additional residential development is within underutilized commercial areas.

The lack of vacant land is a constraint to new housing development. -The City will rezone various parcels in the City to provide additional sites for residential development. -This action will require the creation of a new mixed-use zoning district. The City intends to collaborate with design professionals, affordable housing developers, and affected property owners to ensure the new mixed-use standards can result in higher density development that includes an affordability component.

However, due to the lack of vacant land, the City expects developers will -rely in part on density bonus provisions to ensure new residential developments include affordable units in developments (refer to Housing Element Program 1c). The City will also consider revisions to its Density Bonus Ordinance to provide incentives for the provision of affordable units (Program 2a).

Seal Beach is committed to implementing a review process and development standards which facilitate, and do not serve to constrain, quality multi-family housing.

### Local Coastal Program

Seal Beach does not currently have an approved Local Coastal Program (LCP). As a result, all projects located within the portion of the city that is within the Coastal

Zone are subject to review by the California Coastal Commission. This additional requirement represents an impediment to housing development within the Coastal Zone. To address this issue, the City is currently working on the preparation of an LCP. An Ad Hoc General Plan/LCP Committee has been established to provide guidance to staff in this effort. Program 3c in Chapter V describes the City's efforts toward the completion of the LCP during the current planning period. Completion of the LCP is targeted for 2025, depending upon funding availability and review times.

While a certified LCP will allow the City to have local control regarding coastal zone land use decisions, the City will still be responsible for implementing the Coastal Act. Policy directives from the California Coastal Commission and HCD often conflict with each other, creating challenges for cities like Seal Beach where a significant portion of the jurisdiction is located within the coastal zone.

Provisions of the Coastal Act can come at the detriment of maximum unit yield for residential developments within the coastal zone. For example, the recent Ocean Place housing development at Marina Drive and 1<sup>st</sup> Street (known as the DWP Property in the former Housing Element) submitted Coastal Development Permit (CDP) Application No. 5-13-003 to the Coastal Commission in 2013 to create a 6.4-acre passive open space park and 32 residential units on the remaining 4.5 acres. The site was originally zoned for visitor-serving commercial use in the 1980s. Coastal Commission originally denied the proposal, on the basis that changing land use from visitor-serving to residential use was inappropriate. A staff report from the Coastal Commission dated August 11, 2014, specifically states: "Private residential use, which is a low priority use under the Coastal Act, is not one of the allowed uses." This statement is followed by: "The applicant continues to propose a residential use, which is a low priority use under the Coastal Act."<sup>3</sup>

The applicant and the City had to spend extensive time and resources to demonstrate that market conditions have changed in the forty years since the visitor-serving use was originally established. Coastal Commission staff preference for the site to be used as a hotel/motel, park, or other visitor-serving commercial over residential use is reiterated several times in documentation associated with this CDP. The project was ultimately approved in March 2015, after two years of complex permitting and negotiation with Coastal Commission.<sup>4</sup> Several conditions of approval and project changes were imposed by the Coastal Commission, including:

- Park proposal changed from a passive park to active park, including addition of several amenities adding cost to the developer.
- Park and trail improvements must be open for use by the general public prior to any residential occupancy.

<sup>3</sup> California Coastal Commission, *Staff Report: Appeal of Executive Director Determination, Dispute Resolution No. 5-13-1233-EDD*, Submitted June 17, 2014, Staff Report Published August 1, 2014.

<sup>4</sup> California Coastal Commission, *Staff Report: Revised Findings, Application No. 5-12-1233*, filed October 21, 2014 and approved March 12, 2015.



- Parcel along Marina Drive was required to be dedicated free of charge, to be developed with visitor-serving uses including lower-cost overnight accommodations.

Over 60% of Seal Beach is located within the Coastal Zone. Coastal Commission's directive clearly favors uses other than residential on vacant parcels within the coastal zone, which poses a significant regulatory barrier to additional housing projects in over half of the city. CDP processing further complicates the approval process and introduces entitlement risk for a developer. There is also a financial burden for CDP processes that extend into several years or require additional studies to be submitted for Coastal Commission consideration. After the City has an approved LCP, there still is the potential for future residential project challenges and appeals to be raised to the Coastal Commission for decision-making purposes.

Further, sea level rise now must be taken into consideration when issuing CDPs per Coastal Commission's directive. In 2019, a project applicant submitted a CDP to Coastal Commission proposing a lot split at APN 199-064-55 to build two detached housing units on a single vacant lot. Though this property is surrounded on both sides by residential uses in similar size/density, is not waterfront, and does not currently experience flooding or other sea level rise related impacts, Coastal Commission denied the CDP. The property is mapped within a sea level rise hazard zone in a model called CoSMoS (Coastal Storm Modeling System, prepared by the US Geologic Survey). The basis for this decision was stated as "The proposed project was inconsistent with Section 30253 of the Coastal Act, to minimize risks to life and property and assure stability and structural integrity, as the proposal would effectively increase the density and intensity of use of a site in a manner that is different than if the same density were built on a single, unsubdivided lot, in a highly vulnerable area of Seal Beach."

The applicant ultimately withdrew the proposal and resubmitted a new application in 2021. This new application included the same development footprint but eliminated the lot split component and was approved with conditions as application No. 5-20-0646. While the desired density was accomplished without the lot split, Coastal Commission has now introduced concern that lot splits and lot line adjustments in other inland parts of the city will be prohibited in the future. Without the flexibility offered by lot line adjustments or lot splits, additional residential development at higher densities in the city will be difficult to achieve. It remains to be seen how the Coastal Commission will adapt to implementation of SB 9 (Atkins), which became effective January 1, 2022, and allows lot splits by right in certain zoning designations. Coastal Commission will continue to evaluate properties within Seal Beach against CoSMoS Sea level rise modeling and the City of Seal Beach Sea Level Rise Vulnerability Analysis, both of which indicate significant portions of the City may be at risk in the future.

Coastal Commission reluctance to increase density can also be found in the Coastal Commission's decisionmaking regarding ADUs and off-street parking requirements. While Government Code Section 65852.2 and the Seal Beach Municipal Code Section 11.4.05.115 allow some types of ADUs to be exempt from parking requirements, the Coastal Commission historically has not permitted ADUs created through garage conversion projects that eliminate parking in the coastal zone.<sup>5</sup> The basis for this decision is that eliminating off-street parking would require residents to park on-street, thus taking away parking spots from potential visitors, particularly in high visitor-serving areas and/or areas with significant public recreational access opportunities, and where on-street parking is heavily used. Allowing for parking exemptions to be made for specific types of ADUs is anticipated to be included in the Seal Beach LCP, but further coordination and approval from Coastal Commission will be required on this topic.<sup>6</sup>

Lastly, as a condition of certain CDPs, some residential properties have deed restrictions that require property owners to waive their right to future shoreline protective devices. Depending how sea level rise hazards materialize, property owners in Seal Beach with recorded waivers would be prohibited by Coastal Commission to construct protective devices. This could result in residential unit loss in the future, and an overall negative impact on housing stock and availability.

Based on the examples covered above, land use decision making and policy directives from the California Coastal Commission significantly impact residential development within the coastal zone. Because directives from the Coastal Commission and HCD may be in conflict, cities like Seal Beach face challenges in trying to meet the expectations of both agencies. The adoption of the LCP and the addition of procedures for CDP waiver or other types of expedited processing, will eliminate a significant time constraint and reduce the level of uncertainty developers face when proposing residential development in Seal Beach.

### **c. Special Needs Housing**

Persons with special needs include those in residential care facilities, persons with disabilities, the elderly, persons needing emergency shelter, transitional or supportive living arrangements, and single room occupancy units. The City's provisions for these housing types are discussed below. Many of these households also fall into the extremely-low-income category.

#### **Definition of "Family"**

The Municipal Code defines "family" as *"1 or more persons living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and*

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<sup>5</sup> The Coastal Commission affirmed this practice recently in its guidance memorandum dated January 21, 2022, entitled "Updates Regarding Implementation of New ADU Laws." This guidance memorandum was issued following the 2020 enactment of AB 68, AB 587, AB 881, AB 670, AB 671 and SB 13.

<sup>6</sup> The guidance memorandum also emphasizes the need to ensure that new ADUs or JADUs protect coastal resources

eating facilities. Members of a "family" need not be related by blood but are distinguished from a group occupying a hotel, club, fraternity or sorority house." This definition is consistent with current law.

## Group Homes

The Municipal Code defines Group Home as:

*"A dwelling unit licensed or supervised by any Federal, State, or local health/welfare agency which provides 24-hour non-medical care of unrelated persons who are in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment. Includes: children's homes; orphanages; rehabilitation centers; self-help group homes. Convalescent homes, nursing homes and similar facilities providing medical care are included under the definition of Medical Services - Extended Care."*

Group homes are permitted in the RHD district subject to approval of a Minor Use Permit by the Planning Commission. There are no separation requirements for group homes. [The City will amend its Zoning Code to ensure its group home regulations comply with State law \(see Program 11\).](#)

## Residential Care Facilities

The Municipal Code allows facilities that are licensed by the State of California to provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including hospices, nursing homes, convalescent facilities, and group homes for minors, persons with disabilities, and people in recovery from alcohol or drug additions. This category excludes transitional housing and community social service facilities. (§ 11.4.85.020.N)

Three types of residential care facilities are recognized in the Code:

1. Residential Care, General. A residential care facility providing 24-hour non-medical care for more than 6 persons in a single unit in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed for residential care by the State of California.

These facilities are conditionally permitted in the [RHD \(High-Density Residential\)](#), PO, (Professional Office), SC (Service Commercial) and GC (General Commercial) districts. Because of relatively high densities and small lots in Seal Beach and the greater potential for neighborhood impacts associated with large care facilities (e.g., traffic, noise,



emergency access) these facilities are directed to non-residential districts subject to the following required findings:

1. The proposal is consistent with the general plan and with any other applicable plan adopted by the city council;
  2. The proposed use is allowed within the applicable zoning district with use permit approval and complies with all other applicable provisions of the Municipal Code;
  3. The site is physically adequate for the type, density and intensity of use being proposed, including provision of services, and the absence of physical constraints;
  4. The location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect uses and properties in the surrounding neighborhood; and
  5. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the health, safety, or welfare of persons residing or working in the vicinity of the proposed use.
2. Residential Care, Limited. A residential care facility providing 24-hour non-medical care for 6 or fewer persons in a single unit, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed for residential care by the State of California. Under state law, a state-licensed residential care facility with 6 or fewer persons is considered a residential use and is permitted subject to the same regulations as other residential uses of the same type in the same zone. This classification includes residential care facilities restricted to persons 60 years of age or older if there are 6 or fewer residents. Six or fewer persons does not include the licensee or members of the licensee's family or persons employed as facility staff.

In accordance with state law, under the Zoning Code, these facilities are permitted by-right in all zones where single-family uses are permitted, including all three residential zoning districts, RLD (Single-Unit Residential), RMD (Medium-Density Residential) and RHD (High-Density Residential) and in the LC-RMD (Limited Commercial/Residential Medium Density Zone) district, in conformance with state law, and are conditionally permitted in the PO, SC and GC districts.

3. Residential Care, Senior. A housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator or other responsible person; where residents are 60 years of age or older and where varying levels of care and supervision are provided as agreed to at the time of admission

or as determined necessary at subsequent times of reappraisal. Any younger residents must have needs compatible with other residents, as provided in Health & Safety Code §1569.316 or a successor statute. This classification includes continuing care retirement communities and lifecare communities licensed for residential care by the State of California. These facilities are conditionally permitted in the [RHD](#), PO, SC and GC districts.

The Special Use provisions of the Municipal Code recognize the following specific types of Residential Care Facilities for the Elderly (RCFE) projects:

- Assisted Living Facility: a residential building or buildings that also provide housing, personal and health care, as permitted by the Department of Social Services, designed to respond to the daily, individual needs of the residents. Assisted Living Facilities may include kitchenettes (small refrigerator, sink, microwave oven) within individual rooms. Assisted Living Facilities include congregate care, and board and care homes, and skilled nursing facilities are required to be licensed by the California Department of Social Services, ~~and do not include skilled nursing services.~~
- Independent Living Center/ Senior Apartment: independent living centers and senior apartments that are multifamily residential projects reserved for senior citizens, where common facilities may be provided, but where each dwelling unit has individual living, sleeping, bathing, and kitchen facilities.
- Life Care Facility: sometimes called "Continuing Care Retirement Communities", or "Senior Continuum of Care Complex", these facilities provide a wide range of care and supervision, and also provide health care (skilled nursing) so that residents can receive medical care without leaving the facility. Residents can expect to remain, even if they become physically incapacitated later in life. Life Care Facilities require multiple licensing from the State Department of Social Services, the State Department of Health Services, and the State Department of Insurance.

#### Development Standards for Residential Care Facilities

Residential care facilities in a residential district must maintain a minimum distance of 300 feet from another such facility. Facilities in all districts must comply with development standards for landscaping, walls, traffic level of service, passenger loading, and delivery hours. (§11.4.05.105) While these regulations are generally consistent with State law and do not pose a significant constraint to their development, the City will amend its zoning code to ensure its residential care facility regulations comply with State law (see Program 11).

### Reasonable Accommodation for Persons with Disabilities

State law requires that local housing elements “shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.” (Government Code §65583(c)(3)).

Chapter 11.5.30 of the Seal Beach Municipal Code (Reasonable Accommodations) provides standards and procedures for ensuring compliance with [federal and state law in order to allow persons with disabilities to have equal access to housing on the same basis as individuals without disabilities](#). The ordinance includes the following provisions:

- Application procedures, including the accommodation requested and the basis for the request.
- No fee is charged for a Reasonable Accommodation application.
- Concurrent processing may be requested by an applicant when another discretionary permit is also required.
- Decision by the Planning Commission [following a noticed public hearing and based on specialized findings, with a right of subject to the notice, review, approval, and appeal procedures prescribed for a conditional use permit to the City Council](#).
- Required findings for approval [of a reasonable accommodation, in light of fair housing concerns](#), as follows:
  1. The requested accommodation is requested by or on the behalf of one or more individuals with a disability protected under the fair housing laws.
  2. The requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling.
  3. The requested accommodation will not impose an undue financial or administrative burden on the City as “undue financial or administrative burden” is defined in fair housing laws and interpretive case law.
  4. The requested accommodation will not result in a fundamental alteration in the nature of the City's zoning program, as “fundamental alteration” is defined in fair housing laws and interpretive case law.
  5. The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

[The Zoning Code also provides factors to guide the decision-maker in making findings on each relevant factor. The City will review its Zoning Code to ensure its reasonable accommodation procedures and findings comply with State and](#)

federal law (see Program 5e). The City ~~will~~has also updated its website to describe the reasonable accommodation process ~~on its website~~. Given the high percentage of elderly persons residing in the City who may require accommodations to age in place, the City will also take steps to disseminate information to this population group.

### Emergency Shelters

California *Health and Safety Code* (§50801) defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.”

In 2013, the Boeing Specific Plan was amended to permit emergency shelters by-right subject to the following development standards:

- Maximum of 25 beds
- Minimum separation of 300 feet between emergency shelters

Sites within this specific plan are located within walking distance of services and employment centers and are served by public transportation. This specific plan encompasses approximately 107 acres of land, which includes two underutilized parking lots in two parcels of approximately 16 and 12 acres that are suitable for shelters. These emergency shelter regulations are consistent with SB 2 and do not pose a constraint to the establishment of such facilities. The maximum shelter size of 25 beds is appropriate in consideration of the number of unsheltered homeless persons in Seal Beach, which was estimated in the most recent Point in Time count to be 8 persons. Under Section 65583 of the Government Code, emergency shelters may include other interim interventions such as a navigation center, bridge housing, and recuperative care. These facilities, in particular navigation centers and recuperative care centers, can operate successfully on limited scales. A 20-bed recuperative care center has operated in conjunction with a non-profit developer's headquarters in nearby Midway City (unincorporated Orange County island) for many years.

AB 139 (2019) revised State law regarding parking standards for emergency shelters. AB 2339 (2022) made further changes to state laws regarding shelters. To ensure that City development standards and procedures continue to provide adequate sites for emergency shelters, Program 1*k*i includes a Zoning Code amendment to revise ~~parking requirements~~parking requirements and other zoning standards for emergency shelters consistent with current law.

### Low Barrier Navigation Centers

In 2019, the State Legislature adopted AB 101 establishing requirements related to local regulation of low barrier navigation centers, which are defined as “Housing first, low-barrier, service-enriched shelters focused on moving people into permanent housing that provides temporary living facilities while case managers connect

individuals experiencing homelessness to income, public benefits, health services, shelter, and housing." *Low Barrier* means best practices to reduce barriers to entry, and may include, but is not limited to:

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth
- (2) Accommodation of residents' pets
- (3) The storage of possessions
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms

Low barrier navigation centers meeting specified standards must be allowed by-right in areas zoned for mixed use and in nonresidential zones permitting multi-family uses. Chapter V includes Program 1i to address this requirement.

The City does not have specific parking standards for emergency shelters or other low barrier navigation centers, defined as Community Social Service Facilities in the Zoning Code. The Zoning Code will be amended to include parking standards for emergency shelters, consistent with State law, including establishment of objective standards to provide sufficient parking to accommodate all staff working in the emergency shelter, while not requiring more parking for emergency shelters than for other residential or commercial uses within the same zone. (Program 1k).

### **Transitional and Supportive Housing**

Transitional/supportive housing is normally temporary housing (generally six months to two years) for an individual or family who is transitioning to permanent housing. This type of housing can take several forms, including group housing or multi-family units, and often includes a supportive services component to allow individuals to gain necessary life skills in support of independent living.

In 2013, the Zoning Code was amended to clarify that transitional/supportive housing is a residential use subject to the same standards and requirements as other residential uses of the same type in the same zone, in conformance with SB 2.

In 2018, AB 2162 amended State law to require that supportive housing be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed housing development meets specified criteria. Chapter V includes Program 1j to address this requirement.

### **Single Room Occupancy**

Single-room-occupancy (SRO) facilities are small studio-type units intended for one or two persons. SROs can provide an affordable housing option for small households with very low or extremely low incomes. In 2013, the Zoning Code was amended to allow SROs subject to a conditional use permit in the RHD zone.

#### d. Off-Street Parking Requirements

Regulations for Off-Street Parking and Loading are provided in Chapter 11.4.20 of the Municipal Code. The City's parking requirements for residential uses vary by residential type. Single-family dwellings require two garage parking spaces per unit with up to 5 bedrooms, three spaces for homes with 6 bedrooms, plus one additional space for each bedroom over 6. In Surfside and in the RLD-9 and RHD-20 districts, the required number of spaces may be reduced by one space if suitable driveway parking is available. Multi-family dwellings require two covered parking spaces plus one uncovered guest spaces for each seven units. A reduction in required parking can be approved through the CUP process (Section 11.4.20.020.B). The parking requirements are summarized in 0.

In order to enhance the development feasibility of small apartments, the Municipal Code was amended in 2013 to reduce the required off-street parking for studio and one-bedroom apartments to one space when the units are reserved for low- or moderate-income households. As part of the Zoning Code update, the City will undertake a review of its parking standards and make amendments to the parking ordinance where necessary to comply with provisions regarding parking when sites are near transit (Program 1p).

**Table IV-6  
Residential Parking Requirements**

Type of Unit	Minimum Parking Space Required
Attached or Detached Single-Family Dwellings	<p>2 spaces per dwelling unit for each unit with up to 5 bedrooms.</p> <p>3 spaces per dwelling for each unit of 6 bedrooms or more plus 1 additional space for each bedroom above 6 total bedrooms in the dwelling unit</p> <p>All required spaces must be located in a garage except that parking for single-unit dwellings with 6+ bedrooms in Surfside and in the RLD-9 and RHD-20 districts may be reduced by one space if driveway parking is available.</p>
Multi-Family Units	<p>2 spaces per dwelling unit plus 1 guest space for every 7 units (1 space for studio and 1-bedroom units when restricted to low/moderate-income tenants)</p> <p>All spaces except guest spaces must be located in a garage or carport.</p>
Accessory dwelling units	1 space per unit.

Source: Seal Beach Zoning Code, Table 11.4.20.015.A.1 State law prohibits cities from imposing parking standards on most ADU's including those located within ½ mile of public transit. 2. States law also prohibits requiring the replacement of parking for conversion of an existing garage, carport conversion, or if a covered parking structure is demolished to be replaced with an ADU or is converted to an ADU.



**e. Accessory Dwelling Units**

Accessory dwelling units (ADUs) and Junior ADUs are regulated by §11.4.05.115 of the Municipal Code, which is intended to implement State law (Government Code §65852.150, §65852.2 and §65852.22) or any successor statutes. ADUs and JADUs that comply with applicable standards are approved ministerially without discretionary review or public hearing.

Several amendments to ADU law have been adopted by the State legislature in recent years. In July 2021~~October 2022 pursuant to Ordinance 1699~~, the City adopted revised ADU/JADU development standards reflecting legislation from 2019 and 2020 and comments from the California Department of Housing and Community Development. Since that time, additional amendments have been made to State law, and in August 2023, the City again revised the Zoning Code related to incorporate these changes. Program 1h is included in the Housing Action Plan to continue to monitor legislation and update City regulations in conformance with changes in State law, as necessary. -In addition, the City will also take steps to encourage the development of ADUs, such as creating an amnesty program for units constructed without permits, and considering incentives and other measures to facilitate the construction of ADUs (Programs 1h, 1i and 1j).

**f. Density Bonus**

Under State density bonus law, cities must provide a density increase above the otherwise maximum allowable residential density under the Municipal Code and the Land Use Element of the General Plan and other incentives when builders agree to construct housing developments with units affordable to low- or moderate-income households. Chapter 11.4.55 of the Municipal Code ("Affordable Housing Bonus") sets forth regulations and procedures for providing density bonus or other incentives. In recent years the State Legislature has adopted changes to density bonus requirements. Program 2a in the Housing Action Plan proposes to amend the Zoning Code to ensure density bonus provisions comply with State law. -In addition, the City will consider amending the Zoning Code to allow density bonus applications to be approved ministerially to provide additional incentives.

**g. Mobile Homes/Manufactured Housing**

The manufacturing of homes in a factory is typically less costly than the construction of individual homes on site thereby lowering overall housing costs. State law precludes local governments from prohibiting the installation of mobile homes on permanent foundations on single-family lots. It also declares a mobile home park to be a permitted land use on any land planned and zoned for residential use and prohibits requiring the average density in a new mobile home park to be less than that permitted by the Municipal Code. A city or county may, however, require use permits for mobile home parks.

Regulations governing manufactured housing are provided in §11.4.05.075 of the Municipal Code and in state regulations (Title 25, California Code of Regulations). A manufactured home shall constitute a permitted use in all residential districts, provided that any such manufactured home is certified under the standards set forth in the National Manufactured Housing Construction and Safety Standards Act of 1976 (42 USC 5401 et. seq.), as amended at the time of any application for placement of such manufactured home. The City's development standards for mobile homes do not present an unreasonable constraint to this type of development.

Mobile home parks are regulated under the Residential High Density (RHD) provisions of the Code. There is one mobile home park in Seal Beach (Seal Beach Shores Trailer Park). In 2000, the Redevelopment Agency issued bonds to allow for LINC Housing, a 501(c)(3) non-profit agency to acquire and manage the park. In 2009, the ownership of the park was transferred to Seal Beach Shores, Inc, a resident-owned 501(c)(3) non-profit entity.

The City recognizes this mobile home park for its contribution to affordable housing. As noted in Chapter III, the Redevelopment Agency has provided rental assistance and rehabilitation loans and grants to residents of the Seal Beach Shores Trailer Park in order to maintain this important supply of affordable housing in the city. Programs 2d and 4b support continued affordability and rehabilitation activities in this park.

#### **h. Condominium Conversions**

The conversion of apartments to condominiums is regulated by Chapter 11.4.80 of the Municipal Code for all areas of Seal Beach except Leisure World. Key requirements that must be satisfied are summarized as follows:

- Approval of a Conditional Use Permit and a subdivision map.
- Each building as of the date of conversion shall comply with all applicable requirements of the Municipal Code, and the goals and policies of the General Plan, except where the building is nonconforming in compliance with Chapter 11.4.40: Nonconforming Uses, Structures, and Lots.
- Condominium conversions shall observe the following standards for density.
  - RMD-18 District: 2,500 sq. ft. of land per dwelling unit.
  - RHD-20 District: 2,178 sq. ft. of land per dwelling unit.
  - RHD-33 District: 1,350 sq. ft. of land per dwelling unit.
  - RHD-46 District: 960 sq. ft. of land per dwelling unit.
- Separate space heating, water heating, and metering/shutoff valves for water, gas, and electricity for each unit.
- All common attic areas over individual dwelling units shall be separated by sound-rated assemblies and access to each attic space shall be provided in compliance with the California Building Code.



- Tenant's Right to Purchase. As provided in Government Code 66427.1.D., any present tenant of any unit shall be given a nontransferable right of first refusal to purchase the unit occupied at a price no greater than the price offered to the general public. The right of first refusal shall extend for at least 90 days from the date of issuance of the subdivision public report or commencement of sales, whichever date is later.
- Each non-purchasing tenant not in default under the obligations of the rental agreement or lease under which he occupies his unit shall have not less than 180 days from the date of receipt of notification from the owner of his intent to convert, or from the filing date of the final subdivision map, whichever date is later, to find substitute housing and to relocate. Once notice of intent to convert is served to a tenant, any existing long-term lease agreement may be rescinded by the tenant without penalty. Notification of such termination shall be submitted in writing to the landlord 30 days prior to the termination of the lease.
- From the date of approval of the Tentative Map until the date of conversion, no tenant's rent shall be increased more frequently than once every 6 months, and at a rate not greater than 50% of the rate of increase in the Consumer Price Index (all items, Los Angeles-Long Beach), on an annualized basis, for the same period. This limitation shall not apply if rent increases are provided for in leases or contracts in existence prior to the filing date of the Tentative Map.
- The subdivider shall provide moving expenses of 2.0 times the monthly rent, but in no case less than \$3,000, to any tenant who relocates from the building to be converted after approval of the condominium conversion by the City, except when the tenant has given notice of his intent to move prior to receipt of notification from the subdivider of his intent to convert.

When a condominium conversion is permitted, the increase in the supply of less expensive for-sale units helps to compensate for the loss of rental units. No requests for condominium conversions have been filed in recent years. Program 4a calls for the continued implementation of the City's condominium conversion ~~MM~~Municipal ~~CC~~Code section.

#### i. Short Term Rentals

A short-term vacation rental (STR) is a rental of a residential dwelling unit or accessory building for periods of less than 30 consecutive days. Over the past few years, short-term rentals have become an increasingly popular form of lodging throughout the country. The City recognizes the potential land use issues that can arise from operating short-term rentals in Seal Beach's neighborhoods, such as parking, noise and trash. In addition, housing units that might otherwise provide long term rental housing for tenants are removed from the rental market, further impacting the shortage of available rental housing in the community. Due to these factors, Section 11.4.05.135 of the Seal Beach Municipal Code formerly prohibited short term rentals

of residential properties in all areas of the City. -However, two appellate courts have concluded that prohibition of short-term rentals in the Coastal Zone is inconsistent with the Coastal Act. -Therefore, the City Council amended the Zoning Code in 2023 to allow STRs within the Coastal Zone, not to exceed one percent of the residential units, pursuant to Ordinance 1701. -The City has applied to the Coastal Commission for a Coastal Development Permit, and through that process the regulations adopted by the City Council must be reviewed, potentially modified, and ultimately approved by the Coastal Commission to remain in compliance with the Coastal Act.

## **i.i. Building Codes and Enforcement**

State law prohibits the imposition of building standards that are not necessitated by local geographic, climatic or topographic conditions and requires that local governments making changes or modifications in building standards must report such changes to the Department of Housing and Community Development and file an expressed finding that the change is needed.

The City's building codes are based upon the current California Building Standards Code. Local amendments to the State code have been adopted to require fire sprinklers for some residential construction. Local amendments to Seal Beach Municipal Code Section 9.60.020.060.20 requires an automatic sprinkler system be installed throughout the following residential buildings:

*903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided when one of the following conditions exists:*

1. *New Buildings: Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.19, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area exceeds 5,000 square feet as defined in Section 202, regardless of fire areas or allowable area, or is more than two stories in height.*

*Exception: Subject to approval by the Fire Code Official, open parking garages in accordance with Section 406.5 of the California Building Code.*

2. *Existing Buildings: Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and one of the following conditions exists:*
  - a. *When an addition exceeds 2000 square feet and the resulting building area exceeds 5000 square feet.*
  - b. *903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area as follows:<sup>7</sup>*

<sup>7</sup> Group R is defined by the California Building Code Section 310 as R-1 (transient occupancy sleeping units such as boarding houses, congregate residents, hotels/motels), R-2 (permanent occupancy sleeping units such as apartments, congregate residences, hotels/motels, live work units, vacation

- i. *New Buildings: An automatic sprinkler system shall be installed throughout all new buildings, including attached garages.*
- ii. *An automatic sprinkler system shall be installed throughout when one of the following conditions exists:*
  1. *All existing Group R occupancies and U-1 garages when the total area is increased by 750 square feet or more.*
  2. *An automatic sprinkler system shall be installed throughout any existing Group R Occupancy building when the floor area of the Alteration or Combination of an Addition and Alteration, is 50% or more of area/value of the existing structure and where the scope of the work exposes building framing and facilitates sprinkler installation and is such that the Building/Fire Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.*
- c. *Any addition to an existing building which has fire sprinklers installed.*

**Exceptions:**

1. *Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing non-ambulatory clients above the first floor and not housing clients above the second floor.*
2. *Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3.*
3. *Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.*
4. *Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).*

Sprinklers are generally required throughout Orange County due to the hot, dry and strong Santa Ana winds, particularly in the fall and spring seasons and the potential of fires. While the amended building codes and enforcement increase the cost of

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timeshares), R-2.1(occupancy in a supervised residential care environment), R-3 (occupants are primarily permanent in nature but not classified in R-1, R-2 or R-4), and R-4 (occupants are primarily permanent in nature, reside in a 24-hour basis in a supervised residential environment and receive custodial care).

development, the requirement for fire sprinklers does not pose a constraint to affordable housing or other residential development within the city.

## 2. Development Processing Procedures

### a. Residential Permit Processing

State Planning and Zoning Law provides permit processing requirements for residential development. Within the framework of State requirements, the City has structured its development review process to minimize the time required to obtain permits while ensuring that projects receive an appropriate level of review.

Table 11.5.05.025, *Review Authority*, identifies the City official or body responsible for reviewing and making decisions on each type of application, land use permit, and other entitlements required by the Zoning Code. Three levels of review are identified: the Community Development Director, Planning Commission and City Council. The typical planning approvals and their respective level of review are as shown in 0.

**Table IV-7**  
**Residential Permit Review Authority**

Permit Type	Director	Planning Commission	City Council
Development Permit	Decision	Appeal	Appeal
Minor Use Permit		Decision	Appeal
Conditional Use Permit		Decision	Appeal
Subdivision maps		Recommendation	Decision

Source: Seal Beach Zoning Code, Table 11.5.05.025

All residential uses, [from single family detached homes to](#) multi-family apartments, are permitted by-right with no discretionary review [if the development application meets the zoning standards and obligations under the California Environmental Quality Act \(CEQA\) are adequately addressed.](#) It should be noted that [if a subdivision map is required, the project must be reviewed by the Planning Commission and approved by the City Council.](#) Residential developments [outside the Coastal Zone](#) only require review of project plans by the [Planning Division during the plan check process](#) to ensure conformance with applicable regulations and development standards. [Projects in the Coastal Zone are currently reviewed for consistency with zoning before the applicant can apply for a Coastal Development Permit.](#) Upon the applicant's submittal of documentation confirming that [any required Coastal Development Permit has been obtained, the applicant may apply for approval of a building permit; the building permit process is described below.](#) Assuming development conforms to Zoning regulations, no public hearing is required. The typical time required to process these approvals is 30 days.

Required findings for the Community Development Director's development permit approval are as follows:

1. The proposed use and structure conform with the provisions of the Zoning Code;
2. The proposed use and structure are compatible with uses and structures in the immediate neighborhood;
3. The plans provide protection to adjacent structures from noise, vibration and other undesirable environmental factors;
4. Proposed lighting is directed inward and downward to reflect light away from adjoining properties;
5. The following are designed to avoid traffic congestion, protect pedestrian and vehicular safety and welfare and eliminate any adverse effect on surrounding property:
  - a. Structures and improvements;
  - b. Vehicular ingress and egress and internal circulation;
  - c. Setbacks;
  - d. Height of buildings;
  - e. Walls; and
  - f. Landscaping.

A Minor Use Permit (MUP) is required for Group Housing in the RHD district. A MUP is reviewed and approved by the Planning Commission. The typical time required to process a Minor Use Permit is 45 days. A Conditional Use Permit (CUP) is required for Group Housing in the PO (Professional Office) district. A CUP is reviewed and approved by the Planning Commission, and the typical time to process a CUP is 60 days. To the extent required by law, the City will modify its group home requirements to ensure compliance with State law as part of a Zoning Code update to occur following adoption of this Housing Element.

A Conditional Use Permit (CUP) is required for Senior Citizen Housing in the RHD district. A CUP is reviewed and approved by the Planning Commission. As noted, ~~the~~ typical time required to process a CUP is 60 days.

An MUP or CUP shall only be granted if the reviewing body finds, based upon evidence presented at the hearing, that the proposal conforms to all of the following criteria as well as to any other special findings required for approval of use permits in specific zoning districts:

1. The proposal is consistent with the General Plan and with any other applicable plan adopted by the City Council;

2. The proposed use is allowed within the applicable zoning district with use permit approval and complies with all other applicable provisions of the Municipal Code;
3. The site is physically adequate for the type, density and intensity of use being proposed, including provision of services, and the absence of physical constraints;
4. The location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect uses and properties in the surrounding neighborhood; and
5. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the health, safety, or welfare of persons residing or working in the vicinity of the proposed use.

There are no design review requirements in the city, with exception for some provisions in the Main Street Specific Plan, affecting a very limited geographic area and primarily targeting commercial street fronts. Objective design standards will be incorporated into the Zoning Code update proposed by Program 1a and 1b.

Once a project requiring discretionary approval is approved by the Planning Commission, applicants outside the Coastal Zone may move immediately into plan check and building permit issuance. Any documents or information required to satisfy conditions of approval may be submitted and resolved during the plan check process. Upon submittal to the Building Division, which may be done electronically for faster and simpler access, the initial review typically takes 14 to 30 days, depending upon complexity of the project. Corrections, should they be needed, take less than two weeks and often only a few days to review. Once construction commences, building inspections and subsequent permits as needed are almost immediate, with inspections typically being available the day after requested.

For projects within the Coastal Zone, the applicant must submit an application to the Coastal Commission and obtain approval of a Coastal Development Permit prior to submittal of an applications for a building permits from the City. The City has no control over the Coastal Commission review and decision-making timeline. Adoption of the City's LCP will eliminate this step in the review process for most projects, reducing the overall time required to permit residential development in the Coastal Zone.

#### **b. Environmental Review**

Environmental review is required for all developments meeting the definition of "projects" under CEQA. Seal Beach has a number of environmental and development constraints due to its sensitive environmental resources and coastal location.

Under State law, an Environmental Impact Report (EIR) is required for any development that has the potential of creating significant impacts that cannot be



mitigated, which is typical of large projects. Some residential projects are either Categorically Exempt or require only an Initial Study and Negative Declaration. A Negative Declaration typically takes four to six weeks to prepare, depending on complexity of the project and required technical studies, followed by a state-mandated public review period. Categorically Exempt developments require a minimal amount of time. As a result, environmental review does not pose a significant constraint to housing development in the city.

Residential uses are permitted by right and environmental review is not required, unless the applicant proposes to amend the General Plan or zZoning eCode, or deviate from certain standards. As a part of the Zoning Code update (Program 1a), a Program EIR is being developed, which will streamline future development proposals that are consistent with the Program EIR.

#### **c. Requests to Develop Below Anticipated Densities**

Requests to develop housing at densities below those anticipated in the Housing Element may also constitute a constraint to housing development. Over the last housing cycle, the City received one application to develop a site with less units than anticipated. The Ocean Place development (known in the previous Housing Element as the DWP Specific Plan Property) originally proposed to construct 32 units; however, as discussed under the Local Coastal Program in the Governmental Constraints Section, only 30 units were ultimately constructed specifically due to restrictions placed on the project by the California Coastal Commission.

In order to ensure future development implements densities planned for in the Housing Element sites inventory, the City will increase the minimum densities at most housing opportunity sites to greater than 3020 units/acre, consistent with default densities for lower income affordability.

### **3. Development Fees and Improvement Requirements**

State law limits fees charged for development permit processing to the reasonable cost of providing the service for which the fee is charged. Various fees and assessments are charged by the City and other public agencies to cover the costs of processing permit applications and providing services and facilities such as schools, parks and infrastructure. Almost all of these fees are assessed through a pro rata share system, based on the magnitude of the project's impact or on the extent of the benefit that will be derived. Development fees will vary from project-to-project depending on the specific characteristics. 0 summarizes the development fees for typical residential projects.

**Table IV-8  
Planning and Development Fees**

Fee Category	Fee or Deposit Amount
<b>Planning and Application Fees<sup>1</sup></b>	
Pre-Application Conference	\$1,000
Parcel Map	\$7,968
Tentative Tract Map	\$9,960 (varies by size)
Concept Approval (coastal)	\$1,328
Major Site Plan Review	\$6,375
Minor Use Permit	\$885
Conditional Use Permit	\$4,427
Planned Unit Development	\$26,561
Specific Plan	\$26,561
<b>Environmental Review<sup>1</sup></b>	
Categorical Exemption	\$664
Initial Study (review and preparation)	\$2,500 deposit
Negative Declaration	\$10,000 deposit
Environmental Impact Report (review) <sup>2</sup>	\$20,000 deposit
<b>Regional Development Impact Fees<sup>3</sup></b>	
Water connection fees <sup>4</sup>	\$5,307
Sewer connection fees	\$2,754
Traffic Impact fees (per unit)	\$789 (condo) \$960 (apartment) \$1,463 (single-family house)
Est. total fee % of total development cost <sup>5</sup>	SF – 1-3% MF – 3-5%

Source: City of Seal Beach Development Services Department, June 2023

Notes:

1. Items with deposits are based on actual processing costs which may exceed initial deposit amount.
2. Applicant is required to reimburse City for consultant costs.
3. Impact Fees are imposed by regional agencies and vary by location
4. Assuming 1" water service line
5. Assumes development cost of \$1,000,000 for SF and \$600,000 for MF and CEQA exemption

The City periodically evaluates the actual cost of processing the development permits when revising its fee schedule. The current fee schedule is based on a fee study completed in 2021.

After the passage of Proposition 13 and its limitation on local governments' property tax revenues, cities and counties have faced increasing difficulty in providing public services and facilities to serve their residents. One of the main consequences of Proposition 13 has been the shift in funding of new infrastructure from general tax revenues to development impact fees and improvement requirements on land developers.

Developers of residential tracts in the City are required to install arterial and local streets; sewer; water lines; storm drainage; curbs, gutters, sidewalks; street lighting;



~~underground utilities; and landscaping in the public right-of-way within and adjacent to a tract. These facilities are in most cases dedicated to the City or other agencies that are responsible for maintenance. Without the site improvement requirement there are no other means of providing necessary infrastructure to the City's land parcels. Requirements for site improvements are at a level necessary to meet the City's costs and/or service obligations and are necessary to protect health, safety, and welfare. The costs of these required off-site improvements vary depending on the location and type of development. The City may also impose development fees on future housing developments in order to recover some of the cost of installing off-site improvements including upgrading the circulation system and other urban service systems to serve increased density. Seal Beach has the vast majority of necessary infrastructure, such as streets, electrical and water facilities, already in place. The City requires developers to provide on-site and off-site improvements necessary to serve their projects. Such improvements may include water, sewer and other utility extensions, street construction and traffic control device installation that are reasonably related to the project. Dedication of land or in-lieu fees may also be required of a project for rights-of-way, transit facilities and recreational facilities and school sites, consistent with the Subdivision Map Act.~~

A typical local street requires a 60-foot right-of-way, with two 12-foot travel lanes. The City's road standards are typical for cities in Orange County and do not act as a constraint to housing development. 0 illustrates the City's road improvement standards.

**Table IV-9**  
**Road Improvement Standards**

Roadway Designation	Number of Lanes	Right-of-Way Width	Curb-to-Curb Width
Principal Arterial	8	140'	120'
Major Arterial	6	120'	102'
Primary Arterial	4	100'	84'
Secondary Arterial	4	80'	64'
Local Street	2	60'	36'

Source: City of Seal Beach Public Works Department

The City's Capital Improvement Program (CIP) contains a schedule of public improvements including streets and other public works projects to facilitate the continued build-out of the City's General Plan. The CIP helps to ensure that construction of public improvements is coordinated with private development.

~~Although development fees and improvement requirements increase the cost of housing, cities have little choice in establishing such requirements due to the limitations on property taxes and other revenue sources needed to fund public improvements.~~

#### **4. 4. Federal Land Uses (NWS Seal Beach)**

The Naval Weapons Station (NWS) Seal Beach was established in 1944 for weapons and munitions loading, storage and maintenance and has operated continuously into present day. This federal land use occupies 8.2 square miles within the city, accounting for approximately 70% of the jurisdiction. It is estimated that NWS Seal Beach employs about 740 military and civilian personnel on the installation, with about 320 family members and up to 850 reservists that may be present on training weekends. NWS Seal Beach housing includes 1 ~~7886~~ enlisted family housing units, 36 units of unaccompanied housing (formerly known as bachelor enlisted quarters or barracks), and eight officer units/houses; these units are limited to service members stationed on-site.

This federal land use constitutes the majority of land within Seal Beach. Within NWS Seal Beach, the Seal Beach National Wildlife Refuge constitutes approximately 900 acres as a marine protected area to protect environmentally sensitive habitat areas. The Navy contracts with farmers for agricultural uses on-site, primarily north of Westminster Boulevard. While significant acreage of vacant land exists on NWS Seal Beach, federal ownership and active military use prevents additional residential units from being developed on-site without initiative from the federal government. As noted in the land inventory, the Navy is currently moving forward with one site for development.

In the unlikely event military uses are ever vacated from this site, existing environmental constraints would limit development. The Seal Beach National Wildlife Refuge would remain protected, and other sensitive habitats on-site could be identified as well. Contamination and hazardous material clean-up would also be required.

#### **4.5. Airport Land Use Commission**

The Orange County Airport Land Use Commission (ALUC) is the county entity under the Public Utilities Code (PUC) Section 21670 that assists local agencies in assuring land use compatibility near Orange County airports. The Joint Forces Training Base (JFTB) Los Alamitos is located just north of Seal Beach, and includes the Los Alamitos Army Airfield.; ~~therefore~~ As such, portions of the ~~e~~City are located within the Airport Influence Area that ALUC reviews under its Airport Environs Land Use Plan (AELUP).; ~~Standards which~~ includes restrictions on height for safety purposes, as well as noise considerations for compatibility. Most development proposals are accommodated under approvals from the Director or Planning Commission, although amendments to the General Plan and Zoning Code would be reviewed by the ALUC for consistency with the ~~Airport Environs Land Use Plan by AELUP when required by State law.~~ As the updated Housing Element and Zoning Code Update undertaken as a part of Program 1a would need to be presented to the ALUC, it is not anticipated

that individual projects would require further General Plan or Zoning Code amendments, and therefore would not require ALUC review.

Nevertheless, to provide further information on this potential constraint, the following analysis is provided. Nine housing opportunity sites are within planning areas identified in the AELUP, and in drafting the Housing Element, the City reviewed the adopted AELUP for compatibility. As set forth in the City's General Plan, all development on the proposed housing opportunity sites shall comply with the noise criteria and safety standards set forth in the AELUP. The adopted Housing Element acknowledges the requirement that all elements of the General Plan must be internally consistent, and residential development capacities established in the Land Use Element and constraints to development identified in the Safety/Noise Element are reflected in the Housing Element. Should a future development trigger review by the ALUC, noise and safety are expected to be the key issues the ALUC would consider. The following sections provide more detail on these topics.

#### Noise

The AELUP uses the Community Noise Equivalent Level (CNEL) system for measuring noise impacts, which is a weighted average of noise over time. The AELUP defines the noise exposure in the 60-65 dBA CNEL noise contour (Noise Impact Zone 2) as "Moderate Noise Impact" and in the 65-70 dBA CNEL noise contour (Noise Impact Zone 1) as "High Impact." (AELUP Sections 3.2.3, 3.2.4.) Residential uses are identified as "conditionally consistent" for the 60-65 dBA CNEL noise contour and "normally inconsistent" for the 65-70 dBA CNEL noise contour (AELUP Section 3, Table 1 "Limitations on Land Use Due to Noise"). The AELUP does not prohibit residential uses in either Noise Impact Zone 1 or Noise

Impact Zone 2. Instead, the AELUP provides that residential uses should be developed with insulation systems that bring the sound attenuation to no more than 45 dB inside, consistent with the City's General Plan Noise Element and State Building Code. The City's Noise Element acknowledges the AELUP; it further states that up to 70 dBA CNEL is conditionally acceptable for multi-family residential uses.

#### Safety

AELUP Section 2.1.2 (Safety) describes accident potential zones and clear zones at the JFTB. Accident potential zones (APZ) and clear zones (CZ) were set in 1994 and based on Department of Defense criteria. According to the AELUP, prior to 1995, the ALUC utilized a 10-year accident history which found that the accident potential zone was located within the boundaries of JFTB, and no additional accident potential zones are identified in the adopted AELUP beyond the clear zones. -No development is proposed by the Housing Element within CZs.

## D. Non-Governmental Constraints

### 1. Environmental Constraints

Environmental constraints include physical features such as steep slopes, fault zones, floodplains, sensitive biological habitat, and agricultural lands. In many cases, development of these areas is constrained by state and federal laws (e.g., FEMA floodplain regulations, the Clean Water Act and the Endangered Species Act, and the state Fish and Game Code and Alquist-Priolo Act).

The most noteworthy environmental constraints in Seal Beach are seismicity and soil stability related to a shallow groundwater. The Newport-Inglewood fault runs through the city. Since the city's topography is relatively gentle, steep slopes and landslides are not a major concern.

The City's land use plans have been designed to protect sensitive areas from development, and also to protect public safety by avoiding development in hazardous areas. While these policies constrain residential development to some extent, they are necessary to support other public policies. In Southern California, nearly all development projects face potential community-wide environmental constraints such as traffic, noise and air quality impacts, in addition to site-specific constraints. None of the sites identified in the land inventory (Appendix B) have site-specific environmental constraints that would preclude the assumed level of development.

Coastal constraints related to sea level rise are discussed alongside the Local Coastal Program in the Governmental Constraints section. Additionally, two major wetland areas are located within the City: the Los Cerritos Wetlands, located on the Hellman Ranch Property, and the Seal Beach National Wildlife Refuge, located on the NWS Seal Beach property. Several development proposals were issued over the years to develop Hellman Ranch and failed for various reasons. In 1981, the City approved a 1,000-unit project by Ponderosa homes that was ultimately denied by Coastal Commission because the project did not provide for wetlands conservation. In 1989, the City approved a 329-unit project by Mola Development Corp., but the project was ultimately blocked by lawsuits. In 1996, John Lang Homes proposed a 70-unit project to occupy about 10 percent of the property. As part of this proposal, Coastal Commission required portions of the Hellman Ranch Property to be deed restricted for future wetland restoration. During the grading process, cultural resources and Native American burials were found on-site. Ultimately, the project was scaled back to 64 homes. While Hellman Rancho/Los Cerritos Wetlands area constitutes a significant acreage of vacant space within the city, this area is not suitable for residential development in the future.<sup>8</sup>

Similarly, the 900+ acre wetlands located on NWS Seal Beach are protected as a National Wildlife Refuge. In the unlikely event the US Navy elects to vacate [their-its](#)

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<sup>8</sup> The Orange County Register, *New hands at the ranch*, <https://www.ocregister.com/2006/08/19/new-hands-at-the-ranch/>, accessed December 15, 2021.

property in Seal Beach, these wetlands would continue to be protected by US Fish and Wildlife Service. Other land use limitations associated with NWS Seal Beach is discussed under Federal Land Uses within the Governmental Constraints section, above.

Wildfire severity zones and FEMA flood zones can also pose constraints to development. The CalFire Fire Hazard Severity Zone map does not identify any very high fire hazard severity zones in Seal Beach. The AFFH mapping tool identifies some areas that are within a FEMA 100-year flood zone. The only significant flood zone in the city exists almost entirely within the NWS Seal Beach area. Some minor flood zones exist along the coast, a small flood zone at the western edge of Census Tract 995.04, and a small flood zone surrounding Old Ranch Country Club in Census Tract 1100.12. It is unlikely that these hazard zones would significantly hinder housing development.

## 2. Infrastructure Constraints

The majority of Seal Beach is built out and has the necessary infrastructure, streets, electrical lines, and water distribution already in place for new development. New development is able to tap into existing water and sewer lateral lines, with no new sewer or water mains necessary. The City's General Plan identifies adequate infrastructure and public service capacity to accommodate the anticipated build out. ~~The amount of new development projected to occur during the planning period is relatively small, and there are no known limitations that would preclude the anticipated level of development.~~ preliminary evaluation with the City's sewer and water models indicates that any impacts can be mitigated. ~~As part of the zoning effort, environmental review will be conducted and all service providers asked to identify any potential deficiencies and means to provide the required capacity.~~

The City of Seal Beach provides several utilities and services to customers within the city including water, sewer, street sweeping, and tree trimming. External providers provide customers with dry utilities. Electricity is provided through Southern California Edison. Internet service is provided through Spectrum. The City's Urban Water Management Plan was updated in 2021, and recognizes the 6<sup>th</sup> Cycle RHNA allocation. Furthermore, the Urban Water Management Plan forecasts residential water savings over time due to anticipated changes in codes, standards, and public outreach on water conservation.

Seal Beach is almost completely "built out" and necessary infrastructure such as water, wastewater and drainage systems are in place. ~~The amount of new development projected to occur during the planning period is relatively small, and there are no known limitations that would preclude the anticipated level of development.~~ Regardless, future Land Use Element amendments and Zoning changes needed to implement the 6<sup>th</sup> Cycle Housing Element will require full analysis under CEQA, including mitigation, if necessary.

The City's Capital Improvement Program (CIP) contains a schedule of public improvements including streets and other public works projects to [maintain existing infrastructure and](#) facilitate the continued build-out of the City's General Plan. The CIP helps to ensure that construction of public improvements is coordinated with development. Capacity for additional units would be created as build-out continues and specific projects are proposed. Providers have priority for low-income units.

### 3. Land Costs

Land represents one of the most significant components of the cost of new housing. Land values fluctuate with market conditions, and ongoing increases in the housing market have affected land values. Changes in land prices reflect the cyclical nature of the residential real estate market. The high price of land throughout Orange County, especially in coastal areas, poses a significant challenge to the development of lower-income housing. Popular housing and real-estate websites demonstrate this issue; in the surrounding coastal cities of Orange County like Long Beach and Huntington Beach, an acre of land in a coastal city can sell at a premium. Land cost varies greatly depending on lot location, size, configuration, and the ability to support development. Proximity to the coast, San Gabriel River, or other desirable views can increase property value as well.

[The limited availability of vacant land is a constraint to the development of new housing within the City. Underutilized commercial sites offer the greatest potential for new housing. Additionally, the demographic and customer shift from auto-oriented single-use retail centers to mixed-use, urban and walkable places makes existing successful retail centers candidates for residential development.](#)

Density affects development feasibility by determining the land cost per unit. As discussed in the Governmental Constraints section of this chapter, allowable multi-family residential densities in Seal Beach are [technically](#) sufficient to facilitate development of affordable housing [in that they allow 20 or more units per acre. Given the high land values, additional incentives/subsidies may be required to achieve the City's desired number of affordable housing goals \(see Programs 1a, 1b, 1c, 1d, 1o, 1p, 1q, 2a and 2d\).](#)

### 4. Construction Costs

Construction cost is affected by the price of materials, labor, development standards and general market conditions. The City has no influence over materials and labor costs, and the building codes and development standards in Seal Beach are not substantially different than most other cities in Orange County. In recent years, construction costs for materials and labor have increased at a significantly higher pace than the general rate of inflation.

One indicator of construction costs is the Building Valuation Data, compiled by the International Code Council (ICC). The unit costs compiled by the ICC include structural, electrical, plumbing and mechanical work, in addition to interior finish and



normal site preparation. The data are national, and do not account for regional differences, nor include the price of land upon which the building is constructed. The most recent Building Valuation Data, dated February 2021, reports the national average for development costs per square foot for apartments and single-family homes as follows:<sup>9</sup>

- Type I or II, R-2 Residential Multi-family: \$157.74 to \$179.04 per square foot
- Type V Wood Frame, R-2 Residential Multifamily: \$120.47 to \$125.18 per square foot
- Type V Wood Frame, R-3 Residential One- and Two-Family Swelling: \$130.58 to \$138.79 per square foot
- R-4 Residential Care/Assisted Living Facilities generally range between \$152.25 to \$211.58 per square foot

Additionally, labor costs are influenced by the availability of workers and prevailing wages. In January 2002, SB 975 expanded the definition of public works and the application of the State's prevailing wage requirements. It also expanded the definition of what constitutes public funds, capturing significantly more projects (such as housing) beyond just public works that involve public/private partnerships. Except for self-help projects, SB 975 requires payment of prevailing wages for most private projects constructed under an agreement with a public agency aiding the project. As a result, prevailing wage requirement substantially increases the cost of affordable housing construction. In addition, a statewide shortage of construction workers may be further exacerbated by limitations and restrictions due to the current COVID-19 pandemic. Although construction costs are a significant factor in the overall cost of residential development, the City of Seal Beach has no direct influence over materials and labor costs and must comply with regulations under SB 975.

## 5. Cost and Availability of Financing

Seal Beach is typical of Southern California communities with regard to private sector home financing programs and interest rates. In recent years, mortgage interest rates have been very low by historic standards, resulting in increased affordability for home purchasers with good credit. However, as interest rates rise, purchasing power declines. -The high cost of housing units in the city may create challenges for the ability of potential buyers to fulfill down-payment requirements on a home that is not affordable. Conventional home loans typically require 5% to 20% of the sales price as a down payment. Program 3b, which would support a federal tax credit program, may assist in making home ownership more affordable.

## 6. Impacts of COVID-19

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<sup>9</sup> International Code Council, *Building Valuation Data – FEBRUARY 2021*, <https://cdn-web.iccsafe.org/wp-content/uploads/BVD-BSJ-FEB21.pdf>, accessed December 15, 2021.



The COVID pandemic has had an impact on market conditions and appears to favor more development of housing on nonresidential sites. One impact of the COVID-19 pandemic is the acceleration and expansion of telecommuting/remote working. At this point, it appears the trend, though not yet stabilized, is likely to be broadly adopted by a large number of employers. Many office spaces have become vacant, idle or obsolete during this changing employment shift. There is evidence of increased efficiencies in working productivity as a result of reduced commuting and virtual meeting. This has further softened the nonresidential market and may create additional opportunities and incentives for redevelopment for or with residential uses. While a recovery in commercial activity is expected, it is not clear how long it might take to achieve pre-pandemic levels, if at all.

## **E. Affirmatively Furthering Fair Housing**

### **1. Introduction**

All General Plan Housing Elements due on or after January 1, 2021 must contain an Assessment of Fair Housing (AFH) consistent with AB 686, passed in 2017, requiring an analysis of barriers that restrict access to opportunity and a commitment to specific meaningful actions that counter discrimination and overcome patterns of segregation. The Affirmatively Furthering Fair Housing (AFFH) analysis includes a summary of fair housing issues, an assessment of fair housing enforcement and outreach capacity, an analysis of segregation patterns and disparities in access to opportunities, and an identification of fair housing goals and actions.

This requirement must:

- Include a program that affirmatively furthers fair housing and promotes housing opportunities throughout the community for protected classes (applies to housing elements beginning January 1, 2019).
- Assess fair housing that includes summary of fair housing issues, an analysis of available federal, state, and local data, and local knowledge to identify contributing factors to fair housing issues.
- Prepare the housing element land inventory and identification of sites through the lens of Affirmatively Furthering Fair Housing.

In accordance with AB 686, the City has completed the following AFFH outreach and analysis.

### **2. Outreach**

Community outreach related to the Housing Element update is documented in Appendix C, Public Participation Summary. The City hosted two public Ad Hoc Committee Meetings and two City Council/Planning Commission study sessions in a virtual format. An online survey was published and received 14 responses. City

residents and other interested stakeholders had the opportunity to participate through the City's website, and questions received through this platform are also documented in Appendix C.

Issues Potentially Reducing Participation. COVID-19 and in-person gathering restrictions significantly affected outreach capabilities and attendance related to the Housing Element Update. As the Ad Hoc meetings and study sessions were hosted virtually, the City experienced a decrease in participation over previous years. This decrease in participation was not only found with the Housing Element update process, but is a general trend observed across other community outreach efforts since March 2020.

As Seal Beach is a city with an older demographic, the online-only space potentially reduces participation by creating challenges for older residents. Only 88.9% of households in Seal Beach have a computer (compared to 95.3% of households within Orange County), and 84.1% of households have a broadband Internet subscription. As nearly 40% of the Seal Beach population is over the age of 65, this discrepancy in Internet access is likely due to older population. Nevertheless, COVID-19 restrictions prevented in-person gatherings and the City was required to engage the community in a virtual space to protect the health and safety of the community.<sup>10</sup>

### **3. Assessment of Fair Housing Issues**

#### **Fair Housing Enforcement and Outreach Capacity**

##### **Orange County**

The City of Seal Beach is one of thirteen cities that participate in the Orange County Urban County Program, along with the County's unincorporated areas. The Orange County Analysis of Impediments to Fair Housing Choice (County AI) was adopted in June 2020 and "is a thorough examination of structural barriers to fair housing choice and access to opportunity for members of historically marginalized groups protected from discrimination by the federal Fair Housing Act (FHA)."<sup>11</sup>.

The County AI describes the departments and organizations that handle fair housing enforcement and outreach in Seal Beach. The California Department of Fair Employment and Housing (DFEH) investigates complaints of employment and housing discrimination. The Fair Housing Council of Orange County (FHCOC) provides services to Seal Beach to ensure equal access to housing. The Council's services include outreach and education, homebuyer education, mortgage default counseling, landlord-tenant mediation, and limited low-cost advocacy. The Fair Housing Council investigates claims of housing discrimination and assists with referrals to DFEH. Community Legal Aid SoCal is a legal service provider serving low-income people in Orange County and Southeast Los Angeles County.

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<sup>10</sup> US Census Quickfacts, 2019.

<sup>11</sup> Orange County Analysis of Impediments to Fair Housing Choice, Prepared by the Orange County Jurisdictions and the Lawyers' Committee for Civil Rights Under Law, May 5, 2020.

The 2020 Orange County AI reports that the FHCOC received 363 allegations of housing discrimination between 2015 and 2019 within the Urban County (which includes Seal Beach). Of those allegations, 179 cases were opened for further investigation and/or action. Also, FHCOC assisted 7,664 households in addressing 24,766 tenant/landlord issues, disputes and/or inquiries. The Urban County area has an approximate population of 545,000 and around 193,000 households. The number of fair housing cases and tenant/landlord issues addressed by FHCOC represents approximately 0.03 percent of the population and four percent of households in the Urban County area. The FHCOC also conducted a variety of outreach activities in the Urban County between 2015 and 2019. Regionally, the organization conducted or participated in 467 education and/or outreach activities. The FHCOC also held training sessions, seminars and workshops for managers and owners of rental property.

~~contracted with the Fair Housing Council of Orange County (FHCOC), which provides a range of "no-cost" fair housing services to eligible clientele throughout the County's Urban County program areas that are victimized and affected by illegal housing practices. This contract ensures equal access to housing opportunities through fair housing enforcement and education within Seal Beach. Fair housing enforcement includes investigating housing discrimination complaints, assisting with referrals to government enforcement agencies and assisting in litigation aimed at stopping illegal discriminatory housing practices.~~

### **Seal Beach**

City staff infrequently receives questions regarding fair housing issues. When needed, the City refers individuals with fair housing questions and/or potential issues to FHCOC. The FHEO Inquiries by City (HUD 2013-2021) provided through the HCD AFFH Data Viewer Tool indicated no inquiries were made within the city during this time. The City is proposing Programs 5a, 5b, 5c, and 5d (Section V, Housing Action Plan) to affirmatively further fair housing through FHCOC, providing fair housing and tenant and landlord counseling services. FHCOC would also be contracted to perform fair housing audits and investigate fair housing complaints.

As outlined, Seal Beach has numerous procedures in place to address potential impediments to fair housing choice to persons with disabilities and other special needs populations. The City continues to contract through the County of Orange with the FHCOC to implement the regional Fair Housing Plan (AI) and- offer fair housing services and tenant/landlord counseling to residents. The FHCOC did not identify any housing discrimination cases opened between 2014 and 2020 in Seal Beach.

In addition to housing discrimination cases, the FHCOC has compiled data on landlord/tenant assistance provided in Seal Beach. Between 2014 and 2020, the Fair Housing Council assisted 142 households in addressing a total of 434 issues. The most prevalent issues included tenant notices (18%), rental agreements (18%), repairs/substandard conditions (17%), security deposits (6%) and reimbursements (5%). All of these issues were resolved without referral to other agencies or

organizations. Similar to the Urban County, the percentage of households in Seal Beach that had fair housing complaints and landlord tenant issues was low (1% of households). However, it is important to see if certain households experience fair housing issues at a greater rate. The following table provides a breakdown of households assisted by housing type, ethnicity, income levels, age group and female-headed households as well as the percentage of these groups as part of Seal Beach's total households.

**Table IV-10**  
**Landlord/Tenant Statistics in Seal Beach 2014-2020**

	<u>Number of Households Assisted by FHCOC</u>	<u>Percent of Total Households Assisted</u>	<u>Percent of Total Seal Beach Households</u>
<b>Housing Type</b>			
Single Family	51	36%	43%
Multi-Family	83	58%	56%
Mobile Homes	2	1%	1%
Other	6	4%	
<b>Income Level</b>			
Extremely Low	86	61%	20%
Very Low	13	9%	16%
Low	32	23%	19%
<b>Age Group</b>			
Under 65	124	87%	42%
65 and over	18	13%	58%
<b>Race/Ethnicity</b>			
White	108	76%	71%
Hispanic	18	18%	9%
African American	2	1%	2%
Asian	2	1%	11%
Other	5	4%	7%
<b>Female Headed HH</b>	5	4%	6%

Sources: Fair Housing Council of Orange County, September 2022; Dept. of Finance 2020 Population and Housing Estimates; HUD PD&R Consolidated Planning/CHAS Data

As can be seen from the table, households in multi-family units and extremely low-income households appear to face housing issues at a greater rate than others in the City. Whites and Hispanics made up a higher percentage of the landlord/tenant complaints compared to their proportion of Seal Beach's total population. It is interesting to note that while elderly households comprise 58% of households in the City, only 13% of the housing issues were attributed to this group.

HUD's records showed no fair housing cases in Seal Beach.

As of April 2022, Seal Beach had five (5) Section 8 Housing Choice Vouchers (HCVs). This means that .0003 percent of the City's housing units are subsidized with vouchers. The Orange County 2020 AI stated that 2,286 HCVs were used for units in the County. This number makes up approximately one percent (1.04%) of the total housing units in the County. Seal Beach has one of the lowest numbers of HCVs in Orange County. The AI also states that HCV households are the most evenly distributed across

racial/ethnic groups. In terms of geographic distribution of HCVs, the AI found that "Overall, publicly supported housing in the County is far more likely to be concentrated in the northernmost part, nearer to Los Angeles, than in the southern part. Developments are concentrated along the main thoroughfare of Highway 5, and are particularly prevalent in Anaheim, Santa Ana, and Irvine. It should be noted that there is a particularly high concentration of Housing Choice Voucher use in the Garden Grove-Westminster area, which does not seem to have a particularly high concentration of hard units of publicly supported housing. These areas correspond with areas of high Hispanic and Asian American or Pacific Islander segregation and concentration" (page 234).

One of the five Seal Beach vouchers assists a disabled household; the other four assist elderly households.

Organizational Capacity: The City of Seal Beach has very limited in-house capacity to investigate complaints and obtain remedies. The City will continue to contract through the County of Orange with the FHCOC for enforcement of fair housing and outreach.– However, the City will take a more proactive role in understanding complaints and issues that arise in Seal Beach; in distributing fair housing materials; and in ensuring landlords and tenants are familiar with fair housing regulations and the ways they can be enforced.

## **City Overview**

Much of the fair housing analysis is based on data provided at the census tract level. The jurisdiction includes a total of 10 census tracts. A few census tracts are not solely located within the City of Seal Beach and include portions in other jurisdictions. This includes Census Tracts 1100.07 and 1100.08 in the northern portion of Seal Beach. As a result, demographic information for these tracts also reflects neighboring communities, as well as Seal Beach. Some tracts include more land and households in the adjacent city than in Seal Beach, which therefore distorts and skews characteristics of the portion in Seal Beach. Figure IV-1 depicts the census tracts that make up the City of Seal Beach.

Throughout the analysis, few tracts repeatedly stand out with trends of higher levels of segregation and disproportionate need, including potential displacement risk. In the rare instances where census tract data shows concentrations of need, there is often an explanation associated with unique land uses within Seal Beach. An example would be the land uses at the Naval Weapons Station (NWS) Seal Beach (located on Census Tract 995.02) and a 55+ age restricted retirement community called Leisure World (located on Census Tracts 995.09 and 995.10). These specific land uses result in concentrations of specific demographics; data can indicate characteristics about both communities that require contextualization. Additionally, the NWS Seal Beach property on Census Tract 995.02 is significantly larger than most other census tracts in the region. The unusually large size of this area may visually distort how data is expressed without appropriate contextualization.



**Figure IV-1 Census Tracts**

Source: United States Census Bureau, 2020 Census – Census Tract Reference Map.

Leisure World is a Planned Unit Development (PUD), developed in the early 1960s as the first major planned retirement community in the United States. The majority of Leisure World is zoned RHD-PD (Residential High Density-Planned Development), with small parcels zoned as SC (Service Commercial), PO (Professional Office), LM (Light Manufacturing) and RG (Recreation/Golf), all designed to support the residential uses. Leisure World is specifically not an assisted living facility, but units are designed to accommodate aging in place and [the community includes](#) other amenities that benefit senior citizens. Units are single-story, majority either one or two bedrooms in size. There are [a](#) few multi-story condominium structures (two to three stories) within Leisure World. However, the majority of units are ground level, single-story in the "garden style" with open access to shared greenbelts. Within Leisure World, smaller home-owner association style organizations called "mutuals" are responsible for maintenance and management. The Golden Rain Foundation (GRF) manages the Leisure World Trust property, which includes many on-site amenities: clubhouses, golf courses, pool, library, and streets. The GRF also is responsible for programming.



Amenities within Leisure World are limited to residents and their guests only and are not open to the public.<sup>11, 12</sup>

NWS Seal Beach is a United States Navy installation for weapons and munitions loading, storage and maintenance, approximately 8.2 square miles in size (70% of land within Seal Beach). NWS Seal Beach was commissioned in 1944 at the height of World War II. The property was considered ideal due to the availability of open space and proximity to Navy fleet concentrations in Long Beach and San Diego. Since 1944, NWS Seal Beach has operated continuously and is now the Navy's primary West Coast ordnance storage, loading and maintenance installation. Cruisers, destroyers, frigates, and medium-sized amphibious assault ships are loaded with missiles, torpedoes, countermeasure devices and conventional ammunition at the facility's 850-foot long wharf. An average of 40 vessels are loaded or unloaded each year. It is estimated that 300 military and civilian employees work at NWS Seal Beach.<sup>12</sup>

In addition to the military uses, approximately 900 acres on-site are designated as the Seal Beach National Wildlife Refuge. Habitat types within the refuge include subtidal, intertidal, mudflat, coastal salt marsh and upland habitat. The refuge is key critical habitat for several threatened and endangered species.<sup>13</sup>

As NWS Seal Beach is a federally owned military property, the City of Seal Beach does not have land use control or decision-making authority on NWS Seal Beachthe base. Additionally, NWS Seal Beach is exempt from land use decision-making from the California Coastal Commission. While the City maintains a positive and cooperative relationship with NWS Seal Beach and strives to maintain harmony in land uses, decisions on NWS Seal Beach remain within the purview of the federal government. As NWS Seal Beach accounts for approximately 70% of the land within the City of Seal Beach, the presence of this military installation is a unique consideration in regard to the Housing Element.

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<sup>11, 12</sup>Leisure World Seal Beach, *Welcome to Leisure World Seal Beach*, <https://www.lwsb.com/>, accessed December 16, 2021.

<sup>12, 13</sup>U.S. Navy, *Naval Weapons Station Seal Beach*, [https://www.cnrc.navy.mil/regions/cnrcsw/installations/nws\\_seal\\_beach.html](https://www.cnrc.navy.mil/regions/cnrcsw/installations/nws_seal_beach.html), accessed December 16, 2021.

<sup>13, 14</sup>U.S. Fish and Wildlife Service, *Seal Beach National Wildlife Refuge – California*, [https://www.fws.gov/refuge/seal\\_beach/](https://www.fws.gov/refuge/seal_beach/), accessed December 16, 2021.

## Integration and Segregation

Race and Ethnicity. The racial and ethnic makeup of a jurisdiction is critical in analyzing housing demand and determining fair housing needs, as there is typically a nexus between racial/ethnic composition and other housing characteristics such as household size, mobility, and locational preferences.

Figure IV-2 depicts the racial and ethnic majority by census tract in Seal Beach. The entirety the Seal Beach census tracts have either a sizeable to predominant White majority.

**Figure IV-2 Racial and Ethnic Majority**

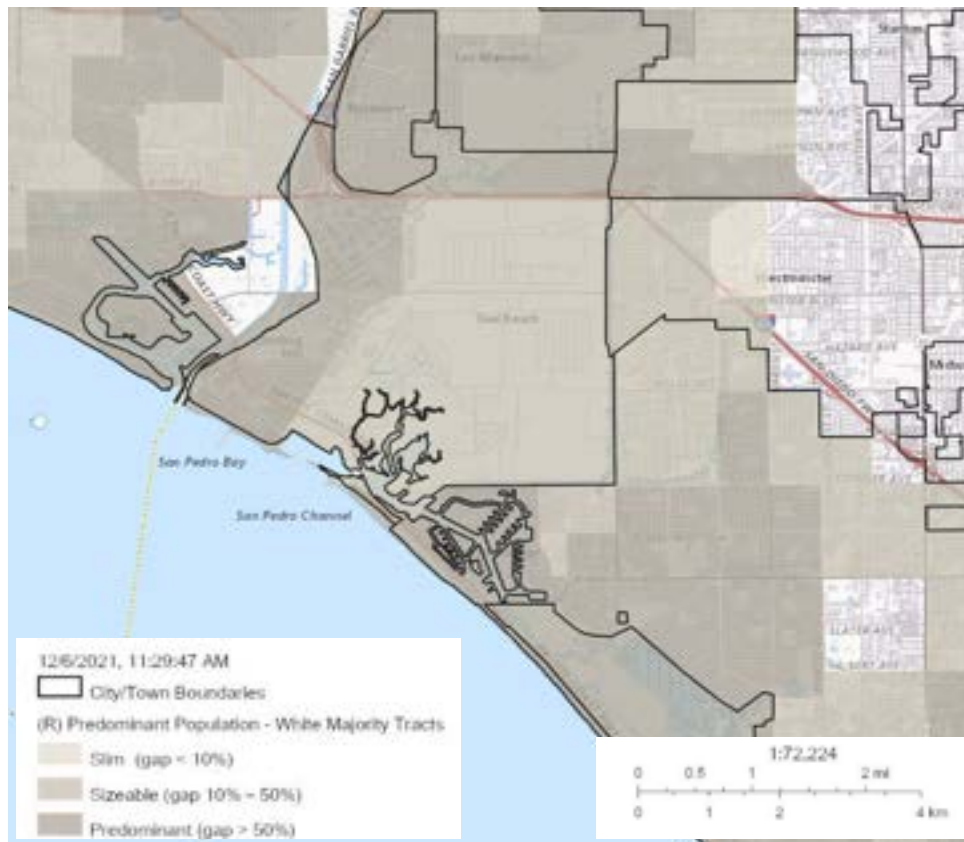
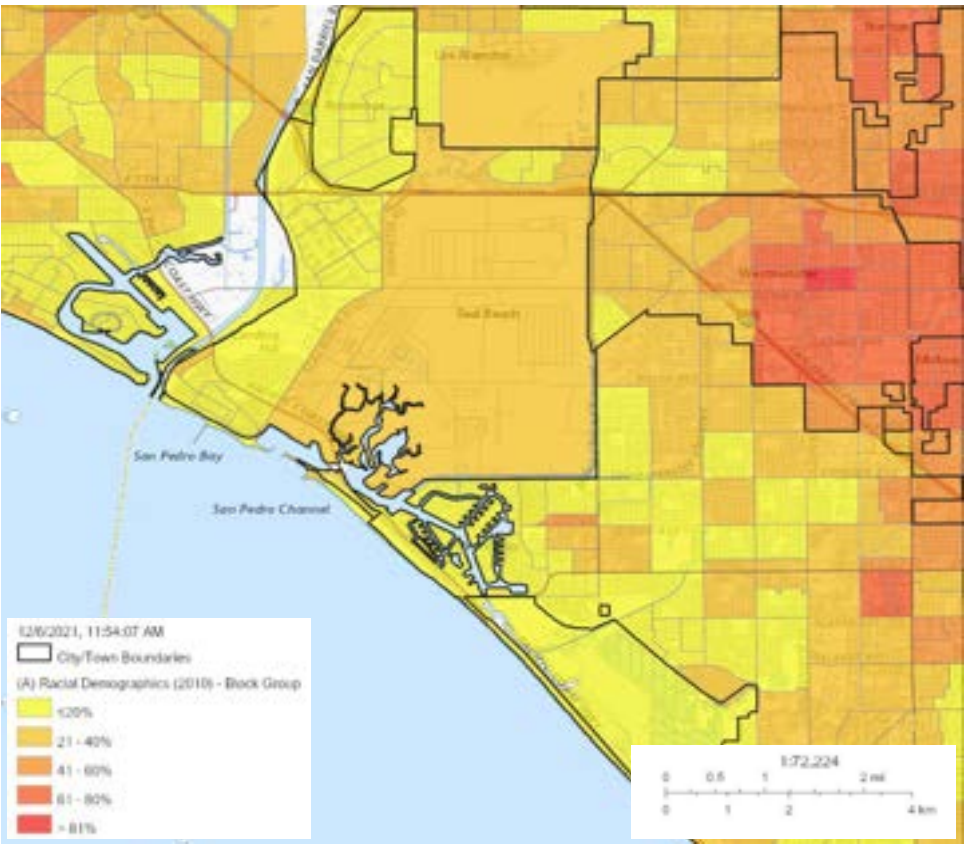
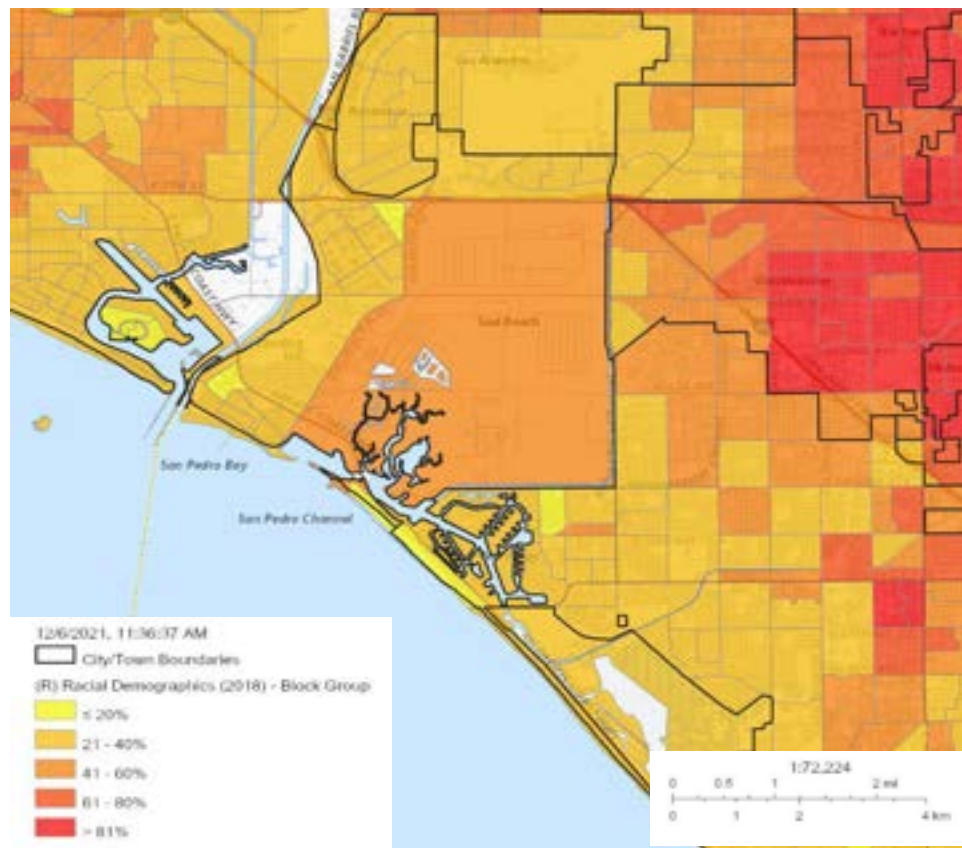


Figure IV-3 and Figure IV-4 display the percentage of the non-White population in 2010 and 2018 by census block group. From 2010 to 2018, the percentage of non-White residents in Seal Beach has increased across the city; in 2010 the majority of the City's racial demographic was at most 40%, and in 2018 the demographic racial demographic was primarily 21-60%. There are higher percentages of non-White residents within Census Tract 995.02, where the NWS Seal Beach is located, and Census Tract 1100.12, which constitutes the eastern area of Seal Beach.

An analysis determined that the HCD AFFH Data Viewer maps for 2010 and 2018 used different definitions of White and non-White populations. The 2010 map is based on the "2010 White Population) from the US Census, which included people who identified as Hispanic White. In contrast, the 2018 map included people who identified as Hispanic White in the total Hispanic and non-White populations. Because of the different data presentation in the 2010 and 2018 map, direct comparisons cannot be drawn. It is likely that the 2010 map shows less diversity than actually existed at the time. The 2018 map would be a more accurate reflection of diversity in the present day.

**Figure IV-3 Percent of the Population that is non-White, 2010**



**Figure IV-4 Percent of the Population that is non-White, 2018**

According to the United State Census Bureau population estimates for 2019, Seal Beach has a notably lower percentages of non-White racial and ethnic demographics when compared to Orange County (refer to Table IV-10 and IV-11, below). Specifically, Seal Beach has a population that is 9.1% Hispanic or Latino compared to 31.3% of Orange County, and 11.1% Asian population compared to 21.7% of Orange County. Additionally, the White alone, not Hispanic or Latino population of Seal Beach is 70.6% compared to 39.8% for Orange County.<sup>14</sup>

<sup>14</sup><sub>15</sub> United State Census Bureau, *QuickFacts: Seal Beach city, California; Orange County, California*, <https://www.census.gov/quickfacts/fact/table/sealbeachcitycalifornia,orangecountycalifornia/PST045219>, accessed December 7, 2021.

**Table IV-10****Race and Ethnicity, Seal Beach and Orange County (2019)**

<b>Category</b>	<b>Seal Beach (2019)</b>	<b>Orange County (2019)</b>
Hispanic	9.1%	31.3%
White (Non-Hispanic)	70.6%	39.8%
Asian (Non-Hispanic)	11.1%	21.7%
Black (Non-Hispanic)	2.3%	2.1%
American Indian or Alaska Native (non-Hispanic)	0.3%	1.0%
All Other (Non-Hispanic)	0.3%	0.4%
Two or More Races	4.4%	3.6%

Source: United State Census Bureau, QuickFacts: Seal Beach city, California; Orange County, California, <https://www.census.gov/quickfacts/fact/table/sealbeachcitycalifornia,orangecounty/california/PST045219>, accessed December 7, 2021.

**Table IV-11****Race and Ethnicity, Seal Beach and Orange County (2010)**

<b>Category</b>	<b>Seal Beach (2010)</b>	<b>Orange County (2010)</b>
Hispanic (any race)	10%	34%
White (Non-Hispanic)	77%	44%
Asian (Non-Hispanic)	9%	18%
Black (Non-Hispanic)	1%	1%
American Indian or Alaska Native (non-Hispanic)	0.2%	0.2%
All Other or 2+ Races (Non-Hispanic)	3%	3%

Source: City of Seal Beach, 2013 – 2021 Housing Element, October 14, 2013.

One metric used to quantify segregation is the dissimilarity index. The dissimilarity index measures how evenly two groups are distributed throughout a sub-area (block group) of a larger area (city) using a number between one and one hundred. The index score reflects the percentage of a group's population that would have to change residence for each neighborhood (block group) to have the same percentage of that group across all neighborhoods in the city. The formula provided in HCD's AFFH Handbook was used to generate this calculation.

The categories for a dissimilarity index (shown as percentages) as defined by HCD are as follows:

- < 30: Low Segregation
- 30 – 60: Moderate Segregation
- > 60: High Segregation

The indices for the City of Seal Beach are shown in Table IV-12, below. They reveal the most significant segregation index value exists between the black/white populations, at 35.72 or defined as moderate segregation. The remainder of index values between the other racial/ethnic groups remain in the low segregation category. Seal Beach shows more integration when compared to Orange County on a regional scale; however, this could be attributed to the racial homogeneity of Seal Beach also affecting low dissimilarity index.

**Table IV-12**

**Dissimilarity Index Values**

Racial/Ethnic Dissimilarity Index	Seal Beach (2020)	Orange County (2020)
Non-White/White	10.56	44.71
Black/White	35.72	46.98
Hispanic/White	16.70	52.82
Asian or Pacific Islander/White	26.08	43.19

Source: Orange County Analysis of Impediments to Fair Housing Choice, 2020.



Income. Figure IV-5 depicts the percentage of people in each census block that are of low to moderate incomes. Six block groups show more than 75% of the population is low to moderate income. This congregation of low to moderate income households are concentrated within Leisure World Seal Beach, a retirement community in the northwestern portion of the city (Census Tracts 995.09 and 995.10). Census Tract 995.04 and block groups 995.11.1, 1100.07.2, 1100.08.2, 1100.12.1, and 1100.12.3 have the lowest percentages of low-moderate income population with less than 25% of the population being low-moderate income.

**Figure IV-5 Low to Moderate Income Populations**

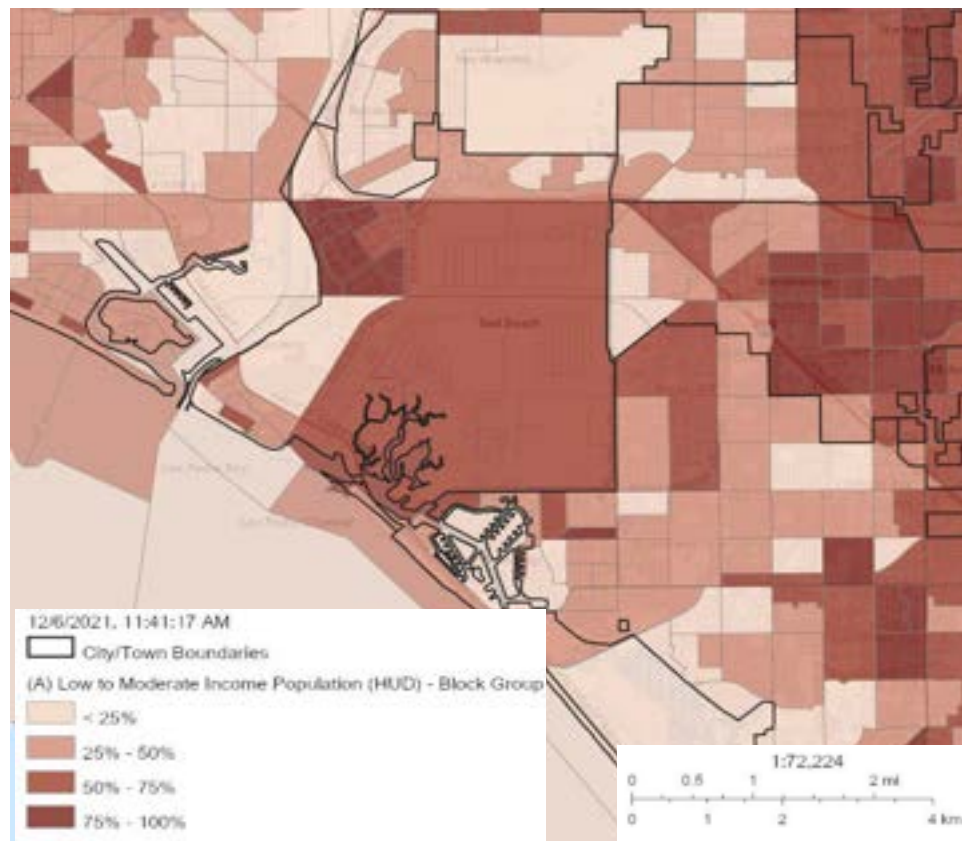
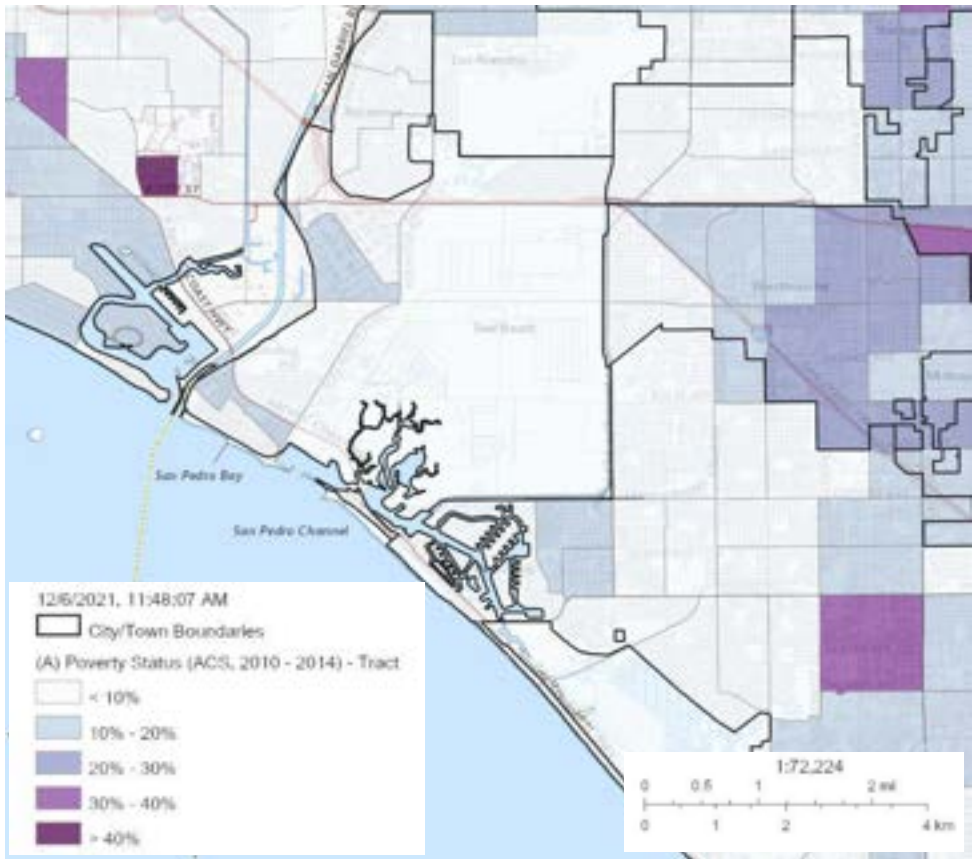


Figure IV-6 and Figure IV-7 depict the percentage of households with incomes below the federal poverty level from 2010-2014 and 2015-2019, respectively. From 2010-2014, only two census tracts had 10-20% of the populations below the federal poverty level. The remaining tracts show fewer than 10% of the population below the federal poverty level.

By 2015-2019, all census tracts in Seal Beach show fewer than 10% of households below the federal poverty level. The higher percentage of households below the federal poverty level between 2010 and-2014 may be due to residual economic effects of the Great Recession of 2008. This could explain why the AFFH data viewer does not show concentrations of households below the federal poverty level for data collected between 2015 and-2019.

**Figure IV-6 Poverty Status, 2010 - 2014**



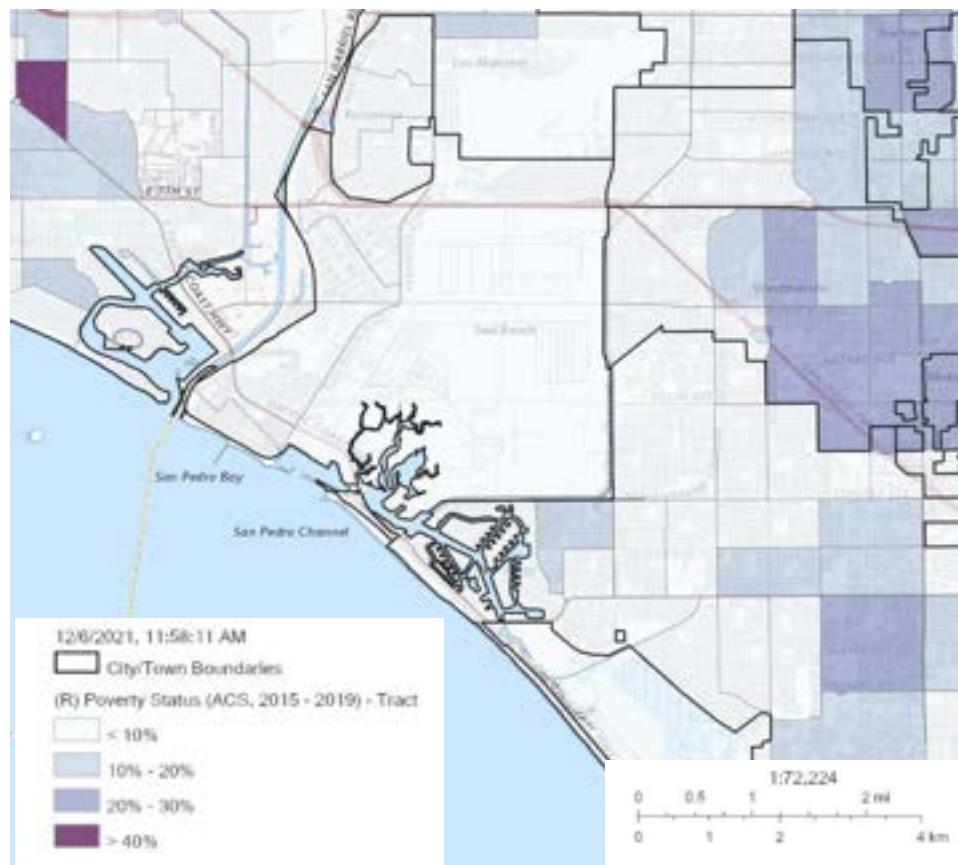
**Figure IV-7 Poverty Status, 2015 - 2019**

Figure IV-8 depicts median income between 2010 and -2014 as greater than \$80,000, with the exception of Leisure World, which had a median income less than \$40,000. Concentrations of households within central Seal Beach and north of I-405 show households with incomes greater than \$100,000.

Household income data was broken into greater detail in the median income map from 2015 [to](#) 2019, Figure IV-9. The entirety of Leisure World as well as NWS Seal Beach and one coastal block group (where the manufactured/mobile home park is located) shows a median income below the 2020 state median income of \$87,100. Similar concentrations of households within central Seal Beach and north of I-405 show high income households.

Median household income was generated from neighboring cities and Orange County, to provide context for a regional income comparison. Median income in Seal Beach is significantly lower than the County, at \$68,852 compared to \$90,234 respectively. Median income in Seal Beach is more comparable to neighboring cities of Long Beach, Garden Grove and Westminster. Median income in Seal Beach may be lower than the County wide median because of the high concentration of older adults and retirees.

**Table IV-13**

**Median Income**

<b>Jurisdiction</b>	<b>Median Income</b>	<b>Household</b>
City of Seal Beach	\$68,852	
County of Orange	\$90,234	
City of Long Beach	\$63,017	
City of Los Alamitos	\$88,729	
City of Garden Grove	\$69,278	
City of Westminster	\$62,625	
City of Huntington Beach	\$95,046	

Source: US Census Bureau, Median Household Income Quickfacts (2019), accessed December 16, 2021.

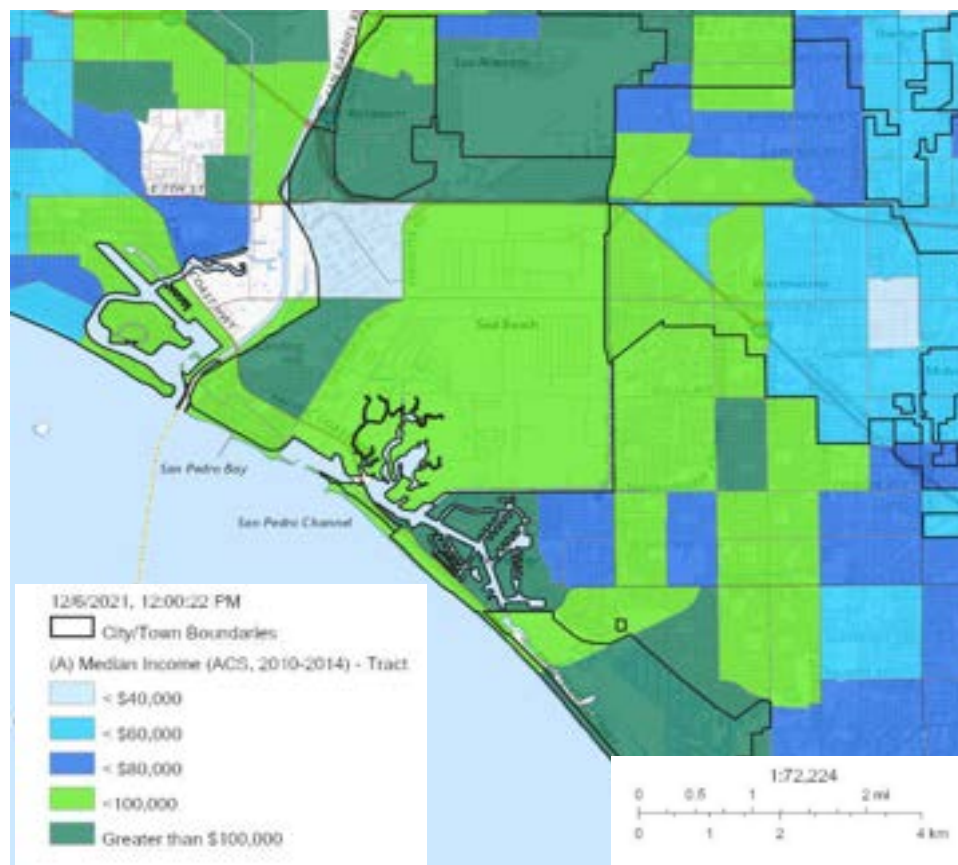
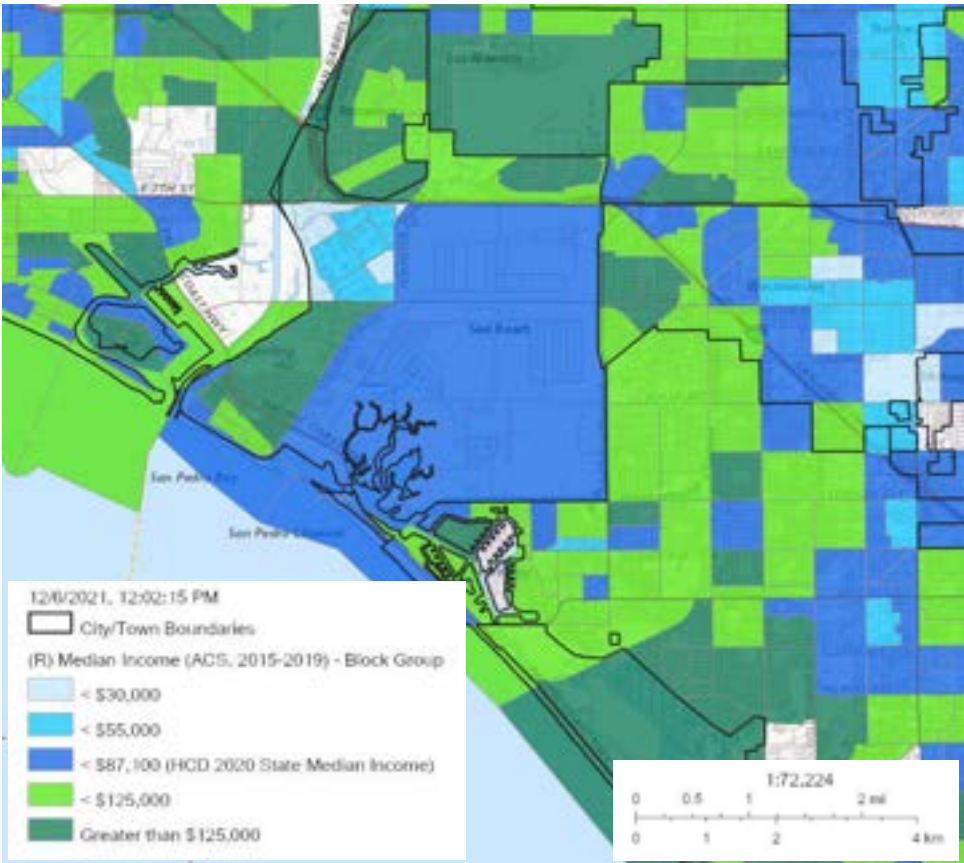
**Figure IV-8 Median Income, 2010 - 2014**

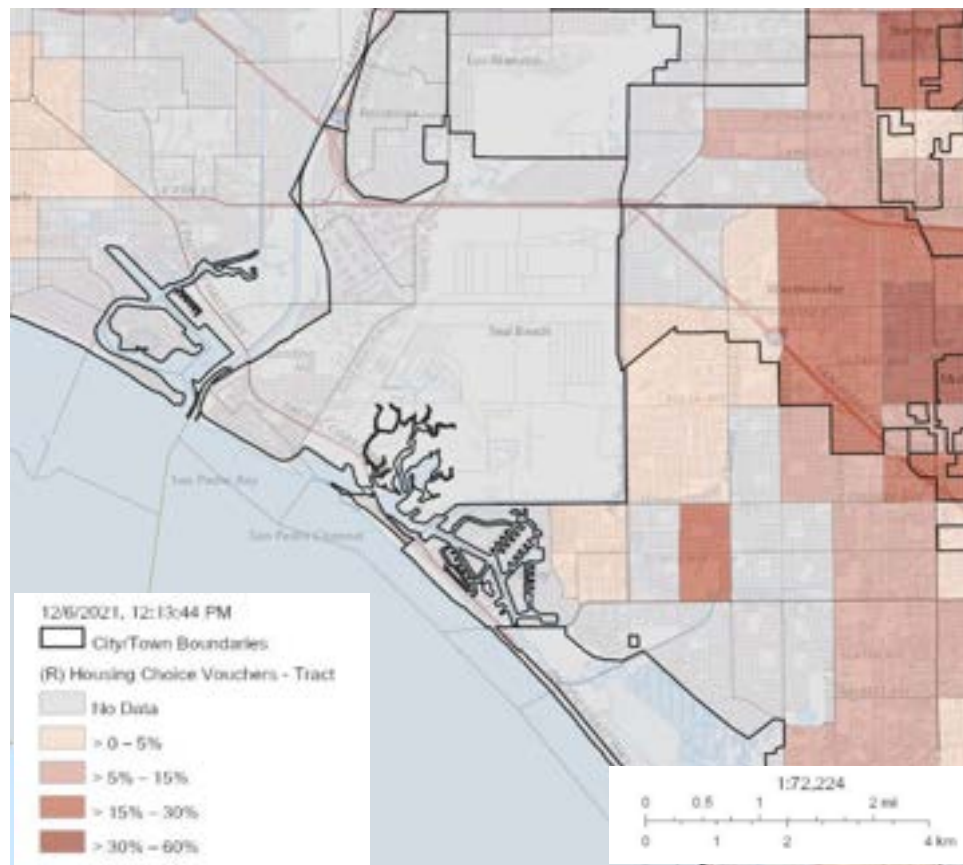


Figure IV-9 Median Income, 2015 - 2019



The Housing Choice Voucher Program<sup>45</sup> is the federal program for assisting very low-income, elderly, and disabled families and individuals in affording decent housing by subsidizing rent costs and paying landlords directly for a portion of the rent. Eligibility is based on family size and whether income is less than 50% of the area's median income. Figure IV-10 shows no data for housing choice vouchers within Seal Beach. However, further research into the Orange County Housing Choice Voucher Program identified that as of October 2021, Seal Beach has a total of five housing choice vouchers, one for disabled persons and four for elderly persons.<sup>46</sup> It is possible that because the number of housing choice vouchers used in Seal Beach is low, the AFFH Data Viewer did not display these housing choice vouchers on the map below.

**Figure IV-10 Location of Housing Choice Vouchers**

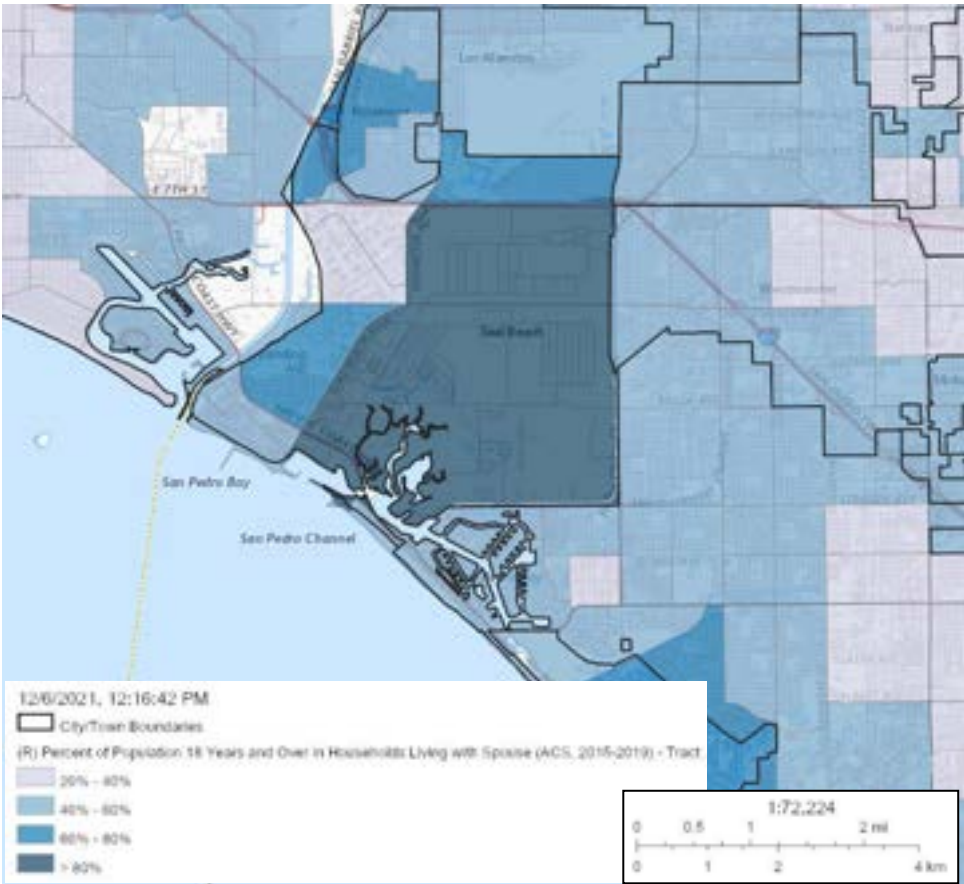


<sup>45</sup><sup>16</sup>Orange County Community Resources, *Cities Advisory Committee Meeting Agenda & Summary*, dated October 27, 2021.



Familial Status. Figure IV-11 and Figure IV-12 shows the percentage of adults living with their spouse and adults living alone, respectively, within each census tract. The most common household type within the city is a single adult, living alone; refer to Section C.1. The high share of single-person households is likely due to the concentration of adults living alone within Leisure World, where only 20 to 40% of the population within these census tracts live with a spouse. The highest concentration of households living with a spouse is located on NWS Seal Beach, likely due to the prevalence of family units for service members stationed on the naval base. Visually, this data is skewed by the unusually large size of Census Tract 995.02. While this area shows a high concentration of adults living with a spouse, a small number of families live on the navy property (approximately 130 rental households).

**Figure IV-11 Adults Living with Spouse**



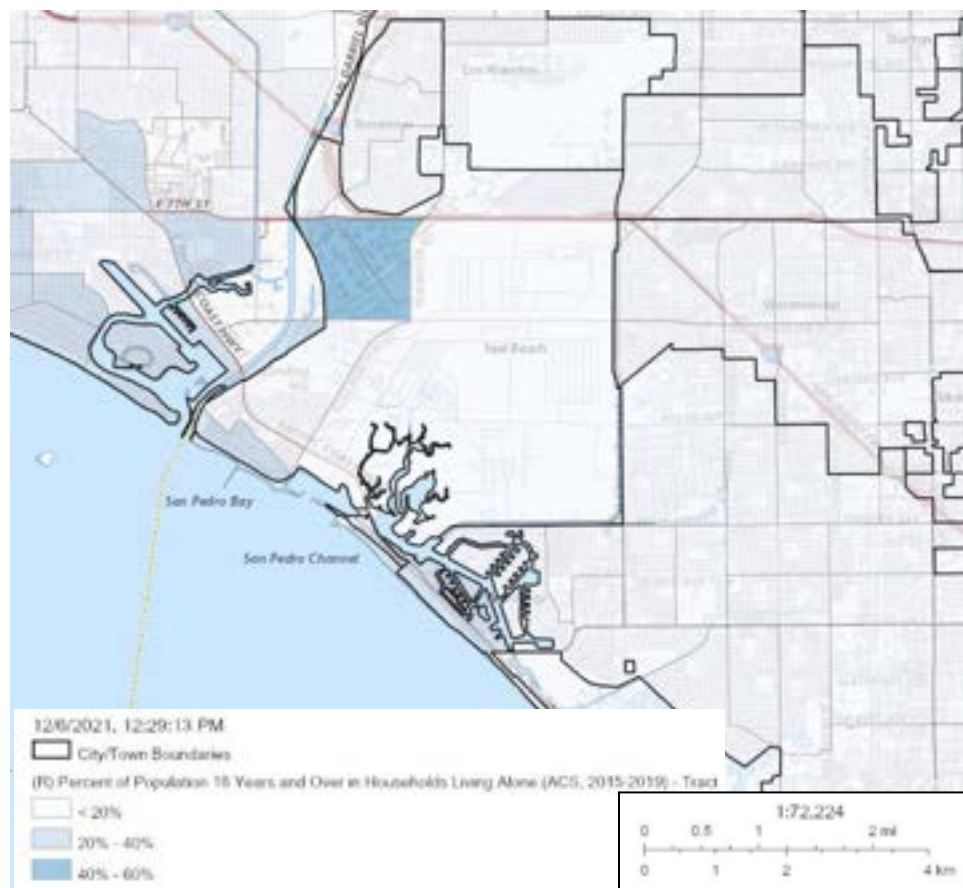
**Figure IV-12 Adults Living Alone**

Figure IV-13 shows the percentage of children in married-couple households by census tract throughout Seal Beach. There is no data for children in married-couple households for Leisure World because it is an age-restricted 55+ community, where children are not permitted to permanently reside. Aside from Leisure World, the entirety of Seal Beach has a population of children in married-couple households greater than 40% with the majority being greater than 80%.

**Figure IV-13 Children in Married Couple Households**

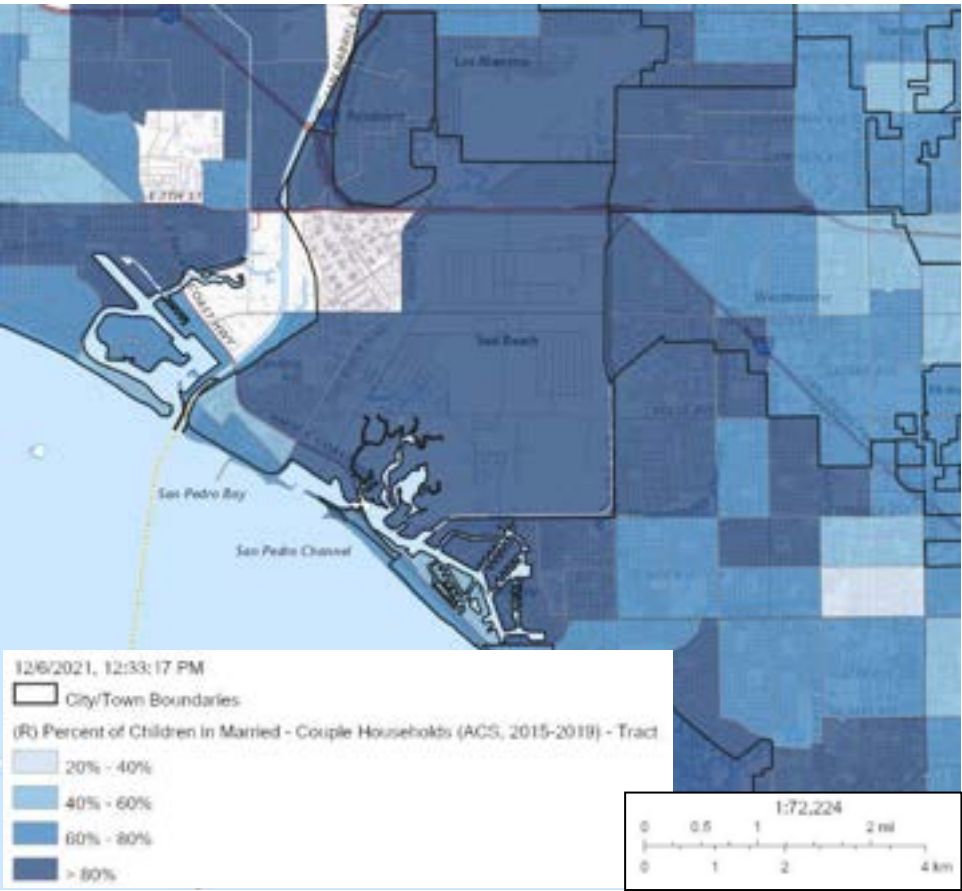
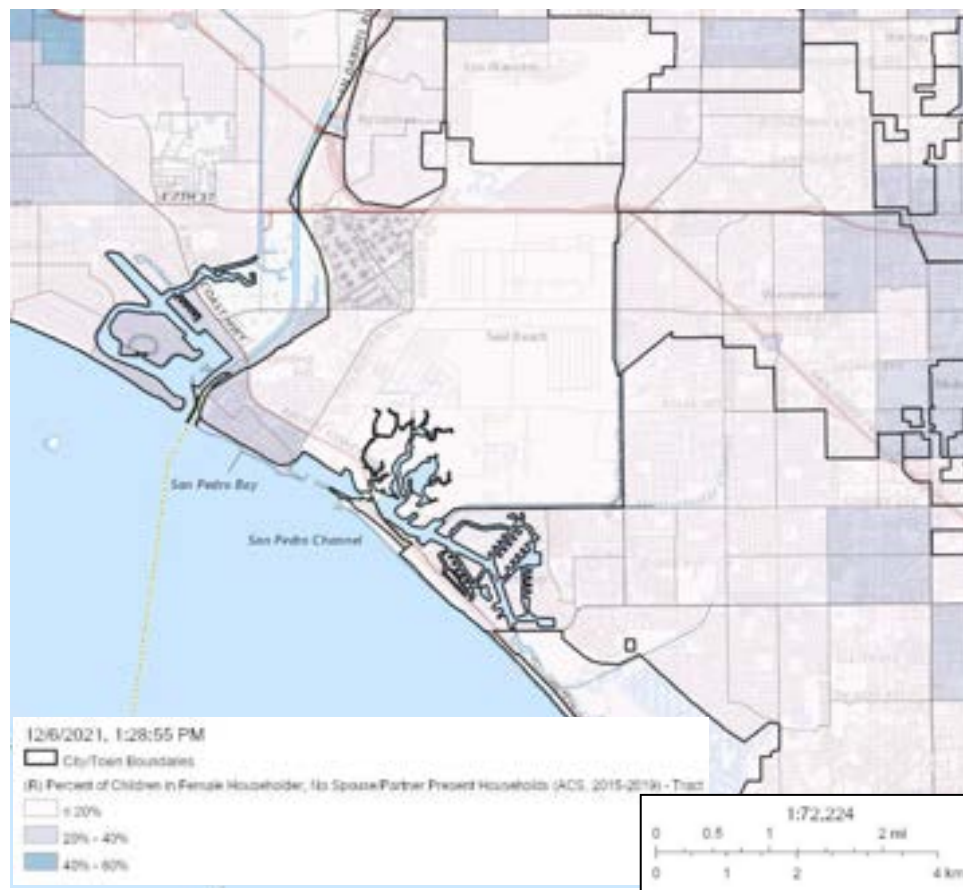


Figure IV-14 shows the percentage of children in female-headed households by census tract in Seal Beach. Only two tracts in Seal Beach, Census Tracts 995.11 and 995.12, have 20-40% of children in female-headed households. The remainder of the city falls into the lowest category with fewer than 20% of children in female-headed households. It is estimated that female-headed households in Seal Beach make up only 6% of households, and of those only 1.8% are female-headed households with children. This is significantly lower than regional statistics; it is estimated that about 16% of households in Orange County are female single parent households. Approximately 20% of households in Orange County are single-parent households with children. For more information on female-headed households in Seal Beach refer to Section II. F, Special Needs.

**Figure IV-14 Children in Female-Headed Households**



Persons with Disabilities. The US Census considers a person disabled if they are reported as having a hearing, vision, cognitive, ambulatory, self-care, or independent living difficulty. Developmental disabilities, as defined by federal law, are not recorded by the US Census. The two census tracts that make up Leisure World, Census Tract 995.09 and 995.10, have the highest percentage of the population with a disability in Seal Beach. In both the 2010-2014 and 2015-2019 data sets, the population with a disability in Leisure World was between 30-40%. From 2010-2014 the majority of the city had populations of individuals with a disability of either 10-20% or less than 10%; from 2014-2019, the entirety of the City's population excluding Leisure World had less than 10% of the population with a disability. The significantly higher population of individuals with a disability in Leisure World is likely due to the concentration of elderly population as an age-restricted 55+ community.

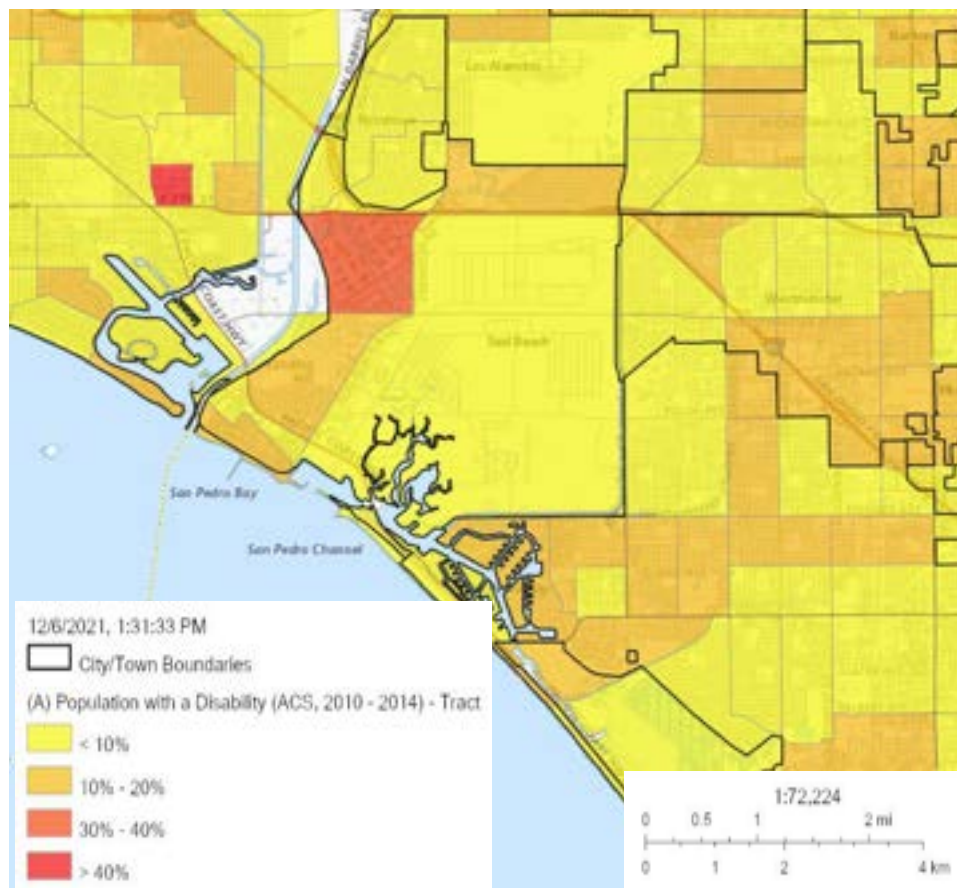
Compared to Orange County, the high percentage and concentration of persons with disabilities in Seal Beach is regionally unique. Countywide, an estimated 8.5% of the population reports a disability. In Seal Beach, over 17% of the civilian/noninstitutionalized population reports a disability.<sup>46,17</sup>

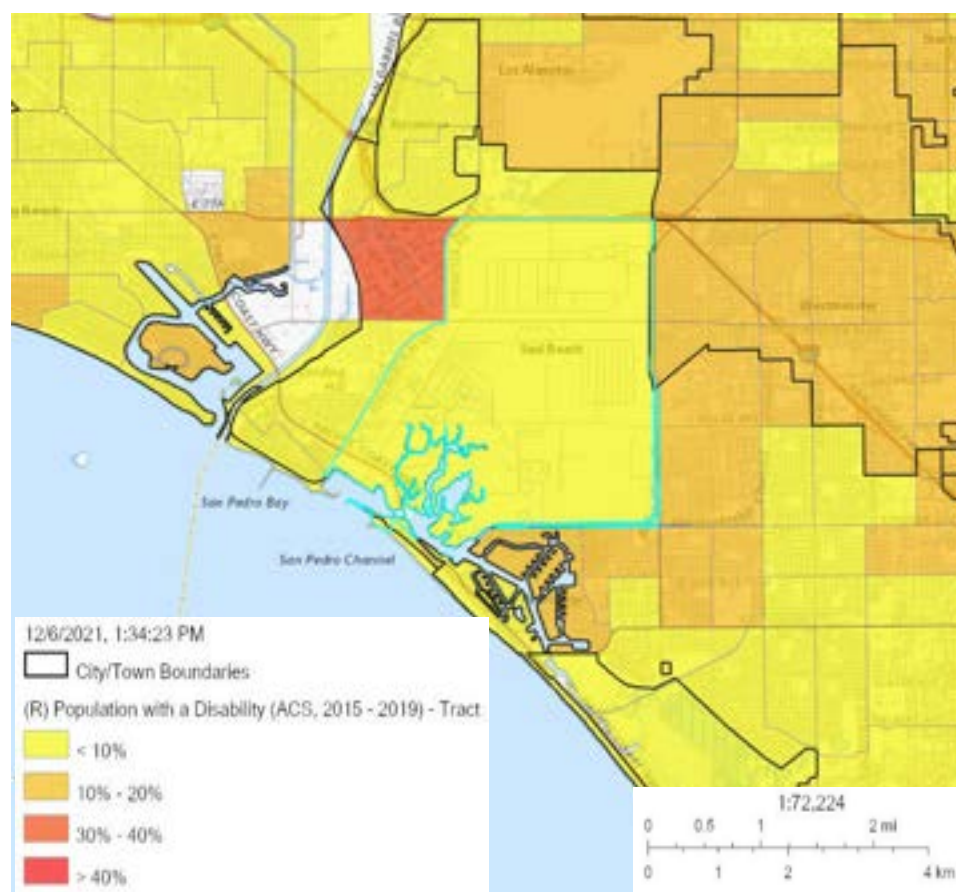
Disabled persons often have special housing needs due to their disability, which may lead to compounding issues of low income, high health care costs, or dependency on supportive services or special building accommodations. Considering the higher concentration area of disabled persons is a 55+ community, it is clear that housing stock in Leisure World provides certain accommodations to offset the housing burdens of disabled residents. Housing stock within these census tracts primarily include smaller single-story units, usually one to two bedrooms in size. Amenities associated with this community include bus services, on-site pharmacy, on-site post office, and programming designed for individuals aged 55+. It should be noted that Leisure World is specifically not an assisted living community. For more information on persons with disabilities refer to Section II. F, Special Needs.

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<sup>46,17</sup>American Community Survey 5-Year Estimates Subject Tables, Seal Beach S1810 Disability Characteristics.



**Figure IV-15 Percentage of the Population with a Disability, 2010 - 2014**

**Figure IV-16 Percentage of the Population with a Disability, 2015 - 2019**

Findings: Integration and Segregation. Overall, there is no concentration of non-White populations within the city. Generally, diverse racial and ethnic populations in Seal Beach are significantly lower when compared to Orange County on the regional scale. While no census tracts show more than 10% of the population below the federal poverty level from 2015-2019, there exist low to moderate income populations mirroring the areas of lowest median income levels, primarily in Leisure World and NWS Seal Beach. The areas of low to moderate income populations in Leisure World also coincide with the highest populations of adults living alone and populations living with a disability. Leisure World being an age-restricted 55+ retirement community explains this concentration of low-income adults living alone with a disability, as those metrics generally reflect an elderly population. Familial trends indicate relatively high populations of married couples with children throughout the city, outside of Leisure World. These analyses do not indicate significant levels of segregation based on racial, ethnic, familial, or disabled components of the population.

Seal Beach is an older city, incorporated in 1915 with subdivisions in the community dating back to the late 1800s. Despite the fact that there is no evidence of racial or ethnic segregation within the city on a neighborhood or sub-neighborhood basis, Seal Beach remains a predominately white community. It is unknown if exclusionary



zoning or real estate practices happened within Seal Beach. However, Home Owners Loan Corporation (HOLC) created "Residential Security" maps of major American cities, including the neighboring City of Long Beach adjacent to Seal Beach. HOLC maps assigned color-coded grades to residential neighborhoods that reflected "mortgage security". Neighborhoods receiving green, or "Best," were deemed minimal risk for banks and other mortgage lenders. Neighborhoods receiving red<sup>47</sup> were considered "hazardous."<sup>48</sup> Neighborhoods that were redlined were often lower-income, multi-family units, housing immigrants or persons of color. Redlining directed public and private capital to native-born white families and away from Black and immigrant families.

Neighborhoods in Naples, Belmont Shore and Belmont Heights were mapped blue, as "Still Desirable."<sup>49</sup> HOLC described the neighborhoods by: "deed restrictions vary in different subdivisions, but all are said to protect against racial hazards."<sup>47</sup> <sup>18</sup> HOLC maps were not prepared for Seal Beach. However, because of the prevalence of exclusionary zoning prior to the 1960s within the region of Los Angeles and Orange County, it is possible that these historical practices still have lingering effects in the demographics of the City into the present time. Additional affordable units within Seal Beach would likely increase racial and ethnic diversity of the community, along with inviting households of different sizes.

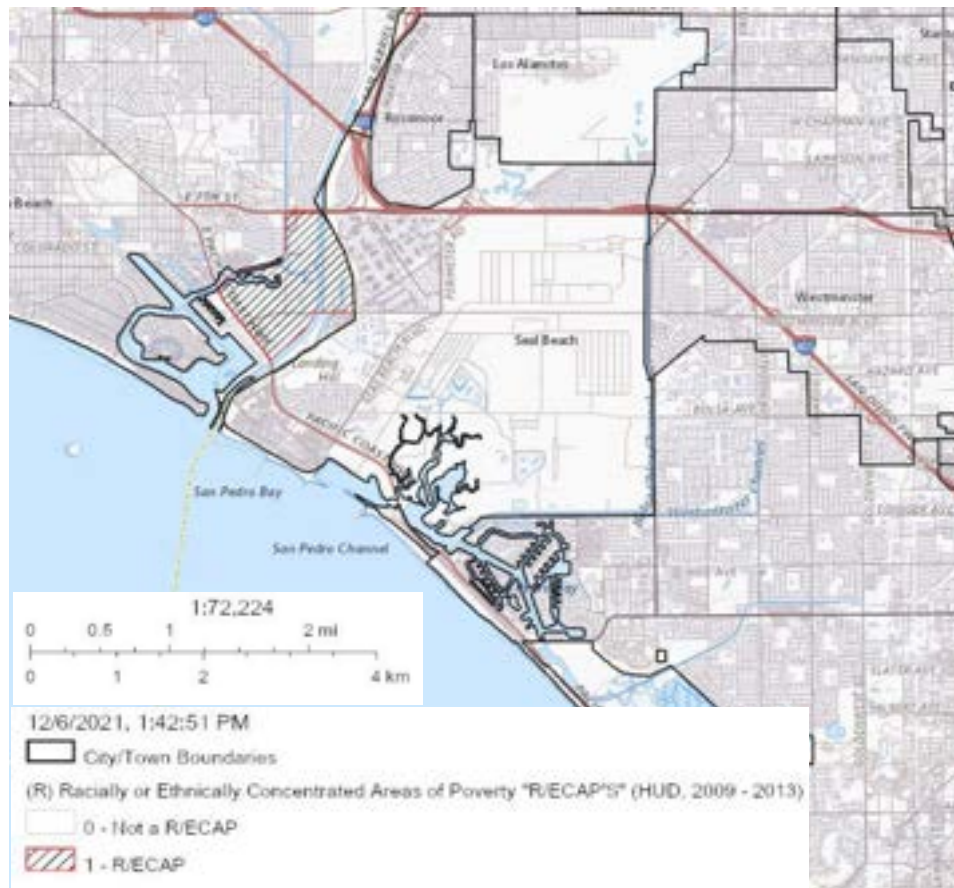
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<sup>47, 48</sup> University of Richmond, *Mapping Inequality: Redlining in New Deal America*, <https://dsl.richmond.edu/panorama/redlining/>, accessed December 11, 2021.

### Racially and Ethnically Concentrated Areas of Poverty

Racially and Ethnically Concentrated Areas of Poverty (R/ECAP). A R/ECAP is an area with a non-White population over 50% and with over 40% of the median household incomes below the poverty level. According to the HCD AFFH Mapping Tool, there are only six census tracts identified as R/ECAPS in Orange County, three of which are in Santa Ana and three of which are in Irvine. There are no areas in Seal Beach with over 40% of the median household income below the poverty level (Figures IV-6 and IV-7), thus there are no R/ECAPs in the City of Seal Beach as depicted in Figure IV-17.

**Figure IV-17 RECAPs**

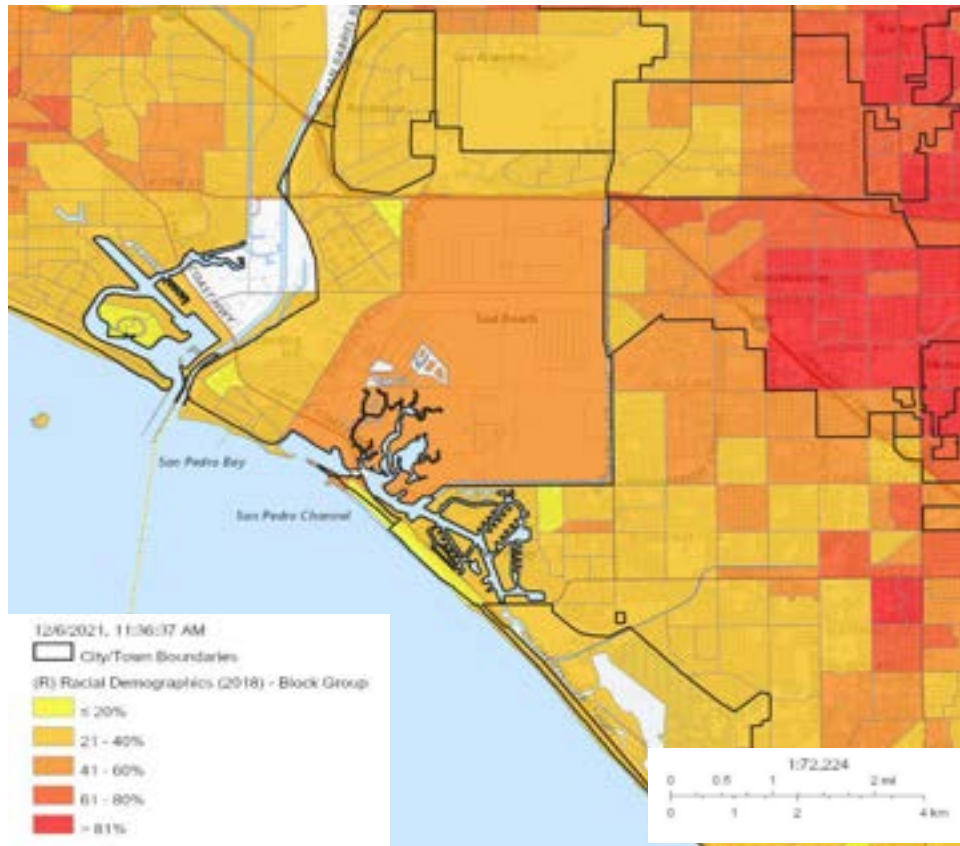


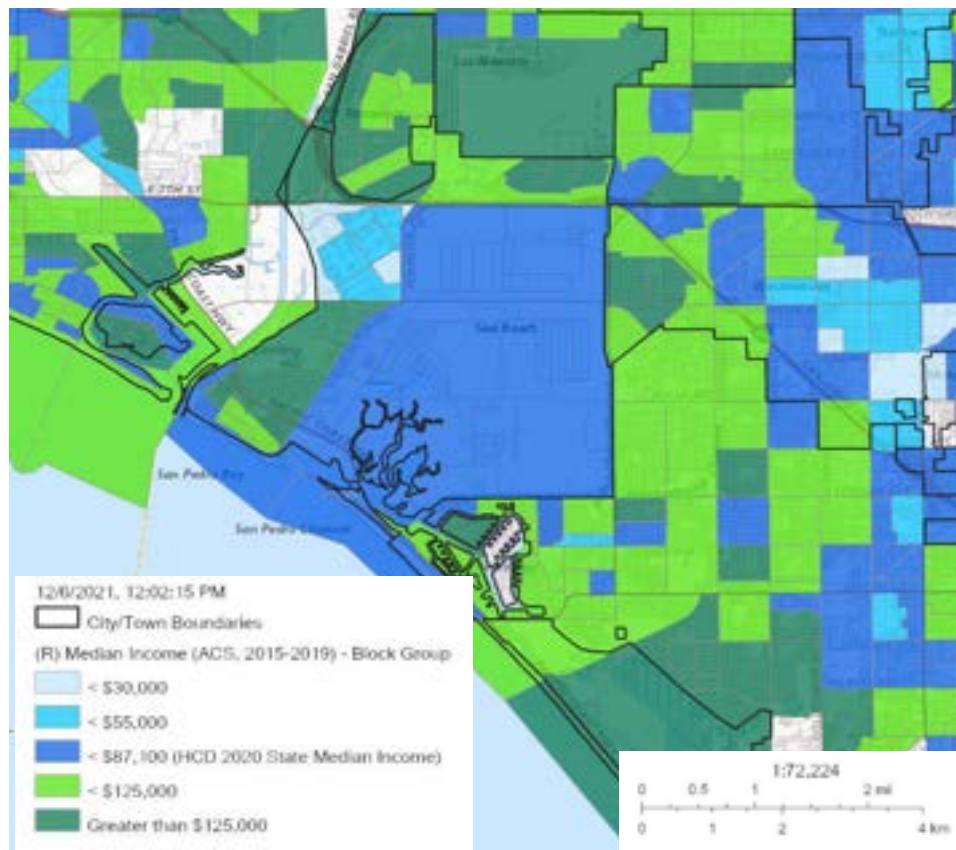
Racially Concentrated Area of Affluence (RCAA). According to HCD, an RCAA is an area with a White population over 80% and a median household income level over \$125,000. By these metrics and as illustrated in Figure IV-18 and Figure IV-19, Seal Beach has one RCAA in Census Block Group 995.12.3.

Two Seal Beach census block groups are less than 20% non-White, one in Leisure World and another in Census Block Group 995.12.3. The block group in Leisure World does not have a median income over \$125,000, and thus is not considered a RCAA. However, Block Group 995.12.3 had a median income of \$161,000 between 2015

and 2019 and is a RCAA. One candidate site for rezoning is located within this identified RCAA; the findings section below discusses this site in further detail.

**Figure IV-18 Percent Non-White**



**Figure IV-19 Median Income**

Findings: Racially and Ethnically Concentrated Areas of Poverty and Affluence. There are no geographic areas with significant concentrations of poverty and minority populations defined as R/ECAPs in Seal Beach. Conversely, there exists one identified Racially Concentrated Area of Affluence (RCAA). Census Block Group 995.12.3 has a White population greater than 80% and the median household income above \$125,000. Development in this area that would allow for lower-income housing has substantial barriers including space availability constraints and California Coastal Commission restraints. For more information on development restraints refer to Section IV.A.

There is one vacant site located within this census block group at 99 Marina Drive, 4.3 acres in size. 99 Marina Drive is identified as a candidate site for rezoning; the current general plan and zoning is listed as OE (Oil Extraction). With a density of 20 du/acre, this site could ultimately yield 86 units for low- and moderate-income households which could reduce the concentration of affluence in the Block Group; refer to [Tables B-1 and B-2](#), Residential Sites Inventory. While this site is vacant, historical uses included an oil separation and refinery facility. Thus, there is the potential for environmental contamination and needed remediation efforts before this site is suitable for residential use. Low-income units should be prioritized in this location, to allow diverse households to take advantage of the high opportunity offered by the RCAA in this census block group.

### Disparities in Access to Opportunities

CalEnviroScreen 4.0 is a tool that identifies communities in California that are affected by pollutants and polluting factors such as ozone, particulate matter, drinking water contaminants, pesticide use, lead, toxins, diesel particulates, traffic density, cleanup sites, groundwater threats, hazardous waste, solid waste, and impaired water bodies. This database also measures population factors such as cardiovascular disease, asthma rates, educational attainment, poverty, linguistic isolation, and more. A higher score indicates a higher effect of pollutants on the indicated area.

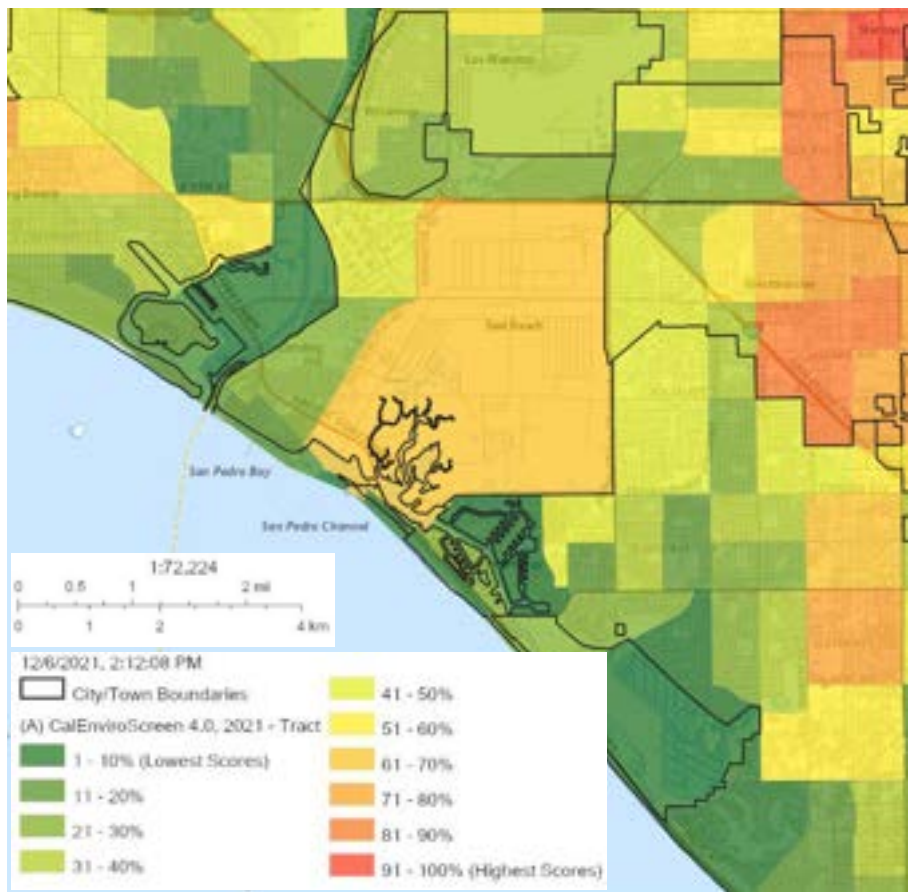
The CalEnviroScreen 4.0 percentiles are shown in Figure IV-20. The majority of the city includes low scoring census tracts, indicating no or few environmental burdens on the community. The highest pollution burden is shown on Census Tract 995.02, where the NWS Seal Beach is located. The CalEnviroScreen percentile score is listed at 67.63. Navy operations (including weapons and munitions loading, storage and maintenance) have been conducted on this property dating back to 1944 and likely contributes to a higher percentile score compared to neighboring census tracts. While this tract is showing lower environmental scores, it is also home to the Seal Beach National Wildlife Refuge, encompassing 965 acres of coastal wetlands. In addition, Census Tract 995.02 is significantly larger than neighboring census tracts, creating higher exposure and potentially contributing to the higher than usual score.

The remainder of the city census tracts received scores under 45. The second highest scoring census tracts include 995.09 and 995.10 (Leisure World), where housing is limited to individuals aged 55 or older. Lower incomes combined with the proximity to I-405 could be contributing to a higher percentile score. Census tracts north of the I-405 experience similar pollution burden from the freeway but have scores ranging from 26 to 38.

The City will be preparing an Environmental Justice Element, where communities of focus will be identified and prioritized. Policies will be designed to address higher CalEnviroScreen scores within specific census tracts.



Figure IV-20 CalEnviroScreen 4.0



California Tax Credit Allocation Committee (TCAC). The California Tax Credit Allocation Committee's (TCAC) Opportunity Area scores can be used as a tool to analyze disparities in access to opportunities. This tool was prepared by TCAC and HCD to identify areas statewide whose economic, educational, and environmental characteristics support positive outcomes for low-income families. Opportunity maps are updated annually and provide a separate economic score, environmental score, and educational score. Each score is compiled using several indicators, and the composite map combines all three designations to provide a single score for each block group.

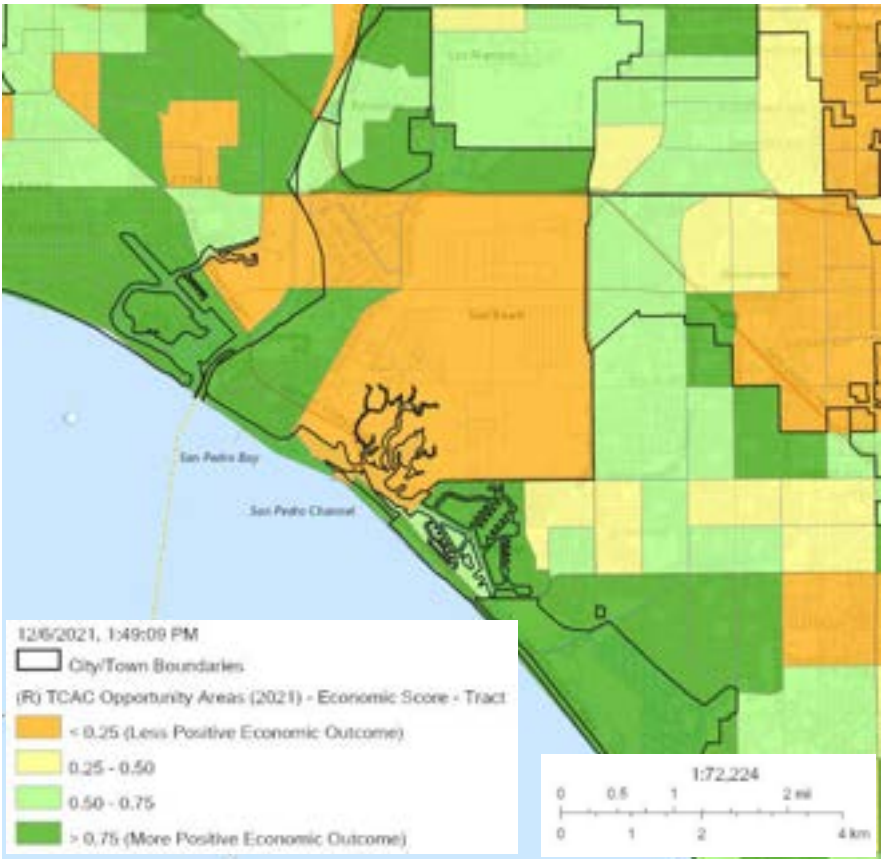
The top 20% of overall scores in a county are labeled as highest resource and the next 20% of scores are labeled as high resource. Any areas that are considered segregated and that have at least 30% of the population living below the federal poverty line are labeled as an area of High Segregation and Poverty. Remaining uncategorized areas in the county are evenly divided between moderate resource and low resource areas.

Figure IV-21 shows the economic scores for Seal Beach by census tract. The economic indicators used include poverty, adult education, employment, job proximity, and median home value. The map shows a stark contrast as the entirety of the city is categorized as either above 0.75 (the more positive economic outcome) or below 0.25 (the less positive economic outcome). The areas that have scored below 0.25 include Leisure World and the NWS Seal Beach, which coincide with areas of lower income seen in Figure IV-5, Figure IV-6, and Figure IV-7. The remainder of the city scored among the more positive economic outcomes.

TCAC economic scores for Leisure World and NWS Seal Beach may not be representative of actual conditions, due to the unique populations, demographics, employment, and land uses concentrated within these census tracts. Leisure World residents are aged 55+, and typically consist of retirees who are not currently employed. Median home values in this part of the City are lower than other neighborhoods because of the age restriction. Leisure World does not necessarily represent a community with poor economic outcomes, but the congregation of one specific demographic group with unique needs. Similarly, NWS Seal Beach is a federally owned naval property where there are no owner-occupied housing units. Further, the census tract is considered unusually large for the region. Employment in this census tract is limited to the military uses occurring on-site. The unique circumstances within this census tract do not necessarily reflect a community with poor economic outcomes when the specific land use is considered.

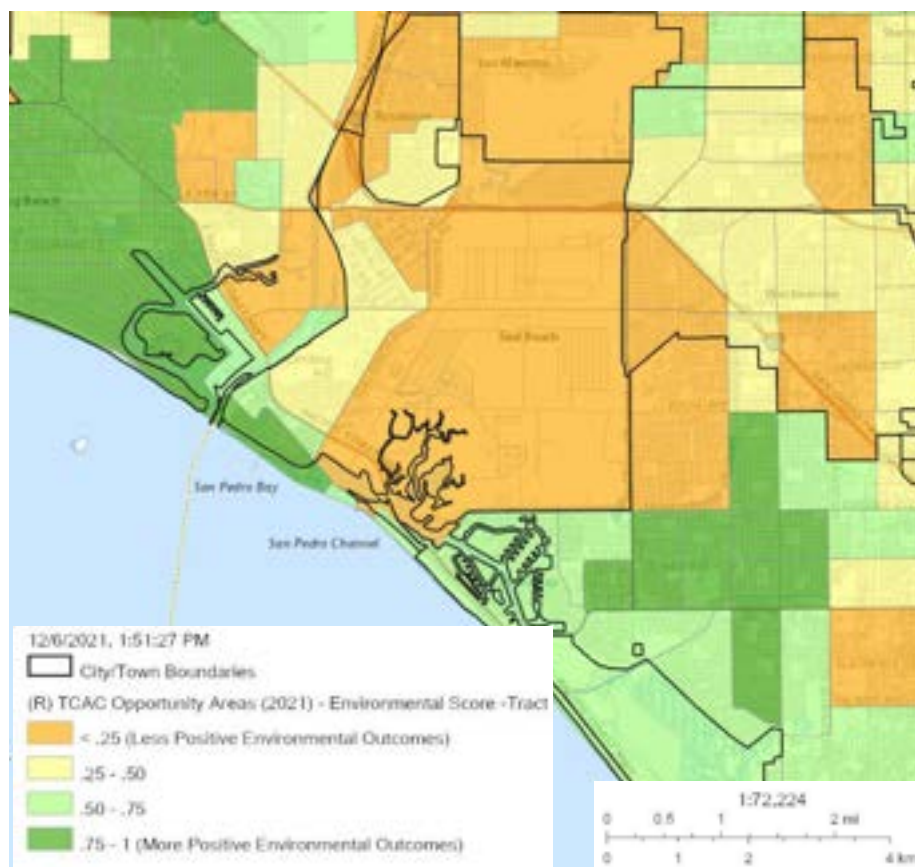


Figure IV-21 TCAC Economic Score, 2021



The environmental domain is determined using CalEnviroScreen pollution indicators and values; the TCAC Environmental Scores mirror the environmental concerns depicted in the CalEnviroScreen 4.0 map above, Figure IV-21. Figure IV-22 shows the TCAC Environmental Score for Seal Beach by census tract. The map indicates stratified environmental scores throughout the city with the more positive environmental scores being along the western coastal area, and the remainder of the city having scored from 0.75 to below 0.25. The areas with the less positive environmental scores include the more inland reaches of the city, Leisure World, and the NWS Seal Beach. Similar to the potential sources of environmental concerns discussed above, naval operations, proximity to the I-405 freeway, and heavy industrial uses along the San Gabriel River, may be responsible for the lower environmental scores in these areas.

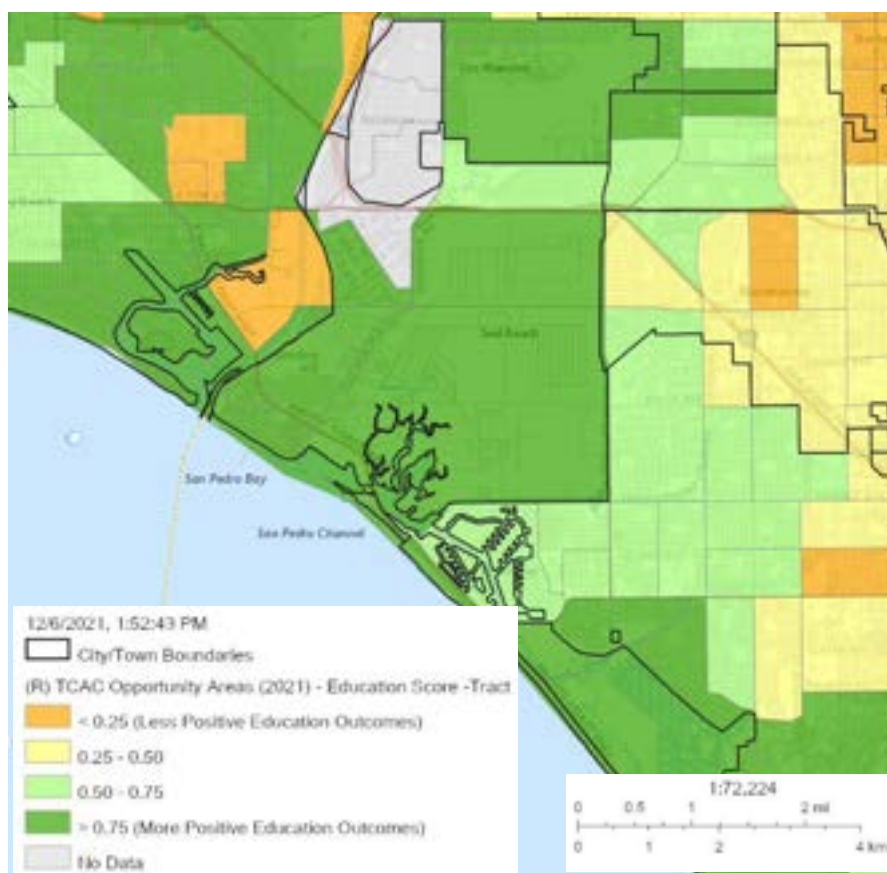
**Figure IV-22 TCAC Environmental Score, 2021**



Education indicators include math and reading proficiencies in fourth grade, high school graduation rates, and the student poverty rate. Figure IV-23 shows the education scores for the city by census tract. The majority of the City's education scores are above 0.75, the more positive education outcomes. Census Tract 1100.12 is within the 0.50-0.75 range and some census tracts show no data. There are no public schools in Census Tract 1100.12 which may be negatively impacting the education score compared to the rest of Seal Beach.

Seal Beach is served by one public school district, Los Alamitos Unified, for grades K through 12. Elementary schools within this district are very highly rated on Great Schools, receiving scores between 8 – 10 out of 10. Both middle schools and the high school are rated 8 – 9 out of 10. As the public school system demonstrates strong outcomes and is highly rated, high access to educational opportunity is available within the city.<sup>48,19</sup>

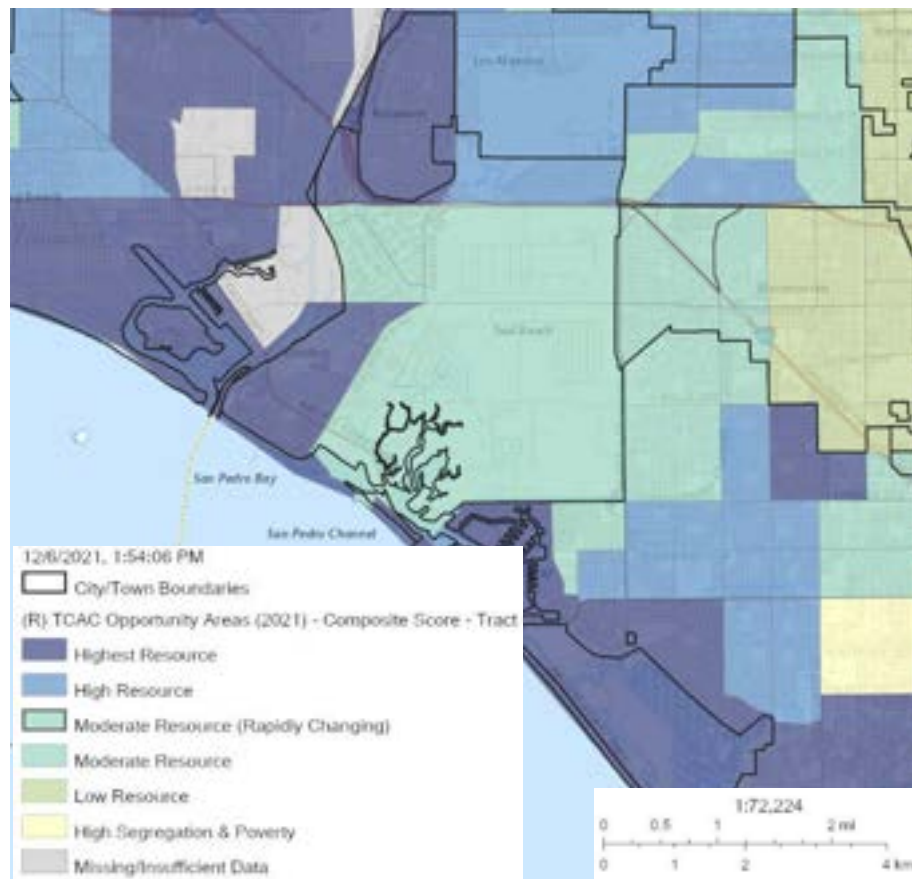
**Figure IV-23 TCAC Education Score, 2021**



<sup>48,19</sup> Great Schools, Los Alamitos Unified School District, <https://www.greatschools.org/california/seal-beach/>, accessed December 16, 2021.

Figure V-24 displays the TCAC Composite Scores and Resource Category for each census tract in the city. The resource categories across the city range from moderate resource to highest resource, with the highest resource areas being the coastal, western, and northwestern census tracts. The moderate resource category areas include Leisure World and NWS Seal Beach. Table IV-14 shows the individual domain scores of each census tract including the economic, environmental, and education scores, as well as the composite index score and resource category. Based on the individual factors, the economic and environmental outcomes seem to be the most influential in driving down the composite scores of Leisure World and NWS Seal Beach. No areas of the city are categorized as low resource or high segregation and poverty.

**Figure IV-24 TCAC Composite Score, 2021**



**Table IV-14****Opportunity Map Scores and Categorization**

<b>Census Tract</b>	<b>Economic Domain Score</b>	<b>Environmental Domain Score</b>	<b>Education Domain Score</b>	<b>Composite Index Score</b>	<b>Final Category</b>
995.02	0.22	0.10	0.89	0.05	Moderate Resource
995.04	0.97	0.26	0.85	0.54	Highest Resource
995.06	0.95	0.62	0.81	0.60	Highest Resource
995.09	0.01	0.10	-	-0.04	Moderate Resource
995.10	0.02	0.38	0.92	0.01	Moderate Resource
995.11	0.97	0.80	0.85	0.70	Highest Resource
995.12	0.97	0.74	0.85	0.69	Highest Resource
1100.12	0.92	0.09	0.72	0.30	High Resource
1100.07*	0.75	0.15	-	0.42	Highest Resource
1100.08*	0.95	0.29	-	0.65	Highest Resource

\* Census tracts are not solely located within the City of Seal Beach and include portions in other jurisdictions

Source: California Fair Housing Task Force, TCAC/HCD Opportunity Areas (2021) – Composite Score – Tract.

Access to Opportunities Regional Comparison. Generally, Seal Beach has notably greater access to opportunities when compared to Orange County. Table IV-15 displays various indicators that show the opportunities available to Seal Beach citizens compared to those of Orange County. The population below the federal poverty level in the City (5.7%) is significantly less than in the County (9.4%), indicating that economic opportunities are more available in the City than in the surrounding region. Education indicators show that while the city has a lower percent of the population enrolled in K-12 education, which may be attributed to the high percentage of seniors living in the City. However, the number of Seal Beach citizens with a bachelor's degree or higher is 8% greater than in the County.

**Table IV-15 Access to Opportunity Indicators – City and County**

Indicator	Seal Beach	Orange County
Population below Federal Poverty Level	5.7%	9.4%
Education		
Bachelor's Degree or Higher	49.0%	41.0%
School Enrolled Population Enrolled in Kindergarten to 12th Grade	56.4%	60.3%
Unemployment Rate	6.7%	4.7%

Source: 2019 ACS 5-Year Estimates Data Profiles.

Transportation. Access to adequate transportation and a variety of transit options can help lower disparities in access to opportunities. Orange County Transit Authority (OCTA) is the provider for the City of Seal Beach and the surrounding communities. The city has three OCTA bus routes: Route 1, Route 42, and Route 60. Additionally, there are two Long Beach Transit Bus Routes that operate within the city, Route 131, and Route 171. Transit routes and transit stops are shown in Figure IV-25 below.

The Orange County AI utilized two transportation indicators to help analyze disparities in access to opportunities. The transit trips index measures how often low-income families in a neighborhood use public transportation and the low transportation cost index measures the cost of transportation and proximity to transportation by neighborhood. The AI found no significant disparities between racial and ethnic groups in the low transportation cost index and found that transit index scores do not vary significantly by race or ethnic group in most areas across Orange County.

Access to public transportation in Seal Beach is similar and comparable to neighboring cities, and the greater Orange County region. Further, Walk Score demonstrates that the Main Beach/Old Town neighborhood in Seal Beach is "very



walkable" with a score of 85. This score indicates that most errands can be accomplished on foot.<sup>19,20</sup>

**Figure IV-25 Transit Routes**



Findings: Disparities in Access to Opportunities

Overall, Seal Beach is identified as moderate to highest resource, with no areas of low resource and no areas of high segregation and poverty. The most significant factors impacting TCAC opportunity area scores are economic and environmental, which primarily affect Leisure World and NWS Seal Beach. Environmental issues are most apparent when analyzing CalEnviroScreen 4.0 data. As previously discussed, low environmental scores are likely the result of existing naval operations, proximity to the I-405 freeway, and heavy industrial uses along the San Gabriel River. The City will be preparing an Environmental Justice Element including goals and policies to address these concerns. Access to transportation does not disproportionately affect

<sup>2019</sup> Walk Score, Main Street/Old Town Seal Beach, <https://www.walkscore.com/score/129-main-st-seal-beach-ca-90740>, accessed December 16, 2021.

racial and ethnic groups within the city and is not a barrier to opportunities in Seal Beach.

Generally, Seal Beach is a high resource city with access to strong educational and economic outcomes. Affordable housing units would allow more households to enjoy access to high resources found within the city. As the data does not indicate a specific disparity to access within the city, it is assumed the key barrier to opportunity for housing in Seal Beach is affordability. Increasing affordable units for a variety of household types would allow for high opportunity within the community to be expanded.

### **Disproportionate Housing Needs**

Disproportionate housing needs are determined by comparing substandard housing or housing problems in relation to tenure, race, household size, or household age. A household is considered substandard or having a housing problem if it has one or more of the following housing problems:

- Housing unit lacks complete kitchen facilities
- Housing unit lacks complete plumbing facilities
- Housing unit is overcrowded (more than 1 person per room)
- Household is cost burdened (greater than 30%)

A household is considered to have a severe housing problem if it has one or more of the following housing problems:

- Housing unit lacks complete kitchen facilities
- Housing unit lacks complete plumbing facilities
- Housing unit is overcrowded (more than 1 person per room)
- Household is cost burdened (greater than 50%)

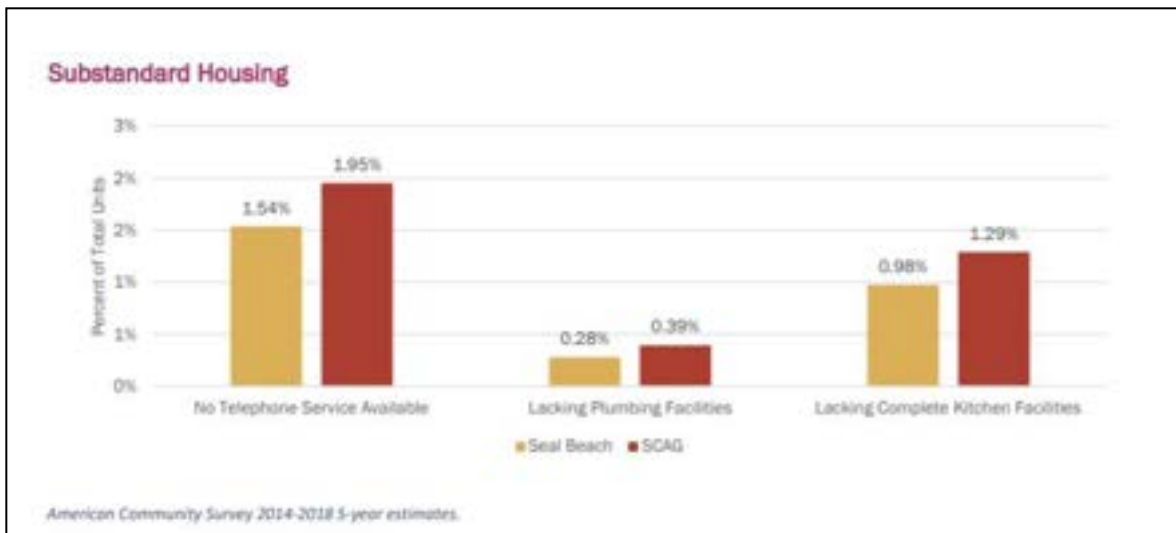
**Table IV-16****Substandard Housing in Seal Beach by Tenure**

	Owner		Renter		Total	
Total Households	9,505		2,995		12,500	
Household has at least 1 of 4 Housing Problems	2,075	22%	1,315	44%	3,390	27%
Household has at least 1 of 4 Severe Housing Problems	1,100	12%	605	20%	1,705	14%
Total Households with Cost Burden	1,985	21%	1,235	41%	3,220	26%
Household Housing Cost Burden >30% to <=50%	1,005	11%	730	24%	1,735	14%
Household Housing Cost Burden >50%	980	10%	505	17%	1,485	12%

Source: HUD CHAS Data 2014-2018

Cost burdens and substandard housing significantly affects renters over owners within the city, with 41% of renters experience cost burden and 44% of renters experiencing at least one of four housing problems as defined by HUD. Comparatively, only 21% of owners experience cost burden and 22% of owners experience at least one of four housing problems as defined by HUD.

Across the City, approximately one quarter of households experience cost burden and at least one of the four housing problems. Based on Figure IV-26 below, a small percentage of units in the City lack complete plumbing facilities (0.28%) or lack complete kitchen facilities (0.98%). Generally, cost burden affects households more significantly compared to physical deficiencies associated with units.

**Figure IV-26 Substandard Housing in Seal Beach**

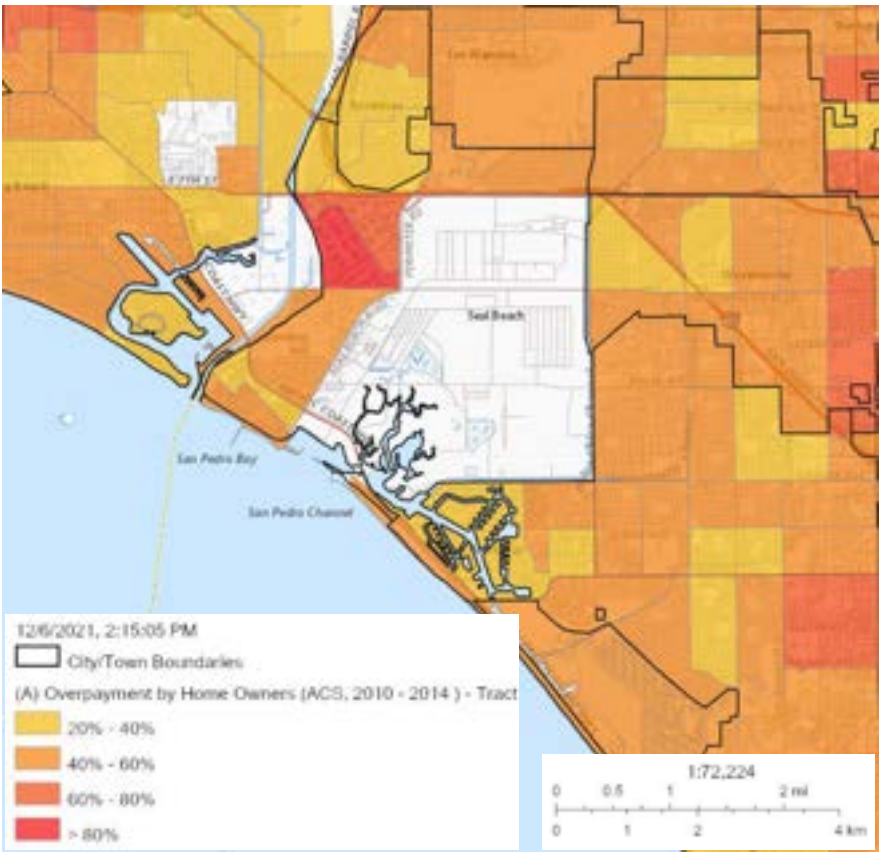
Cost burden is shown to be concentrated in Census Tract 995.02, where the NWS Seal Beach is located. Housing units on this property are owned by the federal government, and NWS Seal Beach contracts with Lincoln Military Housing (a private company) for property management. Units range from family housing (including both two-bedroom units and four-bedroom units) and unaccompanied housing (formerly Bachelor Housing, also referred to as the barracks). As units within Census Tract 995.02 are limited to service members, this cost burden is uniquely placed on a specific subgroup of residents in Seal Beach. The ACS 2015 – 2019 data compared to ACS 2010 – 2014 is showing an increased rental burden on this specific census tract.

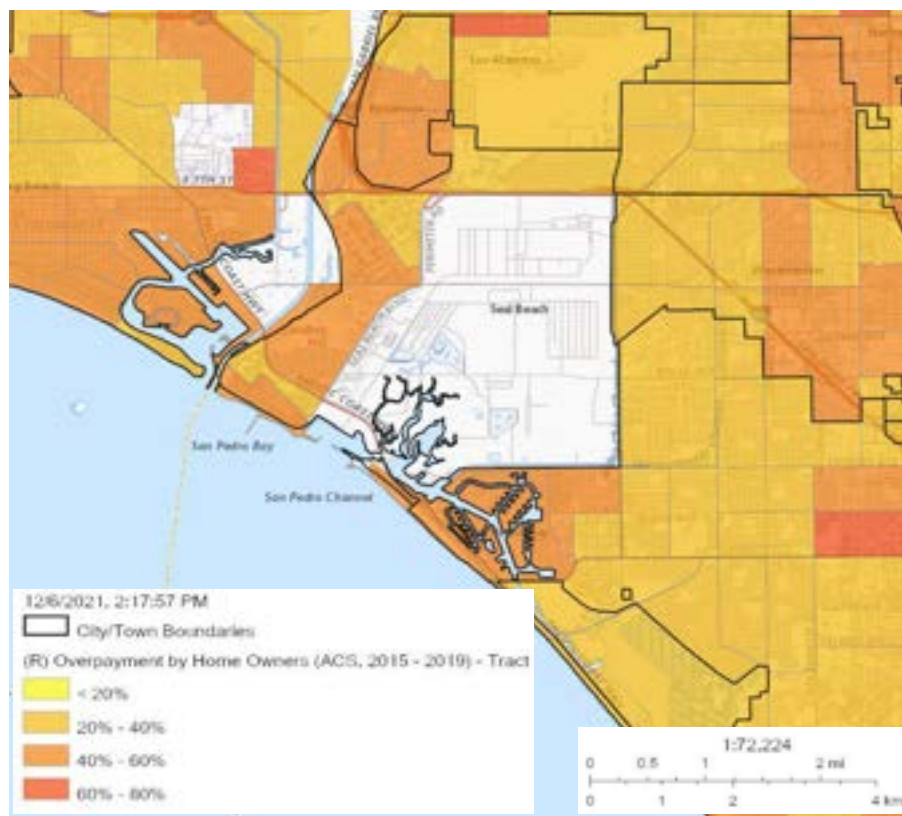
Census Tract 995.09, 995.10 and 995.04 show the lowest concentration of overpayment for renting. An increase in rental burden on Census Tract 995.09 has occurred, when comparing ACS 2010 – 2014 data to ACS 2015 – 2019 data. This particular census tract is located within Leisure World, a 55+ community where older retirees live. The change in rental burden in this location may be associated with the unique demographics of the neighborhood. Rental burden has decreased on the census tracts located north of I-405 and has remained about the same on waterfront census tracts in downtown Seal Beach.

Overpayment burden by homeowners is not specifically concentrated in one geographic location and is distributed between the 20% - 40% and 40% - 60% categories throughout Seal Beach. No data is shown on Census Tract 995.02, as there are no owner-occupied units located on the NWS Seal Beach.

Compared to ACS 2010 – 2014, the overpayment burden on Census Tracts 995.09 and 995.10 has decreased significantly. As previously discussed, these census tracts consist of a 55+ community. Overpayment on owner occupied units may have been a result of economic conditions associated with the Great Recession, affecting fixed-income seniors more significantly than other demographic groups.

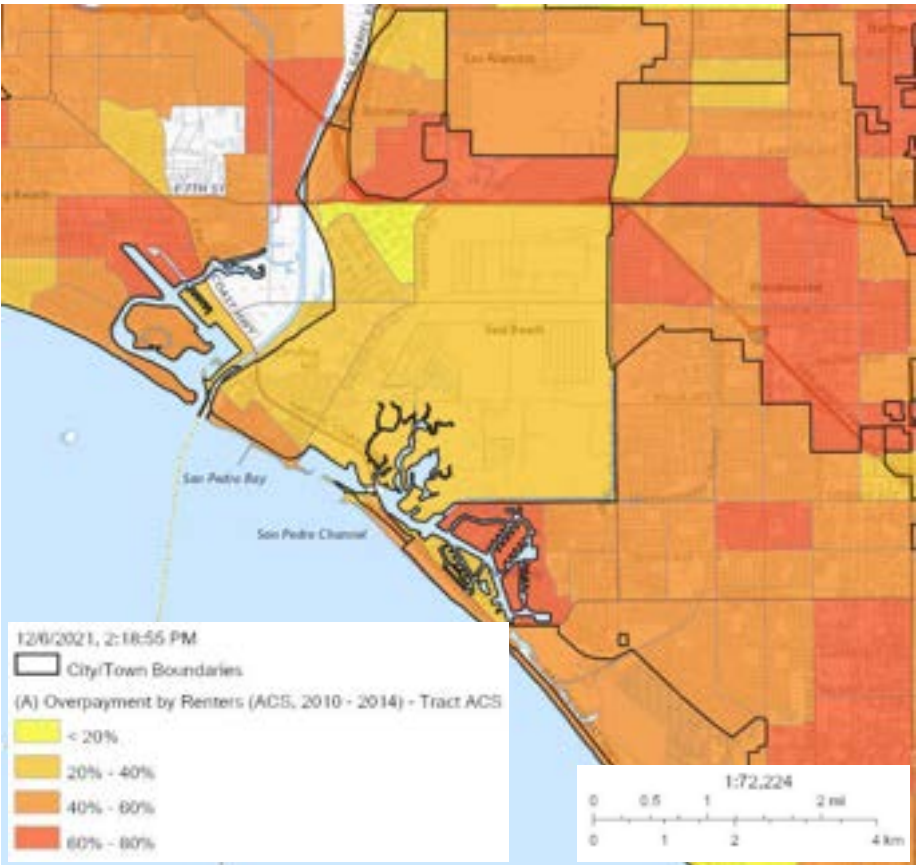
Figure IV-27 Overpayment by Owners, 2010 - 2014

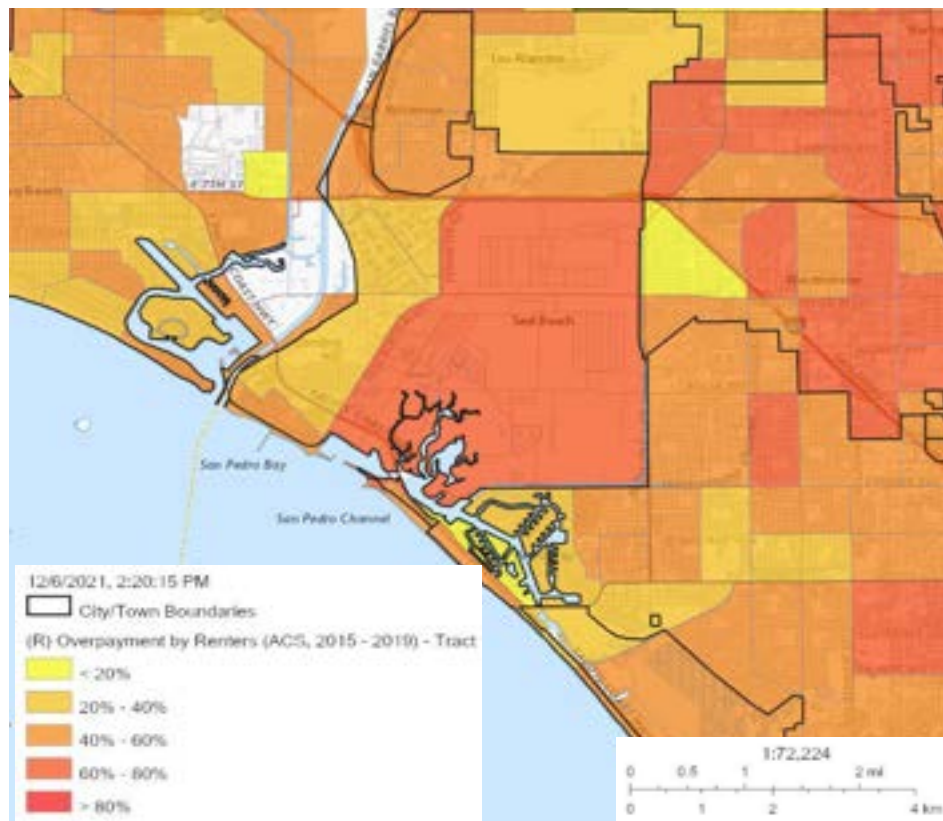


**Figure IV-28 Overpayment by Owners, 2015 - 2019**



**Figure IV-29 Overpayment by Renters, 2010 - 2014**



**Figure IV-30 Overpayment by Renters, 2015 - 2019**

Overcrowding. A household is considered overcrowded when there is more than one person per room, including living and dining rooms but excluding bathrooms and kitchens. Severe overcrowding is defined as more than 1.5 occupants per room.

Approximately 1.1% of owner-occupied units are considered overcrowded, and 2.3% of renter-occupied units are overcrowded. This is low in comparison with surrounding areas, and significantly lower than the state average of 8.2%. Both the state and County experience overcrowding at a higher rate than Seal Beach. Further, no specific neighborhood or census block demonstrates a concentrated area of overcrowding within the city.

Seal Beach has a small Black and Asian American population, both of which experience overcrowding at higher rates compared to White households within the city. While White households have the highest number of overcrowding incidents (143 households), overcrowding only affects 1.3% of White households. In comparison, 2.1% of the 233 Black households and 5.0% of Asian American households in Seal Beach experience overcrowding.

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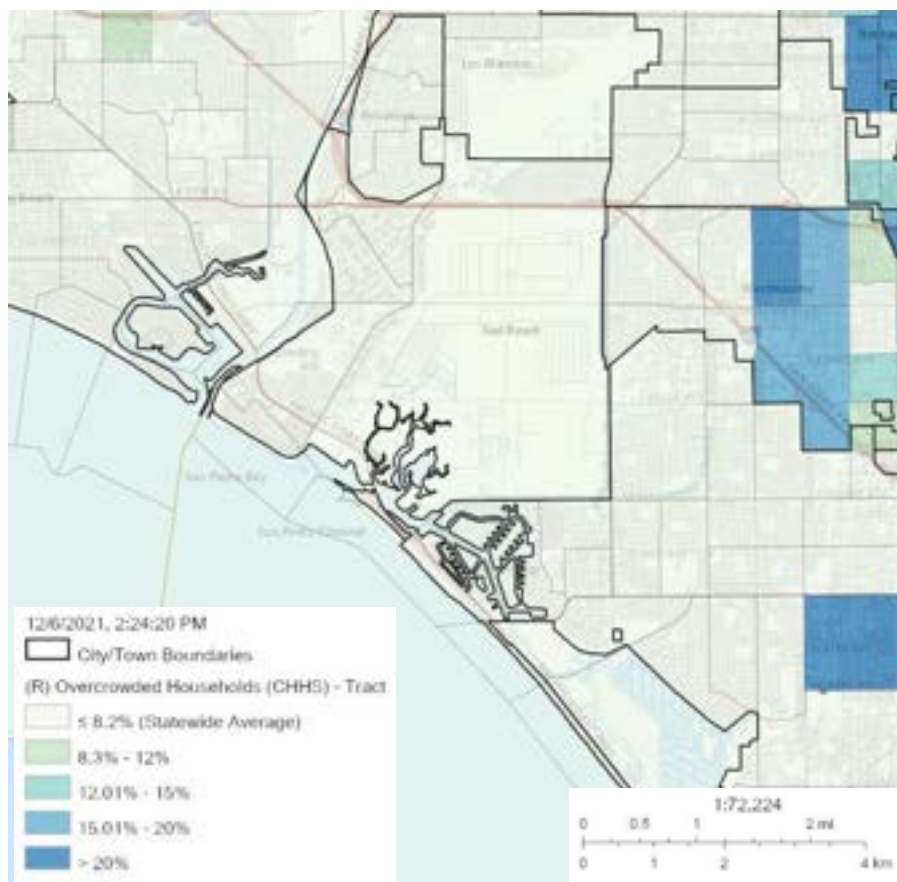
**Table IV-17**

**Overcrowded Households by Race**

	White	Black	Native American	Native Hawaiian and Other Pacific Islander	Asian American	Some Other Race (alone)	Two or More Races
Total	10,411	233	43	61	1,323	181	290
1.0 less per room	10,268	228	43	61	1,256	181	290
1.01 or more per room	143	5	0	0	67	0	0

Source: HUD CHA Data Viewer, 2014 – 2018.

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**Figure IV-31 Overcrowded Households**

Homelessness. The homeless population is a group that has disproportionately higher needs than those who are housed. The Orange County Partnership conducted the 2019 Point in Time Count (PITC), which counts the unsheltered homeless population County-wide over two nights in January. Table IV-18 below shows the PITC for the Central Service Planning Area, which includes Seal Beach and neighboring jurisdictions. The city had eight unsheltered individuals experiencing homelessness. There is no spatial data as to where specific homeless individuals are located or congregate. Homeless individuals within Seal Beach tend to be transient in nature, making such spatial analysis difficult to prepare or procure.

**Table IV-18****Regional Point in Time Count, Central Service Planning Area**

City	Unsheltered	Sheltered	Total
Costa Mesa	187	6	193
Fountain Valley	28	14	42
Garden Grove	163	62	225
Huntington Beach	289	60	349
Newport Beach	64	0	64
Santa Ana	830	939	1,769
Seal Beach	8	0	8
Tustin	95	264	359
Westminster	159	25	184
County Unincorporated	4	31	35
Domestic Violence Programs	N/A	104	104
Central Service Planning Area	1,827	1,505	3,332

Source: Orange County, Everyone Counts 2019 Point in Time Count.

The previous Seal Beach Housing Element estimated approximately ten unsheltered homeless individuals. While homelessness across Orange County has risen since 2012,

the total number of individuals experiencing homelessness in Seal Beach has remained the same.

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**Table IV-19**

**Homelessness Trends and Comparison, 2012 and 2019**

Year	Seal Beach	Orange County
2012	10*	4,251
2019	8	6,760

\*estimate from the previous Housing Element

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Source: Orange County, Everyone Counts 2012 and 2019 PITC.

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Displacement. The Urban Displacement Project at University of California, Berkeley developed a map of communities where residents may be particularly vulnerable to displacement in the event of increased redevelopment and shifts in housing cost; these are known as sensitive communities. Sensitive communities are defined based on the following set of criteria:

- The share of very low-income residents is above 20%.

The tract must also meet two of the following criteria:

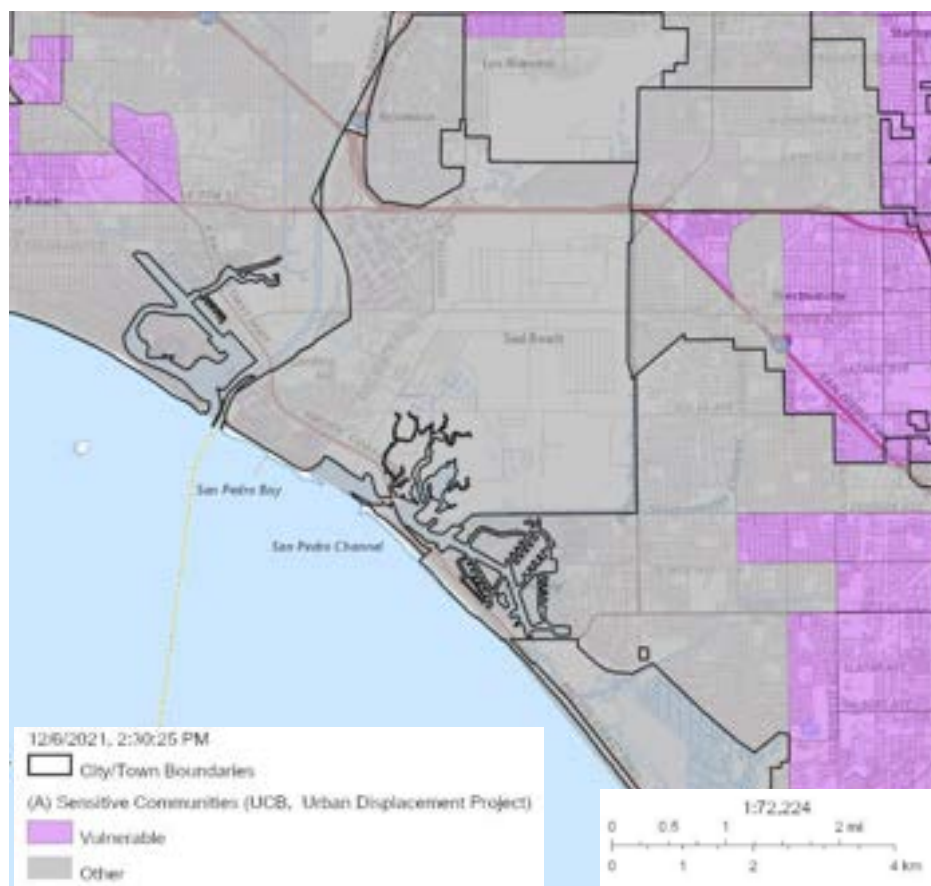
- The share of renters is above 40%.
- The share of people of color is above 50%.
- The share of very low-income households (50% AMI or below) that are severely rent burdened is above the county median.
- They or the areas in close proximity have been experiencing displacement pressures. Displacement pressure is defined as:
  - The percentage change in rent above county median for rent increases OR
  - The difference between tract median rent and tract median rent for surrounding tracts above median for all tracts in county (rent gap).

Figure IV-32 below does not identify any communities within Seal Beach as vulnerable to displacement. While there may be incidents of displacement or



vulnerability to displacement on the individual/household level, displacement within Seal Beach is not generally clustered within a specific geographical area.

**Figure IV-32 Households with Increased Displacement Risk**

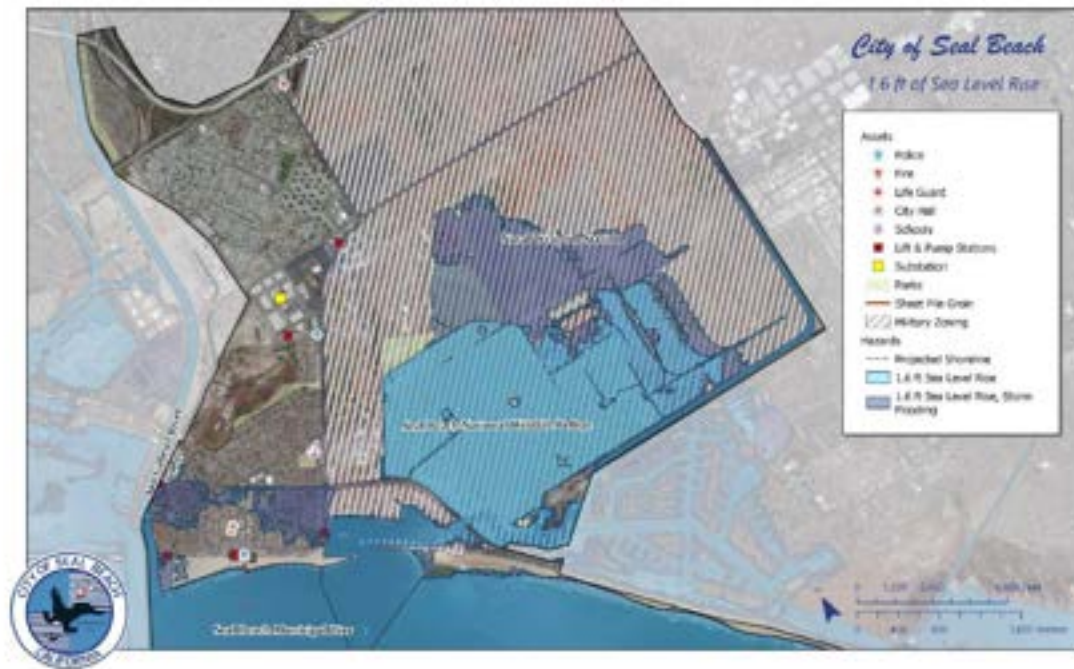


Sea level rise may be a significant driver of displacement in the future. The City of Seal Beach Sea Level Rise Vulnerability Analysis identifies significant portions of the city at risk to a variety of sea level rise scenarios. The science regarding sea level rise modeling continues to evolve; however, it is generally agreed upon that the 1.6-foot SLR scenario has a 66% probability of occurring by 2100. Under this scenario, significant sea level rise and storm flooding is projected to impact the Main Beach/Old Town neighborhood (downtown Seal Beach) and NWS Seal Beach property. Low-lying portions of the city are at the highest risk to inundation. Refer to Figure IV-33, below.

Additionally, some properties within Seal Beach are deed restricted from Coastal Commission Coastal Development Permit (CDP) conditions of approval. Deed restrictions require property owners to waive their right to future shoreline protective devices, meaning that hardline structures such as sea walls or revetments will not be permitted to protect the property from sea level rise in the future. Because Coastal Commission has limited adaptation methods available to property owners,

residential loss and displacement may occur within the coastal communities of Seal Beach. Sea level rise is a slow-moving natural hazard, and as impacts materialize within Seal Beach, additional adaptation/mitigation actions may become available. It is not anticipated that sea level rise or flooding is a significant displacement risk during this Housing Element cycle but may become a consideration in the future.

**Figure IV-33 Seal Beach Sea Level Rise Vulnerability**



Findings: Disproportionate Housing Needs. The analysis of disproportionate housing needs shows similar trends to the integration and segregation analysis. Generally, overpayment and cost burden are the most significant problem affecting households within Seal Beach. Overpayment disproportionately affects renter households within the city when compared to owner households. The high cost of housing in Seal Beach and other coastal Orange County communities significantly contributes to overpayment. Policies and programs within Section V are designed to assist with expanding affordable housing stock (Programs [1a](#), [1b](#), [1c](#), [1h](#), [1e](#), [1f](#), [1h](#), [1i](#), [1j](#), [1k](#), [1l](#), [1p](#), [1q](#), [2a](#), [2b](#), [2c](#), [2d](#), [3a](#), [3b](#), [4a](#), [4b](#), [4c](#), [5c](#)); refer to Section V, Housing Action Plan. Additional units for low and moderate incomes would allow for diverse households to take advantage of high economic and educational opportunities within Seal Beach.

Although overcrowding in Seal Beach is below the statewide average, only 1.3% of White households experience overcrowding, compared to 2.1% of Black households and 5.0% of Asian American households. It can be reasonably assumed that overcrowding is associated with housing overpayment and cost burden. Diversity in

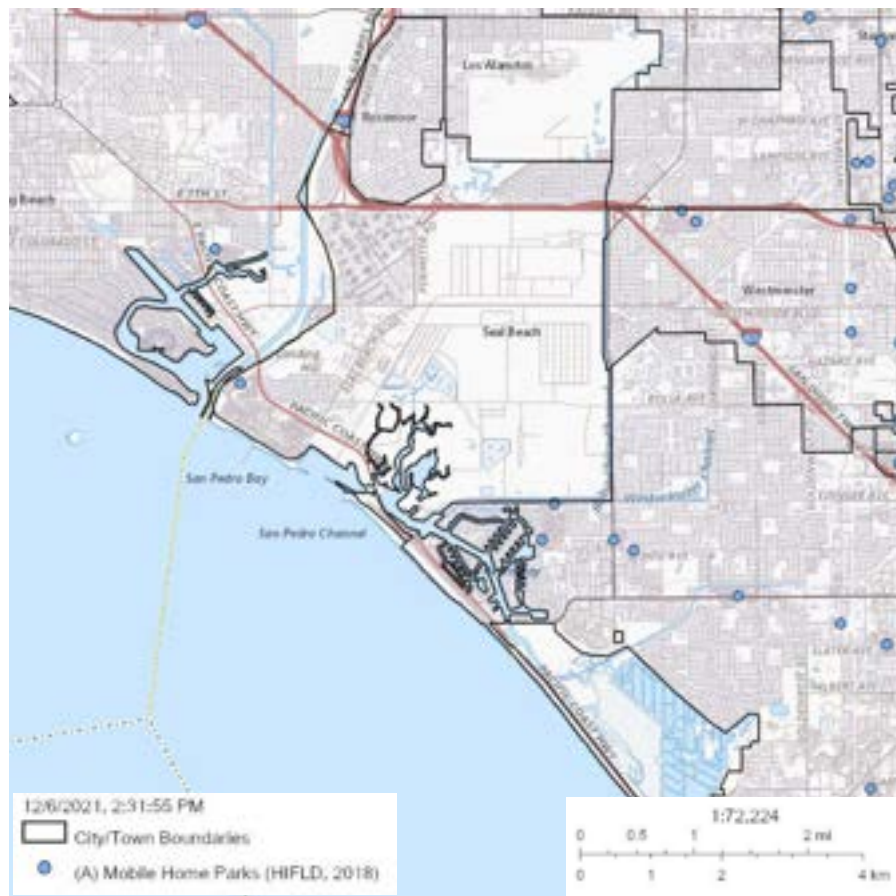
housing stock is key to alleviating issues of overcrowding, ensuring low to moderate income units are sized to facilitate larger households.

Homelessness and increased displacement risk do not present significant concerns related to disproportionate housing needs in the city within this Housing Element cycle. The upcoming Environmental Justice Element for Seal Beach will include goals and policies to address other disproportionate housing needs. As the Environmental Justice section has not yet been prepared, there are no specific details available to add to the Housing Element. Such information would be included in the next Housing Element update cycle, as appropriate.

### **Other Contributing Factors**

Historic Land Use Practices. As previously mentioned, the racial demographics of Seal Beach are fairly homogenous, and this may be associated with historic land use practices within northern coastal Orange County and Long Beach areas. As Seal Beach incorporated in 1915, with subdivisions dating back to the 1800s and known exclusionary zoning/real estate practices occurred within the neighboring jurisdictions including Long Beach, it is reasonable to believe similar practices occurred in Seal Beach. Because of the prevalence of exclusionary zoning prior to the 1960s within this region of Los Angeles and Orange County, it is possible that these historical practices still have lingering effects in the demographics of the city into the present time. Additional affordable units within Seal Beach would likely increase racial and ethnic diversity, along with inviting households of different sizes.

Mobile/Manufactured Homes. Seal Beach has one mobile home park located within the city, which makes up about 1.1% of the housing stock in the city (155 units). While the community is frequently labeled a mobile home park, a more accurate description would be manufactured housing. The location of the neighborhood is shown on Figure IV-34, northwest of 1st street and adjacent to the San Gabriel River. The Seal Beach Municipal Code considered manufactured housing (but not mobile homes) to be defined as a single unit dwelling. The Mobile Home Park Conversion Ordinance regulates development projects that propose changing the use of mobile home parks. The previous Housing Element documented the preservation/conservation of these units as affordable; 25 units for low income and 75 units for moderate income households.

**Figure IV-34 Location of Mobile Home Parks**

Community Opposition to Housing. In the past, housing projects have been withdrawn and applicants dissuaded from proceeding through the approval process from the threat of lawsuit. City residents have also expressed opposition to housing at the Shops at Rossmore and Accurate Storage (1011 Seal Beach Blvd). The City has no control or influence on whether someone will threaten or bring a lawsuit against a project, or how the applicant will respond to the threat, regardless of if there is a valid legal basis for a challenge. Seal Beach carefully follows the CEQA process to ensure all documentation is compliant, legally sound, and defensible. However, negative community responses to land-use changes may detrimentally affect lower- and moderate-income residents, as new multi-family housing stock is more difficult and expensive to produce.

Restricted Housing Units. Unique land uses within Seal Beach restrict housing opportunities to specific age groups or employment groups, thus limiting housing choices. As previously mentioned, all units within Leisure World are age restricted to individuals aged 55 or older. Additional housing development within this neighborhood would continue to be age restricted, thus limiting housing choice for Seal Beach residents. Housing units on NWS Seal Beach are also limited to active service members employed on-site. Additional units on NWS Seal Beach would also be restricted to service members employed on-site, unless a land lease agreement



with the US Navy allows for housing to be non-restricted. Such a decision is at the discretion of the federal government and not guaranteed. Both of these land uses limit the availability of housing units within the city.

### **Summary of Fair Housing Issues**

Seal Beach is a non-entitlement city, with a population of less than 50,000. Thus, the County of Orange participated on behalf of the City in the 2020 Orange County Analysis of Impediments to Fair Housing Choice (AI). The AI identified impediments for the entire county and for each entitlement city within Orange County. To address the contributing factors to AI, the plan proposes the following goals and actions:

#### **Regional Goals and Strategies**

*Goal 1: Increase the supply of affordable housing in high opportunity areas.*

#### Strategies from the Regional AI:

1. Explore the creation of a new countywide source of affordable housing.
2. Using best practices from other jurisdictions, explore policies and programs that increase the supply of affordable housing, such as linkage fees, housing bonds, inclusionary housing density bonuses, public land set-aside, community land trusts, transit-oriented development, and expedited permitting and review.
3. Explore providing low-interest loans to single-family homeowners and grants to homeowners with household incomes of up to 80% of the Area Median Income to develop accessory dwelling units with affordability restrictions on their property.
4. Review existing zoning policies and explore zoning changes to facilitate the development of affordable housing.
5. Align zoning codes to confirm to recent California affordable housing legislation.

*Goal 2: Prevent displacement of low- and moderate-income residents with protected characteristics, including Hispanic residents, Vietnamese residents, other seniors, and people with disabilities.*

#### Strategies:

1. Explore piloting a Right to Counsel to ensure legal representation for tenants in landlord-tenant proceedings, including those involving the application of new laws like AB 1482.

*Goal 3: Increase community integration for persons with disabilities.*

#### Strategies:

1. Conduct targeted outreach and provide tenant application assistance and support to persons with disabilities, including individuals transitioning from institutional settings and individuals who are at risk of institutionalization. As part of that

assistance, maintain a database of housing that is acceptable to persons with disabilities.

2. Consider adopting the accessibility standards adopted by the City of Los Angeles, which require at least 15 percent of all new units in city-supported Low-Income Housing Tax Credit (LITHTC) projects to be ADA-accessible with at least 4 percent of total units to be accessible for persons with hearing and/or vision disabilities.

*Goal 4: Ensure equal access to housing for persons with protected characteristics, who are disproportionately likely to be lower-income and to experience homelessness.*

Strategies:

1. Reduce barriers to accessing rental housing by exploring eliminating application fees for voucher holders and encouraging landlords to follow HUD's guidance on the use of criminal backgrounds in screening tenants.

2. Consider incorporating a fair housing equity analysis into the review of significant rezoning proposals and specific plans.

*Goal 5: Expand access to opportunity for protected classes.*

Strategies:

1. Explore the voluntary adoption of Small Area Fair Market Rents or exception payment standards in order to increase access to higher opportunity areas for Housing Choice Voucher holders.

2. Continue implementing a mobility counseling program that informs Housing Choice Voucher holders about their residential options in higher opportunity areas and provides holistic supports to voucher holders seeking to move to higher opportunity areas.

3. Study and make recommendations to improve and expand Orange County's public transportation to ensure that members of protected classes can access jobs in employment centers in Anaheim, Santa Ana, and Irvine.

4. Increase support for fair housing enforcement, education, and outreach.

Many of these actions need to be implemented by the County and/or at the regional level. –Strategies that may be implemented in Seal Beach have been included in the Housing Action Plan, including actions to expand the supply of affordable housing; code amendments to comply with state laws; expanding outreach efforts regarding housing choice vouchers, including mobility counseling; and enhanced coordination with the OCFHC (Programs 1a, 1b, 3a, 5a and 5c).

#### **4. Site Inventory Effect on Affirmatively Furthering Fair Housing**

AB 686 requires the Housing Element to evaluate selected sites relative to the effect on fair housing. In Seal Beach, the sites inventory identifies potential sites for housing



development (including underutilized sites and ADUs) along with candidate sites for rezoning. For the purposes of this analysis, potential sites for housing development and candidate sites for rezoning are considered against affirmatively furthering fair housing standards.

### Segregation and Integration

It is noted that census tracts within Seal Beach are fairly racially homogenous, with similar racial and ethnic identities found across the city. According to Figure IV-2, census tracts within Seal Beach range from sizeable (gap 10% to 50%) to predominantly (gap >50%) White majority. ~~As such, a~~All of the selected sites and candidate sites for rezoning are located within census tracts identified as White majority.

Low to moderate income populations are distributed throughout the City of Seal Beach, and the selected sites and candidate sites for rezoning are distributed throughout neighborhoods with different median income levels. Both the 1011 Seal Beach Blvd site and 1780 Pacific Coast Highway (PCH) site are located within a census block group with an average median income greater than \$125,000. No concentrations of poverty are found in these census blocks; both census blocks show the lowest concentration of low to moderate income households in the city. Thus, additional ~~low to~~ moderate income units on these selected sites will allow diverse households to take advantage of positive opportunities found in these high-income neighborhoods.

The Leisure World community has the highest concentration of low to moderate income population within Seal Beach. Additional housing in this community would likely be age restricted to 55+ adults, which would continue to segregate this specific age-group demographic within the city to ~~primarily live within~~ two specific census tracts. Because 55+ adults are more likely to be retired or fixed income, these census tracts would continue to be concentrations of low to moderate income households. Generally, age-restricted housing tends to be priced lower than units without age restrictions and provide a more affordable housing opportunity to senior citizens. As discussed in Section F.2, the housing needs of elderly populations can be addressed through smaller units, accessory dwelling units, shared living arrangements, congregate housing, and housing assistance programs. Units within Leisure World ~~tend to be~~ smaller units, ranging from one to two bedrooms. Individuals aged 65+ make up 39% of the city population (compared to regional share of 13%); the age distribution in Seal Beach would support additional units within this community. ~~Further, The proposed rezoning within Leisure World for higher density would yield. The Leisure World opportunity site represents-~~a potential 150 units out of the identified ~~1,5571,833 units to be constructed during this cycle~~ (refer to Table B-31). ~~These units new units in Leisure World;~~ representing ~~9.78.2%~~ of the potential units on candidate sites ~~for rezoning~~. Thus, providing additional housing units within this community would not cause additional income-based segregation across the ~~e~~City nor would it exacerbate existing income concentrations.

Similar to the concentration of low to moderate income population in Seal Beach within the Leisure World community, these census tracts also include a concentration of population with a disability. The population with a disability within both Leisure World census tracts is documented as greater than 40%, whereas the rest of the eCity has a population with a disability lower than 10%. Again, this demographic concentration of population with a disability is associated with the age restricted 55+ units. Refer to Table II-20 for details regarding the most common disabilities for senior by type within the city. Because 55+ adults are more likely to have a disability than other age groups, these census tracts would continue to be concentrations of individuals with a disability. As discussed above, rezoning properties within Leisure World would only account for a portion of the potential units on candidate sites for rezoning. Thus, additional housing units within this community would not cause additional disability-based segregation across the eCity nor would it exacerbate existing population concentrations.

There is no significant geographic pattern or concentration of single-headed or female-headed households of the city. The selected sites or candidate sites for rezoning are not expected to influence the distribution of familial status across the city.

### **Racially and Ethnically Concentrated Area of Poverty**

There are no R/ECAP located within Seal Beach; thus, no sites are located within a R/ECAP. Selected sites are not anticipated to cause the creation of a R/ECAP.

### **Racially Concentrated Area of Affluence**

One RCAA has been identified in Seal Beach. There is one vacant site located within this census block group at 99 Marina Drive, 4.3 acres in size. 99 Marina Drive is identified as a candidate site for rezoning; the current general plan and zoning is listed as OE (Oil Extraction). With a density of 30 du/acre, this site could yield 129 units, though this Element assumes lower production due to potential constraints. While this site is vacant, historical uses included an oil separation and refinery facility. Thus, there is the potential for environmental contamination and needed remediation efforts before this site is suitable for residential use. Low-income units are prioritized in this location, to allow diverse households to take advantage of the high opportunity offered by the RCAA located in this census block group.

### **Disparities in Access to Opportunities**

Overall, most of Seal Beach scores high on the TCAC composite scores as having high access to opportunity. All census tracts depict high levels of education outcomes, with the exception of a few census tracts with no data provided. The TCAC analysis generally displays high economic outcome scores, particularly within the census tract where selected sites and candidate sites for rezoning are located. Minor exceptions to this include the candidate sites for rezoning located in Leisure World and NWS Seal Beach. As previously discussed, Leisure World consists of a 55+ demographic where a significant portion of individuals are retired. NWS Seal Beach is an active Navy facility, where all economic activity occurs under the umbrella of

the federal government. Environmental scores vary by census tract. The presence of NWS, I-405 highway and heavy industrial uses (oil production and LADWP generating station) adjacent to the San Gabriel River introduce pollutants to the community. Selected sites and candidate sites for rezoning are distributed throughout zones ranging between less positive outcomes and more positive outcomes.

CalEnviroScreen 4.0 percentile scores throughout the city generally are low, indicating positive environmental outcomes. The highest scoring census tract is located at NWS Seal Beach, with a percentile score of 67.63. Only one candidate site for rezoning is located within this census tract; all other selected sites and candidate sites for rezoning are located in census tracts scored 45 or below, indicating positive environmental outcomes.

Based on the CalEnviroScreen 4.0 data and TCAC composite scores, the selected sites and candidate sites for rezoning will not introduce new environmental pollution burden, nor will additional disparities in access to opportunities be introduced. The ~~1011 Seal Beach Blvd~~ Seal Beach Center site (~~806~~ 15 low-income ~~and 531~~ 5 moderate-income, and 90 above moderate-income units) and 1780 PCH site (5 moderate income units) are located in areas with low CalEnviroScreen percentile scores and TCAC identified highest resource. Further, modern construction on these units would be required to include high-efficiency HVAC air filters to ensure excellent indoor air quality as a mitigation action against proximity to I-405, military and industrial uses. New housing in the proposed sites achieves multiple goals of adding housing stock in underutilized areas while enhancing existing neighborhoods with new housing choices. Units for low and moderate incomes will allow diverse types of households to take advantage of positive environmental, educational, and economic outcomes found in these census tracts.

### Disproportionate Housing Needs

The selected sites and candidate sites for rezoning are not located within any areas indicating disproportionate housing needs. Overcrowded households are rare in Seal Beach (only occurring in 1.1% of owner units and 2.3% of renter units) and are not congregated within a specific area of the city. The average household size hovers at 1.91. The most commonly occurring household size is one person (45.1%) and second most commonly occurring household size is two people (35.4%). Thus, there is no disproportionate need for large units to alleviate existing overcrowding or large household size. Development of larger units could help alleviate overcrowding experienced by the City's Black and Asian populations, which experience overcrowding at a higher rate than the White population.

Further, the selected sites and candidate sites for rezoning are not anticipated to pose any displacement risk during the planning period. Analysis shows no communities within Seal Beach are identified as vulnerable to displacement. ~~Both candidate sites selected (1011 Seal Beach Boulevard and 1780 PCH) include existing commercial uses; redevelopment of these properties would not displace any existing residents. Candidate sites for rezoning include commercial and vacant property, with the exception of 533 acres identified within the Leisure World community.~~

Housing opportunity sites, with the exception of some uses on Main Street and the Leisure World community are currently underutilized commercial sites, so no displacement would occur. In the case of ~~However, the proposed housing in this community~~ Leisure World, the identified ~~would be developed on a site~~ is presently devoted to RV storage so no existing residents would be displaced. New units on Main Street would be expected to either converted commercial space or second story additions to existing uses. ~~Displacement of existing residents could create disproportionate housing needs, considering the needs of this community as a 55+ retirement neighborhood. Both census tracts within Leisure World show the highest concentration of low to moderate households and persons living with a disability within Seal Beach. Policies and programs to prevent displacement of existing residents would be required if residential redevelopment was proposed on any of the mutual zones.~~ Thus, displacement risk would be considered low regarding the selected sites and ~~candidate sites for rezoning identified opportunity sites.~~

### 5. Identification of Issues, Contributing Factors, and Meaningful Actions

**Table IV-20 Issues, Contributing Factors, and Meaningful Actions**

Fair Housing Issue	Contributing Factor	Meaningful Actions
Outreach Capacity	Limited local private fair housing outreach and awareness.	<ul style="list-style-type: none"> <li>• Housing Choice Voucher Rental Assistance promotion and outreach (Program 3a).</li> <li>• Mortgage credit certificate promotion and outreach (Program 3b).</li> <li>• Housing Information and Referral Services (Programs 5b and 5c).</li> <li>• City to contract with a fair housing services provider to provide specific services to Seal Beach residents (Program 5a).</li> </ul>
Disproportionate Housing Needs	<p>Substandard housing, overpayment, and cost burden disproportionately affects renters</p> <p>Limited affordable or low-income housing</p>	<ul style="list-style-type: none"> <li>• On-going housing conditions monitoring, to identify properties in need of maintenance or repair and provide information regarding rehabilitation assistance programs (Program 4b).</li> <li>• Density bonus regulations and</li> </ul>

		<p>procedures (Program 2a).</p> <ul style="list-style-type: none"> <li>Affordable housing resources (Program <a href="#">2cb</a>).</li> <li>City to contract directly with a fair housing services provider to provide specific services to Seal Beach residents (Program 5a).</li> </ul>
Access to Opportunity	<p>Limited affordable and accessible low-income housing</p> <p>Inability to afford and take advantage of local, educational, and recreational activities</p>	<ul style="list-style-type: none"> <li>Provision of adequate public facilities and services (Program <a href="#">1kn</a>).</li> <li>Housing Choice Voucher Rental Assistance (Program 3a).</li> </ul>
Displacement	<p>Lower and moderate households may face displacement pressures as rents rise due to high overall housing costs.</p>	<ul style="list-style-type: none"> <li>Condominium Conversion (Program 4a).</li> <li>Replacement housing (Program <a href="#">1gf</a>).</li> </ul>



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