



# CITY OF RANCHO SANTA MARGARITA

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June 30, 2021

The Honorable Mike McGuire  
Chair, Senate Governance and Finance Committee  
State Capitol, Room 408  
Sacramento, CA 95814

**Re: SB 12 (McGuire): Local Government: planning and zoning: wildfires – OPPOSE UNLESS AMENDED**

Dear Senator McGuire,

The City of Rancho Santa Margarita must respectfully oppose SB 12 unless amended. As drafted, the proposed bill imposes onerous fire hazard planning responsibilities and restrictions on local government. While the City of Rancho Santa Margarita supports the reduction of fire risk and the incorporation of fire hazard planning into the Regional Housing Needs Allocation (RHNA) methodology, the timing of the proposed changes to RHNA do not occur in time to support fire risk reduction in the sixth cycle housing elements which are being drafted now. Further, we cannot support the elements of the bill which erode local control.

As proposed, SB 12 would prohibit a City such as Rancho Santa Margarita from approving any new residential ministerial or discretionary permits, discretionary entitlements, tentative subdivision or parcel maps, or development agreements within Very High Fire Hazard Severity Zones (VHFHSZ) unless certain findings are made. However, this prohibition does not waive or reduce a city's obligations relating to its Housing Element sites inventory for the sixth cycle housing elements. Rancho Santa Margarita, and other similarly situated jurisdictions state wide, have a significant amount of land within the VHFHSZ. The provisions of the SB 12 which incorporate fire hazard planning into the RHNA do not apply until the seventh housing element cycle, which for the City of Rancho Santa Margarita and most jurisdictions in Southern California, begins in 2029.

Rancho Santa Margarita and several other southern California cities argued unsuccessfully against SCAG's sixth cycle RHNA methodology which did not account for the significant planning constraints which must be acknowledged in cities with substantial land in the VHFHSZ. As a result, we are planning to accommodate a large RHNA allocation in the sixth cycle housing element update, which will necessitate planning for housing within the VHFHSZ. The restrictions on approvals proposed in SB 12 will conflict with the sixth cycle housing element and likely put the City's housing element compliance at risk. The City of Rancho Santa Margarita is committed to responsible planning which includes the reduction of fire risk; however, we cannot support the loss of local control and provisions which will put the City's housing element compliance at risk. For these reasons, the City of Rancho Santa Margarita opposes SB 12.

Sincerely,

*Cheryl Kuta for*

Jennifer Cervantez  
City Manager  
City of Rancho Santa Margarita

cc: The Honorable Patricia Bates  
Tony Cardenas, Orange County Division, League of California Cities(via email)  
League of California Cities, [cityletters@cacities.org](mailto:cityletters@cacities.org)

Mayor L. Anthony Beall	Mayor Pro Tempore Anne D. Figueroa	Council Member Carol A. Gamble	Council Member Jerry Holloway	Council Member Bradley J. McGirr	City Manager Jennifer M. Cervantez
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