

V. MEETING HOUSING NEEDS

V.1 MEETING THE RANGE OF HOUSING NEEDS

State law requires that the Housing Element make adequate provision for the housing needs of all economic segments of the community. Chapter III of this document identified adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes and emergency shelters, in order to meet Brisbane's housing goals and its share of the regional housing need. Chapter IV addressed the governmental constraints to the maintenance, improvement and development of housing, in terms of how they would be addressed where appropriate and legally possible. This chapter provides the "inventory of resources" specified in Government Code Section 65583(a). It describes in general the various actions the City may take to assist in the development of adequate housing to meet the needs of all economic segments of the community, to conserve and improve the condition of the existing affordable housing stock, and to promote housing opportunities for all persons regardless of age, sex, race, ethnic background, income, marital status, disability, family composition, national origin or sexual orientation.

V.2 HOUSING AVAILABILITY

How do we help make available both numbers of units and choices in housing types? Although zoning may designate certain types of development for certain properties, the real estate market decides where investment will go and therefore what types of units are produced at any given time. Low vacancy rates in existing housing also may limit the range of units available to meet the needs of a diverse community. Competition for available units may leave households with special needs at a critical disadvantage

The basic costs of producing housing in the San Francisco Bay Area are the greatest constraints to the availability of housing. Related constraints may include lack of public services and infrastructure, as well as land use regulations in certain circumstances. Some programs were discussed in Section IV to address these constraints. Additional programs that the City could participate in to improve housing availability are described below.

V.2.1 Brisbane Housing Authority's Low and Moderate Income Housing Fund

The Brisbane Redevelopment Agency was dissolved in 2012 by the State legislature. A Successor Agency was formed to assume responsibility for the properties previously owned by the Redevelopment Agency, and the Brisbane Housing Authority was activated to administer the Redevelopment Agency's Low and Moderate Income Housing Fund. The Successor Agency subsequently transferred to the Brisbane Housing Authority those properties that had been purchased by the Redevelopment Agency via the Housing Fund. Of the portion of the twenty percent of the tax increment money that had been generated by the City's Redevelopment Areas One and Two and "set aside" for increasing, improving and preserving low- and moderate-income housing, \$861,920 remained as of March, 2014, in the Brisbane Housing Authority's Low and Moderate Income Housing Fund. These funds could be used to address

housing availability by subsidizing development of new housing for households that cannot compete in the market, such as elderly citizens or other lower-income households. The subsidy could come in the form of financing, land purchase or assistance to the households themselves, such as providing silent seconds for down payment assistance.

The City's Redevelopment Agency had previously used Redevelopment Low and Moderate Income Housing Funds for both land purchase and construction financing for the 4 very-low-income units, 2 low-income units and 8 moderate-income units in the City's senior housing complex (Visitacion Garden Apartments) and to assist first-time homebuyers. Redevelopment Agency funds were used to write down 100% of the land value of 2 sites transferred to Habitat for Humanity for affordable housing projects that qualified for AHP funds and a loan from the County CDBG consortium, administered jointly with the HOME program (see below). Redevelopment funds were also used to make construction loans for these projects that were rolled over into silent second mortgages on the 7 units built. Most recently, the Redevelopment Agency purchased property above McLain Road as an anticipated development site, in addition to property previously acquired at 163 Visitacion Avenue. These properties are now owned by the Brisbane Housing Authority.

See Policy H.B.7, Programs H.B.7.a and H.B.7.b, Policy H.B.9, Programs H.B.9.a, H.B.9.b, H.B.9.e, H.B.9.f and H.B.9.i.

Table 45.
Low/Moderate Income Housing Fund
(Fiscal Years 2006-2009)

Fiscal Year	2006-07	2007-08	2008-09*
Expenditures			
—Projects & Programs			
First Time Homebuyers Loan Program		\$233	\$500,000
Habitat for Humanity Projects	\$245,253	\$110,037	
Five Year Implementation Plan		\$233	
Legal Services	\$2,156	\$637	
HIP Housing		\$5,000	
Site Acquisition			\$1,500,000- \$2,500,000
—Administration	\$134,046	\$93,225	\$150,000
—Debt Service	\$113,046	\$111,628	\$117,000
Total Expenditures	\$494,501	\$321,027	\$2,270,000- \$3,270,000
Revenues			\$1,093,000
Unencumbered Balance			\$2,820,000- \$3,820,000

*projected

Source: Mid-Term Update of Implementation Plan, Brisbane Community Redevelopment Project Area One and Project Area

Two (2008)

Table 46.
Estimated Annual Tax Increment Deposits into
Low/Moderate Income Housing Fund
(Fiscal Years 2009-2014)

Fiscal Year	Deposit
FY 2009-10	\$958,000
FY 2010-11	\$989,000
FY 2011-12	\$1,000,000
FY 2012-13	\$1,020,000
FY 2013-14	\$1,290,000
Total Deposits	\$5,257,000

Source: Implementation Plan, January 2010 to December 2014, Brisbane Community Redevelopment Agency Project Areas One and Two (2009)

V.2.2 Density Bonus

A density bonus allows more units to be built on a site than would otherwise be permitted by zoning, provided a percentage of the units are affordable to low- or very-low income households. This principle can apply to the provision of rental or for-sale units. Generally, assurances in the form of restrictions in grant deeds, rental agreements, or lease agreements accompany the development permit to assure that the units remain affordable to future low and very low income households as required by State law (Government Code Sections 65915 and 65917).

The City has adopted an ordinance to grant density bonuses to qualifying projects that provide housing affordable to very low, lower and/or moderate income households, to qualifying senior housing projects and to projects that include child care facilities, consistent with State law. The Housing Element includes a program to amend the ordinance to permit the City to grant a proportionately lower density bonus and/or incentives for affordable housing projects that would not otherwise qualify due to their small size or other limitations, as well as to grant a density bonus and/or other incentives greater than required for projects that meet or exceed the qualifications for a density bonus, as provided by Government Code Section 65915(n). **Once the amendment is adopted, an outreach program will be developed to ensure successful implementation of the ordinance.**

See Policy H.B.5, Program H.B.5.a.

V.2.3 Transferable Development Rights

Transferable development rights (TDR) can be used to increase the availability of housing by redirecting development away from difficult sites to locations better capable of supporting increased densities. Under the TDR program, the development rights for one or more parcels are transferred to another property within a designated area where development can occur more expeditiously, more affordably or at a higher density. A TDR program may be implemented to preserve open space and environmentally significant lands without sacrificing housing availability. Implementation of a TDR program can also

provide important economic incentives to build affordable housing.

After adoption of clearer TDR procedures in 2003, the City received and approved its first application for a density transfer, resulting in the provision of new housing units and the dedication of additional open space. With clarifications of the density transfer provisions via adoption of Ordinance No. 562 in 2011, two more proposals are currently pending. The Housing Element estimates a potential for a current total of at least 55 density transfer units (Appendix F, Table F.14).

See Programs H.H.2.b, H.H.2.c & HH.2.d.

V.2.4 Secondary Dwelling Units

Brisbane's Zoning Ordinance allows the construction of a secondary dwelling unit on standard single-family sites as a means of increasing the availability of affordable housing. The ordinance limits the size of the secondary unit to 1,000 sq. ft. maximum and defines conditions of development, including requirements for on-site parking and adequate traffic circulation. A secondary dwelling unit can be added to an existing primary unit or a new combination of primary and secondary units can be designed and developed on a vacant site.

Revising the residential parking requirements for secondary dwelling units should help increase the availability of these units for seniors and small households. Additional measures could include increased marketing to inform property owners about the benefits of second units, new secondary unit development standards and the approval process, by use of mailings to all owners and the City's website. Technical assistance could be provided to streamline the process for owners and encourage well-designed secondary units that meet the City's standards.

See Policy H.B.1, Programs H.B.1.e and H.I.1.c.

V.2.5 Mixed Uses and Live/Work Housing

Brisbane's Zoning Ordinance conditionally permits residential uses above or behind a storefront use in the NCRO-2 District. In order to encourage these projects, no maximum density is established or recommended in the Housing Element, giving project designers opportunity to creatively approach each site to maximize its potential. Both single-family and multi-family residences may be constructed in the SCRO-1 District either as a stand-alone use or within a mixed-use project, subject to a maximum density of 1 unit per 1,500 sq. ft.

A portion of the TC-1 District is proposed to be rezoned to allow mixed uses, including dwelling units at a minimum density of 20 units per acre, as permitted uses.

See Programs H.B.1.a and H.E.1.a.

V.2.6 Small Sustainable Homes

For low-income families, seniors and persons with disabilities, housing should be tailored to their special needs. Such housing is best located so as to be convenient to shopping and transit and designed to meet the special accessibility needs of seniors and persons with disabilities. Small units, for example, may be less expensive to construct, heat and maintain and therefore can be more affordable to buyers and renters,

while being more sustainable environmentally. Units can be constructed to be safe and comfortable without the inclusion of the luxury design details and appliances that invariably raise housing cost. Such projects can be consistent in scale with existing development, as construction of smaller units can allow greater densities while not significantly increasing the overall building coverage or jeopardizing community character. Preserving the older, smaller housing stock is also a way of making homes available for those just entering the market.

Under the 2007-2014 Housing Element, “dwelling groups” of smaller houses were allowed to be developed as a permitted use in the R-2 and R-3 Districts per Ordinance No. 575. That same ordinance clarified the “substandard lot” provisions, simplifying the development process for some smaller lots.

The Housing Element includes policies and programs to encourage development of small, sustainable homes through density bonus provisions and inclusionary housing requirements, and by requiring less parking for smaller units. The maintenance and upgrading of the older nonconforming housing stock also is supported through a number of programs in the Element.

See Policy H.B.1, Program H.B.1.e, Policy H.B.3, Programs H.B.3.b and H.B.3.g, Policy H.B.5, Policy H.C.1, Programs H.C.1.c and H.C.1.d, Policy H.I.1, Programs H.I.1.a, H.I.1.b and H.I.1.e

V.2.7 Anti-discrimination Legislation

To assure equal availability to housing, Federal housing laws prohibit discrimination based on race, religion, national origin, gender, familial status (presence of children in a family) or disability is prohibited by Federal law. In addition, State law prohibits discrimination based on sexual orientation, marital status, source of income or age. The City has a responsibility to assure that all persons receive equal opportunities for housing in Brisbane as provided by State and Federal anti-discrimination and resident protection laws.

Project Sentinel is the local fair housing program which serves Brisbane, as well as the rest of San Mateo County and the Counties of Santa Clara, Alameda and San Francisco. The program provides comprehensive fair housing services, including counseling, complaint investigation, conciliation and education. The California Department of Fair Employment and Housing is the State agency which administers the State’s fair housing laws. The department investigates all housing discrimination complaints filed with it. The Department of Housing and Urban Development is the Federal agency in charge of fair housing enforcement. Its regional office is located in San Francisco.

The City will continue to inform the public of its rights and responsibilities under these laws, and provide referral services to appropriate agencies.

See Policy H.A.1, Programs H.A.1.a and H.A.1.b.

V.2.8 Tenant Protections

Specific protections are extended to renters concerning the continued availability of the housing they rent. State law requires landlords to provide written notice to tenants prior to the landlord’s termination of their tenancy. For an extended lease (renting for a definite term) the tenant may stay in the residence for the specified period of time, and the rent cannot be raised during the time unless the lease states otherwise. For month-to-month rental agreement (renting for no definite period of time), the landlord must give a tenant a 30 day written notice to vacate the premises. The landlord does not have to state a reason

(Section 1946 of California Civil Code). In addition, a landlord can raise the rent any amount, as long as written notice is given. The notice period must be at least as long as the period between rental payments (e.g. for month-to-month tenancy, the notice cannot be less than 30 days according to Section 827 of the California Civil Code).

The City will continue to refer tenant-landlord disputes to the Peninsula Conflict Resolution Center for confidential mediation; tenants will also be referred to the North Peninsula Neighborhood Services Center for assistance.

See Policy H.A.1, Programs H.A.1.a and H.A.1.b.

V.2.9 Mobilehome Park Protections

To protect the rights of mobilehome park occupants, State law (Government Code Sections 65863.7 and 66427.4) regulates conversions of mobilehome parks to other uses. In general, the law requires that the person proposing the change in use of a mobilehome park file a report on the impact of the proposed change. Under the City's Subdivision Ordinance, the City would review the impact report just described and would require appropriate mitigation of any adverse impact of conversion on the ability of displaced mobilehome residents to find adequate space in a mobilehome park. The City's Zoning Ordinance requires approval of a Use Permit to convert a mobilehome park to another use, to close a mobilehome park or cease its use as a mobilehome park. The Use Permit process would also assure compliance with State law and appropriate mitigation.

Additionally, the Housing Element proposes to rezone the existing mobilehome park to the R-MHP District, which would allow mobilehome park uses only, to add further protection of this use.

See Table 38 and Program H.B.1.b.

V.2.10 Condominium Conversion Controls

The unregulated conversion of existing rental units to condominiums may result in a reduction of the rental housing stock and displacement of existing tenants. With at least 200 rental units in triplexes or larger apartment buildings in the R-2, R-3 and NCRO-2 Districts, the impact of conversion to condominiums on the rental stock could be significant. Although there is no evidence that this dynamic is occurring in Brisbane, to address the potential impacts, the Brisbane Municipal Code requires Use Permit approval by the Planning Commission for condominium conversions.

Because conversion of rental units to affordable ownership through condominiums or limited equity cooperatives have been successfully implemented in many communities with appropriate subsidies, conversions may provide unique housing opportunities for very-low, low- and moderate-income households.

The City's condominium conversion standards were updated via adoption of Ordinance No. 566 in 2013. The ordinance provides an exception to the restrictions on condominium conversions for those projects that will provide unique housing opportunities for very-low-, low- and/or moderate-income households.

See Policy H.B.4, Program H.B.4.a.

V.3 HOUSING AFFORDABILITY

How do we help provide housing that is affordable? Generally, the price of market-rate housing is currently far above what very-low, low- and moderate-income households can afford. Lack of affordable housing particularly affects those with special needs, including seniors, persons with disabilities, and large and single-parent households. With projected local and regional growth, housing affordability will remain a significant concern.

The major constraints to providing affordable housing are identified in **Chapter IV**. They include the costs of land, construction and financing and the availability of services and infrastructure. Governmental regulations may also play a part for some projects.

Some programs to address housing affordability have been already been identified in the Housing Element. The following is a brief discussion of a number of programs that the City may participate in to facilitate the provision of affordable units.

V.3.1 Inclusionary Housing Requirement

Through its inclusionary housing requirement, the City requires that new housing developments of 6 or more dwellings include units affordable to very low, low and/or moderate income households. The process can be used to produce below-market rate for-sale units (**its applicability to rental units was significantly limited by the California Second District Court of Appeals' Palmer decision in 2009**), depending upon the type of proposed development. The requirement addresses concerns regarding long-term affordability, windfall profits, cost-shifting and flexibility to maximize very-low, low- and moderate-income benefit.

THIS WILL BE UPDATED TO REFLECT NEXUS STUDY STATUS:

Before updating the inclusionary housing ordinance to eliminate its applicability to rental projects per 2007-2014 Housing Element Program H.B.4.b, the City chose to explore the possibility of conducting a nexus study and adopting a housing impact fee. If such a fee is adopted, means to reduce or waive the fee for affordable housing projects should be considered. To further reduce the impact of such a fee upon housing affordability, it may be advisable to base the fee on square footage, rather than per unit.

See Program H.B.4.b.

V.3.2 Density Bonus

As noted above, the City has adopted a density bonus ordinance per State law to encourage the provision of housing affordable to households of very low, lower and/or moderate income. The assumption is that the increased density and/or other development incentives provided by the ordinance may be sufficiently attractive to developers to encourage affordable units to be produced by the housing market without other subsidy. **Incentives may include land write-downs, fee waivers and below market-rate financing, as well as reductions in site development standards and modification of zoning code requirements.**

Per California Government Code Section 65915(n), a city may adopt an ordinance to allow it to grant a density bonus greater than what is provided under State law for a qualifying development or grant a proportionately lower density bonus than what is required by State law for developments that do not meet the State law requirements.

To give the City greater flexibility in encouraging affordable housing development, the Housing Element includes a program to amend the ordinance to permit the City to grant a proportionately lower density bonus and/or incentives for affordable housing projects that would not otherwise qualify due to their small size or other limitations, as well as to grant a density bonus and/or other incentives greater than required for projects that meet or exceed the qualifications for a density bonus, as provided by Government Code Section 65915.(n).

See Policy H.B.5, Programs H.B.3.g and H.B.5.a.

V.3.3 ~~Redevelopment Low and Moderate Income Housing Funds First Time Homebuyers Loan Programs~~

~~Previously, the Redevelopment Low and Moderate Income Housing Fund was used to finance the City's First Time Homebuyers Loan program, which required the buyer to put up 3% either towards a down payment or closing costs. After raising the loan cap, the Agency received over 50 applications, with almost 20 qualifying and at least 1 loan made (most of those qualifying were not able to find suitable homes to buy). With the elimination of the Redevelopment Low and Moderate Income Housing Funds setaside, the program has been discontinued.~~

~~HEART, the Housing Endowment and Regional Trust of San Mateo County, is a public/private partnership to raise funds and work with developers and homebuyers to ensure affordable housing is available throughout San Mateo County. The City has been contributing to HEART on an annual basis since 2008.~~

~~The City now looks toward the HEART Opening Doors Program as a means to continue to provide assistance to first-time homebuyers. The program is operated by HEART in conjunction with Meriwest Mortgage. It provides down payment assistance loans for moderate-income first-time homebuyers in San Mateo County. With a Meriwest Mortgage first home mortgage loan, HEART offers a below-market rate second loan to help facilitate a home purchase with a minimum of 5% down payment.~~

See Policy H.B.9, Programs H.B.9.a, H.B.9.e, H.B.9.f, H.B.9.h and H.B.9.i.

V.3.4 Municipal Bonds/Tax Allocation Bonds

~~Previously, the Redevelopment Agency was able to issue bonds, repaid with future payments to the Low and Moderate Income Housing Fund, to finance construction of the senior Visitacion Garden Apartments. The new Housing Authority, under State law, has the power to issued revenue bonds for the purpose of financing the acquisition, construction, rehabilitation, refinancing or development of multi-family rental housing.~~

Constraints to the use of municipal bonds include issuance costs and revenue sources for repayment. Mortgage revenue bonds are not feasible for a small jurisdiction such as Brisbane. Assessment district bonds also can be used to finance municipal improvements such as streets and service systems that can facilitate the development of affordable housing.

The Housing Element includes a program that call for examination of how municipal and assessment bonds could be used to subsidize development costs.

See Program H.B.9.e.

V.3.5 Public/Community-Developed Housing

The most direct form of housing assistance that a community can undertake is to develop, own and operate housing for very-low-, low- and moderate-income persons. Due to much publicized blighted housing projects and the real estate industry's opposition to government housing, public low cost housing lost support in California communities in the late 1960s. As a result, Article 34 of the State Constitution was passed, prohibiting a city from constructing public housing projects without a majority vote of the local electorate. There are many communities that have approved Article 34 projects. Communities have also been able to construct affordable housing projects that do not need an Article 34 election, as was the case with Brisbane's affordable senior housing development, Visitation Garden Apartments, constructed in cooperation with Bridge Housing Corporation, a professional non-profit housing development group. More recently, the City cooperated with Habitat for Humanity in the development of 7 units affordable to very low income households on two sites. These projects were enthusiastically received by the community and established a standard for future affordable housing projects that would receive public funds.

Potential uses for the Brisbane Housing Authority's Low and Moderate Income Housing Fund would be for more "sweat equity" ownership projects such as those developed with Habitat for Humanity and for partnerships with MidPen Housing, for example, in developing other forms of affordable housing.

See Programs H.B.9a., H.B.9.e, H.B.9.h and H.B.9.i.

V.3.6 Cooperative Housing

Community or resident cooperatives are sometimes formed to create affordable housing. Non-profit community development corporations directed by local residents can construct housing as a joint venture between a city and the private sector. Mobilehome parks have also been converted to cooperatives this way. Often governmental funds (such loans through the State's CalHome Program and the Multifamily Housing Program) are used to subsidize the costs so that the units are affordable to the members.

Members purchase shares in the co-op (a non-profit corporation) and receive a proportionate share or proportional dividends. In a limited equity co-op, shares have limited value appreciation in order to keep shares affordable to low and moderate income persons and maintain affordability over the long term. Members receive the benefits of home ownership, and can control the management of the housing.

These alternative approaches to providing affordable housing are considered in the Housing Element.

See Policy H.B.4

V.3.7 Secondary Dwelling Units

As noted above, Brisbane's Zoning Ordinance allows the construction of a secondary dwelling unit on standard single-family sites as a means of increasing the availability of affordable housing. The original assumption in the State law (Gov Code 65852 et seq.) enabling secondary unit development in local communities was that, because of size restrictions, secondary units would typically be studios or one - bedroom units, which generally rent for less than units found in multifamily apartment complexes. The assumption was that, not only would secondary units themselves be typically affordable, but by providing an additional source of income, they could help maintain the affordability of existing housing when added

to an existing primary unit. Other benefits would be the ability to house family members and allow seniors to age in place.

As detailed in [Chapter II](#) (pages [II-23](#) & [-24](#)), surveys of secondary dwelling rents in [Brisbane](#) and in San Mateo County in [2013](#) and [2014](#) found that if rents are charged for such units, most are affordable to very low income households. Those units provided rent free could be considered affordable to extremely low income households, while the remainder are affordable to low and moderate income households. Given this situation, the City has found no need to formally restrict occupancy of secondary dwelling units to households within specific income categories.

Revising the residential parking requirements for secondary dwelling units could encourage provision of these affordable units. [Additional measures could include reducing the administrative Secondary Dwelling Permit fees for units created within the building envelope of existing single-family residences, and exploring the potential to implement a loan program for secondary dwelling unit construction.](#)

[See Programs H.B.1.e, H.I.1.b and H.I.1.c.](#)

V.3.8 Shared Housing

HIP (Human Investment Project) Housing, a San Mateo County based organization founded in 1972, supported in part by County Community Development Block Grant (CDBG) funds, sponsors a shared housing program. The program is a one-on-one matching program of homeowners who want to rent one or more rooms in their homes and prospective tenants. HIP Housing interviews clients and makes referrals to match people in homes. The organization facilitates home sharing arrangements for over 300 people in San Mateo County each year: [90% are low-income, 53% are seniors \(70% of the home providers are seniors\), 38% are disabled, 58% are at risk of homelessness, 8% are homeless, and 61% are female heads of households.](#)

The Housing Element contains a policy and program to continue to support this program.

[See Program H.B.3.f.](#)

V.3.9 Mobilehome Parks and Manufactured Housing

Mobilehomes and manufactured homes are a valuable source of affordable housing. Government Code Section 65852.3 precludes regulating manufactured homes on approved foundation systems any more restrictively than conventional single-family dwellings. Government Code Section 65852.7 requires that mobilehome parks (as defined in Health and Safety Code Section 18214) be deemed permitted or conditional uses on all land planned and zoned for residential land use.

Brisbane's codes include no constraints to the use of manufactured housing, and such units have been placed on approved foundations on residential lots in Brisbane. The homeowners report that the cost savings over conventional construction were substantial for these privately funded projects.

Because of steep slopes, lack of infrastructure and similar constraints of the land, there are limited opportunities for new mobilehome parks in Brisbane, even though they are conditionally permitted in most residential and mixed-use districts. There is an existing mobilehome park in Brisbane that serves very-low and low-income households. The City works closely with the County of San Mateo to respond to inspection requests and provide rehabilitation loan assistance to the residents of the park. There is

to inspection requests and provide rehabilitation loan assistance to the residents of the park. There is some concern that that these units, at some time in the future, may be threatened by market pressures to develop the land to other uses. The Zoning Ordinance has been revised to require public deliberation before a conversion of this mobilehome park can occur, **expanding upon the requirements of Civil Code Section 798.56(g) that management must give tenants notice when a change of use of the mobilehome park is to be made.** Consideration may also be given to maintaining affordability over the long term through the **Housing Authority's Low and Moderate Income Housing Fund** (see above).

See Programs **H.B.1.b** and **H.B.1.f**.

V.3.10 Use of Surplus Lands/Landbanking

Occasionally lands owned by Federal, State, County, City governments or special districts become available for purchase at below market cost. The site may either be vacant or its use may be obsolete, such as a closed school or an abandoned service facility. If a site is not in City ownership, given available funds, the City may be able to purchase the site and offer it to developers at below market cost in exchange for assurances to provide affordable housing or offer the land to a nonprofit housing development corporation. The State Surplus Lands Program reviews Federal, State and local government land inventories and announcements for sites which have low and moderate income housing development potential. Local governments and developers are notified of available sites and assisted with site acquisition and development planning.

Sites within Brisbane's municipal boundaries owned by government or special districts have been inventoried and are regularly monitored. The General Plan designated these sites "PFP—Public Facilities and Parks," and zoning regulations will be drafted to establish a process by which the citizens have the opportunity to consider the disposition of any such lands considered surplus.

See Programs **H.B.9.b** and **H.B.9.c**.

V.3.11 Rent Control

Governmental control of rents is a means by which the affordability of rental housing may be maintained. Typically, a rent control ordinance is adopted detailing the types of units regulated and the means by which rents are set, subject to the limitations imposed by the 1995 Cost-Hawkins Rental Housing Act (Civil Code Sections 1954.50-1954.535), with a specific administrative agency established to implement the ordinance, providing complaint, appeals and enforcement processes. The track record of rent control is reportedly mixed, with the claim made that while rent control protects existing rental units, it reduces the incentive to maintain these units and discourages the construction of new rental units.

Private unit rent control has not been considered a priority in Brisbane. However, rents are controlled in subsidized affordable rental projects, such as the senior Visitacion Garden Apartments, and through the City's density bonus and inclusionary housing regulations for developments subject to those restrictions. Rents are also controlled through rent subsidy programs, such as Section 8, which is administered by the San Mateo County Housing Authority.

See Programs **H.B.1.e** and **H.B.4.b**, Policies **H.B.5** and **H.B.8**, Program **H.B.8.a**.

V.3.12 Mortgage Credit Certificate Program

The San Mateo County Department of Housing offers the MCC Program to assist first-time homebuyers with moderate incomes. Under this program, qualified homebuyers receive a federal tax credit up to 15% of the interest on the mortgage loan, which increases the after-tax income of the recipient, enhancing their ability to purchase a home.

The Housing Element includes a program to encourage developers and homebuyers to participate in this program.

See Program H.B.7.a.

V.3.13 Home Equity Conversion

Home equity conversion is a term that refers to a variety of loans designed to help older homeowners make use of the equity in their home without requiring them to move. The most common types of home equity conversion are reverse mortgages, home repair loans and property tax postponement. Participants can obtain a loan which is dispersed on a monthly basis as needed for a fixed period, when the loan is due. To qualify, loan recipients must be 62 years or older, must own their dwelling, and have little or no mortgage balance. HIP Housing serves as the federally certified counseling agency for home equity conversion in San Mateo County.

The Housing Element contains a policy and program to continue to support for this program.

See Program H.B.7.c.

V.3.14 State Multifamily Housing Program

The Multifamily Housing Program provides low-interest **deferred-payment** loans for the development of new rental units and rehabilitation of existing units by private, non-profit or public agency sponsors. Projects must consist of at least 5 units and must meet specific **lower-income** affordability standards based upon income, household size and number of bedrooms per unit.

The Housing Element includes a policy and program to encourage developers to participate in this program.

See Policy H.B.7, Program H.B.7.a.

V.3.15 Technical Assistance and Advisory Services

To reduce the costs of developing affordable housing projects, a number of different programs are offered by the **U.S. Department of Housing and Urban Development and the California Department of Housing and Community Development** to provide technical and research assistance to local governmental agencies, private groups, and individuals in the fields of housing development and management and advisory services.

The Housing Element includes a policy and program to encourage developers to take advantage of such programs.

See Policy H.B.7, Program H.B.7.a.

V. 3.16 Community Development Block Grant Program

Community Development Block Grant (CDBG) funds are available from the Federal Department of Housing and Urban Development (HUD) to develop “viable urban communities by providing decent housing and suitable living environments and expanding economic opportunities, principally for persons of low and moderate income.” Funds can be used to acquire land or improve sites for the development of affordable housing.

Since Brisbane is not an entitlement city, the CDBG program for Brisbane is administered by the County of San Mateo. A policy and program in the Housing Element call for the City to seek a share of the available funds for appropriate projects.

See Policy H.B.7, Program H.B.7.a.

V.3.17 HOME Investment Partnerships Program

The **HOME** Investment Partnerships Program (HOME) is a federal block grant housing program providing for local flexibility in funding projects to build, buy and/or rehabilitate rental and ownership housing for low-income households and encouraging partnerships among government, non-profit and private sectors. A local match (25%) from non-federal sources must be provided for each project. San Mateo County’s HOME Program is based on the participation of 16 small cities, including Brisbane, the unincorporated area of the County and South San Francisco, a CDBG entitlement city through the San Mateo County HOME Consortium. San Mateo County HCD is the lead agency for the Consortium.

The Housing Element includes a policy and programs that call for the City to seek a share of the available funds for appropriate projects, possibly using low and moderate income housing funds to provide leverage.

See Policy H.B.7, Programs H.B.7.a and H.B.9.i.

V.3.18 Preservation of Assisted Housing

State law requires that all Housing Elements contain an analysis and, if necessary, policies and programs to preserve multi-family housing developments which received government assistance under federal programs, state and local multi-family revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, local in lieu fees, and multifamily rental units developed pursuant to local inclusionary or density bonus programs. This requirement is intended to focus on assisted housing developments which are eligible to change to non-low-income housing during the next 10 years due to termination of subsidy contracts, mortgage prepayment or expiration of use restrictions.

As of 2014, no such assisted housing developments exist in the City of Brisbane (see **Chapter II, Section II.2.9**). The Visitacion Garden Apartments are subject to a lease with affordability requirements with Bridge Housing Corporation that will expire in 2028. At that time, however, the project will revert to the **Brisbane Housing Authority**.

The senior housing complex in the Central Brisbane subarea was developed on land purchased by the City with Redevelopment Low and Moderate Income Housing Fund monies, and was built by and leased to the non-profit Bridge Housing Corporation through loans from the net proceeds of Redevelopment Agency tax allocation bonds and from the San Mateo County HOME Program. The lease and loan agreements, executed in 1998, have 30-year terms. Thus, this assisted housing development is not at risk for conversion until 2028. This assisted housing is not really "at risk," because even if the lease were to expire and not be renewed, the land and improvements would revert to the **Brisbane Housing Authority**, which could operate them as affordable housing or lease them to another non-profit.

See Policy H.B.2, Program H.B.2.a.

V.3.19 Section 8 Rental Subsidies

Rents for lower income residents can be reduced through the Section 8 Housing Choice Voucher Program, funded by the U.S. Department of Housing and Urban Development and administered through the San Mateo County Housing Authority. HUD pays the difference between what a lower income household can afford as a percent of adjusted income and the fair market rent for an apartment. Households that qualify as lower income, disabled or elderly (over 65 years), are eligible for rent subsidy. As of 2014, no such assisted housing developments existed in Brisbane. As of the 2014, there were 22 households in Brisbane holding federal rental assistance vouchers through the San Mateo County Housing Authority.

The Housing Element includes a policy and program to encourage participation in the Section 8 program.

See Policy H.B.8.

V.4 HOUSING QUALITY

How can we help maintain and improve our existing housing? The need for safe and sound housing becomes more evident when aging housing stock deteriorates. Often, seniors and low-income families have difficulty maintaining their older homes. The most significant constraints identified in the effort to conserve and improve existing housing are the costs of repairs and financing. Land use regulations and building codes, as well as permit fees and processing requirements, may pose difficulties for some homeowners. Programs were discussed in **Chapter IV** to address these constraints. The following are additional programs that could be used to maintain and improve housing quality.

V.4.1 Brisbane Housing Authority's Low and Moderate Income Housing Fund

The **Brisbane Housing Authority's Low and Moderate Income Housing Fund** may be used to assist in rehabilitating substandard structures. Set-aside funds can be used by themselves or in collaboration with County rehabilitation and neighborhood improvement program funds to stretch the dollars available to the community.

Among the potential programs previously identified in the Redevelopment Agency's Five Year Implementation Plan for the use of **its Low and Moderate Income Housing Funds** were facilitation of the rehabilitation and preservation of the mobilehome park at 3800 Bayshore Boulevard and the 20-unit apartment building at 34 Visitacion Avenue for occupancy by very-low, low- and moderate-income renters.

The Housing Element includes policies and programs that encourage the use of these funds for such purposes.

See Policy H.B.9, Programs H.B.9.d, H.B.9.g, H.B.9.h, H.B.9.j. and H.B.9.l, Policy H.C.1, Program H.C.1.d.

V.4.2 North Peninsula Neighborhood Services Center

Among the programs provided by the North Peninsula Neighborhood Services Center, which provides assistance to low income households in Brisbane, South San Francisco and the rest of San Mateo County, **is the Minor Home Repair program**. The program makes minor repairs, rehabilitation **and improvements** available for low income homeowners at no cost.

See Policy H.C.1, Program H.C.1.b.

V.4.3 Rebuilding Together Peninsula

Rebuilding Together Peninsula is a non-profit, volunteer program providing free home repair **and rehabilitation** services to low-income homeowners **in San Mateo and northern Santa Clara Counties**. Formerly known as “Christmas in April,” the program assists those who cannot physically or financially repair their homes. Repairs are generally limited to painting, weatherization, non-structural repairs and yard cleaning; **although, plumbing and electrical repairs and roof replacement may be provided**. The program receives funding from various sources, including the San Mateo County Department of Housing.

See Policy H.C.1.

V.4.4 San Mateo County Housing Rehabilitation Program

The County of San Mateo administers Community Development Block Grant funds for housing rehabilitation. Low and very low income owner-occupants of single family homes may obtain low-interest loans **for up to \$75,000 for rehabilitation and repair** projects. The maximum amortization period is 30 years, and the current interest rate is 3% APR. There is a separate Rental Rehabilitation **Loan** Program for rental structures with a minimum of 60% low and/or very low income tenants or vacancies. Loan amounts are \$30,000 per unit up to a maximum of \$100,000 for four or less units and \$250,000 for five or more units, at a current interest rate of 6% APR over a maximum of 30 years.

The Housing Element includes a program that calls for the City to collaborate with the County to expand the scope and eligibility for assistance through these programs.

See Programs H.B.9.g, H.C.1.b and H.C.1.d.

V.4.5 State Rehabilitation Assistance Programs

The rehabilitation programs to assist lower income households at the State level **include the California Housing Rehabilitation Program—Rental (CHRP-R) and the Multifamily Housing Program (MHP)**. Generally, these programs do not make loans and grants to individuals, but to local public agencies,

nonprofit and for-profit housing developers and service providers.

See Programs H.B.7.a, H.B.9.I, H.C.1.b and H.C.1

with moderate incomes. Under this program, qualified homebuyers receive a federal tax credit up to 15% of the interest on the mortgage loan, which increases the after-tax income of the recipient, enhancing their ability to purchase a home.

The Housing Element includes a program to encourage developers and homebuyers to participate in this program.

[See Program H.B.7.a.](#)

V.3.13 Home Equity Conversion

Home equity conversion is a term that refers to a variety of loans designed to help older homeowners make use of the equity in their home without requiring them to move. The most common types of home equity conversion are reverse mortgages, home repair loans and property tax postponement. Participants can obtain a loan which is dispersed on a monthly basis as needed for a fixed period, when the loan is due. To qualify, loan recipients must be 62 years or older, must own their dwelling, and have little or no mortgage balance. HIP Housing serves as the federally certified counseling agency for home equity conversion in San Mateo County.

The Housing Element contains a policy and program to continue to support for this program.

[See Program H.B.7.c.](#)

V.3.14 State Multifamily Housing Program

The Multifamily Housing Program provides low-interest **deferred-payment** loans for the development of new rental units and rehabilitation of existing units by private, non-profit or public agency sponsors. Projects must consist of at least 5 units and must meet specific **lower-income** affordability standards based upon income, household size and number of bedrooms per unit.

The Housing Element includes a policy and program to encourage developers to participate in this program.

[See Policy H.B.7, Program H.B.7.a.](#)

V.3.15 Technical Assistance and Advisory Services

To reduce the costs of developing affordable housing projects, a number of different programs are offered by the **U.S. Department of Housing and Urban Development and the California Department of Housing and Community Development** to provide technical and research assistance to local governmental agencies, private groups, and individuals in the fields of housing development and management and advisory services.

The Housing Element includes a policy and program to encourage developers to take advantage of such programs.

[See Policy H.B.7, Program H.B.7.a.](#)

V. 3.16 Community Development Block Grant Program

Community Development Block Grant (CDBG) funds are available from the Federal Department of Housing and Urban Development (HUD) to develop “viable urban communities by providing decent housing and suitable living environments and expanding economic opportunities, principally for persons of low and moderate income.” Funds can be used to acquire land or improve sites for the development of affordable housing.

Since Brisbane is not an entitlement city, the CDBG program for Brisbane is administered by the County of San Mateo. A policy and program in the Housing Element call for the City to seek a share of the available funds for appropriate projects.

See Policy H.B.7, Program H.B.7.a.

V.3.17 HOME Investment Partnerships Program

The **HOME** Investment Partnerships Program (HOME) is a federal block grant housing program providing for local flexibility in funding projects to build, buy and/or rehabilitate rental and ownership housing for low-income households and encouraging partnerships among government, non-profit and private sectors. A local match (25%) from non-federal sources must be provided for each project. San Mateo County’s HOME Program is based on the participation of 16 small cities, including Brisbane, the unincorporated area of the County and South San Francisco, a CDBG entitlement city through the San Mateo County HOME Consortium. San Mateo County HCD is the lead agency for the Consortium.

The Housing Element includes a policy and programs that call for the City to seek a share of the available funds for appropriate projects, possibly using low and moderate income housing funds to provide leverage.

See Policy H.B.7, Programs H.B.7.a and H.B.9.i.

V.3.18 Preservation of Assisted Housing

State law requires that all Housing Elements contain an analysis and, if necessary, policies and programs to preserve multi-family housing developments which received government assistance under federal programs, state and local multi-family revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, local in lieu fees, and multifamily rental units developed pursuant to local inclusionary or density bonus programs. This requirement is intended to focus on assisted housing developments which are eligible to change to non-low-income housing during the next 10 years due to termination of subsidy contracts, mortgage prepayment or expiration of use restrictions.

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V.3.19 Section 8 Rental Subsidies

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See Policy H.B.9, Programs H.B.9.d, H.B.9.g, H.B.9.h, H.B.9.j. and H.B.9.l, Policy H.C.1, Program H.C.1.d.

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