


City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 5/22/14

FROM: Tim Tune, Special Assistant, via  John Swiecki, Community Development Director

SUBJECT: **Housing Element Update Study Session #6: Chapter VI, Housing Goals, Quantifiable Objectives, Policies and Programs; Appendix D, Compliance with Government Code Requirements; and Appendix G, Environmental Assessment**

INTRODUCTION: The subjects of this Housing Element Update Study Session are Chapter VI, "Housing Goals, Quantifiable Objectives, Policies and Programs," Appendix D, "Compliance with Government Code Requirements," and Appendix G, "Environmental Assessment."

HOUSING ELEMENT COMPONENTS: State law requires that the Housing Element include the following:

- Goals, Quantified Objectives, Policies, Scheduled Programs and Financial Resources for the Maintenance, Preservation, Improvement and Development of Housing [CGC 65583(b)(1) & 65583]
- A. Goals and policies [CGC 65583(b)(1)]
- B. Quantified objectives to establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period [CGC 65583(b)(1) & (2)]
- C. Programs which set forth a schedule of actions during the planning period, each with a timeline for implementation so that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing and subsidy programs when available, and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area. [CGC 65583(c)] In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:
 - (1) Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and

with services and facilities to accommodate that portion of the RHNA for each income level that could not be accommodated on sites identified in the sites inventory without rezoning [CGC 65583(c)(1)]

- (A) Where the inventory of sites does not identify adequate sites to accommodate the RHNA at all household income levels, sites that can be developed within the planning period shall be identified for rezoning, including adoption of minimum density and development standards, which shall be completed within specified deadlines [CGC 65583(c)(1)(A) & (B), 65583(f), 65588]
 - (B) 100 percent of the unmet RHNA for very low and low-income households shall be accommodated on sites that shall be zoned to permit owner-occupied and rental multifamily residential use by right during the planning period. These sites shall be zoned with minimum density and development standards that permit at least 20 units per acre. "Use by right" shall mean that the local government's review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval (excluding subdivision approval and non-discretionary design review requiring compliance with objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's RHNA). At least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for residential use and for which nonresidential uses or mixed-uses are not permitted. [CGC 65583.2(h) & (i), 65589.5(f)]
- (2) If a city in the prior planning period failed to identify or make available adequate sites to accommodate its previous RHNA, then the city shall, within the first year of the planning period of the new housing element, zone or rezone adequate sites to accommodate the unaccommodated portion of the regional housing need allocation from the prior planning period. [CGC 65584.09(a) & (b)]
 - (3) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households [CGC 65583(c)(2)]
 - (4) Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities [CGC 65583(c)(3)]
 - (5) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action [CGC 65583(c)(4)]
 - (6) Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability [CGC 65583(c)(5)]

- (7) Preserve for lower income households any existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use [CGC 65583(c)(6)]
- (8) Include an identification of the agencies and officials responsible for the implementation of the various actions [CGC 65583(c)(7)]
- (9) Include an identification of the means by which consistency will be achieved with other general plan elements and community goals [CGC 65583(c)(7)]
- (10) Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort [CGC 65583(c)(8)]

ANALYSIS: The last chapter of the Housing Element lists the goals, quantified objectives, policies and programs for the planning period. For more information on program requirements, please refer to the attached excerpts from the State Housing and Community Development Department's "Building Blocks for Effective Housing Elements." Appendix D details the Housing Element's compliance with the Government Code's requirements. Appendix G is the Environmental Assessment for the updated Housing Element.

Chapter VI: Proposed changes from the 2007-2014 Housing Element are shown in red in the attached draft. Most of the changes result from the detailed review of the 2007-2014 Housing Element included in Chapter I and Appendix B, which were the subject of Study Session #4 on April 10th.

Table 47 lists the Housing Element's quantifiable objectives for new construction, rehabilitation and conservation. These "yardsticks" for the 2015-2022 planning period continue many of the same assumptions and projections used in the 2007-2014 Housing Element. The differences generally reflect the development that has occurred since adoption of the previous Housing Element and the new rezoning proposed in the Housing Element update. Note that the first page of this table is subject to change as Chapter III, Land Inventory and Identification of Adequate Sites for Regional Housing Needs, is refined.

A number of the programs in the 2007-2014 Housing Element are proposed to be deleted, because their work is complete, and they need not be continued in order to demonstrate compliance with any State requirement (Programs H.D.1.c, H.H.2.c, H.H.2.d & H.I.1.d). Many of the programs in the 2007-2014 Housing Element appear to have been effective and are appropriate to continue into the 2015-2022 Housing Element (Programs H.A.1.a, H.A.1.b, H.B.1.c, H.B.1.f, H.B.3.d, H.B.3.e, H.B.3.i, H.B.3.j, H.B.4.a, H.D.1.b & H.H.2.b). For example, per 2007-2014 Program H.B.1.c, portions of the Design Permits chapter of the Municipal Code have been revised to reflect State requirements. Accordingly, this program is proposed to be relocated as Program H.I.1.d and to be refocused on reviewing other portions of the Design Permits chapter to assure that they do not become constraints to the provision of housing. A couple of programs only need be updated to reflect current practice (Programs H.C.1.a & H.C.1.b).

The following policies and programs are proposed to be substantially revised or replaced:

Programs Regarding RHNA—As explained in Chapters I & III and Appendix C, the Housing Element Update must address the Regional Housing Needs Allocation shortfall from the 2007-2014 planning period, as well as the current allocation for the 2015-2022 planning period. A new program H.B.1.a is proposed to address the 2007-2014 shortfall, with a January 31, 2016 deadline per State law. The 2007-2014 Program H.B.1.a is then proposed to be relabeled as Program H.B.1.b to deal with the 2015-2022 allocation, with a May 31, 2018 deadline.

To give the City more flexibility in complying with the Government Code's restrictions on design review in zoning districts recognized as meeting the RHNA requirements for affordability to very low and low income households, 2007-2014 Program H.D.1.c is proposed to be revised, deleting the reference to "form-based codes" and incorporating portions of 2007-2014 Programs H.B.1.b & H.B.1.c, to read:

Program ~~H.D.1.c~~ H.D.1.d For the new zoning districts intended to accommodate affordable housing, adopt ~~form-based codes~~ appropriate zoning regulations consistent with Government Code Section 65583.2(i) that allow at least three-story development and provide objective, quantifiable development standards including, but not limited to, building form, architecture, public space and landscaping in the applicable districts to non-subjectively address concerns that would otherwise be taken care of through discretionary design review approval in compliance with Government Code Section 65589.5(d), (i) & (j) (also see Program H.B.1.e).

Programs Regarding Secondary Dwelling Units—As recommended by the Housing Leadership Council of San Mateo County, 2007-2014 Program H.B.1.c (to be relabeled H.B.1.d) is proposed to be amended to give consideration to reducing or eliminating the administrative Secondary Dwelling Permit fee for projects which agree to rent restrictions, in compliance with the Palmer decision and the California Civil Code's restrictions on rent control. In addition to revising the parking requirements for secondary dwelling units per Program H.I.1.c, newly added draft proposals to encourage secondary dwelling units are reduced administrative Secondary Dwelling Permit fees for units created within the building envelope of existing single-family residences, a potential loan program for secondary dwelling unit construction, possible amendment of the Landmark at the Ridge PD Permit to permit secondary dwelling units in limited cases, technical assistance to streamline the process for owners and encourage well-designed secondary units that meet the City's standards, and publicizing these programs as they are implemented (Program H.B.1.e).

Programs Regarding the Southwest Bayshore Subarea—Although this district is no longer considered an appropriate subject for rezoning to accommodate high-density housing, there are still some issues to address regarding the district in the Housing Element update. The 2007-2014 Housing Element contained 9 programs touching upon the Southwest Bayshore subarea (H.B.1.a, H.B.1.g, H.B.1.h, H.B.3.e, H.B.3.i, H.B.9.b, H.D.1.b, H.D.1.c & H.E.1.c). Staff continues to recommend that the mobilehome park become a new R-MHP District (Programs H.B.1.i & H.E.1.c). The northern and southern portions of the subarea would remain in the SCRO-1 District, where emergency shelters would continue to be a permitted use (Program H.B.3.i) and supportive housing single-room occupancy units, convalescent homes and dwelling

groups would continue to be conditionally permitted (Programs H.B.1.g, H.B.3.e & H.D.1.b). The current form of “graduated density zoning” that allows multi-family development at a higher density than single-family or duplex development on the same size site would remain in place, thus encouraging private redevelopment of existing developed and vacant sites (Programs H.B.1.h, & H.B.9.b).

Policy and Programs Regarding Redevelopment—2007-2014 Housing Element Policy H.B.9 along with Programs H.B.9.a, H.B.9.b, H.B.9.d, H.B.9.e, H.B.9.f, H.B.9.h, H.B.9.i, H.B.9.j & H.B.9.m refer to the no longer existent Redevelopment Agency.

The City Attorney advises that AB 1484 (2012) gave former Redevelopment Agency housing powers and authority to the City Housing Authority [California Health and Safety Code Section 34176 (a)(1)], in addition to those granted by Health and Safety Code Sections 34312 & 33312.2. Per H&S Code Section 34176(d), the City Housing Authority shall maintain a Low and Moderate Income Housing Asset Fund to be used in accordance with the housing-related provisions of Community Redevelopment Law. It may issue tax-exempt bonds to generate such funds [Section 34312(d)(2)]. Thus, the Brisbane Housing Authority could use the fund to help develop low and moderate income housing projects (Section 34212), including silent second mortgages to low and very low income households for down payment assistance [Section 34312(d)] and convey land to a private developer of homes for low and moderate income households (Section 34312.3(b)). The Housing Authority could use its funds to finance rehabilitation projects for single-family homes that are privately owned by low-income households, as well as for privately-owned multifamily rental housing occupied by low- and/or very-low-income households [Section 34312.3(b)].

Following up on the Housing Leadership Council of San Mateo County’s recommendation that all or a portion of the ongoing year-over-year bump to property taxes that should “boomerang” back to the City from the County be rededicated to fund affordable housing, staff suggests that Policy H.B.9 be revised as follows:

Policy H.B.9 Study alternatives ~~for use of~~ to replace the City’s Redevelopment Low and Moderate Income Housing Fund, such as dedicating all or a portion of the ongoing year-over-year bump to property taxes that will come back to the City from the County, to provide affordable housing for extremely-low-, very-low-, low- and moderate-income households, including supportive housing for extremely-low income families and larger households, and support affordable housing proposals as opportunities arise and funds become available. Similarly, consider potential roles for the City Housing Authority in administering such funds.

Programs H.B.9.a, H.B.9.b, H.B.9.d, H.B.9.e, H.B.9.f, H.B.9.h, H.B.9.i & H.B.9.j would be similarly updated to revise references to the Redevelopment Agency. Program H.B.9.m would be deleted.

Programs Regarding Impact Fees—As discussed in the study sessions for Chapters I, IV and V, the possibility of adopting housing impact fees and commercial linkage fees is proposed in Program H.H.1.a.

Goal and Policy Refinement—Program H.B.4.b regarding the inclusionary housing ordinance is listed under Policy H.B.4 discouraging condominium conversions. To cover this program, Policy H.B.4 should be expanded to read “**Minimize constraints on construction of new multi-family rental housing and discourage the conversion of existing apartment buildings to condominiums or cooperatives...**”

Staff recommends that Goal H.G, Policy H.G.1 and Programs H.G.1.a & H.G.1.b regarding reducing vehicle miles traveled and greenhouse gas emissions be broadened in scope to coordinate with County and regional efforts.

Programs Addressing Nonconformities--At the April 24th study session, the Planning Commission requested that a program be included to reduce or eliminate the constraints that may be imposed by current regulations upon existing housing with nonconforming encroachments into setbacks or rights-of-way. Staff suggests revising Program H.I.1.e to address this, supplementing Program H.C.1.c:

Program H.I.1.e—Clarify the “substandard lot” provisions of the Zoning Ordinance, and update the merger ordinance. Continue to study ways in which constraints upon nonconforming residential structures may be reduced. Also see Program H.C.1.c.

Appendix D: The “Compliance with Government Code Requirements” attachment to the 2007-2014 Housing Element is proposed to be revised in the 2015-2022 Housing Element to reflect the California Department of Housing and Community Development’s latest Housing Element Guidance form, now called the “Completeness Checklist” (December 2012). This updated version addresses the change in the law since adoption of the 2007-2014 Housing Element regarding the special housing needs of persons with developmental disabilities [amendment of California Government Code Section 65583(a)(7), effective January 2011]. Relevant page numbers will be inserted into the appendix when the draft Housing Element is completed.

Appendix G: The Environmental Assessment for the Housing Element will be updated to reflect the changes proposed for the 2015-2022 Housing Element. In addition, an Environmental Initial Study will be completed for public comment and City Council approval before formal adoption of the Housing Element.

CONTINUING THE UPDATE PROCESS: At the next study session, the Planning Commission will revisit Chapter III, Land Inventory and Identification of Adequate Sites for Regional Housing Needs, to follow up on questions raised at the April 24th study session.

Once the Commission has completed its preliminary review of all of the chapters of the 2007-2014 Housing Element, a preliminary draft of the 2015-2022 Housing Element will be prepared for public hearing at an upcoming meeting. At that time, the Planning Commission will make its recommendations for City Council consideration prior to submittal of the preliminary draft to the California Department of Housing and Community Development for comment. Once any needed revisions are made in response to HCD’s comments, the Planning Commission and City Council will hold public hearings on the draft Housing Element and its Environmental Initial

Study before the City Council formally adopts the Housing Element by the January 31, 2015 deadline.

ATTACHMENTS:

Draft Update of Chapter VI, Housing Goals, Quantifiable Objectives, Policies and Programs; Appendix D, Completeness Checklist; and Appendix G, Environmental Assessment

HCD's Building Blocks for Effective Housing Elements: Program Requirements

VI. HOUSING GOALS, QUANTIFIABLE OBJECTIVES, POLICIES AND PROGRAMS

VI.1 GOALS, OBJECTIVES, POLICIES AND PROGRAMS

This section outlines the Housing Element goals, quantified objectives and policies and programs, as required by Government Code Section 65583.

The goals describe the City’s general, desired, long-term result and set the direction without quantification. The quantifiable objectives establish the maximum number of housing units, by income category, that can be constructed, rehabilitated and conserved over the term of the Housing Element and provide a measurement standard linking the policies and programs to the goals. As indicated in the Government Code, the quantifiable objectives need not be identical to the total housing needs assessment, since the total housing needs may exceed the available resources and the community’s ability to fill this need within the given period. The policies provide direction in meeting the stated goals; the programs set forth essentially a schedule of specific actions for implementation of the policies.

VI.1.1 Housing Goals

The underlying intent, or set of values, that is reflected in Brisbane’s Housing Element is that existing and new housing developments provide more than shelter, so that Brisbane remains “home” to its residents; and that Brisbane remains as an independent, energetic city, composed of and accepting a diversity of people and lifestyles. The following housing goals reflect the desire to maintain these values.

- A. Provide housing opportunities for all persons, regardless of age, sex, race, ethnic background, income, marital status, disability (including developmental disability), family composition, national origin, or sexual orientation.
- B. Maintain a diverse population by responding to the housing needs of all individuals and households, especially seniors and those with income constraints or special needs.
- C. Preserve Brisbane’s residential character by encouraging the maintenance, improvement, and rehabilitation of existing housing.
- D. Ensure that new residential development is compatible with existing development and reflects the diversity of the community.
- E. Encourage compact, in-fill, mixed use and transit oriented development to reduce vehicle miles traveled and greenhouse gas emissions.
- F. Encourage sustainable residential development to conserve resources and improve energy efficiency to reduce housing costs and reduce greenhouse gas emissions.

- G. Provide housing opportunities for people who work in Brisbane to reduce vehicle miles travelled and greenhouse gas emissions.
- H. Ensure that housing development that is not in urbanized areas mitigates the infrastructure cost and impacts of development.
- I. Avoid unreasonable government constraints to the provision of housing.

VI.1.2 Housing Objectives

As required by State Code Section 65583(b) the quantified objectives, shown on [Table 47](#), establish the maximum number of housing units by income category that can be constructed, rehabilitated and conserved for the current planning period. They provide “yardsticks” for achieving the City’s goals. This table reflects the ~~2007-2014~~ [2015-2022](#) capacity identified in [Table 34](#).

SUBJECT TO CHANGE AS CHAPTER III IS UPDATED

Table 47.

Quantifiable Objectives

(2007-2014)-(2015-2022)

Category	Quantifiable Objectives [Applicable Programs]	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate	All
New Construction	1. Maintain single-family residential zoning in the Central Brisbane (R-1), Brisbane Acres (R-BA) and Northeast Ridge (PD) Subareas to continue to allow for construction of new units. [H.B.1.1.b]					49 (R-1) + 2 (R-BA) + 0 (PD) + = 51	51
	2. Continue to allow construction of secondary dwelling units in the R-1 and R-BA Districts. [H.B.1.1.d, H.B.1.1.e & H.1.1.c]	(See Note 2)	(See Note 2)	(See Note 2)	7 (R-1)		7
	3. Continue to permit transfer of development rights to accommodate new units in the R-BA District. [H.H.2.2.b]					55	55
	4. Maintain residential zoning in the Central Brisbane R-2 and R-3 Districts to continue to allow for construction of new units. [H.B.1.1.b and H.D.1.1.b]					3 (R-2) + 2 (R-3) = 5	5
	5. Provide for mixed-use units in the NCRO-2 District, including new units on Redevelopment-Agency Brisbane Housing Authority owned property. [H.B.9.b]		2	2		10	14
	6. Rezone the southern portion of the SCRO-1 District (Southwest Bayshore-Subarea south of the mobilehome park) to a new R-SWB District						25
	7. Include Continue to allow emergency shelters as a permitted use (“by-right”) in the SCRO-1 District the new R-SWB District . [H.B.3.i]	1					1
	7. & Maintain the northern portion of the SCRO-1 District (Southwest Bayshore Subarea north of the mobilehome park) as mixed use, with no minimum its current graduate density. [H.B.1.g, H.B.3.e, H.B.3.i & H.D.1.1.b]			2	3		55
	8. 9. Rezone the eastern portion of the TC-1 District (Crocker Park Subarea) to a new NCRO-3 District allowing 24 units per acre minimum as part of a mixed use [H.B.1.a & H.B.1.b]		125				125
9. Rezone the southeastern portion of the TC-1 District (Crocker Park Subarea) to a new R-4 District allowing 20 units per acre minimum [H.B.1.a & H.B.1.b]		139				139	
Totals	1	270	10	181	462		

Table 47. (Continued)
Quantifiable Objectives (2007-2014)-(2015-2022)

Category	Quantifiable Objectives [Applicable Programs]	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate	All
Rehabilitation	10. Promote the rehabilitation of housing units by advising property owners of the San Mateo County Housing Rehabilitation Program and similar resources for units in need of replacement or with structural deficiencies. [H.B.9.g, H.C.1.1.b & H.C.1.d]	9	5	10			24
	11. Acquire and rehabilitate vacant/abandoned/deteriorated residential units and make them available as affordable housing. [H.B.9.d]		20				20
	12. Encourage private rehabilitation of market-rate units. [H.C.1.a]			8		23	31
Totals		9 + 5 + 10 + 8 + 20 = 52			23	75	
Conservation	13. Encourage the retention of affordable units by amending the Zoning Ordinance to designate the mobilehome park in the Southwest Bayside subarea for mobilehome uses only. [H.B.1.i]		62	66			62 66
	14. Encourage retention of at least 200 rental units in the R-2, R-3 and NCRO-2 Districts by requiring a public process for condominium conversions. [H.B.4.a]			200			200
Totals		62 66 + 200 = 262 266				262	

Notes:

The following notes correspond to the Quantifiable Objective numbers:

- See Table 35. No density transfer units are specifically assumed to be included among the units projected to be constructed in the Brisbane Acres (see # 3).
- See Table 35. According to Table 30 and page II-22, 75% of secondary dwelling units are affordable to very low income households, with the remainder affordable to low and moderate income households. A more conservative distribution is shown here, consistent with Table 39.
- See pages V-3 & V-4. None of these density transfer units are assumed to be included among the units projected to be constructed during the planning period (see # 1).
- Refer to Table 39.
- One shelter with at least 11 beds would be sufficient to meet the need identified on pages II-4 & II-5.
- Refer to Tables 35 & 39.
- Refer to Table 35 & the note to Table 40.
- Refer to Table 35.
- Per Table 33, there are an estimated 8 residential structures in need of replacement, 8 with some structural deficiencies and 39 with minor structural deficiencies. Units distributed by income per Table 18. Also see page V-14, San Mateo County Housing Rehabilitation Program.
- For example, the 20-unit apartment building at 34 Visitacion Avenue, which was listed in the Housing Quality survey as in need of rehabilitation (see Section V, Housing Quality, Redevelopment Low and Moderate Income Housing Funds).
- See #11. According to Table 2, most of the units rehabilitated were market-rate units rehabilitated privately without government funds.
- See Table 21.

VI.1.3 Housing Policies and Programs

The policies and programs are tied directly to the City's goals and are as follows:

Goal H.A Provide housing opportunities for all persons, regardless of age, sex, race, ethnic background, income marital status, disability (including developmental disability), family composition, national origin, or sexual orientation.

Policy H.A.1 Promote equal housing opportunities.

Program H.A.1.a ~~Continue to provide information on discriminatory and unfair housing practices (from the California Department of Fair Employment and Housing) and housing related services and industries to the public through the City's website. Continue to inform the public of its fair housing rights and responsibilities through the City's website and other means. Provide referral services to appropriate agencies.~~

Time Frame: Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Program H.A.1.b Continue to inform Brisbane residents and businesses, developers, non-profit housing development organizations and other groups about housing policies and opportunities in Brisbane. Use local publications such as the Brisbane Star and the Chamber of Commerce newsletter, bulk mailing, flyers, the City's website and other means of distributing information on City housing policies, the City's inventory of potential housing development sites, local achievements, programs of other agencies, housing information and counseling programs, and State housing laws.

Time Frame: Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Goal H.B Maintain a diverse population by responding to the housing needs of all individuals and households, especially seniors and those with income constraints or special needs.

Policy H.B.1 Require a balance of housing types, sizes (bedrooms), tenure and the inclusion of affordable, senior and special needs dwelling units in multi-family developments.

Program H.B.1.a Complete necessary rezoning to provide adequate sites to accommodate the 2007-2014 Regional Housing Needs Allocation shortfall, as referenced in Sections III.1 and III.2, no later than 1 year from the statutory deadline for adoption of the Housing Element [per Government Code Section 65584.09(a)]. Also see Program H.D.1.c.

Time Frame: ~~October 2012~~ January 31, 2016

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Program H.B.1.b Maintain existing zoning and complete necessary rezoning to provide adequate sites to accommodate the 2015-2022 Regional Housing Needs Allocation, as referenced in Sections III.1 and III.2, no later than 3 years and 120 days from of the statutory deadline for adoption of the Housing Element [per Government Code Section 65583(c)(1)(A)].

Also see Program H.D.1.c.

Time Frame: ~~October 2012 (see Program H.B.1.a)~~ May 31, 2018

Responsibility: Community Development Department, Planning Commission,
City Council

Funding Source: City funds

~~*Program H.B.1.b* For the new 6.9-acre NCRO-3 and the new 7.03-acre R-SWB zoning districts, adopt development regulations (including public space standards as appropriate) that permit owner-occupied and rental multifamily uses by right (without discretionary review), require a minimum of 16 units per site, require a minimum density of 20 units per acre in the R-SWB district and 24 units per acre in the NCRO-3 district, and allow three-story development via a 35-ft. height limit, as referenced in Figure HE.2, Tables 3.7, F.11 and F.12, and Section III.1.3.~~

~~*Also see Program H.D.1.d.*~~

~~*Program H.B.1.c* Amend the Design Permits chapter of the Municipal Code to include the findings required by Government Code Section 65589.5(d), (i) & (j) & Section 65583.2(i) regarding proposed housing developments for very low, low or moderate-income households and emergency shelters; and clarify in the Design Permit subsections under the applicable zoning district chapters that any design review for those districts intended to accommodate affordable housing would comply with the restrictions set by AB 2348 (also see Program H.D.1.d). Also amend the Design Permits chapter to provide more certainty in the permitting process by eliminating any vague phrasing in the findings.~~

~~[REVISED H.B.1.c AND MOVED TO H.I.1.d]~~

~~*Time Frame:* Ongoing Within 1 year [Government Code Section 65583(a)(4)]~~

~~*Responsibility:* Community Development Department, Planning Commission,
City Council~~

~~*Funding Source:* City funds~~

Program H.B.1.d H.B.1.c Revise the General Plan's applicable land use designations to reflect the net acre density (excluding land area devoted to public rights-of-way for streets and utilities) to be consistent with all zoning districts to be revised per the Housing Element. Revise the Land Use Element's policies and programs so as to be consistent with Government Code Section 65583.2 regarding affordable housing.

Time Frame: As part of the General Plan update, but no later than January 31, 2016 for Program H.B.1.a and May 31, 2018 for Program H.B.1.b
~~October 2012 (also see Program H.B.1.a H.E.1.c)~~

Responsibility: Community Development Department, Planning Commission,
City Council

Funding Source: City funds

Program ~~H.B.1.e~~ H.B.1.d. Monitor market-rate rents for secondary dwelling units to determine whether they remain affordable; if not, consider what actions may be legally taken to make the primary or secondary unit affordable for occupancy by a low- or moderate-income household. For example, consider reducing or eliminating the administrative Secondary Dwelling Permit fee in exchange for rent restrictions.

Time Frame: Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Program H.B.1.e To encourage development of secondary dwelling units:

(a) Reduce the administrative Secondary Dwelling Permit fees for units created within the building envelope of existing single-family residences, reflecting the reduced staff time required to process permits for such units;

(b) Explore the potential to implement a loan program for secondary dwelling unit construction;

(c) Work with the Landmark at the Ridge property owners to consider amending the Northeast Ridge PD Permit to permit conversion of existing floor area within building envelopes to accommodate secondary dwelling units;

(d) Provide technical assistance to streamline the secondary dwelling approval process for owners and encourage well-designed secondary units that meet the City's standards;

(e) As these programs are implemented, publicize the changes to encourage the development of applicable secondary dwelling units. Also see Program H.I.1.c.

Time Frame: Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Program H.B.1.f ~~Amend the definition of "dwelling" in BMC Section 17.02.235 to specifically include "transitional housing" and "supportive housing" as examples (per SB-2), along with "manufactured housing and mobilehomes" (per 1999-2006 Housing Element Program HHe). Continue to treat "transitional housing," "supportive housing" and "manufactured housing and mobilehomes" no differently from other "dwellings" under the Zoning Ordinance per BMC Section 17.02.235.~~

Time Frame: Ongoing ~~Within 1 year [Government Code Section 65583(a)(4)], concurrent with Program H.B.1.e~~

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Program H.B.1.g In addition to allowing "supportive housing single-room occupancy units" by definition as "multi-family dwellings," specifically amend the zoning regulations to permit them as a conditional use in the SCRO-1 District (per AB 2634).

Time Frame: ~~October 2012 (see Program H.B.1.a)~~ December 2018

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Program H.B.1.h Develop an outreach program to encourage private redevelopment of existing developed sites in the new R-4, NCRO-3, and ~~R-SWB~~ SCRO-1 districts.

Time Frame: ~~December 2014~~ As the new zoning districts are adopted (January 31, 2016 for Program H.B.1.a, May 31, 2018 for Program H.B.1.b, December 31, 2018 for Program H.B.1.i)

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Program H.B.1.i Rezone the mobilehome park in the SCRO-1 District as the R-MHP District to designate it for mobilehome uses only.

Time Frame: December 31, 2018

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Policy H.B.2 Retain existing affordable (“at risk”) housing units.

Program H.B.2.a Preserve affordable units that are at risk of being converted to market rate by:

- *Establishing an early warning/monitoring system*
- *Allocation of potential funding sources*
- *Providing for tenant education and assistance*

Time Frame: Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Policy H.B.3 Encourage development of affordable housing specifically designed for seniors and persons with disabilities (including the developmentally disabled) or other special needs.

Program H.B.3.a Identify suitable sites for housing for seniors and persons with disabilities or other special needs.

Time Frame: Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Program H.B.3.b To encourage housing for seniors, reduce the parking requirements for units designed and dedicated for use by elderly persons.

Time Frame: December ~~2014~~ 2015, concurrent with Programs H.I.1.b & c

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Program H.B.3.c Encourage housing units designed for persons with disabilities by reducing parking requirements for those units.

Time Frame: December ~~2011~~ 2015, concurrent with Program H.B.3.b
Responsibility: Community Development Department, Planning Commission,
City Council
Funding Source: City funds

Program H.B.3.d ~~Adopt a general provision~~ Continue to allow ministerial approval by the Community Development Director, subject to a minimal fee, of exceptions to the Zoning Ordinance for reasonable accommodation for housing for persons with disabilities per Government Code Section 65583(c)(3), ~~and specifically amend the height limit exceptions in the zoning ordinance to allow for approval of Accessibility Improvement Permits for elevators and accessible van garages needed by persons with disabilities to exceed the applicable height limit.~~

Time Frame: ~~December 2011~~ Ongoing
Responsibility: Community Development Department, Planning Commission,
City Council
Funding Source: City funds

Program H.B.3.e ~~Include~~ Continue to permit convalescent homes as a conditional use in ~~the R-SWB District; the SCRO-1 District.~~

Time Frame: ~~October 2012 (see Program H.B.1.a)~~ December 31, 2018
Responsibility: Community Development Department, Planning Commission,
City Council
Funding Source: City funds

Program H.B.3.f Encourage participation in the Human Investment Program (HIP)'s shared housing program which helps find suitable housing for the elderly, single-parent families and persons with special needs, through financial support, publicity and referrals.

Time Frame: Ongoing
Responsibility: City Manager's Office
Funding Source: City funds

Program H.B.3.g Encourage developers to provide housing units designed and dedicated for use by large families with low- and very-low incomes and other households with special needs when they request density bonuses.

Time Frame: Ongoing
Responsibility: Community Development Department
Funding Source: City funds

Program H.B.3.h Cooperate with the County of San Mateo in developing programs to provide shelter and services to the homeless by participating in the San Mateo County Continuum of Care and the Housing Endowment and Regional Trust.

Time Frame: Ongoing
Responsibility: City Manager's Office, City Council
Funding Source: City funds

Program H.B.3.i *Continue to allow ~~include~~ emergency shelters as a permitted use in the ~~Southwest Bayshore R-SWB district~~ SCRO-1 District, not subject to discretionary action or to any development or management standards that would not apply to other allowed uses within the zone, except as provided by Government Code Section 65583(a)(4)(A).*

Time Frame: December 31, 2018 ~~Within 1 year [Government Code Section 65583(a)(4)]~~

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Program H.B.3.j *Continue ~~Establish specific procedures~~ to grant priority water and sewer service to housing with units affordable to lower-income households in accordance with State law.*

Time Frame: Ongoing ~~Within 1 year~~

Responsibility: Public Works Department

Funding Source: City funds

Policy H.B.4 Discourage the conversion of existing apartment buildings to condominiums or cooperatives unless it is demonstrated that such conversion would not adversely affect the rental market or that the conversion would provide unique housing opportunities for very-low-, low- and/or moderate-income households, and minimize constraints on construction of new multi-family rental housing.

Program H.B.4.a *Maintain ~~Refine the current~~ Zoning Ordinance standards for condominium conversions of existing rental units so as to remain consistent with ~~to reflect~~ current law and City policy.*

Time Frame: Ongoing ~~December 2013~~

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Program H.B.4.b *Update the inclusionary housing ordinance so as to comply with California Civil Code Sections 1954.51-535.*

Time Frame: ~~Within 1 year~~ December 31, 2016

Responsibility: Community Development Department

Funding Source: City funds

Policy H.B.5 Encourage utilization of the density bonus program to provide housing affordable to extremely-low, very-low- and/or low-income households, including supportive housing for extremely-low income families and larger households.

Program H.B.5.a *Amend the Affordable Housing Ordinance (BMC Chapter 17.31) to permit the City to grant a proportionately lower density bonus and/or incentives for affordable housing projects that do not qualify under Government Code Section 65915 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 AB 2280), such as those that include units for extremely-low-income families and larger households. *Once the amendment is adopted, develop an outreach program to ensure its successful implementation.*

Time Frame: ~~Within 1 year~~ December 31, 2016

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Policy H.B.6 Examine ways in which housing construction costs may be reduced.

Program H.B.6.a Study hillside development to see if housing development costs can be reduced on hillside lots through the use of innovative design and grading practices.

Time Frame: On going

Responsibility: Community Development Department

Funding Source: City funds

Policy H.B.7 Seek private and public funding sources for affordable housing construction.

Program H.B.7.a Through public information efforts (see Program H.A.1.b), encourage housing developers to participate in available affordable housing programs sponsored by governmental agencies, such as:

- Mortgage Credit Certificate Programs
- State and Federal Homeownership Assistance Programs
- State Multifamily Housing Program
- Other programs as they become available

Time Frame: ~~On an annual basis~~ Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Program H.B.7.b Through public information efforts (see Program H.A.1.b), encourage housing developers to work in concert with nonprofit housing development organizations and lending institutions to incorporate affordable housing units in development projects.

Time Frame: ~~On an annual basis~~ Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Program H.B.7.c Support the Human Investment Program (HIP)'s program to provide counseling to older homeowners on home equity conversion opportunities.

Time Frame: Ongoing

Responsibility: City Manager's Office, City Council

Funding Source: City funds

Policy H.B.8 Encourage owners of rental housing to participate in the Section 8 rent subsidy program and other rental assistance programs as they become available.

Program H.B.8.a Remain in close communication with the County Housing Department and the County Housing Authority to be informed about the availability of rent subsidies and to inform them of the availability of units for rental assistance programs.

*Time Frame: Ongoing
Responsibility: City Manager's Office
Funding Source: City funds*

Policy H.B.9 Study alternatives ~~for use of to replace~~ the City's Redevelopment Low and Moderate Income Housing Fund, such as dedicating all or a portion of the ongoing year-over-year bump to property taxes that will come back to the City from the County, to provide affordable housing for extremely-low-, very-low-, low- and moderate-income households, including supportive housing for extremely-low income families and larger households, and support affordable housing proposals as opportunities arise and funds become available. Consider potential roles for the City Housing Authority in administering such funds.

Program H.B.9.a Develop an ongoing relationship with nonprofit housing development corporations in order to take advantage of opportunities to ~~supplement Redevelopment Low and Moderate Income Housing Funds to~~ create affordable housing.

*Time Frame: Ongoing
Responsibility: City Manager's Office
Funding Source: City funds*

Program H.B.9.b Purchase appropriate vacant sites and small underdeveloped properties in order to assemble standard building sites to land bank for future affordable housing projects; ~~as well as small underdeveloped properties in the R-SWB District in order to assemble standard building sites.~~

*Time Frame: Ongoing
Responsibility: ~~Redevelopment Agency~~, Brisbane Housing Authority, City Council
Funding Source: ~~Redevelopment Agency funds~~ City funds*

Program H.B.9.c Implement the public facilities and parks (PFP) land use designation in the General Plan so that the City has the first opportunity to consider surplus lands owned by public agencies as potential housing sites

*Time Frame: ~~December 2013~~ December 2017
Responsibility: Community Development Department, Planning Commission, City Council
Funding Source: City funds*

Program H.B.9.d Acquire and rehabilitate vacant/abandoned/deteriorated residences and make them available as affordable housing, supportive housing and other forms of housing to help address unmet needs in the community.

Time Frame: Ongoing

Responsibility: ~~Redevelopment Agency~~, Brisbane Housing Authority, City Council

Funding Source: ~~Redevelopment Agency funds~~ City funds

Program H.B.9.e Examine how ~~Redevelopment Low and Moderate Income Housing Funds~~ City funds and municipal and assessment bonds could be used to subsidize development costs in privately financed residential and mixed-use projects.

Time Frame: Ongoing

Responsibility: ~~Redevelopment Agency~~, Brisbane Housing Authority, City Council

Funding Source: ~~Redevelopment Agency funds~~ City funds

Program H.B.9.f Continue to support the Housing Endowment and Regional Trust of San Mateo County (HEART) Opening Doors Program to provide assistance to ~~and expand the City's first-time homebuyers program using Low and Moderate Income Housing funds to subsidize mortgage finance costs.~~

Time Frame: Ongoing

Responsibility: City Manager's Office, ~~Redevelopment Agency~~, City Council

Funding Source: ~~Redevelopment Agency funds~~ City funds

Program H.B.9.g Collaborate with the County of San Mateo and other agencies with very-low-, low- and moderate-income rehabilitation programs to expand the scope and eligibility for assistance.

Time Frame: Ongoing

Responsibility: City Manager's Office, City Council

Funding Source: City funds

Program H.B.9.h Assist self-help and sweat equity construction and rehabilitation projects.

Time Frame: Ongoing

Responsibility: Community Development Department, ~~Brisbane Housing Authority~~ ~~Redevelopment Agency~~, City Council

Funding Source: City funds

Program H.B.9.i Use ~~Redevelopment Low and Moderate Income Housing Funds~~ City funds to provide leverage for state and federal programs for affordable housing that require a local match.

Time Frame: Ongoing

Responsibility: ~~Redevelopment Agency~~ Brisbane Housing Authority, City Council

Funding Source: ~~Redevelopment Agency funds~~ City funds

Program H.B.9.j Provide financial assistance in the form of loans or grants to retrofit existing units for special needs households.

Time Frame: Ongoing

Responsibility: ~~Redevelopment Agency~~ Brisbane Housing Authority, City Council
Funding Source: ~~Redevelopment Agency funds~~ City funds

Program H.B.9.k Evaluate City fee schedules for processing development applications and consider providing a subsidy for projects providing affordable housing for extremely-low-, very-low- and low-income households, including supportive housing for extremely-low-income families and larger households.

Time Frame: Ongoing
Responsibility: Community Development Department, Finance Department, City Council
Funding Source: City funds

Program H.B.9.l Encourage the State of California and the Federal Government to restore and enhance subsidy programs for affordable housing similar to those that have proven successful in the past in assisting low- and very-low- income households and households with special needs, such as Section 202, Section 8 New Construction, Section 8 Moderate Rehabilitation and Rental Rehabilitation Programs.

Time Frame: Ongoing
Responsibility: City Manager's Office, City Council
Funding Source: City funds

~~Program H.B.9.m Encourage the State of California to amend Housing Element and Redevelopment Law to allow cities to combine their Redevelopment Low and Moderate Income Housing Funds to fund joint projects at the most suitable locations for affordable housing.~~

~~Time Frame: Ongoing
Responsibility: City Manager's Office, City Council
Funding Source: City funds~~

Goal H.C Preserve Brisbane's residential character by encouraging the maintenance, improvement, and rehabilitation of existing housing.

Policy H.C.1 Promote rehabilitation of substandard residential structures while maintaining their affordability to very-low-, low- and moderate- income households.

Program H.C.1.a Through the City's website and other appropriate means, assist the public in identifying ~~Establish a voluntary code inspection program to identify~~ basic safety and sanitation problems. ~~Within this program,~~ and disseminate information about basic safety improvements, such as fire extinguishers and smoke detectors.

Time Frame: Ongoing
Responsibility: Community Development Department
Funding Source: City funds

Program H.C.1.b ~~At least once a year,~~ actively publicize and encourage the use of County, State and Federal programs for low-interest rehabilitation loans by owners of

older residential units. Work with the San Mateo County Housing Rehabilitation Program to develop a promotional strategy. Seek available State and Federal funds.

Time Frame: Ongoing
Responsibility: City Manager's Office
Funding Source: City funds

Program H.C.1.c Re-examine the zoning ordinance regulations pertaining to nonconforming residential uses and structures to determine if further amendments to the regulations could facilitate private sector maintenance and improvement of these properties. *Also see Program H.I.1.e.*

Time Frame: Ongoing
Responsibility: Community Development Department, Planning Commission, City Council
Funding Source: City funds

Program H.C.1.d Encourage maintenance of existing units in the NCRO-2 Downtown Brisbane Neighborhood Commercial District through the use of County, State and Federal rehabilitation funds.

Time Frame: Ongoing
Responsibility: Community Development Department, City Manager's Office
Funding Source: Outside agencies, as indicated

Goal H.D Ensure that new residential development is compatible with existing development and reflects the diversity of the community.

Policy H.D.1 Retain the small town character of existing residential neighborhoods, while allowing for increased housing density appropriate to the multi-family residential districts.

Program H.D.1.a Continue to develop master plans to maintain and upgrade public infrastructure in residential neighborhoods. Seek grants and other special funds to supplement utility and gas tax funds to implement improvement projects.

Time Frame: Ongoing
Responsibility: Public Works Department
Funding Source: City funds

Program H.D.1.b *Continue ~~Amend the R-2 and R-3 Districts regulations~~ to allow dwelling groups (as defined by Brisbane Municipal Code Section 17.02.240) as a permitted use (instead of a conditional use) in the R-2 and R-3 Districts, and also allow them in the new R-4 and NCRO-3 Districts. Also allow dwelling groups as a conditional use in ~~the R-SWB District~~ the SCRO-1 (see Program H.B.1.i).*

Time Frame: *October 2012 (see Program H.B.1.a) December 31, 2018*
Responsibility: Community Development Department, Planning Commission, City Council
Funding Source: City funds

Program H.D.1.c Revise the SCRO-1 District setback requirements to be similar to the R-

~~3-District standards for residential uses, while specifying appropriate setbacks for commercial uses similar to those for the TC-1 District, with exceptions possible through Use Permit approval.~~

~~Time Frame: October 2012 (see Program H.B.1.a)~~

~~Responsibility: Community Development Department, Planning Commission,
City Council~~

~~Funding Source: City funds~~

Program ~~H.D.1.d~~ H.D.1.c For the new zoning districts intended to accommodate affordable housing, adopt ~~form-based codes~~ appropriate zoning regulations consistent with Government Code Section 65583.2(i) that allow at least three-story development and provide objective, quantifiable development standards including, but not limited to, building form, architecture, public space and landscaping in the applicable districts to non-subjectively address concerns that would otherwise be taken care of through discretionary design review approval in compliance with Government Code Section 65589.5(d), (i) & (j) (also see Program H.B.1.e).

[INCORPORATING A PORTION OF PROGRAM H.B.1.b]

Time Frame: ~~October 2012~~ January 31, 2016 for Program H.B.1.a and May 31, 2018 for Program H.B.1.b (see Program H.B.1.a)

Responsibility: Community Development Department, Planning Commission,
City Council

Funding Source: City funds

Goal H.E Encourage compact, in-fill, mixed use and transit oriented development to reduce vehicle miles traveled and greenhouse gas emissions.

Policy H.E.1 Encourage housing that supports transit oriented development (TOD) and smart growth to minimize automobile trips, and reduce greenhouse gases.

Program H.E.1.a Consider revisions to the Zoning regulations to include mixed-use and live-work housing where appropriate.

Time Frame: Ongoing

Responsibility: Community Development Department, Planning Commission,
City Council

Funding Source: City funds

Program H.E.1.b Continue to allow residential uses above or behind storefront uses in the NCRO-2 Downtown Brisbane Neighborhood Commercial District and encourage residential uses in new mixed-use developments in designated zoning districts.

Time Frame: Ongoing

Responsibility: Community Development Department, Planning Commission,
City Council

Funding Source: City funds

Program H.E.1.c ~~Replace~~ Update the General Plan's Subregional/ Commercial/ Retail/ Office land use designation for the ~~central southern~~ portion of the Southwest Bayshore subarea, ~~including that covers the mobilehome park, with the appropriate residential~~

designations as necessary to maintain consistency with any rezoning.

*Time Frame: As part of the General Plan update, but no later than ~~October 2012~~
December 2018(see Programs H.B.1.a H.B.1.c & H.B.1.i)*

*Responsibility: Community Development Department, Planning Commission,
City Council*

Funding Source: City funds

Program H.E.1.d Consider changes to the zoning ordinance for multifamily housing as part of transit oriented development (within ¼ mile of a transit stop), such as:

- *Reduce parking minimums and establish parking caps*
- *Increase building height limits to at least 35 ft. to allow three-story development*
- *Provide for flexible setbacks and increased lot coverage*
- *Promote adaptive reuse of existing buildings*
- *Allow TOD housing that meets the requirements of the zoning ordinance without the requirement of a use permit.*

Time Frame: Ongoing

*Responsibility: Community Development Department, Planning Commission,
City Council*

Funding Source: City funds

Goal H.F Encourage sustainable residential development to conserve resources and improve energy efficiency to reduce housing costs and reduce greenhouse gas emissions.

Policy H.F.1 Continue to implement the green building program.

Program H.F.1.a Periodically review and update the green building ordinance as new information becomes available.

Time Frame: Ongoing

Responsibility: Community Development Department, City Council

Funding Source: City funds

Policy H.F.2 Assist in publicizing energy conservation programs and weatherization services that provide low or no cost energy conservation inspections and assistance

Program H.F.2.a Provide information about home energy conservation programs and the financial benefits of energy conservation through the City's website, articles in the Brisbane Star, water bill inserts, flyers, bulk mailing or other local sources of public information.

Time Frame: Ongoing

Responsibility: City Manager's Office

Funding Source: City funds

Program H.F.2.b Encourage energy conservation retrofitting of existing homes in conjunction with home repairs and renovation by providing accessible public information

on code requirements and recommended improvements

Time Frame: Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Program H.F.2.c Pursue funding opportunities and provide public information on programs to increase the energy efficiency of existing homes and the production of renewable energy.

Time Frame: Ongoing

Responsibility: City Manager's Office

Funding Source: City funds

Policy H.F.3 Publicize water conservation programs and develop local measures to assist very-low-, low- and moderate-income households manage their utility costs

Program H.F.3.a Provide information about water conservation programs and the financial benefits of water conservation through the City's website, articles in the Brisbane Star, water bill inserts, flyers, bulk mailing or other local sources of public information

Time Frame: Ongoing

Responsibility: City Manager's Office, Public Works Department

Funding Source: City funds

Program H.F.3.b Consider opportunities to make low-flow and other conservation devices available to very-low-, low- and moderate-income households and provide available counseling on conservation measures for landscape irrigation

Time Frame: Ongoing

Responsibility: City Manager's Office, Public Works Department

Funding Source: City funds

Policy H.F.4 Promote sustainable development that addresses affordability through the use of solar sensitive design in new housing development projects

Program H.F.4.a Enforce Title 24 energy conservation requirements and require project design to take advantage of natural heating and cooling and the benefits of solar access to the extent possible given site constraints.

Time Frame: Ongoing

Responsibility: Community Development Department

Funding Source: City funds

Goal H.G Provide Encourage housing opportunities ~~for people who work in Brisbane to~~ that reduce vehicle miles traveled and greenhouse gas emissions.

Policy H.G.1 ~~Require new employers generating 100 or more daily commute trips to offer relocation assistance to employees who agree to relocate to Brisbane~~ Participate in regional smart growth planning efforts.

Program H.G.1.a ~~Inform local employees about available housing units and housing assistance programs through the City website and their place of employment~~ Cooperate with the Metropolitan Transportation Commission and the Association of Bay Area Governments in implementing Plan Bay Area, including the Sustainable Communities Strategy and 2040 Regional Transportation Plan.

Time Frame: Ongoing

Responsibility: City Manager's Office, Community Development Department

Funding Source: City funds

Program H.G.1.b ~~Monitor, through periodic survey of local employers and employees, the implementation of the relocation assistance policy~~ Cooperate with the City/County Association of Governments of San Mateo County in implementing C/CAG's Congestion Management Program.

Time Frame: Ongoing

Responsibility: City Manager's Office, Community Development Department

Funding Source: City funds

Goal H.H Ensure that housing development that is not in urbanized areas mitigates the infrastructure cost and impacts of development.

Policy H.H.1 Assure that new development absorbs the cost of mitigating the environmental, social and service impacts it brings to the community

Program H.H.1.a For new development applications, condition approvals so that proper fees and charges are levied to cover the costs of the development to the community. Consider subsidizing fees for projects which provide a significant proportion of housing units affordable to very-low- and/or low-income households. ~~Consider adopting requirements to collect housing impact fees from new market-rate housing developments and commercial linkage fees from new non-residential developments.~~

Time Frame: Ongoing

Responsibility: Community Development Department, Public Works Department, Fire Department, Police Department, City Manager's Office, Planning Commission, City Council

Funding Source: Private funds, City funds

Program H.H.1.b Require fiscal impact studies for residential projects that could have a significant effect on the City's ability to provide services

Time Frame: Ongoing

Responsibility: Community Development Department, Finance Department, City Manager's Office

Funding Source: Property owners and developers

Policy H.H.2 Regulate the development of environmentally sensitive and hazardous lands to assure the mitigation of significant impacts.

Program H.H.2.a Work with responsible agencies to protect identified environmentally

sensitive areas, including, but not limited to, wetlands, riparian habitat, critical wildlife habitat, geologically hazardous areas, areas subject to flooding, visually prominent or sensitive areas, and electric transmission line corridors.

Time Frame: Ongoing

Responsibility: Community Development Department, Public Works Department

Funding Source: City funds

Program H.H.2.b Continue ~~Revise the zoning ordinance regulations~~ to permit clustered development in the Brisbane Acres subarea, consistent with the San Bruno Mountain Area Habitat Conservation Plan, to place housing development where it can be best served by infrastructure and public safety services.

Time Frame: Ongoing ~~December 2011~~

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

~~*Program H.H.2.c Clarify the R-BA District's density transfer provisions so that if multiple properties are acquired for dedication as open space through density transfer, the combined area would be used to calculate the number of transfer units, not each property individually (BMC Section 17.12.050.A.1).*~~

~~*Time Frame: December 2011, concurrent with Program H.H.2.b*~~

~~*Responsibility: Community Development Department, Planning Commission, City Council*~~

~~*Funding Source: City funds*~~

~~*Program H.H.2.d Clarify the R-BA District's density transfer provisions to recognize the density transfer value of undeveloped "paper streets" in the upper Brisbane Acres, once it can be established that they are not subject to claims of access rights by necessity from any remaining private property owners in the upper Brisbane Acres, even though the Open Space Plan did not specifically designate them as having open space value (BMC Section 17.12.050.A.2).*~~

~~*Time Frame: December 2011, concurrent with Program H.H.2.b*~~

~~*Responsibility: Community Development Department, Planning Commission, City Council*~~

~~*Funding Source: City funds*~~

Program H.H.2.c Amend the Safety and Conservation Elements of the General Plan to include analysis and policies regarding flood hazard and management information per Government Code Section 65302.

Time Frame: Concurrent with pending adoption of updated General Plan

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Goal H.I Avoid unreasonable government constraints to the provision of housing.

Policy H.I.1 Seek to reduce regulatory constraints on the development of new housing, especially infill housing and housing that adds to the mix of types, size, tenure and affordability.

Program H.I.1.a Continue to evaluate and implement changes to the zoning ordinance and permitting process to simplify and streamline approval of projects that meet the City's housing goals.

Time Frame: Ongoing

Responsibility: Community Development Department, Public Works Department, Fire Department, Planning Commission, City Council

Funding Source: City funds

Program H.I.1.b Revise the residential parking requirements so as to be based upon floor area and/or number of bedrooms, consistent for single-family dwellings, secondary dwelling units, duplexes and multi-family dwelling units.

Time Frame: December ~~2011~~ 2015, concurrent with Program H.B.3.b

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Program H.I.1.c ~~Revise~~ ~~Consider-revising~~ the parking requirements for secondary dwelling units to encourage smaller, more affordable units. ~~Once the revision is adopted, develop an outreach program to publicize the changes.~~

Time Frame: December ~~2011~~ 2015, concurrent with Program H.B.3.b

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

~~Program H.I.1.d Amend the Zoning Ordinance to provide a permit process parallel to the modification permitted in the Subdivision Ordinance (Brisbane Municipal Code Section 16.36.040) to allow property to be split into sites that meet the minimum lot area standard even if they do not meet the minimum lot dimension standards. Continue to refine the Design Permit findings to address any unnecessary constraints.~~
[REVISED H.B.1.c AND MOVED HERE]

Time Frame: ~~Ongoing~~ ~~December 2013~~

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

~~Program H.I.1.e Clarify the "substandard lot" provisions of the Zoning Ordinance, and update the merger ordinance. Continue to study ways in which constraints upon nonconforming residential structures may be reduced. Also see Program H.C.1.c.~~

Time Frame: ~~December 2013~~ Ongoing

Responsibility: Community Development Department, Planning Commission, City Council

Funding Source: City funds

Program H.I.1.f Evaluate City staffing requirements with regard to improving procedures for processing development applications.

Time Frame: Annually, as part of the budget process

*Responsibility: Community Development Department, City Manager's Office,
City Council*

Funding Source: City funds

Program H.I.1.g Deliver the Housing Element, with a cover letter noting the City's share of the regional housing need, to the San Francisco Public Utilities Commission, the City of Brisbane's water and sewer provider, immediately upon adoption. Send any future Housing Element updates or amendments within 1 month of adoption.

Time Frame: Upon adoption

Responsibility: Community Development Department, Public Works Department

Funding Source: City funds

Program H.I.1.h Prepare an annual report to the City Council and California Department of Housing and Community Development on progress made in implementing the General Plan and Housing Element policies and programs per Government Code Section 65400. Include a review for internal consistency and compliance with Government Code Sections 65302(d)(3) and 65302(g)(2) as amended by Chapter 369, Statutes 207 [AB 162].

Time Frame: Annually

Responsibility: Community Development Department

Funding Source: City funds

Policy H.I.2 Identify and seek to remove unnecessary constraints on the provision of housing resulting from the authority of County, Regional, State and Federal agencies.

Program H.I.2.a As issues arise regarding constraints on affordable housing posed by the authority of other agencies, act to make the agencies aware of the constraints and encourage them take appropriate action.

Time Frame: Ongoing

*Responsibility: Community Development Department, City Manager's Office,
City Council*

Funding Source: City funds

Program H.I.2.b Work with the League of California Cities to identify and address constraints on housing due to the preemption of other agencies.

Time Frame: Ongoing

Responsibility: Community Development Department, City Manager's Office

Funding Source: City funds

APPENDIX D.
Completeness Checklist

Completeness Checklist

Public Participation (Section 65583(c)(8))		
(See Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/GS_publicparticipation.php)		
	Page(s)	Comments
Description of diligent effort to include all economic segments of the community and/or their representatives in the development and update of the housing element (e.g., types of outreach, meetings, appropriate languages, list of invitees and general comments and how they were incorporated)		

Review and Revise (Section 65588)		
(See Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/GS_reviewandrevise.php)		
	Page(s)	Comments
Progress in implementation – A description of the actual results or outcomes of the prior element’s goals (i.e., what happened), objectives, policies, and programs. Include quantification of results where possible (e.g., number of units rehabilitated) and may be qualitative where necessary (e.g., mitigation of governmental constraints)		
Effectiveness of the element – For each program, include an analysis comparing significant differences between what was projected or planned in the earlier element and what was achieved. Analyze the differences to determine where the previous housing element met, exceeded, or fell short of what was anticipated		
Appropriateness of goals, objectives, policies and programs – A description of what has been learned based on the analysis of progress and effectiveness of the previous element. A description of how the goals, objectives, policies, and programs in the updated element are being changed or adjusted to incorporate what has been learned from the results of the previous element		

Housing Needs Assessment (Section 65583(a)(1 and 2))

(See Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/HN_home.php)

Page(s)	Data Source (if not identified in the housing element)	Comments
Quantification and analysis * of existing and projected housing needs		
Populations and employment trends, including documentation of projections		
Housing and Household characteristics, including: <ul style="list-style-type: none"> • Level of payment compared with ability to pay (overpaying households) • Housing stock conditions • Overcrowded households 		
Existing and projected needs for all income levels, including: <ul style="list-style-type: none"> • Regional Housing Need Allocation (RHNA) • Existing housing need for extremely low income households • Projected housing need for extremely low income households based on RHNA or Census (see Section 65583(a)(1)) 		

* Analysis is defined as a description and evaluation of specific needs, characteristics and resources available to address identified needs

Persons with Special Needs (Section 65583(a)(7))

(See Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/HN_SHN_home.php)

Identification and analysis of any special housing needs including:*	Page(s)	Data Source (if not identified in the element)	Comments
<ul style="list-style-type: none"> Elderly Persons with disabilities, including developmental disabilities (See Memo at http://www.hcd.ca.gov/hpd/NoticeCoverLtrttrSB812.pdf) Large households Farmworkers (seasonal and permanent) Female headed households Homeless (annual and seasonal) ** Other 			

* Analysis is defined as a description and evaluation of specific needs, characteristics and resources available to address identified needs
 ** See Section 65583(a)(7) for additional information regarding this requirement

At-risk Units (Section 65583(a)(9))

(See Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/EHN_atrisk.php)

	Page(s)	Comments
Inventory of at-risk units (10 years from the housing element due date) (Section 65583(a)(9)(A))		
Estimate of replacement versus preservation costs (Section 65583(a)(9)(B))		
Identification of qualified entities Section 65583(a)(9)(C))		
Identification of potential funding Section 65583(a)(9)(D))		

Note: Section 65583(a)(9) has many detailed requirements. Agencies with at-risk units should review the specific statutory requirements to ensure a complete analysis.

Potential Governmental and Non-governmental Constraints

(Section 65583(a)(5 and 6))

(See Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/CON_home.php)

	Page(s)	Comments
<p><u>Potential Governmental Constraints</u></p> <p>Include an analysis of actual and potential governmental constraints for each of the following:</p>		
<p>Land use controls (e.g., parking, lot coverage, heights, unit sizes, open space requirements, floor area ratios, growth controls (e.g., caps on units or population or voter approval requirements)</p>		
<p>Building codes and their enforcement (e.g., current CBC, any local amendments and local code enforcement programs)</p>		
<p>Site improvement requirements (e.g., street widths, etc.)</p>		
<p>Fees and other exactions (e.g., analyze all planning and impact fees and impact on total development costs)</p>		
<p>Local processing and permit procedures (e.g., typical processing times, permit types by housing type, decision-making criteria and bodies)</p>		
<p>Housing for persons with disabilities (e.g., definition of family, concentration requirements, reasonable accommodation procedures)</p>		
<p>Potential and actual constraints on the development of a variety of housing types for all income levels, including multifamily rental housing, factory-built housing, mobile homes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters and transitional housing</p>		

	Page(s)	Comments
<p>Local efforts to remove governmental constraints that hinder the</p>		

locality from meeting its share of the regional housing need		
Local efforts to remove governmental constraints that hinder meeting the need for housing for persons with disabilities, supportive housing, transitional housing and emergency shelters		
Transitional housing and supportive housing as a residential use of property and subject only to those restrictions that apply to other residential dwellings of the same type in the same zone		
<u>Potential Non-governmental Constraints</u>		
Include an analysis of actual and potential non-governmental constraints for each of the following:		
Availability of financing		
Price of land		
Cost of construction		

Sites Inventory and Analysis (Section 65583(a)(3) and 65583.2))

(See Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/SIA_home.php)

	Page(s)	Comments
<p>Listing of properties by parcel number or other unique, reference showing for each parcel (Section 65583.2(b)(1) – (3):</p> <ul style="list-style-type: none"> • Size • General plan designation • Zoning category • For non-vacant sites, description of existing uses • Number of units that can be accommodated on each site 		
<p>* Sites available for Above Moderate income households and not served by public sewer need not be identified on a site specific basis (Section 65583.2(b)(6))</p>		
<p>General description of environmental constraints to the development of housing (Section 65583.2(b)(4)</p>		
<p>General description of infrastructure (planned/available) including water, sewer and other dry utilities, including availability and access to distribution facilities (Section 65583.2(b)(5)</p>		
<p>In determining the number of units on each site, indicate how the number of units was determined.</p> <ul style="list-style-type: none"> • If development is required at minimum density, indicate the number of units at the minimum density. No further analysis is required. • If development is not required at minimum density, demonstrate how the number of units were determined and adjust, if necessary, for local land use controls. 		

	Page(s)	Comments
<p>For Non-vacant sites, specify the additional development potential for each site within the planning period and provide an explanation of the methodology to determine development potential considering factors, including the extent to which existing uses may constitute an impediment to additional residential development, development trends, market conditions and regulatory or other incentives to encourage additional residential development (Section 65583.2(b)(7))</p> <p>Demonstration of zoning to accommodate the housing need for lower income households (Section 65583.2(c)(3)) and (d) – (f))</p>		
<ul style="list-style-type: none"> • Indicate those sites that can accommodate lower income households • Indicate those sites where the density allowed is at the “deemed appropriate” [default] density (65583.2(c)(3)(B)) • For sites that can accommodate lower income households, but with allowed densities less than the “deemed appropriate” density, provide analysis demonstrating how the adopted densities accommodate the need for lower income housing. The analysis must include: <ul style="list-style-type: none"> ○ Market demand ○ Financial feasibility ○ Project experience within a zone providing housing for lower income households (65583.2(c)(3)(A)) 		
<p>Map of Sites included in the inventory (Section 65583.2(b)(7))</p>		
<p>Number of units built between the start of the projection period and the deadline for adoption of the housing element (Government Code Section 65583.1(d)</p>		
<p>Number of units proposed using alternative provisions such as rehabilitation, conversion, preservation or second units (Section 65583.1). See checklist at http://www.hcd.ca.gov/hpd/housing_element2/examples/655831Checklist.pdf</p>		

Page(s)	Comments
	Identification of zoning for a variety of types:
	Multifamily rental housing
	Factory-built housing
	Mobilehomes
	Housing for agricultural employees
	Emergency shelters (See Section 65583(a)(4) and the Department's memo at http://www.hcd.ca.gov/hpd/sb2_memo050708.pdf)
	Transitional and supportive housing (See Section 65583(a)(5) and the Department's memo at http://www.hcd.ca.gov/hpd/sb2_memo050708.pdf)
	Carryover obligation (AB 1233: Section 65584.09 – See memo at http://www.hcd.ca.gov/hpd/hrc/plan/he/ab_1233_final_dt.pdf)

Quantified Objectives and Housing Programs (Section 65583(b) and (c)(1 through 6))

(See Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/PRO_home.php)

Page(s)	Comments
<p>Provide statement of quantified objectives (Section 65583(b)):</p> <p>Maximum number of units, by income group, including extremely low-income of:</p> <ul style="list-style-type: none"> • new construction; • rehabilitation; and • conservation. 	
<p>Include programs (Section 65583(c) and (c)(7)) with:</p> <ul style="list-style-type: none"> • Schedule of specific actions; • Timeline for implementation with a beneficial impact in the planning period; and • Identification of agencies and officials responsible for implementing each program. 	
<p>Program(s) providing adequate sites (Section 65583(c)(1)):</p> <p>Programs to rezone and any other programs needed to address a shortfall of sites to accommodate the regional housing need, if applicable, and any programs included pursuant to Section 65583.2(h) and (i) or carryover obligation pursuant to Section 65584.09</p> <p>Programs to rezone and any other programs needed to address a shortfall of capacity for housing for farmworkers that could not be accommodated on sites identified in the inventory, if applicable.</p> <p>If applicable, programs to facilitate a variety of housing types, including multifamily rental, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single room occupancy, emergency shelters and transitional and supportive housing</p>	
Page(s)	Comments
<p>Programs to assist in the development of housing for extremely low, very low, low and moderate income households (Section 65583(c)(2))</p>	

Program(s) to address governmental constraints (Section 65583(c)(3)):

Programs to address governmental constraints and where appropriate and legally possible, to remove constraints to the maintenance, improvement and development of housing		
Program to remove constraints on housing for persons with disabilities and provide reasonable accommodation for housing for persons with disabilities		
Program(s) to conserve and improve the condition of the existing affordable housing stock (Section 65583(c)(4))		
Program(s) to promote housing opportunities for all persons (Section 65583(c)(5))		
Program(s) to preserve at-risk units (Section 65583(c)(6))		

Other Requirements

(See Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/OR_home.php) and http://www.hcd.ca.gov/hpd/housing_element2/SIA_conservation.php)

	Page(s)	Comments
Description of general plan consistency (Section 65583(c)(7))		
Analysis of construction, demolition and conversion of housing for lower income households in the Coastal Zone (Section 65588)		
Description of opportunities for energy conservation in residential development (Section 65583(a)(8))		
Water and Sewer Priority (Section 65589.7) See the HCD Memo at http://www.hcd.ca.gov/hpd/memo_sb1087.pdf . *		
SB 5 and AB 162 (Flood Hazard Land Management) See the HCD Memo at http://www.hcd.ca.gov/hpd/hrc/plan/he/ab_162_stat07.pdf *		
SB 244 (Disadvantaged Communities) See Governor's Office of Planning and Research for technical assistance at http://opr.ca.gov/ *		
* These are not required for a complete housing element and are not required to be part of the housing element and have been included as an information item to assist local governments in meeting requirements triggered by the housing element update schedule.		

APPENDIX G.
Environmental Assessment

**TABLE G.1
Housing Element Environmental Assessment
By Subarea and Zoning District**

(NI = No Impact, LTS = Less than Significant Impact)

Subarea	Zoning District	Environmental Issue																		
		Aesthetics	Agri-culture	Air Quality	Biological Resources	Cultural Resources	Geology & Soils	Green-house Gas Emissions	Hazards & Hazardous Materials	Hydrology & Water Quality	Land Use & Plan-ning	Mineral Resources	Noise	Population & Housing	Public Services	Recreation	Transpor-tation & Traffic	Utilities & Service Systems	Mandatory Findings	
Central Brisbane	R-1	LTS	NI	LTS	LTS	LTS	LTS	LTS: H.B.5, H.E.1, H.H.1 & H.I.1 and H.A.1.b, H.B.1.a, H.B.1.b, H.B.1.e, H.B.3.b, H.B.3.c, H.B.3.g, H.B.4.b, H.D.1.d, H.E.1.d, H.F.4.a, H.H.1.a, H.I.1.b & H.I.1.c	LTS	LTS	LTS	NI	LTS: CBC	LTS	LTS	LTS	LTS	LTS	LTS	
	R-2	LTS		LTS	LTS	LTS	LTS	LTS	LTS	LTS										
	R-3	LTS		LTS	LTS	LTS	LTS	LTS	LTS	LTS										
Southwest Bayshore	R-SWB (new)	LTS: H.B.1.b & H.D.1.d		LTS: H.B.1.b & H.D.1.d	LTS: HCP	LTS: PRC	LTS: BMC & CBC	LTS: H.B.1.b, H.B.1.e, H.B.3.b, H.B.3.c, H.B.3.g, H.B.4.b, H.D.1.d, H.E.1.d, H.F.4.a, H.H.1.a, H.I.1.b & H.I.1.c	LTS: H.B.1.b & H.D.1.d	LTS	LTS									LTS: H.H.1.a
	R-MHP (new)	LTS		LTS	LTS: HCP	LTS	LTS	LTS	LTS	LTS	LTS									
	SCRO-1	LTS		LTS	LTS	LTS	LTS	LTS	LTS	LTS	LTS									
Northeast Ridge	PD	LTS		LTS	LTS: HCP	LTS	LTS	LTS	LTS	LTS	LTS									
Brisbane Acres	R-BA	LTS		LTS	LTS: HCP	LTS	LTS	LTS	LTS	LTS	LTS									
Crocker Park	NCRO-3 (new)	LTS: H.B.1.b & H.D.1.d		LTS: H.B.1.b & H.D.1.d	LTS	LTS	LTS: BMC & CBC	LTS: H.B.1.b, H.B.1.e, H.B.3.b, H.B.3.c, H.B.3.g, H.B.4.b, H.D.1.d, H.E.1.d, H.F.4.a, H.H.1.a, H.I.1.b & H.I.1.c	LTS	LTS: BMC	LTS									

H.B.1.b & H.D.1.d = District regulations and form based codes adopted per proposed Housing Element Programs H.B.1.b & H.D.1.d will address scenic vistas, respect for natural topography, vegetation screening/buffers, light pollution, air filtration systems, and fire-resistant landscaping

HCP = Compliance with the San Bruno Mountain Area Habitat Conservation Plan will mitigate impacts upon endangered species habitat, if any.

PRC = Public Resources Code Section 210832 sets the protocol should any archaeological resources or human remains be found during excavation.

BMC & CBC = Brisbane Municipal Code Chapter 15.01 requires geotechnical/engineering studies for grading in areas of potential landsliding, liquefaction and expansive soils. California Building Code Section 1802 requires soils investigations for construction in areas of potential landsliding, liquefaction and expansive soils.

H.B.5, H.E.1, H.H.1 & H.I.1 and H.A.1.b, H.B.1.a, H.B.1.b, H.B.1.e, H.B.3.b, H.B.3.c, H.B.3.g, H.B.4.b, H.D.1.d, H.E.1.d, H.F.4.a, H.H.1.a, H.I.1.b & H.I.1.c = Greenhouse gas emissions would be mitigated by proposed Housing Element Policies H.B.5, H.E.1, H.H.1 & H.I.1 and Programs H.A.1.b, H.B.1.a, H.B.1.b, H.B.1.e, H.B.3.b, H.B.3.c, H.B.3.g, H.B.4.b, H.D.1.d, H.E.1.d, H.F.4.a, H.H.1.a, H.I.1.b & H.I.1.c, per of the Bay Area Air Quality Management District's CEQA Air Quality Guidelines, 4-12 through 4-19 and 9-8 through 9-20.

BMC = Although the proposed NCRO-3 District is within a 100-year flood zone, recent development projects have demonstrated that construction is feasible above calculated base flood elevations in compliance with Brisbane Municipal Code Chapter 15.56.

CBC = California Building Code Section 1207 requires that residential units built within traffic noise corridors (60-75 dB) be designed so that outside noise levels within the units will not exceed 45 dB CNEL.

H.H.1.a = Housing Element Program H.H.1.a would require projects generating traffic that would impact the Bayshore Boulevard/San Bruno Avenue intersection to contribute their fair share toward the cost of reconfiguration and signalization of this intersection.

TABLE G.2
Housing Element Environmental Assessment
By Proposed Program
(NI = No Impact, LTS = Less than Significant Impact)

Program	Description	Net New Unit Potential*	Environmental Impacts																	
			Aesthetics	Agriculture	Air Quality	Biological Resources	Cultural Resources	Geology & Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials	Hydrology & Water Quality	Land Use & Planning	Mineral Resources	Noise	Population & Housing	Public Services	Recreation	Transportation & Traffic	Utilities & Service Systems	Mandatory Findings
H.A.1.a	Non-discrimination	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.A.1.b	Public information	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.1.a	Rezoning: NCRO-3 District (125 Valley Dr., 25 & 41-43 Park Pl.)	125-199	LTS with H.B.1.b & H.D.1.d	NI	LTS with H.B.1.b & H.D.1.d	NI	LTS	LTS: BMC & CBC	Pre-mitigation **	LTS with H.B.1.b & H.D.1.d	LTS: BMC	LTS with H.B.1.d	NI	LTS: CBC	LTS	LTS	LTS	LTS	LTS	LTS
	Rezoning: R-SWB District (3832-4090 Bayshore Blvd., 1093-1107 San Bruno Ave & McLain Rd)	136-196 (Also see H.B.3.e & H.B.3.i)	LTS with H.B.1.b & H.D.1.d	NI	LTS with H.B.1.b & H.D.1.d	LTS: HCP	LTS: PRC	LTS: BMC & CBC	Pre-mitigation **	LTS with H.B.1.b & H.D.1.d	LTS	LTS with H.B.1.d & H.E.1.c	NI	LTS: CBC	LTS	LTS	LTS	LTS with H.H.1.a	LTS	LTS
	Rezoning: R-MHP District (3800 Bayshore Blvd.)	No change: see BMC Section 17.16.030, A.15	LTS	NI	LTS	LTS: HCP	LTS	LTS	LTS	LTS	LTS	LTS	LTS with H.B.1.d & H.E.1.c	NI	LTS	LTS	LTS	LTS	LTS	LTS
H.B.1.b	Development regulations	N/A	Pre-mitigation **	NI	Pre-mitigation **	LTS: HCP	LTS	LTS	LTS	LTS	LTS	LTS	NI	LTS	LTS	LTS	LTS	LTS	LTS	LTS
H.B.1.c	Design Permits	N/A	See H.B.1.b & H.D.1.d	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.1.d	General Plan land use amendments	See H.B.1.a	LTS with H.B.1.b & H.D.1.d	NI	LTS with H.B.1.b & H.D.1.d	LTS: HCP	LTS: PRC	LTS: BMC & CBC	LTS	LTS with H.B.1.b & H.D.1.d	LTS	Pre-mitigation **	NI	LTS	LTS	LTS	LTS	LTS	LTS	LTS
H.B.1.e	Second Unit affordability	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.1.f	Definitions	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.1.g	SRO Units in SCRO-1 District	No change: see BMC Section 17.16.030, A.9	LTS	NI	LTS	LTS: HCP	LTS: PRC	LTS: BMC & CBC	LTS	LTS	LTS	LTS	NI	LTS: CBC	LTS	LTS	LTS	LTS	LTS	LTS
H.B.2.a	Preserve affordable units	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI
H.B.3.a	Housing sites for seniors & persons with disabilities	N/A	LTS	NI	LTS	LTS	LTS: PRC	LTS: BMC & CBC	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.3.b	Parking for senior housing	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI
H.B.3.c	Parking for units for	N/A	NI	NI	NI	NI	NI	NI	Pre-	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation	NI	NI

TABLE G.2: Housing Element Environmental Assessment By Proposed Program
(NI = No Impact, LTS = Less than Significant Impact)

Program	Description	Net New Unit Potential*	Environmental Impacts																	
			Aesthetics	Agriculture	Air Quality	Biological Resources	Cultural Resources	Geology & Soils	Green-house Gas Emissions	Hazards & Hazardous Materials	Hydrology & Water Quality	Land Use & Planning	Mineral Resources	Noise	Population & Housing	Public Services	Recreation	Transportation & Traffic	Utilities & Service Systems	Mandatory Findings
	persons with disabilities								mitigation**									**		
H.B.3.e	Convalescent homes in R-SWB District	See H.B.1.a	LTS with H.B.1.b & H.D.1.d	NI	LTS	LTS: HCP	LTS: PRC	LTS: BMC & CBC	LTS	LTS with H.B.1.b & H.D.1.d	LTS	LTS	NI	LTS: CBC	LTS	LTS	LTS	LTS with H.H.1.a	LTS	LTS
H.B.3.f	Shared housing	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.3.g	Special needs housing	N/A	NI	NI	Pre-mitigation**	NI	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.3.h	County homeless Programs	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.3.i	Emergency shelters in R-SWB District	See H.B.1.a	LTS with H.B.1.b & H.D.1.d	NI	LTS	LTS: HCP	LTS: PRC	LTS: BMC & CBC	LTS	LTS with H.B.1.b & H.D.1.d	LTS	LTS	NI	LTS: CBC	LTS	LTS	LTS	LTS with H.H.1.a	LTS	LTS
H.B.3.j	Priority water & sewer service	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI
H.B.4.a	Condo conversions	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.4.b	Inclusionary housing	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.5.a	Density bonus	Undetermined	LTS with H.B.1.b & H.D.1.d	NI	Pre-mitigation**	LTS: HCP	LTS: PRC	LTS: BMC & CBC	LTS	LTS	LTS	LTS	NI	LTS	LTS	LTS	LTS	LTS	LTS	LTS
H.B.6.a	Study hillside development	N/A	NI	NI	NI	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.7.a	Affordable housing programs	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.7.b	Non-profit housing	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.7.c	Home equity program	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.8.a	County rental assistance programs	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.a	Redevelopment funds for non-profit housing	N/A	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.b	Land bank	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.c	PFP District	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.d	Rehabilitation	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.e	Redevelopment subsidies	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.f	First-time homebuyer program	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.g	County rehabilitation programs	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.h	Self-help projects	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.i	Leverage	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI

TABLE G.2: Housing Element Environmental Assessment By Proposed Program
(NI = No Impact, LTS = Less than Significant Impact)

Program	Description	Net New Unit Potential*	Environmental Impacts																	
			Aesthetics	Agriculture	Air Quality	Biological Resources	Cultural Resources	Geology & Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials	Hydrology & Water Quality	Land Use & Planning	Mineral Resources	Noise	Population & Housing	Public Services	Recreation	Transportation & Traffic	Utilities & Service Systems	Mandatory Findings
H.B.9.j	Retrofit loans & grants for special needs	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.k	Fee subsidies	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.l	State and Federal programs	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.B.9.m	Joint jurisdiction projects	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.C.1.a	Inspection program	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.C.1.b	Publicize rehab loan programs	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.C.1.c	Nonconforming uses & structures	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.C.1.d	NCRO-2 District rehab programs	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.D.1.a	Infrastructure master plans	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI
H.D.1.b	Dwelling groups	N/A	LTS	NI	LTS	LTS	NI	LTS	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.D.1.c	SCRO-1 District setbacks	N/A	LTS	NI	LTS	LTS	NI	LTS	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.D.1.d	Form-based codes	N/A	Pre-mitigation**	NI	Pre-mitigation**	LTS: HCP	LTS: PRC	LTS: BMC & CBC	Pre-mitigation**	NI	NI	NI	NI	LTS: CBC	LTS	LTS	LTS	LTS	LTS	LTS
H.E.1.a	Mixed-use and live-work housing	See H.B.1.a	LTS	NI	Pre-mitigation**	LTS	LTS: PRC	LTS	LTS	NI	LTS	LTS	NI	LTS	LTS	LTS	LTS	LTS	Pre-mitigation**	LTS
H.E.1.b	Residential uses in mixed-use districts	See H.B.1.a	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI
H.E.1.c	General Plan land use amendments	See H.B.1.a	See H.B.1.b & H.D.1.d	NI	See H.B.2.b & H.D.1.d	LTS: HCP	LTS: PRC	LTS: BMC & CBC	LTS	See H.B.1.b & H.D.1.d	LTS	Pre-mitigation**	NI	LTS	LTS	LTS	LTS	LTS	LTS	LTS
H.E.1.d	Transit oriented development zoning	See H.B.1.a	LTS	NI	Pre-mitigation**	LTS	LTS: PRC	LTS	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI	NI
H.F.1.a	Green building ordinance	N/A	NI	NI	Pre-mitigation**	NI	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI
H.F.2.a	Energy conservation	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI
H.F.2.b	Encourage retrofitting	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI
H.F.2.c	Energy efficiency	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI
H.F.3.a	Water conservation	N/A	NI	NI	NI**	NI	NI	NI	Pre-mitigation	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation*	NI

G.1.46

TABLE G.2: Housing Element Environmental Assessment By Proposed Program
(NI = No Impact, LTS = Less than Significant Impact)

Program	Description	Net New Unit Potential*	Environmental Impacts																	
			Aesthetics	Agriculture	Air Quality	Biological Resources	Cultural Resources	Geology & Soils	Green-house Gas Emissions	Hazards & Hazardous Materials	Hydrology & Water Quality	Land Use & Planning	Mineral Resources	Noise	Population & Housing	Public Services	Recreation	Transportation & Traffic	Utilities & Service Systems	Mandatory Findings
									**										*	
H.F.3.b	Water conserving retrofits	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI
H.F.4.a	Natural heating & cooling, solar access	N/A	NI	NI	Pre-mitigation **	NI	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI
H.G.1.a	Information program for local employees	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI
H.G.1.b	Relocation assistance	N/A	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI
H.H.1.a	Mitigation costs	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	Pre-mitigation **	NI	Pre-mitigation **	Pre-mitigation **	NI
H.H.1.b	Fiscal impact studies	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	Pre-mitigation **	NI	NI	Pre-mitigation **	NI
H.H.2.a	Environmental protection	N/A	Pre-mitigation **	NI	NI	Pre-mitigation **	Pre-mitigation **	Pre-mitigation **	NI	Pre-mitigation **	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.H.2.b	Clustered development	N/A	LTS	NI	LTS: HCP	Pre-mitigation **	LTS: PRC	LTS: BMC & CBC	LTS	LTS	LTS	LTS	NI	LTS: CBC	LTS	LTS	LTS	LTS	LTS	LTS
H.H.2.c	Density transfer calculations	N/A	LTS	NI	LTS: HCP	Pre-mitigation **	LTS: PRC	LTS: BMC & CBC	LTS	LTS	LTS	LTS	NI	LTS: CBC	LTS	LTS	LTS	LTS	LTS	LTS
H.H.2.d	Density transfer values	N/A	LTS	NI	LTS: HCP	Pre-mitigation **	LTS: PRC	LTS: BMC & CBC	LTS	LTS	LTS	LTS	NI	LTS: CBC	LTS	LTS	LTS	LTS	LTS	LTS
H.H.2.e	Safety & Conservation Elements	N/A	NI	NI	NI	NI	NI	NI	NI	NI	Pre-Mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.I.1.a	Permit processing	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.I.1.b	Parking requirements	N/A	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI
H.I.1.c	Second unit parking	See Table 35, Note A	NI	NI	Pre-mitigation **	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI	NI
H.I.1.d	Lot split modifications	5	NI	NI	Pre-mitigation **	LTS	LTS: PRC	LTS: BMC & CBC	LTS	LTS	LTS	LTS	NI	LTS	LTS	LTS	LTS	LTS	LTS	LTS
H.I.1.e	Substandard lots	2	NI	NI	Pre-mitigation **	LTS	LTS: PRC	LTS: BMC & CBC	LTS	LTS	LTS	LTS	NI	LTS	LTS	LTS	LTS	LTS	LTS	LTS
H.I.1.f	Staffing	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.I.1.g	Notify City's water & sewer provider	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation **	NI

TABLE G.2: Housing Element Environmental Assessment By Proposed Program
(NI = No Impact, LTS = Less than Significant Impact)

Program	Description	Net New Unit Potential*	Environmental Impacts																	
			Aesthetics	Agriculture	Air Quality	Biological Resources	Cultural Resources	Geology & Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials	Hydrology & Water Quality	Land Use & Planning	Mineral Resources	Noise	Population & Housing	Public Services	Recreation	Transportation & Traffic	Utilities & Service Systems	Mandatory Findings
H.1.1.h	Annual report	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	Pre-mitigation**	NI	NI	NI	NI	NI	NI	NI	NI
H.1.2.a	Intra-agency constraints	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI
H.1.2.b	Work with League of California Cities	N/A	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI

NOTES:
 *This is not applicable (N/A) to programs that would not result in additional units not already possible under existing zoning. The potential impacts of units already possible under existing zoning are not addressed in this review, but will be subject to project-specific environmental review.
 **Programs integral to the Housing Element (as opposed to those incorporated subsequently) that act to mitigate potential impacts are described here as premitigation.
 HCP = Compliance with the San Bruno Mountain Area Habitat Conservation Plan will mitigate impacts upon endangered species habitat, if any.
 PRC = Public Resources Code Section 210832 sets the protocol should any archaeological resources or human remains be found during excavation.
 BMC & CBC = Brisbane Municipal Code Chapter 15.01 requires geotechnical/engineering studies for grading in areas of potential landsliding, liquefaction and expansive soils. California Building Code Section 1802 requires soils investigations for construction in areas of potential landsliding, liquefaction and expansive soils.
 BMC = Although the proposed NCRO-3 District is within a 100-year flood zone, recent development projects have demonstrated that construction is feasible above calculated base flood elevations in compliance with Brisbane Municipal Code Chapter 15.56.
 CBC = California Building Code Section 1207 requires that residential units built within traffic noise corridors (60-75 dB) be designed so that outside noise levels within the units will not exceed 45 dB CNEL.



California Department of Housing and Community Development

Program Requirements

Last Updated 5/6/2010

Programs are the specific action steps each locality will take to implement policies and achieve stated goals and objectives. Programs must include time frames, an identification of agencies and officials responsible, a description of the local government's specific role in implementation and whenever possible, specific measurable outcomes. Programs and policies should reflect the results of the local government's evaluation of existing and projected housing needs.

Program Overview and Quantified Objectives



To make adequate provision for the housing needs of all income levels, a jurisdiction must, identify programs to: (1) identify adequate sites, with appropriate zoning and development standards; (2) assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households; (3) address, and remove governmental constraints, including housing for persons with disabilities; (4) Conserve and improve the condition of the existing affordable housing stock; (5) Preserve assisted housing developments at-risk of conversion to market-rate; and (6) promote equal housing opportunities for all persons. Quantified objectives should estimate, by income level, the number of units likely to be constructed, rehabilitated or conserved/preserved during the planning period. [Learn more.](#)

Adequate Sites



Where the element does not demonstrate appropriately zoned sites sufficient to accommodate the regional housing need by income level, a program must be included to identify sites that can be developed within the planning period. Program actions to identify sites to accommodate a jurisdiction's regional housing need for lower-income households shall be zoned to permit owner-occupied and rental multifamily uses by-right and be zoned with minimum density and development standards that permit at least 16 units per site. In addition, zoning must be identified to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, emergency shelters, and transitional housing. [Learn more.](#)

Assist in the Development



Having assessed, identified, and prioritized the housing needs of extremely low-, very low-, low-, and moderate-income households, including special needs, the element must include program actions to assist in developing adequate housing to meet those needs. [Learn more.](#)

Conserve and Improve the Existing Housing Stock



The existing affordable housing stock is a valuable resource and the element must include programs to conserve and improve the existing affordable housing stock. Improvement includes physical activities that improve the housing stock such as rehabilitation. Conservation includes maintenance activity such as code enforcement and other actions, policies or programs to conserve the affordability of housing such as a mobilehome park preservation ordinance. [Learn more.](#)

Preserve Units At-risk of Conversion to Market Rate Uses



Many units of privately-owned, federally, State and locally assisted multifamily rental housing are at-risk of converting to non low-income uses. These at-risk units are occupied by elderly persons and families with lower-income who cannot afford to pay market-rate rents and could be displaced if the project converts. If the housing element has identified units at-risk, programs must be included to assist in the preservation of this important housing stock. [Learn more.](#)

Address and Remove or Mitigate Constraints



For each policy, procedure or requirement identified as a governmental constraint, the element must include programs to address and remove or mitigate the constraint. [Learn more.](#)

Equal Housing Opportunities



A local equal housing opportunity program should provide a means for the resolution of local housing discrimination complaints and disseminate fair housing information and resources throughout the community. The element should also address any zoning or other land-use laws or practices that either expressly discriminate against a group protected by the fair housing laws or have the effect of discriminating against a protected group. [Learn more.](#)

Program Overview and Quantified Objectives

Last Updated 5/6/2010

The element shall contain a program which sets forth a five-year schedule of actions the local governments is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available Government Code Section 65583(c).

The element shall include a statement of the community's goals, quantified objectives and policies relative to the maintenance, preservation, improvement and development of housing, (Government Code Section 65583(b)).



Developing Effective Programs

Programs are the specific action steps each locality will take to implement its policies and achieve stated goals and objectives. Programs should reflect the results and analyses of the jurisdiction's local housing needs, available land and financial resources and the mitigation of identified governmental and non-governmental constraints. For example, if the analysis of the existing housing stock, identified a high percentage of units in need of rehabilitation, the jurisdiction should include a rehabilitation program to meet the identified need. Similarly, if the city/county has identified constraints related to local regulations, the element should identify specific programmatic actions such as streamlining processing requirements, "one-stop shop", providing pre-application consultation, or development of pre-approved prototypes to simplify the approval process.

Requisite Program Components

To make adequate provision for the housing needs of all income levels, a jurisdiction must, at a minimum, identify programs to do all of the following:

- Identify adequate sites, with appropriate zoning and development standards and services to accommodate the locality's share of the regional housing needs for each income level (as needed).
- Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households.
- Address, and where possible, remove governmental constraints to the maintenance, improvement and development of housing, including housing for all income levels and housing for persons with disabilities.
- Conserve and improve the condition of the existing affordable housing stock.
- Preservation of assisted housing developments at-risk of conversion to market-rate.
- Promotion of equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status or disability.

Effective programs include the following:

- Definite time frames for implementation (e.g., by June 2009, ongoing, annually during the planning period, upon adoption of general plan amendment, etc.).
- Identification of agencies and officials responsible for implementation (e.g., planning department, redevelopment agency, county community development department, city building official, housing manager, public housing authority, etc.).
- Description of the local government’s specific role in program implementation (e.g. a description of how the City will market the availability of rehabilitation funds).
- Description of the specific action steps to implement the program.
- Proposed measurable outcomes (e.g., the number of units created, completion of a study, development of a homeless shelter, initiation of a rezone program, preservation of at-risk units, annexation of land within a sphere of influence).
- Demonstration of a firm commitment to implement (e.g., the City will apply for HOME funds by June 2009).
- Identification of specific funding sources, where appropriate (e.g., dollar amounts of annual funding entitlements or allocations – CDBG, HOME, ESG, HOPWA, Continuum of Care, redevelopment agency’s low/moderate-income housing funds, bond proceeds, tax credit allocations, and other federal, State and local resources).

Quantified Objectives

The setting of quantified objectives follows a locality’s work in identifying housing needs, surveying land and financial resources, analyzing constraints, and developing appropriate programmatic and policy responses which reflect a community’s unique needs and circumstances. This information is used to establish reasonable estimates of the number of units, by income level, these programs and policies can accomplish.

Requisite Analysis

The quantified objectives should estimate the number of units likely to be constructed, rehabilitated or conserved/preserved by income level during the planning period. The quantified objectives do not represent a ceiling on development, but rather set a target goal for the jurisdiction to achieve based on needs, resources and constraints.

Ideally, construction objectives will be equal to identified needs. However, when a locality has determined total housing needs exceed the locality’s ability to meet those needs with existing resources, the quantified objectives may be less than the total identified need as specified in the locality’s regional housing need allocation. Under these circumstances, localities may target limited resources to areas of greatest local need based on the analysis completed. The element, however, must describe the analysis used to establish the quantified objectives.

Emphasizing a particular objective, however, may result in reducing another. For example, in urban areas with a shortage of land, programs to maximize housing preservation may be the priority even though this may limit opportunities for the development of new housing.

In growing communities, the development of housing affordable for future residents may use CDBG or HOME funds for land write-downs to facilitate new construction rather than for rehabilitation loans.

Each quantified objective should be detailed by income level as illustrated in the following table:

Income Category	New Construction	Rehabilitation	Conservation/ Preservation
Extremely Low			

Very-Low			
Low			
Moderate			
Above Moderate			
TOTALS			

Note: The locality may choose to establish quantified objectives by tenure and/or type of household (i.e. elderly) to be benefited.

- The Construction objective refers to the number of new units that potentially may be constructed using public and/or private sources over the planning period of the element given the locality's land resources, constraints and proposed programs.
- The Rehabilitation objective refers to the number of existing units expected to be rehabilitated during the planning period.
- The Conservation/Preservation objective refers to the preservation of the existing affordable housing stock throughout the planning period. To determine the number of units to be conserved, a locality could, for example, quantify the number of existing housing units that will be preserved through the provision of more stable zoning for mobilehome parks or other affordable housing types. A subset of the conservation objective is the number of federal, State and locally assisted at-risk units to be preserved.

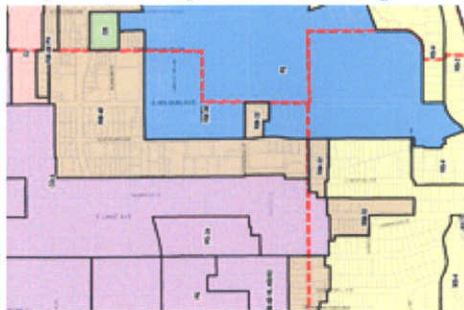
Housing Programs: Adequate Sites

Last Updated 5/6/2010

Identify actions that will be taken to make sites available during the planning period of the general plan with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Section 65583(c)(1))

- A. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2.
- B. Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low-income households.

Required Components Of Program Actions



Effective programs reflect the results of the local housing need analyses, identification of available resources, including land and financing, and the mitigation of identified governmental and nongovernmental constraints. Programs consist of specific action steps the locality will take to implement its policies and achieve goals and objectives. Programs must include a specific timeframe for implementation, identify the agencies or officials responsible for implementation and describe the jurisdiction's specific role in implementation.

Sample Program Format

Description of Specific Actions Steps, Jurisdiction's Specific Role in Implementation and Demonstration of Commitment to Implement

- Timeframe:
- Responsible Agency:
- Objectives (quantified, where possible):
- Funding Sources (where appropriate):

Program Requirements

General

The sites inventory should demonstrate adequate site capacity to accommodate the regional housing need for all income groups. Where the analysis of a local government's sites inventory does not demonstrate the supply of suitable, available and appropriately zoned sites are sufficient to accommodate the regional housing need by income level, the element must include a program to identify sites that can be developed within the planning period. In addition, sites or zones must be identified to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, emergency shelters, and transitional housing.

A jurisdiction's adequate sites program must accommodate 100 percent of the shortfall of sites necessary to accommodate the remaining housing need for housing for very low- and low-income households during the planning period. These sites must be appropriately zoned early enough in the planning period to provide realistic and viable development opportunities.

The program must:

1. ensure the sites are zoned to allow owner-occupied and rental multifamily residential uses "by-right";
2. permit the development of at least 16 units per site;
3. ensure sites within suburban and metropolitan jurisdictions (as defined by Government Code Section 65583.2(c)(3)(B)(iii) and (iv)) permit a minimum of 20 dwelling units per acre (see Categories III and IV in the table below);
4. ensure at least 50 percent of the low- and very low-income regional housing need be accommodated on sites designated for exclusively residential uses, at appropriate densities.

Metropolitan Statistical Area: Qualification of an MSA requires the presence of a city with 50,000 or more inhabitants, or the presence of an Urbanized Area (UA) and a total population of at least 100,000

Micropolitan: Urban cluster of at least a 10,000 population but less than a 50,000 population

Definition of By-right

For the purposes of housing element law and in accordance with Chapter 724, by-right shall mean the local government's review shall not require:

1. a conditional use permit;
2. planned unit development permit; or
3. other discretionary local government review or approval that would constitute a "project" for the purposes of Division 13 (commencing with Section 21100) of the Public Resources Code.

This provision does not preclude local planning agencies from imposing design review standards. However, the review and approval process must remain ministerial and the design review must not constitute a "project" as defined in the Section 21100 of the Public Resources Code. For example, a hearing officer (e.g., Zoning Administrator) or other hearing body (e.g., Planning Commission) can review the design merits of a project and call for a project proponent to make design-related modifications, but cannot deliberate the project's merits or exercise judgment to reject or deny the "residential use" itself.

Adequate Sites Program Timing

A locality's ability to accommodate needed housing during the planning period requires designating appropriate zoning as early as possible. The most direct procedure is for the locality to undertake rezoning when the housing element is adopted. The program must make provision for sites that will be available soon enough to reasonably permit development during the planning period. For example, rezoning actions should be completed within the first year to two years.

Policy And Program Options

Strategies to Increase Residential Capacity

The following approaches have been used by localities to increase their total residential development capacity:

- Up zone existing residential areas at appropriate densities to facilitate development of housing.
- Increase maximum allowable residential densities in existing residential, commercial and mixed zones and modify development standards such as height limitations to ensure maximum density can be achieved.
- Prezone and annex land suitable for residential use.
- Establish Minimum Densities – Designate minimum densities of development to assure that existing available land is not underutilized.
- Allow and Encourage Mixed-Use Zoning – Permit housing in certain non-residential zones either as part of a mixed-use project or as a stand alone residential use.
- Rezone underutilized land from nonresidential to residential to expand the supply of available residential land.
- Institute Flexible Zoning – Allow various residential uses within existing nonresidential zones without requiring rezoning or conditional approvals.
- Redevelop and/or recycle underutilized existing land to more intensive uses.
- Convert obsolete older public/institutional/commercial/ industrial buildings to residential use through adaptive reuse and/or historic preservation.
- Over zone – Create a surplus of land for residential development during the current planning period of at least 20 percent more than the locality's share of the regional housing need. Over zoning compensates for urban land left vacant due to ownership and development constraints and creates a real surplus. A sufficient supply of land beyond the time frame of the element helps prevent land shortages from bidding up land costs.
- Allow and promote small and irregular size lot development.
- Consolidate lots – Facilitate combining small residential lots into larger lots to accommodate higher density development.
- Increase height limitations – Allow three stories in multifamily zones at minimum.
- Increase Floor Area Ratios – Allow for larger buildings on smaller lots and/or more units per lot by reducing the FAR (total lot area divided by the total building area).

Appropriate Development Standards

Appropriate zoning and development standards facilitate the location, siting, capacity, and price of residential development to meet identified housing needs, particularly new construction for lower-income households. These include establishing minimum densities, minimum floor areas, increased maximum lot coverage, allowing minimum building, rear and side yard setbacks, reduced parking and amenities requirements, and other controls such as streamlined architectural and design review standards.

State zoning law (Government Code Section 65913.1) requires localities to zone sufficient vacant land for residential use with appropriate standards to meet the housing needs as identified in the general plan. Appropriate standards are requirements that contribute significantly to the economic feasibility of producing housing at the lowest possible cost."

In regulating subdivisions, Government Code Section 65913.2 provides that a local government may not impose design criteria for the purpose of rendering an affordable housing development infeasible. A community may not impose standards and criteria for public improvements (e.g., streets, sewers, schools, or parks) that exceed those imposed on other developments in similar zones. Additionally, the effect of a community's ordinances and actions on accommodating the housing needs of the region must be considered.

Encouraging Development of Underutilized Sites for Housing

Identification of underutilized land and opportunities for mixed uses must be accompanied by programs that encourage their development and/or reuse. Such programs could include actions to initiate any necessary rezoning, establish appropriate regulatory and/or financial incentives, relax development standards (design criteria, parking, building height, setback requirements, etc.), support more compact and higher density residential developments, and facilitate the new construction of multifamily rental and owner-occupied units. Such developments are often located in urban core areas, redevelopment project areas, adjacent to existing neighborhoods, close to transit centers and established businesses and services.

Strategies to Encourage Adequate Sites for a Variety of Housing Types

While the sites inventory may identify sufficient sites to accommodate the locality's total share of the regional housing need, the element must also include policies and programs to promote development on identified sites. Localities have developed various land-use controls and development incentives to encourage a variety of housing types for all income levels, including:

- Zone a high proportion of sites for higher density and more intensive residential use.
- Encourage and facilitate second-unit development in single-family residential areas. Policies to encourage second-units include modifying development standards, such as reducing parking, increasing lot coverages and reducing setbacks and offering development incentives.
- Zone sites for mobilehomes and mobilehome park use.
- Promote multifamily rental housing above ground floor commercial uses (mixed residential-nonresidential land-use). Permit apartment uses in office/commercial areas where office space revenue can offset rental costs and act as an internal project subsidy.
- Compile and maintain an inventory of public surplus lands and land owned by other entities, such as school districts, public utilities, etc., to identify sites suitable for development of low- and moderate-income housing. Facilitate the acquisition of surplus public lands and other identified land for affordable housing development.
- Zone for housing types typically occupied by renter households (e.g., second-units, apartments, and SROs).
- Ensure zoning encourages single-room occupancy (SRO) units and establish ordinances with written and objective standards.
- Offer development incentives (e.g., land write-downs, fee waivers, and below market-rate financing) negotiated through developer agreements to increase multifamily densities in selected areas.
- Reduce multifamily development standards (e.g., number of required covered parking spaces, setback and building height requirements, etc.).
- Establish ordinances or guidelines to promote small lot development
- Establish no net loss policies and procedures to rezone equal amounts of land to replace any residential land used for other than its intended residential use.

Strategies to Encourage Emergency Shelters and Transitional and Supportive Housing

- Make ending homelessness a priority.
- Establish homeless prevention strategies: housing support centers, improve access to supportive and employment services.
- Apply for, or support applications for funding for emergency shelters, transitional or supportive housing.
- Establish local Homeless Task Force to identify strategies and develop partnerships.
- Streamline permitting and reduce fees for emergency shelters, transitional and supportive housing.

Housing Programs: Assist in the Development

Last Updated 5/6/2010

Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households (Government Code Section 65583(c)(2)).

Required Components Of Program Actions



Effective programs reflect the results of the local housing need analyses, identification of available resources including land and financing, and the mitigation of identified governmental and nongovernmental constraints. Programs are the specific action steps the locality will take to implement its policies and achieve goals and objectives. Programs must include a specific time frame for implementation, identify the agencies or officials responsible for implementation and describe the jurisdiction's specific role in implementation.

Sample Program Format

Description of Specific Actions Steps, Jurisdiction's Specific Role in Implementation and Demonstration of Commitment to Implement

Timeframe:

Responsible Agency:

Objectives (quantified, where possible):

Funding Sources (where appropriate):

Program Requirements

Having assessed and identified the housing needs of extremely low-, very low-, low-, and moderate-income households, including special needs households, localities must employ a sufficient number of strategies to assist in developing adequate housing to meet those needs.

To address this requirement, localities can offer direct support for the development of affordable housing through various financing mechanisms including the issuance of municipal and mortgage revenue bonds and use of redevelopment funds and authority. Direct assistance can also be provided through the utilization of appropriate federal and State financing and subsidy programs to create rental and ownership opportunities. Localities should create first time homebuyer, equity sharing, or self-help housing programs to provide affordable homeownership opportunities. Local governments must also assist and support developers in making applications for other public or private housing funds or low-income housing tax credits.

Working with the building community, especially nonprofit housing developers, advocacy groups and tenants make assisting in the development of affordable housing easier and more effective. Many jurisdictions support existing nonprofit housing developers or help establish new joint ventures and local housing sponsors. Local governments can establish a local housing authority or work with an established nonprofit development corporation or Community-based Housing Development Organization (CHDO) to develop, operate, and

manage low- and moderate-income housing projects. Contacts for housing advocacy and technical assistance organizations are available through links at the end of the section.

Local governments can indirectly facilitate the development of more affordable housing through effective administration of land-use controls and by providing appropriate regulatory concessions and incentives.

Policy And Program Options

The following are examples of programs and strategies that have been successfully implemented by localities to comply with State law and address their housing needs:

- Proactively build relationships with the building community, including non-profits and establish an array of regulatory and financial tools to assist residential development with a non-profit, including utilizing local trust funds and other local financial resources, donating land, supporting funding applications, assisting entitlements and expediting permit processing.
- Adopt a density bonus ordinance in compliance with Government Code Section 65915 and develop an outreach program to ensure its successful implementation.
- Expand on the minimum requirements of State density bonus law by offering additional density bonuses, incentives and concessions.
- Create an on-line, searchable inventory of surplus lands and publicize their availability to promote the use of sites for housing affordable to lower-income households.
- Provide fast track or one-stop permit processing for housing developments affordable to lower-income households or other priority housing needs (i.e., extremely low-income, large families, persons with disabilities, farmworkers).
- Reduce, waive or subsidize development and impact fees for affordable housing.
- Adopt a land banking program for future development of housing affordable to lower- and moderate-income households. A land banking program could include the use of CDBG or redevelopment funds to purchase sites as well as city/county owned sites.
- Establish impact fees based on square footage to appropriately charge for the level of impacts based on the size of the house or housing types (i.e., second-unit, SRO, multifamily, single-family). For example, a sewer impact of a second-unit is less than for a 5,000 square foot home.
- Adopt ministerial permit procedures for multifamily, transitional housing, supportive housing in multifamily zones.
- Reduce, waive or modify certain development standards to promote affordable housing development. For example, reduce parking standards or covered parking requirements for senior or certain projects designed for lower-income households.
- Establish ministerial procedures to reduce parking standards for housing for special needs households (i.e., seniors, persons with disabilities).
- Adopt tiered environmental reviews to lessen environmental review on a project-by-project basis.

Sample Programs

Program 1: Non-Profit Development

The City will initiate a partnership and continue to work with non-profit developers to assist the development of housing affordable to extremely low-, very low- and low-income households. The City will annually invite non-profit developers to discuss the City's plans, resources, development opportunities and RFQ process. In addition, the City will annually select a non-profit developer to pursue developments, including leveraging the local housing trust funds, assisting in the application for State and federal financial resources, and offering a number of incentives such as fee deferrals, priority processing and relaxed development standards.

Responsibility: Housing Division

Timing: Make initial contact with local nonprofits by the end of 2008. Conduct annual meeting with builders and nonprofits to review resources, incentives and City goals and objectives. Annually initiate RFQ process and

pursue development of a housing project.
Funding: Redevelopment Housing Set-Aside, CDBG
Objective: 180 units over the planning period

Program 2: Density Bonus Ordinance

The City will adopt a density bonus ordinance in compliance with Government Code Section 65915.

Responsibility: Planning Division
Timing: Adopt by end of 2009
Funding: General Fund
Objective: To promote the financial feasibility of development affordable to lower-income households utilizing density bonuses and incentives and concessions.

Program 3: Surplus Properties

The City will compile an inventory of surplus properties owned by the City or other public entities and update the inventory annually. The inventory will include donated land and land otherwise acquired by the City. The City will publicize, post on the website and make the inventory available to nonprofit developers.

Responsibility: Housing Division
Timing: Compile inventory by June 2009, post on website and annually update. Annually distribute inventory to nonprofit developers. Identify funding resources to assist non-profit developers in purchasing sites (by the end of 2009 and update annually).
Funding: General Fund
Objective: 100 units over the planning period

Program 4: Multifamily Housing Program-Supportive Housing (MHP-Supportive)

Funding

Utilizing City-owned lands, the City will select a nonprofit developer and assist and support preparing a funding application to HCD's MHP – Supportive Housing to develop housing affordable to extremely low-income households. The City will further assist with expedited permit processing, incentives and modification of development standards as necessary.

Responsibility: Housing and Planning Divisions
Timing: Select a developer by June 2009. Apply for funding by February 2010.
Funding: Multifamily Housing Program-Supportive and Redevelopment Set-Aside
Objective: 60 units over the planning period affordable to extremely low-income households.

Program 5: Housing Trust Fund

The City will examine alternatives to establish a local housing trust fund from a combination of public and private resources.

Responsibility: Housing and Planning Divisions
Timing: Identify alternatives and initiate action plan by January 2009. Establish local housing trust fund by February 2010.
Funding: General Fund
Objective: Local financing resources to facilitate the development of housing for low- and moderate-income families and workers.

Housing Programs: Conserve and Improve the Existing Housing Stock

Last Updated 5/6/2010

Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action (Government Code Section 65583.(c)(4)).

Required Components Of Program Actions



Effective programs reflect the results of the local housing need analyses, identification of available resources including land and financing, and the mitigation of identified governmental and nongovernmental constraints. Programs are the specific action steps the locality will take to implement its policies and achieve goals and objectives. Programs must include a specific time frame for implementation, identify the agencies or officials responsible for implementation and describe the jurisdiction's specific role in implementation.

Program Requirements

The existing affordable housing stock is a valuable resource and the element must include programs to conserve and improve the existing affordable housing stock. Improvement includes physical activities that improve the housing stock such as rehabilitation. Conservation includes both maintenance activity such as code enforcement in deteriorating buildings or in response to complaints and improvements to the housing stock such as weatherization programs which help reduce housing costs or other actions, policies or programs to conserve the affordability of housing such as a mobilehome park preservation ordinance.

Policy And Program Options

Policies and program should be tailored to the results of the analyses and specific local situations. The following strategies are not exhaustive:

Improvement

- **Coordinate Code Enforcement** – Code enforcement programs should be coordinated with utility, housing code inspection and rehabilitation programs to effectively utilize funding resources, efficiently ensure safe homes and avoid displacement.
- **Rehabilitation Programs** – Programs to regularly seek funding or continue funding existing repair and rehabilitation programs for ownership, rental and mobilehome parks. Funding resources include Community Development Block Grant, HOME, etc. and local redevelopment funds (see VI. Links).
- **Maintain Single-Room Occupancy Units (SROs)** - Rehabilitate residential hotels for very low- and low-income households including the homeless and those at-risk of homelessness.

- **Rehabilitation Fee Amnesty Program** - Provide interim fee relief for rehabilitation in targeted neighborhoods.
- **Targeted Rehabilitation Programs** – Survey and designate neighborhoods and design a rehabilitation program to comprehensively address housing conditions.
- **Enforcement of Building Code Programs** - The Franchise Tax Board (FTB) operates the Substandard Housing Program which assists the State and local agencies responsible for abating unsafe living conditions that violate Health and Safety Codes. Property owners in violation of Health and Safety Code standards are not allowed to make certain deductions on their personal tax returns pursuant to California Revenue & Taxation Code (CR&TC) Sections 17274 and 24436.5. That additional revenue collected by FTB is transferred to the Local Code Enforcement Rehabilitation fund. These funds are allocated and disbursed to the cities and counties that generated the notification of substandard housing to the FTB. (see VI. Links - Franchise Tax Board).
- **Neighborhood Revitalization** - Designate lower-income neighborhoods for concentrated housing rehabilitation assistance through subsidized grants and/or deferred low interest loans, public facility/infrastructure improvements through general fund capital improvement plans, special assessments districts, Mello-Roos community facilities districts, etc.
- **Develop Tool Lending Programs** – to facilitate ongoing rehabilitation and maintenance. “Tools” can include actual tools and supplies, as well as instructions for simple upgrades or repairs (such as changing faucets or washers, heater screens, etc.).

Conservation

- **Zoning** - Provide stable zoning to preserve affordable housing. For example, change the underlying zoning for a mobilehome park from commercial to mobilehome park.
- **Presale Code Inspections** - Enact occupancy ordinances requiring presale code inspections and compliance before title to a property is transferred to new owners.
- **Long Term Affordability** - Maintain long-term affordability restrictions on assisted rental units.
- **Homeownership Education and Counseling** – Establish pre- and post- purchase homeownership education and counseling to assist households in owning and maintaining their homes. Programs can include referral centers, promoting toll-free hotlines and outreach on the availability of resources.
- **Educate and Enforce the Building Code to Facilitate Rehabilitation** – Bringing older homes into compliance with current building codes can be costly, is not required and can deter rehabilitation. The building code requires local government flexibility to facilitate rehabilitation while maintaining health and safety standards (Health and Safety Code 17958.8). To encourage rehabilitation, communities should conduct education programs for public officials, contractors and property owners to ensure public knowledge of flexibility in building codes for rehabilitation (i.e., minor or moderate).
- **Replacement Requirements** - Require one-to-one replacement of any housing units demolished due to public or private action.
- **Demolition Ordinances** - Enact ordinances governing demolition of housing units and conversions of housing units to other uses (e.g., office or commercial).
- **Adopt Housing Element and Code Enforcement Policy** – To ensure and promote compliance with Health and Safety Code Section 17980(b)(3) enforcement agencies must consider needs expressed in the housing element when deciding whether to require vacation or repair of property.
- **Condition Surveys** - Conduct annual housing condition surveys to determine the extent of rehabilitation need and to prioritize rehabilitation program actions.
- **Neighborhood Improvement** – Establish and utilize CDBG or RDA funds for a self-help paint-up/fix-up neighborhood improvement program.
- **Neighborhood Clean Ups** – Annually promote neighborhood clean-up weeks or activities.

Sample Programs

Sample Program 1: Housing Rehabilitation Programs

The Housing Rehabilitation Program provides loans, and rebates to income-qualified households to correct Health and Safety Code violations and make essential repairs. The maximum loan limit is \$50,000 with a

minimum equity requirement of 10 percent. The Housing Rehabilitation Program is available to lower-income households (<80 percent AMI) and has the following components:

- **0% Interest Deferred Payment Loans for Basic Home Repairs:** Principal-only loans secured by deeds of trust with no interest charged and no payments for at least five years. The minimum loan amount is \$1,000 and after five years the borrower's eligibility is re-evaluated to determine if a repayment plan should be established. A loan becomes due in full when there is a change in ownership (i.e. death, sale, etc.).
- **Non-Repayable Lead-Based Paint Remediation Grants:** Grants offered to pay the costs of lead-based paint identification and removal. The amount cannot exceed the costs of the approved non-lead related housing rehabilitation, work. The grant does not require repayment by the recipient.

In addition, the City will explore the potential to implement a loan program for accessory dwelling units. This program will allow eligible homeowners to obtain a loan from the City to construct a small second- unit on their property, under the City's existing accessory dwelling unit provisions.

Responsibility: Community Development Department

Funding: CDBG and HOME funds

Objectives: Provide 20 rehabilitation loans or grants annually. Explore potential for accessory dwelling loan program by the end of FY 2008-2009. Evaluate program through the Housing Element Annual Report process.

Sample Program 2: Single-Family Housing Acquisition and Rehabilitation

This program utilizes HOME funds to enable lower-income households (up to 80 percent of AMI) households to purchase their first homes. The City will select a non-profit by January 2008 to acquire and rehabilitate deteriorated single-family homes. Assistance will be provided in the form of a loan secured by a deed of trust. The rehabilitated homes will then be sold to income-qualified first-time homebuyers. A potential source of housing for this program will be CalTrans excess right-of-way programs. The Housing Department will initiate discussions with CalTrans on how to access and purchase excess units.

Responsibility: Community Development Department

Timing: Ongoing loans and initiate discussion with CalTrans by December 2008

Funding: HOME funds

Objectives: 100 units over the planning period. Acquire and rehabilitate five single-family homes within the five-year period through CalTrans. Continue to evaluate potential program options and the suitability of this program in a higher cost market like the City is currently experiencing. Provide ongoing assistance and evaluate program through the Housing Element Annual Report process.

Sample Program 3: Multifamily Housing Acquisition and Rehabilitation

The Comprehensive Neighborhood Revitalization Strategy includes acquisition and rehabilitation of deteriorated multifamily housing developments, with the goal of generating privately initiated improvements in some of the other complexes in the neighborhood. Under this program, the City will develop a list of nonprofit developers and send out a meeting notice to interested non-profit developers to discuss the City's objectives and resources. The City will then select a nonprofit developer to purchase a deteriorated multifamily, rental property. The property would then be rehabilitated, with the options to combine some of the smaller units into larger family units. Relocation assistance will be provided to existing tenants who have to be either temporarily or permanently relocated.

Responsibility: Community Development Department

Timing: Develop list of nonprofit developers by December 2008 and select a developer by June 2008.

Funding: Redevelopment Funds

Objectives: Support the rehabilitation and revitalization of at least two properties or 100 units in the planning period. Provide ongoing assistance and evaluate program through the Housing Element Annual Report Process.

Sample Program 4: Sample Code Enforcement Program

Develop and maintain a multidisciplinary code enforcement program to ensure building safety of residential neighborhoods through enforcement of building codes on a compliance and building permit issuance basis. Establish a coordination task force including housing, building, housing finance agency, planning, utilities, police, fire, waste management and other public safety agencies to do cross-referrals and joint neighborhood projects. Create a brochure to provide information about rehabilitation loans and housing assistance programs for use by property owners who are cited and tenants in need.

Responsibility: Building and Housing Departments

Timing: Establish task force by June 2009. Create brochure by December 2008 and provide information as part of ongoing code enforcement activities

Funding: CDBG Funds

Objective: Promote maintenance of existing housing stock and protection of existing tenants and lower-income households

Sample Program 5: Sample Mobilehome Park Preservation Program

The City of X will continue to implement the Residential Mobilehome Park zoning ordinance that sets conditions on changes of use or conversions of mobilehome parks. The City will also assist lower-income residents to research the financial feasibility of purchasing their mobilehome parks to maintain the rents at affordable levels. Where appropriate, assist the park residents or nonprofit to purchase the park to maintain affordability.

Responsibility: Planning Division

Timing: Inventory mobile home parks and provide information to mobilehome park residents regarding potential resident purchase of parks and assistance available by June 2009. Evaluate and determine feasibility of assisting park residents in purchasing a mobilehome park by December 2009. Apply for Mobilehome Park Resident Ownership Program (MPROP) funds by June 2010.

Funding: Housing Trust Fund, Mobilehome Park Resident Ownership Program

Objective: Continue to regulate the conversion of mobilehome parks.

Housing Programs: Preserve Units At-Risk of Conversion to Market Rate Uses

Last Updated 5/6/2010

Preserve for lower income households the assisted housing developments identified pursuant to paragraph (8) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (8) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance (Government Code Section 65583(c)(6)).

Required Components Of Program Actions



Effective programs reflect the results of the local housing need analyses, identification of available resources including land and financing, and the mitigation of identified governmental and nongovernmental constraints. Programs are the specific action steps the locality will take to implement its policies and achieve goals and objectives. Programs must include a specific time frame for implementation, identify the agencies or officials responsible for implementation and describe the jurisdiction's specific role in implementation.

Program Requirements And Policy And Program Options

The nature of conversion risk varies significantly among projects depending on the type of subsidy and related affordability controls. Individual program responses should be tailored to the results of the analyses and specific local situations. The following strategies are not exhaustive:

Actions to Monitor

- Establish an early warning system and monitor at-risk units. Create a list based on at-risk units in the ten year inventory and analyses (conversion risk, costs, and resources) for possible conversions within the current and next planning period. Monitor the list on a regular basis (i.e., every three months).
- Publicize existing State and federal notice requirements to nonprofit developers and property owners of at-risk housing.
- Gauge owner's intent to prepay a federally-assisted mortgage. Establish a relationship and meet with property owners of at-risk units on an annual basis.
- Gauge owners interest in renewal and/or opting-out of project-based Section 8 contracts. Determine whether profit-motivated owners intend to renew project based Section 8 contracts. Five to twenty-year HUD contracts are available subject to annual appropriations.
- Require owners who want to opt-out of a Section 8 contract, prepay a HUD subsidized mortgage or sell their property within five years of the expiration of the rental subsidy, to provide 18-24 months advance notice.

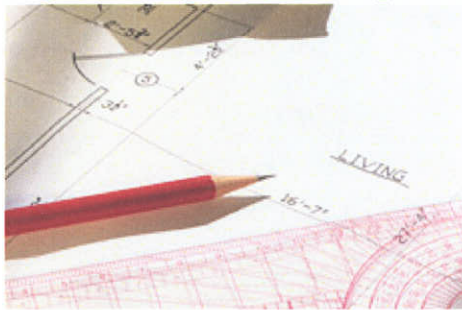
- Respond to any federal and/or State notices including Notice of Intent to Pre-Pay (Government Code Section 65863.10), owner Plans of Action, or Opt-Out Notices filed on local projects. Local governments (affected public agencies) receive these Notices and should quickly respond by contacting property owners.
- Hold a public hearing on the intended opt-out, prepayment or sale to ensure noticing requirements and potential strategies are examined and initiate assistance with tenants.

Housing Programs: Address and Remove or Mitigate Constraints

Last Updated 5/6/2010

Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, or provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities (Government Code Section 65583(c)(3)).

Required Components Of Program Actions



Effective programs reflect the results of the local housing need analyses, identification of available resources including land and financing, and the mitigation of identified governmental and nongovernmental constraints. Programs are the specific action steps the locality will take to implement its policies and achieve goals and objectives. Programs must include a specific time frame for implementation, identify the agencies or officials responsible for implementation and describe the jurisdiction's specific role in implementation.

Program Requirements And Policy And Program Options

For each policy, procedure or requirement identified as a governmental constraint, the element must include programs to address and remove or mitigate the constraint.

The following are strategies communities have found appropriate to address regulatory barriers:

Land Use Controls

- Allow zero-lot line and small lot development.
- Relax development standards, for example:

- Front yard set backs of 15 feet or less;
- Minimum lot sizes of 5,000 square feet or less; and
- Lot width of 50 feet or less.

- Reduce parking requirements or establish ministerial procedures to provide exception for projects serving low-income households, seniors, and for transit-oriented development.
- Provide flexible standards for second units to encourage their development.
- Increase height limits and floor area ratios.
- Eliminate amenity based "mid-point" density policies.
- Modify and/or reduce growth controls to ensure accommodation of projected housing needs.
- Reduce procedural requirements for growth control ordinances.
- Exempt affordable housing projects from growth control ordinances.

On/Off Site Improvement Requirements

- Reduce street widths (e.g., 36 feet or less) and right of ways (e.g., 56 feet or less).
- Reduce the number and size of sidewalks (e.g., on one side of street only).
- Use roll curbs instead of formed curbs and gutters.
- Increase spacing between manholes.
- Design residential streets to accommodate average traffic estimates.
- Use utility or sidewalk easements instead of right-of-ways.
- Place water supply systems and sanitary sewers in easements instead of right-of-ways.

Fees and Exactions

- Reduce or waive fees and exactions for particular types of development (e.g., rental or assisted housing, second units, mixed-use and infill projects, housing affordable to low- and moderate-income households).
- Allow payment of fees upon certificate or occupancy, rather than prior to building permit issuance to reduce developer construction financing costs and overall development costs.
- Establish impact fees based on square footage to appropriately charge for the level of impacts based on the size of the house or housing types (i.e., second-unit, SRO, multifamily, single-family). For example, a sewer impact of a second unit is less than for a 5,000 square foot home.
- Consolidate fee schedules to simplify administration and operate one-stop centers to obtain schedules and documentation in one location.
- Identify district boundaries on a map for geographic specific fees and assessments to easily establish applicable fees.

Processing and Permit Procedures

- Expedite permit processing (allow one-stop, consolidated, and concurrent permit processing).
- Assign a primary contact for priority housing developments to assist with all necessary entitlement and assist navigating various local departments.
- Hold pre-application development conferences.
- Prepare and present explanatory materials on the application and review processes to streamline permit processing.
- Utilize development agreements as authorized by Government Code Section 65864.
- Establish ministerial procedures for multifamily uses in multifamily uses.
- Streamline design review process and prepare clear, objective guidelines.
- Increase use of ministerial processing for a variety of housing types.

Housing for Persons with Disabilities

- Develop formal procedures for reasonable accommodation for housing for persons with disabilities in accordance with fair housing and disability laws. Amend the locality's Municipal Code to provide for clear rules, policies, and procedures, for reasonable accommodation in order to promote equal access to housing. Policies and procedures should be ministerial and include but not be limited to identifying who may request a reasonable accommodation (i.e., persons with disabilities, family-members, landlords, etc.), timeframes for decision-making, and provision for relief from the various land-use, zoning, or building regulations that may constrain the housing for persons of disabilities.
- Regularly monitor the implementation of the jurisdiction's ordinances, codes, policies, and procedures to ensure they comply with the "reasonable accommodation" for disabled provisions and all fair housing laws.
- Reduce parking requirements for projects serving seniors and persons with disabilities households.
- Increase use of ministerial processing of State licensed group homes, regardless of the number of occupants in residential zones.
- Update the jurisdiction's definition of "family" and "single-family residence" to comply with all federal and State fair housing laws. The definition should not distinguish between related and unrelated persons and should not impose limitations on the number of persons that may constitute a family.

Housing Programs: Equal Housing Opportunities

Last Updated 5/6/2010

Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability (Government Code Section 65583(c)(5)).

Required Components Of Program Actions



Effective programs reflect the results of the local housing need analyses, identification of available resources including land and financing, and the mitigation of identified governmental and nongovernmental constraints. Programs are the specific action steps the locality will take to implement its policies and achieve goals and objectives. Programs must include a specific time frame for implementation, identify the agencies or officials responsible for implementation and describe the jurisdiction's specific role in implementation.

Program Requirements

Since State and federal laws uniformly outlaw most kinds of housing discrimination, the local government's role is to identify program strategies that support and implement these laws. Such strategies may include consultation with fair housing and counseling organizations in the community to document the incidence of housing discrimination and evaluation of the availability of services.

If fair housing services are not available or are inadequate, the locality can request technical assistance from HUD (<http://www.hud.gov/offices/fheo>), the Housing Unit of the State Department of Fair Employment and Housing (<http://www.dfeh.ca.gov>), and/or local, regional, private fair housing organizations to help develop specific local government actions to promote equal housing opportunities.

Fair Housing laws make it illegal to discriminate against any person because of race, color, religion, sex, disability, familial status, national origin, ancestry, marital status, sexual orientation, source of income and age in the rental or sale, financing, advertising, appraisal, provision of real estate brokerage services, etc., and land-use practices. See Government Code Sections 12955 and 65008 for further information. Section 65008 also expressly prohibits localities from discriminating against residential development or emergency shelters if the intended occupants are low-income or if the development is subsidized.

In the housing element, a local equal housing opportunity program must provide a means for the resolution of local housing discrimination complaints and should include a program to disseminate fair housing information and information about resources throughout the community. The local program must involve the dissemination of information on fair housing laws, and provide for referrals to appropriate investigative or enforcement agencies. Where appropriate, communities should distribute fair housing information in languages other than English. Sites for display of fair housing information include buses, community and senior centers, local social service offices, and other public locations including civic centers or county administrative offices.

The element must also address any zoning or other land-use laws or practices that either expressly discriminate against a group protected by the fair housing laws or have the effect of discriminating against a group (Pursuant to Government Code Section 12955.8).

In larger and/or urban jurisdictions, more direct program actions would be appropriate such as a commitment to use CDBG funds to support fair housing information and referral and counseling services. The locality may wish to contract with or create a fair housing council to investigate and resolve discrimination complaints, and advocate specific equal housing opportunity actions before community and business organizations.

Jurisdictions receiving "entitlement" (i.e., CDBG, HOME) must prepare a Consolidated Plan that includes certification that the jurisdiction will affirmatively further fair housing, conduct an analysis to identify impediments to fair housing choice, and take actions to overcome the effects of any impediments identified. Many jurisdictions cross-reference and/or incorporate fair housing information and data from the Consolidated Plan into their housing element. For example, the Consolidated Plan requires the "analysis of impediments to fair housing choice" (AI) that addresses barriers to equal housing opportunities. The element should incorporate this information to facilitate an adequate analysis. Further, barriers identified in the AI should be addressed by programs in the housing element.

Policy And Program Options

The following are examples of successful policies, plans, and practices to identify barriers and promote fair housing:

- Use CDBG funds for fair housing enforcement, education, and technical assistance activities.
- Ensure all new, multifamily construction meets the accessibility requirements of the federal and State fair housing acts through local permitting and approval processes.
- Approve agreements to conduct banking such as establishing accounts and making deposits to reward lenders with exemplary records of compliance with Federal Community Reinvestment Act (CRA).
- Increase or maintain resources to establish and support outreach, public education and community development activities through community based or neighborhood organizations.
- Consult with a wide range of groups throughout the entire community and consider environmental justice issues in the development and update of regulations, guidelines and other local programs.
- Work with schools to establish a fair housing curriculum such as coloring books, poster contests, puppet shows and classroom lessons.
- Increase housing choices for households with Section 8 vouchers through affirmative marketing and expanding participating property owners.
- Adopt ordinances that prohibit discrimination by landlords against tenants with Section 8 vouchers.

- Amend ordinances that have the purpose or effect of precluding the development of affordable housing.

All units of government are required to comply with the Americans with Disabilities Act, which prohibits discrimination against people with disabilities in employment, public and commercial facilities, delivery of services, zoning and land-use.

Sample Programs

Program 1

The City will contract with the Fair Housing Council to provide fair housing services to its residents and property owners. Services include:

- Distributing educational materials to property owners, apartment managers, and tenants every two years.
- Making public service announcements (PSAs) via different media (e.g., newspaper ads and public service announcements at local radio and television channels) at least two times a year.
- Conducting public presentations with different community groups.
- Responding to complaints of discrimination (i.e., in-taking, investigation of complaints, and resolution).
- Referring services to appropriate agencies.

Responsibility: Housing and Redevelopment Department

Funding: CDBG

Objectives: Distribute educational materials every two years. Produce PSAs two times a year. Annually meet with Fair Housing Council for update on issues and strategies.

Program 2

Refer discrimination complaints to the Fair Housing Network and ensure complaints are resolved. The city will participate and distribute fair housing materials at a variety of community activities including the 4th of July fair, Santa Day, local heritage fair and the community's annual hot dog eating contest to reach out to all segments of the community. The city will annually conduct fair housing in-service trainings press releases, directly contact interest groups for distributing fair housing materials, mail fair housing materials through utility billings and post fair housing information in a variety of community locations such as the library, bus stops, public counters and post office. Other specific actions include:

- A pamphlet on equal housing opportunity to be prepared by January 2009 and distributed to the public through a variety of groups and locations as described above within two months.
- Identify local nonprofits, service organizations and community groups by December 2008 and distribute fair housing information every two years.

Responsibility: Community Development Agency

Funding: Staff Time

Objectives: Respond to discrimination complaints and public education