



IMPORTANT NOTICE ABOUT PUBLIC COMMENTS AND MEETING PARTICIPATION
UPDATED APRIL 21, 2022

Consistent with Contra Costa County Health orders, and in accordance with California Government Code Section 54953(e) concerning teleconference meetings, this City Council meeting will be held exclusively via teleconference, using the Zoom video conferencing system. At this time, public participation will be available exclusively via telephone or teleconference, using the Zoom video conferencing system.

How to View and Participate

The public is invited to participate in the City Council meeting and offer comments of up to 3 minutes (or as may otherwise be determined by the Council) using any of the following methods:

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US: +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free)

As the City Council Chamber will not be open to the public, individuals may view and participate in the meeting with this link. During the meeting, each period for public comment will be announced, and participants may use the “Raise Hand” feature on Zoom to request to speak. The meeting host will call on you, by name, and enable your microphone when it is your turn to speak. In order to ensure the orderly administration of the meeting using this method, providing your name is encouraged, but is not required. *(If you need instructions on how to use this feature, please contact the City Clerk by noon of the meeting date at cityclerk@brentwoodca.gov or 925.516.5182.)*

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2. **Telephone**

If you wish to comment during the meeting via telephone, you may “raise your hand” virtually on most devices by pressing *9, and you will be called upon when it is your time to speak. After speaking, please press *9 again to remove the “raise your hand” feature. If that feature does not work on your device, please email cityclerk@brentwoodca.gov in advance of the meeting where possible. The request must contain in the subject line “Request to Speak – Agenda Item #” and should include name and full phone number that will be used to call in. In order to ensure the orderly administration of the meeting using this method, providing your name is encouraged, but is not required.

3. **E-mail**

Public comments can also be submitted via e-mail to cityclerk@brentwoodca.gov. Any public comments received up until 3:00 p.m. of the meeting date will be:

- § distributed to the Council via email before the meeting,
- § posted online for public inspection at <https://www.brentwoodca.gov/councilmeetingonline>, and
- § later summarized in the meeting minutes.

Public comments received after 3:00 p.m. of the meeting date, but prior to the start of the meeting, will be emailed to the City Council, posted online within one day following the

meeting, and will be summarized in the meeting minutes. The City cannot guarantee that its network, website, and/or the Zoom system will be uninterrupted. In the event of an interruption to the broadcasting of the meeting using the telephone or internet-based options listed above, the City Council will take no further action on items on the agenda until public access to the meeting via either option is restored. To ensure that the City Council receives your comments prior to taking action, **you are strongly encouraged to submit them in advance of the meeting by 3:00 p.m.**

As e-mails containing public meeting comments are part of the official record, note that personal contact information may be published if it is included with your e-mail.

The Closed Captioning provided via Zoom is auto generated. It is not the official record and is provided as a convenience.

Pursuant to Section 54956 of the California Government Code,
a special meeting of the City Council is hereby called for
JULY 21, 2022, at 6:00 p.m. or as soon thereafter as possible.

Following the staff presentation of the agenda item, and before direction is provided, public comment will be taken.

CALL TO ORDER/ROLL CALL: A special meeting of the City Council

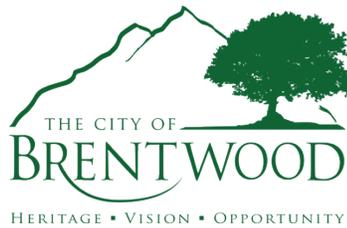
- A. Housing Element Update - Introduction of and direction to staff regarding the analysis of existing residential zoning capacity within the City including review of a list of potential sites under consideration for inclusion in the Housing Element Sites Inventory for the 2023-2031 (6th Cycle) Housing Element Update, as well as an evaluation of site inventory and affordability assumption strategies to address the City's Regional Housing Need Allocation (RHNA). (Alexis Morris/Jennifer Hagen)

ADJOURNMENT

POSTING STATEMENT

On July 7, 2022, a true and correct copy of this agenda was posted on the City Hall Bulletin Board, outside City Hall, 150 City Park Way, Brentwood, CA 94513 and at our website www.brentwoodca.gov

A complete packet of information is available for public review at City Hall or on our website at www.brentwoodca.gov



MEMORANDUM

DATE: July 6, 2022

TO: Mayor and City Council

FROM: Jennifer Hagen, Senior Planner
Alexis Morris, Community Development Director

SUBJECT: July 21, 2022 Housing Element Workshop Executive Summary

Workshop Objectives

At the July 21, 2022 Workshop, staff is requesting the City Council's input and direction on the list of sites to be carried forward for analysis in the Housing Element Update. The workshop is intended to accomplish the following objectives:

1. Present the initial framework for the site inventory, including HCD accepted assumptions and principles that may be used to develop the inventory.
2. Introduce the analysis of existing residential zoning capacity within the city, including the preliminary site list from which the site inventory will be compiled, and evaluation of the number of units for which additional sites may be needed to address the City's RHNA utilizing three different strategies that include varying affordability assumptions and ADU projection assumptions.
3. Receive direction from the City Council on which Site Inventory Strategy, as described in the Site Inventory and Affordability Assumption Strategies section of this report, to move forward with when preparing affordability projections and the Draft Housing Element Update.

Developing the Site Inventory

The attached staff report provides background information on the framework for the site inventory, including HCD accepted assumptions and principles as outlined in the HCD Site Inventory Guidebook, which is attached for reference.

To move forward in the planning process in drafting the Housing Element Update, it is imperative that the City Council provide direction on which strategies should be used in forming baseline site inventory and affordability assumptions. Important things to consider when selecting the baseline site inventory strategy are:

1. Planning for vs. constructing housing: The City is not required to build housing, but is required to plan for sufficient housing to meet its regional housing need. All of the strategies summarized below utilize the City's existing General Plan designations and do not require any changes to the General Plan.

2. Importance of a buffer and “no net loss” requirements: Each time the City approves a project on a site listed in the housing element, it must compare the project with both the number of units shown in the housing element and the projected income level. If either the project has fewer units than shown in the housing element, or the units are developed at a different income level, the City must demonstrate that it still has enough properly zoned sites to meet the RHNA at all income levels. If there are not enough properly zoned sites in the inventory, the City must identify and make available additional sites within 180 days, which may require rezoning.
3. Penalties for not constructing all units assigned by the RHNA: If fewer units are built in the City than included in the City’s RHNA, at present the only consequence is that developers may submit applications under SB 35, which is described in further detail in the report.
4. Penalties for not having a Housing Element Approved by HCD: Cities with non-compliant Housing Elements may be referred by HCD to the Attorney General or may be sued by private parties. Certain state housing funds also require that the City have a housing element approved by HCD. If a court agrees that the housing element does not comply with state law, the court may restrict the City’s ability to approve certain projects or order the City to approve certain projects, and the City would likely be required to pay attorney’s fees to the successful plaintiffs.

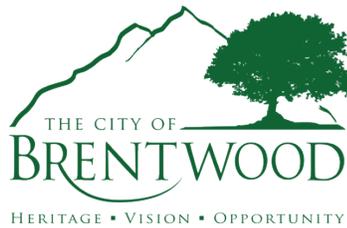
The attached staff report includes a draft site inventory table and map for reference that shows existing vacant/underutilized residential parcels, their buildable acreage, zoning and land use designations, and allowable and mid-range densities.

There are also three potential strategies identified that would allow the City to move forward with the provided draft site inventory that would not require any rezoning of sites within the City at this time. Staff has provided analysis of each strategy that includes a description of the scenario’s affordability assumptions, the buffer each strategy would provide, the likelihood of HCD acceptance, the likelihood of requiring no net loss, and CEQA implications. The strategies provided are only a sample of the strategies and assumptions that could be utilized to address the City’s RHNA. There will be an opportunity at June 21st workshop to use in real time, a model to make affordability and site assumption adjustments as necessary. A summary of each of the three identified strategies are included on the following page.

| | Strategy 1 | Strategy 2 | Strategy 3 |
|---|--|--|--|
| Description | No Rezoning Required, Reduced Affordability with Increased ADU Assumptions | No Rezoning Required, HCD Approved Methodology | No Rezoning Required, HCD Approved Methodology with Conservative Affordability Assumptions |
| HCD-supported | No | Yes | Yes |
| Affordability Assumptions* | 21% Low and Very Low, and 6% Moderate | 100% Low and Very Low, and 100% Moderate | 30% Low and Very Low, and 10% Moderate |
| Affordable Unit Potential | VL/L: 635 units Mod: 264 units AMod: 4,183 units Total: 5,082 units | VL/L: 2,321 units Mod: 851 units AMod: 1,775 units Total: 4,947 units | VL/L: 755 units Mod: 347 units AMod: 1,405 units Total: 4,947 units |
| Buffer | 0% Low/Very Low, 7% Moderate-, and 553% Above Moderate | 266% Low/Very Low, 245% Moderate-, and 177% Above Moderate | 19% Low/Very Low, 40% Moderate-, and 500% Above Moderate |
| No Not Loss Implications | Highly likely to trigger no net loss | Least likely to trigger no net loss | More likely than Strategy 2 to trigger no net loss |
| *Affordability assumptions are based on the site inventory with the assumption that sites that allow 30 du/ac (default density) or more can accommodate capacity for lower-income units and sites that allow 15 to 25 du/ac can accommodate capacity for moderate-income units. | | | |

5th Cycle Housing Element Sites

Lastly, for reference purposes, staff has included the adopted 2015 5th Cycle Housing Element Sites Inventory, broken down between multi-family and single-family residential parcels. Staff has included columns that indicate their buildable acreage, zoning and land use designations, the stated capacity in the previous inventory, whether the sites were developed during the planning period, how many units were developed, whether the site is recommended to be carried over into the current cycle, and if not carried over, why. It should be noted that staff is not recommending to carry over any sites that do not yield a minimum of 10 units.



CITY COUNCIL WORKSHOP AGENDA ITEM A

Meeting Date: July 21, 2022

Subject Title: Housing Element Update - Introduction on the analysis of existing residential zoning capacity within the city including review of a list of potential sites under consideration for inclusion in the Housing Element Site Inventory for the 2023-2031 (6th Cycle) Housing Element Update, as well as an evaluation of Site Inventory and affordability assumption strategies needed to address the City's Regional Housing Need Allocation (RHNA).

Prepared By: Jennifer Hagen, Senior Planner

Submitted By: Alexis Morris, Community Development Director
Erik Nolthenius, Planning Manager

PURPOSE AND RECOMMENDATION

Work is proceeding on the 2023-2031 (6th Cycle) Housing Element Update, which among other components, will include an updated inventory of sites that can accommodate the City's Regional Housing Need Allocation (RHNA). As a starting point for creating the Housing Element Updated Site Inventory, staff has identified a list of sites that under the existing General Plan and Zoning designations allow for residential development at various densities. Staff has provided a map (Attachment 4) and list identifying each site (Attachment 3), as well as a calculation of the estimated yield of units for each based on the mid-point density allowed in each Zoning District or General Plan designation.

Workshop Objectives

At tonight's workshop, staff requests the City Council's input and direction on the list of sites to be carried forward for analysis in the Housing Element Update. This workshop is intended to accomplish the following objectives:

1. Present the initial framework for the site inventory, including HCD accepted assumptions and principles that may be used to develop the inventory.
2. Introduce the analysis of existing residential zoning capacity within the city including the preliminary site list from which the site inventory will be compiled, and evaluation of the number of units for which additional sites may be needed to address the City's RHNA utilizing three different strategies that include varying affordability assumptions and ADU projection assumptions.
3. Receive direction from the City Council on which Site Inventory Strategy, as described in the Site Inventory and Affordability Assumption Strategies section of this report, to move forward with when preparing affordability projections and the Draft Housing Element Update.

PREVIOUS ACTION

The City Council authorized execution of an agreement for consulting services with Kimley-Horn to assist with preparation of the 2023-2031 (6th RHNA Cycle) Housing Element Update on October 12, 2021.

On April 14, 2022, staff presented an introduction to the Housing Element Update at a joint City Council/Planning Commission workshop.

On June 1, 2022, staff presented an update on the Housing Element Update including Regional Housing Needs Allocation (RHNA) site strategies, and implications of new State legislation on the City's policies and programs. The City Council directed staff to return with a draft site inventory when available for review.

BACKGROUND

The Housing Element is part of the City's General Plan and is a comprehensive statement by the community of its current and future housing needs, including proposed actions to facilitate the provision of housing to meet those needs at all income levels. The current Housing Element, which was adopted by the City Council and certified by the State in 2015, covers the planning period from 2015 to 2022 (5th Cycle). The next Housing Element Update (the 6th Cycle) must be adopted by January 2023, to address the 2023-2031 planning period¹.

6th Cycle RHNA

As has been previously outlined to the City Council, the City has been assigned a 6th Cycle RHNA of 1,522 housing units at various levels of affordability. As a key component of the updated Housing Element, the City must document, through a detailed, parcel-specific inventory, that there are sufficient sites available today to accommodate the entirety of its RHNA. If the City does not have enough adequate sites identified and currently zoned to accommodate the assigned RHNA, additional sites will need to be identified and ultimately rezoned.

The adequacy of the site inventory will be evaluated by the State Department of Housing and Community Development (HCD). Although HCD will review the entire inventory, it pays particular attention to sites identified to accommodate the City's lower-income RHNA, based on criteria intended to show the various sites' realistic capacity to develop during the eight-year planning period of the Housing Element.

Ramifications of Failure to Meet RHNA

At present, there is no requirement that enough homes be constructed in a city or county to meet the community's RHNA. If fewer units are built in the City than included in the City's RHNA, at present the only consequence is that developers may submit applications under SB 35. SB 35 allows developers to submit housing developments meeting certain requirements, including specified percentages of affordable housing and payment of prevailing wages, if fewer units are being constructed in the city to meet its above moderate, very low, or low-income RHNA requirements. Projects eligible for SB 35 must be approved ministerially without CEQA review under strict timelines. In the current 5th cycle, most jurisdictions in California, including Brentwood, are subject to SB 35. Brentwood must streamline projects that apply for SB 35 approval, set aside at least 50% of units for lower-income residents, and meet all of the other requirements. To date, no such project has been submitted to the City.

HCD has also formed the Housing Accountability Unit (HAU) to investigate violations of housing laws and may refer violators to the Attorney General. HCD has emphasized that it expects cities

¹ It should be noted that although January 31, 2023 is the statutory deadline to have the Housing Element adopted for our jurisdiction, there is a 120-day grace period that is allowed in order to gain compliance with HCD

to implement the programs included in their housing elements. To date, its emphasis has been on programs that propose changes in zoning.

FRAMEWORK CONSIDERATIONS FOR DEVELOPING THE SITES INVENTORY

The following outlines some of the key assumptions and “building blocks” that provide the framework for developing the sites inventory that are both acceptable to HCD and were used to develop the analysis presented to the City Council on June 1st.

Zoning Capacity and Density Assumptions for Initial Inventory

City staff and the consultant team have evaluated the City’s residential land inventory (i.e. sites zoned for residential use “today” with capacity to accommodate additional development) starting with a review of the adopted 2015 (5th Cycle) Housing Element Site Inventory which is included in Attachment 6a and 6b for reference. In addition to the existing capacity, staff and the consultant team also reviewed the “pipeline” of residential projects already entitled in the coming one- to two- year period and Accessory Dwelling Unit projections (ADU projections are described in greater detail further in the report). This comprehensive list of sites with associated map are included as Attachment 3 and 4, and together, constitute a baseline of properties that can potentially accommodate at least a portion of the City’s RHNA. A map of the City showing all properties that have general plan designations that allow for residential development has been included for reference as Attachment 2. It should be noted that the PA-1 Specific Plan, Brentwood Boulevard Specific Plan, and Downtown Specific Plan have multiple areas which allow for residential and mixed use development under the various designations, but only have one General Plan designation for the entire specific plan area; therefore, the General Plan map does not depict all of the residential sites allowed under the specific plans.

“No Net Loss” Law and Housing Buffer

HCD recommends identifying sites with zoning capacity sufficient to provide between 15 and 30 percent more units than the identified lower income RHNA, often called the housing “buffer”². This is to ensure that the City has enough properly zoned sites throughout the eight-year planning period. Under a provision of state law called the “no net loss” law, each time the City approves a project on a site listed in the housing element, it must compare the project with both the number of units shown in the housing element and the projected income level. If either the project has fewer units than shown in the housing element, or they are developed at a different income level, the City must demonstrate that it still has enough properly zoned sites to meet the RHNA at all income levels. For instance, if a site is identified as suitable for 100 lower income units, but a project is proposed with 100 units but only 10 lower income units, then the City must show that it still has enough properly zoned sites to accommodate its lower income RHNA. If there are not enough properly zoned sites in the inventory, the City must identify and make available additional sites within 180 days, which may require rezoning. A buffer is particularly important for sites shown as suitable for lower income housing.

General Plan Consistency

In addition to including a buffer, staff recommends maintaining consistency with the General Plan to estimate potential unit capacity for the sites, using an “average or mid-point” density for all sites. Alternatively, the City could require a minimum density on each site and use that to calculate realistic capacity³. The mid-point assumption can be supported by the General Plan and past project approvals (development at or above the mid-point density).

Based on guidance provided by HCD for higher-density housing sites, the inventory needs to reflect a realistic capacity that takes account aspects like physical constraints, necessary on-site infrastructure and circulation, parking, and development standards like height and setback requirements. Using an average or mid-point density for high-density sites will help to align the

² Page 22 of the HCD Sites Inventory Guidebook included as Attachment 1

³ Page 19 of HCD Sites Inventory Guidebook included as an Attachment 1

initial inventory with these realistic capacity assumptions going forward, and not be overly aggressive in the assumed capacity for particular sites.

Default Densities and Capacity Assumptions by Affordability Level

The inventory process requires the City to identify the density ranges at which each site will be developed. As discussed previously, staff has recommended using an “average or mid-point” density for all sites, including low, medium and high-density ranges to not be overly aggressive.

With respect to the various income categories for which the inventory must show adequate capacity, State law provides for a “default density⁴” which is a zoning density which can be assumed to be suitable to yield the potential capacity for lower-income housing units. In Brentwood, the default density for units to be projected as lower-income units in the inventory is 30 dwelling units per acre (du/ac). There is no default density for moderate-income units, but districts allowing less than 30 du/ac, in the range of 15 to 25 du/ac, may be appropriate. Although not explicitly stated by HCD, based on past performance and peer city assumptions, the City is making the informed assumption that sites zoned at less than 30 du/ac, in the range of 15 to 25 du/ac, have the potential to accommodate capacity for moderate-income units.

Per HCD guidelines (Attachment 1), the City may project all units in the inventory that allow 30 du/ac (default density) or more as affordable for lower-income. Any site designated to accommodate lower income housing must also be between 0.5 acres – 10 acres and be projected to accommodate at least 16 units. The City has three land use designations that can accommodate residential development at this default density that would qualify for lower-income development including the R-VHD and two designations within the Innovation Center Specific Plan (PA-1), (Transit Village/Mixed-Use and Multi-Family Very High Residential).

As discussed later in this report, depending on the assumptions made, the majority of the lower-income RHNA could be addressed within PA-1 using HCD’s recommendations, as well as a significant proportion of above-moderate units on other existing higher density housing sites, without requiring any rezoning. It is a policy decision for the City Council as to how to best allocate affordability assumptions for sites at various densities in various locations.

ANALYSIS OF EXISTING ZONING CAPACITY

The following outlines the City’s RHNA, the components that make up the current sites inventory, and how the projected shortfall is calculated.

6th Cycle RHNA

Table 1 summarizes the 6th Cycle RHNA for the City of Brentwood. The RHNA is distributed among the following income categories, each of which represent relative affordability to households as a proportion of the Countywide Area Median Income (AMI).

⁴ Sometimes called “Mullin densities” after the author of AB 2348, Statutes of 2004, which originated these requirements.

| Table 1: RHNA Allocation Breakdown | | |
|---|---|-----------------------|
| Income Category | Percentage of Area Median Income | Brentwood RHNA |
| Extremely Low Income (ELI)* | <30% | 402 |
| Very Low Income (VLI)* | 31-50% | |
| Low Income (LI) | 51-80% | 232 |
| Moderate Income (MI) | 81-120% | 247 |
| Above-Moderate Income (AMI) | >120% | 641 |
| Total | | 1,522 Units |

Analysis of Existing/Baseline Zoning Capacity

In order to provide a comprehensive analysis of the City's existing zoning capacity, staff has utilized the following components to address the City's 6th Cycle RHNA, discussed in further detail below.

Existing Residential Zoning

This includes parcels zoned for residential uses with capacity to add new housing units within the City's single-family and multi-family residential zoning districts. Although all vacant or underutilized parcels that currently maintain zoning or general plan designations that allow residential development may be included within the inventory, staff recommends that the focus be on sites that can accommodate the largest amount of below market rate housing at the highest densities. Therefore, not all residentially zoned sites will need to be listed on the final inventory. A map of all parcels with a general plan designation that allows for residential development (excluding PA-1 and Specific Plan areas as noted above) is included for reference.

Capacity in Existing Specific Plans

This includes vacant or underutilized parcels within the PA-1 Specific Plan⁵ that allow for residential development with capacity to add new housing units.

Pipeline Projects

Pipeline Projects are defined as residential projects already entitled, under review, or expected to be entitled during the eight year planning period, including projects under construction but which would not have building permits finalized by June 30, 2022.⁶ This includes new proposed projects to be approved under the City's revised Affordable Housing Ordinance. Although HCD allows Pipeline Projects to include projects currently under review, staff has only included entitled projects that have received City approval.

ADU Production

HCD has issued a determination to allow local jurisdictions to "count" ADU production as a component of the sites inventory based on a formula that considers the average annual number of ADU permits issued in the City over the last three years, multiplied over the Housing Element's eight-year planning period. In 2019 the City issued nine permits, in 2020 the City issued 20 permits, and in 2021 the City issued 16. In the first six months of 2022, the City has only issued 2 new ADU permits. Since the City has not been able to show that there is currently an upward trend in ADU production, the average from 2019, 2020, and 2021 would need to be

⁵ Estimated capacity within PA-1 is based on draft revisions that the Planning Commission recommended for City Council approval on June 21, 2022, which will be reviewed by the City Council in July 2022.

⁶ The Housing Element 6th RHNA Cycle reporting period technically begins on July 1, 2022, meaning that units for which building permits are finalized (i.e., approved for occupancy) on or after this date, can be included in the 2023-2031 inventory.

used for future projections. This would allow the City to project 15 ADU's per year over the next eight years for a total of 135 new units. Kimley-Horn strongly recommends this approach to projection – more aggressive projection approaches attempted by other cities Kimley-Horn has worked with have not been approved by HCD.

As stated in the report previously presented to the City Council on June 1st, ABAG has prepared a preliminary ADU Affordability Report, currently under review by HCD, intended as a basis to allocate ADU production into the various RHNA affordability categories. If HCD accepts the report's analysis, ADU's would be permitted to be counted at the following income levels: 30% Very Low Income, 30% Low Income, 30% Moderate Income, and 10% Above Moderate Income. Follow-up or verification of affordability levels would not be required if utilizing these accepted income levels. Utilizing these assumptions, the City would be able to count the following ADU production shown in Table 2.

| Income Category | ABAG Affordability Assumptions | Projected ADU Production |
|------------------------------------|---------------------------------------|---------------------------------|
| Very Low Income (VLI) | 30% | 40 |
| Low Income (LI) | 30% | 41 |
| Moderate Income (MI) | 30% | 40 |
| Above-Moderate Income (AMI) | 10% | 14 |
| Total | | 135 Units |

These assumptions can potentially be adjusted if the City Council wants to consider including strong policies and programs to encourage the development of ADUs. Discussion of how the numbers may be adjusted and what types of programs may be considered are discussed further in the Site Inventory and Affordability Assumption Strategies section of the report.

Together, existing residentially-zoned properties, pipeline projects, and ADUs constitute a baseline of zoned capacity that can accommodate the City's RHNA. The difference between this number, and the RHNA in each category, represents the remaining need in each category. Table 3 below summarizes the results of staff's initial evaluation of pipeline projects and ADU production assumptions. The table also includes the total existing residential development capacity; however, the capacity has not been assigned affordability assumptions until further direction is provided as discussed in the Site Inventory and Affordability Assumption Strategies section of the report. Notably, the unit numbers presented in the following tables represent calculated capacity within the City's existing General Plan and zoning designations, rather than a specific obligation to meet a portion of the City's RHNA on specific sites.

| Table 3: Summary of Preliminary Capacity Analysis of RHNA and Site Strategies | | | | | |
|--|------------------------|-------------------|------------------------|------------------------------|--------------------|
| | Very Low-Income | Low-Income | Moderate-Income | Above Moderate-Income | Total Units |
| 2023-2031 RHNA Allocation | 402 | 232 | 247 | 641 | 1,552 |
| RHNA Strategies Under Existing Zoning | | | | | |
| Projects Currently in the Pipeline | 2 | | 0 | 966 | 968 |
| Projected ADU Production | 80 | | 41 | 14 | 135 |
| Remaining Need | 552 | | 206 | -- | 449 |
| PA-1 (Innovation Center) | -- | | -- | -- | 2,222 |
| Vacant Residential Land | -- | | -- | -- | 1,622 |
| Total Unit Potential | 82 | | 41 | 980 | 4,947 |
| Buffer/Gap | -87% | | -83.5% | 153% | 319% |

IMPACTS OF THE AFFORDABLE HOUSING ORDINANCE

At the June 1, 2022 Joint Workshop, concerns were also raised questioning whether the City could include projected affordable units that may be gained from low density housing developments as part of the City’s updated Affordable Housing Ordinance. While it may seem counterintuitive, HCD does not permit affordable units required through the City’s Affordable Housing Ordinance to be counted as “projected” units in the Sites Inventory unless they are proposed or approved as part of a specific housing development. These units are; however, able to be counted toward the City’s RHNA once a project is approved by the City. According to HCD’s *Housing Element Site Inventory Guidebook* (2020) (Attachment 1):

The analysis of ‘appropriate zoning’ should not include residential buildout projections resulting from the implementation of a jurisdiction’s inclusionary program or potential increase in density due to a density bonus, because these tools are not a substitute for addressing whether the underlining (base) zoning densities are appropriate to accommodate the RHNA for lower income households.

There are currently approximately 10 residential developments under review with a total of 633 units currently proposed. If all of these projects were approved as currently proposed, the City would gain an additional 15 low- and very-low income units and 39 moderate income units. As noted above, although these projects are currently under review and are eligible to be included as Pipeline Projects, staff has only included entitled projects that have received City approval as Pipeline Projects.

On June 21, 2022, the Planning Commission recommended changes to the City’s Affordable Housing Ordinance to require a 13% affordable housing obligation for ownership and rental projects (3% Very Low / 4% Low / 6% Moderate). They also recommended changes to limit the option to pay a fee in lieu of constructing the required units to residential developments of 5-9 units, and removing the in lieu payment option for single-family residential development of 10 or more units. The proposed changes are tentatively scheduled to be presented to the City Council on July 12, 2022 for review and adoption.

SITE INVENTORY AND AFFORDABILITY ASSUMPTION STRATEGIES

On June 1, 2022, staff presented the City Council and Planning Commission with an update on the Housing Element Update process, a description of the sites strategies, and a preliminary analysis that showed that the City has enough sites to meet the City’s RHNA obligation without having to rezone any parcels. This is a highly unusual position for communities in the sixth housing element cycle. Because the RHNA for most communities has increased significantly compared with the fifth cycle, most need to rezone substantial areas at higher densities. For instance, the total sixth cycle RHNA for Marin County is five times as large as in the fifth cycle.

The City Council reviewed the preliminary site strategies including initial assumptions and directed staff to return with a more detailed report on the sites inventory including a comprehensive draft sites inventory of every parcel when available for review. At this meeting, specific concerns were also raised regarding staff’s initial recommendation to assume that sites meeting the minimum default density of 30 du/ac be assumed to include 30% low income units and 10% moderate income units. Based on this feedback, staff has provided a comprehensive list of sites under consideration to be included in the draft sites inventory (attached for reference) and has three strategies for the City Council’s review and consideration. All three strategies include the same baseline for pipeline projects and existing residential inventory parcels, however, each will provide different affordability assumptions, and one with different ADU projections.

The strategies provided are only a sample of the strategies and assumptions that could be utilized to address the City’s RHNA. There will be an opportunity at June 21st workshop to use in real time, a model to make affordability and site assumption adjustments as necessary. A summary of the three identified strategies are included in Attachment 5 and below in Table 4 followed by a detailed discussion of each.

| | Strategy 1 | Strategy 2 | Strategy 3 |
|--|--|--|--|
| Description | No Rezoning Required, Reduced Affordability with Increased ADU Assumptions | No Rezoning Required, HCD Approved Methodology | No Rezoning Required, HCD Approved Methodology with Conservative Affordability Assumptions |
| HCD-supported | No | Yes | Yes |
| Affordability Assumptions* | 21% Low and Very Low, and 6% Moderate | 100% Low and Very Low, and 100% Moderate | 30% Low and Very Low, and 10% Moderate |
| Affordable Unit Potential | VL/L: 635 units Mod: 264 units AMod: 4,183 units Total: 5,082 units | VL/L: 2,321 units Mod: 851 units AMod: 1,775 units Total: 4,947 units | VL/L: 755 units Mod: 347 units AMod: 1,405 units Total: 4,947 units |
| Buffer | 0% Low/Very Low, 7% Moderate-, and 553% Above Moderate | 266% Low/Very Low, 245% Moderate-, and 177% Above Moderate | 19% Low/Very Low, 40% Moderate-, and 500% Above Moderate |
| No Not Loss Implications | Highly likely to trigger no net loss | Least likely to trigger no net loss | More likely than Strategy 2 to trigger no net loss |
| *Affordability assumptions are based on the sites inventory with the assumption that sites that allow 30 du/ac (default density) or more can accommodate capacity for lower-income units and sites that allow 15 to 25 du/ac can accommodate capacity for moderate-income units. | | | |

Only strategies 2 and 3 of the aforementioned options currently create the capacity necessary to meet RHNA with a buffer consistent with HCD recommendations. Strategy 1 is presented to illustrate what the inventory may look like using affordability assumptions that are more conservative and more closely track the proposed Affordable Housing Ordinance (3%, 4%, 6%), and other strategies by which Brentwood can pursue meeting the RHNA obligation, although additional adjustments would be required. Strategy 1 is not recommended due to its reliance on ADU's, a strategy HCD has repeatedly disapproved. Table 5 below summarizes the affordability assumptions under each strategy followed by a more detailed analysis of each strategy.

| Table 5: Affordability and Default Densities by General Plan Designation | | | | |
|---|----------------------|---|------|------|
| Density Category | Density Range | Income Level Potentially Accommodated in Inventory | | |
| | | Above-Mod. | Mod. | Low |
| Strategy 1 Affordability Assumptions | | | | |
| Low - Medium Density | < 15 du/ac | 100% | | |
| High Density | 15 – 25 du/ac | 70% | 6% | |
| Very High Density | > 30 du/ac | 60% | 6% | 21% |
| Strategy 2 Affordability Assumptions | | | | |
| Low - Medium Density | < 15 du/ac | 100% | | |
| High Density | 15 – 25 du/ac | 0% | 100% | |
| Very High Density | > 30 du/ac | 0% | 0% | 100% |
| Strategy 3 Affordability Assumptions | | | | |
| Low - Medium Density | < 15 du/ac | 100% | | |
| High Density | 15 – 25 du/ac | 70% | 30% | |
| Very High Density | > 30 du/ac | 60% | 10% | 30% |

Strategy 1: Reduced Affordability with Increased ADU Assumptions

ADU Assumptions

As indicated in the report, HCD allows ADU projections based on previous production averages projected over the next 8-year cycle. In order to increase these assumptions, the City would be required to include additional incentives, documented in new programs that could facilitate the added production. Additional programs that could be included to incentivize additional ADU production could include the following:

- programs to waive ADU plan check and permit fees;
- pre-approved ADU plans to streamline the project application and review process and reduce upfront project costs;
- promotion of ADUs through handouts, simplified application forms; and
- exploration of a program to provide ADU funding assistance to homeowners that provide affordability covenants.

In addition to these programs, the City would be required to document and clearly justify to HCD how and why the City believes that these programs would work as well as creating a monitoring program to track ADU and JADU creation and affordability levels throughout the planning period. The program would require the City to monitor the development of accessory units at all

income levels and track progress annually. If ADUs are not approved and permitted at the rate anticipated in the City’s increased projections, the City would need to adopt additional incentives within 2 years of the original incentives, and every two years subsequent, until ADU construction matches ADU projections.

Staff has reviewed the City’s current Municipal Code regulations, residential development trends, and overall characteristics of residential properties within the city and does not believe that with added programs and an increased effort to highly encourage and incentivize ADU production throughout the city that there is additional realistic capacity and believes that doubling the current projections to a total of 30 ADUs per year would be rejected by HCD. Although strategies similar to this have been approved in limited capacity within California, in those cases analysis and growth trends were typically provided to show a growing trend in production right up to adoption of the Housing Element. Since Brentwood is unable to show any substantial growth in production in the past six months to a year, adequate justification is not likely in this case. If increased assumptions were to still be considered, possible revised ADU production and assumptions are shown below in Table 6.

| Table 6: Summary of Projected ADU Production by Affordability | | | |
|--|---------------------------------------|---------------------------------|----------------------------------|
| Income Category | ABAG Affordability Assumptions | Original ADU Productions | Increased ADU Productions |
| Very Low Income (VLI) | 30% | 40 | 80 |
| Low Income (LI) | 30% | 41 | 82 |
| Moderate Income (MI) | 30% | 40 | 80 |
| Above-Moderate Income (AMI) | 10% | 14 | 28 |
| Total | | 135 Units | 270 Units |

High and Very High Density Affordability Assumptions

In addition to higher ADU projections, Strategy 1 includes assumptions of 27% affordable units (9% very low-, 12% low-, and 6% moderate-income units) on all sites meeting the minimum default density of 30 du/ac. This assumption would be above what is required as part of the City’s Affordable Housing Ordinance, but would provide more conservative estimates and be more closely aligned with the City’s RHNA requirements. However, in this scenario the City would be most likely to need to modify affordability assumptions, or upzone additional sites during the planning period because the remaining undeveloped sites would be projected to provide few affordable units.

Table 7 below summarizes the results of initial evaluation of existing residential development capacity utilizing Strategy 1 capacity assumptions. Strategy 1 would result in the following projected capacity which would include a zero percent buffer in the lower income category:

| Table 7: Summary of Strategy 1 Capacity Analysis | | | | | |
|---|------------------------|---------------------|------------------------|------------------------------|--------------------------|
| | Very Low-Income | Low-Income | Moderate-Income | Above Moderate-Income | Total |
| 2023-2031 RHNA Allocation | 402 | 232 | 247 | 641 | 1,552 |
| Strategy 1 Capacity Under Existing Zoning | | | | | |
| Projects Currently in the Pipeline | 2 | 0 | 0 | 966 | 968 |
| Projected ADU Production | 162 | 81 | 81 | 27 | 270 |
| Remaining Need | 471 | 166 | 166 | -- | 314 |
| PA-1 (Innovation Center) | 377 | 133 | 133 | 1,712 | 2,222 |
| Vacant Residential Land | 94 | 50 | 50 | 1,478 | 1,622 |
| Total Unit Potential | 635 | 264 | 264 | 4,183 | 5,082 |
| Units +/- and Buffer/Gap % | 1 unit, 0% | 17 units, 7% | 17 units, 7% | 3,542 units, 553% | 3,844 units, 227% |

CEQA Implications under Strategy 1

If Strategy 1 is chosen, no rezoning would be required and although affordability assumptions would be modified, all density assumptions would continue to be based on existing General Plan designations and therefore the Housing Element Update may be exempt from CEQA, pursuant to Section 15061(b)(3) of the State CEQA Guidelines, similar to Strategy 1 and 2.

Strategy 2: No Rezoning Required, HCD Approved Methodology

Strategy 2 utilizes the preliminary analysis of RHNA and site strategies as presented in the HCD Guidebook. Based on HCD guidelines, the City may make assumptions up to 100% lower-income affordability for all sites allowing 30 du/ac or more, and 100% moderate-income affordability for all sites allowing between 15-25 du/ac. Although utilizing this approach would require additional analysis and justification of the sites designated for lower income housing, this is the typical assumption that most communities in California have used. Utilizing this method would also provide the City with the largest buffer in the very low- and low-income categories.

Table 8 below summarizes the results of initial evaluation of existing residential development capacity utilizing Strategy 2 capacity assumptions. Strategy 2 would result in the following projected capacity which would include a large buffer in each income category:

| Table 8: Summary of Strategy 2 Capacity Analysis | | | | | |
|---|--------------------------|------------------------|------------------------|------------------------------|--------------------------|
| | Very Low-Income | Low-Income | Moderate-Income | Above Moderate-Income | Total |
| 2023-2031 RHNA Allocation | 402 | 232 | 247 | 641 | 1,552 |
| Strategy 2 Capacity Under Existing Zoning | | | | | |
| Projects Currently in the Pipeline | 2 | 0 | 0 | 966 | 968 |
| Projected ADU Production | 80 | 41 | 41 | 14 | 135 |
| Remaining Need | 552 | 206 | 206 | -- | 449 |
| PA-1 (Innovation Center) | 1,793 | 429 | 429 | 0 | 2,222 |
| Vacant Residential Land | 446 | 381 | 381 | 795 | 1,622 |
| Total Unit Potential | 2,321 | 851 | 851 | 1,775 | 4,947 |
| Units +/- and Buffer/Gap % | 1,687 units, 266% | 604 units, 245% | 604 units, 245% | 1,134 units, 177% | 3,844 units, 219% |

Strategy 2 could also be proposed with fewer sites and a smaller buffer, although this would be more likely to trigger no net loss. If that occurred, however, the City would be able to make a finding that additional properly zoned sites are available in the City.

CEQA Implications under Strategy 2

If Strategy 2 is chosen, no rezoning would be required and all density assumptions would be based on existing General Plan designations; therefore, the Housing Element Update would be exempt from CEQA review, pursuant to Section 15061(b)(3) of the State CEQA Guidelines, which provides that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. However, HCD may require that other programs be included that could require additional CEQA review.

Strategy 3: No Rezoning Required, HCD Approved Methodology with Conservative Affordability Assumptions

Strategy 3 utilizes the preliminary analysis of RHNA and sites strategies as presented in the initial sections of this report. As stated above, based on HCD guidelines the City may make assumptions up to 100% lower-income affordability for all sites allowing 30 du/ac or more, and 100% moderate-income affordability for all sites allowing up to 20 du/ac. However, a more conservative assumption would project 30% low-income affordability and 10% moderate-income affordability for very high-density sites and 30% moderate-income affordability for high-density sites. Since not all sites are likely to develop at even this level of affordability, the City would need to carefully monitor development to ensure that it retains adequate sites at all times for the lower and moderate income categories. Because each site would be projected to have fewer affordable units, the City would be more likely to need to modify assumptions or up zone additional sites later in the planning period. A 100% affordable housing development would greatly assist in meeting the City's RHNA.

Table 9 below summarizes the results of initial evaluation of existing residential development capacity utilizing Strategy 3 capacity assumptions. Strategy 3 would result in the following projected capacity which would include a minimum 19% buffer in the lower income category:

| Table 9: Summary of Strategy 3 Capacity Analysis | | | | | |
|---|------------------------|-------------------|------------------------|------------------------------|--------------------------|
| | Very Low-Income | Low-Income | Moderate-Income | Above Moderate-Income | Total |
| 2023-2031 RHNA Allocation | 402 | 232 | 247 | 641 | 1,552 |
| Strategy 3 Capacity Under Existing Zoning | | | | | |
| Projects Currently in the Pipeline | 2 | | 0 | 966 | 968 |
| Projected ADU Production | 80 | | 41 | 14 | 135 |
| Remaining Need | 552 | | 206 | -- | 449 |
| PA-1 (Innovation Center) | 539 | | 223 | 1,460 | 2,222 |
| Vacant Residential Land | 134 | | 83 | 1,405 | 1,622 |
| Total Unit Potential | 755 | | 347 | 3,845 | 4,947 |
| Units +/- and Buffer/Gap % | 121 units, 19% | | 100 units, 40% | 3,204 units, 500% | 3,844 units, 219% |

CEQA Implications under Strategy 3

If Strategy 3 is chosen, no rezoning would be required and all density assumptions would be based on existing General Plan designations; therefore, the Housing Element Update would be exempt from CEQA, pursuant to Section 15061(b)(3) of the State CEQA Guidelines, which provides that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. However, HCD may require that other programs be included that could require additional CEQA review.

NEXT STEPS

As noted, the creation of the site inventory is an important initial step in the Housing Element Update process. Following this meeting, staff and the consultant team will continue to develop and refine the analysis of existing sites and solidify the existing capacity that can be used to address the City’s RHNA. Based on where staff and the consultant team currently are in the analysis, a revised schedule and timeline has been prepared for Strategies 1, 2, and 3. A summary of the revised schedule is included below.

| Task | Timeframe |
|--|----------------------|
| City Council Workshop | July 21, 2022 |
| Publish Public Review Draft | August 2022 |
| Joint City Council and Planning Commission Meeting – Public Review Draft | August 2022 |
| Internally Review Community Input/Feedback and Make Revisions | Early September 2022 |
| First HCD Submittal | Mid-September 2022 |
| Response to HCD Comments and Revisions | Mid-December 2022 |
| 2 nd Submission of Draft Housing Element to HCD | February 2023 |
| Response to HCD Comments and Revisions | April 2023 |
| 3 rd Submission of Draft Housing Element to HCD if needed | May 2023 |
| HCD Letter of Substantial Compliance | May 2023 |
| Adoption Public Hearings | May 2023 |

It should be noted that although January 31, 2023 is the statutory deadline to have the Housing Element adopted for our jurisdiction, there is a 120-day “grace period” that is allowed in order to gain compliance with HCD. Under Strategies 1, 2, or 3, Brentwood would be utilizing this 120-day grace period to gain certification.

Staff also notes that in addition to working on reviewing the site inventory and goals and policies, staff and the consultant team are continuing to advance other components of the Housing Element. These include:

- Summary of input from the initial on-line community survey. The survey concluded on Friday, June 10th and included a total of 526 responses. A comprehensive summary of the survey results will be presented to the City Council when available.
- Completion of the Public Review Draft of the 2023-2031 Housing Element Update that will address all of the mandatory informational requirements and analyses supporting the Housing Element, including findings of the required housing needs assessment; analysis of constraints to housing; and evaluation of existing Housing Element policies and programs. This draft report is anticipated to be published and presented to the City Council and Planning Commission in August ahead of submission to HCD.

CONCLUSION

To move forward in the planning process in drafting the Housing Element Update, it is imperative that the City Council provide direction on which strategies should be used in forming baseline site inventory and affordability assumptions. Staff is recommending that the City Council review, discuss, and receive public comments on the Housing Element Update RHNA sites strategies and provide direction to staff on which of the above site strategies to move forward with in order to complete the public review draft of the Housing Element.

Attachments

1. HCD Site Inventory Guidebook
2. Residential General Plan Map
3. Draft Site Inventory Excel Sheet
4. Draft Site Inventory Map
5. Strategy 1-3 Site Analysis Tables
6. 5th Cycle Housing Element Site Inventory Analysis
 - a. Multi-Family Sites
 - b. Single-Family Sites

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
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June 10, 2020

MEMORANDUM FOR: Planning Directors and Interested Parties

FROM: Megan Kirkeby, Acting Deputy Director
Division of Housing Policy Development

SUBJECT: **Housing Element Site Inventory Guidebook
Government Code Section 65583.2**

The housing element of the general plan must include an inventory of land suitable and available for residential development to meet the locality's regional housing need by income level. The purpose of this Guidebook is to assist jurisdictions and interested parties with the development of the site inventory analysis for the 6th Housing Element Planning Cycle and identify changes to the law as a result of Chapter 375, Statutes of 2017 (AB 1397), Chapter 958, Statutes of 2018 (AB 686), Chapter 664, Statutes of 2019 (AB 1486), and Chapter 667, Statutes of 2019 (SB 6). The Guidebook should be used in conjunction with the site inventory form developed by the California Department of Housing and Community Development (HCD). These laws introduced changes to the following components of the site inventory:

- Design and development of the site inventory (SB 6, 2019)
- Requirements in the site inventory table (AB 1397, 2017 AB 1486, 2019)
- Capacity calculation (AB 1397, 2017)
- Infrastructure requirements (AB 1397, 2017)
- Suitability of nonvacant sites (AB 1397, 2017)
- Size of site requirements (AB 1397, 2017)
- Locational requirements of identified sites (AB 686, 2018)
- Sites identified in previous housing elements (AB 1397, 2017)
- Nonvacant site replacement unit requirements (AB 1397, 2017)
- Rezone program requirements (AB 1397, 2017)

The workbook is divided into five components: (Part A) identification of sites; (Part B) sites to accommodate the lower income RHNA; (Part C) capacity analysis; (Part D) non-vacant sites; and (Part E) determination of adequate sites.

If you have any questions, or would like additional information or technical assistance, please contact the Division of Housing Policy Development at (916) 263-2911.

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BACKGROUND AND PURPOSE

Housing Element Site Inventory Requirements

Scarcity of land with adequately zoned capacity is a significant contributor to increased land prices and housing development costs. A lack of adequately zoned sites exacerbates the already significant deficit of housing affordable to lower income households. An effective housing element provides the necessary conditions for conserving, preserving and producing an adequate supply of housing affordable at a variety of income levels and provides a vehicle for establishing and updating housing and land-use strategies to reflect changing needs, resources, and conditions. Among other things, the housing element establishes a jurisdiction's strategy to plan for and facilitate the development of housing over the five-to-eight year planning period by providing an inventory of land adequately zoned or planned to be zoned for housing and programs to implement the strategy.

The purpose of the housing element's site inventory is to identify and analyze specific land (sites) that is available and suitable for residential development in order to determine the jurisdiction's capacity to accommodate residential development and reconcile that capacity with the jurisdiction's Regional Housing Need Allocation (RHNA). The available and suitable sites are referred to as "adequate sites" throughout this Guidebook. The site inventory enables the jurisdiction to determine whether there are sufficient adequate sites to accommodate the RHNA by income category. A site inventory and analysis will determine whether program actions must be adopted to "make sites available" with appropriate zoning, development standards, and infrastructure capacity to accommodate the new development need.

Sites are suitable for residential development if zoned appropriately and available for residential use during the planning period. If the inventory demonstrates that there are insufficient sites to accommodate the RHNA for each income category, the inventory must identify sites for rezoning to be included in a housing element program to identify and make available additional sites to accommodate those housing needs early within the planning period.

Other characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., size and shape of the site, improvements currently on the site, slope instability or erosion, or environmental and pollution considerations), location (e.g., proximity to and access to infrastructure, transit, job centers, and public or community services), competitiveness for affordable housing funding (e.g., Low Income Housing Tax Credit scoring criteria), and likelihood or interest in development due to access to opportunities such as jobs and high performing schools¹. When determining sites to include in the inventory to meet the lower income housing need, HCD recommends that a local government first identify development potential in high opportunity neighborhoods. This will assist the local government in meeting its requirements to affirmatively further fair housing and ensure developments are more competitive for development financing.

¹ Please Note: Significant increases in the housing capacity of the residential land inventory of the housing element could also warrant planning for updating of other elements, including the land use, safety, circulation elements and inclusion of an environmental justice element or environmental justice policies. The housing element must include a program describing the means by which consistency will be achieved with other general plan elements and community goals (GC 65583(c)(8)).

SITE INVENTORY GUIDEBOOK FRAMEWORK

The following is a Guidebook designed to assist a jurisdiction through the site inventory analysis required by Housing Element Law. Use of the Guidebook is not required for a determination of compliance by HCD. The Guidebook is intended to facilitate the jurisdiction in determining if adequate sites are available by income category to accommodate the jurisdiction's share of the RHNA or if rezoning or other program actions are needed. Areas of the law that are newly added since the beginning of the 5th housing element cycle are marked with the designation ***NEW***.

Guidebook Structure

PART A: IDENTIFICATION OF SITES

General characteristics of suitable sites identified in the inventory, including zoning, infrastructure availability, and environmental constraints, among others.



PART B: SITES TO ACCOMMODATE LOW AND VERY LOW- INCOME RHNA

Analysis to determine if sites are appropriate to accommodate the jurisdiction's RHNA for low- and very low-income households.



PART C: CAPACITY ANALYSIS

Description of the methodology used to determine the number of units that can be reasonably developed on a site.



PART D: NONVACANT SITES

Analysis to determine if nonvacant sites are appropriate to accommodate the jurisdiction's RHNA.



PART E: DETERMINATION OF ADEQUATE SITES

After consideration of the above analysis and any alternate methods to accommodate RHNA, the determination of whether sufficient sites exist to accommodate RHNA or if there is a shortfall requiring a program to rezone additional sites.

PART A: IDENTIFICATION OF SITES

Step 1: Identification of Developable Sites

Government Code section 65583.2(a)

Generally, a site is a parcel or a group of parcels that can accommodate a portion of the jurisdictions RHNA. A jurisdiction must identify, as part of an inventory, sites within its boundaries (i.e., city limits or a county's unincorporated area)² that could have the potential for new residential development within the eight- or five-year timeframe of the housing element planning period.

Types of sites include:

- Vacant sites zoned for residential use.
- Vacant sites zoned for nonresidential use that allow residential development.
- Residentially zoned sites that are capable of being developed at a higher density (nonvacant sites, including underutilized sites).
- Sites owned or leased by a city, county, or city and county.
- Sites zoned for nonresidential use that can be redeveloped for residential use and a program is included to rezone the site to permit residential use.

Pending, approved, or permitted development:

Projects that have been approved, permitted, or received a certificate of occupancy since the beginning of the RHNA projected period may be credited toward meeting the RHNA allocation based on the affordability and unit count of the development. For these projects, affordability is based on the actual or projected sale prices, rent levels, or other mechanisms establishing affordability in the planning period of the units within the project (See Part E). For projects yet to receive their certificate of occupancy or final permit, the element must demonstrate that the project is expected to be built within the planning period.

Definition of Planning Period: The “Planning period” is the time period between the due date for one housing element and the due date for the next housing element (Government Code section 65588(f)(1).) For example, the San Diego Association of Governments’ 6th Cycle Planning Period is April 15, 2021 to April 15, 2029.

Definition of Projection Period: “Projection period” is the time period for which the regional housing need is calculated (Government Code section 65588(f)(2).). For example, the San Diego Association of Governments’ 6th Cycle Projection Period is June 30, 2020 to April 15, 2029.

Please note, sites with development projects where completed entitlements have been issued are no longer available for prospective development and must be credited towards the RHNA based on the affordability and unit count of the development. “Completed entitlements” means a housing development or project which has received all the required land use approvals or entitlements necessary for the issuance of a building permit. This

² In some cases, jurisdictions may want to include sites anticipated to be annexed in the planning period. Annexation is considered a rezoning effort to accommodate a shortfall of sites. For more information on annexation please see Part E, Step 3.

means that there is no additional action required to be eligible to apply and obtain a building permit.

Jurisdictions may choose to credit sites with pending projects since the beginning of the RHNA projection period towards their RHNA based on affordability and unit count within the proposed project but must demonstrate the units can be built within the remaining planning period. Affordability must be based on the projected sales prices, rent levels, or other mechanisms establishing affordability in the planning period of the units within the project.

Census definition of a unit: A housing unit is a house, an apartment, a group of rooms, or a single room occupied or intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants do not live and eat with other persons in the structure and which have direct access from the outside of the building or through a common hall. Living quarters of the following types are excluded from the housing unit definition: dormitories, bunkhouses, and barracks; quarters in predominantly transient hotels, motels, and the like, except those occupied by persons who consider the hotel their usual place of residence; quarters in institutions, general hospitals, and military installations, except those occupied by staff members or resident employees who have separate living arrangements.

Student/University Housing: Please be aware, college and university student housing may be considered noninstitutional group quarters and not a housing unit for purposes of meeting the RHNA. According to the census, college/university student housing includes residence halls and other buildings, including apartment-style student housing, designed primarily to house college and university students in group living arrangements either on or off campus. These facilities are owned, leased, or managed by a college, university, or seminary or can be owned, leased, or managed by a private company or agency. Residents typically enter into “by the bed” leases (i.e., single-liability leases). Another distinguishing factor is that the unit is not available for rent to non-students. For further information on whether university housing meets the definition of a housing unit, please contact the Department of Finance at (916) 323-4086.

Exempt entity-controlled sites (state excess sites, military, university, and tribal land)

HCD recognizes that the development of new housing on exempt entity sites (land controlled by exempt federal, state, or tribal entities) can meet a portion of a jurisdiction’s RHNA. However, sites located on land controlled by exempt entities are analyzed differently because the jurisdiction may not have control over the planning, permitting, and decision-making processes of land owned by another public entity.

Sites controlled by exempt entities can be used to accommodate RHNA when documentation can be provided that demonstrates the likelihood that the planned housing will be developed within the current RHNA/housing element cycle. Adequate documentation can vary due to differences in the planning processes on land controlled by exempt federal, state, or tribal entities. The following are examples of documentation that demonstrates the likelihood of housing being developed on sites outside the control of a local government. In each of these examples, the units would have to meet the U.S. Census Bureau (Census) definition of a housing unit:

- Agreement with the entity controlling the land that grants the jurisdiction authority regarding approving, permitting, certifying occupancy, and/or reporting new units to the California Department of Finance.
- Documentation from the entity controlling the land that demonstrates planned housing has been approved to be built within the current RHNA cycle.
- Data pertaining to the timing of project construction and unit affordability by household income category.
- If the site is listed on the Department of General Services Real Estate Excess State Property map located [EO N-06-19 Affordable Housing Development webpage](#).

Step 2: Inventory of Sites

Government Code section 65583.2(b)

Provide a parcel specific inventory of sites that includes the following information for each site:

- ***NEW*** Assessor parcel number(s).
- Size of each parcel (in acres).
- General plan land use designation.
- Zoning designation.
- For nonvacant sites, a description of the existing use of each parcel (See Part D)
- ***NEW*** Whether the site is publicly owned or leased.
- Number of dwelling units that the site can realistically accommodate (See Part C)
- ***NEW*** Whether the parcel has available or planned and accessible infrastructure (Part A: Step 3).
- ***NEW*** The RHNA income category the parcel is anticipated to accommodate (See Part A: Step 5).
- ***NEW*** If the parcel was identified in a previous planning period site inventory (Part B: Step 1).

NEW Please note pursuant to Chapter 667, Statutes of 2019 (SB 6), the site inventory must be prepared using the standards, form, and definitions adopted by HCD. HCD has prepared a form and instructions for this purpose that includes space for the information above and commonly provided optional fields. Starting January 1, 2021, local governments will need to submit an electronic version of the site inventory to HCD on this form along with its adopted housing element.

NEW Pursuant to Chapter 664, Statutes of 2019 (AB 1486), at Government Code section 65583.2(b)(3), if a site included in the inventory is owned by the city or county, the housing element must include a description of whether there are any plans to sell the property during the planning period and how the jurisdiction will comply with the Surplus Land Act [Article 8 \(commencing with Section 54220\) of Chapter 5 of Part 1 of Division 2 of Title 5](#).

Step 3: Infrastructure Availability

Government Code section 65583.2(b)(5)(B)

Determine if parcels included in the inventory, including any parcels identified for rezoning, have sufficient water, sewer, and dry utilities available and accessible to support housing development or whether they are included in an existing general plan program or other mandatory program or plan, including a program or plan of a public or private entity to secure sufficient water, sewer, and dry utilities supply to support housing development on the site in time to make housing development realistic during the planning period. Dry utilities include, at minimum, a reliable energy source that supports full functionality of the

home and could also include access to natural gas, telephone and/or cellular service, cable or satellite television systems, and internet or Wi-Fi service.

If Yes: Provide an analysis in the housing element describing existing or planned water, sewer, and other dry utilities supply, including the availability and access to parcels on the site inventory, distribution facilities, general plan programs or other mandatory program or plan (including a program or plan of a public or private entity to secure water or sewer service) to support housing development on the site. The housing element must include sufficient detail to determine whether the service levels of water delivery/treatment systems and sewer treatment facilities are sufficient and have the capacity to accommodate development on all identified sites in order to accommodate the RHNA. For example, the water supply should be a reliable supply that meets federal and state drinking water standards.

Please note sites identified as available for housing for above moderate-income households can still be in areas not served by public sewer systems.

If No: Include a program in the housing element that ensures access and availability to infrastructure to accommodate development within the planning period. If this is not possible, the site is not suitable for inclusion in the site inventory or in a program of action identifying a site for rezoning.

Step 4: Map of Sites

Government Code section 65583.2(b)(7)

Provide a map that shows the location of the sites included in the inventory. While the map may be on a larger scale, such as the land use map of the general plan, the more detailed the map, the easier it will be to demonstrate the sites meet new requirements pursuant to Chapter 958, Statutes of 2018 (AB 686) as stated below.

Step 5: Determination of Consistency with Affirmatively Furthering Fair Housing

Government Code section 65583.2(a)

NEW Pursuant to AB 686, for housing elements due on or after January 1, 2021, sites must be identified throughout the community in a manner that affirmatively furthers fair housing opportunities (Government Code Section 65583(c)(10)).

Affirmatively Furthering Fair Housing means “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and fosters inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a public agency’s³

³ Public Agencies include the state, including every state office, officer, department, division, bureau, board, and commission, including the California State University, a city, including a charter city, county, including a charter county, city and county, and a redevelopment successor agency, a public housing authority created pursuant to the Housing Authorities Law, a public housing agency, and any other political subdivision of the state that is a grantee or subgrantee receiving funds provided by the United States Department of Housing and Urban Development (Government Code section 8899.5(a)(2)).

activities and programs relating to housing and community development.” (Government Code section 8899.50(a)(1)).

For purposes of the housing element site inventory, this means that sites identified to accommodate the lower-income need are not concentrated in low-resourced areas (lack of access to high performing schools, proximity to jobs, location disproportionately exposed to pollution or other health impacts) or areas of segregation and concentrations of poverty. Instead, sites identified to accommodate the lower income RHNA must be distributed throughout the community in a manner that affirmatively furthers fair housing. One resource the jurisdiction could use when completing this analysis is the California Tax Credit Allocation/California Department of Housing and Community Development Opportunity Maps, which can be accessed at <https://www.treasurer.ca.gov/ctcac/opportunity.asp>. Particularly, the jurisdiction should consider the barriers and opportunities identified in its assessment of fair housing pursuant to Government Code section 65583(c)(10). HCD plans to release a technical assistance memo to assist jurisdictions in addressing AB 686 requirements in their housing element in the Summer of 2020.

Jurisdictions should also consider integrating this analysis with the requirements of Government Code 65302(h), as added by SB 1000 (Statutes of 2016), which requires the preparation and adoption of an Environmental Justice element or equivalent environmental justice-related policies, objectives, and goals throughout other elements of their general plan, to address the needs of disadvantaged communities. More information on Environmental Justice elements can be found on the [Governor’s Office of Planning and Research Website](#).

Step 6: Sites by RHNA Income Category

Government Code section 65583.2(c)

NEW Identify which RHNA income category that each site in the inventory is anticipated to accommodate. On the site inventory, specify whether the site or a portion of the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing. Sites can accommodate units for more than one income category. However, the inventory should indicate the number of units of each income category, and together the total of units attributed to each income category may not exceed total units attributed to the site, so that no unit is designated for more than one income category. This requirement is particularly important because the No Net Loss Law (Government Code section 65863) requires adequate sites be maintained throughout the planning period to accommodate the remaining RHNA by income category. For more information, please consult the HCD’s memo on [No Net Loss Law](#).

HCD Best Practices for selecting sites to accommodate the lower income RHNA:

When determining which sites are best suited to accommodate the RHNA for lower income households, the jurisdiction should consider factors such as:

- Proximity to transit.
- Access to high performing schools and jobs.
- Access to amenities, such as parks and services.
- Access to health care facilities and grocery stores.
- Locational scoring criteria for Low-income Housing Tax Credit (TCAC) Program funding.
- Proximity to available infrastructure and utilities.

- Sites that do not require environmental mitigation.
- Presence of development streamlining processes, environmental exemptions, and other development incentives.

Step 7: Environmental Constraints

Government Code section 65583.2(b)(4)

Provide in the analysis a general description of any known environmental or other features (e.g., presence of floodplains, protected wetlands, oak tree preserves, very high fire hazard severity zones) that have the potential to impact the development viability of the identified sites. The housing element need only describe those environmental constraints where documentation of such conditions is available to the local government. This analysis must demonstrate that the existence of these features will not preclude development of the sites identified in the planning period at the projected residential densities/capacities. This information need not be identified on a site-specific basis. However, local governments will find it beneficial to describe site specific environmental conditions when demonstrating site suitability and realistic buildout capacity of each site, as these types of impediments to building must be considered when determining how many residential units can be developed on the site.

NEXT STEP:

- If the site is selected to accommodate its low or very-low income RHNA, move to Part B: Sites to Accommodate Low and Very-Low Income RHNA.
- If the site accommodates moderate or above-moderate RHNA, move to Part C: Capacity Analysis.

PART B: SITES TO ACCOMMODATE LOW AND VERY LOW- INCOME RHNA

Step 1: *NEW* Sites Used in Previous Planning Periods Housing Elements

Government Code section 65583.2(c)

Determine if the site identified to accommodate the low- and very low-income RHNA pursuant to Part A, Step 6 was used in the previous planning period⁴. Generally, previously identified sites refer to parcels that were identified in a previous housing element's site inventory to accommodate any portion of any income category of the jurisdiction's RHNA, as follows:

For a nonvacant site: Included in a prior planning period's housing element (e.g., 5th cycle housing element)

For a vacant site (see definition of vacant site on page 21): Included in two or more consecutive planning periods (e.g., 5th cycle and 4th cycle housing element)

If Yes: move to Step 1A

If No: move to Step 2

Unusual Circumstances

Sites rezoned or identified for rezoning to accommodate a RHNA shortfall

Previously identified sites can also include sites that were subject to a previous housing element's rezone program but that were ultimately not rezoned. For example: a previous housing element's rezone program to address a shortfall of sites for lower income households committed to rezone four acres to R-4 zoning, and identified five candidate sites for rezoning, A through E, and each site was two acres in size. If the program was completed in the prior planning period and four acres were rezoned, only those sites rezoned are considered "previously identified." However, if none or fewer than four acres were rezoned, all the non-rezoned sites identified as candidate sites would be considered as "previously identified."

Sites rezoned to a higher density as part of a general plan update (not needed to accommodate a shortfall)

Due to updates in the prior planning period to the general plan or other planning activities, such as the creation of a specific plan, some sites previously identified in the housing element may have been rezoned allowing a higher density, and therefore increasing the potential housing capacity of the site. Because the zoning characteristics of this site have changed, it can be considered a new site for the purposes of the housing element inventory. This is only the case if it was not utilized to accommodate a shortfall of sites to accommodate the RHNA.

⁴ Sites in unincorporated areas in a nonmetropolitan county without a micropolitan area are exempt from this step. This includes the unincorporated parts of Alpine, Amador, Calaveras, Colusa, Glenn, Mariposa, Modoc, Mono, Plumas, Sierra, Siskiyou, Trinity.

Step 1A:

Indicate in the housing element site inventory that this parcel was used in a prior housing element planning period.

Step 1B:

Include a program in the housing element requiring rezoning within three years of the beginning of the planning period to allow residential use by right at specified densities (see Step 2) for housing developments in which at least 20 percent of the units are affordable to lower income households. This program can be an overlay on these specific sites. Please be aware that the intent of this requirement is to further incentivize the development of housing on sites that have been available over one or more planning periods. The application of the requirement should not be used to further constrain the development of housing. As such, housing developments that do not contain the requisite 20 percent would still be allowed to be developed according to the underlying (base) zoning but would not be eligible for “by right” processing. However, the jurisdiction would have to make findings on the approval of that project pursuant to No Net Loss Law (Government Code section 65863) and proceed to identify an alternative site or sites pursuant to that law. Sites where zoning already permits residential “use by right” as set forth in Government Code section 65583.2 (i) at the beginning of the planning period would be considered to meet this requirement.

Definition of Use By Right (Government Code section 65583.2 (i))

By right means the jurisdiction shall not require:

- A conditional use permit.
- A planned unit development permit.
- Other discretionary, local-government review or approval that would constitute a “project” as defined in Section 21100 of the Public Resources Code (California Environmental Quality Act “CEQA”).

However, if the project requires a subdivision, it is subject to all laws, including CEQA.

This does not preclude a jurisdiction from imposing objective design review standards. However, the review and approval process must remain non discretionary and the design review must not constitute a “project” as defined in 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 exercise judgment to reject, deny, or modify the “residential use” itself. (See *McCorkle Eastside Neighborhood Group v. City of St. Helena* (2019) 31 Cal.App.5th 80.)

For reference, CEQA applies when a governmental agency can exercise judgment in deciding whether and how to carry out or approve a project. This makes the project “discretionary” (CEQA Guidelines, §15357.) Where the law requires a governmental agency to act on a project using fixed standards and the agency does not have authority to use its own judgment, the project is called “ministerial,” and CEQA does not apply. (CEQA Guidelines, §§ 15268(a), 15369.)

Sample Program:

Provide Adequate Sites for Lower Income Households on Nonvacant and Vacant Sites Previously Identified

The City of X will rezone to allow developments by right pursuant to Government Code section 65583.2(i) when 20 percent or more of the units are affordable to lower income households on sites identified in Table A to accommodate the lower income RHNA that was previously identified in past housing elements. Specifically, the City will rezone the nonvacant sites identified on Table A previously identified in the 5th cycle housing element, and the vacant sites identified on Table A as previously identified for both the 5th and 4th cycle housing elements.

Objective: Create opportunity for at least X units of rental housing for lower income households

Responsible Agency: Community Development Department

Timeline: Sites rezoned by (a specific date, no more than three years from the beginning of the planning period)

Funding Source(s): General fund

Step 2: Zoning Appropriate to Accommodate Low- and Very Low- Income RHNA
Government Code section 65583.2(c)(3)

Determine if the zoning on the site is appropriate to accommodate low- and very low-income (termed together as “lower”) housing.

The statute allows jurisdictions to use higher density as a proxy for lower income affordability, as long as certain statutory requirements are met. Parcels must be zoned to allow sufficient density to accommodate the economies of scale needed to produce affordable housing. To make this determination, the statute allows the jurisdiction to either demonstrate that the zoning allows a specific density set forth in the statute (default density)⁵ or to provide an analysis demonstrating the appropriateness of the zoned densities of the site identified to accommodate the lower RHNA.

Step 2A: Does the parcel’s zoning allow for “at least” the following densities?

- For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre.
- For an unincorporated area in a nonmetropolitan county not included in the first bullet: sites allowing at least 10 units per acre.
- For a suburban jurisdiction: sites allowing at least 20 units per acre.
- For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre.

“At least” means the density range allowed on the parcel by the zone has to include the default density. For example, if a jurisdiction has a default density of 30 units per acre and the zone allows for range of 24 – 35 units per acre, the zoning is considered appropriate to accommodate the RHNA for lower income households. This is different than the program standard outlined in Part E which requires a minimum of a specific density in the allowed

⁵ Sometimes called “Mullin densities” after the author of AB 2348, Statutes of 2004, which originated these requirements.

density range in the zone. To determine the default density for jurisdictions, please refer to [HCD Memorandum: Default Density Standard Option \(2010 Census Update\)](#).

If Yes: Move to Step 3

If No: Move to Step 2B

Step 2B: Can the analysis demonstrate the appropriateness of the zoning to accommodate housing?

Provide an analysis demonstrating how the allowed densities facilitate the development of housing to accommodate the lower income RHNA. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, and information based on development project experience within a zone or zones, or at densities that accommodate housing for lower income households.

Information gathered from local developers on densities ideal for housing development in the community and examples of recent residential projects that provide housing for lower income households is helpful in establishing the appropriateness of the zone. Other information could include land costs, market demand for various types of affordable housing, and the gap between typical market rents and subsidized rents. It is recognized that housing affordable to lower income households requires significant subsidies and financial assistance. However, for this analysis, identifying examples of subsidized housing projects alone is not sufficient to demonstrate the adequacy of a zone and/or density to accommodate the housing affordable to lower income households. In particular, identification of older project(s) or one-off projects that cannot be easily duplicated is not sufficient to demonstrate a development trend.

The analysis of “appropriate zoning” should not include residential buildout projections resulting from the implementation of a jurisdiction’s inclusionary program or potential increase in density due to a density bonus, because these tools are not a substitute for addressing whether the underlining (base) zoning densities are appropriate to accommodate the RHNA for lower income households. Additionally, inclusionary housing ordinances applied to rental housing must include options for the developer to meet the inclusionary requirements other than exclusively requiring building affordable units on site. While an inclusionary requirement may be a development criterion, it is not a substitute for zoning. The availability of density bonuses is also not a substitute for an analysis, since they are not a development requirement, but are development options over the existing density, and generally require waivers or concessions in development standards to achieve densities and financial feasibility.

If Yes: Move to Step 3

If No: Site is not appropriate to accommodate lower income. Reclassify pursuant to Part A, Step 5.

Housing Overlays

Affordable housing or zoning overlays are a zoning tool that allows jurisdictions to modify existing zoning to allow for or require certain types of residential development, or development at certain densities, on a parcel without modifying the standards of the underlying zoning district. Usually, they have specific requirements and conditions (e.g., a percentage of the development must be deed-restricted as affordable to lower income households for a specific number of years) that must be met in order for a developer to take advantage of the overlay. These are often combined with incentives to encourage developers to utilize the overlay. Jurisdictions use overlays to help promote a specific type of development, and to increase densities without having to go through a rezoning procedure on the actual parcel and can be more useful when issues such as density and affordable housing become contentious. To ensure the overlay is considered zoning and not just a development incentive, the overlay must demonstrate the following:

- There is no additional discretionary action needed above what is required in the base zone (i.e., a conditional use permit or other review) for a developer to take advantage of overlay.
- Development standards are consistent with those needed to allow for the density allowed under the overlay. Development standards for use exclusively in the overlay may be needed in order to ensure maximum allowable densities can be achieved.
- The developer can access State Density Bonus Law in addition to using the densities allowed in the overlay. For example, if the underlying zoning allows a maximum density of 15 units per acre, but the overlay allows a maximum density of 25 units per acre, and if the developer is using the overlay and wants to use State Density Bonus Law, the density bonus is calculated assuming the base density is 25 units per acre.

If the overlay has conditions such as an affordability requirement, incentives should be sufficient and available to make development feasible and more profitable than the underlying zoning.

For an affordable housing overlay, the element should describe affordability threshold requirements to utilize the overlay (i.e., percentage of units and levels of affordability which must be met to develop at the increased densities). Please note, the jurisdiction should talk with for-profit and nonprofit developers to determine an appropriate mix of incomes that make development feasible in their community. For example, a 100 percent affordability requirement may act as a constraint to using the overlay depending on the level of subsidy required per unit and the availability of funding to support the level of affordability or available incentives.

Step 3: Size of Sites

Government Code section 65583.2(c)(2)(A), (B), and (C)

NEW Is the size of the site appropriate to accommodate housing for lower income households?

To achieve financial feasibility, many assisted housing developments using state or federal resources are between 50 to 150 units. Parcels that are too small may not support the number of units necessary to be competitive and to access scarce funding resources. Parcels that are large may require very large projects, which may lead to an over concentration of affordable housing in one location, or may add cost to a project by

requiring a developer to purchase more land than is needed, or render a project ineligible for funding. If the size of the site is smaller than one half acre or larger than 10 acres, the following analysis is required.

If the parcel is more than 0.5 acres or less than 10 acres, is the size of the site automatically considered appropriate to accommodate lower income RHNA?

Not necessarily. If the size of the parcel in combination with the allowable density and accompanying development standards cannot support a housing development affordable to lower income households, further analysis and programs may be needed to demonstrate the suitability of that site to accommodate the portion of the RHNA for lower income households.

Is the size of the parcel under 0.5 acres?

If Yes: Move to Step 3A

Is the size of the parcel over 10 acres?

If Yes: Move to Step 3B

If No to Both: Move to Part C: Capacity Analysis

Step 3A: Sites smaller than 0.5 acres

A parcel smaller than one half acre is considered inadequate to accommodate housing affordable to lower income households, unless the housing element demonstrates development of housing affordable to lower income households on these sites is realistic or feasible. While it may be possible to build housing on a small parcel, the nature and conditions (i.e., development standards) necessary to construct the units often render the provision of affordable housing infeasible. The housing element must consider and address the impact of constraints associated with small lot development on the ability of a developer to produce housing affordable to lower income households. To demonstrate the feasibility of development on this type of site, the analysis must include at least one of the following:

- An analysis demonstrating that sites of equivalent size were successfully developed during the prior planning period with an equivalent number of lower income housing units as projected for the site.
- Evidence that the site is adequate to accommodate lower income housing. Evidence could include developer interest, potential for lot consolidation, densities that allow sufficient capacity for a typical affordable housing project, and other information that can demonstrate to HCD the feasibility of the site for development. For parcels anticipated to be consolidated, the housing element must include analysis describing the jurisdiction's role or track record in facilitating small lot consolidation, policies or incentives offered or proposed to encourage and facilitate lot consolidation, conditions rendering parcels suitable and ready for consolidation such as common ownership, and recent trends of lot consolidation. The housing element should include programs promoting, incentivizing, and supporting lot consolidations and/or small lot development.
- A site may be presumed to be realistic for development to accommodate lower income housing need if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed and approved for development on the site.

The housing element must also describe existing and proposed policies or incentives the jurisdiction will offer to facilitate development of small sites. Examples of program incentives for lot consolidation include deferring fees specifically for consolidation, expediting permit processing, providing flexible development standards such as setback requirements, reduced parking or increased heights, committing resources for development of affordable housing on small sites, or increasing allowable density, lot coverage or floor area ratio.

Step 3B: Sites larger than 10 acres

Parcels larger than 10 acres are considered inadequate to accommodate housing affordable to lower income households, unless the housing element demonstrates development of housing affordable to lower income households on such sites was successful during the prior planning period, or there is other evidence that the site is realistic and feasible for lower income housing.

Definition of a Large Site

For purposes of this requirement, “site” means that portion of the parcel designated to accommodate lower income housing needs. For example, a parcel greater than 10 acres in size could have to be split zoned, have an overlay zone with identified boundaries, or be identified in a specific plan that provides for subdivision of the parcel. If the specified boundaries of the site identified to accommodate the RHNA for lower income is less than 10 acres in size, then the large site analysis would not be required. However, the analysis must describe how the development will work on the site, including opportunities and timing for specific-plan development, further subdivision, or other methods to facilitate the development of housing affordable to lower income households on the identified site within the planning period.

To demonstrate the feasibility of development on this type of site, the analysis must include at least one of the following:

- An analysis demonstrating that sites of equivalent size were successfully developed during the prior planning period with an equivalent number of lower income housing units as projected for the site.
- Evidence that the site is adequate to accommodate lower income housing. Evidence may include developer interest, proposed specific-plan development, potential for subdivision, the jurisdiction’s role or track record in facilitating lot splits, or other information that can demonstrate to HCD the feasibility of the site for development. The housing element should include programs promoting, incentivizing, and supporting lot splits and/or large lot development.
- A site may be presumed to be realistic for development to accommodate lower income housing need if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed and approved for development on the site.

Specific Plans, Master Plan, and other Subdivisions

To utilize residential capacity in Specific Plan areas, areas under a Master Plan, or a similar multi-phased development plan, the housing element must identify specific sites by parcel number and demonstrate that the sites are available and suitable for development within the planning period. The analysis should include the following information:

- Identify the date of approval of the plans and expiration date.
- Identify approved or pending projects within these plans that are anticipated in the planning period, including anticipated affordability based on the actual or projected sale prices, rent levels, or other mechanisms establishing affordability in the planning period of the units within the project.
- Describe necessary approvals or steps for entitlements for new development (e.g., design review, site plan review, etc.).
Describe any development agreements, and conditions or requirements such as phasing or timing requirements, that impact development in the planning period.

The housing element must also describe existing and proposed policies or incentives the jurisdiction will offer to facilitate development of large sites. Examples of facilitation include expedited or automatic approval of lot splits or creation of new parcels, waivers of fees associated with subdivision, or expedited processing or financial assistance with the development of infrastructure required to develop the site.

NEXT STEP:

- Move to Part C: Capacity Analysis

PART C: CAPACITY ANALYSIS

Government Code Section 65583.2(c) requires, as part of the analysis of available sites, a local government to calculate the projected residential development capacity of the sites identified in the housing element that can be realistically be achieved. The housing element must describe the methodology used to make this calculation. Jurisdictions have two options to make this calculation.

- Utilize minimum densities (Step 1)
- Utilize adjustment factors (Step 2)

Step1: Utilizing minimum densities to calculate realistic capacity of sites

Government Code section 65583.2(c)(1)

If the jurisdiction has adopted a law, policy, procedure, or other regulation that requires the development of a site to contain at least a certain minimum residential density, the jurisdiction can utilize that minimum density to determine the capacity of a site. For purposes of this analysis, the use of either gross or net acreage is acceptable but should be consistent with the standard the jurisdiction typically uses for determining allowable units for a residential development project. For example:

| Site Description | Value |
|---|--|
| Size of site (Gross acreage) | 3 acres |
| Zoning | Residential Multifamily |
| Allowable density | 20 (required minimum) – 30 dwelling units per acre |
| Realistic capacity utilizing minimum | 3 X 20 = 60 units |

Please note, to meet this standard on a zone that allows for multiple uses, the general plan or zoning must require the specified minimum number of residential units on the identified sites regardless of overlay zones, zoning allowing nonresidential uses, or other factors potentially impacting the minimum density. Otherwise, the capacity of the site must be calculated using the factors outlined in Step 2.

Step 2: Utilizing factors to calculate realistic capacity of sites

Government Code section 65583.2(c)(2)

The housing element must describe the methodology used to determine the number of units calculated based on the following factors:

- Land use controls and site improvements requirements,
- ***NEW*** The realistic development capacity for the site,
- ***NEW*** Typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction,
- ***NEW*** The current or planned availability and accessibility of sufficient water, sewer, and dry utilities.

Applicable land-use controls and site improvement requirements

The analysis must consider the imposition of any development standards that impact the residential development capacity of the sites identified in the inventory. When establishing realistic unit capacity calculations, the jurisdiction must consider the cumulative impact of standards such as maximum lot coverage, height, open space, parking, on-site improvements such as sidewalks or easements, and floor area ratios. The analysis should consider any development standards or the cumulative effect of development standards that would limit the achievable density on a site. For example, if a mixed-use zone requires commercial on the ground floor and has a height limit of three stories along with lot coverage and other development standards, the density that can actually be achieved on that site might be less than the maximum allowable density.

The capacity of a site should also be adjusted for areas that cannot be developed due to environmental factors such as hazards, wetlands, or topography that cannot be mitigated. The capacity of sites subject to specific plans, overlays or other modifications of the base zoning should be adjusted to reflect those factors. For purposes of this analysis, it is recommended that the jurisdiction start with the gross acreage and adjust the buildable acreage accordingly to reach net buildable acreage.

Form Based Codes

To estimate capacity for sites in jurisdictions that have adopted form-based codes, the element should describe the relationship between general plan land-use designation and the form-based code and density assumptions used to determine capacity. Specifically, describe where residential development is allowed, how density requirements found within the general plan are incorporated, how the zoning designations under the form-based code relate to the land-use designations of the general plan, identify potential densities, and consider development standards such as bulk, height, and build-to requirements, buildings types, and use requirements. The element could include examples of recently built projects and densities to support the analysis.

Realistic development capacity for nonresidential, nonvacant, or overlay zoned sites

The capacity calculation must be adjusted to reflect the realistic potential for residential development capacity on the sites in the inventory. Specifically, when the site has the potential to be developed with nonresidential uses, requires redevelopment, or has an overlay zone allowing the underlying zoning to be utilized for residential units, these capacity limits must be reflected in the housing element. Factors used to make this adjustment may include the following:

- Performance standards mandating a specified portion of residential development in mixed use or nonresidential zones (e.g., residential allowed only above first floor commercial).
- The likelihood for residential development such as incentives for residential use, market demand, efforts to attract and assist developers, or allowance of 100 percent residential development.
- Local or regional residential development trends in the same nonresidential zoning districts.
- Local or regional track records, past production trends, or net unit increases/yields for redeveloping sites or site intensification. This estimate may be based on the rate at which similar parcels were developed during the previous planning period, with

adjustments as appropriate to reflect new market conditions or changes in the regulatory environment. If no information about the rate of development of similar parcels is available, report the proportion of parcels in the previous housing element's site inventory that were developed during the previous planning period. For example, if past production trends indicate that two out of three similar sites were developed for residential use, and one out of three similar sites was developed for commercial use, an initial estimate of the proportion of new development which is expected to be residential would be two-thirds, i.e., 0.67.

- Local or regional track records, trends, or build out yields for redeveloping sites or site intensification.

In addition, the housing element should include monitoring programs with next-step actions to ensure sites are achieving the anticipated development patterns. The programs should identify modifications to incentives, sites, programs, or rezoning the jurisdiction will take should these strategies not yield the expected housing potential.

Typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction

While using typically built densities to determine realistic capacity has long been an option to be used as an adjustment factor, the statute now requires this factor to be adjusted based on approved project by affordability level. For example, if a site is identified to accommodate the lower income RHNA, it should use project densities for housing affordable to lower income households developed either locally or regionally to determine typical densities⁶. Using this adjustment factor may result in utilizing different capacity methodologies for above moderate-, moderate-, and lower income sites.

Current or planned availability and accessibility of sufficient water, sewer, and dry utilities

The capacity methodology must be adjusted to account for any limitation as a result of availability and accessibility of sufficient water, sewer, and dry utilities (i.e., if the capacity of the site could be limited because a development would have to use a septic system, if there are any septic tank requirements or restrictions that constrain capacity, or limitations on water hook-ups). See Part A, Step 3 for more information on infrastructure requirements.

Example Capacity Calculation

Here is an example of the actual capacity calculation for a particular site in the inventory. The methodology analysis must describe how each of these adjustments was generated per the analysis requirements above. The factors used below are based on the factors outlined in the statute. The percentages and how the factors are applied will vary depending on the unique circumstance in each jurisdiction.

⁶ In using this adjustment factor, because of the use of density bonus, it may be possible that trends demonstrate typical densities higher than the maximum allowable densities, especially for housing affordable to lower income households. On a case-by-case basis, it may be appropriate to utilize increased densities due to density bonuses when determining the adjustment factor in the capacity methodology.

| Site Description | |
|-----------------------------|---------------------------------|
| Size of site | 2.5 acres |
| Zoning | Residential Mixed-Use |
| Allowable density | 20 – 45 dwelling units per acre |
| RHNA affordability | Lower income |
| Existing Use | Nonvacant, single storefront |
| Infrastructure availability | Yes, no constraints |
| Environmental constraints | None known |

| Capacity Factors | Adjustment | Reasoning |
|---|---------------|---|
| Land Use Controls and Site Improvements | 95% | For net acreage due to on-site improvements including sidewalks, utility easement |
| Realistic capacity of the site | 55% | 55% adjustment based on past development trends for residential redevelopment in the residential mixed-use zones, and programs to incentivize development in this zone. |
| Typical densities | 95% | Affordable housing projects are built out to almost maximum density |
| Infrastructure availability | No adjustment | Not applicable, no constraint |
| Environmental constraints | No adjustment | No known site constraint |

Realistic capacity utilizing factors = $(2.5 \times 45)(.95)(.55)(.95) = 56$ units

Realistic Capacity = 56 Units

No Net Loss Law

In estimating realistic capacity on sites in the sites inventory, jurisdictions may want to consider No Net Loss Law. This law was amended by Chapter 367, Statutes of 2017 (Senate Bill 166), which requires sufficient adequate sites to be available at all times throughout the RHNA planning period to meet a jurisdiction’s remaining unmet housing needs for each income category. To comply with the No Net Loss Law, as jurisdictions make decisions regarding zoning and land use, or development occurs, jurisdictions must assess their ability to accommodate new housing in each income category on the remaining sites in their housing element site inventories. A jurisdiction must add additional sites to its inventory if land use decisions or development results in a shortfall of sufficient sites to accommodate its remaining housing need for each income category. In particular, a jurisdiction may be required to identify additional sites according to the No Net Loss Law if a jurisdiction rezones a site or if the jurisdiction approves a project at a different income level than shown in the sites inventory. Lower density means fewer units than the capacity assumed in the site inventory.

To ensure that sufficient capacity exists in the housing element to accommodate the RHNA throughout the planning period, it is recommended the jurisdiction create a buffer in the housing element inventory of at least 15 to 30 percent more capacity than required, especially for capacity to accommodate the lower income RHNA. Jurisdictions can also create a buffer by projecting site capacity at less than the maximum density to allow for some reductions in density at a project level.

NEXT STEP:

- If the parcel is nonvacant, including underutilized sites (see definition of vacant site on page 22), move to Part D: Nonvacant Sites Analysis
- If not, move to Part E: Determination of Adequate Sites

PART D: NONVACANT SITES

Local governments with limited vacant land resources or with infill and reuse goals may rely on the potential for new residential development on nonvacant sites, including underutilized sites, to accommodate their RHNA. Examples include:

- Sites with obsolete uses that have the potential for redevelopment, such as a vacant restaurant.
- Nonvacant publicly owned surplus or excess land; portions of blighted areas with abandoned or vacant buildings.
- Existing high opportunity developed areas with mixed-used potential.
- Nonvacant substandard or irregular lots that could be consolidated.
- Any other suitable underutilized land.

Local governments can meet other important community objectives to preserve open space or agricultural resources, as well as assist in meeting greenhouse gas emission-reduction goals, by adopting policies to maximize existing land resources and by promoting more compact development patterns or reuse of existing buildings.

Definition of a Vacant Site

A vacant site is a site without any houses, offices, buildings, or other significant improvements on it. Improvements are generally defined as development of the land (such as a paved parking lot, or income production improvements such as crops, high voltage power lines, oil-wells, etc.) or structures on a property that are permanent and add significantly to the value of the property.

Examples of Vacant Sites:

- No improvement on the site (other than being a finished lot).
- No existing uses, including parking lots.
- Underutilized sites are not vacant sites.
- Sites with blighted improvements are not vacant sites.
- Sites with abandoned or unoccupied uses are not vacant sites.

If the inventory identifies nonvacant sites to address a portion of the RHNA, the housing element must describe the realistic development potential of each site within the planning period. Specifically, the analysis must consider the extent that the nonvacant site's existing use impedes additional residential development, the jurisdiction's past experience converting existing uses to higher density residential development, market trends and conditions, and regulatory or other incentives or standards that encourage additional housing development on the nonvacant sites.

Step 1: Description of the nonvacant site

Government Code Section 65583.2(b)

As stated in Part A, the site inventory must describe the specific existing use on the site, such as a surplus school site, auto shop, restaurant, single family residence, nursery, etc. Additional details, such as whether the use is discontinued, land to value information, age and condition of the structure, known leases, developer or owner interest, whether the property is currently being marketed, degree of underutilization, etc., are useful for demonstrating the potential for the site to be redeveloped within the planning period (See Step 2).

Step 2: Nonvacant site analysis methodology

Government Code section 65583.2(g)(1)

Provide an explanation of the methodology used to determine the development potential. This methodology can be done on a site-specific basis by utilizing factors (e.g., common ownership, valuation, age, etc.) in common that demonstrate the potential for residential development within the planning period, or a combination of both approaches. The methodology shall consider factors including:

Existing Uses:

Include an analysis that demonstrates the extent to which existing uses may constitute an impediment to additional residential development. Among other things, this analysis includes considerations for the current market demand for the existing use, ***NEW*** an analysis of any known existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, and could include other market conditions that would encourage redevelopment of the property. For example, an analysis might describe an identified site as being developed with a 1960's strip commercial center with few tenants and expiring leases and, therefore, a good candidate for redevelopment, versus a site containing a newly opened retail center, an active Home Depot, the only grocery store in the city, etc. that is unlikely to be available for residential development within the planning period.

Development Trends:

The inventory analysis should describe development and/or redevelopment trends in the community as it relates to nonvacant sites, i.e., the rate at which similar sites have been redeveloped. This could include a description of the local government's track record and specific role in encouraging and facilitating redevelopment, adaptive reuse, or recycling to residential or more intensive residential uses. If the local government does not have any examples of recent recycling or redevelopment, the housing element should describe current or planned efforts (via new programs) to encourage and facilitate this type of development (e.g., providing incentives to encourage lot consolidation or assemblage to facilitate increased residential-development capacity). The results of the analysis should be reflected in the capacity calculation described in Part C, above.

Market Conditions:

Housing market conditions also play a vital role in determining the feasibility or realistic potential of nonvacant sites for residential development. The nonvacant sites analysis should include an evaluation of the impact of local market conditions on redevelopment or reuse strategies. For example, high land and construction costs, combined with a limited supply of available and developable land, may indicate conditions "ripe" for more intensive, compact and infill development or redevelopment and reuse.

Availability of Regulatory and/or other Incentives:

The analysis should describe existing or planned financial assistance, incentives or regulatory concessions to encourage residential development on nonvacant sites. Many local governments develop partnerships with prospective developers to assist in making redevelopment/reuse economically feasible. Examples of these incentives include:

- Organizing special marketing events geared towards the development community.
- Identifying and targeting specific financial resources.
- Allowing streamlined or by right development application processing for infill sites.
- Reducing appropriate development standards.

Absent a track record or development trends to demonstrate the feasibility of a recycling or redevelopment strategy, the housing element should describe existing or planned financial assistance or regulatory relief from development standards that will be provided sufficient to encourage and facilitate more intensive residential development on the identified nonvacant sites.

Step 3: *NEW* Reliance on nonvacant sites to accommodate more than 50 percent of the RHNA for lower income households

Government Code Section 65583.2(g)(2)

Determine if more than 50 percent of the lower income RHNA is on nonvacant sites.

- Calculate the sum of lower income RHNA capacity on vacant sites and other alternatives not related to capacity on nonvacant sites (e.g., accessory dwelling units, vacant sites to be rezoned (see Part E)).
- Subtract that sum from the total lower income RHNA to get the amount of RHNA needed to be accommodated on nonvacant sites.
- Determine if this number is greater than 50 percent of the RHNA.

Example calculation for a jurisdiction with a lower income RHNA of 500:

| Adjustment Factor | Number of units |
|--|------------------------------------|
| Proposed Lower Income Project | 50 |
| Accessory Dwelling Unit Capacity (affordable to lower) | 15 |
| Capacity on Vacant Sites | 100 |
| Total Capacity (not related to non-vacant sites) | 165 |
| RHNA on Nonvacant sites | $500 - 165 = 335$ |
| Percentage of Lower Income RHNA accommodated on Nonvacant sites | $335/500 = 77\%$ |

If Yes: Move to Step 3A

If No: Move to Step 4

Step 3A:

If a housing element relies on nonvacant sites to accommodate 50 percent or more of its RHNA for lower income households, the nonvacant site's existing use is presumed to impede additional residential development, unless the housing element describes findings based on substantial evidence that the use will likely be discontinued during the planning period. The housing element must include the following:

- As part of the resolution adopting the housing elements, findings stating the uses on nonvacant sites identified in the inventory to accommodate the RHNA for lower income is likely to be discontinued during the planning period and the factors used to make that determination. This can be included in the body or in the recital section of the resolution.

Example: WHEREAS, based on <name factors here (e.g., expiring leases, dilapidated building conditions, etc.)>, the existing uses on the sites identified in the site inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period, and therefore do not constitute an impediment to additional residential development during the period covered by the housing element.

- The housing element should describe the findings and include a description of the substantial evidence they are based on.

In general, substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. An example of substantial evidence would be a nonvacant site with a grocery store and with a building lease expiring in a year, and evidence that the store has entered into a lease to relocate to another site subsequent to the lease expiring.

Examples of substantial evidence that an existing use will likely be discontinued in the current planning period include, but are not limited to:

- The lease for the existing use expires early within the planning period,
- The building is dilapidated, and the structure is likely to be removed, or a demolition permit has been issued for the existing uses,
- There is a development agreement that exists to develop the site within the planning period,
- The entity operating the existing use has agreed to move to another location early enough within the planning period to allow residential development within the planning period.
- The property owner provides a letter stating its intention to develop the property with residences during the planning period.

If multiple sites make up a common existing use and the same factors affect each of the sites, the same findings can be used for each of the sites (e.g., an abandoned shopping mall with sites under common ownership that will not be restored to commercial use located in an area where there is recent residential development). The "substantial evidence" would indicate the existing use will not impede further residential development or that the existing use will be discontinued during the planning period. In this type of situation, use of the same findings for each of the multiple sites would be appropriate.

However, the same finding for multiple sites in a specific area may not be appropriate if their characteristics widely vary. For example, nonvacant sites with differing existing uses and lacking in common ownership, whether contiguous or located in the same general area, may not rely on a generalized analysis. While the sites may be located in an area with common economic issues, individual owners may not wish to sell their property or redevelop their site with residential uses. In addition, each site's existing use, e.g., grocery store, retail shop, parking lot, and offices, may have lease agreements of different lengths of time or the owner may not wish to relocate or redevelop the site with a more intensive residential use. In this type of situation, use of the same findings for the multiple sites would not be appropriate.

Step 4: *NEW* Program and policy requiring replacement of existing affordable units
Government Code Section 65583.2(g)(3)

The housing element must include a program in the housing element and policy independent of the housing element requiring the replacement of units affordable to the same or lower income level as a condition of any development on a nonvacant site consistent with those requirements set forth in Density Bonus Law (Government Code section 65915(c)(3).) Replacement requirements shall be required for sites identified in the inventory that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, and:

- Were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low-income, or
- Subject to any other form of rent or price control through a public entity's valid exercise of its police power, or
- Occupied by low or very low-income households

For the purpose of this program "previous five years" is based on the date the application for development was submitted.

Please note, until 2025, pursuant to Government Code section 66300(d) (Chapter 654, Statutes of 2019 (SB 330)), an affected city or county shall not approve a housing development project that will require the demolition of residential dwelling units regardless of whether the parcel was listed in the inventory unless a) the project will create at least as many residential dwelling units as will be demolished, and b) certain affordability criteria are met. A listing of affected cities and counties can be found at <https://www.hcd.ca.gov/community-development/accountability-enforcement/statutory-determinations.shtml>.

SAMPLE PROGRAM

Program X: Replacement Unit Program

XXXX will adopt a policy and will require replacement housing units subject to the requirements of Government Code section 65915, subdivision (c)(3) on sites identified in the site inventory when any new development (residential, mixed-use or nonresidential) occurs on a site that is identified in the inventory meeting the following conditions:

- currently has residential uses or within the past five years has had residential uses that have been vacated or demolished, and
- was subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low-income, or
- subject to any other form of rent or price control through a public entity's valid exercise of its police power, or
- occupied by low or very low-income households

Funding: General Funds

Responsible Parties: Planning and Community Development Department

Objectives: In order to mitigate the loss of affordable housing units, require new housing developments to replace all affordable housing units lost due to new development.

Timeframes: The replacement requirement will be implemented immediately and applied as applications on identified sites are received and processed, and local policy shall be adopted by <DATE>. End of Sample Program

NEXT STEP:

- Move to Part E: Determination of Adequate Sites

PART E: DETERMINATION OF ADEQUATE SITES

The last step in this process is a determination of whether the housing element demonstrates sufficient land suitable and available for residential development to meet the locality's housing need for each designated income level or if further program actions are required to accommodate a shortfall.

Step 1: Consider any alternative means of meeting the RHNA

Government Code section 65583.1

The housing element may satisfy its RHNA requirement through a variety of methods other than identifying sites. The following is a description of those alternative methods.

- Units permitted, built, entitled or pending: (See Part A, Step 1)
- Potential for accessory dwelling units (ADU) or junior accessory dwelling units (JADU): The jurisdiction can count the potential for the development of ADUs within the planning period. The analysis is based on the following factors:
 - the number of ADUs or JADUs developed in the prior planning period
 - community need and demand for these types of housing units
 - the resources and/or incentives available that will encourage the development of ADUs
 - the availability of ADUs and JADUs for occupancy, rather than used as offices or guest houses
 - the unit must meet the Census definition of a housing unit, which can be found on the U.S. Census Bureau website, and be reported to the Department of Finance as part of the annual City and County Housing Unit Change Survey
 - the anticipated affordability of these units. The purpose of this analysis is to determine the appropriate RHNA income category to be accommodated through ADU and JADU development.

Affordability can be determined in a number of ways. As an example, a community could survey existing ADUs and JADUs for their current market rents and consider other factors such as square footage, number of bedrooms, amenities, age of the structure and general location, including proximity to public transportation. Another method could examine current market rents for reasonably comparable rental properties to determine an average price per square foot in the community. This price can be applied to anticipated sizes of these units to estimate the anticipated affordability of ADUs and JADUs. Available regional studies and methodology on ADU affordability can also be a resource to determine the likely affordability mix for ADUs and JADUs.

- other relevant factors as determined by HCD.

In addition, the housing element must describe and analyze any currently adopted ordinance and other factors that could affect ADU and JADU development within the planning period. At a minimum, the housing element should analyze whether the ordinance conforms with state ADU and JADU requirements and any additional development standards (i.e., setbacks, maximum unit sizes, lot coverage, etc.) adopted by the local government, zones allowing ADUs, fees and exactions, and any other potential constraints impacting the development of ADUs and JADUs.

Impact of New Accessory Dwelling Unit Laws

Since 2017, the Legislature has passed a series of new laws that significantly increase the potential for development of new ADUs and JADUs by removing development barriers, allowing ADUs through ministerial permits, and requiring jurisdictions to include programs in their housing element that incentivize their development. As a result, using trend analysis when estimating the potential for development may not accurately reflect the increased potential for these units. To account for this increased potential, HCD recommends the following options when performing this analysis:

- Use the trends in ADU construction since January 2018 to estimate new production. This is a conservative option to only account for the effect of the new laws without local promotional efforts or incentives (safe harbor option).
- Where no other data is available, assume an average increase of five times the previous planning period construction trends prior to 2018. This option is a conservative estimate based upon statewide data on ADU development since the implementation of the new laws (safe harbor option).
- Use trends from regional production of ADUs.
- Include programs that aggressively promote and incentivize ADU and JADU construction.
- Other analysis (reviewed on a case-by-case basis).

Potential affordability of these units must still be calculated per the analysis outlined on the previous page. In addition to the above options, the element should also include a monitoring program that a) tracks ADU and JADU creation and affordability levels, and b) commits to a review at the planning cycle mid-point to evaluate if production estimates are being achieved. Depending on the finding of that review, amendments to the housing element may be necessary, including rezoning pursuant to Government Code 65583.2 (h) and (i).

- Alternative Adequate sites: Under limited circumstances, a local government may credit up to 25 percent of their adequate sites requirement per income category through existing units that will be:
 - substantially rehabilitated
 - in a multifamily rental or ownership housing complex of three or more units that are converted from non affordable to affordable rental
 - preserved at levels affordable to low- or very low-income households, where the local government has provided those units with committed assistance

For more information on this option, please refer to HCD's [Building Blocks Webpage](#)

- Manufactured housing, manufactured housing park hook-ups, floating homes/live aboard berths: In certain circumstances a jurisdiction can utilize the potential for new manufactured housing either in a manufactured housing park or on large properties in rural areas, or new floating home/liveaboard berths with sewer and water hook ups. In cases of a manufactured home park or in floating home/liveaboard berth marinas, the jurisdiction may count new spaces with infrastructure hook-ups intended for permanent residential occupancy and reported to the Department of Finance. Potential for manufactured homes in rural areas should be analyzed using the same factors as those

for potential ADUs, including establishing the market rate affordability of the units and crediting them to the appropriate RHNA category. In addition, the analysis should indicate if appropriate water and sewer infrastructure is available to support the development.

- Former military housing: Sites that contain permanent housing units located on a military base undergoing closure or conversion as a result of action pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526), the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510), or any subsequent act requiring the closure or conversion of a military base may be identified as an adequate site if the housing element demonstrates that the housing units will be available for occupancy by households within the planning period of the housing element. No sites containing housing units scheduled or planned for demolition or conversion to nonresidential uses shall qualify as an adequate site.
- In consultation with HCD, other alternatives may be considered, such as motel conversions, adaptive reuse of existing buildings, or legalization of units not previously reported to the Department of Finance.

Step 2: Determine whether there is sufficient capacity to accommodate the RHNA for the jurisdiction by income.

Government Code Section 65583(a)(3)

The following table is an example of that calculation:

| Adjustment Factor | Very Low | Low | Moderate | Above Moderate |
|--|------------|------------|-------------|----------------|
| RHNA | 300 | 200 | 165 | 465 |
| Entitled, Permitted, or Constructed Project Projects | 50 | 50 | 0 | 200 |
| Accessory Dwelling Unit Potential | 10 | 15 | 15 | 10 |
| Adequate Sites Alternative Preservation | 20 | 16 | | |
| Multifamily Residential R-3 (Vacant) | 75 | 50 | | |
| Mixed Use MU (Nonvacant) | 75 | 50 | 50 | |
| Multifamily Residential (Vacant) R-2 | | | 75 | |
| Single-Family (Vacant) R-1 | | | | 200 |
| Spring Valley Specific Plan | | | 150 | 250 |
| Total | 230 | 181 | 290 | 660 |
| Shortfall/Surplus | -70 | -19 | +125 | +195 |

While the jurisdiction has sufficient sites to accommodate its RHNA for moderate- and above moderate-income units, it has a shortfall of 89 units to accommodate its lower income need. The jurisdiction would be required to include a program in the housing element to accommodate that shortfall.

If Yes: Congratulations, the site inventory analysis is complete

If No: Move to Step 3

Step 3: Adequate Sites Program

Government Code section 65583(f) and Government Code section 65583.2(h)

Where the inventory of sites does not identify adequate sites to accommodate the RHNA for lower income households, a program must be included to identify sites that can be developed for housing within the planning period. The housing element should include an inventory of potential sites for rezoning. Those sites must meet the adequate sites requirements in terms of the suitability and availability outlined above.

General Program Requirements

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 and include the following components:

- Permit owner-occupied and rental multifamily uses by right for developments in which 20 percent or more of the units are affordable to lower income households. By right means local government review must not require a conditional use permit, planned unit development permit, or other discretionary review or approval.
- Permit the development of at least 16 units per site.
- 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 16 dwelling units per acre for incorporated cities within nonmetropolitan/rural counties and nonmetropolitan counties with micropolitan areas or 20 dwelling units per acre for suburban and metropolitan jurisdictions.
- Ensure a) at least 50 percent of the shortfall of low- and very low-income regional housing need can be accommodated on sites designated for exclusively residential uses, or b) if accommodating more than 50 percent of the low- and very low-income regional housing need on sites designated for mixed-uses, all sites designated for mixed-uses must allow 100 percent residential use and require residential use to occupy at least 50 percent of the floor area in a mixed-use project.

Timing

Rezoning due to a shortfall from the current planning period:

A locality's ability to accommodate needed housing during the planning period requires designating appropriate zoning as early as possible. Generally, however, a rezoning should occur no later than three years and 120 days from the beginning of the planning period. A one-year extension to the deadline to complete required rezoning may be allowed if a local government has completed rezoning at sufficient densities to accommodate at least 75 percent of the units for very-low and low-income households. Also, the jurisdiction must determine after a public meeting that substantial evidence supports findings and adoption of a resolution that the rezone deadline was not met due to one of the following reasons:

- Action or inaction beyond the control of the local government of any other state, federal, or local agency.
- Infrastructure deficiencies due to fiscal or regulatory constraints.

- The local government must undertake a major revision to its general plan in order to accommodate the housing-related policies of a sustainable communities strategy or an alternative planning strategy adopted pursuant to Section 65080.

The jurisdiction must provide HCD a copy of the resolution and findings along with: - a detailed budget and schedule for preparation and adoption of required rezoning within one year of the adoption of the resolution, - plans for citizen participation, and - expected interim actions to complete the rezoning, and any revisions to the general plan (Government Code section 65583(f)).

Consequences for Failing to Complete Rezoning Deadline:

If a local government fails to complete all rezoning's by the prescribed deadline, a local government may not disapprove a housing development project⁷, nor require a conditional use permit, planned unit development permit, or other locally imposed discretionary permit, or impose a condition that would render the project infeasible, if the housing development project:

- Is proposed to be located on a site included in a housing element program to be rezoned.
- Complies with applicable objective general plan and zoning standards and criteria, including design review standards, described in the rezone program action.

However, any subdivision of the site is subject to the Subdivision Map Act.

A jurisdiction may disapprove a housing development or approve it upon the condition that the project be developed at a lower density only if it makes written findings supported by substantial evidence on the record that both of the following conditions exist:

- The housing development project would have a specific, adverse impact upon the public health or safety⁸.
- There is no feasible method to satisfactorily mitigate or avoid the adverse impact.

The local government may also be subject to enforcement actions by HCD, including a determination that the housing element no longer complies with the requirements of state law and referral to the Attorney General pursuant to Government Code section 65585(i) and (j).

⁷ "Housing development project" is defined a project to construct residential units for which the project developer provides sufficient legal commitments to the appropriate legal agency to ensure the continued availability and use of at least 49 percent of the housing units for very-low, low-, and moderate-income households with an affordable housing cost or affordable rent.

⁸ "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

Housing Accountability Act and the Housing Element

The Housing Accountability Act (Government Code section 65589.5) establishes state overarching policy that a local government not deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards and contribute to meeting housing need. Jurisdictions without a housing element in compliance with State Housing Element Law or without a complete site inventory are further limited in the ability to deny a housing development application.

Among other requirements (including those related to housing development regardless of affordability levels), the Housing Accountability Act states that a local agency shall not disapprove or condition approval in a manner that renders the housing development project infeasible, including through the use of design review standards, for development of an emergency shelter or a housing development project for very low, low-, or moderate-income households unless it makes written findings, based upon a preponderance of the evidence in the record, as to one of the following:

- The jurisdiction has adopted a housing element in substantial compliance with Housing Element Law and the jurisdiction has met or exceeded its share of the RHNA for the planning period for the income category proposed for the housing development project.
- The project would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.
- The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable or rendering the development of the emergency shelter financially infeasible.
- The project is proposed on land zoned for agriculture or resource preservation, or which does not have adequate water or wastewater facilities to serve the project.
- The project is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation, unless the housing development project is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the jurisdiction's housing element, or if the local agency has failed to identify in the inventory of land in its housing element sites that can be developed for housing within the planning period and are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels pursuant to Section 65584.

"Housing for very low, low-, or moderate-income households" means where at least 20 percent of the total units are or will be sold or rented to lower income households or 100 percent of the units will be sold or rented to persons and families of moderate income, or persons and families of middle income.

Rezoned due to an unaccommodated need from previous planning period⁹:

Pursuant to Government Code section 65584.09, if the jurisdiction failed to make adequate sites available to accommodate the regional housing need in the prior planning period, the jurisdiction must zone or rezone sites to accommodate any unaccommodated need within the first year of the planning period. If more than one year has lapsed since the beginning of the planning period, the housing element cannot be found in compliance with Housing Element Law until the required zoning or rezoning is complete and the housing element is amended to reflect the necessary rezoning.

Annexation

If the jurisdiction must rely on annexation to accommodate its RHNA, the housing element must include a program committing to completing the annexation within three years of the planning period. In addition, the housing element must also include an evaluation of the suitability of the annexed sites, including the following information:

- Consistency with Local Agency Formation Commission (LAFCO) policies
- Actions to pre-zone prior to annexation
- Descriptions of the zone, density, development standards and design requirements
- The anticipated housing capacity allowed by each site
- Timeline to complete annexation which is early enough in the planning period to facilitate development of annexed sites (e.g., within the first three years of the planning period)
- Analysis of the suitability and availability of sites, including identification of any sites currently under Williamson Act contracts
- Demonstrated compliance with the requirements of the adequate sites program requirements of Government Code section 65583.2, subdivisions (h) and (i)

Please note, if the potential for annexation was not included in the RHNA allocation methodology, a portion of the county's allocation may be transferred to the city pursuant to Government Code section 65584.07(d). This transfer of RHNA would require an amendment to the housing element to ensure that any additional RHNA can be accommodated on sites within the inventory.

⁹ Sometimes called the AB 1233 consequence.

Sample Rezone Program:

To accommodate the remaining lower-income RHNA of 89 units, the City of X will identify and rezone a minimum of 4.5 acres of vacant land to the R3 zoning district, allowing exclusively residential uses and a minimum of 20 units per acre to a maximum of 30 units per acre by June 30, 2024. Rezoned sites will permit owner-occupied and rental multifamily uses by right pursuant to Government Code section 65583.2(i) for developments in which 20 percent or more of the units are affordable to lower income households and will be selected from sites 20 through 30 in the parcel listing (Appendix A). As reflected in Appendix A, each site has the capacity to accommodate at least 16 units and will be available for development in the planning period where water, sewer, and dry utilities can be provided.

Objective: Create opportunity for at least 89 units of multifamily housing for lower income households

Responsible Agency: Community Development Department

Timeline: Sites rezoned by June 30, 2024

Funding Source(s): General fund

Other program ideas for increasing capacity or facilitating development on identified sites:

- Up-zone existing neighborhoods in areas of opportunity or in high quality neighborhood transit areas at appropriate densities to facilitate development of housing.
- Increase maximum allowable residential densities in existing residential, commercial, and mixed-use zones and modify development standards, such as height limitations to ensure maximum density can be achieved.
- Establish minimum densities — Designate minimum densities of development to ensure that existing available land is not underutilized.
- Allow and encourage mixed-use zoning — Permit housing in certain nonresidential zones either as part of a mixed-use project or as a standalone 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 housing 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 — At a minimum, allow three stories in multifamily zones.
- Increase Floor Area Ratios — Allow for larger buildings on smaller lots and/or more units per lot by reducing the floor area ratio (total lot area divided by the total building area).
- Identify publicly owned land suitable for affordable housing development and sell parcels for \$1 (with consideration of the Surplus Land Act as amended by AB 1486, Statutes of 2019).
- Facilitate development by encouraging staff outreach to owners of potential sites and affordable housing developers to discuss needs and constraints in the jurisdiction.
- Adopt incentives such as a super density bonus or by right approval for housing that meets community objectives, such as housing near transit, affordability, housing that meets the needs of special populations, etc.
- Adopt a specific plan that streamlines CEQA compliance.

Common Program Questions and Answers for Shortfall Zoning:

Q: How do I establish the density range for a rezone site?

A: The density range is set at the minimum density (either 16 or 20 dwelling units per acre, depending on the jurisdiction). While there is no specific maximum density requirement, the range must include the density that was identified as appropriate to accommodate housing affordable to lower-income households (Part B, Step 2).

However, jurisdictions should not set the minimum and maximum density range at the same density (e.g., 20 units per acre minimum as both a minimum and maximum density). If identifying a narrow density range, the housing element must analyze the range as a potential governmental constraint on housing development, including potential impacts resulting from site constraints, financial considerations, and other development factors.

Q: If a development is proposed with less than 20 percent affordability to lower income, can the jurisdiction approve it?

A: Yes, however, the project would not qualify for the by right provisions of this law unless the underlining zone already permitted housing by right. This, and all housing development projects, is subject to the Housing Accountability Act. In addition, the jurisdiction may be subject to No Net Loss Law provisions.

Q: How is the 20 percent calculated when State Density Bonus Law is added?

A: This 20 percent calculation is based upon the total number of units in the development including additional units provided by a density bonus. This calculation methodology is consistent with several other pieces of housing laws, including the Streamlined Ministerial Approval Process (Government Code section 65913.4) and the Housing Accountability Act.

ATTACHMENT 1: SUMMARY OF NEW LAWS REFERENCED IN THE GUIDEBOOK

[AB 1397, Low \(Chapter 375, Statutes of 2017\)](#): The law made a number of revisions to the site inventory analysis requirements of Housing Element Law. In particular, it requires stronger justification when nonvacant sites are used to meet housing needs, particularly for lower income housing, requires by right housing when sites are included in more than one housing element, and adds conditions around size of sites, among others.

[AB 686, Santiago \(Chapter 958, Statutes of 2018\)](#): The law ensures that public entities, including local governments, administer their programs relating to housing and urban development in a manner affirmatively to further the purposes of the federal Fair Housing Act and do not take any action that is materially inconsistent with its obligation to affirmatively further fair housing. It also requires that housing elements of each city and county promote and affirmatively further fair housing opportunities throughout the community for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act, Government Code Section 65008, and any other state and federal fair housing and planning law. AB 686 requires jurisdictions to conduct an assessment of fair housing in the housing element, prepare the housing element site inventory through the lens of affirmatively furthering fair housing, and include program(s) to affirmatively further fair housing.

[SB 6, Beall \(Chapter 667, Statutes of 2019\)](#): Jurisdictions are required to prepare the site inventory on forms developed by HCD and send an electronic version with their adopted housing element to HCD. HCD will then send those inventories to the Department of General Services by December 31 each year. The law (?) authorizes HCD to review, adopt, amend, and repeal the standards, forms, or definitions to implement this subdivision and subdivision (a) of Section 65583.

[AB 1486, Ting \(Chapter 644, Statutes of 2019\)](#): The law expanded the definition of surplus land and added additional requirements on the disposal of surplus land. In addition, local agencies must send notices of availability to interested entities on a list maintained by HCD. This list and notices of availability are maintained on HCD's website. Local agencies must also send a description of the notice and subsequent negotiations for the sale of the land, which HCD must review, and within 30 days submit written finding of violations of law. Violations of the Surplus Land Act can be referred to the Attorney General. Finally, it adds a requirement in Housing Element Law for the jurisdiction to identify which of the sites included in the inventory are surplus property.

ATTACHMENT 2: GOVERNMENT CODE SECTION 65583.2

As of January 1, 2020

(a) A city's or county's inventory of land suitable for residential development pursuant to paragraph (3) of subdivision (a) of Section 65583 shall be used to identify sites throughout the community, consistent with paragraph (9) of subdivision (c) of Section 65583, that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels pursuant to Section 65584. As used in this section, "land suitable for residential development" includes all of the sites that meet the following standards set forth in subdivisions (c) and (g):

(1) Vacant sites zoned for residential use.

(2) Vacant sites zoned for nonresidential use that allows residential development.

(3) Residentially zoned sites that are capable of being developed at a higher density, including sites owned or leased by a city, county, or city and county.

(4) Sites zoned for nonresidential use that can be redeveloped for residential use, and for which the housing element includes a program to rezone the site, as necessary, rezoned for, to permit residential use, including sites owned or leased by a city, county, or city and county.

(b) The inventory of land shall include all of the following:

(1) A listing of properties by assessor parcel number.

(2) The size of each property listed pursuant to paragraph (1), and the general plan designation and zoning of each property.

(3) For nonvacant sites, a description of the existing use of each property. If a site subject to this paragraph is owned by the city or county, the description shall also include whether there are any plans to dispose of the property during the planning period and how the city or county will comply with Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.

(4) A general description of any environmental constraints to the development of housing within the jurisdiction, the documentation for which has been made available to the jurisdiction. This information need not be identified on a site-specific basis.

(5) (A) A description of existing or planned water, sewer, and other dry utilities supply, including the availability and access to distribution facilities.

(B) Parcels included in the inventory must have sufficient water, sewer, and dry utilities supply available and accessible to support housing development or be included in an existing general plan program or other mandatory program or plan, including a program or plan of a public or private entity providing water or sewer service, to secure sufficient water, sewer, and dry utilities supply to support housing development. This paragraph does not impose any additional duty on the city or county to construct, finance, or otherwise provide water, sewer, or dry utilities to parcels included in the inventory.

(6) Sites identified as available for housing for above moderate-income households in areas not served by public sewer systems. This information need not be identified on a site-specific basis.

(7) A map that shows the location of the sites included in the inventory, such as the land use map from the jurisdiction's general plan, for reference purposes only.

(c) Based on the information provided in subdivision (b), a city or county shall determine whether each site in the inventory can accommodate the development of some portion of its share of the regional housing need by income level during the planning period, as determined pursuant to Section 65584. The inventory shall specify for each site the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing. A nonvacant site identified pursuant to paragraph (3) or (4) of subdivision (a) in a prior housing element and a vacant site that has been included in two or more consecutive planning periods that was not approved to develop a portion of the locality's housing need shall not be deemed adequate to accommodate a portion of the housing need for lower income households that must be accommodated in the current housing element planning period unless the site is zoned at residential densities consistent with paragraph (3) of this subdivision and the site is subject to a program in the housing element requiring rezoning within three years of the beginning of the planning period to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households. An unincorporated area in a nonmetropolitan county pursuant to clause (ii) of subparagraph (B) of paragraph (3) shall not be subject to the requirements of this subdivision to allow residential use by right. The analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. The city or county shall determine the number of housing units that can be accommodated on each site as follows:

(1) If local law or regulations require the development of a site at a minimum density, the department shall accept the planning agency's calculation of the total housing unit capacity on that site based on the established minimum density. If the city or county does not adopt a law or regulation requiring the development of a site at a minimum density, then it shall demonstrate how the number of units determined for that site pursuant to this subdivision will be accommodated.

(2) The number of units calculated pursuant to paragraph (1) shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in paragraph (5) of subdivision (a) of Section 65583, the realistic development capacity for the site, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.

(A) A site smaller than half an acre shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site is adequate to accommodate lower income housing.

(B) A site larger than 10 acres shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site can be developed as lower income housing. For purposes of this subparagraph, "site" means that portion of a parcel or parcels designated to accommodate lower income housing needs pursuant to this subdivision.

(C) A site may be presumed to be realistic for development to accommodate lower income housing need if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed and approved for development on the site.

(3) For the number of units calculated to accommodate its share of the regional housing need for lower income households pursuant to paragraph (2), a city or county shall do either of the following:

(A) Provide an analysis demonstrating how the adopted densities accommodate this need. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower income households.

(B) The following densities shall be deemed appropriate to accommodate housing for lower income households:

(i) For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre.

(ii) For an unincorporated area in a nonmetropolitan county not included in clause (i): sites allowing at least 10 units per acre.

(iii) For a suburban jurisdiction: sites allowing at least 20 units per acre.

(iv) For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre.

(d) For purposes of this section, a metropolitan county, nonmetropolitan county, and nonmetropolitan county with a micropolitan area shall be as determined by the United States Census Bureau. A nonmetropolitan county with a micropolitan area includes the following counties: Del Norte, Humboldt, Lake, Mendocino, Nevada, Tehama, and Tuolumne and other counties as may be determined by the United States Census Bureau to be nonmetropolitan counties with micropolitan areas in the future.

(e) (1) Except as provided in paragraph (2), a jurisdiction shall be considered suburban if the jurisdiction does not meet the requirements of clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (c) and is located in a Metropolitan Statistical Area (MSA) of less than 2,000,000 in population, unless that jurisdiction's population is greater than 100,000, in which case it shall be considered metropolitan. A county, not including the City and County of San Francisco, shall be considered suburban unless the county is in an MSA of 2,000,000 or greater in population in which case the county shall be considered metropolitan.

(2) (A) (i) Notwithstanding paragraph (1), if a county that is in the San Francisco-Oakland-Fremont California MSA has a population of less than 400,000, that county shall be considered suburban. If this county includes an incorporated city that has a population of less than 100,000, this city shall also be considered suburban. This paragraph shall apply to a housing element revision cycle, as described in subparagraph (A) of paragraph (3) of subdivision (e) of Section 65588, that is in effect from July 1, 2014, to December 31, 2028, inclusive.

(ii) A county subject to this subparagraph shall utilize the sum existing in the county's housing trust fund as of June 30, 2013, for the development and preservation of housing affordable to low- and very low-income households.

(B) A jurisdiction that is classified as suburban pursuant to this paragraph shall report to the Assembly Committee on Housing and Community Development, the Senate Committee on

Housing, and the Department of Housing and Community Development regarding its progress in developing low- and very low income housing consistent with the requirements of Section 65400. The report shall be provided three times: once, on or before December 31, 2019, which report shall address the initial four years of the housing element cycle, a second time, on or before December 31, 2023, which report shall address the subsequent four years of the housing element cycle, and a third time, on or before December 31, 2027, which report shall address the subsequent four years of the housing element cycle and the cycle as a whole. The reports shall be provided consistent with the requirements of Section 9795.

(f) A jurisdiction shall be considered metropolitan if the jurisdiction does not meet the requirements for “suburban area” above and is located in an MSA of 2,000,000 or greater in population, unless that jurisdiction’s population is less than 25,000 in which case it shall be considered suburban.

(g) (1) For sites described in paragraph (3) of subdivision (b), the city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential. The methodology shall consider factors including the extent to which existing uses may constitute an impediment to additional residential development, the city’s or county’s past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites.

(2) In addition to the analysis required in paragraph (1), when a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.

(3) Notwithstanding any other law, and in addition to the requirements in paragraphs (1) and (2), sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income, subject to any other form of rent or price control through a public entity’s valid exercise of its police power, or occupied by low or very low income households, shall be subject to a policy requiring the replacement of all those units affordable to the same or lower income level as a condition of any development on the site. Replacement requirements shall be consistent with those set forth in paragraph (3) of subdivision (c) of Section 65915.

(h) The program required by subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583 shall accommodate 100 percent of the need for housing for very low and low-income households allocated pursuant to Section 65584 for which site capacity has not been identified in the inventory of sites pursuant to paragraph (3) of subdivision (a) on sites that shall be zoned to permit owner-occupied and rental multifamily residential use by right

for developments in which at least 20 percent of the units are affordable to lower income households during the planning period. These sites shall be zoned with minimum density and development standards that permit at least 16 units per site at a density of at least 16 units per acre in jurisdictions described in clause (i) of subparagraph (B) of paragraph (3) of subdivision (c), shall be at least 20 units per acre in jurisdictions described in clauses (iii) and (iv) of subparagraph (B) of paragraph (3) of subdivision (c) and shall meet the standards set forth in subparagraph (B) of paragraph (5) of subdivision (b). 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, except that a city or county may accommodate all of the very low and low-income housing need on sites designated for mixed uses if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project.

(i) For purposes of this section and Section 65583, the phrase “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 that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5.

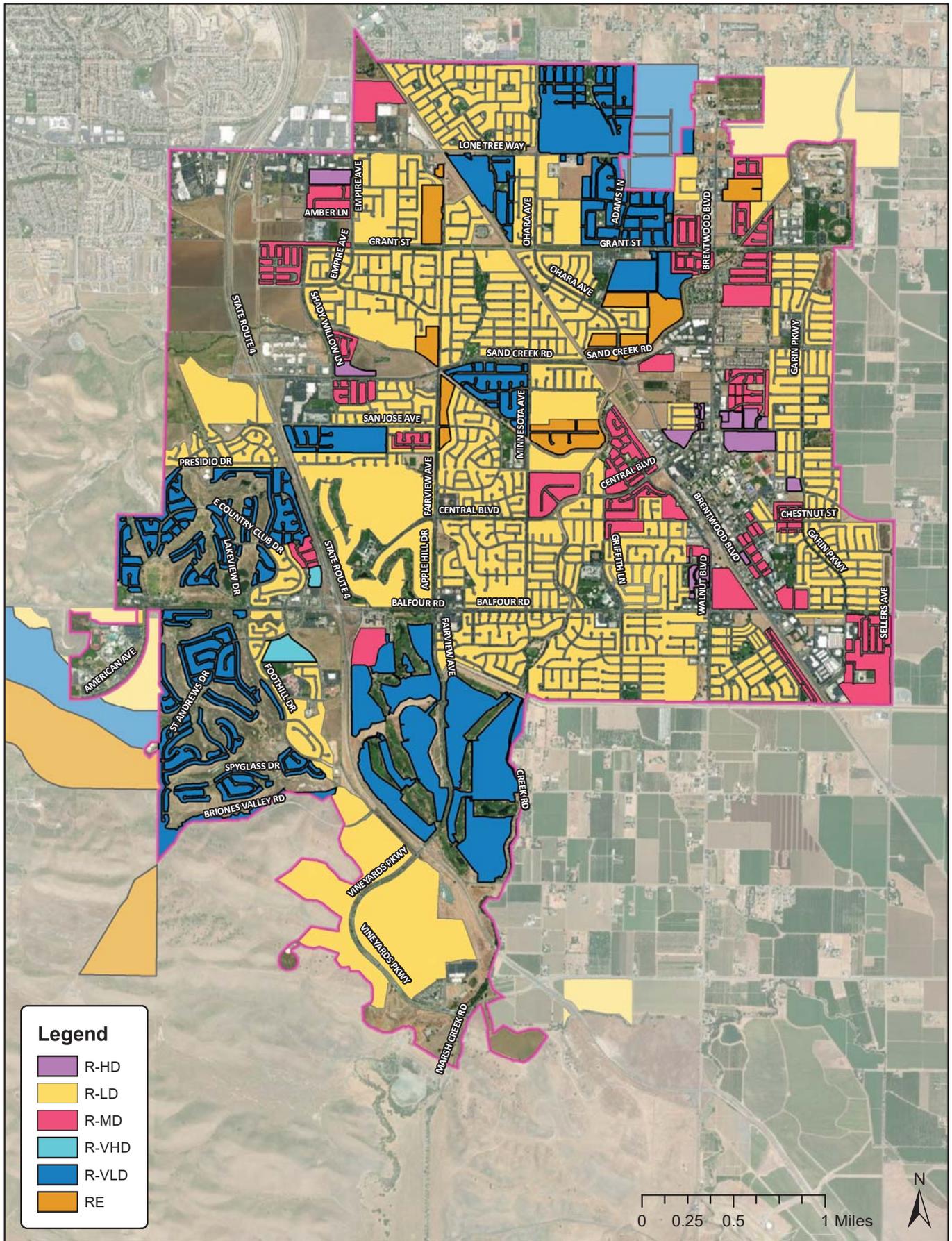
(j) Notwithstanding any other provision of this section, within one-half mile of a Sonoma-Marín Area Rail Transit station, housing density requirements in place on June 30, 2014, shall apply.

(k) For purposes of subdivisions (a) and (b), the department shall provide guidance to local governments to properly survey, detail, and account for sites listed pursuant to Section 65585.

(l) This section shall remain in effect only until December 31, 2028, and as of that date is repealed.

(Amended (as amended by Stats. 2018, Ch. 958, Sec. 3) by Stats. 2019, Ch. 664, Sec. 15.5. (AB 1486) Effective January 1, 2020. Repealed as of December 31, 2028, by its own provisions. See later operative version amended by Sec. 16.5 of Stats. 2019, Ch. 664.)

Residential General Plan Map



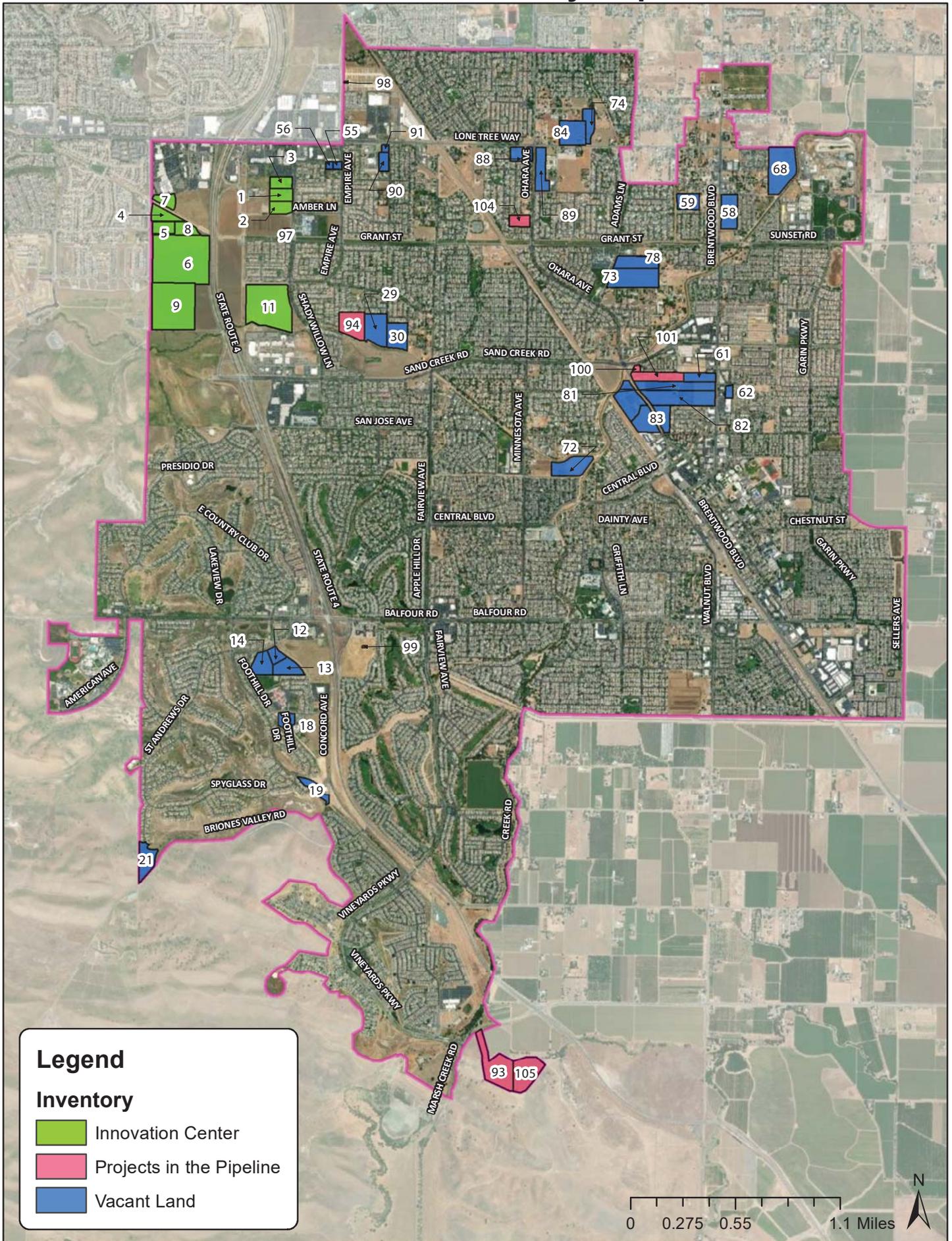
2023-2031 (6th Cycle) Housing Element Update Draft Site Inventory

| Map ID | APN_T | Address | Zoning | GPLU | Buildable Acreage | Density | Assumed Density | Residential Propensity | Estimated Units | Inventory Category | Assumed Affordability |
|---------------------------------------|-----------|-------------------------|---------------|--------|-------------------|---------|-----------------|------------------------|-----------------|--------------------|-----------------------|
| Specific Plan Parcels | | | | | | | | | | | |
| 1 | 019032010 | 2251 Shady Willow Ln | PA-1 (MFVHDR) | MFVHDR | 4.80 | 15-35 | 25 | 100% | 120 | Innovation Center | Low and Very Low |
| 2 | 019032011 | 2201 Shady Willow Ln | PA-1 (MFVHDR) | MFVHDR | 4.75 | 15-35 | 25 | 100% | 118 | Innovation Center | Low and Very Low |
| 3 | 019032029 | 2301 Shady Willow Ln | PA-1 (MFVHDR) | MFVHDR | 4.88 | 15-35 | 25 | 100% | 122 | Innovation Center | Low and Very Low |
| 4 | 019020059 | 5225 Heidorn Ranch Rd | PA-1 (MFVHDR) | MFVHDR | 5.41 | 15-35 | 25 | 100% | 135 | Innovation Center | Low and Very Low |
| 5 | 019020076 | 5305 Heidorn Ranch Rd | PA-1 (MFVHDR) | MFVHDR | 4.78 | 15-35 | 25 | 100% | 119 | Innovation Center | Low and Very Low |
| 6 | 019081022 | None - Sand Creek Rd | PA-1 (MFVHDR) | MFVHDR | 11.00 | 15-35 | 25 | 100% | 275 | Innovation Center | Low and Very Low |
| 7 | 019020055 | None - Heidorn Ranch Rd | PA-1 (TV) | TV | 4.02 | 25-40 | 32.5 | 80% | 104 | Innovation Center | Low and Very Low |
| 8 | 019020083 | 5315 Heidorn Ranch Rd | PA-1 (TV) | TV | 5.15 | 25-40 | 32.5 | 80% | 133.6 | Innovation Center | Low and Very Low |
| 9 | 019081020 | None - Sand Creek Rd | PA-1 (MFVHDR) | MFVHDR | 17.08 | 15-35 | 25 | 100% | 427 | Innovation Center | Low and Very Low |
| 10 | 019081021 | None - Sand Creek Rd | PA-1 (TV) | TV | 9.23 | 25-40 | 32.5 | 80% | 239.2 | Innovation Center | Low and Very Low |
| 11 | 019092046 | 2483 Sand Creek Rd | PA-1 (HDR) | HDR | 28.60 | 10-20 | 15 | 100% | 429 | Innovation Center | Moderate |
| Specific Plan Parcel Sub Total | | | | | | | | | 2,222 | | |

| | | | | | | | | | | | |
|---|-----------|-----------------------------|------------|-------------|-------|-----------|------|------|--------------|-------------|------------------|
| Vacant/Underutilized Residential Parcels | | | | | | | | | | | |
| 12 | 010840010 | None - John Muir Pkwy | PD (R-VHD) | R-VHD | 3.39 | 20.1-30 | 25 | 100% | 84 | Vacant Land | Low and Very Low |
| 13 | 010840011 | None - John Muir Pkwy | PD (R-VHD) | R-VHD | 6.81 | 20.1-30 | 25 | 100% | 170 | Vacant Land | Low and Very Low |
| 14 | 010840012 | None - John Muir Pkwy | PD (R-VHD) | R-VHD | 7.70 | 20.1-30 | 25 | 100% | 192 | Vacant Land | Low and Very Low |
| 18 | 010010039 | 2200 Ventura Dr | PD-20 | R-LD | 4.26 | 1.1 - 5.0 | 3 | 100% | 12 | Vacant Land | Above Moderate |
| 19 | 007440018 | None - Foothill Dr | PD-20 | R-LD | 4.55 | 1.1 - 5.0 | 3 | 100% | 13 | Vacant Land | Above Moderate |
| 21 | 007100126 | None - Spyglass Dr | PD-20 | R-VLD | 8.21 | 1.1 - 3 | 2 | 100% | 16 | Vacant Land | Above Moderate |
| 29 | 019092013 | None - Sand Creek Rd | PD-35 | R-LD | 11.48 | 1.1 - 5.0 | 3 | 100% | 34 | Vacant Land | Above Moderate |
| 30 | 019092034 | 1777 Apricot Way | PD-35 | R-LD | 9.35 | 1.1 - 5.0 | 3 | 100% | 28 | Vacant Land | Above Moderate |
| 55 | 019040031 | 2401 Empire Ave | R-3 | R-HD | 1.14 | 11.1 - 20 | 15.5 | 100% | 17 | Vacant Land | Moderate |
| 56 | 019040033 | 2391 Empire Ave | R-3 | R-HD | 1.00 | 11.1 - 20 | 15.5 | 100% | 15 | Vacant Land | Moderate |
| 58 | 018190018 | None - Sunset Rd | BBSP | BBSP (COIR) | 9.83 | 11-20 | 15.5 | 100% | 152 | Vacant Land | Moderate |
| 59 | 018170003 | None - Brentwood Blvd | BBSP | BBSP (COIR) | 6.17 | 11-20 | 15.5 | 100% | 95 | Vacant Land | Moderate |
| 61 | 016120024 | None - Brentwood Blvd | BBSP | BBSP (COIR) | 5.06 | 11-20 | 15.5 | 100% | 78 | Vacant Land | Moderate |
| 62 | 016150114 | None - Brentwood Blvd | BBSP | BBSP (COIR) | 1.58 | 11-20 | 15.5 | 100% | 24 | Vacant Land | Moderate |
| 68 | 018230034 | 251 Hanson Lane | PD-71 | R-LD | 20.13 | 1.1 - 5.0 | 3 | 100% | 60 | Vacant Land | Above Moderate |
| 72 | 017110012 | 760, 780, 800 Minnesota Ave | R-1-10 | R-LD | 11.10 | 1.1 - 5.0 | 3 | 100% | 33 | Vacant Land | Above Moderate |
| 73 | 016040005 | Adams Lane and Gracie Lane | R-1-E | R-VLD | 16.82 | 1.1 - 3 | 2 | 100% | 33 | Vacant Land | Above Moderate |
| 74 | 018060040 | 7770 Lone Tree Way | PD-29 | R-VLD | 5.32 | 1.1 - 3 | 2 | 100% | 10 | Vacant Land | Above Moderate |
| 78 | 016040004 | 1901 Lone Oak Rd | R-1-E | R-VLD | 10.00 | 1.1 - 3 | 2 | 100% | 20 | Vacant Land | Above Moderate |
| 81 | 016120020 | None - Brentwood Blvd | BBSP | BBSP (COIR) | 10.00 | 11-20 | 15.5 | 100% | 155 | Vacant Land | Above Moderate |
| 82 | 016130006 | None - Brentwood Blvd | BBSP | BBSP (COIR) | 10.00 | 11-20 | 15.5 | 100% | 155 | Vacant Land | Above Moderate |
| 83 | 016130007 | None - Sycamore Ave | BBSP | BBSP (COIR) | 10.00 | 11-20 | 15.5 | 100% | 155 | Vacant Land | Above Moderate |
| 84 | 018060006 | 7650 Lone Tree Way | R-1-12 | R-VLD | 10.00 | 1.1 - 3 | 2 | 100% | 20 | Vacant Land | Above Moderate |
| 88 | 018090020 | 7451 Lone Tree Way | R-1-10 | R-LD | 5.06 | 1.1 - 5.0 | 3 | 100% | 15 | Vacant Land | Above Moderate |
| 89 | 018100047 | None - Lone Tree Way | R-1-10 | R-LD | 8.64 | 1.1 - 5.0 | 3 | 100% | 25 | Vacant Land | Above Moderate |
| 90 | 019050026 | 2313 Windy Springs Lane | PD-35 | R-LD | 3.26 | 1.1 - 5.0 | 3 | 100% | 9 | Vacant Land | Above Moderate |
| 91 | 019050038 | 2305 Windy Springs Lane | PD-35 | R-LD | 0.98 | 1.1 - 5.0 | 3 | 100% | 2 | Vacant Land | Above Moderate |
| Vacant/Underutilized Residential Parcels Sub Total | | | | | | | | | 1,622 | | |

| Map ID | APN_T | Address | Zoning | GPLU | Buildable Acreage | Density | Assumed Density | Residential Propensity | Estimated Units | Inventory Category | Assumed Affordability |
|------------------------------------|-----------|--|--------|------|-------------------|---------|-----------------|------------------------|-----------------|--------------------|-----------------------|
| Pipeline Projects | | | | | | | | | | | |
| 93 and 105 | 007380002 | Marsh Creek Road | PD-64 | | 28 | | | 100% | 140 | Pipeline | Above Moderate |
| 94 | 019092032 | 1925 Apricot Way | PD-35 | | 10.76 | | | 100% | 37 | Pipeline | Above Moderate |
| 96 and 97 | 019031006 | South of Amber Lane and west of Shady Willow Lane | PA-1 | | 14.431 | | | 100% | 288 | Pipeline | Above Moderate |
| 98 | 018740116 | 2800 Empire Avenue | PD-38 | | 0 | | | 100% | 160 | Pipeline | Above Moderate |
| 99 | 010440152 | 131 Summerset Drive | PD-21 | | 0 | | | 100% | 86 | Pipeline | Above Moderate |
| 100 | 016300138 | South of Contiente Avenue and west of Walnut Boulevard | PD-42 | | 0 | | | 100% | 77 | Pipeline | Low and Very Low |
| 101 | 016120025 | South of Sand Creek Road and east of O'Hara Avenue | BBSP | | 8.313 | | | 100% | 166 | Pipeline | Above Moderate |
| 104 | 018570039 | 3405 O'Hara Avenue | | | N/A | | | 100% | 14 | Pipeline | Above Moderate |
| Pipeline Projects Sub Total | | | | | | | | | 968 | | |

Draft Site Inventory Map



DRAFT Sites Analysis Summary Table



Strategy 1: Reduced Affordability with Increased ADU Assumptions

Includes 21% LowVI and 6% Mod affordability and aggressive ADU assumptions

Scenario Builder - Options to Meet RHNA

| | |
|---|----------------------------------|
| Includes Rezoning? | No |
| Assumed Low/Very Low-Income Affordability | 21% |
| Assumed Moderate-Income Affordability | 6% |
| Assumed % of Mixed-Use Transit Village which is Residential | 80% |
| Projected ADU Production Rate (per year over 8-year period) | 2*(2018-2021 Average Production) |

| Steps to Accommodate RHNA | | Extremely Low/ Very Low Income | Low Income | Moderate Income | Above Moderate Income | Total | NOTES |
|---|--|--------------------------------|------------|-----------------|-----------------------|-------|-------|
| | Final 2023 - 2031 RHNA | 402 | 232 | 247 | 641 | 1,552 | |
| Step 1: Count Projects in the Pipeline and Estimate ADU's | Pipeline Project | 2 | 0 | 966 | 968 | | |
| | Projected ADU Production | 162 | 81 | 27 | 270 | | |
| | Total Pipeline Projects and ADU's | 164 | 81 | 993 | 1,238 | | |
| Step 2: Identify Existing Zoning Capacity | Innovation Center Specific Plan | 377 | 133 | 1,712 | 2,222 | | |
| | Vacant Residential Land | 94 | 50 | 1,478 | 1,622 | | |
| | Total Existing Zoning Capacity | 471 | 183 | 3,190 | 3,844 | | |
| Step 3: Compare to RHNA and Create Buffer | Total Unit Potential | 635 | 264 | 4,183 | 5,082 | | |
| | Units Over/Under | 1 | 17 | 3,542 | 3,844 | | |
| | Percent Over/Under | 0% | 7% | 553% | 227% | | |

Strategy 1

6/23/2022

DRAFT Sites Analysis Summary Table



**Strategy 2: No Rezoning Required,
HCD Approved Methodology**
Includes Total Affordability at 100%, no rezoning, and safe-harbor ADU assumptions

| Scenario Builder - Options to Meet RHNA | |
|---|----------------------------------|
| Includes Rezoning? | No |
| Assumed Low/Very Low-Income Affordability | 100% |
| Assumed Moderate-Income Affordability (on Low/VL) | 0% |
| Assumed % of Mixed-Use Transit Village which is Residential | 80% |
| Projected ADU Production Rate (per year over 8-year period) | 1*(2018-2021 Average Production) |

| Steps to Accommodate RHNA | | Extremely Low/ Very Low Income | Low Income | Moderate Income | Above Moderate Income | Total | NOTES |
|---|--|--------------------------------|------------|-----------------|-----------------------|-------|-------|
| | | 402 | 232 | 247 | 641 | 1,552 | |
| Step 1: Count Projects in the Pipeline and Estimate ADU's | Pipeline Project | 2 | | 0 | 966 | 968 | |
| | Projected ADU Production | 80 | | 41 | 14 | 135 | |
| | Total Pipeline Projects and ADU's | 82 | | 41 | 980 | 1,103 | |
| Step 2: Identify Existing Zoning Capacity | Innovation Center Specific Plan | 1,793 | | 429 | 0 | 2,222 | |
| | Vacant Residential Land | 446 | | 381 | 795 | 1,622 | |
| | Total Existing Zoning Capacity | 2,239 | | 810 | 795 | 3,844 | |
| Step 3: Compare to RHNA and Create Buffer | Total Unit Potential | 2,321 | | 851 | 1,775 | 4,947 | |
| | Units Over/Under | 1,687 | | 604 | 1,134 | 3,844 | |
| | Percent Over/Under | 266% | | 245% | 177% | 219% | |

DRAFT Sites Analysis Summary Table



**Strategy 3: No Rezoning Required,
HCD Approved Methodology with Conservative
Affordability Assumptions**

Includes 30% LowVI and 10% Mod Affordability, No Rezoning, and Safe-Harbor ADU Assumptions

Scenario Builder - Options to Meet RHNA

| | |
|---|----------------------------------|
| Includes Rezoning? | No |
| Assumed Low/Very Low-Income Affordability | 30% |
| Assumed Moderate-Income Affordability | 10% |
| Assumed % of Mixed-Use Transit Village which is Residential | 80% |
| Projected ADU Production Rate (per year over 8-year period) | 1*(2018-2021 Average Production) |

| Steps to Accommodate RHNA | | Extremely Low/ Very Low Income | Low Income | Moderate Income | Above Moderate Income | Total | NOTES |
|---|--|--------------------------------|------------|-----------------|-----------------------|-------|-------|
| | Final 2023 - 2031 RHNA | 402 | 232 | 247 | 641 | 1,552 | |
| Step 1: Count Projects in the Pipeline and Estimate ADU's | Pipeline Project | 2 | | 0 | 966 | 968 | |
| | Projected ADU Production | 80 | | 41 | 14 | 135 | |
| | Total Pipeline Projects and ADU's | 82 | | 41 | 980 | 1,103 | |
| Step 2: Identify Existing Zoning Capacity | Innovation Center Specific Plan | 539 | | 223 | 1,460 | 2,222 | |
| | Vacant Residential Land | 134 | | 83 | 1,405 | 1,622 | |
| | Total Existing Zoning Capacity | 673 | | 306 | 2,865 | 3,844 | |
| Step 3: Compare to RHNA and Create Buffer | Total Unit Potential | 755 | | 347 | 3,845 | 4,947 | |
| | Units Over/Under | 121 | | 100 | 3,204 | 3,844 | |
| | Percent Over/Under | 19% | | 40% | 500% | 219% | |

DRAFT Sites Analysis Summary Table



Strategy 1: Reduced Affordability with Increased ADU Assumptions
Includes 2.1% LowVI and 6% Mod affordability and aggressive ADU assumptions

| Scenario Builder - Options to Meet RHNA | |
|---|----------------------------------|
| Includes Rezoning? | No |
| Assumed Low/Very Low-Income Affordability | 21% |
| Assumed Moderate-Income Affordability | 6% |
| Assumed % of Mixed-Use Transit Village which is Residential | 80% |
| Projected ADU Production Rate (per year over 8-year period) | 2*(2018-2021 Average Production) |

| Steps to Accommodate RHNA | Extremely Low/ Very Low Income | Low Income | Moderate Income | Above Moderate Income | Total | NOTES |
|--|--------------------------------|------------|-----------------|-----------------------|-------|-------|
| Final 2023 - 2031 RHNA | 402 | 232 | 247 | 641 | 1,552 | |
| Pipeline Project | 2 | | 0 | 966 | 968 | |
| Projected ADU Production | 162 | | 81 | 27 | 270 | |
| Total Pipeline Projects and ADU's | 164 | | 81 | 993 | 1,238 | |
| Innovation Center Specific Plan | 377 | | 133 | 1,712 | 2,222 | |
| Vacant Residential Land | 94 | | 50 | 1,879 | 2,023 | |
| Total Existing Zoning Capacity | 471 | | 183 | 3,591 | 4,245 | |
| Total Unit Potential | 635 | | 264 | 4,584 | 5,483 | |
| Units Over/Under | 1 | | 17 | 3,943 | 4,245 | |
| Percent Over/Under | 0% | | 7% | 615% | 253% | |

Strategy 1

6/23/2022

DRAFT Sites Analysis Summary Table



Strategy 2: No Rezoning Required, HCD Approved Methodology
Includes Total Affordability at 100%, no rezoning, and safe-harbor ADU assumptions

Scenario Builder - Options to Meet RHNA

| | |
|---|----------------------------------|
| Includes Rezoning? | No |
| Assumed Low/Very Low-Income Affordability | 100% |
| Assumed Moderate-Income Affordability (on Low/VL) | 0% |
| Assumed % of Mixed-Use Transit Village which is Residential | 80% |
| Projected ADU Production Rate (per year over 8-year period) | 1*(2018-2021 Average Production) |

| Steps to Accommodate RHNA | Extremely Low/ Very Low Income | Low Income | Moderate Income | Above Moderate Income | Total | NOTES |
|--|--------------------------------|------------|-----------------|-----------------------|-------|-------|
| Final 2023 - 2031 RHNA | 402 | 232 | 247 | 641 | 1,552 | |
| Pipeline Project | 2 | | 0 | 966 | 968 | |
| Projected ADU Production | 80 | | 41 | 14 | 135 | |
| Total Pipeline Projects and ADU's | 82 | | 41 | 980 | 1,103 | |
| Innovation Center Specific Plan | 1,793 | | 429 | 0 | 2,222 | |
| Vacant Residential Land | 446 | | 381 | 1,196 | 2,023 | |
| Total Existing Zoning Capacity | 2,239 | | 810 | 1,196 | 4,245 | |
| Total Unit Potential | 2,321 | | 851 | 2,176 | 5,348 | |
| Units Over/Under | 1,687 | | 604 | 1,535 | 4,245 | |
| Percent Over/Under | 266% | | 245% | 239% | 245% | |

Strategy 2 6/23/2022

DRAFT Sites Analysis Summary Table



Strategy 3: No Rezoning Required, HCD Approved Methodology with Conservative Affordability Assumptions
Includes 30% Low/Mid Affordability, No Rezoning, and Safe-Harbor ADU Assumptions

Scenario Builder - Options to Meet RHNA

| | |
|---|-----------------------------------|
| Includes Rezoning? | No |
| Assumed Low/Very Low-Income Affordability | 30% |
| Assumed Moderate-Income Affordability | 10% |
| Assumed % of Mixed-Use Transit Village which is Residential | 80% |
| Projected ADU Production Rate (per year over 8-year period) | 1 *(2018-2021 Average Production) |

| Steps to Accommodate RHNA | Extremely Low/ Very Low Income | Low Income | Moderate Income | Above Moderate Income | Total | NOTES |
|--|--------------------------------|------------|-----------------|-----------------------|-------|-------|
| Final 2023 - 2031 RHNA | 402 | 232 | 247 | 641 | 1,552 | |
| Pipeline Project | | | 0 | 966 | 968 | |
| Projected ADU Production | 80 | 41 | 41 | 14 | 135 | |
| Total Pipeline Projects and ADU's | 82 | 41 | 41 | 980 | 1,103 | |
| Innovation Center Specific Plan | 539 | | 223 | 1,460 | 2,222 | |
| Vacant Residential Land | 134 | | 83 | 1,806 | 2,023 | |
| Total Existing Zoning Capacity | 673 | | 306 | 3,266 | 4,245 | |
| Total Unit Potential | 755 | | 347 | 4,246 | 5,348 | |
| Units Over/Under | 121 | | 100 | 3,605 | 4,245 | |
| Percent Over/Under | 19% | | 40% | 562% | 245% | |

Strategy 3 6/23/2022

Multifamily Residential Zoning Sites Listed in the 5th Cycle Housing Element Sites Inventory

Legend:

Sites Not Found

Sites Developed During 6th Cycle

Sites Carried Over to 6th Cycle

Sites Not Developed and Not Carried Over to the 6th Cycle

| APN | GP | ZONE | Acres | Notes | Originally Estimated Capacity | Developed During 5th Cycle | Units Developed | Included in Draft 6th Cycle |
|-----------|-------|-------|-------|--|-------------------------------|----------------------------|-----------------|-----------------------------|
| 012100020 | R-HD | R-3 | 0.36 | APN listed does not exist. Couldn't find this site. | 4 | N/A | | |
| 016110029 | BBSP | BBSP | 0.25 | APN listed does not exist. Couldn't find this site. | 4 | N/A | | |
| 017170009 | R-HD | PD-44 | 3.77 | Six total Low, Medium, and High Density lots were consolidated for a total of 296 units for the Palmilla Subdivision | 48 | Yes | N/A | No |
| 010020014 | R-VHD | PD-21 | 0.11 | Part of Kindred & Balfour | 2 | Yes | | No |
| 010020015 | R-VHD | PD-21 | 5.52 | Part of Kindred & Balfour | 97 | Yes | | No |
| 019031002 | R-VHD | PD-53 | 5.42 | Amber Lane Apartments | 130 | Yes | 288 | No |
| 019031005 | R-VHD | PD-53 | 3.56 | Amber Lane Apartments | 85 | Yes | | No |
| 016170019 | PD | PD-55 | 12.91 | Completed Project - Sciortino Ranch/Terrene | 258 | Yes | 326 | No |
| 013240010 | DSP | DT | 2.57 | Park and Ride | 33 | Yes | 0 | No |
| 013060017 | DSP | DT | 0.17 | Parking Lot | 2 | Yes | N/A | No |
| 007580012 | PD | PD-64 | 0.98 | Completed Project - Barcelona | 350 | Yes | 72 | No |
| 007580011 | PD | PD-64 | 1.00 | Completed Project - Barcelona | | Yes | | No |
| 007580005 | PD | PD-64 | 0.84 | Completed Project - Barcelona | | Yes | | No |
| 007580013 | PD | PD-64 | 0.91 | Completed Project - Barcelona | | Yes | | No |
| 007590001 | PD | PD-64 | 3.04 | Completed Project - Barcelona | | Yes | | No |
| 07380002 | PD | PD-64 | 18.13 | Pipeline Project, Sites 93 and 105 (Cowell Ranch) | | No | | 140 |
| 07380003 | PD | PD-64 | 13.78 | Pipeline Project, Sites 93 and 105 (Cowell Ranch) | No | Yes | | |
| 016120025 | BBSP | BBSP | 8.23 | Pipeline Project, Site 101 - Silvergate | 132 | No | 166 | Yes |
| 019040031 | R-HD | R-3 | 1.14 | Site 55 | 15 | No | N/A | Yes |
| 019040033 | R-HD | R-3 | 0.99 | Site 56 | 13 | No | N/A | Yes |
| 010840012 | R-VHD | PD-49 | 7.70 | Sites 12, 13, and 14 on new list | 208 | No | N/A | Yes |
| 010840010 | R-VHD | PD-49 | 3.39 | Sites 12, 13, and 14 on new list | 91 | No | N/A | Yes |
| 010840011 | R-VHD | PD-49 | 6.81 | Sites 12, 13, and 14 on new list | 208 | No | N/A | Yes |
| 016120020 | BBSP | BBSP | 12.31 | Site 81 | 197 | No | N/A | Yes |
| 018190018 | BBSP | BBSP | 9.70 | Site 58 | 155 | No | N/A | Yes |
| 018170003 | BBSP | BBSP | 6.11 | Site 59 | 98 | No | N/A | Yes |
| 016130007 | BBSP | BBSP | 5.69 | Site 83 | 91 | No | N/A | Yes |
| 016120024 | BBSP | BBSP | 5.03 | Site 61 | 80 | No | N/A | Yes |
| 016150114 | BBSP | BBSP | 1.59 | Site 62 | 25 | No | N/A | Yes |
| 019020055 | PD | PD-51 | 4.02 | Became PA-1 | 97 | No | N/A | Yes |
| 019020073 | PD | PD-51 | 19.05 | Became PA-1 | 457 | No | N/A | Yes |
| 019081015 | MUPT | PD-52 | 51.40 | Became PA-1 | 247 | No | N/A | Yes |
| 019081003 | MUPT | PD-52 | 35.01 | Became PA-1 | 168 | No | N/A | Yes |
| 019081006 | MUPT | PD-52 | 9.83 | Became PA-1 | 47 | No | N/A | Yes |
| 019020059 | MUPT | PD-52 | 5.50 | Became PA-1 | 26 | No | N/A | Yes |
| 019020024 | MUPT | PD-52 | 5.01 | Became PA-1 | 24 | No | N/A | Yes |
| 019081019 | MUPT | PD-52 | 4.34 | Became PA-1 | 21 | No | N/A | Yes |
| 019081018 | MUPT | PD-53 | 19.18 | Became PA-1 | 95 | No | N/A | Yes |
| 019020074 | MUPT | PD-53 | 15.13 | Became PA-1 | 75 | No | N/A | Yes |
| 019081009 | MUPT | PD-53 | 9.89 | Became PA-1 | 49 | No | N/A | Yes |
| 019020071 | MUPT | PD-53 | 7.52 | Became PA-1 | 37 | No | N/A | Yes |
| 019081020 | MUPT | PD-53 | 6.72 | Became PA-1 | 33 | No | N/A | Yes |
| 019031003 | MUPT | PD-53 | 5.41 | Became PA-1 | 27 | No | N/A | Yes |
| 016010019 | BBSP | BBSP | 1.01 | RDA Parcels are not being included | 16 | No | N/A | No |
| 016010020 | BBSP | BBSP | 0.80 | RDA Parcels are not being included | 13 | No | N/A | No |

| | | | | | | | | |
|--------------|------|------|---------------|---|--------------|----|------------|----|
| 018150011 | BBSP | BBSP | 0.26 | Parcels that yield less than 10 units are not being included in 6th Cycle | 4 | No | N/A | No |
| 017160004 | DSP | DT | 3.64 | RDA Parcels are not being included | 24 | No | N/A | No |
| 701209023 | DSP | DT | 1.58 | Mobile Home Park can not be included this cycle | 20 | No | N/A | No |
| 701209003 | DSP | DT | 1.58 | Mobile Home Park can not be included this cycle | 20 | No | N/A | No |
| 701209011 | DSP | DT | 1.58 | Mobile Home Park can not be included this cycle | 20 | No | N/A | No |
| 013132005 | DSP | DT | 0.39 | Parcels that yield less than 10 units are not being included in 6th Cycle | 5 | No | N/A | No |
| 013132004 | DSP | DT | 0.21 | Parcels that yield less than 10 units are not being included in 6th Cycle | 3 | No | N/A | No |
| TOTAL | | | 250.54 | | 3,854 | | 992 | |

Entitled Single Family Residential Zoning Sites Listed in the 5th Cycle Housing Element Sites Inventory

Legend:

Sites Not Found

Sites Developed During 6th Cycle

Sites Carried Over to 6th Cycle

Sites Not Developed and Not Carried Over to the 6th Cycle

| APN | GP | ZONE | Acres | Notes | Originally Estimated Capacity | Developed During 5th Cycle | Developed Capacity | Included in Draft 6th Cycle |
|---|---------|--------|-------|--|-------------------------------|----------------------------|--------------------|-----------------------------|
| Single Family Sites with Approved Entitlements | | | | | | | | |
| | R-LD | PD-46 | | Barrington | 379 | Yes | 379 | No |
| | R-LD | PD-45 | | Cedarwood | 70 | Yes | 70 | No |
| | R-LD | R-1 | | Ferro-Ronconi | 130 | Yes | 130 | No |
| | R-HD | PD-17 | | Garin Corners | 137 | Yes | 137 | No |
| | R-LD | PD-35 | | Lexington Park | 54 | Yes | 54 | No |
| | BBSP | BBSP | | Magnolia | 33 | Yes | 33 | No |
| | R-MD | PD-16 | | Mission Grove | 132 | Yes | 132 | No |
| | R-MD/HD | PD-44 | | Palmilla | 471 | Yes | 471 | No |
| | R-VLD | PD-39 | | Portofino | 114 | Yes | 114 | No |
| | R-MD | PD-67 | | Siena Village | 38 | Yes | 38 | No |
| | R-LD | PD-26 | | St. Martns Place | 5 | Yes | 5 | No |
| | R-LD | PD-59 | | Steeplechase I | 139 | Yes | 139 | No |
| | R-LD | PD-66 | | Terreno | 14 | Yes | 14 | No |
| | R-LD | PD-64 | | Trilogy | 760 | Yes | 760 | No |
| | R-LD | PD-41 | | Parkside Villas - Pipeline Project, Site 94 | 37 | No | N/A | Yes |
| 019082007 | R-LD | PD-36 | | Based on multiple General Plan land use designations and acreage uncertainty, this parcel is not being included in 6th Cycle | 166 | No | N/A | No |
| 019050160 | R-LD | PD-41 | | Amber & Windy Springs Lane - Parcels that yield less than 10 units are not being included in 6th Cycle | 4 | No | N/A | No |
| 18060042 | R-VLD | PD-29 | | Parcels that yield less than 10 units are not being included in 6th Cycle | 3 | No | N/A | No |
| 017010011 | R-LD | PD-26 | | Parcels that yield less than 10 units are not being included in 6th Cycle | 3 | No | N/A | No |
| | R-LD | R-1-8 | | Siino - Parcels that yield less than 10 units are not being included in 6th Cycle | 8 | No | N/A | No |
| 017080007 | R-LD | PD-26 | | St. James Tract - Parcels that yield less than 10 units are not being included in 6th Cycle | 7 | No | N/A | No |
| 019100012 | R-LD | R-1-10 | | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| TOTAL | | | | | 2,705 | | 2,476 | |

Underutilized Single Family Residential Zoning Sites Listed in the 5th Cycle Housing Element Sites Inventory

Legend:

Sites Not Found

Sites Developed During 6th Cycle

Sites Carried Over to 6th Cycle

Sites Not Developed and Not Carried Over to the 6th Cycle

| APN | GP | ZONE | Acres | Notes | Originally Estimated Capacity | Developed During 5th Cycle | Developed Capacity | Included in Draft 6th Cycle |
|--|-------|--------|--------------|---|-------------------------------|----------------------------|--------------------|-----------------------------|
| Sites with Existing Development that Can Accommodate Additional Units | | | | | | | | |
| 012030007 | R-LD | R-1 | 5.01 | Part of Catchings Ranch Subdivision | 14 | Yes | 16 | No |
| 016100002 | RE | RE | 4.20 | Parcels that yield less than 10 units are not being included in 6th Cycle | 3 | No | N/A | No |
| 019100015 | RE | RE | 2.26 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| 017010012 | R-LD | PD-26 | 2.54 | Parcels that yield less than 10 units are not being included in 6th Cycle | 6 | No | N/A | No |
| 017100005 | R-LD | R-1-E | 2.50 | Parcels that yield less than 10 units are not being included in 6th Cycle | 6 | No | N/A | No |
| 017100016 | R-LD | R-1-E | 2.40 | Parcels that yield less than 10 units are not being included in 6th Cycle | 6 | No | N/A | No |
| 017010014 | R-LD | PD-26 | 1.82 | Parcels that yield less than 10 units are not being included in 6th Cycle | 4 | No | N/A | No |
| 019390123 | R-LD | PD-6 | 0.84 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| 010130070 | R-LD | R-1-8 | 0.68 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| 018060007 | R-VLD | PEC | 4.67 | Parcels that yield less than 10 units are not being included in 6th Cycle | 8 | No | N/A | No |
| 016030011 | R-VLD | R-1-E | 4.38 | Parcels that yield less than 10 units are not being included in 6th Cycle | 7 | No | N/A | No |
| 016100028 | R-VLD | R-1-E | 4.15 | Parcels that yield less than 10 units are not being included in 6th Cycle | 7 | No | N/A | No |
| 018030008 | R-VLD | PD-29 | 4.15 | Parcels that yield less than 10 units are not being included in 6th Cycle | 7 | No | N/A | No |
| 018060051 | R-VLD | PEC | 2.44 | Parcels that yield less than 10 units are not being included in 6th Cycle | 3 | No | N/A | No |
| 018050046 | R-VLD | R-1-E | 1.63 | Parcels that yield less than 10 units are not being included in 6th Cycle | 2 | No | N/A | No |
| 018050034 | R-VLD | R-1-E | 1.34 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| 018050035 | R-VLD | R-1-E | 1.32 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| 018060010 | R-VLD | PD-29 | 1.24 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| 019680023 | R-VLD | PD-18 | 1.21 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| 018050045 | R-VLD | R-1-E | 1.66 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| 012070031 | R-MD | R-2 | 1.00 | Parcels that yield less than 10 units are not being included in 6th Cycle | 5 | No | N/A | No |
| 012100043 | R-MD | R-3 | 0.86 | Parcels that yield less than 10 units are not being included in 6th Cycle | 4 | No | N/A | No |
| 018150002 | R-LD | R-1-10 | 1.19 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | N/A | No |
| 018100044 | R-LD | R-1-E | 1.68 | Parcels that yield less than 10 units are not being included in 6th Cycle | 3 | No | N/A | No |
| TOTAL | | | 55.18 | | 94 | | 16 | |

Vacant Single Family Residential Zoning Sites Listed in the 5th Cycle Housing Element Sites Inventory

Legend:

Sites Not Found

Sites Developed During 6th Cycle

Sites Carried Over to 6th Cycle

Sites Not Developed and Not Carried Over to the 6th Cycle

| APN | GP | ZONE | Acres | Notes | Originally Estimated Capacity | Developed During 5th Cycle | Developed Capacity | Included in Draft 6th Cycle |
|--|-------|--------|-------|---|-------------------------------|----------------------------|--------------------|-----------------------------|
| Vacant Single Family Sites (sorted by Zoning Designation) | | | | | | | | |
| 019110050 | R-LD | PD-6 | 2.58 | APN not found | 7 | | | |
| 019050112 | R-LD | PD-41 | 5.00 | APN not found | 15 | | | |
| 019840109 | R-MD | PD-53 | 7.60 | APN not consistent with acreage | 45 | | | |
| 019110051 | R-LD | PD-57 | 3.67 | APN not found, PD-57 doesn't exist | 11 | | | |
| 018100042 | R-LD | PD-59 | 1.06 | APN not found | 6 | | | |
| 018100042 | R-LD | R-1-E | 7.72 | APN not found | 18 | | | |
| 018080010 | R-VLD | RE | 1.20 | APN not found | 1 | | | |
| 018080012 | R-VLD | RE | 1.02 | APN not found | 1 | | | |
| 018080020 | R-VLD | RE | 0.30 | APN not found | 1 | | | |
| 018080019 | R-VLD | RE | 0.14 | APN not found | 1 | | | |
| 018020010 | R-LD | R-1 | 0.40 | APN not found | 1 | | | |
| 018020011 | R-LD | R-1 | 0.21 | APN not found | 1 | | | |
| 016170025 | PD | PD-55 | 18.57 | Completed - Part of Sciortini Ranch | 157 | Yes | 157 | No |
| 019161026 | R-LD | PD-1 | 0.26 | | 1 | Yes | 1 | No |
| 010020015 | R-MD | PD-21 | 6.66 | Part of Kindred & Balfour | 39 | Yes | 39 | No |
| 010020014 | R-MD | PD-21 | 4.66 | Part of Kindred & Balfour | 27 | Yes | 27 | No |
| 010160043 | R-MD | PD-24 | 10.70 | Sellers Pointe | 64 | Yes | 132 | No |
| 010160043 | R-MD | PD-24 | 7.79 | Sellers Pointe | 46 | Yes | | No |
| 010160038 | R-MD | PD-24 | 3.73 | Sellers Pointe | 22 | Yes | | No |
| 017660017 | R-LD | PD-26 | 0.29 | Carmel Estates | 1 | Yes | 1 | No |
| 017660014 | R-LD | PD-26 | 0.27 | Carmel Estates | 1 | Yes | 1 | No |
| 017660009 | R-LD | PD-26 | 0.26 | Carmel Estates | 1 | Yes | 1 | No |
| 017660069 | R-LD | PD-26 | 0.25 | Carmel Estates | 1 | Yes | 1 | No |
| 017660022 | R-LD | PD-26 | 0.21 | Carmel Estates | 1 | Yes | 1 | No |
| 017660070 | R-LD | PD-26 | 0.06 | Carmel Estates | 1 | Yes | 1 | No |
| 017660071 | R-LD | PD-26 | 0.06 | Carmel Estates | 1 | Yes | 1 | No |
| 012030025 | R-LD | R-1 | 3.02 | Part of Catchings Ranch Subdivision | 9 | Yes | 8 | No |
| 017150054 | R-LD | R-1-6 | 0.16 | | 1 | Yes | 1 | No |
| 018110008 | R-LD | R-1-E | 9.28 | Maffeo | 22 | Yes | 27 | No |
| 016090016 | RE | RE | 3.29 | | 3 | Yes | 1 | No |
| 012070032 | R-MD | R-2 | 0.56 | | 3 | Yes | 1 | No |
| 010010039 | R-LD | PD-20 | 4.32 | Site 18 on new list | 12 | No | | Yes |
| 019092013 | R-LD | PD-35 | 11.59 | Site 29 on new list | 34 | No | | Yes |
| 019092034 | R-LD | PD-35 | 9.31 | Site 30 on new list | 27 | No | | Yes |
| 019050026 | R-LD | PD-35 | 3.26 | Site 90 on new list | 9 | No | | Yes |
| 010100014 | R-LD | PD-47 | 20.18 | Pipeline Project Site 100 on new list | 60 | No | 77 | Yes |
| 018230034 | R-LD | PD-71 | 19.76 | Site 68 on new list | 59 | No | | Yes |
| 018090012 | R-LD | R-1-10 | 5.14 | Pipeline Project Site 104 on new list | 15 | Yes | 14 | Yes |
| 016040005 | R-VLD | RE | 16.61 | Site 73 on new list | 16 | No | | Yes |
| 019130044 | R-LD | PD-1 | 1.66 | Not a developable parcel | 4 | No | | No |
| 019171012 | R-LD | PD-1 | 0.22 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 010470073 | R-MD | PD-13 | 0.05 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019360032 | R-LD | PD-15 | 0.13 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019320042 | R-LD | PD-15 | 0.07 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019350040 | R-LD | PD-18 | 0.05 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |

| | | | | | | | | |
|-----------|-------|-------|------|---|----|----|--|----|
| 019130056 | R-VLD | PD-18 | 1.03 | Parcels that yield less than 10 units are not being included in 6th Cycle | 2 | No | | No |
| 017420046 | R-LD | PD-2 | 0.29 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 007100097 | R-LD | PD-20 | 4.57 | Inconsistent Zoning and GP so not included | 13 | No | | No |
| 007440018 | R-LD | PD-20 | 3.67 | Parcels that yield less than 10 units are not being included in 6th Cycle | 7 | No | | No |
| 010010041 | R-LD | PD-20 | 1.48 | Parcels that yield less than 10 units are not being included in 6th Cycle | 4 | No | | No |
| 007220032 | R-LD | PD-20 | 0.42 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 007100126 | R-VLD | PD-20 | 8.21 | Inconsistent Zoning and GP so not included | 16 | No | | No |
| 007100079 | R-VLD | PD-20 | 1.56 | Parcels that yield less than 10 units are not being included in 6th Cycle | 3 | No | | No |
| 007100090 | R-VLD | PD-20 | 1.37 | Parcels that yield less than 10 units are not being included in 6th Cycle | 2 | No | | No |
| 007100091 | R-VLD | PD-20 | 1.23 | Parcels that yield less than 10 units are not being included in 6th Cycle | 2 | No | | No |
| 007100095 | R-VLD | PD-20 | 0.59 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 007100094 | R-VLD | PD-20 | 0.50 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 007100087 | R-VLD | PD-20 | 0.34 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 007100088 | R-VLD | PD-20 | 0.33 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 007100092 | R-VLD | PD-20 | 0.15 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 007100093 | R-VLD | PD-20 | 0.08 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 010400048 | R-LD | PD-21 | 1.17 | Parcels that yield less than 10 units are not being included in 6th Cycle | 3 | No | | No |
| 010370043 | R-LD | PD-21 | 0.65 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 010400056 | R-LD | PD-21 | 0.48 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 010400051 | R-LD | PD-21 | 0.17 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 010400055 | R-VLD | PD-21 | 0.03 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 017010022 | R-LD | PD-26 | 3.27 | Parcels that yield less than 10 units are not being included in 6th Cycle | 8 | No | | No |
| 018060019 | R-VLD | PD-29 | 0.53 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 018060012 | R-VLD | PD-29 | 0.32 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 018390028 | R-VLD | PD-29 | 0.18 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 018650037 | R-VLD | PD-39 | 0.98 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019050113 | R-LD | PD-35 | 1.26 | Parcels that yield less than 10 units are not being included in 6th Cycle | 3 | No | | No |
| 019050038 | R-LD | PD-35 | 0.98 | Parcels that yield less than 10 units are not being included in 6th Cycle | 2 | No | | No |
| 019770039 | R-LD | PD-35 | 0.21 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019060039 | RE | PD-35 | 1.34 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019060038 | RE | PD-35 | 1.04 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019060037 | RE | PD-35 | 1.03 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |

| | | | | | | | | |
|-----------|-------|--------|------|---|----|----|--|----|
| 010840016 | R-LD | PD-49 | 0.09 | Parcels that yield less than 10 units are not being included in 6th Cycle | 0 | No | | No |
| 019850100 | R-MD | PD-53 | 0.14 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019850099 | R-MD | PD-53 | 0.07 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019390120 | R-LD | PD-6 | 0.19 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019750055 | R-MD | PD-6 | 0.88 | Parcels that yield less than 10 units are not being included in 6th Cycle | 5 | No | | No |
| 018570005 | R-LD | PD-60 | 0.25 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 007380031 | R-LD | PD-64 | 7.72 | Vineyard parcel dedicated to the City | 23 | No | | No |
| 012120065 | R-LD | PD-8 | 0.27 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 012340049 | R-LD | PD-8 | 0.14 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 012340008 | R-LD | PD-8 | 0.04 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 012120037 | R-LD | PD-8 | 0.03 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 019420026 | R-LD | PD-9 | 0.36 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 012300016 | R-LD | R-1 | 2.37 | Parcels that yield less than 10 units are not being included in 6th Cycle | 7 | No | | No |
| 012030011 | R-LD | R-1 | 1.45 | Parcels that yield less than 10 units are not being included in 6th Cycle | 4 | No | | No |
| 018150004 | R-LD | R-1-10 | 0.65 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 018150024 | R-LD | R-1-10 | 0.38 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 018150001 | R-LD | R-1-10 | 0.13 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 017150059 | R-LD | R-1-6 | 0.16 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 012063013 | R-LD | R-1-6 | 0.12 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 017131023 | R-LD | R-1-6 | 0.10 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 012030030 | R-LD | R-1-8 | 0.41 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 012030028 | R-LD | R-1-8 | 0.27 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 010130075 | R-LD | R-1-8 | 0.12 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 010750051 | R-VLD | R-1-E | 2.57 | Parcels that yield less than 10 units are not being included in 6th Cycle | 6 | No | | No |
| 016030006 | R-VLD | R-1-E | 0.24 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 018080017 | R-VLD | RE | 4.58 | Parcels that yield less than 10 units are not being included in 6th Cycle | 4 | No | | No |
| 018080018 | R-VLD | RE | 4.02 | Parcels that yield less than 10 units are not being included in 6th Cycle | 4 | No | | No |
| 018080022 | R-VLD | RE | 2.87 | Parcels that yield less than 10 units are not being included in 6th Cycle | 2 | No | | No |
| 018080025 | R-VLD | RE | 1.07 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 016100026 | RE | RE | 1.30 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 016100025 | RE | RE | 1.13 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |
| 016090024 | RE | RE | 1.01 | Parcels that yield less than 10 units are not being included in 6th Cycle | 1 | No | | No |

| | | | | | | | | |
|--------------|------|-----|---------------|---|------------|----|------------|----|
| 012050018 | R-LD | R-2 | 8.21 | Utilized by a storage business so not included in draft inventory | 24 | No | | No |
| 013133022 | R-MD | R-2 | 0.17 | Utilized by a storage business so not included in draft inventory | 1 | No | | No |
| 012100048 | R-MD | R-3 | 0.22 | Utilized by a storage business so not included in draft inventory | 1 | No | | No |
| 013170006 | R-MD | R-3 | 0.12 | Utilized by a storage business so not included in draft inventory | 1 | No | | No |
| TOTAL | | | 276.68 | | 940 | | 492 | |