



Update on the Status of the County Housing Element

June 3, 2024 Planning Commission



First Draft Housing Element Timeline

<p>August 3, 2023</p>	<p>Released Housing Element Public Review Draft and began public comment period. Comments and responses are available in Appendix E.</p>
<p>August - September 2023</p>	<p>Meetings on Public Review Draft:</p> <ul style="list-style-type: none"> • August 8, 2023 Eden Area MAC • August 10, 2023 Fairview MAC • August 14, 2023 Castro Valley MAC • August 21, 2023 Public Workshop • August 22, 2023 Agricultural Advisory Committee • September 5, 2023 Planning Commission Meeting • September 21, 2023 Board of Supervisors Meeting
<p>October 6, 2023</p>	<p>Submitted Draft Housing Element to California Department of Housing and Community Development (HCD) for 90-day review.</p>
<p>January 4, 2024</p>	<p>County received comments from State HCD. Staff began revision of Draft Housing Element to address HCD's comments.</p>



State Comments Received

Comment	Staff response
Describe efforts to combat the gap in fair housing enforcement and outreach services and add or modify programs, as appropriate	Planning staff coordinated with County HCD staff to ensure there is no gap in fair housing services.
Discuss the differences between racially concentrated areas of affluence (RCAAs) and racially or ethnically concentrated areas of poverty (R/ECAPs), especially differences in zoning	Staff further analyzed these areas and added policies and programs accordingly.
Further analyze education, economic, transportation and environmental components of the Tax Credit Allocation Committee’s opportunity scores	Staff further analyzed these topics and added policies and programs accordingly.
Further analyze how development at inventory sites will impact existing socio-economic patterns. Will development improve the quality of life for existing neighbors or exacerbate displacement?	Staff conducted a new analysis based on the new sites inventory and added policies and programs to improve existing conditions for current and future residents, including reference to the Environmental Justice (EJ) Element.



State Comments Received

Comment	Staff response
<p>Add additional programs to meet Affirmatively Furthering Fair Housing (AFFH) requirements and affect meaningful change.</p>	<p>After updating the AFFH analysis based on the updated sites inventory, staff and consultants added additional programs based on the analysis, including reference to the EJ Element.</p>
<p>Add programs to increase tenant protections, housing mobility through expanding housing choices in lower-density areas of the County, and new housing opportunities in relatively higher income or higher resourced communities.</p>	<p>Staff and consultants added programs reflecting the tenant protections proposed by Supervisor Miley. Staff proposed higher densities on vacant residential lots in parts of Castro Valley and Fairview to enable additional construction.</p>
<p>Further explain how many possible housing units could fit in sites in the sites inventory, including commercial or mixed-use sites.</p>	<p>Staff added descriptions of the Housing Element Overlay Zoning District and the history of developments in the unincorporated area.</p>
<p>Further explain how likely redevelopment is on nonvacant sites.</p>	<p>Staff added descriptions of the Housing Element Overlay, further discussed local market trends, and further described why sites are likely to redevelop.</p>



State Comments Received

Comment	Staff response
Continue to engage the community	Staff will continue to engage with residents about the Housing Element process.
Further analyze development permit procedures to minimize constraints	Staff and consultants further described the Site Development Review process, other development processes, and the Baker Tilly Report findings. Staff and consultants added additional programs to minimize governmental constraints to development.
A variety of program changes, including earlier timelines, discrete timing, concrete commitments, changes to county reasonable accommodations policies, changes to zoning requirements around emergency shelters, permanent and transitional supportive housing, ADU programs, and others.	Staff and consultants update programs listed in the main body of the Housing Element to comply with necessary changes, to speed up timelines, and to quantify more concrete commitments. This includes reflecting commitments made in the EJ Element.



Sites Inventory by Community

Communities	Total Units		Above Moderate Income (<20 units/ac)		Moderate Income (20-30 units/ac)		Low and Very Low Income (>30 units/ac)		Units Currently Under Development		Units in Sites Proposed for Rezoning	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
Eden Area	2,191	45.5%	703	33.2%	467	55.9%	1,019	54.8%	334	37.2%	1,463	47.1%
Ashland	1,276	26.5%	295	13.9%	285	34.1%	696	37.4%	150	16.7%	900	29.0%
Cherryland	247	5.2%	57	2.7%	89	10.6%	100	5.4%	19	2.1%	130	4.2%
Hayward Acres	38	0.8%	13	0.6%	24	2.9%	1	0.1%	13	1.4%	18	0.6%
San Lorenzo	629	13.1%	338	16.0%	69	8.3%	222	11.9%	152	16.9%	415	13.4%
Castro Valley	1,858	38.9%	722	34.1%	351	42.0%	802	43.1%	318	35.5%	1,249	40.2%
Fairview	544	11.3%	494	23.3%	15	1.8%	35	1.9%	41	4.6%	395	12.7%
East County	204	4.2%	197	9.3%	3	0.4%	4	0.2%	204	22.7%	-	-
Total	4,814	100%	2,116	100%	836	100%	1,860	100%	897	100%	3,107	100%



Sites Inventory Changes

Mission Boulevard and E 14th Street: There are now fewer sites, fewer units, and fewer proposed rezonings along the corridor. This is due to the loss of the Cherryland Place site (potential future sheriff substation) and in response to community and state comments.

	Number of parcels	Total # of Units	Above Moderate (Lower Density)	Moderate Units	Low and Very Low Income (Higher Density)	Parcels Proposed for Rezoning	Total # of Rezone Units
First Draft	43 sites	477 units	6 units	140 units	331 units	9 sites	216 units
Revised Draft	26 sites	222 units	6 units	121 units	95 units	5 sites	86 units



Sites Inventory Changes

- **Sheriff Station**: staff was informed that the substation will be relocated, potentially to the corner of Mission Boulevard and Hampton Road, and that the building currently containing the Radio Dispatch facility will remain in use.
- **Castro Valley BART**: BART revised its Transit Oriented Development Work Plan and removed Castro Valley BART station from the list of BART-owned property to be developed in the near-term.



Sites Inventory Changes

- **State comments indicated need for additional sites in High Opportunity areas (much of northern Castro Valley) and lower density areas (Fairview and much of northern Castro Valley).**
- **Staff proposed rezoning some currently vacant residentially-zoned parcels in Fairview and northern Castro Valley to allow 17 units per acre.**
- **Units at this density are considered above moderate housing.**



March 21, 2024 All MAC Meeting

- Staff presented revisions to Draft Housing Element to address State comments and changes to sites inventory.
- Comments Received at MAC Meeting and during Public Comment period:
 - Opposition to proposed higher densities in Madison Avenue and other areas in northern Castro Valley.
 - Support for commitment to adopt tenant protection ordinances.
 - Opposition to permit-streamlining as it reduces opportunity for community input.
 - Concern about negative impacts of high-density housing.
 - Concern about capacity of infrastructure and local schools.
 - Requests for comment period longer than 7 days.
 - Support for protections for mobile home park residents.
- Comments and responses are available in [Appendix E](#).



Timeline for Second Review by State

April 19, 2024 - May 3, 2024	Staff posted the second full draft of the Housing Element. For a two-week comment period. (State law requires one-week comment period.)
May 10, 2024	After reviewing and responding to comments, staff submitted Second Draft Housing Element to State HCD.
July 2024	After 60-day review period, County will receive either a letter of substantial compliance or further comments on the Housing Element Draft.



HCD Letter & Response

- April 24, 2024 – County received letter of inquiry from State HCD noting that the County is out of compliance with State Housing Element Law and requesting a specific timeline for (1) submitting an updated draft housing element and (2) obtaining compliance with State Housing Element Law.
- May 17, 2024 – Response sent to State HCD with schedule for completion of the document.

Opened public comment on 2 nd Public Draft	April 19, 2024
Closed Public Comment on 2 nd Public Draft	May 3, 2024
Sent to State HCD for 60-day review	May 10 , 2024
Interim review with HCD reader	TBD
Expected letter (2nd round) from State HCD	July 10th , 2024
Rezoning	August 2024
Adoption by Board of Supervisors	September 2024



For more information:

- Project Webpage to view documents, find more information, and sign up for listserv:
<https://www.acgov.org/cda/planning/housing-element/housing-element.htm>
- Project email to ask questions and submit comments:
housing.element@acgov.org.