

1999-2006 HOUSING ELEMENT

CITY OF BRISBANE
50 PARK PLACE
BRISBANE, CA 94005

ADOPTED BY THE CITY COUNCIL
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SECTION I.

PREPARATION OF THE 1999-2006 HOUSING ELEMENT

PURPOSE OF THE HOUSING ELEMENT

All cities and counties in California are required to have a Housing Element to address housing conditions and needs in the community. The Housing Element is one part of the City's General Plan. The Housing Element must plan for the housing needs of all economic segments of the City's population, in balance with land-use, environmental and the other goals set forth in the other General Plan elements.

Article 10.6 of the Government Code sets forth the State's requirements for the Housing Element. Government Code Section 65583 states, in part, "The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, and mobilehomes, and shall make adequate provision for the existing and projected needs of all economic segments of the community."

Government Code Section 65302.3 requires that a local agency general plan and/or any affected specific plan must be consistent with the applicable airport/land use compatibility criteria in the relevant adopted airport land use plan. The housing policies, goals, programs, and any other provisions to accommodate future housing development, as specified herein, do not conflict with the relevant airport/land use compatibility criteria contained in the San Mateo County Comprehensive Airport Land Use Plan, as amended, for San Francisco International Airport.

REVIEW OF THE 1994 HOUSING ELEMENT

The City of Brisbane's Housing Element was last amended in 1994 as part of the City's comprehensive update of its General Plan. The 1994 Housing Element presented two scenarios for its implementation. Under the "Optimal Scenario for New Construction," it was projected that the 1994 Housing Element could provide for 724 units, 24 more than specified in the Regional Housing Need Determination. The second scenario (see Table 1.) more realistically projected that 513 units could be produced during the element's planning period. In fact, actual construction fell well short of that goal, largely due to delays in the construction of planned units in the Northeast Ridge subarea (see Figure 1). The affordability of the units constructed was also less than hoped, due to the steep rise in prices of the new Northeast Ridge units beyond the levels covered under the first time homebuyer's program.

Only two moderate-income buyers qualified under the program to purchase units in the Altamar at The Ridge development; one of those loans was subsequently repaid. No private projects were constructed that qualified for bonus units or were of a size to be subject to the City's inclusionary housing program. Infill single-family development fell short of expectations, as did applications for secondary dwelling unit approval. Private efforts to rehabilitate single-family and multi-family units during the planning period were strong (see Table 24). Aside from a number of San Mateo County Housing Rehabilitation Program loans, public assistance was concentrated on the development of the

City's senior housing complex in the Central Brisbane subarea (see Figure 1).

Table 1.
Number of Housing Units at Levels of Affordability
(1988-1998)

	Very-Low Income	Low Income	Moderate Income	Above- Moderate Income	Total
Regional Housing Need Determination 1988-1998	147	119	147	289	700
1994 Housing Element "Realistic Scenario"	0	8	88	417	513
1988-1998 Construction	0	0	4*	116**	120

*Includes 2 secondary dwelling units assumed to be affordable at moderate-income levels and 2 condominium units purchased through the first time homebuyers program.

**Some market-rate condominium units may originally have been sold at moderate-income affordable prices.

Greater progress was achieved during the 1994-1998 planning period in implementing the 1994 Housing Element's policies and programs. Efforts were initiated to amend the Zoning Ordinance to create a new mixed-use district, SCRO-1, in the Southwest Bayshore subarea (see Figure 1), which ultimately increased the maximum residential unit potential by half again as much as projected in the 1994 Housing Element (see Table 26). A site was designated, acquired and developed for a 14-unit senior housing complex in the Central Brisbane subarea, that has since proven very successful in the community. Ground floor units in the complex were specifically designed to be handicapped accessible/adaptable. Planning and building application fees for residential projects were maintained at their 1993 levels, and building plan check procedures were streamlined. Updated Zoning Ordinance definitions were adopted that, among things, revised the method of measuring building height to better encourage new housing construction to be compatible with the existing natural terrain, so as to reduce grading costs. The City's quarterly newsletter was used to publicize County low interest rehabilitation loan programs. Exceptions to the City's parking requirements were adopted to encourage limited expansion of nonconforming single-family homes to improve their livability. Implementation of the 1998 California Fire Code was begun, ultimately resulting in the adoption of new standards for residential fire sprinklers and emergency street access. The potential for live/work housing was investigated, as part of the new SCRO-1 District regulations.

In the updated Housing Element for the 1999-2006 planning period, the goals, objectives, policies and programs from the 1994 Housing Element are being changed or adjusted to incorporate what has been learned from the results of the previous element. To assure that secondary dwelling units will remain a viable source of affordable housing, Program H1d(1) calls for consideration of recorded restrictions to require that the primary or secondary unit be occupied by a low- or moderate-income household. To help maximize the potential for mobilehome parks to provide affordable housing, Program H1e(2) calls for consideration of elimination of the current unit density standards for such uses. Policy H3 to discourage conversion of existing apartment buildings to condominiums or co-ops now includes an exception for those conversions that would provide unique opportunities for low- and moderate-income households.

As part of the City's policy to reduce or eliminate government constraints on housing production,

new programs are initiated under Policy H4, including those to consider revising the parking requirements to relate them directly to unit size, merging substandard lots in the R-2 and R-3 Districts to provide larger sites for multi-family development, and allowing dwelling groups in the R-2 and R-3 Districts for greater design flexibility.

To provide greater flexibility and assure that it serves the goal of developing affordable housing, Program H6a now identifies a number of issues to be addressed in adopting an inclusionary housing program. These include thresholds that do not discourage infill multi-family development and that do not place an excessive cost transfer to the market-rate units in a project, as well as procedures for altering or waiving the requirement.

Because density bonuses are a key incentive to the provision of housing affordable at low- and very-low-income levels, Program H7a(1) directs that consideration be given to providing density bonuses greater than provided in State law for projects that address special needs. Based upon the City's success in developing its senior housing complex with the non-profit Bridge Housing Corporation, Program H9b encourages developers to work with non-profit organizations and lenders to incorporate affordable housing units into their projects (also see Program H11a). In conjunction with Program H2e, the new Program H9c supports the Human Investment Program's efforts to inform older homeowners of home equity conversion opportunities.

Policy H11b(1) calls for implementation of the General Plan's Public Facilities and Parks (PFP) land use designation to position the City to take advantage of any housing opportunities presented by surplus lands owned public agencies. Under Program H18b, the Zoning Ordinance's transferable development rights provisions will be made simpler and more comprehensive, so as to conserve open space while concentrating housing in areas that can best be served by infrastructure and public safety services.

Most policies and programs from the 1994 Housing Element will remain in effect in this updated element.

PUBLIC PARTICIPATION

To initiate public participation in the Housing Element update process, a full-page questionnaire to solicit opinions on housing concerns and needs, along with a brief explanation of the requirement to update the City's housing policies and programs, particularly to address Brisbane's share of the regional housing need at all income levels, was included in the Fall 2001 issue of the City's quarterly newsletter and recreation guide. The newsletter was mass-mailed to every mailing address in Brisbane, including all rental units; social, environmental and religious organizations in the city; businesses, including realtors and the local bank; developers and building contractors. An estimated 2,600 total copies were distributed. The response rate was low, but of the 29 completed questionnaires returned, the most frequently expressed personal housing concerns were regarding home maintenance, buying a home, enlarging one's home, finding an affordable home, residential development threatening open space, and long commutes. In terms of the most important housing needs citywide, maintenance of existing homes was the highest rated in the survey, followed by the need for affordable housing, particularly for families. Providing entry-level housing in the form of small houses was also supported, while providing larger houses seemed to generate the most polarized positions.

Interest in the Housing Element update process was further generated by a series of public symposiums on specific housing topics. These study sessions on transferable development rights, substandard lot provisions, inclusionary housing requirements and density bonuses were conducted by the Planning Commission during its meetings of April 12 & 26, May 24, August 23, September 13 & 27, and October 11, 2001. Notices of these meetings were posted at City Hall, the Community Center, Brisbane Library and the Fire Station (until October 5, 2001, when the Fire Station posting

site was replaced with one at the recently-completed Mission Blue Center at the Northeast Ridge) and on the City's website, www.ci.brisbane.ca.us (where the minutes of these meetings are also posted).

Public hearings are also being held to consider amendments to the zoning regulations in the residential and neighborhood commercial districts, addressing some of the issues raised in the Housing Element. On October 25, 2001, the Planning Commission held a public hearing on the NCRO District. Notice of this meeting was posted at the standard locations, as well as mailed to property owners and businesses within the district. On December 13, 2001, the Planning Commission held a public hearing on the R Districts. Notice of this meeting was posted in the standard places as well as mailed to property owners within the districts. Similarly noticed public hearings before the City Council were held throughout the first half of 2002.

After notices were posted in the standard places, as well as on the community sign board at the entrance to Central Brisbane, and mailed to all owners of property within districts which allow any residential uses, as well as local utility service providers and various agencies requesting notice, the Planning Commission held its first public hearing on the Housing Element on December 13, 2001. Copies of the text of the draft document were provided on the City's website, as well as at the Brisbane Library and City Hall. The Housing Element hearing preceded the hearing on the amendments to the zoning regulations for the residential zoning districts, resulting in a synergistic effect with a large turnout and a better-informed discussion of the issues. At the conclusion of the public hearing, the Planning Commission voted 4-0 to recommend that the City Council adopt the draft Housing Element, subject to the revisions presented by staff, and that it be forwarded to the California Department of Housing and Community Development, so that the agency's comments can be taken into consideration by the City Council prior to adoption of the Housing Element.

A number of revisions were proposed by staff in response to comments received from the Department of Housing and Community Development (HCD) and the City/County Association of Governments of San Mateo County's Airport Land Use Committee, as well as in response to new data released from the 2000 U.S. Census. On July 26, 2002, the Department of Housing and Community Development determined that this revised draft Housing Element as proposed by staff would be in full compliance with State law when adopted and submitted to HCD for final review. Given the nature of the proposed revisions, the revised draft was returned to the Planning Commission for an additional duly-noticed public hearing on August 25, 2002, at which the Commission recommended its adoption by the City Council. Following a public hearing on October 15, 2002, the City Council adopted the Housing Element as recommended by the Planning Commission.

SECTION II.

COMMUNITY CHARACTERISTICS AND HOUSING NEEDS

RESIDENTIAL POPULATION CHARACTERISTICS

Brisbane is a city of 3,597 residents, according to the 2000 U.S. Census, up from 2,952 in 1990. Reversing a declining trend since the 1970s, the city grew by 21.8% within the past decade. In comparison, the county-wide growth rate was 8.9% for the same period. While this rate of growth in Brisbane was significant, its impact was modulated by long-term efforts to assimilate newly-developed neighborhoods into the social fabric of the rest of the city. This planned growth has allowed Brisbane to maintain a manageable, fiscally-sufficient and socially integrated community. It continues to house seniors, single parents and working families despite the intense real estate market pressures of the Bay Area.

When data from the 2000 U.S. Census is compared with those of 1990, 1980 and 1970, a number of new population trends are worth noting. Although Brisbane's population has increased, average household size has declined. The median age has continued to increase, and the age distribution has shifted with it. Brisbane has continued to become more ethnically diverse, with those of Hispanic/Latino and Asian ethnic/racial background making increasingly significant segments of the community.

TOTAL POPULATION

According to the 2000 U.S. Census, Brisbane grew significantly during the preceding decade, reversing a trend observed in 1980 and 1990. This growth was largely attributable to construction of The Ridge, a planned development of condominium flats, townhouses and detached single-family

Table 2.

Population Trends
(1970-2000)

	1970	1980	Change	1990	Change	2000	Change
Total Population	3,003	2,969	-1.1%	2,952	-0.6%	3,597	+21.8%
Total Households	1,133	1,362	+20.2%	1,300	-4.6%	1,620	+24.6%
Total Units	1,172	1,405	+19.9%	1,382	-1.6%	1,831	+32.5%

Source: 1970, 1980, 1990 & 2000 U.S. Census

homes located in the Northeast Ridge subarea, which is 65% complete. In addition, 39 net new units were added between the 1990 and 2000 U.S. Censuses elsewhere in Brisbane, according to City records.

The California Department of Finance estimated the city's population to have further grown to 3,654 as of January 1, 2001. In its Projections 2000, the Association of Bay Area Governments estimates that Brisbane's population will grow to 4,010 by the year 2005.

TOTAL HOUSEHOLDS

Although Brisbane's total population has increased, average household size has declined from 1990 to 2000. The average household size of owner-occupied units was 2.39 persons and of renter-occupied units was 1.81, according to the 2000 U.S. Census. Two-person households continued to be the most prevalent, followed by one-person households (Table 3).

Table 3.

Household Size (1970-2000)

	1970	1980	1990	2000
1 Person	280 (24.8%)	502 (36.9%)	438 (33.7%)	564 (34.8%)
2 Persons	379 (33.6%)	457 (33.5%)	450 (34.6%)	576 (35.6%)
3 Persons	189 (16.8%)	172 (12.6%)	200 (15.4%)	221 (13.6%)
4 Persons	133 (11.8%)	152 (11.2%)	140 (10.8%)	173 (10.7%)
5 Persons	71 (6.3%)	54 (4.0%)	40 (3.1%)	55 (3.4%)
6 or More	76 (6.7%)	25 (1.8%)	32 (2.5%)	31 (1.9%)
Total Households	1,128	1,362	1,300	1,620
Persons/Household*	2.66	2.18	2.27	2.20

Source: 1970, 1980 & 1990 U.S. Census

*Does not include Group Quarters population.

The percentage of households with children continued to decrease (Table 4).

Table 4.

Household Types
(1970-2000)

	1970	1980	1990	2000
One-Person Households	25.1%	36.9%	33.7%	34.8%
Married Couples Without Children Present	31.2%	22.8%	23.3%	23.9%
Unrelated Housemates	3.9%	10.3%	12.7%	12.7%
Relatives Except Spouses, Parents, Children	4.3%	4.0%	6.5%	5.6%
Married Couples With Children Present	28.9%	17.8%	18.4%	16.4
Single Parents With Children	6.5%	8.3%	5.5%	6.6%

Source: 1970, 1980, 1990 & 2000 U.S. Census

Note: Offspring 18 years or older included as "children" only in 1990 U.S. Census.

SINGLE-PARENT HOUSEHOLDS

Families with one parent, often the sole provider, may need affordable housing or units designed to accommodate occasional or full-time dependent children. The percentage of single-parent households in Brisbane has increased since 1990 according to the 2000 U.S. Census. There were 73 female-headed households with children under the age of 18 years and 34 male single-parent households with children. With 105 children found in female-headed households, such households have an average of 1.4 children.

Female-headed households have special housing needs because female workers generally receive lower wages. To find affordable housing, a single mother with one child in the below-moderate income groups would need a 1- or 2-bedroom unit at a monthly rent of from \$1,275 to \$1,530, according to the San Mateo County Housing Authority (see Table 23). Of the 106 1-to-2-bedroom rental units included in the City's 2001 rent survey (see Table 20), all 73 1-bedroom units and at least 25 2-bedroom units rented for less than \$1,530 (at least 109 of the 1- and 2-bedroom units rent for less than \$1,275). Additional affordable units are likely to exist among the 434 rental units that were not surveyed but were identified by the 2000 U.S. Census.

LARGE AND OVERCROWDED HOUSEHOLDS

There were 86 households in Brisbane with 5 or more persons, according to the 2000 U.S. Census, a slight numerical increase from 1990. As a percentage of the total, such large households have decreased slightly since 1990. The needs of large households may be reflected in the degree of overcrowding, indicating a continuing need for large units to accommodate the needs of large households.

According to the 1980 U.S. Census, 53 housing units in Brisbane had more than 1.00 persons per room, which the United States Department of Housing and Urban Development (HUD) defines as being "overcrowded" ("severely overcrowded" units are those with more than 1.5 persons per room). Thirty-three of these were renter-occupied. The 1990 Census found 75 units with 1.01 or more persons per room, 46 of which were renter occupied. Although there had been an increase in the number of overcrowded units, the majority of Brisbane's housing was not overcrowded, as the City's average number of persons per room was 0.49 (0.46 for owner-occupied units and 0.57 for renter-

occupied units). The 2000 U.S. Census found 96 units with 1.01 or more persons per room, even though the average household size in 2000 was less than that in 1990 (see Table 2).

To reduce overcrowding, it may not be sufficient to simply provide larger units. An analysis of 1990 U.S. Census data in the 1994 Housing Element found that there were more 6-room or larger units, typically containing more than 2 bedrooms, than there were households of 4 or more persons, who would require units of such size. With the majority of the housing stock (including the larger units) being more expensive owner-occupied or for-sale units, it was concluded that the cost, rather than the availability, of larger units was the likely cause of overcrowding.

GROUP QUARTERS

The 2000 U.S. Census identified Brisbane has having a “noninstitutional group quarters” population of 40 individuals (1.1% of the total population), down from 42 (1.4%) in 1990. As defined by the Census, “noninstitutional group quarters” include “college or university dormitories, military barracks, group homes, shelters, missions, and flophouses.” These individuals are not included in household population figures and are not reflected in the persons per household calculation. Based upon 2000 U.S. Census block data, the communal living arrangements at 234 Santa Clara Street, 693 Sierra Point Road and 103 Ross Way and the alcohol and drug recovery group home at 105 McLain Road appear to have been classified as “noninstitutional group quarters.” Also included in the 1990 U.S. Census “noninstitutional group quarters” population were the “homeless visible near streets,” but none have been identified in the data released from the 2000 U.S. Census.

THE HOMELESS

As noted above, the 2000 U.S. Census has not identified any homeless in Brisbane; although, the 1990 U.S. Census had found 11 “homeless visible near streets.” According to the Brisbane Police Department, few cases of homelessness are encountered, most being transients along Bayshore Boulevard. With demolition of the remaining abandoned railroad and related structures in the Baylands subarea and recent improvements on undeveloped lands throughout Brisbane, temporary homeless encampments within the city limits are currently unknown.

There are a number of sites which could accommodate the housing needs of persons and families in need of emergency shelter and transitional housing in Brisbane under the current zoning regulations as permitted or conditional uses. The most appropriate district is the Southwest Bayshore subarea’s SCRO-1 District, due to its convenient access to public transit on Bayshore Boulevard. Emergency shelters and transitional housing are conditional uses in this district. As evidenced by the City’s past approval of Use Permits for two group care homes (for alcohol and drug recovery, totaling a maximum of 18 beds) in this district, emergency shelters and transitional housing would not be subject to any undue constraints on their development. Through Housing Element Program H2g, the City of Brisbane will cooperate with the County of San Mateo in developing programs to provide shelter and services for the homeless.

AGE

The median age in Brisbane according to the 2000 U.S. Census was 40.3 years old, continuing the rising trend from earlier decades (36.5 years old in 1990, 33.6 years old in 1980 and 29.4 years old in 1970). The influx of people 35-44 years old found in the 1990 U.S. Census is reflected in the large percentage of the current population who are 45-55 years old; although, numerically, the entire range

of those from 25 to 54 years old have contributed to the population growth over the past ten years (Table 5). The percentage of population 65 and older continued to decrease since 1980. The small baby boom reflected in the 1990 U.S. Census has not been sustained; children under 15 years old are now the smallest percentage of the population, according to the U.S. Census, since incorporation.

Table 5.

Age Distribution
(1970-2000)

	0-4 Years Old	5-14 Years Old	15-24 Years Old	25-34 Years Old	35-44 Years Old	45-54 Years Old	55-64 Years Old	65-74 Years Old	75+ Years Old
2000	161 (4.5%)	371 (10.3%)	306 (8.5%)	553 (15.4%)	796 (22.1%)	759 (21.1%)	359 (10.0%)	179 (5.0%)	113 (3.2%)
1990	184 (6.3%)	293 (9.9%)	270 (9.1%)	600 (20.3%)	690 (23.4%)	393 (13.3%)	244 (8.2%)	190 (6.4%)	88 (3.0%)
1980	173 (5.8%)	313 (10.5%)	415 (14.0%)	675 (22.7%)	413 (13.9%)	319 (10.7%)	346 (11.7%)	221 (7.4%)	94 (3.2%)
1970	255 (8.5%)	508 (16.9%)	479 (16.0%)	509 (16.4%)	308 (10.3%)	377 (12.6%)	335 (11.2%)	165 (5.5%)	67 (2.2%)

Source: 2000, 1990, 1980 & 1970 U.S. Census

Brisbane's age distribution differs from that of San Mateo County as a whole. As was also seen in the 1990 U.S. Census, Brisbane has a greater percentage of adults from 25 to 64 years of age, while the County has larger percentages of persons less than 25 years of age and more than 64 years of age (Table 6).

Table 6.

Age Distribution
Brisbane and San Mateo County
(2000)

	Brisbane	San Mateo County
Under 25 Years Old	23.3%	30.8%
25-44 Years Old	37.5%	33.3%
45-64 Years Old	31.1%	23.4%
Over 64 Years Old	8.1%	12.4%

Source: 2000 U.S. Census

THE ELDERLY

Persons over 65 years of age remain an important segment of Brisbane's citizenry—over 8% of the population, according to the 2000 U.S. Census—although, the number and percentage of households containing persons 65 years or older has declined since the 1980 Census (Table 7). Over 15% of all households in Brisbane contain one or more persons 65 or more years old, according to the 2000 U.S. Census, down from almost 17% in 1990. The number of persons 65 years or older living alone has increased slightly, but percentage of the total households has decreased (Table 8).

Table 7.

Households with Persons 65+ Years Old
(1980-2000)

	1980	1990	2000
Number of Household	248 (18.2%)	220 (16.9%)	244 (15.1%)

Source: 1980, 1990 & 2000 U.S. Census

Table 8.

One-Person Households with Persons 65+ Years Old
(1980-2000)

	1980	1990	2000
Number of Households	118 (8.7%)	95 (7.3%)	102 (6.3%)

Source: 1980, 1990 & 2000 U.S. Census

Many seniors have difficulty finding housing they can afford on fixed and often small incomes. Senior residents of owner-occupied homes (84% of total senior householders, according to the 1990 U.S. Census) can generally afford the relatively low costs of mortgages established many years ago (although maintenance costs may present a problem), but senior citizens facing the uncertain costs of rental units are not as fortunate. According to the 1990 Census, there were 31 householders 65 years or older who were renting in Brisbane at that time.

To help meet these needs, the City, in conjunction with Bridge Housing Corporation, recently completed construction of a senior housing complex in the Central Brisbane subarea, close to services and shopping, which provides 4 rental units affordable to very-low-income households, 2 rental units affordable to low-income households and 8 rental units affordable to moderate-income

households. To accommodate a range of household options, 2 of the 14 units contain two bedrooms.

PERSONS WITH DISABILITIES

2000 U.S. Census data showed that 481 persons, 5 years old or older, in Brisbane have a disability. Of these, 356 were from 21 to 64 years old. Of those persons 21 to 64 years old with disabilities, 67.7% were employed. Comparable figures from the 1990 U.S. Census are not available; although, the 1990 U.S. Census data showed that an estimated total of 190 persons 16 years old or older had mobility and/or self-care limitations (about 8% of the population of that age). Approximately 5% of persons ages 16-64 years old had mobility/self-care limitations, as did approximately 34% of those 65 years old or older. Of those 16 or more years old with mobility/self-care limitations, 51% also had a work disability. Of those with a work disability, over 35% were still in the labor force. One hundred people 16 years or older were identified as having a disability that prevented them from using standard public transportation.

Persons with disabilities often need specially designed housing. If unable to work, they may need low-priced housing. Much of the housing in Brisbane is on steep slopes which make provision of facilities accessible to persons with disabilities (ramps, parking spaces, elevators, etc.) difficult and expensive. Under the development agreement for the Northeast Ridge project, up to 135 units were made adaptable so as to be available for handicapped residents for an additional price. In the senior housing complex in Central Brisbane, all 7 of the first-floor units have handicapped-accessible bathrooms and handicapped-adaptable kitchens.

RACE/ETHNICITY

Brisbane historically has been fairly homogenous in racial make-up. Although, due to changes in the format of the Census, it is not possible to directly compare the results of the 2000 U.S. Census with earlier ones, it is apparent that Hispanics and Asians have increased in number and as a percentage of the total population since the 1980 and 1990 U.S. Censuses (see Tables 9 and 10).

1990 U.S. Census data failed to show a disproportionate number of ethnic minority households within the lower income levels in Brisbane. Current information is not yet available from the 2000 U.S. Census. The housing needs of ethnic minorities are addressed as a part of the City-wide need for affordable housing. Antidiscrimination laws prohibit unfair housing practices and are enforced to protect the housing rights of ethnic minorities. The Housing Element includes Program H5a to publicize fair housing requirements through informational handouts made available at public places, real estate offices, and in local publications.

EMPLOYMENT AND EDUCATION

According to the 2000 U.S. Census, 2,097 persons 16 years old or older were employed. This compares to 1,172 in 1980 and 1,700 in 1990 (see Table 11). Census figures showed that a higher percentage of women were in the labor force, either employed or seeking employment. Of females over 16 years of age, 73% were in the labor force, compared to 68% in 1990, 64% in 1980 and 49% in 1970. For males over 16 years of age, 78% were in the labor force in 1990, down from 84% in 1980 and 80% in 1970; figures are not available from the 2000 U.S. Census.

Table 9.

Racial/Ethnic Background
(2000)

	One Race	Race Alone or in Combination	Hispanic or Latino /Not Hispanic or Latino
White	2,624 (72.9%)	2,780 (77.3%*)	2,329 (64.7%**)
Hispanic or Latino	N/A	N/A	550 (15.3%**)
Black or African American	38 (1.1%)	66 (1.8%*)	N/A
American Indian and Alaska Native	2 (0.7%)	52 (1.4%*)	N/A
Asian	524 (14.6%)	598 (16.6%*)	N/A
Native Hawaiian and Other Pacific Islander	22 (0.6%)	45 (1.3%)	N/A
Some Other Race	180 (5.0%)	249 (6.9%)	N/A
Two or More Races	185 (5.1%)	N/A	N/A

N/A: Not Applicable under the 2000 U.S. Census format.

* Total exceeds 100% because individuals may report more than one race.

** Remaining 20% has not been distributed in reported U.S. Census data.

Source: 2000 U.S. Census

Table 10.

Racial/Ethnic Background
(1990-1980)

	White	Hispanic & Latino	Asian, Native Hawaiian & Other Pacific Islander	Black & African American	American Indian & Alaska Native	Other
1990	2,252 (76.3%)	415 (14.1%)	225 (7.6%)	45 (1.5%)	12 (0.4%)	3 (0.1%)
1980	2,441 (82.2%)	363 (12.3%)	93 (3.1%)	20 (0.7%)	15 (0.5%)	36 (1.2%)

Source: 1990 & 1980 U.S. Census (figures not available from 1970 U.S. Census)

A continuation of an earlier trend in the occupational mix of Brisbane's labor force was also found in the 2000 U.S. Census results (Table 11). In 2000, 70% of the workers were in "white collar" jobs (executive, administrative, managerial, technical, sales, etc.) up from 65% in 1990, 62% in 1980 and 47% in 1970. The proportion of "blue collar" workers (craftspersons, operatives, laborers, etc.) had decreased from 37% in 1970, 27% in 1980 and 25% in 1990 to 18% in 2000. Service workers made up the remainder of the employed population.

Table 11.

Occupation of Employed Persons 16+ Years Old
(1970, 1980, 1990 & 2000)

Occupation	1970		1980		1990		2000	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Administrative/ Professional/ Technician/Sales/ Clerical*	670	49%	1,060	62%	1,107	65%	1,466	70%
Production/Industrial/ Transportation**	502	37%	460	27%	429	25%	382	18%
Food/Protective/ Other Service	178	13%	154	9%	164	10%	249	12%
Farming/Forestry/ Fishing	6	0%	38	2%	0	0%	0	0%
Total Employed Persons	1,356	100%	1,172	100%	1,700	100%	2,097	100%

*2000 U.S. Census split this category into "Management, professional, and related occupations" (980 persons) and "Sales and office occupations" (486 persons).

**2000 U.S. Census split this category into "Construction, extraction, and maintenance occupations" (194 persons) and "Production, transportation and material moving occupations" (188 persons).

Source: 1970, 1980, 1990 & 2000 U.S. Census

The continuing shift toward "white collar" professions corresponded with an increase in educational levels in Brisbane. Almost three-quarters of adults had at least some college education, according to the 2000 U.S. Census, compared to almost 60% in 1990, just over one-third of adults in 1980 and 16% in 1970. Only 9.6% of adults in 2000 had not completed high school; whereas, 17.3% in 1990, about one-fourth in 1980 and over 50% in 1970 had not completed high school.

In terms of the extent and types of employment available within Brisbane, the Association of Bay Area Government's Projections 2000 estimated that of the 8,420 total jobs provided in the city in 2000, 48% were in wholesale trade or manufacturing, 30% in the service industries, 16% in construction/transportation/utilities/government/other, 5% in retail, and less than 1% were in mining (presumably at the nearby Guadalupe Valley Quarry) or agriculture. Jobs in Brisbane were projected to grow by 7% from 2000 to 2005, with a slight decline in the percentage of jobs in the wholesale trade and manufacturing section and commensurable increase in the percentage in the service sector.

FARMWORKERS

According to the 2000 U.S. Census, no persons identified their occupations being in farming. Given the location of Brisbane in an urban corridor, there is not a high demand for farmworkers in the area. The housing needs of farmworkers, particularly if they are seasonally employed, are for low cost rental housing. The 2000 U.S. Census identified 1 vacant unit for migratory workers.

INCOME LEVELS

The Association of Bay Area Governments' Projections 2000 (Table 12) estimated Brisbane's mean household income in 2000 to be \$63,600 (in constant 1995 dollars). This was 71.7% of the mean projected for San Mateo County. ABAG projected mean household income to increase by 11% from 2000 to 2005, compared to 7.3% for the San Mateo County for the same period. Mean household income from all sources for Brisbane has not yet been released from the 2000 U.S. Census; although, the mean for San Mateo County was estimated at \$93,899. The 1990 U.S. Census had estimated Brisbane's mean (average) household income earned in 1989 to be \$44,155, while the average found by the 1980 U.S. Census was \$36,978.

Table 12.

Mean Household Income (1990, 1995 & 2000)

Year	Brisbane	San Mateo County	Bay Area
1990	\$53,600	\$72,900	\$64,100
1995	\$58,800	\$77,400	\$67,000
2000	\$63,600	\$88,700	\$76,400

Source: ABAG Projections 2000 (in constant 1995 dollars)

Median household income is that amount below which are half of the households and above which are half of the households. The median differs from the mean in that it is much less affected by the values of the highest household incomes, which skew the mean upward. According to the 2000 U.S. Census, the median household income in Brisbane in 1999 was estimated at \$63,684, and the median for San Mateo County was an estimated \$69,885. The California Department of Housing and Community Development (HCD) had estimated the median income for San Mateo County in 2000 to be \$74,900. In 2001, HCD estimated the median income for San Mateo County to be \$80,100—an annual increase of almost 7%.

Households can be categorized by income levels as very-low, low (or lower), moderate and above-moderate. These categories are set forth in the California Code of Regulations Section 6932 as used by the State Department of Housing and Community Development and are based largely upon the U.S. Department of Housing and Urban Development (HUD) income groupings to determine eligibility for the federal Section 8 housing assistance program. A very-low income household has an income of up to 50% of the median income for the area for households of the same size. A low (or lower) income household has 51 to 80% of the median income. A moderate income household has 81 to 120% of the median income. A household with an income greater than 120% of the median income is considered above-moderate. HUD may adjust these limits in some areas based on high

rent levels relative to incomes.

Using available data from the 2000 U.S. Census and the County-wide median for all households as a standard, it was estimated that approximately 365 Brisbane households (23+/-% of the total) were considered very-low-income (earning up to 50% of the median, or \$34,943), 257-538 (16-34%) were considered low-income (51-80% of the median, or \$34,944-55,908), and up to 480 (up to 30%) were considered moderate-income (81-120% of the median, or \$55,909-83,862). This compares to 32-34% of the total households in 1990 estimated to be considered very-low-income, 13-17% low-income and 21-26% moderate-income.

Table 13.

Brisbane Households by Income Levels
(2000)

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Annual Income Limit*	\$34,943	\$55,908	\$83,862	Above \$83,862	---
Total Households	365+/-	257-538	Up to 480	498-697	1,600**
Percent of Households	23%	16-34%	Up to 30%	31-44%	100%

Source: 2000 U.S. Census

*Based upon 2000 U.S. Census estimated San Mateo County median for all households.

**Based upon U.S. Census sample survey only, not 100% count of all households.

Another method of describing income is in terms of above or below the poverty level. The poverty level threshold is a relative term used by the Federal government, reflecting the ability to afford a nutritionally adequate diet. It varies with household size and number of children under 18 years of age. For example, for a family of four including two children, the poverty level in 1999 was an annual income of \$16,895; for a four-person family of a single-parent and three children, the poverty level rose to \$16,954. The poverty level is updated annually and applied on a national basis, with no regional, state or local adjustments.

The 2000 U.S. Census found an estimated 21 families and 201 individuals (5.7% of the population) below the poverty level in Brisbane (compared to San Mateo County's overall rate of 6.5% and the 12.5% rate nationwide). This is a decrease from the estimated 8.6% rate found by the 1990 U.S. Census. Of those persons identified as being below the poverty level, the 2000 U.S. Census estimated that 19% were under 18 years of age, and approximately 12% were 65 years old or older.

According to the 2000 U.S. Census, 39 households received public assistance in 1999, compared to 45 households in 1989.

HOUSING CHARACTERISTICS

Since adoption of the 1994 Housing Element, the number of housing units in Brisbane has increased significantly. The majority of the new units have been in dense developments of multi-family condominiums, ranging from 3 to 13 units per building. While detached single-family homes now only make up 50% of the housing stock, the proportion of owner-occupied units has increased to two-thirds of all occupied units. The 2000 U.S. Census found vacancy rates to be high, but this appears to be partially the result of inclusion of many units still under construction in the Northeast Ridge subarea.

TOTAL NUMBER OF UNITS

According to City records, 265 new units were completed between April 1, 1990, and April 1, 2000, including one unit replacing one demolished prior to April 1, 1990. An additional 148 units were near completion by April 1, 2000, and appear to have been included in the 2000 U.S. Census as vacant units. During the decade, 15 units were demolished, abated or converted without replacement. Thus, the City projected the total number of units to increase by 398 from that found by the 1990 U.S. Census (Table 14). Instead, the 2000 U.S. Census found an increase of 449 units.

Table 14.

Change in Total Unit Count
City Projection vs. U.S. Census
(1990- 2000)

	Detached Single-Family	Multi-Family, Mixed-Use & Condos	Mobile- homes	Other	Total
1990 U.S. Census	904	394	63	21	1,382
Demolished Units ¹	-2	0	-1	-11	-14
Converted Units ²	0	-1	0	0	-1
Replacement Units ³	+1	0	0	0	+1
New Units ⁴	+21	+243	0	0	+264
Units Near Completion ⁵	0	+148	0	0	+148
2000 City Projection	924	784	62	10	1,780
2000 U.S. Census	N/A	N/A	N/A	N/A	1,831
Difference	N/A	N/A	N/A	N/A	+51

¹Source: City demolition permits 4/1/90-4/1/00; 2001 Sierra Point Mobilehome Park survey; 2000 U.S. Census block data indicating abatement of 11 live-aboards at the Brisbane Marina

²Source: City building permit to convert mixed-use residential unit to office use

³Source: City demolition permits prior to 4/1/90 and certificates of occupancy issued 4/1/90-4/1/00

⁴Source: City certificates of occupancy 4/1/90-4/1/00, including 1 attached secondary dwelling unit and excluding 4 units demolished and replaced during that period

⁵Source: City building permit records and 2000 U.S. Census data for Blocks 3012-3015 in the Northeast Ridge subarea; 383 units were counted by the 2000 U.S. Census where building permits

had been issued for only 374 units, of which 226 had received certificates of occupancy as of 4/1/01
N/A: Detailed data regarding unit type has yet to be released from the 2000 U.S. Census

This 51-unit difference helps balance the 38 units that appeared to have been overlooked by the 1990 U.S. Census, according to City projections based upon permits issued from 1980 to 1990.

As of January 1, 2001, the California Department of Finance had estimated that the total number of units in Brisbane had increased to 1,836. In the 18 months following the 2000 U.S. Census (April 1, 2000- September 30, 2001), the City issued certificates of occupancy for 3 new single-family residences and 2 multi-family units, in addition to the 148 multi-family units that were nearing completion on April 1, 2000.

UNIT TYPE

According to the 2000 U.S. Census sample data, approximately 55% of the units in Brisbane are detached single-family homes (Table 15). This is down from 65.4% in 1990.

Table 15.

Housing Type (1980-2000)

	1980	1990	2000	Change 1990-2000
Detached Single-Family	1,026 (73%)	904 (65.4%)	1,000 (55%)	+96
Multi-Family	324 (23.1%)	394 (28.5%)	775 (43%)	+381
Mobilehomes	55 (3.9%)	63 (4.6%)	43** (2%)	-20
Other	0 (0%)	21 (1.5%)	0 (0%)	-21
Total	1,405	1,382	1,818*	+436*

*Data based on a sample; total is less than 1,831 units found in 100% count.

**Estimated by the City of Brisbane to actually be 62 (see Table 14)

Source: 1980, 1990 & 2000 U.S. Censuses

Multi-family units now make up approximately 43% of the total housing stock. Of these, 374 (approximately 20% of the total unit count) are estimated by the City to be condominiums in the Northeast Ridge subarea, 214 of which are in 12-to-13-unit buildings, the remainder in 3-to-5-unit buildings. Of the remaining multi-family units, mostly located in the Central Brisbane subarea, over two-thirds are in complexes of nine or fewer units. Also included as multi-family units are residential units in mixed-use buildings. A 1990 City staff survey identified 23 small, upper-floor units in older

commercial buildings along Visitation and San Bruno Avenues, 1 of which has since been converted to office use. The remainder of the housing stock largely consists of mobilehomes in the mobilehome park in the Southwest Bayshore subarea, which appear to be underrepresented in the 2000 U.S. Census sample reflected in Table 15 (cf. Table 14).

UNIT SIZE

The 2000 U.S. Census found that the most prevalent units contained 6 or more rooms, excluding bathrooms, halls, utility rooms, or unfinished space (Table 16). The median number of rooms per unit was 4.4.

According to the 1990 U.S. Census, the mean was 5.30 rooms per owner-occupied unit; 3.42 rooms per renter-occupied unit; the average number of bedrooms per unit was 2.01; and the median was 2.53. For owner-occupied units, the average was 2.35 and the median, 2.97. For renter-occupied units, the average was 1.49 and the median, 2.04. For comparison, the nationwide median home in 1990 contained 5.4 rooms, including 2.6 bedrooms, and 1,688 sq. ft.

Table 16.
Housing Unit Size by Number of Rooms
(1980-2000)

	1980	1990	2000
1 Room	61 (4.3%)	66 (4.8%)	78 (4%)
2 Rooms	104 (7.4%)	148 (10.7%)	168 (9%)
3 Rooms	252 (17.9%)	225 (16.3%)	265 (15%)
4 Rooms	341 (24.3%)	290 (21.0%)	468 (26%)
5 Rooms	345 (24.6%)	273 (19.8%)	274 (15%)
6+ Rooms	302 (21.5%)	380 (27.5%)	565 (31%)
Total	1,405	1,382	1,818

Source: 1980, 1990 & 2000 U.S. Census

Within the single-family unit category, there is a substantial range of unit sizes, from small seventy-year-old cottages to new four-story, 4,000 sq. ft. houses. A 1990 survey by City staff identified over 50 existing primary units of less than 600 sq. ft. In comparison, a review of building permits for new single-family units built between April 1980 and April 1990 in the Central Brisbane subarea found the average gross house size (including garage) to be 2,303 sq. ft. within a range of from 1,033 to 4,547 gross sq. ft. A subsequent 1993-2000 study of the Central Brisbane, Brisbane Acres and

Southwest Bayshore subareas found the average new house size to have increased to 3,221 gross sq. ft. within a range of from 1,845-4,898 gross sq. ft. New duplex units in the 1993-2000 study averaged 2,372.5 gross sq. ft. per unit. Unit sizes in the new 3-to-5-unit buildings in the Northeast Ridge subarea average approximately 1,814 gross sq. ft., with a range of from 1,202 gross sq. ft. (2 bedrooms) to 2,381 gross sq. ft. (3 bedrooms). The new 12-to-13-unit buildings averaged approximately 1,373 gross sq. ft. per unit, with a range of from 964 gross sq. ft. (1 bedroom) to 1,605 gross sq. ft. (3 bedrooms).

TENANCY

According to the 2000 U.S. Census, one-third of the occupied units in Brisbane were rentals (Table 17), down from almost 40% in 1990. The proportion of renter-occupied units decreased, even though the percentage of multi-family units increased by half, because most of the condominium units built in the Northeast Ridge subarea were owner-occupied.

Table 17.

Tenancy
(1980-2000)

	1980	1990	2000
Owner-Occupied Units	784 (58%)	784 (60.3%)	1,081 (66.7%)
Renter-Occupied Units	578 (42%)	516 (39.7%)	539 (33.3%)
Total Occupied Units	1,362 (100%)	1,300 (100%)	1,620 (100%)

Source: 1980, 1990 & 2000 U.S. Censuses

According to the 1990 U.S. Census, the largest component of Brisbane's occupied rental housing stock consisted of detached single-family units (200 units, 3 8.8%), with the next largest being complexes of 10 or more units (114 units, 22.1%), followed by 2-unit structures (73 units, 14.1%) (see Table 18). Although similar data from the 2000 U.S. Census is not yet available, little change is expected, even with all of the new units developed in the Northeast Ridge subarea. The County of San Mateo 2001-2002 Assessment Roll lists owners with off-site addresses (excluding the original developer) for 10 units in 3-4 unit structures, 4 units in 5-9 unit structures, and 9 units in 10+ unit structures within the Northeast Ridge subarea.

VACANCY

Vacancy rate is a measure of the number of units available for occupancy, either specifically for rent or for sale. The Association of Bay Area Governments had previously suggested 4.5% as an optimal vacancy rate for the San Francisco Bay Area. This would provide for normal turnover and would maintain an adequate choice of housing type, size and price range to fulfill a community's needs.

According to the 2000 U.S. Census, there were 211 vacant housing units (11.5% of the total), including 10 vacant units for seasonal, recreational or occasional use. The homeowner vacancy rate

was calculated at 6.9%, which is to be expected, given the 148 newly-constructed condominiums in the Northeast Ridge subarea known to have been vacant according to City certificate of occupancy records at the time of the Census. The 2000 U.S. Census found the rental vacancy rate to be 4.1%. These figures compare with a homeowner vacancy rate of 0.5% and rental vacancy rate of 1.8% for

Table 18.

Renter-Occupied Units
(1990)

Unit Type	Number of Units	Percentage of Total
Detached 1-unit structures	200	38.8%
Attached 1-unit structures	17	3.3%
Units in 2-unit structures	73	14.1%
Units in 3-4 unit structures	34	6.6%
Units in 5-9 unit structures	62	12.0%
Units in 10+ unit structures	114	22.1%
Mobilehome or trailer	3	0.6%
Other units (houseboats, etc.)	13	2.5%
Total Units	516	100%

Source: 1990 U.S. Census

San Mateo County. Past U.S. Census vacancy rates for units available for occupancy, either for rent or for sale, in Brisbane were 3.8% in 1990, 2.9% in 1985 and 3.1% in 1980. As of January 1, 2001, the California Department of Finance had estimated that the vacancy rate in Brisbane was still high at 11.55%.

LENGTH OF OCCUPANCY

According to the 2000 U.S. Census, the turnover rate among households in Brisbane was fairly normal: about half the households had lived in their home at the time of the 2000 U.S. Census for five years or less, while almost 20% had not moved for at least 20 years.

HOUSING COSTS AND VALUES

The owner-estimated median home value reported by the 1990 U.S. Census for Brisbane was \$268,400 (214% of the 1980 median value of \$85,600). Reported real estate sales figures kept by the Brisbane Planning and Community Development Department showed that the average residential sales price (single-family and condos) was \$264,601 in 1990. The housing market then softened, with the average reported sales price in Brisbane dropping to \$236,266 in 1991 and \$226,153 in 1992. Tracking of sales in Brisbane since then has been sporadic (see Table 19). The owner-estimated median home value reported by the 2000 U.S. Census was \$382,300 (142% of the 1990 median value).

The San Mateo County Association of Realtors reported that the median sales price for a single-family home in the County for the second quarter of 2001 was \$590,000 (down 5.6% from a year previous) and the average was \$783,349 (down 11%). For condominiums and townhouses, the

median was \$385,000 (up 6.9%) and the average was \$419,163 (up 5.9%). In comparison, Brisbane's average median sales price for the first four months for which figures were available in 2001 was \$416,200. Reported sales prices in Brisbane during the first half of the year ranged from \$305,000 to \$488,000 for single-family homes and \$325,000 to \$566,000 for condos.

Table 19.

Brisbane Residential Sales Prices
(1994-2001)

Time Period	Number of Sales	Change from 1 Year Earlier	Median Sales Price	Change from 1 Year Earlier
May2001	6	-81.8%	\$400,000	+14.3%
Apr2001	5	-64.3%	\$394,000	-12.1%
Mar2001	14	+7.7%	\$397,500	-9.5%
Jan2001	5	+66.7%	\$510,000	+112.5%
Dec2000	27	-22.9%	\$405,000	+14.6%
Nov2000	11	-45%	\$375,000	+7.3%
Sep2000	11	-26.7%	\$385,000	-7.8%
Aug2000	16	-30.4%	\$301,000	-7.0%
July2000	13	+30%	\$358,500	-19.4%
June2000	14	+366.7%	\$592,500	+150%
May2000	33	+73.7%	\$350,000	+33.1%
Apr2000	14	+180.0%	\$448,250	+44.6%
Mar2000	12	+20.0%	\$433,000	+17.3%
Jan2000	7	-30.0%	\$367,000	+32.9%
Dec1999	35	+94.4%	\$353,500	+0.9%
Nov1999	20	+900.0%	\$349,500	+57.8%
Oct1999	15	+400.0%	\$428,500	+50.4%
Sep1999	15	+400.0%	\$417,500	+46.5%
Aug1999	20	+566.7%	\$338,750	+23.2%
July1999	10	+66.7%	\$445,000	+100.9%
June1999	2	-88.2%	\$231,000	+4.1%
May1999	19	-13.6%	\$263,000	+7.5%
Apr1999	5	+66.7%	\$310,000	+27.3%
Feb1999	10	-80.0%	\$235,000	-16.5%
Dec1998	2	+400.0%	\$351,750	+26.8%
Aug1998	5	-20.0%	\$269,000	+25.1%
Aug1997	n/a	n/a	\$321,000	n/a
June1997	n/a	n/a	\$267,500	-2.1%
Aug1996	n/a	n/a	no sales	n/a
June1996	n/a	n/a	\$273,375	n/a
1995	n/a	n/a	\$218,000	n/a
1994	n/a	n/a	\$212,000	n/a

Sources: DataQuick/Acxiom (1998 forward), San Mateo County Association of Realtors (through 1997)

In 2000, according to the U.S. Census, median monthly housing costs were reported at \$1,734 (compared to \$1,122 in 1990) for owner occupants with a home mortgage and \$307 (compared to \$164 in 1990) for those without a mortgage.

In 1990, according to the U.S. Census, mean monthly rent from occupied units was \$669. The 2000 U.S. Census found a median monthly rent of \$975. Results from a 2001 City survey of 128 rental units (specific rents having been provided for 65 of these) are summarized in Table 20. These units represent approximately one-fourth of the total rental units (occupied and for rent) identified in the 2000 U.S. Census. Based upon the limited results of the survey, the average rent was \$1,159.

More specifically, the average rent for a studio unit is \$900 (ranging from \$590 to \$1,000+); for a 1-bedroom unit, \$987 (range: from \$590+ to \$1,500); for a 2-bedroom, \$1,420 (from \$1,000+ to \$3,000); \$1,595 for a 3-bedroom; and \$1,700 for a 4-bedroom unit (range: \$1,650 to \$1,750). Single-family residences were included in these averages, in that they represented almost 8% of the units surveyed (rents for 1-bedroom houses ranged from \$600 to \$1,450; 2-bedrooms, \$1,050-\$3,000; and 4-bedrooms, \$1,650-\$1,750). Not included in these averages were the 12 one-bedroom units and 2 two-bedroom units in the City's senior housing complex that rent to qualified seniors at \$279-\$1,760 per month. Also not included are the spaces in the mobilehome park in the Southwest Bayshore subarea which are available for \$325-\$450 per month, depending upon size.

HOUSING AFFORDABILITY

Affordability, or the ability of households to pay for their housing, is a function of household income and the cost of housing.

One means of measuring household income is in comparison to the median household income, that amount below which are half of the households and above which are half of the households. The California Department of Housing and Community Development estimated the median income for San Mateo County in 2001 to be \$80,100. These numbers translate into, for example:

A single person making \$4,671/month or \$1,078/week or \$26.95/hour.

A couple, each earning \$32,050/year or \$2,671/month or \$616/week or \$15.41/hour.

A family with two children, the husband working full-full time and the wife working half-time, each at \$25.67 an hour, for a combined monthly income of \$6,675.

Income levels to determine very-low-, low- and moderate-income limits in 2001 were also calculated for San Mateo County (Table 21) per California Code of Regulations Section 6932, based largely upon the U.S. Department of Housing and Urban Development (HUD) income groupings to determine eligibility for the federal Section 8 housing assistance program. A very-low-income household has an income of up to 50% of the median income for the area for households of the same size. A low-income (or lower-income) household has 51 to 80% of the median income. A moderate-income household has 81 to 120% of the median income. A household with an income greater than 120% of the median income is considered above-moderate.

Table 22 shows affordability for home ownership at various income levels for one-person, two-person and four-person households under typical conditions for 2001. The assumptions used in the table were: (1) 7.5% 30-year mortgage; (2) 10% down payment; and (3) 30% of gross income for principal and interest. Additional homeowner expenses would include taxes and insurance.

Table 20.

2001 Rent Survey of Brisbane Units

Rent	Studio	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom
\$590+ *	2				
\$590-1100*		4			
\$600		1			
\$700		3			
\$750	1	1			
\$800		1			
\$805		1			
\$815		1			
\$850	5	1			
\$900-1000*	2				
\$950	8				
\$1000		1			
\$1000-1050*		5			
\$1000-1200*		24			
\$1000-1250*			4		
\$1000-1700*	1+	1+	1+		
\$1025		1			
\$1050		4	2		
\$1100		6	1		
\$1100-1200*		10			
\$1200		1			
\$1200-1400*		5			
\$1250			1		
\$1300			2		
\$1325			1		
\$1350			8		
\$1400			3		
\$1400-1600*			4		
\$1450		1	1		
\$1500		1	2		
\$1550			1		
\$1595				1	
\$1650					1
\$1700			1		
\$1750					1
\$3000			1		
TOTAL	19+	73+	33+	1	2
AVERAGE	\$900	\$987	\$1420	\$1595	\$1700

*Not included in average. Also not included were the mobilehome slots available for \$325-\$450 per month, depending upon size. In addition, the 12 1-bedroom and 2 2-bedroom units in the City's senior center, which rent to qualified senior for \$279-\$1,760 per home, were not included.

Table 21.

Income Limits for San Mateo County
(2001)

Income Standard	Number of Persons in Household							
	1	2	3	4	5	6	7	8
Very-low	\$29,750	\$34,000	\$38,250	\$42,500	\$45,900	\$49,300	\$52,700	\$56,100
Low	\$47,600	\$54,400	\$61,200	\$68,000	\$73,450	\$78,900	\$84,300	\$89,750
Median	\$56,050	\$64,100	\$72,100	\$80,100	\$86,500	\$92,900	\$99,300	\$105,750
Moderate	\$67,250	\$76,900	\$86,500	\$96,100	\$103,800	\$111,500	\$119,150	\$126,850

Source: California Department of Housing and Community Development

Table 22.

Home Ownership Affordability
San Mateo County
(2001)

Household Size	% of Median Income	Annual Income	Monthly Payment	Mortgage	10% Down Payment	Home Price
One Person	50%	\$29,750	\$743	\$106,275	\$11,808	\$118,083
	80%	\$47,600	\$1,190	\$170,250	\$15,323	\$153,225
	100%	\$56,050	\$1,401	\$200,425	\$22,269	\$222,694
	120%	\$67,250	\$1,681	\$240,475	\$24,048	\$240,475
Two Persons	50%	\$34,000	\$850	\$121,625	\$13,514	\$135,139
	80%	\$54,400	\$1,360	\$194,575	\$21,619	\$216,194
	100%	\$64,100	\$1,603	\$229,325	\$25,481	\$254,806
	120%	\$76,900	\$1,923	\$275,075	\$30,564	\$305,639
Four Persons	50%	\$42,500	\$1,063	\$152,075	\$16,897	\$168,972
	80%	\$68,000	\$1,700	\$243,200	\$27,022	\$270,222
	100%	\$80,100	\$2,003	\$286,525	\$31,836	\$318,361
	120%	\$96,100	\$2,403	\$343,725	\$38,192	\$381,917

The table illustrates a critical point: With the median sales price for a home in Brisbane having been \$400,000 in May 2001, market-rate prices were far above what very-low-, low- and moderate-income households could afford. A gross annual income of \$100,687 would have been required to afford such a home, given the assumptions listed above.

Since thirty percent of gross income is used to establish maximum affordable rent based upon the standard used by HUD for the Section 8 program, the "Monthly Payment" column in Table 22 can also be used to show affordability for rental units at various income levels for one-person, two-person and four-person households based upon California Department of Housing and Community Development 2001 figures. The San Mateo County Housing Authority has provided a variation on this chart, which indicates the maximum affordable rent payment by income category and unit size (see Table 23). It assumes that the maximum affordable rent is based on 30% of monthly income with all utilities paid by the landlord. It also assumes that studios would be for 1-person households, 1-bedroom units for 1.5 person households, 2-bedroom units for 3-person households and 4-bedroom

units for 6-person households.

Table 23.

Maximum Affordable Rent Payment
San Mateo County
(2001)

Income Category	Studio Unit	1-Bedroom Unit	2-Bedroom Unit	3-Bedroom Unit	4-Bedroom Unit
Very-Low	\$743	\$796	\$966	\$1,105	\$1,232
Low	\$1,190	\$1,275	\$1,530	\$1,768	\$1,973
Median	\$1,401	\$1,502	\$1,802	\$2,083	\$2,323
Moderate	\$1,681	\$1,802	\$2,163	\$2,499	\$2,787

Source: San Mateo County Housing Authority

The table illustrates that average rental rates in Brisbane (\$900 for a studio, \$987 for a 1-bedroom unit, \$1,420 for a 2-bedroom unit, and \$1,595 for a 3-bedroom unit, and \$1,700 for a 4-bedroom unit, according to the City's 2001 survey, see Table 20) are affordable, except to very-low income households earning 50% or less of median income. Even at the high end of the range, rents for all multi-family units surveyed were affordable at moderate-income levels.

Generally, households are considered to be overpaying for housing when such costs amount to more than 30% of their income. According to the 1990 U.S. Census, approximately 377 households (32% of those counted) in Brisbane were paying at least 30% of their income on housing. Among homeowner households, 184 (27%) were paying 30% or more of their income on housing, with such households being spread over the income categories. Of a total of 516 renter households, 193 (37%) were paying 30% or more of their income on housing.

Overpaying was pervasive at the lower income levels. The 2000 U.S. Census estimated that 337 (39%) of the homeowner households, at least 236 (45%) of the renter households, and at least 573 (41%) of all households were paying at least 30% of their income on housing.

ASSISTED HOUSING AT RISK

Assisted housing developments at risk are multifamily rental housing complexes that receive government assistance under specific federal, state and/or local programs (including HUD Section 8 lower-income rental assistance project-based programs, federal Community Development Block Grant Programs, local Redevelopment Low- and Moderate-Income Fund programs, local in-lieu fees, local inclusionary housing programs, local density bonus units and directly assisted units) which are eligible to change from low-income housing uses to market-rate housing due to termination of a rent subsidy contract, mortgage prepayment or other expiring use restrictions within the next 10 years. As part of the Housing Element, these units must be inventoried; the total costs of preserving the assisted units at risk or producing new rental housing that is comparable in size and rent levels to replace the units must be analyzed; public and private nonprofit corporations that could acquire and manage the housing developments must be identified; and the use of all federal, state and local financing and subsidy programs to preserve the assisted housing units for lower-income households

must be considered.

As of 2001, no such assisted housing developments existed in Brisbane (see Appendix A). The senior housing complex in the Central Brisbane subarea was developed on land purchased by the City with Redevelopment Low and Moderate Income Housing Fund monies, and was built by and leased to the non-profit Bridge Housing Corporation through loans from the net proceeds of Redevelopment Agency tax allocation bonds and from the San Mateo County HOME Program. The lease and loan agreements, executed in 1998, have 30-year terms. Thus, this assisted housing development is not at risk for conversion during the next 10 years.

Excluded from this category are those new units at the Northeast Ridge, as well as one resale unit in Central Brisbane, purchased by moderate-income households through San Mateo County's first-time homebuyer program and mortgage credit certificate program.

HOUSING QUALITY

The age of housing, structural stability, and the presence or absence of complete kitchen or plumbing facilities are indicative of the physical quality of the housing stock.

According to the 2000 U.S. Census, 59% of Brisbane's housing stock was 30 years old or older, 17% was between 10 and 30 years old, and 24% was 10 years old or less. This may be compared to the 1990 U.S. Census, which reported that 62% of the 1,382 total units were 30 years old or older, 30% were between 10 and 30 years old, and over 8% were 10 years old or less, and the 1980 U.S. Census, which reported that 56% of the 1,405 total units were 30 years old or older, 26% were between 10 and 30 years old, and 18% were 10 years old or less. From 1990 to 2000, the number of housing units in Brisbane increased by 449 to a total of 1,831. Thus, the percentage of Brisbane's housing stock that is over 30 years old is lower than it had been in the previous decade.

A 2001 City field survey of Brisbane's housing stock (excluding the recent development in the Northeast Ridge subarea) found 20 residential building with identifiable structural deficiencies and 4 structures sufficiently deteriorated to warrant replacement (see Table 24). This shows that the trend toward improved property maintenance found in the 1994 Housing Element is being maintained.

The 2000 U.S. Census found only 9 units lacking complete plumbing facilities, down from the 12 found in the 1990 U.S. Census. No units were found lacking complete kitchen facilities in either census. This was a significant improvement over what the 1980 U.S. Census had found: 22 units lacking complete plumbing facilities and 38 units without complete kitchen facilities.

Table 24.

Housing Conditions Based Upon Exterior Appearance
(1979-2001)

Structural Condition	1979	1990	2001
In need of replacement	40 (3%)	3 (<1%)	4 (<1%)
Some structural deficiencies	147 (11%)	35 (3%)	20 (2%)
Minor structural deficiencies	373 (28%)	31 (2%)	28 (3%)
Structurally sound	773 (58%)	1,306 (95%)	997 (95%)
Total number of structures in survey	1,333 (100%)	1,375 (100%)	1,049 (100%)

Source: 1979, 1990 & 2001 City field surveys

SECTION III.

LAND INVENTORY AND IDENTIFICATION OF ADEQUATE SITES FOR REGIONAL HOUSING NEEDS

SUITABILITY OF SUBAREAS FOR RESIDENTIAL DEVELOPMENT

The following discussion of the suitability for residential development of lands in the City of Brisbane and its sphere of influence is organized by General Plan subareas (see Figure 1), in order of their potential for housing during the time frame of the 2001-2006 Housing Element (including those units built since January 1, 1999). Each subarea is described in terms of its general location, its existing land uses, its vacant lands, and its current General Plan designation, zoning (Figure 1a) and other land use restrictions. Any environmental constraints upon housing construction are detailed, as well as any infrastructure capacity limitations. Based upon the foregoing, the subarea's suitability for residential development is considered. As appropriate, the subarea's potential for affordable housing is also discussed.

CENTRAL BRISBANE

The Central Brisbane subarea is located in the southwestern portion of the city. It contains the original residential settlement, as well as the city's primary retail areas, and includes Brisbane's two schools, three churches, library and community center. Approximately 72 vacant properties are scattered throughout the subarea. The Central Brisbane subarea falls within three different General Plan land use designations: Residential: 2 ½- 14 Dwelling Units per Acre, Residential 15-30 Dwelling Units per Acre, and Neighborhood Commercial/Retail/Office. There are three different residential zoning districts (see Figure 1b and Table 25). The R-1-5,000 Low Density Residential District (proposed to be renamed simply the R-1 District) allows single-family residences at a density of 1 unit per 5,000 sq. ft. Secondary dwelling units are conditionally permitted in this district. The R-2 Medium Density Residential District allows single-family, duplex and multi-family dwelling units at a density of 1 unit per 2,500 sq. ft. The R-3 Multiple Use Residential District allows single-family, duplex and multi-family dwelling units at a density of 1 unit per 1,500 sq. ft. In all three residential districts, mobilehome parks are conditionally permitted. The substandard lot provisions allow single-family residences on sites less than the 5,000 sq. ft. standard in all three residential districts. As part of the on-going implementation of the 1994 General Plan, the C-2 Retail Business District was split into two neighborhood commercial districts, one of which (the NCRO-2 Downtown Brisbane District, see Table 25) conditionally allows residential uses as part of a mixed-use development (the NCRO-1 Brisbane Village District is an existing shopping center). There is no standard for maximum residential dwelling unit densities under the NCRO-2 District regulations; densities will be established in conjunction with approval of project proposals that successfully address environmental and design issues (see Programs H2d and H17c).

Adequate traffic circulation is a limiting factor upon residential development in the Central Brisbane subarea. The subarea has only two points of access from Bayshore Boulevard, the major north/south arterial through the city. Within the subarea, almost half the streets dead-end significant distances from the nearest intersection. Emergency access is also constrained by bottlenecks due to narrow

street width, sharp curves, steep grades and on-street parking. This is a particular concern in those portions of the subarea that interface with wildland fire hazard areas. The situation is further complicated in instances where roadways have not been improved and dedicated as public streets. Aging sewer lines in the Central Brisbane subarea present ongoing maintenance problems due to root intrusion, joint separation and sagged pipes. Joint separation in steep terrain is also reported for the storm drain system. Private sewer laterals that traverse other private properties continue to present maintenance problems. While susceptibility to landslide is high in some portions of the subarea at the upper elevations, the lower portion of the subarea may experience very strong shock and possible liquefaction during an earthquake. Soils in the Central Brisbane subarea are subject to a moderate-to-high rate of erosion, with erosion and slippage potential increasing on the steeper slopes.

R-1 District. Within the R-1 District, there are 19 vacant standard building sites and 14 substandard lots that can be developed under the zoning ordinance's substandard lot provisions. An additional 9 standard and substandard sites have been developed with single-family residences since January 1, 1999. There are also 7 properties created through unrecorded subdivisions in the R-1 District totaling approximately 71,440 sq. ft., which with approval of parcel maps or certificates of compliance and provision of any necessary infrastructure improvement could accommodate as many as 14 building sites. Three of the sites already have access via dedicated public streets.

A recent study by the Planning Commission found over 20 vacant parcels in the R-1 District that do not meet the minimum lot size standard nor comply with the zoning ordinance's substandard lot provisions. While the Commission subsequently granted a variance to allow development of one of these parcels, it has sought a more standardized approach to dealing with these situations. One possibility would be to adopt a lot merger ordinance with exceptions so as to permit building sites less than the 5,000 sq. ft. standard based upon existing record lot patterns and current ownership. An estimated 14 additional building sites could then be recognized [see Programs H1c and H4a(3)].

Additional rental units could be provided in the R-1 District through approval of Use Permits for secondary dwelling units. To qualify, a site must be at least 5,000 sq. ft. in area and have adequate parking and traffic circulation (additional restrictions apply). Staff estimates that 33 vacant and 294 developed properties meet the minimum lot size standard. The actual potential is probably less because of the circulation problems associated with Central Brisbane's long, narrow cul-de-sac streets and the difficulties involved in providing additional parking on steep slopes. Nonetheless, a Use Permit for a secondary dwelling unit was recently granted on one of the upper dead-end streets, given the circulation improvements proposed by the applicant, and is currently under construction. This demonstrates the wider potential for secondary dwelling units in the Central Brisbane subarea than previously estimated. Accordingly, staff would estimate that at least 201 vacant and developed properties meet the minimum lot size standard and are not located on cul-de-sac streets and thus could realistically accommodate secondary dwelling units.

Per Program H1d(1), the City will be considering amending the secondary dwelling unit ordinance to require that either the primary or secondary unit be occupied by a low- or moderate-income household per a recorded use restriction. According to the San Mateo County Housing Authority (see Table 23), the maximum affordable low-income rent for a studio unit is \$1,190, and the maximum affordable moderate-income rent for a 1-bedroom unit is \$1,802. The City's 2001 rent survey (see Table 20) found the rents for 1-bedroom secondary dwelling units and rental units in owner-occupied nonconforming duplexes to range from \$700 to \$1,200 (average: \$900), and for 2-bedroom units, the range was from \$1,000 to \$1,400 (average: \$1,200). Note that these rents are slightly below the averages for all 1-bedroom and 2-bedroom units, and indicate the affordability of current market rates for secondary dwelling units. To further encourage the provision of such affordable units, the City is considering revising the parking requirements so that they relate directly to the size of the proposed unit, which would reduce the number of spaces required for smaller units. Accordingly, there is the capacity for 201 secondary dwelling units affordable to low- or moderate-

income households during the planning period of this Housing Element [see Programs H1d, H1d(1) and H4a(1)].

In addition, the City has made an effort to document the legal status of nonconforming duplex units (multiple units on single building sites that predate the City's secondary dwelling unit provisions) in the R-1 District, enabling property owners to qualify for loans to maintain the affordability of the units. Since adoption of the 1994 Housing Element, 14 such units were officially recognized as legally nonconforming (See Policy H1 and Program H15c).

R-2 District. Within the R-2 District, there is 1 vacant substandard site that can be developed with a single-family unit. There are also 2 partially-developed sites that could accommodate an additional 4 units total. The remaining potential for development in the district would be dependent upon aggregation of smaller lots into larger parcels with replacement of existing single-family homes by multi-family development. This could be initially encouraged through the adoption of a lot merger ordinance that would aggregate lots into the larger parcels needed to maximize the development potential. The maximum possible yield from intensification through aggregation and replacement over the 10 blocks included in the R-2 District would be approximately 25 units (not including the 5 units noted above). This is less than might be expected, because some blocks are already developed above their permitted densities (currently, there are 9 units which are nonconforming under the district's maximum density standard) [see Program H4a(3)].

The full range of residential types are permitted in the R-2 District on standard sites, with only single-family residences permitted on substandard lots. Nonetheless, market pressures tend toward single-family development even on standard sites that could accommodate multi-family development. To help counter this trend, the City is considering permitting dwelling groups as conditional uses in this district to allow greater design flexibility, while assuring that adopted floor area ratio standards do not discourage affordable multi-family development [see Programs H4a(4) and H4a(2)].

R-3 District. Within the R-3 District, there are 3 vacant sites that can be developed with 10 units (including 1 substandard lot that can be developed only with a single-family residence). If the two larger sites, which adjoin one another on Plumas Street, were in common ownership, the combined area would mathematically qualify for an additional unit. One of these two sites is owned by the City's Redevelopment Agency and is temporarily used as a community garden, which would have to be relocated. All of these sites are in the relatively flat portion of the district, where the most recent development has been at the maximum permitted densities. As demonstrated by the senior housing complex recently constructed in the NCRO-2 District (see below), the currently permitted densities are sufficient to realistically allow development of units affordable to lower- and moderate-income households within the planning period of this Housing Element. An additional 4 units have been developed in the steeper portions of the district since January 1, 1999, where as-built densities have been closer to those permitted in the R-2 District.

Within the R-3 District, there are also 2 partially-developed sites that under the current zoning could accommodate a total of 9 additional units; although, given the steepness of the larger site, a total of 6 additional units would be more feasible. The remaining potential for development in the district would be dependent upon aggregation of smaller lots into larger parcels with replacement of existing single-family homes by multi-family development. This could be initially encouraged through the adoption of a lot merger ordinance to aggregate lots into the larger parcels needed to maximize the development potential. The maximum possible yield from intensification through aggregation and replacement would be approximately 65 units (excluding the portion of the Brisbane Elementary School within the district, as well as the potential units on currently vacant or partially-developed sites noted above). This is less than might be expected, because some blocks are already developed above their permitted densities (currently, there are 68 units which are nonconforming under the

district's maximum density standard). More than a fourth of these potential units would be located within the steep portion of the district, where expected densities would be lower, reducing the total to approximately 48 units [see Program H4a(3)].

Four properties are currently in the R-1 District but adjoin the R-3 District and are of a size large enough to accommodate multi-family development if they were rezoned. North of the apartment building at 21 Alvarado Street are three lots, totaling 7,500 sq. ft. in area, which under R-3 zoning could accommodate 4 more units than the existing single-family residence (49 San Francisco Avenue). South of the apartment building at 21 Alvarado Street are three lots, 2 of which are already in the R-3 District, totaling approximately 6,300 sq. ft., which under R-3 zoning could accommodate 3 more units than the existing single-family residence (43 Alvarado Street). At the southwest corner of San Bruno Avenue and Glen Parkway, across the street from the apartment buildings at 685 and 693 San Bruno Avenue, is the approximately 5,260 sq. ft. former fire station site, which could accommodate 3 units under R-3 zoning. At the southwest corner of San Bruno Avenue and Annis Road, across the street from the apartment building at 71 Thomas Avenue, is an approximately 20,000 sq. ft. vacant parcel, which could accommodate 13 units under R-3 zoning. Although these sites are somewhat sloped, they are served by existing infrastructure and could be developed at densities sufficient to realistically allow development of multi-family units within the planning period of this Housing Element [see Program H1a(1)].

In terms of accommodating all income levels, two-thirds of the R-3 District could realistically accommodate the high densities needed to provide affordable housing. For example, the Redevelopment Agency's site on Plumas Street and the adjoining property combined could, with a density bonus as provided under State law, accommodate a 12-unit development similar to the City's senior housing complex in the NCRO-2 District (see below), with units affordable to low- and very-low-income households. Note that under the proposed housing policies, an even greater density bonus would be possible. Theoretically, the two partially-developed sites in the district could also qualify for density bonus units if they were completely redeveloped and included sufficient affordable units; although, realistically, only the smaller, flatter site would likely be redeveloped with a total of at least 5 units so as to qualify. If existing low-density development were demolished and small lots aggregated into larger sites on the 4 smallest blocks with the greatest potential for net intensification, the new and replacement units could provide sufficient numbers of units affordable to low-income (14 units) or very-low-income (8 units) households to qualify for as many as 11 additional bonus units. The vacant site at San Bruno Avenue and Annis Road, if rezoned and developed with affordable housing, could qualify for two additional units under the density bonus provisions [see Policy H7 and Programs H7a and H7a(1)].

NCRO-2 District. Within the proposed NCRO-2 District, there are no vacant building sites. Two sites have been or are being developed with a total of 15 units since January 1, 1999. The City's senior housing complex contains 4 very-low-income units, 2 low-income units and 8 moderate-income units on an approximately 18,200 sq. ft. site, with 51% lot coverage and a maximum height of 24 ft. This density of 1 unit per 1,300+/- sq. ft. is the equivalent of a multi-family residential development at an R-3 District density of 1 unit per 1,500 sq. ft. with a 17% density bonus (also note how the distribution of affordability of the units roughly approximates the proportions of the Regional Housing Need Determination for very-low-, low- and moderate-income households). A mixed-use project containing a dwelling unit over commercial space is currently under construction on a 2,500 sq. ft. site.

In addition to the approximately 30 existing mixed-use residential units in the district, there is the potential for 19 more on at least 5 underutilized sites or combination of sites at densities similar to the senior housing complex, assuming that the lack of maximum density standards will encourage creative approaches to affordable housing design and construction. To encourage this, the City has amended the zoning regulations to waive parking for minimum-size storefront retail uses (freeing up

creative approaches to affordable housing design and construction. To encourage this, the City has amended the zoning regulations to waive parking for minimum-size storefront retail uses (freeing up on-site parking to meet the requirements for residential uses), increasing lot coverage from 60% to 90% (accommodating greater amounts of residential development), and allowing up to 3 stories of development for site-sensitive designs. With existing infrastructure already in place for these level sites, all of these units could realistically be developed for very-low- or low-income households within the planning period of this Housing Element, earning density bonus equivalents (since there is no established maximum density for the NCRO-2 District) (see Program H2d).

BRISBANE ACRES

The Brisbane Acres subarea is located immediately south and east of Central Brisbane on the steep upper slopes of San Bruno Mountain. It takes its name from an unrecorded subdivision dating back to the 1930s. Approximately 20 of the original 111 unrecorded lots have been developed and contain an estimated 50 dwelling units in 32 buildings. Existing development is confined to the lower elevations east of the Central Brisbane subarea and, to a lesser extent, to the uppermost borders of Central Brisbane. Approximately 117.9 acres of the subarea is undeveloped, including approximately 7.8 acres remaining from the estate of the original subdivider that were never improved or dedicated as streets to provide access to over half of the unrecorded lots. The Brisbane Acres subarea is located within the jurisdiction of the San Bruno Mountain Area Habitat Conservation Plan, adopted in 1982 by the U.S. Fish & Wildlife Service, the California Department of Fish & Game, the County of San Mateo and the cities with jurisdiction over portions of San Bruno Mountain. The General Plan designation is Residential: 0-2 Dwelling Units per Acre. Almost all of the subarea is located within the R-1-20,000 Low Density Residential District (proposed to be renamed the R-BA Brisbane Acres Residential District as part of the on-going implementation of the 1994 General Plan, see Table 25). Single-family dwellings on 20,000 sq. ft. building sites are permitted in this district, with secondary dwelling units allowed subject to Use Permit approval. The zoning regulations also provide for Use Permit approval of the transfer of development rights within the district from “the upper slopes and canyons of the Brisbane Acres to ... the less steep and lower areas which are closer to roads and utilities.”

Several portions of the Brisbane Acres are considered high-to-extreme fire hazard areas due to steep slopes, wildland vegetation and inaccessibility. The soil in the Brisbane Acres is subject to slippage and a high-to-very-high rate of erosion. While susceptibility to non-seismically induced landslides is generally low, two areas near Bayshore Boulevard are highly susceptible to such landslides. Susceptibility to seismically induced landslides is moderate for most of the subarea and high in roughly the same two areas near Bayshore Boulevard. Some portions of the subarea experienced debris flows during the 1982 fifty year storm. Intermittent streams are found in some of the upper canyons. At the southeastern corner of the subarea, traffic from the 101 Freeway and Bayshore Boulevard generates noise contours of CNEL 70-75 dB, requiring that any development be subject to a detailed analysis of the noise reduction requirements, including noise insulation features, per the State of California General Plan Guidelines.

The Brisbane Acres subarea includes habitat for rare and endangered species, including the Mission Blue and Callippe Silverspot butterflies and plants such as *Helianthella castenea*. The San Bruno Mountain Area Habitat Conservation Plan (HCP), under which development within the habitat of the Mission Blue butterfly can be permitted, specifies that at least 40% (61.6 acres) of the Brisbane Acres and adjoining Southwest Bayshore subareas must be preserved as conserved habitat. It should be noted that excluded from this 40% figure would be those lands (6.14 acres to date) purchased through U.S. Fish & Wildlife Service grants subject to the stipulation that “[a]cquisition of these parcels will allow for preservation of more habitat than required by the HCP...” A similar restriction was included by the Coastal Conservancy on its grant toward the purchase of an additional 3.27 acres. Development within the habitat of the Callippe Silverspot will be dependent upon action on

an application by the U.S. Fish and Wildlife Service to amend the 10A Permit for San Bruno Mountain to address this recently listed endangered species.

Much of the Brisbane Acres is characterized by steep terrain, lacking streets and utilities. Private roadways providing access to existing development in the subarea typically do not meet minimum California Fire Code standards, with widening and the provision of turnarounds complicated by the natural topography. Water service is limited to the lower elevations of the subarea. Because properties in the subarea are under multiple ownerships, coordination to provide needed infrastructure improvements has been lacking, and it is unlikely that such improvements will be provided throughout the subarea during the planning period of this Housing Element.

Of the 117.9 acres of undeveloped land in the Brisbane Acres subarea, 9.4 acres have been specifically purchased as conserved habitat with funds from the U.S. Fish & Wildlife Service and other sources subject to restrictions, leaving the gross development potential to be 236 units at 1 unit per 20,000 sq. ft. An additional 7.8 acres remain from the estate of the original subdivider, with the apparent intent of providing future access to undeveloped portions of the subarea. Given the current pattern of ownerships, the actual potential number of units permitted under the current zoning is 172.

Of these, an estimated 50 potential units could be served by the existing water system and accessed by existing roadways with necessary improvements to meet California Fire Code minimum standards within the planning period of this Housing Element. Two of the four most recent proposals for development in the subarea (on Humboldt, Kings and Annis Roads) were for densities of approximately 1 unit per acre, half that permitted under the zoning. Thus, a more feasible projection for development in the Brisbane Acres subarea during the term of this Housing Element might be 35 units.

Under the current transferable development rights (TDR) provisions contained in the zoning district regulations for the Brisbane Acres subarea, development rights could be transferred from those portions of the subarea where habitat values and infrastructure costs would be high to those portions where habitat and infrastructure are less of a constraint upon development. The permitted transfer ratio is 1 dwelling unit per 20,000 sq. ft. of land dedicated as open space. The Planning Commission has studied potential ways in which this program might be implemented, particularly in terms of how the increased density could be accommodated at receiving sites. It was preliminarily concluded that the 14-acre portion of the Brisbane Acres subarea northeast of San Bruno Avenue, with traffic circulation improvements, could potentially accommodate the transfer of the 134 units necessary to reach the HCP's goal of preserving 40% of the Brisbane Acres and Southwest Bayshore subareas as conserved habitat. To do this, the receiving sites for these transferred rights would be developed at densities ranging from those equivalent to the R-1 District to those equivalent to the R-3 District. [see Programs H18b].

In terms of accommodating all income levels, single-family dwelling units in the subarea would be sold at market rates. Given existing topographical and infrastructure constraints, the potential for affordable secondary dwelling units would be limited. Opportunities to provide affordable units through density bonuses would be similarly limited.

NORTHEAST RIDGE

The Northeast Ridge subarea is a portion of San Bruno Mountain at the northeast corner of the city. A planned development of 579 residential units was approved in 1989. Of the 93 acres approved for development, approximately 55.3 acres are to be developed with homes, 6.5 acres for public recreational facilities, and the remainder in streets and landscaping. Neighborhood I (Viewpoint at the Ridge) will contain 268 condominium/townhouse units in three-to-five-unit buildings on 24.6 acres of developable land, with a net density of 10.9 units per acre. Neighborhood II (Landmark at the Ridge) will contain 97 detached single-family residences on 16.5 acres of developable land, with

a net density of 5.8 units per acre. Neighborhood III (Altamar at the Ridge) contains 214 condominium units in 12-to-13-unit buildings on 14.2 acres of developable land, with a net density of 15.0 units per acre. Two of three neighborhoods in the first phase of the development, containing 374 townhouse and stacked-flat units, have been built to date. Thirty seven single-family units in the first phase have yet to be built, although their infrastructure is in place. The second phase contains the project's remaining 60 single-family units and 108 townhouses. Over 135 acres of open space have been offered for dedication as conserved habitat for endangered butterfly species under the provisions of the San Bruno Mountain Area Habitat Conservation Plan. The subarea is designated Residential and Open Space in the General Plan and is currently in a Planned Development zoning district.

The soil on the Northeast Ridge is subject to slippage and a high-to-very-high rate of erosion. The subarea also contains some areas of high and moderate susceptibility to seismically induced landslides. A portion of the southern end of the subarea is subject to intense ground-shaking during earthquakes. During the 1982 storm, one area on the Northeast Ridge experienced debris flow. These potential hazards have been considered in the engineering for the Northeast Ridge development project. There is some risk of wildland fires within the dedicated open space, but because such fires are supportive of the natural habitat, the project was designed to permit wildland fires yet protect the residential community. Traffic on Guadalupe Canyon Parkway and North Hill Drive generates noise contours of CNEL 70 dB or greater along the periphery of the subarea, outside those portions planned for development.

In terms of its potential contribution to the City's share of the 1999-2006 regional housing need, 294 units in the first phase of development in the Northeast Ridge subarea have been completed since January 1, 1999. An additional 37 units are currently undergoing design review and are anticipated to be under construction by 2002. Development of the remaining 168 units in the project's second phase is awaiting action on an application by the U.S. Fish and Wildlife Service to amend the 10A Permit for San Bruno Mountain, and it is anticipated that the 60 single-family units could be constructed within the planning period of this Housing Element.

In terms of accommodating all income levels, the units at the Ridge range from 2-bedroom condominium flats to 5-bedroom detached single-family homes. They are offered at market rates. The City has assisted in the purchase of a number of units through its First Time Homebuyer Program, but it is unlikely that any of the remaining units to be constructed will qualify due to their type and size.

SOUTHWEST BAYSHORE

The Southwest Bayshore subarea is the lower hillsides west of Bayshore Boulevard and south of Old County Road. It is developed with a mix of uses, including a mobilehome park, a women's group home for alcohol and drug abuse recovery, a liquid petroleum gas retail facility, a number of sales and service businesses, and single-family homes. There are 16 vacant Assessor's Parcels, totaling 6.5 acres. The subarea is located within the jurisdiction of the Habitat Conservation Plan. The General Plan designation is Subregional Commercial/Retail/ Office. The majority of the subarea was rezoned in 2000 to a new SCRO-1 District (see Table 25), within which all uses, residential and commercial, are conditionally permitted. The entire range of residential unit types are included, as stand-alone uses or as part of mixed-use projects, with a sliding scale of maximum densities designed to encourage multi-family dwellings. Single-family dwellings are conditionally permitted at a maximum density of 1 unit per 7,500 sq. ft., duplex dwellings are conditionally permitted at a maximum density of 1 unit per 3,750 sq. ft., and multi-family dwellings are conditionally permitted at a maximum density of 1 unit per 1,500 sq. ft. Unit densities for mixed-use/live-work developments are determined per individual Use Permit, generally based upon the amount of parking

provided. Mobilehome park densities are currently regulated elsewhere in the Zoning Ordinance at a ratio of 1 unit per 3,630 sq. ft. Approximately 1.75 acres of several split-zoned properties fall within the R-1-20,000 District (see Brisbane Acres, above, and Figure 1b).

The steeply sloped hillsides in this subarea are susceptible to landsliding and erosion, and present some risk of wildland fires. A portion of the subarea adjacent to Bayshore Boulevard has a low-to-moderate-to-high susceptibility to liquefaction during an earthquake. Under the provisions of the San Bruno Mountain Area Habitat Conservation Plan, 40% of the Southwest Bayshore and Brisbane Acres subareas must be protected as conserved habitat. Much of the subarea is within the CNEL 70-75 dB noise contour and would be subject to a detailed analysis of the noise reduction requirements, including noise insulation features, per the State of California General Plan Guidelines. Utilities and access are readily available for those portions of the subarea fronting Bayshore Boulevard and San Bruno Avenue, but pose complications for the more removed portions of the subarea.

In terms of its potential contribution to the City's share of the 1999-2006 regional housing need, 1 residential unit has been completed since January 1, 1999. As for the potential for new units, any projections must take a number of factors into account. Within the SCRO-1 District, all uses are conditional due to the mix of commercial and residential uses existing and planned. To streamline the permitting process, detailed performance standards have been incorporated into the SCRO-1 District regulations to help address issues of land use compatibility and environmental impacts.

While no residential projects have yet been constructed under these new district regulations, there is a current proposal for 36 units on 2.44 acres (1 unit per 2,950 sq. ft.). The lower-than-maximum density proposed appears to reflect the difficulties in building on an extremely steep upslope, particularly to provide the amount of parking required for the size of units proposed (1,586 sq. ft., 2-bedroom units).

If the SCRO-1 District boundaries are adjusted to include the entire subarea, upzoning those portions currently within the R-1-20,000 District, the 4 largest parcels within the district, totaling 5.66 acres, could accommodate 162 units at the highest possible density, given existing property ownership patterns. At a more realistic density of 1 unit per 3,000 sq. ft. (based upon the current proposal described above), a total of 81 units might be expected [see Program H1a(1)].

In addition, there are 15 parcels, totaling 4.4 acres, located in the flatter central portion of the subarea south of the existing mobilehome park, that are generally developed with marginal commercial uses and older single-family houses. These properties could be combined and put to reuse as additional mobilehome parks. The existing mobilehome park was developed at a density of approximately 1 unit per 2,200 sq. ft., higher than currently permitted under the Zoning Ordinance's density standards for mobilehome parks, which have not been updated since 1984. If these specific density standards were removed, 4.4 acres could accommodate 87 mobilehome units at the same density as currently exists in the subarea, consistent with the maximum density permitted for multi-family dwellings [see Policy H1e(3)].

In terms of accommodating all income levels, four of the vacant sites in this subarea are large enough to make density bonuses a feasible possibility. If they were developed at realistic densities of 1 unit per 3,000 sq. ft., including 10% of each site's units as affordable at very-low incomes, 10 of the 85 total units would be affordable and a 25% bonus would result in an additional 18 units. Alternatively, the same bonus could be provided if 18 (20% per site) of the units were affordable at low-income levels. Similarly, the 4.4 acre underdeveloped portion of the subarea, if developed with sufficient affordable mobilehome units, could qualify for 21 bonus mobilehome units. Given the affordability of existing mobilehome rents (see below), it is possible that all of the mobilehome units could qualify as affordable to very-low-income households [see Policy H7 and Programs H7a and H7a(1)].

As for preserving existing affordable housing, the mobilehome park in this subarea must be addressed. It was developed at a density of approximately 1 unit per 2,200 sq. ft., higher than currently permitted under the Zoning Ordinance's density standards for mobilehome parks. According to the City's rent survey (see Table 20), the spaces in the park rent at rates affordable to very-low-income households. Efforts to maintain the availability and affordability of this housing alternative are an important housing issue in this subarea [see Programs H1e, H1e(1), H1e(2) and H1e(3)].

QUARRY

The Quarry subarea is located southwest of the Crocker Park subarea in unincorporated San Mateo County, but is included in the City's sphere of influence. It contains the Guadalupe Valley Quarry, which has been supplying rock and gravel for the Bay Area construction industry since 1895. The active mining area occupies 85 acres, while the remaining 60 acres are brush and grasslands containing habitat for three federally listed endangered butterfly species, the Mission blue, the San Bruno elfin and the callippe silverspot, as well as several species of rare plants. The subarea lies within the jurisdictional boundaries of the San Bruno Mountain Area Habitat Conservation Plan and is also included in a State Designated Mineral Resources Area. The subarea is designated as "Planned Development-Trade Commercial" and "Open Space" in the City's General Plan.

The 1994 General Plan assumed the Quarry would be annexed to the City and converted to other uses after reaching a predetermined topographical configuration, which would occur beyond the Plan's ten-year time frame. Housing was one of the potential uses examined in the development of the General Plan for the ultimate reuse of the Quarry, but the community felt that the constraints posed by the historical use of the site would preclude safe housing development.

In 2000, the City received an application for a housing development on the site from Summerhill Homes. One part of the application was for a General Plan Amendment to permit housing development in the subarea. Extensive environmental review was undertaken, and a draft environmental impact report was prepared. As a result of the findings of the DEIR, the project was redesigned to mitigate all the identified impacts. It would subdivide a portion of the subarea into 148 lots for single-family detached residences and three condominium sites for 61 townhouses on 19 acres. Activities to prepare the site for development would extend from the quarry floor to portions of the quarry slopes over an area of approximately 86.4 acres. Relatively undisturbed land with endangered species habitat of approximately 19 acres would be dedicated to the County of San Mateo. Proposed infrastructure improvements would address the current lack of sewer service, limited access and needed upgrades for storm drainage and water service. Further consideration of the project by the City has been suspended at the request of the applicant.

NORTHWEST BAYSHORE

The Northwest Bayshore subarea is located west of Bayshore Boulevard and north of Guadalupe Canyon Parkway. It consists of 4 major properties: the Brisbane Technology Park, an office complex recently developed at the southern end of the subarea; the PG&E Martin Substation and Service Yard at the northern end; and two vacant hillside parcels, currently owned by Peking Handicraft Company and the Levinson Estate, in between. The entire subarea falls within the boundaries of the San Bruno Mountain Area Habitat Conservation Plan. A portion of the subarea is located within Redevelopment Project Area Number Two. The subarea is designated "Planned Development-Subregional Commercial/Retail/Office" and "Marsh" in the General Plan. Because of the extent of vacant land and unique development constraints in the subarea, the Planned

Development designation requires adoption of specific plans and provision of 25% of the subarea in open space and/or open areas. Residential uses may be conditionally permitted under the Subregional Commercial/Retail/Office designation, and the General Plan specifically considers residential uses in this subarea as a component of a mixed-use project, combined with or accessory to retail, office or other non-residential uses. The subarea is currently in the PD Planned Development and M-1 Manufacturing zoning districts. There is no standard for maximum residential dwelling unit densities under the PD District regulations; densities will be established in conjunction with approval of project proposals that successfully address environmental and design issues. Residential uses are not permitted in the M-1 District.

The vacant portions of the subarea contain habitat of varying quality for endangered butterfly species. Development in specific localities will be dependent upon action on an application by the U.S. Fish and Wildlife Service to amend the 10A Permit for San Bruno Mountain to address the recently listed Callippe Silverspot species. These areas of brush and grasslands pose a moderate-to-high/extreme wildland fire hazard. Steep slopes subject to high-to-very-high rates of erosion and a moderate-to-high risk of seismically induced landslides are found in portions of the subarea, and debris flows were experienced in portions of the subarea during the 1982 storm. Development is further complicated by the large San Francisco Water Department underground lines that run through the subarea. North of the Levinson Estate property is a wetland marsh recently improved as a stormwater detention facility to help address flooding in the vicinity. That site and adjoining areas to the north and west are subject to remediation plans approved by the California Department of Toxic Substances Control to address polynuclear aromatic hydrocarbon contamination. Filled areas north of the marsh are likely to experience very intense ground-shaking during earthquakes. Traffic noise exceeds CNEL 70 dB along the Bayshore Boulevard and Guadalupe Canyon Parkway frontages of the subarea, where any residential uses would be subject to a detailed analysis of the noise reduction requirements that must be made and the needed noise insulation features that must be included in the design per the State of California General Plan Guidelines. Existing access to the subarea is limited, as is infrastructure for utilities and storm drainage.

Because no Specific Plan has been approved for the vacant parcels in this subarea, maximum dwelling-unit densities have yet to be adopted under the current Planned Development District zoning. The lack of maximum density standards should encourage creative approaches to affordable housing design and construction. Previous analyses for non-residential development have estimated that 5 acres of the 9.37-acre Peking Handicraft Inc. property and 11.9 acres of the 21.95-acre Levinson Estate property were at one time considered developable. At the highest density (1 unit per approximately 2,900 sq. ft.) actually built in the adjoining Northeast Ridge subarea (the stacked flats in the Altamar at the Ridge development), over 250 units would be possible. Under California redevelopment law, specific percentages of the units developed in that portion of the subarea within Community Redevelopment Area Number Two must be made affordable to very-low-income households and low- and/or moderate-income households for specific periods of time. Given the amount of site planning necessary to develop the vacant portions of this subarea, it is not likely that housing will be produced during the planning period of this Housing Element.

SIERRA POINT

The Sierra Point subarea is a peninsula located on the east side of the 101 Freeway, which separates it from the rest of Brisbane. Within the subarea is a 102-acre office park developed atop an engineered sanitary landfill and an adjoining 30-acre municipal marina. To date, 8 of 15 planned building sites have been developed, largely with mid-rise office buildings. The subarea is located within Community Redevelopment Project Area Number One. The subarea is designated "Sierra Point Commercial/Retail/Office" and "Bayfront" in the General Plan. The current zoning, redevelopment plan and development agreement that govern Sierra Point do not permit residential

uses.

The Sierra Point subarea is not suitable for residential development due to noise impacts. The subarea is subject to overflight noise from San Francisco International Airport and, to a lesser extent, Oakland International Airport. The CNEL 70 dB noise impact boundary for aircraft noise, within which residential uses are considered incompatible according to the San Mateo County Comprehensive Airport Land Use Plan, currently includes the eastern half of the Sierra Point subarea (an updated Noise Exposure Map currently under review by the Federal Aviation Administration would shrink the noise impact area to exclude all of Brisbane). Freeway traffic noise exceeds 70 dB CNEL on the western half of the subarea. Because the entire subarea consists of sanitary landfill atop bay mud, all development is required to address the potential for liquefaction and intense ground-shaking during earthquakes, as well as the constant potential for methane gas generation.

CROCKER PARK

The Crocker Park subarea, a 355-acre business park, is located in a valley between the Central Brisbane and Northeast Ridge subareas. It contains various warehousing, distribution, service, manufacturing and offices uses, with little vacant land left to develop. The General Plan designation of "Trade Commercial" and current zoning do not permit residential uses.

A swath through the entire Crocker Park subarea has been designated by the Federal Emergency Management Agency as a 100-year flood zone, and localized flooding in the area of Valley Drive and Bayshore Boulevard has been known to occur during heavy rains and high tides. Efforts to correct the storm drainage situation are dependent upon future downstream improvements outside the subarea. The eastern portion of Crocker Park is subject to liquefaction and very intense ground-shaking during earthquakes. Noise contours of CNEL 70 dB or more along Valley Drive, North Hill Drive and Bayshore Boulevard are generated primarily by the truck traffic associated with warehouse and distribution operations and the nearby Quarry. The uses in this subarea generate traffic over a 24-hour period, may involve hazardous materials, and generate other impacts that are incompatible with residential development.

SOUTHEAST BAYSHORE

The Southeast Bayshore subarea is located between Bayshore Boulevard and the CalTrain railroad tracks, south of Tunnel Avenue. It is fully developed with a business park whose major occupant is a distributor of scientific supplies and chemicals. The General Plan designation of "Trade Commercial" and current zoning do not permit residential uses.

Traffic on Bayshore Boulevard, the 101 freeway, and the CalTrain railroad tracks generates a noise contour of CNEL 70 dB or more over much of the subarea. Some portion have moderate-to-high susceptibility to seismically induced landslides. The portion of the subarea that is landfill is subject to liquefaction and very intense ground-shaking during earthquakes. The uses in this subarea generate traffic over a 24-hour period, may involve hazardous materials, and generate other impacts that are incompatible with residential development.

NORTHEAST BAYSHORE

The Northeast Bayshore subarea is located east of Bayshore Boulevard along Industrial Way. It contains the Brisbane Industrial Park, a collection of warehouse and industrial buildings, occupied by manufacturing, storage and similar uses, and a wastewater pumping station. There is one vacant property in the subarea, the former site of an unreinforced masonry and concrete building heavily damaged in the Loma Prieta earthquake. The subarea is located within Community Redevelopment Project Area Number Two. The General Plan designation of "Trade Commercial" and current zoning do not permit residential uses.

The western portion of the subarea has been designated by the Federal Emergency Management Agency as a 100-year flood zone, and localized flooding on Bayshore Boulevard in the vicinity of Industrial Way frequently occurs during heavy rains. Efforts to correct the flooding are dependent upon downstream improvements outside the subarea, which have yet to be approved due to extensive soil contamination related to the former railyard use to the north and east. The California Department of Toxic Substances Control has documented infiltration of volatile organic compounds into this subarea, but has not yet approved a remedial action plan to clean up or contain the contamination. The subarea is subject to liquefaction and very intense ground-shaking during earthquakes. Traffic on Bayshore Boulevard generates noise contours of CNEL 70 dB or more over almost half of the subarea. The uses in this subarea generate traffic over a 24-hour period, may involve hazardous materials, and generate other impacts that are incompatible with residential development.

BAYLANDS

The Baylands subarea occupies most of the eastern side of Brisbane between the 101 Freeway and Bayshore Boulevard. With the exception of Icehouse Hill and the Brisbane Lagoon, this subarea is a flat man-made plain, vacant except for scattered commercial development including a fuel tank farm and fuel distribution facilities, recycling and reclamation activities, offices, warehouse and storage uses, statutory production and lumber yards. Railroad tracks, used primarily for the Caltrain commuter line, traverse the subarea in a north/south direction. The subarea is located in Community Redevelopment Project Areas Numbers One and Two. The General Plan designations of "Planned Development-Trade Commercial," "Bayfront" and "Lagoon," and the current zoning do not permit residential uses.

The portion of the Baylands west of the railroad tracks was originally tidal flats, reportedly filled with debris from the 1906 earthquake and other general soil material and refuse. It was used as a railroad switching facility and locomotive and railcar maintenance yard from 1914 to 1960. As the result of the detection of halogenated organic solvents in groundwater in the northern section of this portion of the subarea, the California Regional Water Quality Control Board issued a cleanup and abatement order, and an extraction and treatment system was installed under a remedial action plan (RAP) approved by the California Department of Toxic Substances Control. The RAP also required a deed restriction forbidding residential housing. In the southern section of this portion of the subarea, petroleum hydrocarbons, copper, lead and zinc have been detected, but an RAP has not been approved, pending completion of a flood control plan for the Bayshore Drainage Basin.

The portion of the Baylands east of the railroad tracks was used for over thirty years as an unregulated refuse landfill, followed by thirty years of surcharging with inert fill. Under an order from the California Integrated Waste Management Board, Bay Area Air Quality Management District and the San Mateo County Environmental Health Division, a methane gas control system was installed to mitigate the hazardous gases generated by the decomposition of the garbage buried in the landfill. An order from the California Regional Water Quality Control Board required

additional cover and regrading to address the drainage problems resulting from the differential settlement of the landfill, so as to avoid ponding water infiltrating the refuse, generating leachate and polluting surface waters as well as groundwater.

The southwestern portion of the Baylands includes Icehouse Hill, whose steeply cut slopes are subject to slippage and a high/very-high rate of erosion. One of the cut slopes was used as a shooting range; the potential extent of lead contamination has yet to be determined. The existing natural vegetation on much of the hill creates a moderate/high wildland fire hazard. Across the tracks from Icehouse Hill is a tank farm storing 26 million gallons of flammable fuels.

The entire Baylands subarea is subject to extremely violent ground shaking, liquefaction or landsliding induced by seismic events. The subarea is impacted by noise generated by vehicular and rail traffic, with noise contours of CNEL 70 dB or more along the frontages on the 101 Freeway and Bayshore Boulevard. There is no infrastructure serving most of the Baylands. Development in the subarea would require new roads and railroad overpasses, water and sewer systems and storm drains.

In spite of the amount of vacant land available and its potential proximity to future jobs and transit, the extensive environmental constraints and infrastructure needs burdening this subarea render it unsuitable for residential development.

BEATTY

The Beatty subarea is located between the 101 Freeway Candlestick interchange and the intersection of Tunnel and Beatty Avenues. It is developed with office and warehouse buildings and storage yards, most owned by Norcal/Sanitary Fill Company. The subarea is located in Community Redevelopment Project Areas Numbers One and Two. The General Plan designation of "Heavy Commercial" and current zoning do not permit residential uses.

The majority of uses in this subarea are part of the complex of garbage collection, transfer and recycling operations concentrated to the north, over the border in San Francisco. The impacts of traffic, noise and odor of these uses extend into the Beatty subarea. Freeway noise generates noise contours of CNEL 70 dB or more in the adjoining portion of the subarea. The portion of the subarea atop unengineered refuse landfill is subject to very intense ground-shaking and liquefaction during earthquakes. The uses in this subarea generate traffic over a 24-hour period, may involve hazardous materials, and generate other impacts that are incompatible with residential development.

OWL AND BUCKEYE CANYONS

The Owl and Buckeye Canyons subarea is located west of the Central Brisbane subarea in unincorporated San Mateo County, but is included in the City's sphere of influence. Most of the subarea was purchased by the Wildlife Conservation Board, a division of the State Department of Fish and Game, to preserve the ecologically unique natural environment and provide habitat for three federally listed endangered butterfly species, the Mission blue, the San Bruno elfin and the callippe silverspot, as well as several species of rare plants. A Native American archaeological site is located within the subarea. The subarea largely remains in its undeveloped natural state, with limited existing infrastructure. The entire subarea falls within the jurisdictional boundaries of the San Bruno Mountain Area Habitat Conservation Plan. The subarea is designated as "Open Space" in the City's General Plan. Accordingly, the subarea is not suitable for residential development.

Figure 1.
General Plan Subareas

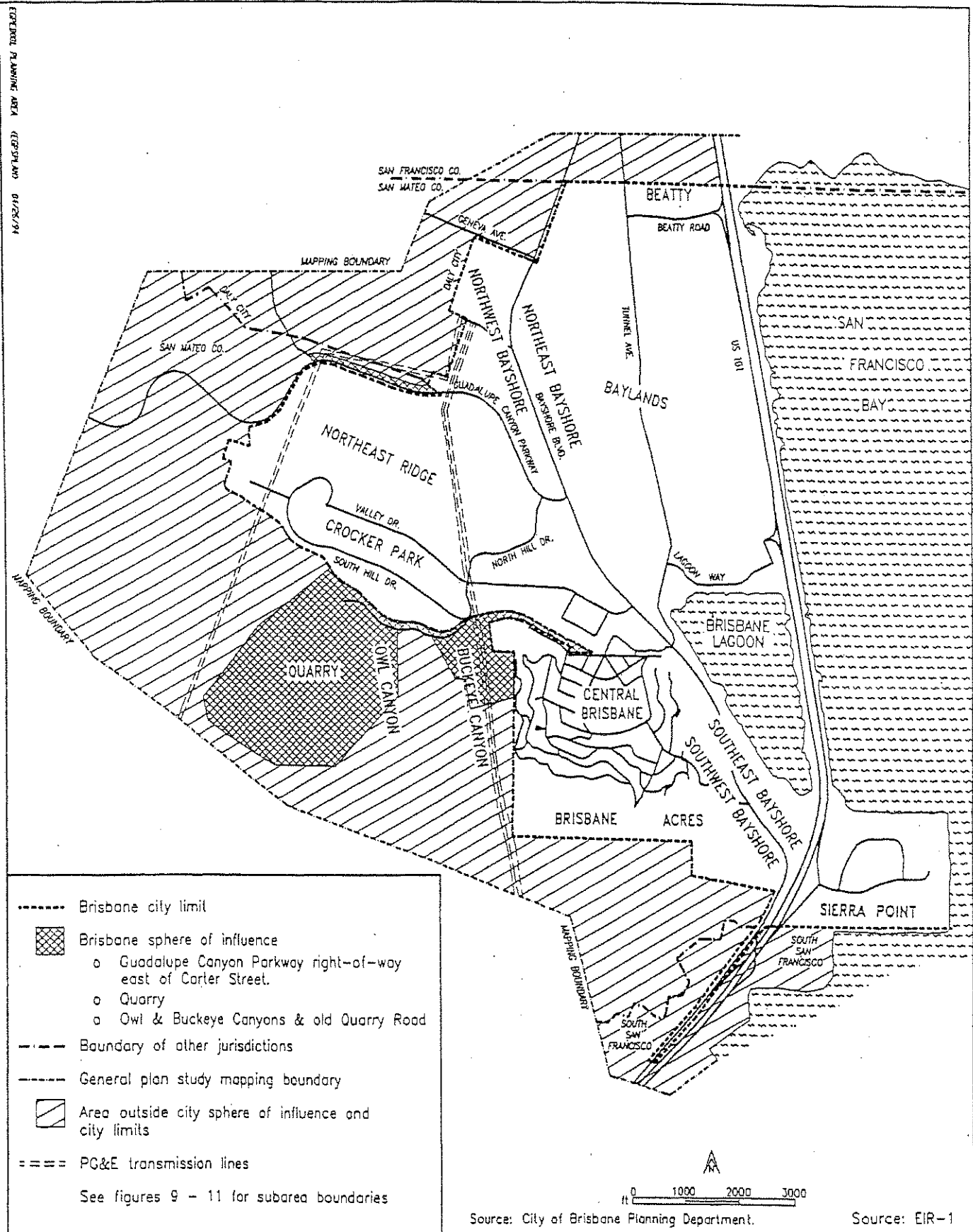


Figure 2.
Zoning Map
(2001)

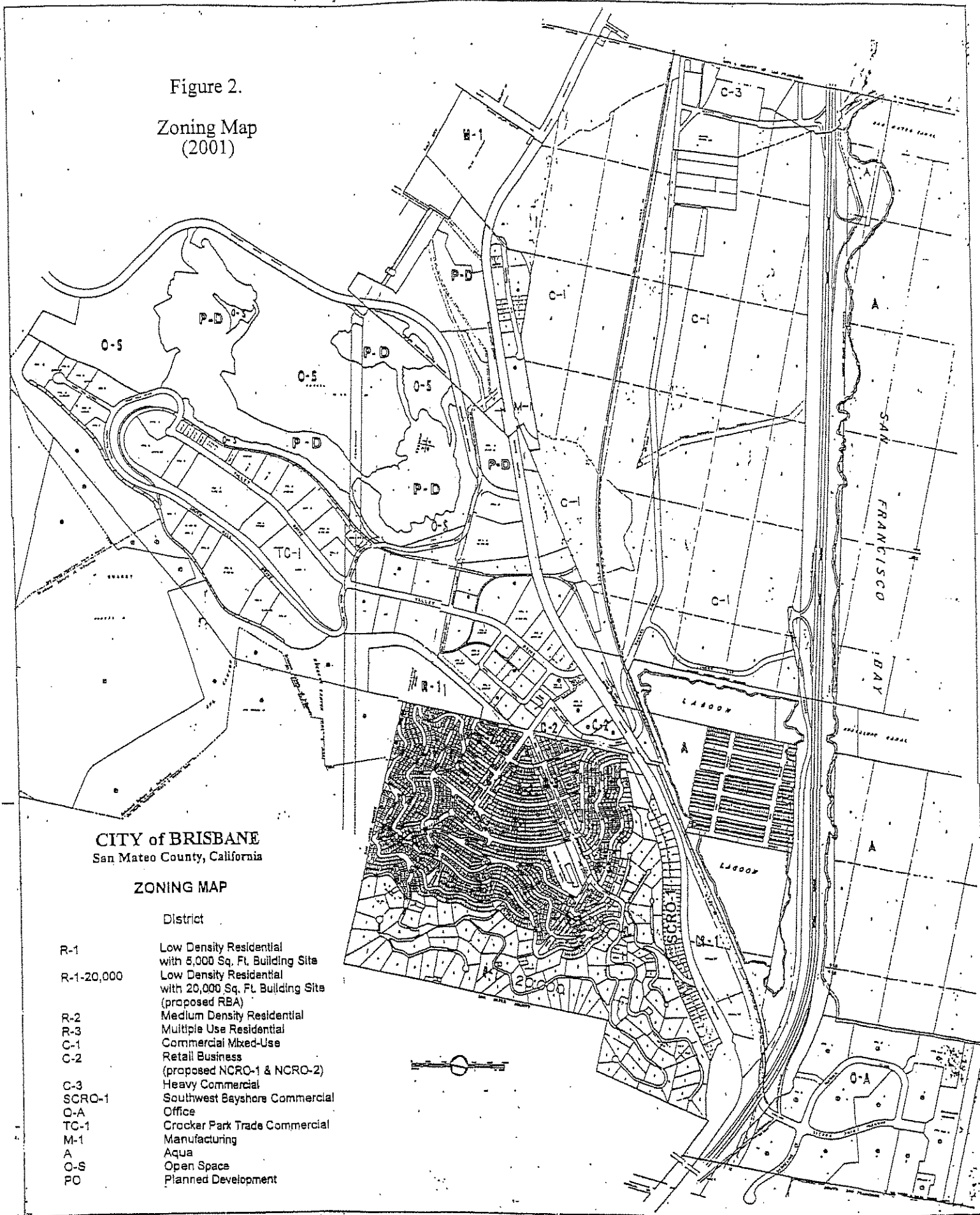


Figure 3.

Zoning Map Detail
(2001)

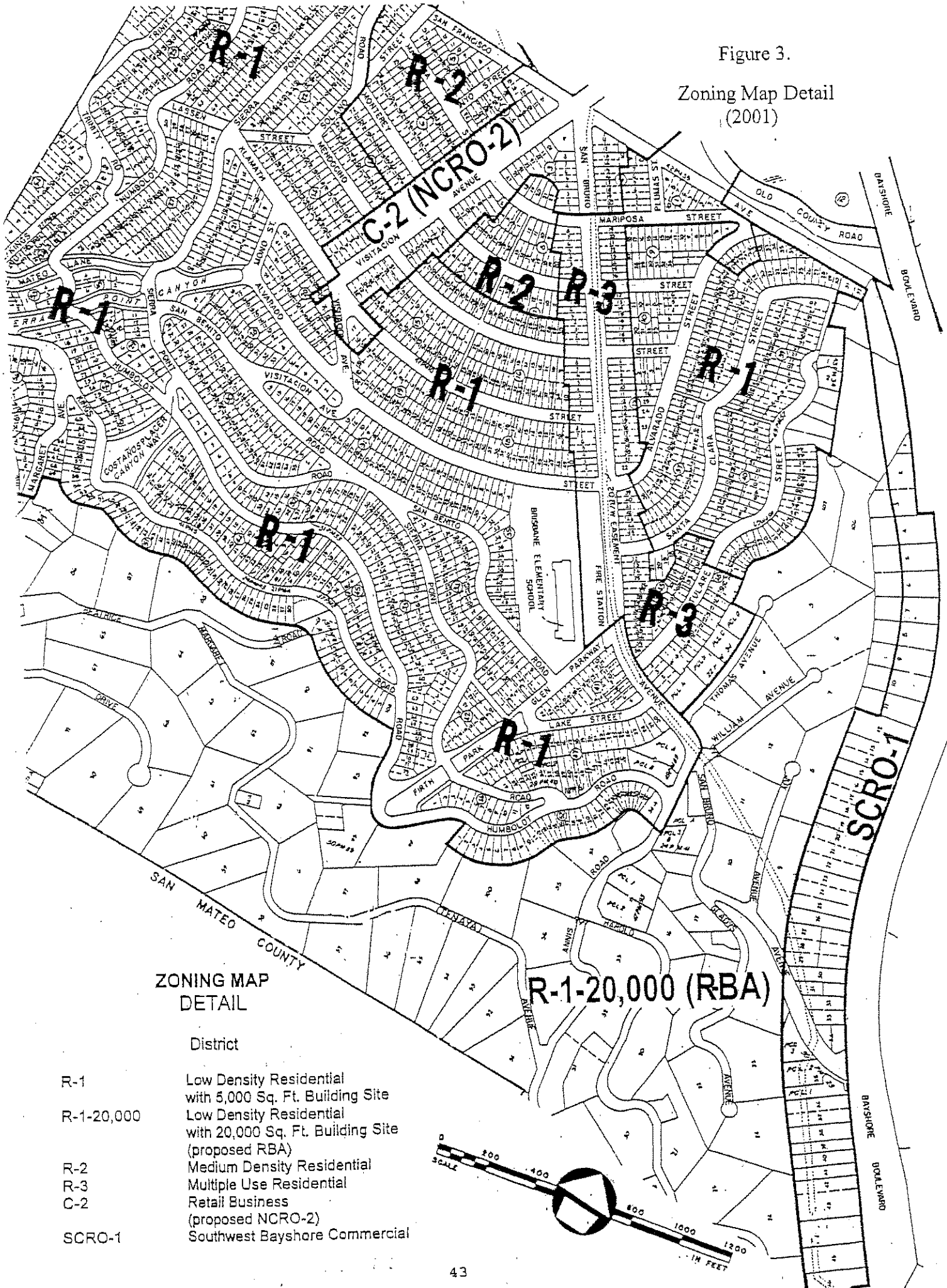


Table 25.

Land Use and Development Standards for Residential and Mixed-Use Zoning District Standards
(Proposed Amendments Introduced July 2002)

	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-BA</u>	<u>NCRO-2</u>	<u>SCRO-1</u>	<u>PD</u>
Permitted Uses							
Single-Family Unit	Yes	Yes	Yes	Yes	No	No	*
Duplex	No	Yes	Yes	No	No	No	*
Multi-Family Units	No	Yes	Yes	No	No	No	*
Conditional Uses							
Single-Family Unit	No	No	No	No	Yes**	Yes	*
Secondary Unit	Yes	No	No	Yes	No	No	*
Duplex	No	No	No	No	Yes**	Yes	*
Multi-Family Units	No	Yes	Yes	No	Yes**	Yes	*
Mobilehome Park	Yes	Yes	Yes	No	No	Yes	*
Units in Mixed-Use	No	No	No	No	Yes	Yes	*
Live/Work Units	No	No	No	No	Yes	Yes	*
Group Care Home	Yes	Yes	Yes	Yes	Yes**	Yes	*
Density Transfer	No	No	No	Yes	No	No	No
Minimum Lot Size (Sq. Ft.)	5,000	5,000	5,000	20,000	2,500	7,500	*
Dwelling unit density***	1/5,000	1/2,500	1/1,500	1/20,000	****	SFR: 1/7,500 Duplex: 1/3,750 MFR: 1/1,500 MU/LW: ***	*
Lot coverage	40%	50%	60%	25%*****	90%	70%	*
Floor area ratio	0.72	0.72	0.72	None	None	None	*
Height limit	28-30 ft.	28-30 ft.	28-30 ft.	35 ft.	28-35 ft.	35 ft.	*
Front Setback	</=15 ft.	</=15 ft.	</=15 ft.	10-20 ft.	0 ft.	0 ft.	*
Side Setbacks	3-5 ft.	3-5 ft.	3-5 ft.	3-15 ft.	0-10 ft.	0-10 ft.	*
Rear Setback	10 ft.	10 ft.	10 ft.	20 ft.	10 ft.	10 ft.	*

*Subject to Specific Plan and PD Permit approval.

** As part of a mixed-use project.

***Mobilehome park densities are currently set in the Zoning Ordinance's General Provisions at a ratio of 1 unit per 3,630 sq. ft.

****Densities established in conjunction with approval of project proposals that successfully address environmental and design issues.

*****Higher coverage possible under Use Permit for Density Transfer

ADEQUACY OF AVAILABLE SITES

State law requires that the Housing Element identify sufficient realistic capacity at appropriate densities and development standards to permit development of a range of housing types and prices to accommodate Brisbane's share of the regional housing need determination (RHND) by income level within the planning period (January 1, 1999 through June 30, 2006) of the Housing Element. Sites that require rezoning may be included as long as a program to accomplish this is included in the Housing Element. Infrastructure capacity, in terms of essential public facilities and services (such as sewer and water system trunk lines and treatment facilities, roads, and storm drainage facilities), must also be identified.

Sites must be specifically identified that are appropriate and feasible for particular income levels. According to State law, appropriate standards are requirements that "contribute significantly to the economic feasibility of producing housing at the lowest possible cost." The land inventory should specifically identify sufficient sites to accommodate the lower-income regional housing need.

As indicated in Table 26, current zoning, with the minor changes discussed above, could theoretically produce a total of 1,490 dwelling units. Adjusting for actual as-built or proposed densities and significant infrastructure/environmental constraints and not including the potential for density bonuses (as many as 43 units), the total would be 1,157 dwelling units. This is more than sufficient to meet the total 1999-2006 RHND of 426 units. Since January 1, 1999, 323 units have already been provided. It could be said that the City has "overzoned" for residential development by creating a surplus of land zoned to accommodate residential uses that far exceeds 20% more than the City's share of the regional housing need, so as to compensate for urban land left vacant due to ownership and development constraints, providing a sufficient supply of land beyond the planning period of the Housing Element to help prevent land shortages from bidding up land costs.

The RHND for Brisbane specifically requires that a portion of the 426-unit capacity be identified for 107 very-low-income affordable units, 43 low-income affordable units and 112 moderate-income affordable units. Since January 1, 1999, the City's senior housing complex has provided 4 very-low-income units, 2 low-income units and 8 moderate-income units. Among the potential for additional affordable housing described above, there are a number of reasonable possibilities.

If the City were able to purchase the site adjoining its property in the Central Brisbane subarea's R-3 District, it could be developed with 10 units at a density of 1 unit per 1,500 sq. ft. With at least 1 of these units affordable to very-low-income households or 2 affordable to low-income households, 2 density bonus units could be added. If the same number of very-low-income units as at the City's senior housing complex were provided with the remainder as low-income units, 4 very-low-income units and 8 low-income units could be provided, assuming rent subsidy programs are available.

Additional affordable housing could be provided with restrictions on secondary dwelling unit approvals to require that studio units would have to be occupied by a low-income household and one-bedroom units would have to be occupied by a moderate-income household. Assuming 1 in 5 potential units is a studio, 40 of the 201 feasible secondary dwelling units would be affordable at low-income levels and the remaining 161 units would be affordable at moderate-income levels.

The largest vacant site in the Central Brisbane subarea's R-1 District could be upzoned to the R-3 District, so that it could be developed with 13 units at 1 unit per 1,500 sq. ft., including 2 units affordable at very-low-income levels (or 3 units affordable at low-income levels), so as to qualify for 2 density bonus units.

The four largest vacant sites in the Southwest Bayshore subarea could be developed at densities of 1 unit per 3,000 sq. ft., including 10% of each site's units (10 out of a total of 85) as affordable at very-

low-income levels [or 18 (20% per site) at low-income levels], so that a 25% bonus would result in an additional 18 units. In addition, if the existing unit density standards for mobilehome parks were repealed, 15 underdeveloped sites in this subarea could be reused as mobilehome parks at a density equivalent to that found at the existing mobilehome park to the north to provide 87 units. In that mobilehome rents in Brisbane have been found to be affordable to very-low-income households (Table 20), density bonuses could increase the number of these units by 21.

As indicated in Table 27, these proposals in addition to the recently completed senior housing complex could provide 135 very-low-income, 50 low-income and 169 moderate-income affordable units. This would be sufficient to meet the RHND for very-low-income, low-income and moderate-income households.

The adequacy of available sites for affordable housing in Brisbane can be further demonstrated by identifying sufficient sites with zoning that permits owner-occupied and rental multi-family residential use by right, including appropriate density and development standards to accommodate and facilitate the development of housing for very-low- and low-income households. As used by the State, the term "use by right" includes mixed-use projects, involving both commercial and residential uses, that require conditional use permits.

The recently-constructed senior housing complex in Central Brisbane's NCRO-2 District (see above), which provided 4 very-low-income, 2 low-income and 8 moderate-income units on an approximately 18, 200 sq. ft. site, with 51% lot coverage and a maximum height of 24 ft., demonstrated that units affordable to very-low and low-income households can be accommodated under the densities and development standards applicable within that zoning district, where residential uses are conditionally permitted as part of a mixed-use project, as well as within the City's R-3 District (see Table 25). The SCRO-1 District also conditionally permits multi-family residential uses at R-3 District densities as part of its mixed uses, and Zoning Ordinance changes are proposed to repeal the current unit density standard for mobilehome parks in this and other districts. As shown in Table 28, these three districts can accommodate multi-family development for 294-326 units (not including possible density bonus units), which exceeds the RHND of 150 units affordable for very-low- and low-income households. The realistic possibility of providing affordable multi-family units is further supported by the results of the City's rent survey (Table 20), which indicate that the highest current multi-family rents in Brisbane are still affordable at moderate-income levels, and the entire range of mobilehome rents are affordable to very-low-income households, based upon the County median (Table 23), so that with incentives such as density bonuses the development of housing for very-low- and low-income households can be accommodated and facilitated.

Table 26.

1999-2006 Zoning Capacity

Subarea/Zoning DistrictCENTRAL BRISBANE

Total Area:	165+/- gross acres, including 12+/- gross acres in the R-3 District (excluding the Community Park and Brisbane Elementary School) and 9+/- gross acres in the NCRO-2 District (excluding the Community Park)
Constraints:	Limited arterial access; long dead-end streets; bottlenecks due to narrow streets, sharp curves, steep grades and on-street parking; wildland fire hazards in specific areas; aging sewer lines; susceptibility to landslide in specific areas; potential to experience very strong shock and possible liquefaction during an earthquake in specific areas; some soils subject to erosion and slippage
Residential Uses:	Permitted at 1 unit per 5,000 sq. ft. in the R-1 District, 1 unit per 2,500 sq. ft. in the R-2 District and 1 unit per 1,500 sq. ft. in the R-3 District; conditionally permitted in the NCRO-2 District as part of a mixed-used project, with no maximum density

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>R-1 District</u> (8.8 acres vacant)		
Units under construction since 1/1/99	9	9
Standard vacant sites	19	19
Substandard vacant sites	14	14
Unrecorded vacant subdivisions	14	14
Variance for vacant site	1	1
Amend Substandard Lot provisions	14	14
Secondary units on vacant and developed sites	327	201
<u>R-2 District</u> (0.1 acre vacant)		
Substandard vacant sites	1	1
Partially developed sites	4	4
Aggregation/Replacement	25	25
<u>R-3 District</u> (0.4 acre vacant)		
Units under construction since 1/1/99	4	4
Vacant standard sites	9	9
Combined vacant sites	1	1
Vacant substandard sites	1	1
Partially developed sites	9	6
Aggregation /Replacement	65	48
Rezone 4 sites in R-1 District	23	23
<u>NCRO-2 District</u> (0 acres vacant)		
Units under construction since 1/1/99	N/A	15
Underutilized sites for mixed-use projects	N/A	19

(Continued on following page)

Table 26.

1999-2006 Zoning Capacity
(Continued from previous page)

Subarea/Zoning DistrictBRISBANE ACRES

Total Area:	132+/- gross acres (including 9.4 acres conserved)
Constraints:	High-to-extreme fire hazards; soils subject to slippage and erosion; susceptibility to landslides and debris flows in specific areas; traffic noise impacts in specific areas; endangered species habitat; steep terrain; streets and utilities lacking or below-standard in most areas
Residential Uses:	Permitted at 1 unit per 20,000 sq. ft.

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>R-BA District</u> (108.5 acres vacant, not conserved)		
Vacant sites	236	35
Units through Transferable Development Rights	0	134

NORTHEAST RIDGE

Total Area:	228 gross acres (including 135.3 acres conserved)
Constraints:	Endangered species habitat; soils subject to slippage and erosion; susceptibility to landslides and intense ground-shaking during earthquakes in specific areas; debris flows in specific areas; wildland fire hazards; traffic noise impacts in specific areas
Residential Uses:	Permitted at 1 unit per 2,890 sq. ft. in Altamar at the Ridge, 1 unit per 3,998 sq. ft. in Viewpoint at the Ridge, and 1 unit per 7,410 sq. ft. in Landmark at the Ridge

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>PD District</u> (28.2 acres vacant, not conserved)		
Units under construction since 1/1/99	294	294
First Phase: Single-Family Units	37	37
Second Phase: Single-Family Units	60	60
Second Phase: Multi-Family Units	108***	0

(Continued on following page)

Table 26.

1999-2006 Zoning Capacity
(Continued from previous page)

Subarea/Zoning District

SOUTHWEST BAYSHORE

Total Area:	19+/- gross acres
Constraints:	Steep slopes susceptible to landsliding and erosion in specific areas; wildland fire hazards in specific areas; susceptibility to liquefaction during an earthquake in specific areas; endangered species habitat; traffic noise impacts
Residential Uses:	Conditionally permitted in this mixed-use district at up to 1 unit per 1,5000 sq. ft.

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
SCRO-1 District (6.5 acres vacant)		
Units under construction since 1/1/99	1	1
4 vacant sites with upzoning of R-1-20,000 portion	162	81
Combine and reuse 15 underutilized sites for mobilehomes (Adjusted assumes repeal of unit density standards)	52	87

QUARRY

Total Area:	145 gross acres
Constraints:	Endangered species habitat; regrading of approximately 86.4 acres; lack of sewer service; limited access; need for storm drainage and water service upgrades
Residential Uses:	Proposed to be permitted under a Planned Development at an average of 1 unit per 3,960 sq. ft.

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
PD District (proposed) (19 acres for development)		
Underutilized site proposed for development	N/A	undetermined

NORTHWEST BAYSHORE

Total Area:	72+/- gross acres
Constraints:	Endangered species habitat; wildland fire hazard; steep slopes subject to erosion; risk of seismically induced landslides; debris flows; traffic noise impacts; limited access, utilities and storm drainage infrastructure
Residential Uses:	Conditionally permitted as part of a mixed-use project; density to be determined as part of future Planned Development

	Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
PD District (31.3 acres vacant)		
Vacant sites	N/A	undetermined

(Continued on following page)

Table 26.

1999-2006 Zoning Capacity
(Continued from previous page)

	Total Number of Units	
	<u>Maximum*</u>	<u>Adjusted**</u>
TOTAL CAPACITY	1,490***	1,157

*Based upon maximum density under current or proposed zoning district regulations, under conditions detailed in text. Includes 308 units built since 1/1/99.

**Based upon density of actual, approved or proposed projects, under conditions detailed in text, not including the potential for 25% density bonus under State law (note that Housing Element policy could allow greater bonus). Includes 323 units built since 1/1/99.

***Including 108 units in the Northeast Ridge subarea projected not to be developed until after 2006 (see text).

N/A No maximum density set under current zoning district regulations.

Table 27.
1999-2006 Zoning Capacity
for Very-Low-, Low- and Moderate-Income Households

	Adjusted* Capacity for Units Affordable to		
	<u>Very-Low Income</u>	<u>Low Income</u>	<u>Moderate Income</u>
<u>CENTRAL BRISBANE</u>			
<u>R-1 District</u>			
Secondary units on vacant and developed sites	0	40	161
<u>R-3 District</u>			
City acquisition of adjoining vacant site with 2 density bonus units	4	8	0
Develop 13 units on largest rezoned site with 2 density bonus units	1	0	0
Aggregation /Replacement with 11 density bonus units	8	0	0
<u>NCRO-2 District</u>			
City's senior housing complex built since 1/1/99	4	2	8
<u>SOUTHWEST BAYSHORE</u>			
<u>SCRO-1 District</u>			
4 Vacant sites @ 1/3,000 with 18 density bonus units	10	0	0
Reuse 15 underdeveloped sites as very-low- income-affordable mobilehome parks qualifying for 21 density bonus units, also very-low- income affordable	108	0	0
<u>TOTAL</u>	135	50	169
<u>1999-2006 RHND</u>	107	43	112
<u>DIFFERENCE</u>	+28	+7	+57

*Based upon density of actual, approved or proposed projects, under conditions detailed in text.

Table 28.

1999-2006 Zoning Capacity
in Zoning Districts that Permit Multi-Family Uses by Right and Residential Mixed-Use Projects
with Density and Development Standards Feasible for Very-Low- and Low-Income Housing

<u>Subarea/Zoning District</u>	<u>Number of Units</u>	
	<u>Maximum*</u>	<u>Adjusted**</u>
<u>CENTRAL BRISBANE</u>		
<u>R-3 District</u>		
Units under construction since 1/1/99	4	4
Vacant standard sites	9	9
Combined vacant sites	1	1
Partially developed sites	9	6
Aggregation /Replacement	65	48
Rezone 4 sites in R-1 District	23	23
<u>NCRO-2 District</u>		
Units under construction since 1/1/99	N/A	15
Underutilized sites for mixed-use projects	N/A	19
<u>SOUTHWEST BAYSHORE</u>		
<u>SCRO-1 District</u>		
Units under construction since 1/1/99	1	1
4 vacant sites with upzoning of R-1-20,000 portion	162	81
Combine and reuse 15 underutilized sites for mobilehomes (Adjusted with repealed unit density standards)	52	87
TOTAL CAPACITY	326	294

*Based upon maximum density under current or proposed zoning district regulations, under conditions detailed in text.

**Based upon density of actual, approved or proposed projects, under conditions detailed in text.

N/A No maximum density set under current zoning district regulations.

SECTION IV.

HOUSING CONSTRAINTS

NON-GOVERNMENTAL CONSTRAINTS

The cost of producing housing is driven by three major components: the cost of the land, the cost of construction (materials and labor), and the cost of money (interest). The price of the housing is set by the market. The difference between the cost of housing and the amount a willing buyer or renter will pay on the open market is the profit to the developer/builder/owner. Cost savings to the producer do not necessarily reflect in the price to the consumer. When the cost of producing housing is higher than the target market segment can afford, the project will not be built or will require a subsidy.

LAND

Available land in the San Francisco Bay Area for new housing construction is scarce. The land that was easy to access and inexpensive to prepare for construction has long ago been developed. Available residential sites either have significant development constraints that must be addressed at substantial cost, or result from a change of land use or intensification of existing use.

In Brisbane, residentially zoned lots are still available [vacant lots in the Central Brisbane subarea have sold in the past four years for anywhere between \$69,000 and \$95,750 in the R-1 District and \$88,000-\$120,000 (\$16.67-\$20.00 per sq. ft.) in the R-3 District], but most have severe development constraints, including steep slopes, lack of infrastructure and the presence of endangered species habitat. The land is zoned for residential development and the City anticipates that development will occur there. However, it will take investment greater than that typically anticipated to make the land safe and suitable for development.

The National Association of Home Builders describes the cost of producing a new home as follows:

The finished lot (land and infrastructure)=23.6% of the sales price.
Actual construction costs (labor and materials)=54.8%
Overhead, construction financing, marketing and sales commissions=12.4%
Profit=9.2%.

The price of land by itself affects the improvements that will be constructed on it. Developers generally maintain a balance between the cost of land and the anticipated market value of the unit. Without a relationship of at least 3:1, it is unlikely that a builder would obtain financing to proceed with a project. The more expensive the finished lot, the more expensive will be the home designed to be placed upon it. That is why market-rate "starter homes" are to be found in outlying areas, where the land is flat, infrastructure easy to install, and the land typically less expensive. See Figure 2, which compares recent new homes for sale in the Greater Bay Area.

According to the Real Estate Council of Northern California, during the year ending in October 1989, the relative value of residential land in the Bay Area climbed 34.3 percent and the value of land accounted for 52.3 percent of the appraised value of Peninsula homes, a higher percentage than anywhere else in the Bay Area. An analysis of vacant land costs specific to the City of Brisbane is difficult to perform, given the small number of transactions.

Figure 4.

Greater Bay Area New Homes Sales



Source: San Francisco Chronicle, Real Estate Section, Sunday November 11, 2001.

ALAMEDA COUNTY		
1. Marina Cove	3-4 bedroom, single-family up to 2470 sf.	"from the \$500,000s"
CASTRO VALLEY		
2. Palomares Hills	4-5 bedroom, single-family 2454-3069 sf.	"from the \$600,000s"
129. West Ridge Estates	4 bedroom single-family	"from \$608,000"
DUBLIN		
3. Chantemar	6b single-family 3500-3800 sf.	"from the \$600,000s"
HAYWARD		
4. Bailey Ranch	4-7 bedroom single-family	"from the low \$700,000s"
5. City Walk	2-4 bedroom townhouse 1361-1556 sf.	"from the mid \$300,000s"
FREMONT		
6. Davis Square	2,000-2,500 sf. single-family	"from the \$500,000s"
7. Greenwich	2-3 bedroom 1400-1600 sf townhouse	"from the high \$300,000s"
LIVERMORE		
8. Dunsmuir	4-6 bedroom, single-family	"from the upper \$600,000s"
9. The Vintage Collection	3100-4100 sf. single-family	"from the \$800,000s"
10. Vintners Green	3-5 bedroom single-family 2530-3498 sf.	"from the mid \$600,000s"
OAKLAND		
11. Altavilla Estates	4-5 bedroom single-family	"from the high \$700,000s"
12. Durant Village	1743 sf. condo	"from the low \$200,000s"
PLEASANTON		
13. Nolan Farms	3-5 bedroom single-family up to 4129 sf	"from the high \$700,000s"
14. Rivasco at Ruby Hill	4-6 bedroom single-family 3142-3659 sf.	"from \$1,400,900"
15. Villas at Ruby Hill	"luxury"	"from \$1,185,000"
16. Bridle Creek	5-6 bedroom single-family up to 4,465 sf.	"from the low \$1,000,000s"
17. Rose Avenue Estates	4-5 bedroom single-family 2895-3751 sf	"from the \$700,000s"
SAN LEANDRO		
18. Cherrywood	3-4 bedroom single-family 1700 sf	"from the high \$300,000s"
UNION CITY		
19. Ashford Place	4-5 bedroom single-family 1978-2671 sf	"from the high \$500,000s"
20. Ponderosa Cove	4-5 bedroom single-family 2503-3642 sf	"from the high \$700,000s"
21. Ryland Glen	2-3 bedroom condominium up to 1600 sf	"from the mid \$300,000s"
ALAMO		
22. The Alamo Collections	"handcrafted"	"from the \$995,000s"
23. Stone Valley Oaks	4-5 bedroom single-family 3600-5300 sf	"from the low \$1,000,000s"
ANTIOCH		
24. Lone Tree Estates	3-6 bedroom single-family 2356-3349 sf	"from the mid \$300,000s"
25. Meadow Creek Springs	4-6 bedroom single-family up to 3312 sf	"from the \$300,000s"
26. Richland	3-5 bedroom single-family 1780-2185 sf	"from the \$200,000s"
27. Vicerra Ranch	3-6 bedroom single-family 2171-2698 sf	"from the \$290,000s"
28. Mira Vista Ridge	4-5 bedroom single-family	"from the \$300,000s"

	up to 3600 sf	
29. Provance	6 bedroom single-family up to 3821 sf	"from the \$300,000s"
30. Terrazza	7 bedroom single-family up to 3410 sf	"from the \$300,000s"
BRENTWOOD		
31. California Orchard	3-6 bedroom single-family 2152-3753 sf	"from the \$300,000s"
32. Heritage Grove	3-5 bedroom single-family	"from the \$300,000s"
33. Inverness	6 bedroom single-family 2610-3705 sf	"from the \$400,000s"
34. Parkview	"master planned"	"from the mid \$200,000s"
35. Pinhurst	4 bedroom single-family 1882-2438 sf	"from the \$300,000s"
36. Dry Creek	3-6 bedroom single-family 2235-3644 sf	"from the \$400,000s"
37. Turnberry	6 bedroom single-family 2026-3055 sf	"from the \$300,000s"
38. Traditions	3-5 bedroom single-family up to 2750 sf	"from 299,900"
CLAYTON		
39. Crystyl Ranch	2400-4500 sf single-family	"from the upper \$500,000s"
DANVILLE		
40. Diablo Ranch Estates	"luxury homes"	"from \$1,275,000"
41. The Village	4-5 bedroom single-family up to 3749 sf	"from the \$600,000s"
HERCULES		
42. Belletierre	4-5 bedroom single-family	"from the \$400,000s"
43. Coventry	3-5 bedroom single-family 2256-2830 sf	"from the mid \$400,000s"
44. Sycamore Villas	3-4 bedroom single-family 2081-2410 sf	"from the \$400,000s"
MORAGA		
45. Sonsara	3-5 bedroom single-family up to 3800 sf	"from \$1,095,000"
OAKLEY		
46. Marsh Creek	3-7 bedroom single-family 1569-3685 sf	"from the \$200,000s"
PINOLE		
47. Harbour Vista	4-5 bedroom single-family	"from the mid \$400,000s"
PITTSBURG		
48. Harbor Lights	3-4 bedroom single-family 1391-2158 sf	"from the mid \$400,000s"
49. Capistrano	to 5 bedroom single-family 1785-3319 sf	"from the low \$300,000s"
50. San Marco	to 7 bedroom single-family 1870-3600 sf	"from the mid \$300,000s"
RICHMOND		
51. Canyon Oaks	4-5 bedroom single-family 2004-2579 sf	"from the \$400,000s"
52. Crossroads	3-4 bedroom single-family up to 1689 sf	"from \$330,000"
53. Cypress	3-4 bedroom single-family up to 2018 sf	"from \$370,000"
54. Spyglass	4-5 bedroom single-family up to 2410 sf	"from the low \$400,000s"
SAN RAMON		
55. The Bridges	2-5 bedroom single-family 1354- 3822 sf	"from the mid \$400,000s"
56. Lyon Dorado & Tierra	3-5 bedroom single-family	"from the mid \$500,000s"

86. The Cove & Riverview	3-4 bedroom single-family 1300-2231 sf	"from \$180,000"
SAN FRANCISCO		
87. Providence	2-3 bedroom condos Up to 2200 sf	"from the low \$500,000s"
TRACY		
88. Junction	3-5 bedroom single-family 1775-2298 sf	"from the mid \$200,000s"
DALY CITY		
89. Bay Vista	3-5 bedroom single-family 1954-2662 sf	"from the \$500,000s"
EAST PALO ALTO		
90. University Square	3-4 bedroom single-family	"from the mid \$500,000s"
PACIFICA		
92. Outlook Heights	3-4 bedroom single-family 2000-2500 sf	"from the mid \$600,000s"
SAN MATEO		
93. Cedar Bay	3 bedroom -no type given to 1781 sf	"from \$599,000"
94. Marble Bay	2-3 bedroom townhome to 1312 sf	"from \$429,000"
SOUTH SAN FRANCISCO		
95. Mandalay Heights	4-5 bedroom single-family to 3385 sf	"from the \$800,000s"
LOS GATOS		
96. Heritage Grove	3-5 bedroom single-family to 3700 sf	"from the mid \$1,000,000s"
SAN JOSE		
97. Kensington Square	5 bedroom single-family 2525 sf	"from the mid \$600,000s"
98. Meadowfaire	Models for sale	"from \$549,950"
99. Veranda	4-6 bedroom single-family up to 3100 sf	"from the upper \$700,000s"
100. Carmelain Heights	5-6 bedroom single-family to 4747 sf	"from the mid \$1,000,000s"
SANTA CLARA		
101. Talavera	4-5 bedroom single-family to 2366 sf	"from the mid \$600,000s"
CORDELIA		
102. The Ranch	3-6 bedroom single-family 1743-3245 sf	"from the \$200,000s"
FAIRFIELD		
103. Lyon Falls & Brook	3-5 bedroom single-family 2113-3255 sf	No price given
104. Visions	4-5 bedroom single-family 2331-3555 sf	"in the high \$300,000s"
105. The Estates	3-4 bedroom single-family 2444-3312 sf	"from the mid \$200,000s"
GREEN VALLEY LAKE		
106. The Vineyards	1306-3530 sf single-family	"from the \$200,000s"
RIO VISTA		
107. Homecoming	3-4 bedroom single-family	"from the \$190,00s"
108. Trilogy	Adult community	"from the high \$150,000s"
VACAVILLE		
109. California Springs	1844-3100 sf single-family	"from the \$200,000s"
110. Westgate Village	1382-2043 sf single-family	"from the \$200,000s"
VALLEJO		
111. Hiddenbrooke	"master planned community"	"from the \$500,000s"
112. Westchester	3-6 bedroom single-family	"from the low \$500,000s"
113. The Knolls	Adult community	"from the \$300,000s"

	2135-4173 sf	
WALNUT CREEK		
57. Iron Horse Lofts	"live/work lofts"	"starting at \$375,000"
58. Stephen Ridge	3000-3499 sf single-family	"\$800,000 to \$900,000"
EL DORADO HILLS		
59. Tessoro	"architecturally inspired" single-family	"from the \$500,000s"
60. Windsor Point	to 6 bedroom single-family 3308-3767 sf	"from the high \$300,000s"
61. Lyon Cassina & Prima	3-5 bedroom single-family 2518-3198 sf	"from the \$300,000s"
NOVATO		
62. Hamilton	3-5 bedroom single-family	"from the low \$600,000s"
63. Tranquility	"handcrafted homes"	"from \$991,000"
64. Inspiration	"handcrafted homes"	"from \$1,095,000"
SAN GERONIMO		
65. French Ranch	"classic architecture"	"priced at \$1,295,000"
SAN RAFAEL		
66. Marin Lofts	2-3 bedroom lofts 1752-2450 sf	"from \$649,500"
130. The Preserve	2-4 bedroom single-family	"from \$575,000"
TIBURON		
67. Chandler's Gate	1321-1960 sf single-family	"from the high \$800,000s"
AMERICAN CANYON		
68. Bella Terra	4-5 bedroom single-family 2323-3049 sf	"from the mid \$300,000s"
69. Chesapeake	3-5 bedroom single-family to 3576 sf	"from the \$200,000s"
70. La Siena	to 8 bedroom single-family to 3600 sf	"from the \$300,000s"
71. La Vigne	3-6 bedroom single-family 1856-3377 sf	"from the \$300,000s"
72. Poppy Meadows	4-5 bedroom single-family 1845-2724 sf	"from the \$300,000s"
73. The Preserve	3-6 bedroom single-family 2378-3539 sf	"from the high \$300,000s"
NAPA		
74. Legacy Court	3-4 bedroom single-family 2237-2309 sf	"from \$387,900"
75. Lexington	"distinctive"	No price given
76. Custom Collection	3-4 bedroom single-family	"from the low \$400,000s"
77. Estates	4-6 bedroom single-family	"from the low \$1,000,000s"
LINCOLN		
78. Sun City	"adult community"	"from the mid \$170,000s"
ROSEVILLE		
79. Huntington Green	4-6 bedroom single-family	"from the low \$300,000s"
80. Oak Hill Estates	4-6 bedroom single-family 2908-3811 sf	"from the \$300,000s"
ELK GROVE		
81. Sutter Glenn	3-5 bedroom single-family 1612-2702 sf	"from the \$200,000s"
ROCKLIN		
82. Granite Point	3-6 bedroom single-family 2038-3146 sf	"from the mid \$200,000s"
83. Ryland Fieldstone	3-6 bedroom single-family 1645-2383 sf	"from the low \$200,000s"
SACRAMENTO		
84. Palazzo	2188-2798 sf single-family	"from the high \$200,000s"
WEST SACRAMENTO		
85. Bridgeway Island	3-5 bedroom single-family	"from \$160,000"

114. The Village	To 2637 sf single-family	"from \$365,000"
115. Tiara	To 2149 sf single-family	"from the low \$300,000s"
116. Estancia	3-7 bedroom single-family 2457-3889 sf	"from the \$400,000s"
117. Castello	To 5 bedroom single-family To 3335 sf	"from the \$400,000s"
118. The Heights	2585-3914 single-family	"from the mid \$500,000s"
HEALDSBURG		
119. The Brambles	3-5 bedroom single-family 1779-2498 sf	"from the low \$400,000s"
SANTA ROSA		
121. Classics	4 bedroom single-family 2700-3200 sf	"from the low \$400,000s"
122. Heritage Pointe	3-4 bedroom single-family over 1700 sf	"from the high \$200,000s"
123. Skyhawk	3-5 bedroom single-family to 4080 sf	"from the low \$500,000s"
124. Tuscany	To 3570 sf single-family	"from the \$600,000s"
125. Vistara	4-5 bedroom single-family	"from the \$700,000s"
126. Townsquare	3-5 bedroom single-family	"from the \$300,000s"
SONOMA		
127. Heritage Court	"architecturally striking"	"from \$449,950"
WINDSOR		
128. Vintana	3-4 bedroom single-family to 2182 sf	"from the low \$300,000s"

CONSTRUCTION

Construction costs play a significant role in the price of new housing. Labor and material costs have continued to rise. In the recent economic boom, construction activity was so heated that labor and materials became scarce, further escalating construction costs.

The major components of construction costs include: (1) foundation and framing (44%); (2) roof, siding and windows (24%); (3) insulation, sheetrock, tape and texture (8%); (5) site and soil preparation (6%); (6) finish work including cabinets, fixtures and paint (5%); and (7) masonry work (2%). In residential areas of Brisbane, because of steep terrain, projects often require extensive foundation and soil preparation, which means that construction costs in Brisbane would generally exceed those elsewhere in the County of San Mateo.

The following table illustrates recent construction costs per square foot in the San Francisco Bay Area for both single-family and multi-family units according to the International Conference of Building Officials. Local contractors advise that these figures are low and recommend at least a \$150 per square foot figure for single-family and non-high rise multi-family construction.

Table 29.

Building Valuation Data (March-April 2001)
Rated Good With Regional Modifier for San Francisco Bay Area 1.13

Dwellings

Type V: Masonry \$107.35

Type V: Wood Frame \$ 74.58

Apartment Houses

Type V: Masonry \$ 98.31

Type V: Wood Frame \$ 90.85

Table 30 illustrates the general increase in construction costs since the analysis presented in the 1990-1997 Housing Element. Note the concurrent increase in the size of units since 1993.

The increase in construction costs also reflects the demand of the market for more elaborate designs and expensive materials and finishes. New housing produced at any given time will reflect what the potential buyer/renter finds desirable and what the lending institutions consider a good risk.

FINANCING

In order to qualify for a mortgage loan, an applicant must be able to provide a degree of financial stability. Generally, as the amount of mortgage increases, the more proof lending institutions require. Mortgage loans typically can cover up to 90% of the home cost. New programs are available to qualified first-time buyers that may exceed that.

The source of financing has changed dramatically over the last few years. No longer is a local lending institution the typical source of a mortgage. With the use of the internet and the

Table 30.

Dwelling Size and Cost for Construction in Brisbane (1990-2001)

Dwelling Type	Year	Typical Size* In Square Feet	Estimated Cost of Construction**
Single-Family			
	1990	1500	\$97,500 (1)
	1993	2,004	\$130,260 (1)
		1980	\$128,700 (1)
	1996	3000	\$259,500 (2)
	1997	1846	\$159,679 (2)
	1998	2684	\$232,166 (2)
	1999	4862	\$500,786 (3)
	2000-2001	3618	\$372,654 (3)
		4487	\$462,161 (3)
		2421	\$249,363 (3)
		3630	\$373,890
Multi-Family			
	1999	4,422 (2 units)	\$455,466 (3)
	2000-2001	5,068 (2 units)	\$522,004 (3)
Single-Family With Secondary Dwelling Unit			
	2000-2001	4,898 (598 SDU)	\$504,494 (3)

*Based on building permits issued.

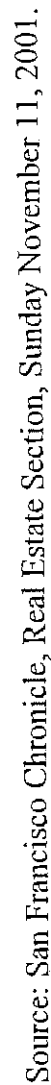
** Based on the following valuations:

- (1) \$65 per square foot valuation reported on City of Brisbane building permits 1990-93.
- (2) ICBO Building Valuation Data April 1993
- (3) ICBO Building Valuation Data March/April 2001

constraints, as interest rates rise and fall the real price of housing may remain the same to the consumer. For example, often, as interest rates fall, sale prices rise, as more buyers become eligible for financing, creating greater demand for the available units.

The California Association of Realtors (CAR) maintains a Housing Affordability Index for home ownership. The Index shows "the percentage of households in California able to afford a median-priced home." In September 2000 the index was 31%. It rose to 32% in September 2001. According to CAR, the median price of a single-family home in California rose 12.3 percent year to year, yet affordability improved due to declining interest rates. The decline in interest rates is shown in Figure 5, originally published in the November 11, 2001 issue of the San Francisco Chronicle. This figure illustrates the effect of fluctuations in mortgage interest rates upon income eligibility.

Mortgage Rates and Income Eligibility



In a news release dated November 1, 2001, CAR reported that, according to the Housing Affordability Index, as of September 2001, "at 15 percent, San Francisco was the least affordable county in the state, followed by Contra Costa at 16 percent." For San Mateo County, the index was at 19 percent, and for the San Francisco Bay Area overall, affordability was 23 percent.

In an article entitled "California at a Crossroads—Examining the State's Affordability Crisis," CAR identifies a disparity between increasing home prices and median incomes. The state's median housing price increased 356 percent between 1976 and 1999; median household income increased only 244 percent for the same period. For the Bay Area, the economic boom that accompanied the growth of the dot.com industry, "remapped [homeownership opportunities] in an unequal way, locking lower-income and, increasingly, middle-class households out of homeownership." In this article, the Bay Area is identified as the "epicenter of the affordability quake." This is very clearly illustrated by examining Figure 2, the New Homes Map and listings published in the San Francisco Chronicle Real Estate Section. Three to five-bedroom homes are available in the \$200,000 range in Antioch, Oakley, Elk Grove, Rocklin, Sacramento, Tracy and other communities within a long commuting distance of the San Francisco Bay Area, but for Daly City, Pacifica and South San Francisco, the range is upward of \$600,000.

CAR's affordable housing task force developed a comprehensive series of actions that they believe will meet "the housing affordability challenge." The first is to pass legislation that will make the California Housing Loan Insurance Fund, the state's existing low-cost mortgage insurer, independent from the California Housing Finance Agency and to provide at least \$2 billion dollars of low-cost mortgage insurance. Next is to reform housing laws to reward local governments that allow more units to be built in an expeditious manner and make it more difficult for local governments to deny housing projects. Also, CAR proposes to establish state grants to local governments to establish a security deposit guarantee program for high-cost housing areas where tenants have a difficult time with up-front costs. This program illustrates the difficulty and contradictions prevalent in current thinking about the housing problem. In this case, the program includes government involvement in subsidy programs and government abstention in terms of land use.

ADDRESSING THESE CONSTRAINTS

Land, construction and financing costs are beyond local control. The City has no influence over the factors affecting interest rates, wage and material costs and the power of the real estate market to set prices and construct the products that meet consumer demand.

Although the City of Brisbane may zone properties for high-density multi-family construction, the assumption that such a property will in fact produce multi-family units at construction cost savings and, therefore, price savings to the consumer, does not always hold true. For quite some time, lower-density development has produced greater profit, reflecting market demand, and resulting in a density of development lower than the maximum zoning allows.

The City can affect land, construction and financing costs, and therefore reduce housing costs, through subsidy programs. By utilizing local, available State and Federal subsidy programs, including Redevelopment Low and Moderate Income Housing Funds, the City can offset land costs, construction costs, mortgage or rental costs or otherwise assist affordable housing projects. The City can also offer density bonuses, designate sites for residential development at densities that have the potential to reduce per unit costs, and take other steps to encourage the private market, but without subsidy programs there is no guarantee that the housing produced will be affordable in the short or long term.

See Policy H1, Program H1a, Program H1a(1), Program H1c, Program H2d, Policy H7, Program H7a, Program H7a(1), Policy H8, Program H8a, Policy H9, Program H9a, Program H9b, Policy H11, Program H11a, Program H11b, Program H11d, Program H11g, Program H11h, Program H11j, Program H17a

GOVERNMENTAL CONSTRAINTS

The matter of governmental constraints on the production, availability and affordability of housing historically has been a contentious issue, since “constraint” is defined from different perspectives. In a publication entitled “The Truth about Regulatory Barriers to Housing Affordability,” the National Association of Home Builders (NAHB) speaks to “a riptide of government regulations imposed at the local, state and federal levels [to control] how housing is constructed, where it is built, development density and the fees and taxes imposed on builders to pay for roads, schools and other off-site infrastructure.” The article says that these regulations drive the cost of a new home up 10 percent or more in a typical market. In San Francisco, the article says, 28.6 percent of the sales price “could be trimmed if the regulatory process was reformed and streamlined.” See Figure 6, a chart published by the NAHB, entitled “Web of Regulation Makes New Homes More Expensive.”

The major constraints identified by the NAHB were (1.) increases in state, federal and local regulations, resulting in a regulatory process in need of streamlining; (2.) the length of time to obtain single-family project approvals, including delays in permit processing and delays in inspections during construction; (3.) increases in sewer, water and impact fees, costs which need to be reduced and spread to others; and (4.) increases in the costs of construction materials and labor as a result of governmental regulations.

The City of Brisbane, a municipal government, has a legal obligation to abide by and implement the applicable policies, programs, and health and safety regulations of the County of San Mateo, regional government, and State and Federal agencies. The City’s discretion on the application of many regulations is limited. The City’s discretion is further constrained by its obligation to provide municipal services and to protect the health, safety and welfare of its citizens. Therefore, central to a City’s function is the application of various policies, ordinances, and regulations. And critical to its function is the responsibility to assure that sufficient revenues are available to provide public safety and municipal services.

The discussion below focuses on these powers and obligations and examines to what extent housing constraints may exist and in what ways these constraints can be reduced or eliminated.

LAND USE REGULATIONS

The General Plan

The Government Code of the State of California requires that the City of Brisbane adopt a General Plan, a part of which is the Housing Element. Another is a Land Use Element, described in Section 65302(a) as follows:

A land use element which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space...education, public buildings and grounds, solid and liquid waste disposal and other categories of public and private uses of land. The land use element shall include a statement of the standards of population density and

Figure 6.

Web of Regulations Makes New Homes More Expensive

A constricting web of regulatory requirements affects virtually every aspect of the land development and home building process, adding substantially to the cost of constructing a new home and preventing many families from becoming home owners. Imposed at the federal, state and local levels, these regulations are largely invisible to the home buyer, but nevertheless have a profound impact on affordability and homeownership. And, while some regulation is

necessary, it should be sensible, appropriate and fair; it should not be imposed for the purpose of halting or limiting growth.

Not all of the following examples apply to every new home, but they are typical of the often excessive regulations that drive up the cost of new homes.

Below are examples of types of laws and regulations governing residential construction.

FEDERAL LAWS WITH REGULATIONS AFFECTING HOME BUILDING

ENVIRONMENTAL

- Clean Water Act
- Clean Air Act
- Endangered Species Act
- Emergency Wetland Resources Act of 1986
- Federal Insecticide, Fungicide and Rodenticide Act
- Federal Water Pollution Control Act of 1948
- Fish and Wildlife Coordination Acts
- National Forest Management Act
- National Environmental Policy Act
- Magnuson-Stevens Act

LABOR-RELATED

- Construction Workers Act
- Davis-Bacon Act
- Occupational Safety and Health Act

ENERGY-RELATED

- Energy Conservation Act of 1992
- Energy Policy Act of 1992

HEALTH-RELATED

- Indoor Radon Abatement Act
- Lead Exposure Reduction Act
- Safe Drinking Water Act

MISCELLANEOUS

- Historical and Archeological Development Act of 1974
- Tax Reform Act of 1986
- Fair Housing Act
- Federal timber supply rules

STATE AND LOCAL REGULATIONS AND FEES AFFECTING HOME BUILDING

DEVELOPMENT FEES/CHARGES

- Rezoning application fees
- Subdivision review charges (sketch plat, preliminary plat or final plat fee)
- Recordation of plat
- Grading/earth moving permit
- Tree removal permit
- Offsite drainage fee
- Access permit (for every opening onto the street)
- Sediment or erosion control permit fee
- Wetlands permit

LAND DEDICATION/RESERVATION

- Parks
- Schools
- Road improvements
- Other public facilities

UTILITY FEES

- Water service
- Sanitary sewer service
- Storm water sewer
- Gas service
- Water meter
- Electric meter
- Gas meter
- Impact fees

BUILDING FEES

- Building permit
- Plan checking fee
- Electrical permit
- Electrical inspection
- Plumbing permit
- Plumbing inspection
- Mechanical permit
- Mechanical inspection
- Occupancy permit

SURETIES (BONDS, ESCROW, LETTER OF CREDIT)

- Public works
- Grading
- Tree
- Parking and storm drainage
- Sediment or erosion control
- Maintenance

IMPACT ANALYSIS

- Environmental
- Demands on public service
- Transportation
- Economic

SUBDIVISION REGULATIONS/DESIGN STANDARDS/BUILDING CODES

- Sidewalk over four feet wide
- Setback requirements
- Restrictions on the use of new metallic sheathed cables
- Oversize egress window in bedroom
- Burning restrictions

building intensity recommended for the various districts and other territory covered by the plan.

A comprehensive General Plan for the City of Brisbane was adopted in June 1994. The land use designations in the Plan were subject to analysis in the Environmental Impact Report certified by the City at that time. The analysis evaluated whether the areas designated for residential uses were, in fact, safe and suitable for housing, and whether infrastructure was available or could be provided in the future when development would occur.

The Housing Element adopted as part of the 1994 General Plan specifically included a policy that required that 20% of all new housing projects of 5 or more units be affordable to low- and/or moderate-income households. In studying the strengths and weaknesses of inclusionary housing programs prior to adoption of a local ordinance, particularly given the recent court decision regarding the City of Napa's inclusionary ordinance, a number of concerns were raised regarding long-term affordability, windfall profits, cost-shifting, flexibility to maximize very-low, low- and moderate-income benefit and others. The 1999-2006 Housing Element includes a new program that will address these issues prior to setting a specific threshold for application, to assure that the program does not discourage infill multi-family development, transferable development rights in the Brisbane Acres subarea and mixed-use development in Central Brisbane's NCRO-2 District, and that does not place an excessive cost transfer to the market-rate units in projects subject to the program.

The Zoning Ordinance

Land use regulations in the Zoning Ordinance derive from the designations in the General Plan and provide the specifics to allow implementation of those designations. Zoning regulations, such as minimum parcel size, setbacks and parking requirements are considered regulations that address health and safety. The California Supreme Court, in 1925, stated that "reasonable regulations...tend to promote the health, safety, morals and general welfare of the community." The state zoning law authorizes legislative bodies of cities and counties to adopt ordinances to regulate the use of buildings, structures and land to promote the general welfare. It is local zoning regulations that are often pointed to as acting as constraints to housing development and increasing housing costs.

Zoning regulations, such as minimum parcel size, setbacks and parking requirements, limit the type and density of development on a site and therefore affect the land cost per unit, as land is typically marketed at a value commensurate with its development capacity. Requirements for the development of the land to meet health and safety and environmental concerns may additionally affect development costs.

The City's residential development standards for the zoning districts permitting residential and mixed uses as of December 2001 are provided in Table 31 (also see Table 25). In those districts allowing multifamily housing, the standards do not typically pose a constraint on the development of affordable units. For example, the 60% lot coverage limit in the R-3 District would allow a building footprint of 9,000 sq. ft. on a 15,000 sq. ft. site, which would also accommodate the required 15 ft. front, 5 ft. side and 10 ft. rear setbacks. A three-story building could be built without exceeding the 28 ft. height limit. The 10 units allowed under the maximum unit density of 1 unit per 1,500 sq. ft. could feasibly be accommodated within such a building envelope, along with a common garage to meet the parking requirements of 1 space per studio unit, 1.5 garage spaces per 1-to-2-bedroom unit and 2 garage spaces per 3-bedroom unit. The permitted building envelope would be large enough to encourage a developer to make at least some of the units affordable to those with low- and/or very-low-incomes so as to qualify for a density bonus.

Table 31.

Development Standards for Residential and Mixed-Use Districts
(2001)

	R-1- 5,000	R-1- 20,000	R-2	R-3	SCRO-1	C-2	PD
Residential Uses (those in bold are principally permitted)	Single- family; secondary units	Single- family; secondary units	Single- family; duplex; multi- family to 6 units; multi- family > 6 units.	Single- family; duplex; multi- family	Single- family; duplex; multi-family; live/work; mixed use*	Single- family; duplex; multi-family above or behind a commercial use	Single- family; duplex; multi- family; live/work; mixed use
Square feet of land per unit	5,000 (includes secondary unit)	20,000 (includes secondary unit)	2,500	1,500	Single- family: 7,500; duplex: 3,750; multi-family: 1,500; mixed use & live/work: per development plan.	Per development plan.	Per development plan.
Maximum lot coverage	40%	25%	50%	60%	70%	60%	Per development plan
Minimum lot area for new land division	5,000 sq. ft.	20,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	10,000 sq. ft.	2,500	Per development plan
Substandard lot development	Permitted: 1 unit	Permitted: 1 unit	Permitted: 1 unit	Permitted: 1 unit	No provision	No provision	Per development plan
Front setback	15 ft.** or average existing setback for block	20 ft.**	15 ft.**	15 ft.**	5 ft.	0	Per development plan.
Rear setback	10 ft.	20 ft.	10 ft.	10 ft.	10 ft.	0/10 ft. adjacent to residential district	Per development plan
Side setback	5 ft.***	15 ft.	5/10 ft.***	5/10 ft.***	0/ 10 ft. adjacent to residential use.	0/10 ft. adjacent to residential district	Per development plan
Height limit	28/30 ft.	35 ft.	28/30 ft.	28/30 ft.	35 ft.	35 ft.	Per development plan

*Because the existing mix of uses, including a propane distributor, may make some sites unsuitable for residential or mixed-use development, all uses in the district are conditional and require permit approval.

**With exceptions for lots over 15% slope.

***With exceptions for single-family units on substandard lots.

The City of Brisbane's zoning district regulations are undergoing revision in order to bring them more into conformance with policies in the 1994 General Plan (see Table 25). Many of the ordinance revisions that have been adopted and are currently under consideration are intended to facilitate reasonable development of both conforming and nonconforming properties to address issues of availability and affordability, and to encourage the maintenance and upgrading of the smaller cottages or "starter homes" in the community that are and would remain the more affordable housing. In its review of the district regulations, the City has given specific attention to the issue of unreasonable constraints to housing designed for, intended for occupancy by, or with supportive services for persons with disabilities, such as the effect of floor area ratio regulations upon the inclusion of elevators in houses built on steep sites to improve accessibility. Other revisions are designed to simplify permit processing and increase the ability to use a property for suitable residential development. These adopted and proposed amendments are detailed in Table 32. In addition, Policy H4 of the Housing Element calls for the further reduction or elimination of constraints resulting from the Zoning Ordinance, including, for example, changes to the parking requirements so that less parking would be required for smaller units.

The City's zoning laws, policies and practices comply with fair housing law. For example, the City has no occupancy standards that discriminate against unrelated adults. Group homes providing housing for 6 or fewer persons with disabilities and other special needs are permitted in all residential districts and are conditionally permitted in the NCRO-2 Downtown Brisbane Neighborhood Commercial District and the SCRO-1 Southwest Bayshore Commercial District. Group homes for over 6 persons are conditionally permitted in all residential districts, as well as in the NCRO-2 and SCRO-1 Districts. As conditionally permitted uses, such group homes require approval by the Planning Commission at a public hearing, just as do some other residential uses in the R Districts and all other types of residential development in the NCRO-2 and SCRO-1 Districts. There are no restrictions or conditions particular to the approval of group homes, and the siting of special need housing is not regulated so as to limit the number of such projects within a given area.

See Program H1a, Program H1a(1), Program H1c, Program H1d, Program H1e, Program H2c, Program H2d, Policy H4, Program H4a, Program H4a(1), Program H4a(2), Program H4a(3), Program H4a(4), Policy H6, Program H6a, Program H6a, Program H7a, Program H7a(1), Program H8a, Program H16b, Program H17c, Program 18b, Policy H19, Program H19a, Program H19c

OTHER PLANNING AND BUILDING REQUIREMENTS

Environmental and design requirements are obligations of development application and affect costs. For example, detailed grading and foundation plans and geologic studies typically are required for a project proposed to be built on steep slopes or potentially unstable soils, and such studies are generally costly. Yet, without such controls, unsafe conditions could be passed on from a developer to a homeowner or tenant and to the community. The potential losses in property damage and personal injury from landslide or slope failure would far exceed the investment needed to assure that these impacts would not occur.

Since private development has the potential to create situations that would result in impacts and costs being borne by subsequent owners, neighbors and the overall community, it is the policy of the City of Brisbane to make certain that the costs of a development are made the responsibility of the development unless a specific subsidy is provided. This is an important principle. To understand it, there must be a clear distinction between cost reduction and cost shifting.

Table 32.

Adopted and Proposed Ordinance Amendments
(as of December 2001)

ORDINANCE PROVISION	HOUSING APPLICATION	EFFECT	STATUS
Add up to 400 sf to existing home without new parking requirement	Upgrade existing nonconforming housing stock	Maintenance. Affordability.	Adopted BMC17.34.110
Additions or alterations over 5 year period must exceed 50% of value or floor area to trigger upgrade of all health and safety hazards, including access.	Upgrade existing nonconforming housing stock.	Maintenance. Affordability.	Adopted BMC15.08.140
Allow the averaging of front yard setbacks for infill development in all R districts.	Increase development footprint. Upgrade existing nonconforming housing stock.	Affordability.	Proposed.
Reduce exterior side yard setback from 10 feet to 5 feet in R-2 and R-2 districts.	Increase development footprint. Upgrade existing nonconforming housing stock.	Affordability.	Proposed.
Allow dwelling groups in the R-2 district.	Provide flexibility in site design to accommodate duplex and multi-family development.	Availability.	Proposed.
Delete offices from uses in the R-3 district.	Reserve land for housing uses.	Availability.	Proposed.
Simplify articulation requirements for single-family homes, duplexes and secondary unit.	Facilitate permit process. Reduce costs.	Affordability.	Proposed.
Increase lot coverage from 60% to 90% in the C-2 (NCRO-2) district.	Increase floor area for residential uses.	Availability.	Proposed.
Waive on-site parking requirements for storefronts in the C-2 (NCRO-2) district.	Increase area for residential parking.	Availability.	Proposed.
Allow home occupations in residential units in all districts.	Relax restrictions on working at home.	Affordability.	Proposed.
Allow home and storefront business in single-family dwellings in the C-2 (NCRO-2) district.	Maintain residential uses and nonconforming dwellings.	Availability. Affordability.	Proposed.
Require automatic fire extinguishing systems for new dwellings except for single-family, duplex, and secondary units with floor area under 2,500 square feet.	Not constrain development of modest size.	Availability. Affordability.	Adopted BMC 15.44.100

More specifically, large portions of the vacant lands within the City of Brisbane are subject to environmental regulation under the Endangered Species Act, the California Environmental Quality Act, and other federal and state regulations, that significantly restrict the residential development potential of these areas. For example, 40% of the Brisbane Acres and Southwest Bayshore subareas must be set aside as conserved habitat under the provisions of the San Bruno Mountain Area Habitat Conservation Plan. To help mitigate this constraint, the City provides a Transferable Development Right program in the Brisbane Acres subarea.

See Policy H4, Policy H4(1), Program H4(1)a, Program H8a, Policy H16, Program H16b, Policy H17, Policy H18, Program H18a, Program H18b

FEES AND CHARGES

Attention has been given to the impact of local government fees and charges on housing affordability. The representation has been that there would be substantial benefit to housing costs from reducing or waiving fees.

From the perspective of a local government, fees are related to the real costs of providing service and generally, by law, cannot exceed these costs. When a fee for service is waived for a project, the costs are still there and are, in fact, shifted. Someone else pays. In a small community like Brisbane, there is little opportunity to shift and spread costs to such an extent that they have minimal impact on others.

A fee waiver is a subsidy to the project from another source. When cost shifting to benefit housing development is deliberate, for example when fees and charges are paid from funds earmarked to support housing projects such as Redevelopment Low and Moderate Income Housing Funds, costs would not be shifted to a population that may not have the ability to shoulder the burden. If costs cannot be shifted, the result may be a deterioration or elimination of service, adversely affecting housing quality and availability.

In its publication, the NAHB expresses the point of view that impacts of development should be shifted:

“We need a more equitable means of paying for growth rather than impact fees (which are imposed on new construction)...Impact fees should be spread over all home sale transactions...commercial users should help pay too.”

At the same time, they desire an increase the level of service provided by local government in order to reduce development costs.

Who pays for services and the impacts of development is a policy decision that each City Council must make. The policy decision is expressed in a number of ways. Sometimes it is as a condition of approval for a project. Sometimes it is a part of an administrative mechanism of the City. For example, the City of Brisbane adopted a master fee schedule via Ordinance No. 386 in 1993 (Table 33). At that time, the City Council decided to subsidize, through the General Fund, the services provided to homeowners to improve and upgrade the local housing stock (Table 34). The recovery of costs from applicants for a number of permits was set at 25% of the cost.

The Brisbane City Council also waived fees for the affordable senior housing project, Visitation Garden Apartments, in the Central Brisbane subarea. There again, the costs of service did not simply disappear, but were paid by the City's General Fund. Other dedicated housing funds were used to acquire the land and fund the development.

Table 33.

Examples of City of Brisbane Building and Planning Processing Fees
(2001)

Application Type	Fee
Design Review	
<1,000 sq. ft.	\$250
1,001-10,000 sq. ft.	\$500
Use Permit for Secondary Dwelling Unit	\$1,049
Use Permit for Condominiums	\$300 per unit
Variance for New Construction	\$812
Tentative Parcel Map	\$894
Final Parcel Map	\$488
Tentative Subdivision Map	\$500 + \$100/lot
Final Subdivision Map	\$200 + \$50 per lot
Planned Development Permit	Full Reimbursement of Time, Materials and Professional Services
Environmental Review— Initial Study/Negative Declaration	\$387
Building Permit Plan Check	\$0.315/sq. ft.
Building Permit & Inspection	\$0.63/sq. ft.

Table 34.

Examples of Planning Processing Fees Subsidized by the City of Brisbane
(2001)

Type of Application	Fee	% of Cost Recovery
Conditional Use Permit	\$203	25%
Nonconforming Parking	\$203	25%
Home Occupations	\$19	50%
Variance for Remodel	\$203	25%
Transfer of Development Rights	\$194	25%
Modification to Approval	\$63	25%
Certificate of Compliance	\$481	75%
Zoning Map Amendment	\$856	25%
Fence Deviations	\$149	25%

According to the California Department of Housing and Community Development's study of statewide residential development fees in 1999, the City of Brisbane's fees were typically half the average for those jurisdictions sampled on the San Francisco Peninsula, in entire Bay Area, and throughout the state (Table 35). In that fees had not been adjusted in over eight years, although costs have risen substantially, the City updated its fee schedules in 2002. While most processing fees were increased, the City Council continued to subsidize certain fees (at a 25% recovery rate) in the interests of providing safe housing and reducing housing costs.

Table 35.

Average Development Fees by Project Type
(1999)

Location	Total Fees per Unit			Total Fees per \$ Valuation		
	25-Unit Subdivision	Infill House	45-Unit Apt. Bldg.	25-Unit Subdivision	Infill House	45-Unit Apt. Bldg.
Brisbane	\$14,053	\$11,543	\$7,616	\$0.056	\$0.046	\$0.084
San Francisco Peninsula	\$25,179	\$20,723	\$14,981	\$0.076	\$0.086	\$0.156
San Francisco Bay Area	\$27,374	\$25,859	\$17,016	\$0.108	\$0.110	\$0.200
Statewide	\$24,325	\$20,327	\$15,531	\$0.123	\$0.099	\$0.194

Source: California Department of Housing and Community Development, Pay to Play

The Jefferson Union School District currently charges a \$2.05 per square foot school impact fee for residential development.

In addition to the standard fees, the City requires that residential subdivisions (including parcel maps) dedicate land for park and recreational purposes or pay an in-lieu fee, consistent with State law. In-lieu fees are calculated as a percentage of the value of land and have recently ranged from approximately \$500 to \$1,000 per residence for small subdivisions.

See Policy H4, Program H4a, Program H11j, Policy 17, Program H17a

PERMIT PROCESSING AND BUILDING INSPECTION

The City adopts the State building and fire codes which set standards for construction. These codes establish minimum safety standards, and therefore should not be considered a constraint to housing development. Currently, the City has adopted the 1998 editions of the California Building Code and other related codes. No amendments were adopted that would diminish the City's ability to accommodate persons with disabilities.

The overwhelming majority of residential permits processed in the City of Brisbane are for individual single-family and small multi-family projects. Often the applicant is unsophisticated in the preparation of plans and the application of zoning requirements and design standards.

Although the Community Development Department has a small staff, it is organized so that at any time in the work week, including Wednesday evenings, an applicant can come to the counter for advice and assistance. A recent study confirmed that 100% of applications for planning permits were evaluated for completeness within state timelines and 100% were acted upon within 30 days of becoming complete.

Building permit administration is also done by the Department. Plancheck and inspection of construction are done by consultants under contract to and under the supervision of the City. Single-family and small multi-family permits typically receive a first plancheck response within 7-14 days from submittal. Revisions may be required if the accuracy of the plans is poor or if the plans are incomplete. Inspections are provided within 24 hours of a request. Providing more time to counsel applicants and provide advice at the property would require additional staffing. Staffing levels are evaluated yearly as part of the City's budget process.

The City funds a Code Enforcement Officer to respond to problems on a complaint basis. The Code Enforcement Officer works closely with the building inspector and the San Mateo County Department of Environmental Health to respond to housing-related problems. Response is generally immediate.

Single-family and duplex residential infill development is exempt from discretionary review under the Zoning Ordinance in districts where such uses are permitted. Multi-family development is subject to design review by the Planning Commission. Typically, a complete design review application is heard before the Commission within a month to a month and a half, depending upon environmental notice requirements. Any required Use Permit would be processed concurrently. The design review of multi-family housing does not appear to be a constraint on the production of affordable housing in Brisbane. Unlike many communities, Brisbane encourages diversity of design and individual expression in residential development (General Plan Policies 20 & 21) and, as a result, design review focuses on issues of safety and suitable, efficient site design, which often results in projects that are more functional and have fewer problems in construction. The design review findings are clearly articulated and the standards for development unequivocal, so that developers who prepare their submittals in accordance with ordinance requirements can take advantage of the City's commitment to efficient processing.

Tentative subdivision maps are reviewed by the Planning Commission, with final subdivision maps requiring City Council approval. Due to the site constraints involved with the vacant tracts of land left in Brisbane, subdivisions typically take much longer to process. Once a complete application was submitted (requiring 7 months), the most recent residential parcel map took 2 months to be approved by the Planning Commission and an additional 3 months to be approved by the City Council. Planned Development permits require a similar process for approval.

Although Brisbane's terrain presents accessibility challenges, existing ordinances allow flexibility in terms of access and egress and the building code provides guidance in terms of internal accessibility issues. Currently, to accommodate housing for persons with disabilities where a reduced need for parking can be demonstrated, application must be made for a Use Permit to modify the parking requirements. To eliminate this potential constraint, a program is included that would reduce the parking requirements for units designed and dedicated for use by persons with disabilities. The potential need to remove any remaining constraints or to provide other reasonable accommodations for housing intended for persons with disabilities will be analyzed through one of the programs included in the Housing Element. Applications for accessibility retrofitting would be given the highest priority in terms of permit processing. A program is also included to speedily handle any Requests for Reasonable Accommodation for Individuals with Disabilities that would require an exception to the building or zoning provisions of the Municipal Code. Exceptions to the building codes would be processed by the Building

Official or his/her designee, while exceptions to the zoning ordinance. Also refer to The Zoning Ordinance section for the permit processing procedures for group homes for persons with disabilities.

See Program H2b, Policy H4, Program H4b, Program H5b, Program H5c, Program H15a

RESIDENTIAL UTILITIES AND INFRASTRUCTURE

Water Supply

The City of Brisbane is one of 30 customers who purchase water from the City and County of San Francisco as the Bay Area Water Users Association (BAWUA). The 1984 Water Settlement Agreement, which governs the allocation of water to the BAWUA Hetch Hetchy customers, has an expiration date of 2009, and a maximum average annual metered supply of 184 million gallons per day (mgd). The City of Brisbane receives an allocation under this agreement as well as the Guadalupe Valley Municipal Improvement District (GVMID), a separate water-purchasing entity managed by the City.

Two other contracts grant both the GVMID and Brisbane water systems additional water supplies from the San Francisco Water Department—an 1884 agreement between Spring Valley Water Works, a predecessor in interest to the San Francisco Water Department, and Charles Crocker, a predecessor in interest to GVMID; and a 1908 agreement between Spring Valley Water Company, a successor in interest to Spring Valley Water Works and predecessor in interest to the San Francisco Water Department, and Guadalupe Development Company, a predecessor in interest to the City of Brisbane Water Department. Under the 1908 and 1884 agreements, Brisbane is entitled to receive 0.1 mgd and GVMID is entitled to receive 0.3 mgd from the San Francisco Water Department, bringing total entitlement from San Francisco to Brisbane and GVMID under the three existing agreements to 1.053 mgd.

The average of the annual and daily flow rates for the years 1985 through 1992, a period which includes the highest-consumption pre-drought years and the lowest-consumption drought years, is calculated as 0.52 mgd or 189.8 million gallons per year. Given the total water supply available to Brisbane and the housing growth estimated under the 1994 General Plan, the availability of potable water does not act as a constraint to the production of housing.

During the most recent drought, consumers responded positively to conservation measures which included voluntary use reduction, installation of efficient fixtures, drought-resistant landscaping and water recycling systems. Data on current usage indicates that the community has continued to conserve through non-drought years.

Sanitary Sewer Service

Brisbane is served by two sanitary sewer districts: the City of Brisbane and the Bayshore Sanitary District. The City sewer district has been developed and expanded over the years as vacant lands have been developed. The single largest expansion was the annexation of the Guadalupe Valley Municipal Improvement District and the development in Crocker Industrial Park. The Bayshore Sanitary District serves only the primarily vacant portion of Brisbane that roughly lies north of Lagoon Way east of Bayshore Boulevard and north of Guadalupe Valley Parkway west of Bayshore Boulevard.

Brisbane has a contract with the City and County of San Francisco for treatment of 6.0 mgd total daily dry weather sewage flow. Brisbane's sewage is pumped to the Southeast Water Pollution Control Plant on Jerrold Avenue. That treatment plant has a design capacity of 84 mgd. The

analysis in the General Plan EIR confirmed that in 1993 Brisbane's flow was 0.247 mgd. Considering anticipated development, including residential development, the increase would add 0.4 mgd, no more than 10% of the remaining design capacity and well within the contract limit. The availability of sewage treatment does not act as a constraint to the production of housing.

Water and Sewer Infrastructure

Residential development in Brisbane depends for the most part on aging infrastructure. The City, through its Capital Improvement Program, typically provides for the maintenance, upgrade and replacement of residential infrastructure in annual increments, as funds are available.

In February 2001, FCS Consultants & Corollo Engineers presented a report to the City of Brisbane entitled "Water and Sewer System Evaluation and Capital Improvements Program." The purpose of the study was to identify the major capital improvement projects, including maintenance and repair functions, that the City would need to implement to reliably distribute potable water and collect raw wastewater. The study identified a significant number of capital improvements that would be required to maintain the existing water and sewer systems and to upgrade them to meet safety requirements, such as the new chloramine conversion of the Hetch-Hetchy water system. The City's rate structure and status of the utility enterprise funds were then evaluated to ascertain needed adjustments. Several important findings resulted from this study.

The first finding involved the water rates. In order to keep housing costs down, City Councils had deferred rate increases for some years while costs continued to rise. The last rate increase was in 1991. This increase in fact lowered the rate for residential users while increasing the rates for non-residential users. However, the growth in water usage, and hence the revenues, from 1991 to 2001 did not keep up with the cost of operating and maintaining the two systems.

The next finding was that significant capital projects must be undertaken in order to address health and safety issues in the wastewater system. For example, the study recommended that the Valley Drive Pump Station be re-engineered to handle a higher volume of wastewater during the wet season. Additionally, the study suggested that the entire wastewater and potable water piping system (excluding that recently installed for the Northeast Ridge development) would need to be replaced within the next ten years. The City is undergoing a master plan study to determine the exact capital improvements needed for the next ten years.

The study found that the on-going cost of the wastewater system is 84% higher than the revenues derived from its customers and that the water system was experiencing the same type of shortfalls.

In September 2001, the City Council raised sewer rates to increase revenues by 30% (the average homeowner will experience an increase of about 20%) and adopted a sewer capacity charge of \$2,523 per unit for new single-family and duplex residences and \$1,802 per new multi-family unit. The City Council instituted a similar increase for water users and adopted water capacity charges for new units based upon water meter size (\$5,710 for a 1-inch meter, for example). Unless subsidy funds are available from sources other than user fees, it is likely that fee increases will be necessary to cover the cost of the capital projects needed for the two systems, invariably affecting housing costs.

Storm Drains

Most of the storm drain facilities in the City are in fair-to-good condition. Exceptions included concrete pipes at several locations, which are separating due to steep terrain. Some segments must be replaced because of condition or deficient capacity. A major storm drainage project was recently completed in the Northwest Bayshore subarea to alleviate flooding problems that

affected, among others, a property designated for mixed-use development. The City was a substantial contributor in paying the costs of this project. To help fund the County-wide National Pollutant Discharge Elimination System program, an annual parcel tax of \$9.48 is levied for developed properties in the R-1 and R-2 Districts and \$21.66 in the R-3 District, which charges for vacant land based upon acreage.

Streets

Almost all of the arterial, collector and local streets in Brisbane operate at good levels of service. Within the Central Brisbane and Brisbane Acres subareas, there are dead-end streets and bottlenecks due to narrow pavement with on-street parking. Street widening to the California Fire Code's 20 ft. minimum width for the property's full frontage is required for new construction or substantial improvement on a case-by-case basis. Where new streets (or existing substandard private streets) are to be dedicated to the public, the minimum improved width depends upon whether on-street parking will be provided on both, one or neither side (right-of-way widths shall be as determined by the City Engineer), with turnaround capability as required by the California Fire Code. Maximum street slope for emergency vehicle access is 15%, with limited exceptions. Sidewalks are required where terrain permits.

Recently, the City committed substantial funds to widen a portion of Sierra Point Road so that residential properties there can be better served by emergency services. The availability of funds for residential street improvements is evaluated yearly in the City budget.

Extension of Services

Residential developments in areas not currently served by infrastructure to City standards will require extension of services and street improvements. City policy establishes this as the property owner/developer's responsibility. The formation of assessment district(s) and issuance of assessment bonds by the City can help to defray public service improvement costs. The City will continue to look for subsidies for infrastructure improvements that can be available to assist affordable housing projects.

Energy

The current energy crises in California drove the state's two biggest utilities to the brink of insolvency and has left the State struggling to deal with a 12-billion dollar debt. The issues raised in California by deregulation and the relationship of the Federal Energy Regulatory Commission to California's Electric Grid Operator cannot be addressed on the local level. Nevertheless, the dramatic increases in energy costs have affected housing costs, and the City of Brisbane has responded to this issue.

Space and water heating are the principal energy needs for residents, making up 36% and 18% of combined electricity and gas consumption, respectively. Lighting, refrigerators, and other home uses make up the balance. In Brisbane, nearly all homes use natural gas for space and water heating. Electricity heats 16% of the homes and 6% of the residential water heating systems. Slightly over half the homes use natural gas for cooking, and the other half use electricity.

Many of the older homes in Brisbane are inefficient energy users. Outside air infiltration through windows, doors, ceilings and walls can account for up to 50% of heating costs. Weatherization of homes, including caulking, weatherstripping windows and doors, installing wall and ceiling insulation, and water heater insulation and thermostat setback from 140 to 120°F can reduce energy consumption by approximately 35%.

Two major changes to the energy picture have emerged from the recent crises. The first is the amendment of the Title 24 regulations for energy conservation by the State which provide higher standards for insulation and construction. The second is a focus on solar energy, use of the latest technology and the ability of a homeowner to "get on the grid."

The key to effective energy conservation is to assure that the construction and amortization costs of the energy-conserving devices/techniques do not outweigh anticipated energy costs or unnecessarily drive up the cost of housing. The installation of photovoltaic panels, for example, is still quite costly, and, although the investment would be recovered in the long term through energy savings, the initial increase in housing cost is substantial. Many issues in this regard need to be resolved before the community at large can benefit from new technology.

There are a number of government and utility sponsored energy/conserving programs that are available that can assist an individual household with immediate benefit. These programs include free energy audits, rebates or financing programs for energy efficient appliances, and free weatherization for low income households.

The City plays an important role in creating more energy efficient residences in Brisbane. New residential construction and substantial renovation must abide by the latest State energy conservation standards. Larger residential projects must be designed to address natural heating and cooling, use of natural daylight, and, if feasible, solar energy. The City also promotes the use of existing energy conservation programs.

Some examples of City actions in support of energy conservation: A key part of the design of the City-sponsored affordable senior housing project was the placement of windows so that each unit would receive sufficient natural light during the day to forego the use of electricity. In the approval of redesigns for new single-family homes at the Northeast Ridge, the City Council required that solar energy systems be installed. On an ongoing basis, the City provides information on energy conservation programs through water bill inserts, flyers and mailing, and in the quarterly Brisbane Star. The City Council also has appointed an Open Space and Ecology Committee to study and make recommendations on conservation measures.

See Policy H4, Policy H4(1), Program H4(1)a, Policy H8, Program H8a, Policy H11, Program H11d, Policy H12, Program H12a, Program H12b, Policy H13, Program H13a, Program H13b, Policy H14, Program H14a, Program H16a, Policy H17, Program H17a, Program H17b

SECTION V.

MEETING HOUSING NEEDS

State law requires that the Housing Element make adequate provision for the housing needs of all economic segments of the community. Section III of this document identified adequate sites which will be made available thorough appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing and mobilehomes, in order to meet Brisbane's housing goals and its share of the regional housing need. Section IV addressed the governmental constraints to the maintenance, improvement and development of housing, in terms of how they would be addressed where appropriate and legally possible. This section describes in general the various actions the City will take to assist in the development of adequate housing to meet the needs of low- and moderate-income households, to conserve and improve the condition of the existing affordable housing stock, and to promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color.

HOUSING AVAILABILITY

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

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

REDEVELOPMENT LOW AND MODERATE INCOME HOUSING FUNDS

Twenty percent of the tax increment money generated by the City's Redevelopment Areas One and Two is required by State law to be "set aside" for increasing, improving and preserving low- and moderate-income housing. These funds could be used to address housing availability by subsidizing development of new housing for households that cannot compete in the market, such as elderly citizens or other lower-income households. The subsidy could come in the form of financing, land purchase or assistance to the households themselves, such as providing silent seconds for down payment assistance. The City of Brisbane has used Redevelopment Low and Moderate Income Housing Funds for both land purchase and construction financing for the 4 very-low-income units, 2 low-income units and 8 moderate-income units in the City's senior housing complex (Visitacion Garden Apartments) and to assist first-time homebuyers.

Approximately \$400,000 is now projected to accrue a year in the Redevelopment Low and Moderate Income Housing Fund. The Five Year Implementation Plan for Project Area One and Project Area

Two (2000) identifies several potential programs for the fund, including providing assistance for a “sweat equity” program to build homes through an organization such as Habitat for Humanity. Potential sites identified are the Redevelopment Agency’s Plumas Street property and, if acquired by the Agency, the former fire station site at San Bruno Avenue and Glen Parkway, among other potential sites within the Central Brisbane subarea.

See Policy H9, Program H9a, Program H9b, Policy H11, Program H11a, Program H11b, Program H11d, Program H11e, Program H11h.

DENSITY BONUS

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

The Housing Element includes a policy and programs that call for consideration of providing density bonuses in accordance with State law and greater for those projects that address special needs.

See Policy H7, Program H7a, Program H7a(1).

TRANSFERABLE DEVELOPMENT RIGHTS

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

The Housing Element identifies TDR as a valuable housing program and includes a program that addresses revisions to the existing TDR program to make it easier to use and more comprehensive.

See Program H18b.

SECONDARY DWELLING UNITS

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

Modifications to the existing Ordinance may increase the availability of these units to households with special needs. Ordinance amendments may also result in streamlining processing time.

See Policy H1, Program H1b, Program H1d, Program H1d(1).

MIXED USES AND LIVE/WORK HOUSING

Brisbane's Zoning Ordinance conditionally permits residential uses above or behind a storefront use in the NCRO-2 District. Both single-family and multi-family residences may be constructed in the SCRO-1 District either as a stand-alone use or within a mixed-use project. Mixed-use housing is also designated for the Northwest Bayshore subarea.

In order to encourage these projects, no maximum density is established or recommended in the Housing Element, giving project designers opportunity to creatively approach each site to maximize its potential.

See Program H17c.

"STARTER HOMES"

For low-income families, seniors and the handicapped, housing should be tailored to their special needs. Such housing is best located so as to be convenient to shopping and transit and designed to meet the special accessibility needs of seniors and the handicapped. Small units, for example, may be less expensive to construct, heat and maintain and therefore can be more affordable to buyers and renters. Units can be constructed to be safe and comfortable without the inclusion of the luxury design details and appliances that invariably raise housing cost. Such projects can be consistent in scale with existing development, as construction of smaller units can allow greater densities while not significantly increasing the overall building coverage or jeopardizing community character. Preserving the older, smaller housing stock is also a way of making "starter homes" available.

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

See Policy H1, Program H1b, Program H1c, Policy H2, Program H2c, Program H2d(1), Program H2f, Policy H4, Program H4a, Policy H7, Policy H15, Program H15c.

ANTI-DISCRIMINATION LEGISLATION

To assure equal availability to housing, Federal and State Housing laws prohibit discrimination based on race, color, religion, families, national origin or sex. In addition, Federal law prohibits discrimination based on marital status, physical handicap or the presence of children in a family. The City has a responsibility to assure that persons of any race, religion, sex, marital status, ancestry, national origin and color receive equal opportunities for housing in Brisbane as provided by State and Federal anti-discrimination and resident protection laws. Project Sentinel is the local fair housing program which serves Brisbane, as well as the rest of San Mateo County and the Counties of Santa Clara, Alameda and San Francisco. The program provides comprehensive fair housing services. The California Department of Fair Employment and Housing is the State agency which administers the State's fair housing laws. They investigate all housing discrimination complaints filed with them. The Department of Housing and Urban Development is the Federal agency in charge of fair housing enforcement. Its regional office is located in San Francisco.

The City will continue to inform the public of its rights and responsibilities under these laws.

See Program H1f, Policy H5, Programs H5a, Program H5b, Program H5c.

TENANT PROTECTIONS

Specific protections are extended to renters concerning the continued availability of the housing they rent. State law requires landlords to provide written notice to tenants prior to the landlord's termination of their tenancy. For an extended lease (renting for a definite term) the tenant may stay in the residence for the specified period of time, and the rent cannot be raised during the time unless the lease states otherwise. For month-to-month rental agreement (renting for no definite period of time), the landlord must give a tenant a 30 day written notice to vacate the premises. The landlord does not have to state a reason (Section 1946 of California Civil Code). In addition, a landlord can raise the rent any amount, as long as written notice is given. The notice period must be at least as long as the period between rental payments (e.g. for month-to-month tenancy, the notice cannot be less than 30 days according to Section 827 of the California Civil Code).

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

See Program H1f.

MOBILEHOME PARK PROTECTIONS

To protect the rights of mobilehome park occupants, State law (Government Code Sections 65863.7 and 66427.4) regulates conversions of mobile home parks to other uses. In general, the law requires that the person proposing the change in use of a mobilehome park file a report on the impact of the proposed change. Under the City's Subdivision Ordinance, the City Council would review the impact report just described and would require appropriate mitigation of any adverse impact of conversion on the ability of displaced mobilehome residents to find adequate space in a mobilehome park.

Proposed ordinance amendments would require a public hearing prior to any change of use and give the City and nonprofit organizations an opportunity to investigate options for reducing the impacts of the potential reduction in available affordable housing.

See Program H1e, Program H1e(1), Program H1e(2), Program H1e(3).

CONDOMINIUM CONVERSION CONTROLS

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

Because conversion of rental units to affordable ownership through condominiums or limited equity cooperatives have been successfully implemented in many communities with appropriate subsidies,

conversions may provide unique housing opportunities for very-low, low- and moderate-income households.

See Policy H3, Program H3a.

HOUSING AFFORDABILITY

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

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

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

INCLUSIONARY ZONING

Through an inclusionary zoning requirement, the City may require that a percentage of new housing units be affordable to low and/or moderate income households. The process can be used to produce below-market rate for-sale units or affordable rental units.

The Brisbane Planning Commission has been studying the strengths and weaknesses of inclusionary housing programs in the Bay Area and nearby in anticipation of adopting a local ordinance. Recently, the City of Napa's inclusionary ordinance was challenged in court, and the City prevailed. The court decision provided guidance on appropriate parameters for inclusionary requirements to avoid a "takings" claim, and this will be considered by the City of Brisbane in adopting its own implementing ordinance. Concerns to be addressed will include long-term affordability, windfall profits, cost-shifting and flexibility to maximize very-low, low- and moderate-income benefit.

See Policy H6, Program H6a.

DENSITY BONUS

The State law requiring that the City grant a density bonus and/or other development incentive to developers who agree to set aside at least 20% of the total units for persons of lower income, or at least 10% for very-low income, or 50 % for senior households is based on the assumption that the increased density may be sufficiently attractive to developers to encourage affordable units to be produced by the housing market without other subsidy.

The Housing Element includes a policy and programs that call for consideration of providing density bonuses in accordance with State law and greater for those projects that address special needs.

See Policy H7, Program H7a, Program H7a(1).

REDEVELOPMENT LOW AND MODERATE INCOME HOUSING FUNDS

As of fiscal year 1999-2000, the City's Redevelopment Agency had set aside approximately \$450,000 in tax increment money to apply to housing programs.

The Five Year Implementation Plan for Project Area One and Project Area Two target some of these funds for the first-time homebuyer assistance program. The program is designed to be compatible with the Federal Mortgage Credit Certificate Program (see below) and the Federal National Mortgage Association's Community Homebuyer Program, through which a homebuyer is basically assured that a 33% front-end income ratio and 38% back-end ratio will be used in calculating his or her buying power, also allowing down payments as low as 5%, with as little as 3% from the personal resources of the homebuyer and 2% in the form of a gift from a family member, nonprofit, or public entity, and eliminating the requirement that that homebuyers have savings reserves (to cover mortgage payments during the first two months after closing). The program is being reevaluated, with the possibility of increasing the loan limit and expanding the program to include Central Brisbane.

Among the other potential uses for the Redevelopment Low and Moderate Income Housing Funds are purchasing land to lease or sell to a non-profit developer of "sweat equity" housing or otherwise subsidize such projects for very-low-, low- and moderate-income households.

See Policy H9, Program H9a, Program H9b, Policy H11, Program H11a, Program H11b, Program H11d, Program H11e, Program H11h.

MUNICIPAL BONDS/TAX ALLOCATION BONDS

The Redevelopment Agency can issue bonds to help create affordable housing opportunities by financing construction of affordable housing projects. Constraints to the use of municipal bonds include issuance costs and revenue sources for repayment. Mortgage revenue bonds are not feasible for a small jurisdiction such as Brisbane. Assessment district bonds also can be used to finance municipal improvements such as streets and service systems that can facilitate the development of affordable housing.

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

See Policy H9, Program H11d.

PUBLIC/COMMUNITY-DEVELOPED HOUSING

The most direct form of housing assistance that a community can undertake is to develop, own and operate housing for very-low-, low- and moderate-income persons. Due to much publicized blighted housing projects and the real estate industry's opposition to government housing, public low cost housing lost support in California communities in the late 1960s. As a result, Article 34 of the State Constitution was passed, prohibiting a city from constructing public housing projects without a majority vote of the local electorate. There are many communities that have approved Article 34 projects. Communities have also been able to construct affordable housing projects that do not need an Article 34 election.

The City of Brisbane has done the latter, having recently worked cooperatively with Bridge Housing

Corporation, a professional non-profit housing development group, to construct affordable housing in Brisbane for seniors. The project was enthusiastically received by the community and established a standard for future affordable housing projects that would receive public funds.

See Policy H1, Program H1b, Policy H2, Program H2c, Policy H11, Program H11a.

COOPERATIVE HOUSING

Community or resident cooperatives are sometimes formed to create affordable housing. Non-profit community development corporations directed by local residents can construct housing as a joint venture between a city and the private sector. Projects in Santa Cruz, Palo Alto and Santa Barbara, among other cities, have been constructed through a community development corporation. Mobile-home parks have also been converted to cooperatives this way. Often governmental funds are used to subsidize the costs so that the units are affordable to the members.

Members purchase shares in the co-op (a non-profit corporation) and receive a proportionate share or proportional dividends. In a limited equity co-op, shares have limited value appreciation in order to keep shares affordable to low and moderate income persons and maintain affordability over the long term. Members receive the benefits of home ownership, and can control the management of the housing. The State Cooperative Housing Assistance Office assists local governments and private groups with all aspects of cooperative housing development including project feasibility in financing, organization, legal issues, management and board training.

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

See Policy H11.

SECONDARY DWELLING UNITS

A secondary dwelling unit is an additional self-contained living unit on the same site as the primary residential unit, attached or detached, in single-family residential districts. In addition to increasing the availability of housing, the construction of secondary units may improve housing affordability. The original assumption in the State law (Gov Code 65852 et seq.) enabling secondary unit development in local communities was that, because of size restrictions, secondary units would typically be studios or one bedroom units, which generally rent for less than units found in multi-family apartment complexes. The assumption was that, not only would secondary units themselves be typically affordable, but by providing an additional source of income, they could help maintain the affordability of existing housing when added to an existing primary unit. Other benefits would be the ability to house family members and allow the elderly to age in place.

The Planning Commission has been studying issues relating to secondary units and a number of changes to the current ordinance have been proposed to increase availability to families, target affordability and to address nonconforming or illegal units in single-family residential districts.

See Policy H1, Program H1b, Program H1d, Program H1d(1).

SHARED HOUSING

The Human Investment Program (HIP), a San Mateo County based organization founded in 1972, supported in part by County CDBG funds, sponsors a shared housing program. The program is a

one-on-one matching program of homeowners who want to rent one or more rooms in their homes and prospective tenants. HIP screens all applicants, prepares leases and sublets the rooms to low- and moderate-income persons. Acting as intermediaries, HIP is able to negotiate the lowest possible rents. Since its inception, HIP has made over 10,000 home sharing placements in San Mateo County.

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

See Policy H2, Program H2e.

MOBILEHOME PARKS AND MANUFACTURED HOUSING

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

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

Because of steep slopes, lack of infrastructure and similar constraints of the land, there are limited opportunities for new mobilehome parks in Brisbane, even though they are conditionally permitted in most residential and mixed-use districts. There is an existing mobilehome park that serves very-low and low-income households and there is some concern that that these units, at some time in the future, may be threatened by market pressures to develop the land to other uses. The City of Brisbane works closely with the County of San Mateo to respond to inspection requests and provide rehabilitation loan assistance to the residents of the park.

Ordinances exist and are proposed for amendment to require public deliberation before a conversion of this mobile home park can occur. Consideration will also be given to maintaining affordability over the long term.

See Policy H1, Program H1e, Program H1e(1), Program H1e(2), Program H1e(3)

USE OF SURPLUS LANDS/LANDBANKING

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

Sites within Brisbane's municipal boundaries owned by government or special districts have been inventoried and are regularly monitored. The General Plan designated these sites "PFP—Public

Facilities and Parks,” and zoning regulations will be drafted to establish a process by which the citizens have the opportunity to consider the disposition of any such lands considered surplus.

See Policy H11, Program H11b, Program H11b(1).

RENT CONTROL

Governmental control of rents is a means by which the affordability of rental housing may be maintained. Typically, a rent control ordinance is adopted detailing the types of units regulated and the means by which rents are set, with a specific administrative agency established to implement the ordinance, providing complaint, appeals and enforcement processes. The track record of rent control is reportedly mixed, with the claim made that while rent control protects existing rental units, it reduces the incentive to maintain these units and discourages the construction of new rental units.

Private unit rent control has not been considered a priority program in Brisbane. However, rents are controlled in subsidized affordable rental projects, such as the senior Visitacion Garden Apartments, and would be expected to be controlled in other sponsored affordable housing projects. Rents are also controlled through rent subsidy programs, such as Section 8, which is administered by the San Mateo County Housing Authority.

See Policy H10, Program H10a.

MORTGAGE CREDIT CERTIFICATE PROGRAM

The San Mateo County Housing and Community Development Department offers the MCC Program to assist first-time homebuyers with moderate incomes. Under this program, qualified homebuyers receive a federal tax credit up to 15% of the interest on the mortgage loan, which increases the after-tax income of the recipient, enhancing their ability to purchase a home. Home prices as of 1999 were \$269,500 or less if resale, and \$369,100 or less if new construction. Income limits were \$57,600 for a 1- or 2-person household and \$66,340 for a 3-or-more-person household.

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

See Program H9a.

HOME EQUITY CONVERSION

Home equity conversion is a term that refers to a variety of loans designed to help older homeowners make use of the equity in their home without requiring them to move. The most common types of home equity conversion are reverse mortgages, home repair loans and property tax postponement. The San Mateo County Legal Aid Society and Department of Housing and Community Development cooperatively established the Reverse Annuity Mortgage Program (RAM) to enable elderly homeowners to use the equity on their home for needed money so they can remain independent in their home and age in place. The program is now operated by HIP. Participants can obtain a loan which is dispersed on a monthly basis as needed for a fixed period, when the loan is due. To qualify, loan recipients must be 62 years or older, must own their dwelling, and have little or no mortgage balance, modest assets, and low or moderate income.

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

See Policy H9, Program H9c.

STATE RENTAL HOUSING CONSTRUCTION PROGRAM

The Rental Housing Construction Program provides funds, through local agencies or the California Housing Finance Agency (CHFA) for the development of new rental units by private, non-profit or public agency sponsors. Not less than 30 percent of the units in each rental development assisted under the program are to be made available to low and very low income households. The remaining units may be made available to moderate income market rate households.

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

See Policy H9, Program H9a.

TECHNICAL ASSISTANCE AND ADVISORY SERVICES

To reduce the costs of developing affordable housing projects, a number of different programs are offered by the State to provide technical and research assistance to local governmental agencies, private groups, and individuals in the fields of housing development and management and advisory services.

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

See Policy H9, Program H9a.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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

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

See Policy H9, Program H9a.

HOME INVESTMENT PARTNERSHIP ACT

The Home Investment Partnership Act (HOME) is a federal block grant housing program providing for local flexibility to select housing projects to be financed and encourages partnerships among government, non-profit and private sectors. A local match (25%) of non-federal funds must be provided for each project. San Mateo County's HOME Program is based on the participation of 16 small cities, including Brisbane, the unincorporated area of the County and two CDBG entitlement

cities, Daly City and South San Francisco. The program is called the San Mateo County HOME Consortium. San Mateo County HCD is the lead agency for the Consortium. The Consortium's allocation for 1998 was \$1,980,000. HOME funds were used in the City's senior housing project.

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

See Policy H9, Program H9a, Program H11h.

PRESERVATION OF ASSISTED HOUSING

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

As of 2001, no such assisted housing developments exists in the City of Brisbane (see Section II and Appendix A). The Visitacion Garden Apartments are subject to a lease with affordability requirements with Bridge Housing Corporation that will expire in 2028. At that time, however, the project will revert to the City of Brisbane.

See Policy H11.

SECTION 8 RENTAL SUBSIDIES

Rents for lower income residents can be reduced through the Section 8 Rent Subsidy Program, funded by the U.S. Department of Housing and Urban Development and administered through the San Mateo County Housing Authority. HUD pays the difference between what a lower income household can afford as a percent of adjusted income and the fair market rent for an apartment. Households that qualify as lower income, disabled, or elderly (over 65 years), are eligible for rent subsidy. The following table compares the maximum annual income per household to qualify for Section 8 assistance in 1993 and in 2001.

Table 36.

Maximum Income to Qualify for Section 8 Program
(1993-2001)

Household Size	1993 Maximum Annual Income	2001 Maximum Annual Income
1 person	\$18,100	\$47,600
2 persons	\$20,700	\$54,400
3 persons	\$23,250	\$61,200
4 persons	\$25,850	\$68,000

The waiting list for Section 8 certificates last opened in May 1994. There are approximately 1,000 households remaining on the list. Most are out of county residents. The Housing Authority anticipates opening the list again in 2002. Most of the active certificates are being used in north San Mateo County, including several in the City of Brisbane.

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

See Policy H10, Program H10a.

HOUSING QUALITY

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

REDEVELOPMENT LOW AND MODERATE INCOME HOUSING FUNDS

The twenty percent of gross tax increment money generated by the City's Redevelopment Area Two may be used to assist in rehabilitating substandard structures. Set-aside funds can be used by themselves or in collaboration with County rehabilitation and neighborhood improvement program funds to stretch the dollars available to the community.

Among the programs identified in the Redevelopment Agency's Five Year Implementation Plan for the use of such funds are augmentation of the existing County Rehabilitation Loan program through participation in the Urban County CDBG Program and rehabilitation of vacant/abandoned apartments or mixed-use buildings for occupancy by very-low, low- and moderate-income renters.

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

See Program H2d (1), Program H11f, Program H11g, Program H11h, Program H11i, Policy H15, Program H15b.

SAN MATEO COUNTY HOUSING REHABILITATION PROGRAM

The County of San Mateo administers Community Development Block Grant funds for housing rehabilitation. There are three programs for owner-occupants of homes older than 10 years. The first provides moderate or substantial rehabilitation loans up to \$55,000 per project with an amortization period of 20 years, with the interest rate at 3% APR in 2001. There is also a limited emergency owner-occupied rehabilitation program that provides a "fast track" response to address immediate health and safety hazards. The maximum loan is \$10,000 per project with an amortization period of 20 years, with the interest rate at 3% in 2001. This program may be combined with the more

substantial rehabilitation described above. There is also a program to add a small rental unit to an existing home, so long as the property owner or the tenant meets the income guidelines of the program. The maximum loan for this program is \$45,000 with an amortization rate of 20 years. The interest rate was 10% in 2001. This program, too, may be combined with more substantial rehabilitation work to the existing structure. There is a separate Rental Rehabilitation Program was designed to serve investor-owners who rent to low- and moderate-income tenants. With loan limits of \$150,000 per unit, the program's terms include a complex formula relating forgiveness of interest and rate reductions over time. The initial interest rate was 12% in 2001, with a total deferment for the first five years. Since 1992, 8 rehabilitation loans have been made in Brisbane for approximately \$115,000.

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

See Program H11f.

STATE REHABILITATION ASSISTANCE PROGRAMS

The list of rehabilitation programs to assist lower income households at the State level has declined in recent years due to budgetary constraints. State programs often do not meet Brisbane's needs. Buildings built prior to the adoption of the Uniform Building Code which are constructed with unreinforced masonry, are subject to seismic hazards, and thus are considered substandard. Section 19161 of the State Health and Safety Code establishes the Seismic Safety Rehabilitation Loan Program, which authorizes cities and counties to provide money through the sale of bonds for structural rehabilitation of seismically hazardous residential and commercial buildings. This State program does not provide much opportunity for residential rehabilitation in Brisbane as unreinforced masonry is not generally present in Brisbane's residential structures.

See Program H2d(1), Program H11f, Program H11h, Program H11k.

Section VI.

HOUSING POLICIES AND PROGRAMS

HOUSING GOALS

The primary goal of the Housing Element is to assure that existing and new housing developments provide more than shelter, so that Brisbane remains "home" to its residents. Brisbane is an independent, energetic city, composed of and accepting a diversity of people and lifestyles, and valuing this same diversity in its residential development. The following housing goals reflect a desire to maintain these values.

Provide opportunities for housing for the people who focus their daily lives in Brisbane, to maintain and strengthen the sense of community.

Provide opportunities for a decent home and a clean, safe environment for all residents of Brisbane, regardless of age, race, sex, marital status, ethnic background, family composition, income or sexual orientation.

Provide opportunities for a variety of housing types, sizes, prices, and tenure to meet the City's present and projected housing needs.

Provide opportunities for adequate housing, within resource limitations, for very-low-, low- and moderate-income and special-needs households, including, but not limited to, the elderly, the handicapped, large households, single-parent households, the homeless and ethnic minorities.

Encourage efforts to improve and conserve existing housing and existing residential neighborhoods.

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

Ensure that housing development in areas not currently urbanized absorbs the costs of mitigating the impacts of development.

Remove unreasonable governmental constraints to the maintenance, improvement and development of housing.

HOUSING OBJECTIVES

The following objectives establish “yardsticks” for achieving the City’s goals for the planning period of the Housing Element.

A. HOUSING AVAILABILITY

1. NEW CONSTRUCTION

- a. Maintain current residential zoning for as many as 155 new units (plus the 307 units built since 1/1/99) in the Central Brisbane and Northeast Ridge subareas (not counting 108 units projected to be built in the Northeast Ridge subarea after 2006).
- b. Adjust zoning district boundaries for split-zoned vacant properties in the Southwest Bayshore subareas so as to provide up to a total of 162 new units (plus the 1 unit built since 1/1/99) in the reconfigured SCRO-1 District.
- c. Cooperate with the owners of suitable vacant R-1 District properties adjoining the R-3 District to consider adjusting district boundaries in order to provide as many as 16 new units.
- d. Revise the substandard lot provisions to provide for as many as 14 additional building sites.
- e. Anticipate at least 18 new secondary dwelling units after adoption of revised secondary dwelling unit standards.
- f. Anticipate the provision of at least 22 additional units by adoption of a density bonus ordinance, possibly with incentives greater than those required by State law for special needs.

2. INTENSIFICATION

- a. Maintain current zoning for as many as 103 new units through intensification in the R-2 and R-3 Districts in Central Brisbane, with consideration given to merging substandard lots.
- b. Cooperate with the owners of suitable partially-developed R-1 District properties adjoining the R-3 District to consider adjusting district boundaries in order to provide as many as 7 new units.
- c. Anticipate the provision of as many as 19 new units in mixed-use developments in the new NCRO-2 District in Central Brisbane.
- d. Anticipate at least 183 new secondary dwelling units after adoption of revised secondary dwelling unit standards.
- e. Provide for up to 87 additional mobilehome units on appropriate sites that are underutilized in the SCRO-1 District by replacing the existing density standards for mobilehome park development with new standards consistent with the Mobile Home Parks Act.

3. MANAGEMENT

- a. Encourage handicapped adaptability for up to 8% of units in projects of 20 or more.
- b. Support County programs to encourage formation of 5 shared housing arrangements for low-income households.
- c. Encourage the retention of 62 affordable units by amending the Zoning Ordinance to require public hearings to convert mobilehome parks to other uses in the SCRO-1 District, and by aiding enforcement of State law, California Civil Code Section 798.80.
- d. Encourage retention of at least 200 rental units in the R-2, R-3 and NCRO-2 Districts by requiring a public process for condominium conversions.
- e. Permit transfer of development rights to accommodate at least 169 new units in the Brisbane Acres.

B. HOUSING AFFORDABILITY

1. NEW CONSTRUCTION

- a. Encourage the construction of at least 12 units affordable to very-low and/or low-income households through adoption of a density bonus ordinance, possibly with incentives greater than those required by State law.
- b. Provide for at least 12 units affordable to very-low- and low-income households on Redevelopment Agency properties.
- c. Anticipate provision of at least 3 studio secondary dwelling units affordable to low-income households and at least 15 one-bedroom dwelling units affordable to moderate-income households by considering a requirement for an Agreement and Declaration of Restrictions for vacant properties with new secondary dwelling units so that the primary or secondary unit is occupied by a low- or moderate-income household.

2. INTENSIFICATION

- a. Anticipate provision of at least 37 studio secondary dwelling units affordable to low-income households and at least 146 one-bedroom dwelling units affordable to moderate-income households by considering a requirement for an Agreement and Declaration of Restrictions for developed properties with new secondary dwelling units so that the primary or secondary unit is occupied by a low- or moderate-income household.
- b. Provide for up to 87 additional mobilehome units affordable to

very-low-income households on appropriate sites that are underutilized in the SCRO-1 District by replacing the existing density standards for mobilehome park development with new standards consistent with the Mobile Home Parks Act.

3. MANAGEMENT

- a. Encourage the use of Section 8 or other rental assistance programs for at least 5 eligible households.
- b. Utilize County programs or other forms of assistance to make as many as 10 units in the Central Brisbane and Northeast Ridge subareas available for moderate-income home-ownership.
- c. Maintain the affordability of as many as 183 existing low- or moderate-income primary units with new secondary dwelling units by consideration of a requirement for an Agreement and Declaration of Restrictions for properties with new secondary dwelling units so that the primary or secondary unit is occupied by a low- or moderate-income household.

C. HOUSING QUALITY

2. REHABILITATION

- a. Promote the rehabilitation of at least 24 very-low-, low- and/or moderate-income housing units by advising property owners of the San Mateo County Housing Rehabilitation Program and similar resources or units in need of replacement or with some structural deficiencies.

Table 37.

Quantified Objectives

Income Category	New Construction*	Rehabilitation**	Conservation***
Very-Low	131	11	62
Low	48	5	200
Moderate	161	8	0
Above-Moderate	546	28	0
All	886	52	262

*See Tables 26 & 27 (excluding 323 units built since 1/1/99 and 108 units projected to be built in the Northeast Ridge subarea after 2006).

**See Table 24: 24 units in need of replacement or with some structural deficiencies distributed by income per Table 13, 28 units with minor structural deficiencies assumed to be above-moderate.

***See Tables 14, 15, 20 & 23.

HOUSING AVAILABILITY POLICIES AND PROGRAMS

Policies and programs addressing the availability of housing concentrate on the effective use of government resources and astute application of regulations. For a local government, opportunities to affect the availability of housing are closely tied to the regulations governing housing development. The land use designations in the General Plan, the zoning designations and district regulations, the health and safety regulations that guide development on any individual parcel, the mitigations required for environmental protection and other conservation codes, all affect housing development and therefore housing availability.

Except for projects sponsored by governmental agencies or non-profit developers, the strong housing market in the Bay Area sets the parameters for private investment. It is the challenge of working with market forces yet finding ways of assisting those households that the market overlooks or cannot serve, that is the subject of this Housing Element and that is expressed in the following policies and programs.

Policy H1	Strive to attain and maintain a balance of housing types (single and multi-family units, mobilehomes), sizes (number of bedrooms), tenure (owner occupied and rentals) and affordability to all income levels.
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Program H1a: Consistent with the 1994 General Plan, amend the Zoning Ordinance and Zoning Map to provide suitable sites for the development of single-family and multi-family units and mobilehomes to address the existing and projected housing needs consistent with California Government Code Section 65583c.

Program H1a(1): Amend the Zoning Map to revise district boundaries in order to be consistent with the General Plan land use designations and policies. An example would be to revise the boundaries of the SCRO-1 District to coincide with the boundaries of the unrecorded Highway Lots which are currently split-zoned, which would provide greater opportunities for affordable housing construction.

Purpose: Facilitate the construction of adequate housing to meet the projected range of housing needs.

Time Frame: December 2002.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Program H1b: Encourage the development of a broad range of housing types, sizes, tenure, and affordability in order to ensure the City's capacity to meet the identified range of housing needs.

Purpose: Allow for a broad distribution of housing types, sizes, and prices.

Time Frame: Ongoing.

Responsible Parties: Public Sector: Community Development Department, Planning Commission, City Council, Redevelopment Agency; Private Sector: owners/developers of private property; non-profit housing development organizations.

Funding Sources: City funds; Redevelopment Agency funds ; private funds.

Program H1c: Simplify the "substandard lot" provisions of the Zoning Ordinance.

Purpose: Facilitate reasonable development of appropriate non-conforming infill lots through zoning ordinance amendments.

Time Frame: June 2003.

Responsible Parties: Public Sector: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Program H1d: Examine the Zoning Ordinance regulations permitting secondary dwelling units in single-family districts to determine if the requirements should be amended to better address issues of housing availability and affordability without detriment to health and safety.

Program H1d(1): Consider requiring an Agreement and Declaration of Restrictions for properties with new secondary dwelling units so that the primary or secondary unit is occupied by a low- or moderate-income household.

Purpose: Encourage production by the private market of rental units for low- and moderate-income households and the elderly.

Time Frame: December 2002.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Program H1e: Clarify the provisions in the Zoning Ordinance that allow manufactured housing as a permitted use and mobilehome parks as a conditional use in residential and mixed-use districts.

Program H1e(1): Revise the Zoning Ordinance to require a public hearing before a mobilehome park may be converted to another permitted use.

Program H1e(2): Consider methods of maintaining the affordability provided by a mobilehome park within the community when a conversion is proposed.

Program H1e(3): Repeal the existing density standards for mobilehome park development and adopt new standards consistent with the Mobile Home Parks Act (California Code of Regulations, Title 25, Chapter 2).

Purpose: Facilitate affordable housing construction and mobilehome parks to provide housing opportunities for very-low-, low- and moderate-income households.

Time Frame: June 2003.

Responsible Parties: Community Development Department; Planning Commission; City Council.

Funding Source: City funds.

Program H1f: Develop a public awareness campaign to inform Brisbane residents and businesses, developers, non-profit housing development organizations and other groups about housing policies and opportunities in Brisbane. Use local publications such as the Brisbane Star and the Chamber of Commerce newsletter, bulk mailing, flyers and other means of distributing information on City housing policies, local achievements, programs of other agencies, housing information and counseling programs, and State housing laws.

Purpose: Inform the public about housing goals, programs and opportunities and encourage participation in the development of housing that meets the City's goals and needs.

Time Frame: Ongoing.

Responsible Parties: Public Sector: Community Development Department; Private Sector: Brisbane Chamber of Commerce and other participating groups.

Funding Source: City funds, Redevelopment Agency funds, private funds.

Policy H2	Encourage development of affordable housing specifically designed for the elderly and persons with disabilities or other special needs.
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Program H2a: Identify suitable sites for housing for the elderly and persons with disabilities or other special needs.

Purpose: Call attention to sites that can best serve special needs. Encourage the development of suitable units on these and other sites through use of City Redevelopment Funds, local and State subsidy programs and by private non-profit development groups.

Time Frame: On-going.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Program H2b: To encourage housing designed for persons with disabilities, reduce the parking requirements for units designed and dedicated for use by persons with disabilities and provide a density bonus for housing projects of 20 units or more that provide at least 8% of the units for persons with disabilities.

Purpose: Assure full access to a range of housing by persons with disabilities.

Timeframe: June 2003.

Responsible Parties: Public Sector: Community Development Department, Planning Commission, City Council; Private Sector: Private property owners and developers, non-profit housing development organizations.

Funding Source: Public and private funds.

Program H2c: To encourage housing for the elderly, reduce the parking requirements for units designed and dedicated for use by elderly persons and provide a density bonus greater than required by State law.

Purpose: Reflect the special needs of the elderly.

Timeframe: June 2003.

Responsible Parties: Community Development Department, Planning Commission, City Council

Funding Source: City funds.

Program H2d: Continue to allow residential uses above or behind storefront uses in the NCRO-2 Downtown Brisbane Neighborhood Commercial District and encourage residential uses in new mixed-use developments in designated zoning districts.

Purpose: Encourage development of modestly sized and affordably priced units close to shopping and services.

Time frame: Ongoing.

Responsible Party: Community Development Department.

Funding Source: City funds and private funds.

Program H2d(1): Encourage maintenance of existing units in the NCRO-2 Downtown Brisbane Neighborhood Commercial District through the use of Redevelopment Low and Moderate Income Housing Funds, County, State and Federal rehabilitation funds.

Purpose: Maintain existing rental housing stock.

Time frame: Ongoing.

Responsible Parties: Public Sector: Community Development Department, Redevelopment Agency, other public agencies; Private Sector: Property owners.

Funding Source: Public and private funds.

Program H2e: Encourage participation in the Human Investment Program (HIP)'s shared housing program which helps find suitable housing for the elderly, single-parent families and persons with special needs, through financial support, publicity and referrals.

Purpose: Help provide affordable housing opportunities through shared households.

Time Frame: Ongoing.

Responsible Parties: Public Sector: Community Development Department, Redevelopment Agency; Private Sector: HIP, private property owners.

Program H2f: To encourage housing units designed and dedicated for use by large families with low- and very-low incomes and other households with special needs, provide a density bonus greater than required by State law.

Purpose: Assure adequate housing for households with special needs.

Timeframe: June 2003.

Responsible Parties: Public Sector: Community Development Department, Planning Commission, City Council; Private Sector: Private property owners and developers

Funding Source: City funds, private funds.

Program H2g: Cooperate with the County of San Mateo in developing programs to provide shelter and services to the homeless by participating in the development of the Homeless Continuum of Care Plan for San Mateo County.

Purpose: Establish efficient and effective programs to serve the homeless.

Time Frame: Ongoing.

Responsible Parties: Public Sector: Community Development Department, Police Department; County of San Mateo, other cities in San Mateo County; Private Sector: nonprofit housing and assistance agencies.

Funding Source: City funds, private funds.

Program H2h: Promptly process Use Permits for group homes that provide emergency shelter and transitional housing in the SCRO-1 District.

Purpose: Encourage and facilitate the development of emergency shelter and transitional housing for the homeless in locations with convenient access to public transit.

Time Frame: Ongoing.

Responsible Parties: Public Sector: Community Development Department; Private Sector: Property owners and developers.

Funding Source: City funds, private funds.

Policy H3	Discourage the conversion of existing apartment buildings to condominiums or cooperatives unless it is demonstrated that such conversion would not adversely affect the rental market or that the conversion would provide unique housing opportunities for very-low-, low- and/or moderate-income households.
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Program H3a. Refine the current Zoning Ordinance standards for condominium conversions of existing rental units to reflect current law and City policy.

Purpose: Retain rental opportunities and provide ownership opportunities for very-low-, low- and/or moderate-income households.

Time Frame: December 2002.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Policy H4	Distinguish between those local governmental regulations that are necessary for the protection of public health, safety and welfare and those which could be modified to lessen adverse effects on the provision of housing. Reduce or eliminate constraints as much as possible.
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Program H4a: Systematically evaluate the City's zoning ordinance, the development review process and the building permit process. Implement changes to the codes and procedures where appropriate. Pass on any significant savings in processing costs to applicants through reduced application fees.

Purpose: Improve the processing of housing development applications by providing greater assistance to applicants, improving efficiency and reducing costs.

Time Frame: Ongoing.

Responsible Parties: City Council, Community Development Department, Public Works Department, Fire Department.

Funding Source: City funds

Program H4a(1): Process zoning ordinance amendments to tie the parking requirements to unit size for all dwelling units, including secondary dwelling units.

Purpose: Provide a more direct relationship between the parking requirements and projected parking demand, which may encourage smaller and more affordable housing units.

Time Frame: December 2002

Responsible Parties: Community Development Department.

Funding Source: City funds

Program H4a(2): Adopt floor area ratio standards that encourage affordable multi-family development in the R-2 and R-3 Districts.

Purpose: Avoid unnecessary constraints upon multi-family development.

Time Frame: December 2002.

Responsible Parties: Community Development Department.

Funding Source: City funds

Program H4a(3): Adopt an ordinance consistent with State law to merge substandard lots as appropriate in the R-1, R-2 and R-3 Districts.

Purpose: Provide suitable sites for multifamily development in the R-2 and R-3 Districts by aggregating substandard lots, while providing development opportunities for suitable substandard lots in the R-1 District.

Time Frame: December 2002.

Responsible Parties: Community Development Department.

Funding Source: City funds

Program H4a(4): Amend the zoning ordinance to conditionally permit dwelling groups in the R-2 and R-3 Districts.

Purpose: Provide more flexibility in the design of multiple unit projects.

Time Frame: December 2002.

Responsible Parties: Community Development Department.

Funding Source: City funds

Program H4b: Evaluate City staffing requirements with regard to improving procedures for processing development applications.

Purpose: Improve the efficiency of City operations and provide better service to applicants for housing development projects.

Time Frame: Annually, as part of the budget process.

Responsible Parties: Community Development Department, City Manager, City Council.

Funding Source: City funds.

Policy H4(1) Identify constraints on the provision of housing resulting from the authority of County, Regional, State and Federal agencies. Distinguish between those regulations that are necessary for the protection of public, health, safety and welfare and those which could be modified to lessen adverse effects on the provision of housing. Cooperate with the League of California Cities to identify and address these constraints.

Program H4(1)a: As issues arise regarding constraints on affordable housing posed by the authority of other agencies, act to make the agencies aware of the constraints and encourage them take appropriate action.

Purpose: Address constraints on the production of affordable housing resulting from the authority of other agencies.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, City Manager, City Council; League of California Cities

Funding Source: City funds.

Policy H5 Promote equal housing opportunities.

Program H5a: Develop an action plan to inform the community of equal housing opportunity laws and resource opportunities, including mediation services and investigative and enforcement agencies, through informational handouts made available at public offices, real estate offices, and in local

publications such as the Brisbane Star as part of a Public Awareness Campaign.

Purpose: Promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status or disability, and public awareness of fair housing laws.

Time Frame: Update current handouts by December 2002 and maintain at least annually thereafter.

Responsible Party: Community Development Department.

Funding Source: City funds.

Program H5b: Analyze and determine whether there are constraints on the development, maintenance and improvement of housing intended for persons with disabilities, consistent with Senate Bill 520 enacted January 1, 2002, the federal Fair Housing Act and the California Fair Employment and Housing Act. Include in the analysis an evaluation of existing land use controls, permit processing procedures, and building codes. Address any constraints found by removing them or providing reasonable accommodation for housing intended for persons with disabilities.

Purpose: Comply with State and Federal law.

Time Frame: December 2002.

Responsible Party: Community Development Department.

Funding Source: City funds.

Program H5c: Adopt and publicize a no-fee Zoning Administrator/Building Official procedure for promptly processing Requests for Reasonable Accommodation for Individuals with Disabilities, subject to public notice and findings, including whether a requested accommodation is reasonable within the meaning of fair housing laws, so as not to impose undue financial and administrative burdens on the City or require a fundamental alteration in the nature of the City's building and zoning regulations.

Purpose: Comply with State and Federal law.

Time Frame: December 2002.

Responsible Party: Community Development Department.

Funding Source: City funds

HOUSING AFFORDABILITY POLICIES AND PROGRAMS

The policies and programs below pertain to housing affordability. The policies and programs address ways of reducing the cost of housing to the owner and the occupant. Housing costs include not only development costs--land, materials, and labor--but the ongoing costs of operation, maintenance and utilities.

The most common approach that local agencies have used to achieve affordability for very-low-, low- and moderate-income households in the Bay Area housing market is to provide housing subsidies, either to the developer of the housing or to the occupants. These subsidies may come from private or public funds. For the City of Brisbane, the Redevelopment Low and Moderate Income Housing Fund is the primary source of housing subsidy. This fund has been used to construct affordable senior housing in cooperation with a nonprofit agency, and to provide first time homebuyer assistance. The amount available in the fund varies according to the amount of activity in the City's Redevelopment Project Areas, and the City Council allocates these funds on an annual basis as part of the City's budgetary and capital improvement plan process.

For the most part, the programs referenced in the policies below are those that have been used by local governments over the last thirty years. In recent years some new multi-family housing development patterns have been introduced, but there has been little new affordable housing program development. The League of California Cities does not expect a focus on such programs in the near future. So, the policies and programs below look at making existing programs most effective and remaining open to new and innovative programs as they come forward.

Over the years, it has become apparent that no housing subsidy program is free of issues. The policies and programs below identify some of the issues that must be addressed to make each approach successful.

Policy H6	Require that a portion of the units in new developments be affordable to low- and moderate-income households.
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Program H6a: Adopt an inclusionary housing program that results in benefit to low- and moderate-income households and that addresses the following issues associated with inclusionary requirements:

- a. Establish a threshold for project size that does not discourage infill multi-family development.*
- b. Establish a threshold for the number of inclusionary units that does not place an excessive cost transfer to the market rate units in a project.*

- c. *Make certain that the inclusionary program results in long-term affordability and does not result in a "windfall" to any individual household.*
- d. *Include alternatives to the construction of inclusionary units within a project that could result in greater benefit to low- and moderate-income households or to special needs households.*
- e. *Consider a waiver to inclusionary requirements for projects that transfer development rights.*
- f. *Consider a waiver to inclusionary requirements for mixed-use development in the NCRO-2 District.*

Purpose: Assure benefit to low- and moderate-income households from new housing construction.

Time Frame: June 2003.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Policy H7	Encourage utilization of a density bonus to provide housing affordable to very-low- and/or low-income households.
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Program H7a: Amend the zoning ordinance consistent with California Government Code Section 65915 to include provisions for density bonuses for affordable housing.

Purpose: Encourage provision of affordable units.

Time Frame: December 2002.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Program H7a(1): Consider a program to conditionally approve density bonuses greater than that provided in Government Code Section 65915 for projects that address special needs.

Purpose: Encourage provision of affordable units.

Time Frame. June 2003.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Program H7a(2): Evaluate a fee waiver program for affordable housing projects.

Purpose: To encourage the provision of affordable units.

Time Frame. Annually, as part of budget review.

Responsible Parties: Public Sector: City Council.

Funding Source: City funds.

Policy H8	Examine ways in which housing construction costs may be reduced.
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Program H8a: Study hillside development to see if housing development costs can be reduced on hillside lots through the use of innovative design and grading practices.

Purpose: Provide advice and assistance to applicants in reducing development costs on hillside lots.

Time Frame: December 2003.

Responsible Parties: Community Development Department, Public Works Department.

Funding Source: City funds.

Policy H9	Seek private and public funding sources for affordable housing construction.
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Program H9a: Encourage housing developers to participate in available affordable housing programs sponsored by governmental agencies, such as:

- a. ***Mortgage Credit Certificate Programs***
- b. ***State and Federal Homeownership Assistance Programs***
- c. ***State Rental Housing Construction Programs***

d. *Other programs as they become available.*

Purpose: Assist in providing affordable units within market rate projects.

Time Frame: Ongoing.

Responsible Party: Community Development Department.

Funding Source: City funds.

Program H9b: Encourage housing developers to work in concert with nonprofit housing development organizations and lending institutions to incorporate affordable housing units in development projects.

Purpose: Assist in providing affordable units within market rate projects.

Time Frame: Ongoing.

Responsible Party: Community Development Department

Funding Source: City funds.

Program H9c: Support the Human Investment Program (HIP)'s program to provide counseling to older homeowners on home equity conversion opportunities.

Purpose: Allow very-low- and low-income seniors to remain in their homes.

Time Frame: Ongoing.

Responsible Parties: Public Sector: Community Development Department, City Council; Private Sector: Nonprofit organizations.

Funding Source: City funds, other funds.

Policy H10	Encourage owners of rental housing to participate in the Section 8 rent subsidy program and other rental assistance programs as they become available.
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Program H10a: Remain in close communication with the County Housing Department and the County Housing Authority to be informed about the availability of rent subsidies and to inform them of the availability of units for rental assistance programs.

Purpose: Facilitate the use of rental subsidy programs.

Time Frame: Ongoing.

Responsible Party: Community Development Department.

Funding Source: City funds.

Policy H11 **Study alternatives for use of the City's Redevelopment Low and Moderate Income Housing Fund to provide affordable housing, and support affordable housing programs as opportunities arise and funds become available.**

Program H11a: Develop an ongoing relationship with nonprofit housing development corporations in order to take advantage of opportunities to supplement Redevelopment Low and Moderate Income Housing Funds to create affordable housing.

Purpose: Facilitate affordable housing development.

Time Frame: Ongoing.

Responsible Party: Public Sector: Community Development Department;
Private Sector: nonprofit housing development organizations.

Funding Source: City funds, private funds.

Program H11b: Purchase appropriate vacant sites to land bank for future affordable housing projects.

Program H11b(1): Implement the PFP land use designation in the General Plan so that the City has the first opportunity to consider surplus lands owned by public agencies as potential housing sites.

Purpose: Provide sites for affordable housing development.

Time Frame: Ongoing as opportunities arise.

Responsible Parties: Community Development Department, City Manager, City Council, Redevelopment Agency.

Funding Source: City funds, Redevelopment Low and Moderate Income Housing Funds.

Program H11c: Acquire and rehabilitate vacant/abandoned/deteriorated residences and make them available as affordable housing.

Purpose: Preserve very-low-, low- and moderate-income housing units.

Time Frame: Ongoing as opportunities arise.

Responsible Parties: Community Development Department; City Manager, City Council; Redevelopment Agency.

Funding Source: City funds, Redevelopment Low and Moderate Income Housing Funds.

Program H11d: Examine how Redevelopment Low and Moderate Income Housing Funds and municipal and assessment bonds could be used to subsidize development costs in privately financed residential and mixed-use projects.

Purpose: Reduce costs of developing affordable housing.

Time Frame: June 2003.

Responsible Party: Community Development Department

Funding Source: City funds, Redevelopment Low and Moderate Income Housing Funds .

Program H11e: Continue and expand the City's first-time homebuyer program using low- and moderate-income housing funds to subsidize mortgage finance costs.

Purpose: Provide home ownership opportunities for moderate income households.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, Redevelopment Agency.

Funding Source: Redevelopment Low and Moderate Income Housing Funds .

Program H11f: Collaborate with the County of San Mateo and other agencies with very-low-, low- and moderate-income rehabilitation programs to expand the scope and eligibility for assistance.

Purpose: Maintain affordable housing stock.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, Redevelopment Agency, County of San Mateo Housing and HCD programs.

Funding Source: Redevelopment Low and Moderate Income Housing Funds .

Program H11g: Assist self-help and sweat equity construction and rehabilitation projects.

Purpose: Develop and maintain affordable housing units.

Time Frame: Ongoing as opportunities arise.

Responsible Parties: Public Sector: Community Development Department, Redevelopment Agency; Private Sector: Nonprofit housing development organizations.

Funding Source: City funds, Redevelopment Low and Moderate Income Housing Funds.

Program H11h: Use Redevelopment Low and Moderate Income Housing Funds to provide leverage for state and federal programs for affordable housing that require a local match.

Purpose: Leverage available funds for affordable housing development.

Time Frame: Ongoing as opportunities arise.

Responsible Parties: Community Development Department, City Council, Redevelopment Agency.

Funding Source: Redevelopment Low and Moderate Income Housing Funds .

Program H11i: Provide financial assistance in the form of loans or grants to retrofit existing units for special needs households.

Purpose: To maintain affordable housing stock for special needs households.

Time Frame: Ongoing as opportunities arise.

Responsible Parties: Community Development Department, City Council, Redevelopment Agency.

Funding Source: Redevelopment Low and Moderate Income Housing Funds .

Program H11j: Evaluate City fee schedules for processing development applications and consider providing a subsidy for projects providing affordable very-low- and low-income housing.

Purpose: Lower costs of development for affordable very-low- and low-income housing.

Time Frame: December 2002.

Responsible Parties: Community Development Department, Finance Department, City Council, Redevelopment Agency.

Funding Source: Redevelopment Low and Moderate Income Housing Funds .

Program H11k: Encourage the State of California and the Federal Government to restore and enhance subsidy programs for affordable housing similar to those that have proven successful in the past in assisting low- and very-low-income households and households with special needs, such as Section 202, Section 8 New Construction, Section 8 Moderate Rehabilitation and Rental Rehabilitation Programs.

Purpose: Provide new and rehabilitated affordable housing units.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, City Council, Redevelopment Agency.

Funding Source: City funds.

Program H11l: Encourage the State of California to amend Housing Element and Redevelopment Law to allow cities to combine their Redevelopment Low and Moderate Income Housing Funds to fund joint projects at the most suitable locations for affordable housing.

Purpose: Expand opportunities to provide affordable housing.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, City Council, Redevelopment Agency.

Funding Source: City funds.

Policy H12 Assist in publicizing energy conservation programs and weatherization services that provide low or no cost energy conservation inspections and assistance.
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Program H12a: Provide information about home energy conservation programs and the financial benefits of energy conservation through articles in the Brisbane Star, water bill inserts, flyers, bulk mailing or other local sources of public information.

Purpose: Reduce housing costs for very-low-, low- and moderate-income households.

Time Frame: Ongoing.

Responsible Parties: Public Sector: Community Development Department, Private Sector: PG&E and other energy providers.

Funding Source: City funds.

Program H12b: Encourage energy conservation retrofitting of existing homes in conjunction with home repairs and renovation by providing accessible public information on code requirements and recommended improvements.

Purpose: To reduce housing costs for very-low-, low- and moderate-income households.

Time Frame: Ongoing.

Responsible Party: Community Development Department.

Funding Source: City funds.

Policy H13 Publicize water conservation programs and develop local measures to assist very-low-, low- and moderate-income households manage their utility costs.

Program H13a: Provide information about water conservation programs and the financial benefits of water conservation through articles in the Brisbane Star, water bill inserts, flyers, bulk mailing or other local sources of public information.

Purpose: Reduce housing costs for very-low-, low- and moderate-income households.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, Finance Department.

Funding Source: City funds.

Program H13b: Consider opportunities to make low-flow and other conservation devices available to very-low-, low- and moderate-income households and provide counseling on conservation measures for landscape irrigation.

Purpose: Reduce housing costs for very-low-, low- and moderate-income households.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, Finance Department, City Manager, City Council.

Funding Source: City funds.

Policy H14	Promote sustainable development that addresses affordability through the use of solar sensitive design in new housing development projects.
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Program H14a: Enforce Title 24 energy conservation requirements and require project design to take advantage of natural heating and cooling and the benefits of solar access to the extent possible given site constraints.

Purpose: Reduce housing costs for very-low-, low- and moderate-income households.

Time Frame: Ongoing.

Responsible Parties: Community Development Department.

Funding Source: City funds.

HOUSING QUALITY POLICIES AND PROGRAMS

Policies and programs to address housing quality focus on the structural integrity, safety and comfort of a dwelling and the conditions in the area in which the housing unit is located, including the availability of services to the household.

Policy H 15 Promote rehabilitation of substandard residential structures while maintaining their affordability to very-low-, low- and moderate-income households.

Program H15a: Establish a voluntary code inspection program to identify basic safety and sanitation problems. Within this program, disseminate information about basic safety improvements, such as fire extinguishers and smoke detectors.

Purpose: Correct unsafe conditions.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, Fire Department

Funding Source: City funds.

Program H15b: At least once a year, actively publicize and encourage the use of County, State and Federal programs for low-interest rehabilitation loans by owners of older residential units. Work with the San Mateo County Housing Rehabilitation Program to develop a promotional strategy. Seek available State and Federal funds.

Purpose: Rehabilitate single-family and multi-family dwellings.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, County of San Mateo Housing Rehabilitation Program, State and Federal Rehabilitation Programs.

Funding Source: City funds.

Program H15c: Examine the zoning ordinance regulations pertaining to nonconforming residential uses and structures to determine if amendments to the regulations could facilitate private sector maintenance and improvement of these properties.

Purpose: Remove unnecessary governmental constraints.

Time Frame: June 2003.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Policy H16 Protect the character of existing residential neighborhoods.

Program H16a: Continue to develop master plans to maintain and upgrade public infrastructure in residential neighborhoods. Seek grants and other special funds to supplement utility and gas tax funds to implement improvement projects.

Purpose: Provide safe infrastructure.

Time Frame: Ongoing. Review annually in Capital Improvement Program planning

Responsible Parties: Public Works Department, City Manager, City Council.

Funding Source: City funds, utility funds, grants and special funds.

Program H16b: Continue to refine zoning district and other regulations pertaining to new residential development in subareas outside of Central Brisbane in conformance with the policies in the 1994 General Plan.

Purpose: Encourage safe and affordable housing compatible with existing uses.

Time Frame: December 2002.

Responsible Parties: Community Development Department, Public Works Department, Fire Department.

Funding Source: City funds.

Policy H17 Assure that new development absorbs the cost of mitigating the environmental, social and service impacts it brings to the community.

Program H17a: For new development applications, condition approvals so that proper fees and charges are levied to cover the costs of the development to the community. Consider subsidizing fees for projects which provide a significant proportion of housing units affordable to very-low- and/or low-income households.

Purpose: Equitably allocate the costs of new development without constraining affordable housing development or adversely affecting housing costs for the existing community .

Time Frame: Ongoing.

Responsible Parties: Public Sector: Community Development Department, Public Works Department, Fire Department, City Manager, Planning Commission, City Council; Private Sector: Property owners and developers.

Funding Source: City funds, private funds.

Program H17b: Require fiscal impact studies for residential and non-residential projects that could have a significant effect on the City's ability to provide services.

Purpose: Augment the information given decision-makers in the environmental review of a proposed project.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, Finance Department, City Manager.

Funding Source: Property owners and developers.

Program H17c: Continue to revise the Zoning regulations to include mixed-use and live-work housing consistent with the policies in the 1994 General Plan.

Purpose: Provide housing opportunities close to jobs and reduce traffic.

Time Frame: December 2002.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Policy H18	Regulate the development of environmentally sensitive and hazardous lands to assure the mitigation of significant impacts.
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Program H18a: Work with responsible agencies to protect identified environmentally sensitive areas, including, but not limited to, wetlands, riparian habitat, critical wildlife habitat, geologically hazardous areas, areas subject to flooding, visually prominent or sensitive areas, and electric transmission line corridors.

Purpose: Protect the environment and public health and safety.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, Public Works Department, Fire Department.

Funding Source: City funds.

Program H18b: Revise the zoning ordinance regulations pertaining to Transferable Development Rights (TDRs) to be simpler and more comprehensive so that the program can act to conserve sensitive open space and conservation areas and place housing development where it can be best served by infrastructure and public safety services. Consider enhancing the program by increasing the ratio of units permitted to be transferred.

Purpose: Provide housing opportunities and preserve environmentally sensitive lands.

Time Frame: Ordinance revisions completed by June 2003.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Funding Source: City funds.

Program H18c: Adopt an ordinance requiring that all new housing development be constructed to achieve an interior noise level of 45dB CNEL or less, based on aircraft noise events.

Purpose: Mitigate aircraft noise impacts upon residential uses.

Time Frame: December 2002.

Responsible Party: Community Development Department, City Council.

Funding Source: City funds.

ACHIEVING CONSISTENCY WITH OTHER GENERAL PLAN ELEMENTS AND COMMUNITY GOALS

The Housing Element is one part of a comprehensive General Plan. State law requires that the goals and policies of all General Plan elements be consistent and mutually supportive. Housing policies and programs are integrally related to policies and programs for circulation, open space, safety, noise, conservation and land use. The Brisbane General Plan integrates all the elements into a comprehensive format, including the Housing Element.

Policy H19 Evaluate and update the Housing Element.

Program H19a: Review and update the Housing Element as necessary to remain consistent with the comprehensive General Plan.

Purpose: Maintain the internal consistency of the General Plan.

Time Frame: Ongoing.

Responsible Parties: Community Development Department, Planning Commission, City Council.

Program H19b: Prepare an annual report to the City Council and State Department of Housing and Community Development on progress made in implementing the General Plan and Housing Element policies and programs.

Purpose: Evaluate progress in conjunction with budgetary analysis.

Time Frame: Annually.

Responsible Parties: All City departments.

Program H19c: Undertake and complete Housing Element updates in accordance to the timeframes established by the State Department of Housing and Community Development.

Purpose: Meet the requirements of State law.

Time Frame: As stated by State law.

Responsible Parties: Community Development Department, Planning Commission, City Council.

APPENDIX A.

CHECKLIST TO CONFIRM LACK OF AT-RISK UNITS
PURSUANT TO GOVERNMENT CODE SECTION 65583(A)(8)

Jurisdiction City of Brisbane

Date 12/6/01

1. HUD programs:

Section 8 Lower-Income Rental Assistance project-based programs:

New Construction

Substantial or Moderate Rehabilitation

Property Disposition

Loan Management Set-Aside

Section 101 Rent Supplements

Section 213 Cooperative Housing Insurance

Section 221(d)(3) Below-Market-Interest-Rate Mortgage Insurance Program

Section 236 Interest Reduction Payment Program

Section 202 Direct Loans for Elderly or Handicapped

XXX there are no such units for our jurisdiction listed in the Inventory of Federally Subsidized Rental Units At Risk of Conversion, 1990 or subsequent updated information made available by HPD.

_____ units for our jurisdiction in the above inventory are not at risk during the ten-year analysis period; no units are at risk until _____ (year).

2. Community Development Block Grant program (CDBG)

_____ jurisdiction has not used CDBG funds

XXX
_____ jurisdiction has not used CDBG funds for multifamily rental units

although CDBG funds have been used for multifamily rental rehabilitation, staff responsible for this program indicate there are no affected units because

3. Redevelopment programs

_____ jurisdiction does not have a redevelopment agency

xxx redevelopment funds have not been used on multifamily rental units; or

although redevelopment funds have been used for multifamily rental units, staff responsible for this program indicate there are no affected units because

___ a) income-restrictions for occupancy were not required for existing units, or

xxxb) other reasons: See #8, next page

4. FmHA Section 515 Rural Rental Housing Loans

xxx jurisdiction has not been located in a qualifying rural FmHA area

___ according to information made available by HPD, there are no such eligible projects reported by FmHA within the community or unincorporated area

___ FmHA staff checked the status of _____ (name) _____ development(s) and reported that it is not eligible for prepayment or not eligible for prepayment within the ten-year analysis period.

5. State and local multifamily revenue bond programs

___ no bond-financed units eligible to terminate affordability controls within the next ten years were reported in the following publication: 1990 Annual Summary: The Use of Housing Revenue Bond Proceeds, California Debt Advisory Commission, and

xxx local housing authority staff indicate there are no such units within the community.

6. Local in-lieu fee programs or inclusionary programs

___ jurisdiction has not had an in-lieu fee or inclusionary program

xxx staff responsible for these programs indicate no affected units

7. Developments which obtained a density bonus and direct government assistance pursuant to Government Code Section 65916.

XXX jurisdiction has no projects approved pursuant to this law

____ staff responsible for this program indicate no affected units

8. Additional comments related to any of the above:

The Visitation Garden Apartments senior housing complex, was developed with Redevelopment Low and Moderate Income Housing Funds by and leased to the non-profit Bridge Housing Corporation. The lease and loan agreements, executed in 1998, have 30-year terms.